

IN THE SUPREME COURT OF THE STATE OF NEVADA

TRACY LEE CASTL,
Appellant,
vs.
PENNYMAC HOLDINGS, LLC,
Respondent.

No. 82296

FILED

DEC 16 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER

Appellant has filed a fourth motion for an extension of time to file the opening brief. In support of the motion, counsel for appellant states that appellant could not afford to pay for the transcripts until November 24, 2021, and the transcripts will not be ready until December 29, 2021.

Appellant previously filed, pro se, a certificate that no transcripts would be requested in this matter. To date, counsel has not filed a transcript request form in this court. See NRAP 9(a). And the district court docket entries do not indicate that a transcript request form has been filed in the district court. Under these circumstances, this court is not convinced that appellant demonstrates extraordinary circumstances and extreme need in support of the requested extension. See NRAP 31(b)(3)(B). Nevertheless, because it appears that an extension of time is necessary, this court orders as follows.

Appellant shall have 7 days from the date of this order to file, in this court, a file-stamped transcript request form. See NRAP 9(a)(3)(A). The form must comply with the requirements of NRAP 9(a)(3)(C). Appellant shall have until January 28, 2022, to file and serve the opening brief. No further extensions of time shall be granted absent demonstration of extraordinary circumstances and extreme need. *Id.* Counsel's caseload

normally will not be deemed such a circumstance. *Cf. Varnum v. Grady*, 90 Nev. 374, 528 P.2d 1027 (1974). Failure to timely file the opening brief may result in the imposition of sanctions, including the dismissal of this appeal. NRAP 31(d).

It is so ORDERED.

Handwritten Signature, C.J.

cc: Law Offices of Byron Thomas
Maurice Wood
Akerman LLP/Las Vegas