

1 RADFORD J. SMITH, CHARTERED  
2 RADFORD J. SMITH, ESQ.  
3 Nevada State Bar No. 002791  
4 64 N. Pecos Rd., Suite 700  
5 Henderson, Nevada 89074  
6 T: (702) 990-6448  
7 F: (702) 990-6456  
8 Email: rsmith@radfordsmith.com

Electronically Filed  
May 09 2011 04:15 p.m.  
Tracie K. Lindeman

6 MITCHELL D. STIPP, ESQ.  
7 Nevada Bar No. 007531  
8 7 Morning Sky Lane  
9 Las Vegas, Nevada 89135  
10 T: (702) 378-1907  
11 F: (702) 483-6283  
12 Email: Mitchell.Stipp@yahoo.com

11 Attorneys for Respondent/Cross-Appellant Mitchell Stipp

13  
14 **IN THE SUPREME COURT OF  
THE STATE OF NEVADA**

15  
16 CHRISTINA CALDERON STIPP,  
17 Appellant/Cross-Respondent,  
18 v.  
19 MITCHELL DAVID STIPP  
20 Respondent/Cross-Appellant,

CASE NO.: 57327

21  
22 **MOTION TO FILE COMBINED FAST TRACK STATEMENT AND RESPONSE**  
23 **OF MAXIMUM OF 25 PAGES**

24 COMES NOW, Respondent/Cross-Appellant, MITCHELL D. STIPP ("Mitchell"), by and  
25 through his attorney Radford J. Smith, Esq., and hereby moves this Court, for permission to file his  
26 combined fast track statement and response of no more than 25 pages in length. This motion is made  
27 and based upon the following points and authorities.  
28

1  
2 DATED this 9 day of May, 2011

3 RADFORD J. SMITH, CHARTERED

4  
5  
6 RADFORD J. SMITH, ESQ.  
7 Nevada Bar No. 002791  
8 64 N. Pecos Road, Suite 700  
9 Henderson, Nevada 89074  
10 (702) 990-6448

11 Respondent/Cross-Appellant Mitchell Stipp

12  
13 I.  
14 POINTS AND AUTHORITIES

15 This Court issued its order on April 18, 2011 allowing Mitchell's cross-appeal to proceed and  
16 setting the briefing schedule. *See* Order/Procedural-Order dated April 18, 2011 (Document No. 11-  
17 11508) (the "Order"). The Order provides that "Mitchell shall have 20 days from the date of this order  
18 to file and serve a combined response and fast track statement and appendix, addressing Christina's fast  
19 track statement and his cross-appeal." *See* Order, pg. 2. However, the Order does not specify the page  
20 limitation for Mitchell's combined fast track statement and response, and the NRAP fail to address this  
21 issue.

22 Mitchell's combined fast track statement and response does not exceed 25 pages in length.  
23 NRAP 3E(d)(1) and (2) limit the lengths of a fast track statement to 15 pages and a fast track response to  
24 10 pages for a total of 25 pages if filed separately. Prior to this Court issuing the Order, Christina filed  
25 her fast track statement (Document 2011-09771), which contained 15 pages. However, the Order  
26 provides that "Christina shall have 20 days from the date that she is served with the combined response  
27 and fast track statement to file and serve a response and appendix to Mitchell's cross-appeal."  
28

1 Therefore, Christina may file a response of no more than 10 pages under NRAP 3E(d)(2) (because it is  
2 filed separately). Under these circumstances, Mitchell believes that he should be permitted to file his  
3 combined fast track statement and response of no more than 25 pages. While NRAP 3E(d)(3) permits  
4 Mitchell to seek leave of this Court to expand the length of the fast track statement or response, he is not  
5 asking this Court to exceed the combined limitations set forth in NRAP 3E(d)(1) and (2).  
6

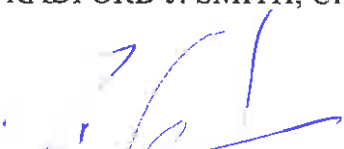
7 **II.**

8 **CONCLUSION**

9 For the reasons set forth in this motion, Mitchell respectfully requests that the Court permit him  
10 to file his combined fast track statement and response of no more than 25 pages in length.  
11

12  
13 DATED this 4 day of May, 2011

14 RADFORD J. SMITH, CHARTERED

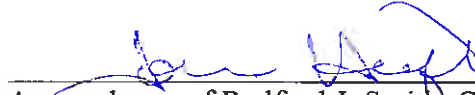
15  
16   
17 \_\_\_\_\_  
18 RADFORD J. SMITH, ESQ.  
19 Nevada Bar No. 002791  
20 64 N. Pecos Road, Suite 700  
21 Henderson, Nevada 89074  
22 (702) 990-6448

23  
24  
25  
26  
27  
28 Respondent/Cross-Appellant Mitchell Stipp

**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing document described as "MOTION TO FILE  
COMBINED FAST TRACK STATEMENT AND RESPONSE OF MAXIMUM OF 25 PAGES" by  
mail pursuant to NRAP 25 on this 9 day of May, 2011, to all interested parties as follows:

Patricia L. Vaccarino, Esq.  
Vaccarino Law Office  
8861 W. Sahara Avenue., Suite 210  
Las Vegas, Nevada 89117

  
An employee of Radford J. Smith, Chartered