

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARCUS CAMPBELL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 51021

FILED

MAR 27 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER CONDITIONALLY IMPOSING SANCTIONS

This appeal was filed in the district court on January 31, 2008. Appellant failed to file the case appeal statement, which was due to be filed with the notice of appeal. NRAP 3(a)(1). Accordingly, on February 1, 2008, the district court clerk issued a Notice of Deficiency informing appellant that the case appeal statement was missing. See NRAP 3(a)(2). Additionally, on February 5, 2008, the clerk of this court issued a notice directing appellant to file the case appeal statement on or before February 15, 2008. To date, appellant has failed to file this document.

The failure of a party to file documents that are essential to the efficient processing of an appeal deprives the parties of a prompt resolution of their case. See Dougan v. Gustaveson, 108 Nev. 517, 523, 835 P.2d 795, 799 (1992) (recognizing this court's commitment to the proposition that "justice delayed is justice denied"). Consequently, this court has declared in the Nevada Rules of Appellate Procedure that the failure to pay the filing fee, or to file a case appeal statement, docketing statement, transcript request form, transcripts, or briefs in a timely manner, may be grounds for the imposition of sanctions, including dismissal of an appeal. See NRAP 3(a); NRAP 9(a)(3); NRAP 13(b); NRAP 14(c).

We conclude that appellant's failure to file the case appeal statement in compliance with the court's procedural rules and the notices issued in this case warrants the *conditional* imposition of sanctions. Accordingly, appellant shall, within 15 days from the date of this order, pay the sum of \$500.00 to the Supreme Court Law Library and provide this court with proof of such payment. However, this sanction shall be automatically vacated if appellant files and serves the case appeal statement or, alternatively, a motion to extend time, within 10 days from the date of this order.¹

It is so ORDERED.

/ J. Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

Douglas, J.
Douglas

cc: Kocka & Bolton
Longabaugh Law Offices
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eight District Court Clerk
Supreme Court Law Librarian

¹Any motion for extension of time shall explain the reasons for appellant's failure to file the case appeal statement in a timely manner and shall set forth sufficient cause for the requested extension of time.