

IN THE SUPREME COURT OF THE STATE OF NEVADA

CASHMAN EQUIPMENT COMPANY, A
NEVADA CORPORATION,

Appellant,

vs.

WEST EDNA ASSOCIATES, LTD.,
D/B/A MOJAVE ELECTRIC, A NEVADA
CORPORATION; WESTERN SURETY
COMPANY, A SURETY; THE WHITING
TURNER CONTRACTING COMPANY,
A MARYLAND CORPORATION;
FIDELITY AND DEPOSIT COMPANY
OF MARYLAND; AND TRAVELERS
CASUALTY AND SURETY COMPANY
OF AMERICA, A SURETY,

Respondents.

No. 61715

FILED

JAN 03 2013

TRAGIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *H. Ingerson*
DEPUTY CLERK


ORDER IMPOSING CONDITIONAL SANCTIONS

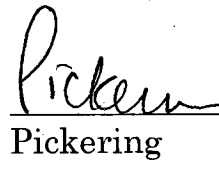
Appellant failed to file the case appeal statement with the notice of appeal. See NRAP 3(f). Accordingly, this court issued a notice directing appellant to file the case appeal statement. As appellant did not comply with that notice, this court entered an order directing appellant to file the case appeal statement by October 25, 2012. To date, appellant has failed to comply with that order.

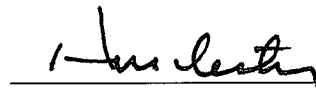
We conclude that appellant's failure to file the case appeal statement in compliance with this court's procedural rules, the notice issued in this matter, and this court's order warrants the *conditional* imposition of sanctions. See NRAP 3(a)(2). Accordingly, appellant shall, within 15 days from the 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 files and serves the case appeal statement or, alternatively, a motion to extend time, within ten days from the date of this order.¹ We caution counsel and appellant that failure to comply with this order may result in additional sanctions, including referral to the State Bar of Nevada and dismissal of this appeal.

It is so ORDERED.

_____, J.
Saitta

_____, J.
Pickering

_____, J.
Hardesty

cc: Stephen E. Haberfeld, Settlement Judge
Pezzillo Lloyd
Cotton, Driggs, Walch, Holley, Woloson & Thompson/Las Vegas
Supreme Court Law Librarian

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