

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID EDWARD ELLISTON, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 83217

FILED

DEC 20 2021

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

ORDER GRANTING MOTION

Cause appearing, appellant's motion requesting a second extension of time to file the opening brief is granted to the following extent. NRAP 31(b)(3)(B). Appellant shall have until January 18, 2022, to file and serve the opening brief and appendix. No further extensions of time shall be permitted absent demonstration of extraordinary circumstances and extreme need. *Id.* 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. J. Anderson, C.J.

cc: Karla K. Butko
Attorney General/Carson City
Carson City District Attorney