

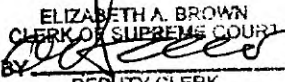
IN THE SUPREME COURT OF THE STATE OF NEVADA

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

No. 84433

FILED

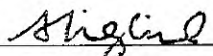
FEB 23 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING MOTION

Appellant has filed a motion requesting a second extension of time (90 days) to file the opening brief. When appellant's initial request for a 90-day extension of time was granted, this court stated that no further extensions would be permitted absent demonstration of extraordinary circumstances and extreme need. In support of the motion, counsel states that additional time is necessary because the relationship between counsel and appellant has deteriorated to the point where it is openly hostile. Counsel does not explain why this relationship prevents him from assessing the issues appropriate for appeal and compiling an appendix and brief. The decision as to what issues to raise in an appeal rests within counsel's professional judgment, not appellant's personal desires. *Jones v. Barnes*, 463 U.S. 745, 751-54 (1983). Accordingly, this court is not convinced that appellant has demonstrated extraordinary circumstances and extreme need to warrant the requested extension. The motion is denied. Appellant shall have 30 days from the date of this order to file and serve the opening brief and appendix. Failure to comply with this order may result in the imposition of sanctions. NRAP 31(d).

It is so ORDERED.

, C.J.

cc: The Gersten Law Firm PLLC
Attorney General/Carson City
Clark County District Attorney