

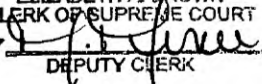
IN THE SUPREME COURT OF THE STATE OF NEVADA

KIM DENNIS BLANDINO,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 84433

FILED

DEC 06 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

ORDER REGARDING MOTIONS

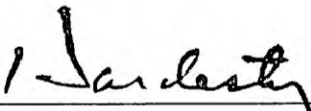
This is an appeal from a judgment of conviction for extortion and impersonating an officer. The district court sentenced appellant to 12 to 120 months on count 1, and a concurrent term of 364 days on count 2, suspended, and placed appellant on probation for 3 years. Appellant has filed a motion for a stay of his probation pursuant to NRS 177.125. No opposition has been filed.

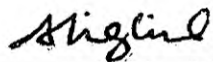
Appellant argues that a stay should be granted because his assignments of error have merit, and "since there is no incarceration to delay, and a delay of probation would merely require the Defendant to serve probation at an older age if his appeal is unsuccessful, undue delay is not advantageous to the Defendant." Having reviewed appellant's motion, this court concludes that appellant has not demonstrated that a stay is warranted at this time, and the motion is therefore denied. See NRS 177.125; *cf. State v. Robles-Nieves*, 129 Nev. 537, 541, 306 P.3d 399, 402 (2013) (relying on NRAP 8 factors for consideration of a stay under NRS 177.015 and NRS 177.125); *Kress v. Corey*, 65 Nev. 1, 189 P.2d 352 (1948) (stay should be granted where necessary to protect the defendant from irreparable or serious harm).

Cause appearing, the motion for an extension of time to file the opening brief is granted. NRAP 31(b)(3)(B). Appellant shall have until

February 16, 2023, to file and serve the opening brief and appendix. Given the length of this initial extension request, no further extensions shall be permitted absent 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). Failure to timely file the opening brief and appendix may result in the imposition of sanctions.

It is so ORDERED.

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Stiglich

  
\_\_\_\_\_, J.  
Herndon

cc: Hon. Michelle Leavitt, District Judge  
The Gersten Law Firm PLLC  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk