

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAVAR ERIS KETCHUM,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 87012

FILED

NOV 20 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

ORDER GRANTING MOTION

Cause appearing, the motion for an extension of time to file the opening brief is granted to the following extent.¹ NRAP 31(b)(3)(B). Appellant shall have until January 19, 2024, 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.

Shiglin

C.J.

cc: Hon. Jacqueline M. Bluth, District Judge
The Law Firm of C. Benjamin Scroggins, Chtd.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

¹In support of the motion, appellant's counsel indicates that appellant filed an application in district court to proceed in forma pauperis. To date, counsel asserts, the application has not been addressed by the district court. Counsel states that action is necessary to determine the capacity in which he will continue to represent appellant in this appeal.