

IN THE SUPREME COURT OF THE STATE OF NEVADA

LUKE HATCH,  
Appellant,  
vs.  
KAYCE HATCH,  
Respondent.

No. 83307

**FILED**

**JAN 07 2022**

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

**ORDER**

Appellant has filed an unopposed motion requesting an extension of time to file the transcript request form and fast track statement and to “stay” all further appellate deadlines.

Within the motion, appellant states that although this appeal is classified as a fast track appeal, it does not involve child custody. Appellant’s docketing statement indicates that this appeal involves child custody and that appellant challenges the district court’s award of custody on appeal. Nevertheless, based on appellant’s current representation that no issues regarding child custody will be raised on appeal, this court removes this matter from the fast track program. *See* NRAP 3E(a), (g)(1).

Appellant’s untimely request for an extension of time to file the transcript request form sought until December 22, 2021, to file that form. Appellant untimely filed the transcript request form in this court on December 26, 2021. However, that form does not comply with the requirements of NRAP 3E(c)(2)(A) because it does not bear the file-stamp of the district court clerk and is not addressed to the court reporter or recorder who recorded the proceedings. *See also* NRAP Forms 3 and 11. Accordingly, the clerk shall strike the transcript request form filed on December 26, 2021. Appellant shall have 7 days from the date of this order to serve and

file, in this court, an amended, file-stamped transcript request form. Because this appeal is no longer subject to the fast-track requirements of NRAP 3E, the amended transcript request form shall comply with all requirements of NRAP 9(a)(3)(C)(i)-(v).

In support of the motion for an extension of time to file the fast track statement, appellant asserts that respondent has filed a motion in the district court that seeks to alter financial components of the order challenged on appeal. Attached to the motion is a copy of an unfiled district court motion purportedly filed by respondent. In addition to an extension of time to file the fast track statement, appellant seeks to stay the appellate proceedings pending resolution of respondent's motion.

This court declines to stay the appellate proceedings at this time. However, the motion for an extension of time is granted to the following extent. NRAP 31(b)(3). Appellant shall have 60 days from the date of this order to file and serve an opening brief and appendix. *See* NRAP 28(a); NRAP 30. No further extensions shall be permitted absent demonstration of extraordinary circumstances and extreme need. NRAP 31(b)(3)(B). Counsel's caseload normally will not be deemed such a circumstance. *Cf. Varnum v. Grady*, 90 Nev. 374, 528 P.2d 1027 (1974). Any future motion for an extension of time to file the opening brief based on respondent's pending motion must be accompanied by a file-stamped copy of the motion and inform this court of the status of the district court proceedings relating to the motion. Should the district court state that it would grant respondent's motion or that the motion raises a substantial issue, respondent must promptly notify the clerk of this court. NRAP 12A(a).

Failure to timely comply with this order may result in the imposition of sanctions, including the dismissal of this appeal. NRAP 9(a)(7); NRAP 31(d)(1).

It is so ORDERED.

C.J.

cc: Justice Law Center  
Mills & Anderson Law Group