

IN THE SUPREME COURT OF THE STATE OF NEVADA

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

No. 82296

**FILED**

**FEB 22 2022**

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
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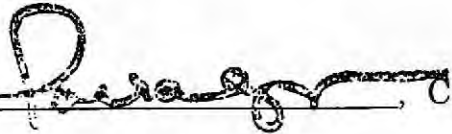
*ORDER DENYING MOTION*

Appellant has untimely filed a fifth motion for an extension of time (30 days) to file the opening brief. In support of the motion, counsel seems to assert that he ordered exhibits along with the transcripts but the exhibits were not included with the transcripts. Counsel indicates he is not yet in receipt of the exhibits. Respondent opposes the motion.

When this court granted appellant's prior extension motion, the court stated that no further extensions of time would be granted absent demonstration of extraordinary circumstances and extreme need. NRAP 31(b)(3)(B). Exhibits are properly ordered from the district court clerk, not the court reporter. Appellant's failure to timely and properly request exhibits does not constitute extraordinary circumstances and extreme need warranting an additional extension of time. Accordingly, the motion is denied. Appellant shall have 7 days from the date of this order to file and serve the opening brief and appendix. Any additional extensions will be granted only on showing 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 and appendix may result in the imposition of sanctions, including the dismissal of this appeal. NRAP 30(d).

It is so ORDERED.

 C.J.

cc: Law Offices of Byron Thomas  
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