

IN THE SUPREME COURT OF THE STATE OF NEVADA

CALVIN THOMAS ELAM,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 85421

CALVIN THOMAS ELAM,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 85540 ✓

JAN 19 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT

BY  CLERK

*ORDER ADMINISTRATIVELY CLOSING APPEAL, TRANSFERRING
DOCUMENTS, AND REGARDING MOTIONS*

Docket No. 85421 is an appeal from an order of the district court denying a postconviction petition for writ of habeas corpus. The clerk of this court inadvertently docketed the appeal in Docket No. 85540 as a separate matter when appellant filed a second notice of appeal challenging the same order. Accordingly, the clerk of this court is directed to administratively close the appeal in Docket No 85540 and transfer to Docket No. 85421 all documents filed or received in that matter. The motion to consolidate these appeals is denied as moot.

Cause appearing, the motion for an extension of time to file the opening brief in Docket No. 85421 is granted. NRAP 31(b)(3)(B). Appellant shall have until March 27, 2023, 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.

Stiglin, C.J.

cc: Monique A. McNeill
Attorney General/Carson City
Clark County District Attorney