

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILBURT HICKMAN, JR. A/K/A
WILLIAM HICKS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 64776

FILED

MAR 14 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER CONDITIONALLY IMPOSING SANCTIONS

This appeal was docketed in this court on January 10, 2014. Because appellant's counsel, Mitchell Posin, had not yet filed the rough draft transcript request form, on February 13, 2014, we imposed a conditional sanction against him and directed him to file the required document within 11 days. We also reminded Mr. Posin that the fast track statement and appendix were due to be filed by February 19, 2014. Mr. Posin filed the rough draft transcript request form and the conditional sanction was automatically vacated. However, to date, Mr. Posin has failed to file the fast track statement and appendix.

We conclude that Mr. Posin's failure to file the fast track statement and appendix warrants the *conditional* imposition of sanctions. See NRAP 3C(n). Within 15 days from the date of this order, Mr. Posin shall pay the sum of \$1000 to the Supreme Court Law Library and provide this court with proof of such payment.

Mr. Posin shall have 10 days from the date of this order to file and serve the fast track statement and appendix or, alternatively, a motion to extend time. Any motion for an extension of time shall explain the reasons for the failure to file the fast track statement and appendix in

a timely manner and shall set forth sufficient cause for the requested extension of time. NRAP 3C(i)(2)(B).

If the required documents are timely filed, the conditional sanction will be automatically vacated. If the required documents are not timely filed, the sanction will no longer be conditional and must be paid. Failure to comply with this order will result in the imposition of additional sanctions as this court deems warranted or an order to appear and show cause why additional sanctions should not be imposed. *See* NRAP 3C(n).

It is so ORDERED.

1 Hardesty, J.
Hardesty

Douglas, J.
Douglas

Cherry, J.
Cherry

cc: Posin & Posin
Attorney General/Carson City
Clark County District Attorney
Supreme Court Law Librarian