

IN THE SUPREME COURT OF THE STATE OF NEVADA

THOMAS J. GIBSON,
Appellant,
vs.
LISA J. GIBSON,
Respondent.

No. 54911

FILED

SEP 28 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER RESOLVING MOTIONS
AND DISMISSING APPEAL


This is an appeal from a district court order entered on remand in a divorce proceeding. Eighth Judicial District Court, Family Court Division, Clark County; Robert Teuton, Judge.

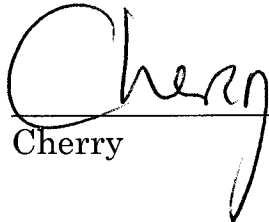
This appeal was docketed in this court on November 12, 2009. Appellant's opening brief and appendix were due on May 6, 2010. On that date, appellant filed a motion for an extension of time seeking until May 10, 2010, to file his opening brief and appendix. Appellant's motion was granted, but appellant failed to file his brief or appendix by May 10. Eleven days later, appellant filed his second request for an extension of time, requesting until June 1, 2010, to file the documents. Appellant did not file either document by June 1.

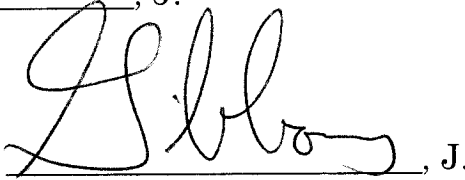
On July 7, 2010, respondent filed a motion to dismiss the appeal for appellant's failure to file an opening brief and appendix. On July 22, 2010, appellant filed an untimely opposition to respondent's motion. Appellant also filed his third request for an extension of time and submitted his opening brief and appendix. Respondent timely filed a reply and subsequently filed a supplemental reply.

Having considered the various motions and the parties' arguments, we deny as untimely appellant's second and third requests for an extension of time to file an opening brief and appendix. NRAP 27. We grant respondent's July 7 motion to dismiss this appeal. See NRAP 31(d). Accordingly, we direct the clerk of this court to return, unfiled, appellant's opening brief and appendix, provisionally received on July 22, 2010, and we hereby dismiss this appeal.

It is so ORDERED.¹


_____, J.
Saitta


_____, J.
Cherry


_____, J.
Gibbons

cc: Hon. Robert Teuton, District Judge, Family Court Division
Carolyn Worrell, Settlement Judge
Robert E. Glennen III
Robin J. Barber
Eighth District Court Clerk

¹In light of this order, we deny as moot respondent's August 5, 2010, motion to dismiss the appeal.