

IN THE SUPREME COURT OF THE STATE OF NEVADA

DELARIAN WILSON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 60309

FILED

JAN 16 2013

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


ORDER CONDITIONALLY IMPOSING SANCTIONS

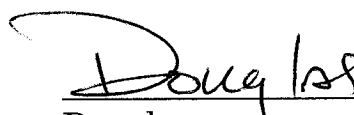
On September 21, 2012, we entered an order denying appellant's motion for a limited remand. Appellant's counsel, Keith C. Brower, requested the remand in order to allow the district court to resolve appellant's pending motion for reconsideration. Because Mr. Brower had not followed the proper procedure for seeking a remand as set forth in Foster v. Dingwall, 126 Nev. ___, ___ 228 P.3d 453, 455-56 (2010), we ordered him to comply with the Dingwall procedures within 30 days by either informing this court that the district court denied the motion or informing this court of the status of the district court proceedings on the motion for reconsideration. Mr. Brower failed to comply. On November 9, 2012, we entered an order reinstating briefing, admonishing Mr. Brower for failing to comply, and directing him to file and serve the opening brief and appendix within 60 days or face sanctions. To date, Mr. Brower has not complied.


Mr. Brower's continued failure to comply with this court's orders warrants the conditional imposition of sanctions. Within 15 days from the date of this order, Mr. Brower shall pay the sum of \$500 to the Supreme Court Law Library and provide this court with proof of such

payment. Mr. Brower shall have 10 days from the date of this order to file and serve the opening brief and appendix or a motion to extend time that complies with NRAP 31(b)(3). If Mr. Brower timely files the required documents, the conditional sanction will be automatically vacated. Failure to comply with this order will result in an order to appear and show cause why additional sanctions should not be imposed.

It is so ORDERED.


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Saitta

cc: Keith C. Brower
Attorney General/Carson City
Clark County District Attorney
Supreme Court Law Librarian