

IN THE SUPREME COURT OF THE STATE OF NEVADA

GILBERT P. HYATT,
Appellant,
vs.
FRANCHISE TAX BOARD OF THE
STATE OF CALIFORNIA,
Respondent.

No. 84707

FILED

OCT 03 2022

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

ORDER DENYING MOTION

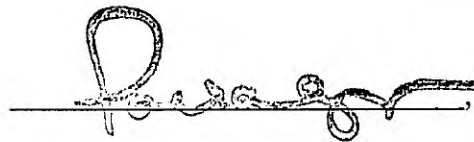
Appellant has filed a motion for a second extension of time to file the opening brief and appendix. Respondent has filed a response to the motion and appellant has replied.

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); NRAP 31(b)(3)(A)(iv). Appellant previously received a telephonic extension of time to file the opening brief and does not demonstrate extraordinary and compelling circumstances warranting a second extension. Accordingly, the motion is denied.¹ Appellant shall have 7 days from the date of this order to file and serve the opening brief and

¹Counsel for appellant 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.

appendix. Failure to timely file and serve the opening brief and appendix may result in the imposition of sanctions, including the dismissal of this appeal. NRAP 31(d).

It is so ORDERED.

 C.J.

cc: Perkins Coie, LLP/Los Angeles
Hutchison & Steffen, LLC/Las Vegas
Hutchison & Steffen, LLC/Reno
PB Consulting, LLC
McDonald Carano LLP/Las Vegas
Lemons, Grundy & Eisenberg