

IN THE SUPREME COURT OF THE STATE OF NEVADA

SEBASTIAN MARTINEZ,
Appellant,


No. 55073

vs.

KRISTI RAE FREDIANELLI; ANTHONY
FREDIANELLI; AND MIKAELLA RAE
FLANNERY, A/K/A MIKAELLA RAE
FREDIANELLI, A MINOR, BY NEVADA STATE
WELFARE, AS GUARDIAN AD LITEM,
Respondents.

FILED

OCT 15 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER GRANTING MOTION FOR AN EXTENSION OF
TIME, DENYING COUNTERMOTION FOR APPOINTMENT
OF COUNSEL AND SANCTIONS, AND DIRECTING COMPLIANCE
WITH THIS COURT'S AUGUST 27, 2010, ORDER

Before this court is respondent Kristi Rae Fredianelli's motion for an extension of time to file her response to appellant's civil proper person appeal statement. Appellant Sebastian Martinez opposes the motion and filed a countermotion for appointment of pro bono counsel and sanctions against Ms. Fredianelli. On October 12, 2010, Ms. Fredianelli submitted her response to Mr. Martinez's proper person statement.

As a preliminary matter, the motion for an extension of time states that "respondents" seek an extension of time, but it is signed only by counsel for Ms. Fredianelli, who does not represent the other respondents. The October 12 response states that Ms. Fredianelli's counsel also represents respondent Anthony Fredianelli. But this court's docket indicates that Mr. Fredianelli is represented by Ecker & Kainen, Chtd., and that firm's signature does not appear on the October 12 response. Accordingly, we treat the motion and the submission of the October 12 response as that of Ms. Fredianelli alone.

Having considered Ms. Fredianelli's motion, the opposition thereto, and Mr. Martinez's counter-motion, we grant Ms. Fredianelli's motion and deny Mr. Martinez's counter-motion. Accordingly, we direct the clerk of this court to file Ms. Fredianelli's response, provisionally received on October 12, 2010.

Additionally, Mr. Fredianelli and respondent Mikaella Rae Flannery, a/k/a Mikaella Rae Fredianelli, a minor child, have not filed their responses, as directed by this court's August 27, 2010, order, or a motion for an extension of time to do so, either of which was due on September 27, 2010. In the interest of efficiency, their responses shall be due no later than October 22, 2010. We caution counsel for Mr. Fredianelli and the minor child that failure to comply with this court's directives may result in the imposition of sanctions.

It is so ORDERED.

 C.J.

cc: Sebastian Martinez
Lemons, Grundy & Eisenberg
Kunin & Carman
Ecker & Kainen, Chtd.
Attorney General/Carson City
Attorney General/Las Vegas