

IN THE SUPREME COURT OF THE STATE OF NEVADA

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

No. 84433

**FILED**

JUL 07 2023

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

*ORDER*

Appellant has filed a motion for a second extension of time to file the reply 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); NEAP 31(b)(3)(A)(iv).

Appellant previously received a telephonic extension of time to file the reply brief and does not demonstrate extraordinary and compelling circumstances warranting a second extension.<sup>1</sup> Nevertheless, in this instance only, the motion is granted. Appellant shall have until August 9, 2023, to file and serve the reply brief. Failure to timely file a reply brief may be deemed a waiver of the right to file a reply. NRAP 28(c).

It is so ORDERED.

*Shiglin*, C.J.

<sup>1</sup>Counsel is advised that a telephonic extension of time to file a document should only be sought when counsel reasonably believes the document will be filed within the additional time afforded by the telephonic extension. A telephonic extension should not be utilized when counsel believes a further extension motion may be necessary.

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