

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAMASO S. PUENTE, INDIVIDUALLY
AND ON BEHALF OF THE ESTATE OF
DAMASO I. PUENTE; MARIA PUENTE;
DANIEL MALONE; DIANE MALONE,
INDIVIDUALLY AND ON BEHALF OF
THE ESTATE OF CHRISTA PUENTE,

Appellants,

vs.

DAVE & BUSTER'S OF NEVADA, INC.,
D/B/A DAVE & BUSTER'S,

Respondent.

No. 82554

FILED

AUG 02 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER

The parties have filed a stipulation for a second extension of time for appellants to file the opening brief. Once a party receives a telephonic extension of time to perform an act, further extensions of time to perform that same act are barred unless the moving party files a motion for an extension of time demonstrating extraordinary and compelling circumstances in support of the requested extension. NRAP 26(b)(1)(B); NRAP 31(b)(3)(A)(iv). Appellants previously received a telephonic extension of time to file the opening brief. Accordingly, the current stipulation for an extension of time to file the opening brief is improper. And appellants fail to demonstrate extraordinary and compelling circumstances in support of a second extension of time. Accordingly, the stipulation is disapproved.

Appellants shall have 7 days from the date of this order to file and serve the opening brief and appendix. Failure to timely file the opening

brief and appendix may result in the imposition of sanctions, including the dismissal of this appeal. NRAP 31(d).

It is so ORDERED.

1. Sardeshy, C.J.

cc: Christensen Law Offices, LLC
Wilson, Elser, Moskowitz, Edelman & Dicker, LLP/Las Vegas