

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTINA CALDERON STIPP,
Appellant/Cross-Respondent,
vs.
MITCHELL DAVID STIPP,
Respondent/Cross-Appellant.

No. 57327

FILED

AUG 29 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *T. Malone*
DEPUTY CLERK

ORDER GRANTING MOTION FOR EXTENSION OF TIME
AND MOTION TO STRIKE

On July 31, 2012, the State Bar of Nevada, Family Law Section (FLS), filed a motion for an extension of time to file its amicus brief. Appellant/cross-respondent filed a response, indicating that she does not oppose the extension, but she asks this court to “allow the FLS to provide further commentary and information” on issues that she has identified as problems in the district court. Respondent/cross-appellant has moved to strike appellant’s response and corresponding affidavit, arguing that this court invited the FLS to participate as amicus to specifically address the issue of whether the decision in Rivero v. Rivero, 125 Nev. 410, 216 P.3d 213 (2009), should be revisited, and that appellant has already had the opportunity to address the issues on appeal in her fast track statement. Respondent points out that appellant’s response to the FLS’s motion also fully briefs the additional issues that she identified as worthy of being included in the amicus brief. Appellant filed a response to the motion, arguing that it should be denied, and a countermotion, asserting that she should be awarded attorney fees and costs for responding to the motion to strike. Respondent replied to the response.

Having considered the FLS's unopposed motion for an extension of time, we grant it.¹ The FLS shall have until September 17, 2012, to file and serve the amicus brief. With regard to appellant's response to the FLS's motion and respondent's motion to strike the response and corresponding affidavit, we decline to allow additional briefing, and we grant respondent's motion to strike appellant's response and affidavit. The clerk of this court shall strike the response and affidavit, both of which were filed in this court on August 15, 2012.²

It is so ORDERED.

Cherry, C.J.

cc: Vaccarino Law Office
Mitchell D. Stipp
Smith & Taylor
Abrams Law Firm, LLC
Routsis Hardy-Cooper

¹In light of this order, we deny as moot the FLS's motion for submission of its motion for an extension of time.

²Appellant's countermotion for attorney fees and costs related to filing a response to respondent's motion to strike is denied.