

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES DAEVON MANNING,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 65856

FILED

OCT 10 2014

TRACE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER CONDITIONALLY IMPOSING SANCTIONS

On June 11, 2014, appellant filed, in the district court, a transcript request form requesting that court reporter Sharon Howard produce transcripts of the district court proceedings conducted on January 13-15, 2014; February 3, 2014; and March 20, 2014. Because appellant's counsel requested an extension of time to file the fast track statement due to missing transcripts, on August 1, 2014, we ordered Ms. Howard to deliver the transcripts to counsel and file a notice of delivery in this court within 14 days. On August 15, 2014, we granted Ms. Howard an extension of time, in part, to produce the transcripts and file a notice of delivery of the transcripts within 40 days. Ms. Howard was cautioned that failure to comply could result in the imposition of sanctions. See NRAP 3C(n), 9(b)(5). To date, Ms. Howard has failed comply.

We conclude that Ms. Howard's failure to file the requested transcripts in compliance with the court's procedural rules and the orders issued in this matter warrants the *conditional* imposition of sanctions. See NRAP 3C(n), 9(b)(5), 13(b). Accordingly, within 15 days from the date of this order, Ms. Howard shall pay the sum of \$250 to the Supreme Court Law Library and provide this court with proof of such payment. This

sanction, however, shall be automatically vacated if Ms. Howard files the above identified transcripts in the district court, serves counsel with a copy of the requested transcripts, and files a notice of delivery of the transcripts in this court within 11 days from the date of this order. See NRAP 3C(d)(3)(E). Alternatively, Ms. Howard may file motion for an extension of time within the same 11-day period. Any motion for an extension of time shall explain the reasons for the failure to file the missing transcripts in a timely manner and shall set forth sufficient cause for the requested extension of time. See NRAP 3C(h)(1).

It is so ORDERED.

Pickering, J.
Pickering

Parraguirre, J.
Parraguirre

Saitta, J.
Saitta

cc: Hon. Douglas W. Herndon, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Sharon Howard, Court Reporter