

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRENDAN DUNCKLEY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 52383

FILED

NOV 19 2008

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

ORDER CONDITIONALLY IMPOSING SANCTIONS

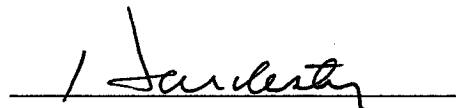
This appeal was docketed in this court on September 10, 2008. Appellant failed to file the docketing statement, which was due to be filed on or before September 25, 2008. See NRAP 14(b). Accordingly, on October 3, 2008, the clerk of this court issued a notice directing appellant to file the docketing statement on or before October 13, 2008. To date, appellant has failed to file this document.

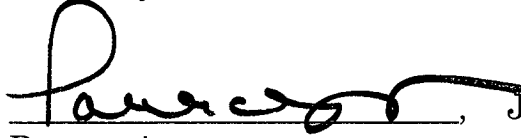
The failure of a party to file documents that are essential to the efficient processing of an appeal deprives the parties of a prompt resolution of their case. See Dougan v. Gustaveson, 108 Nev. 517, 523, 835 P.2d 795, 799 (1992) (recognizing this court's commitment to the proposition that "justice delayed 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).

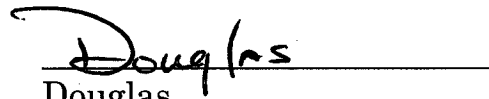
We conclude that appellant's counsel's failure to file the docketing statement in compliance with the court's procedural rules and

the notice issued in this matter warrants the *conditional* imposition of sanctions. Accordingly, appellant's counsel 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, these sanctions shall be automatically vacated if appellant's counsel files and serves the docketing statement or, alternatively, a motion to extend time, within ten days from the date of this order.¹

It is so ORDERED.

 J.
Hardesty

 J.
Parraguirre

 J.
Douglas

cc: O'Mara Law Firm, P.C.
Attorney General Catherine Cortez Masto/Carson City
Washoe County District Attorney Richard A. Gammick
Supreme Court Law Librarian

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