

CLERK OF THE COURT

Electronically Filed
Sep 10 2014 10:38 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

1 NOTC
2 ADAM E. BRIGMAN, ESQ.
3 Nevada Bar No.: 011926
4 CRAM VALDEZ BRIGMAN & NELSON
5 8831 W. Sahara Avenue
6 Las Vegas, Nevada 89117
7 Telephone (702) 255-0700
8 Attorney for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

9 JA CYNTA McCLENDON,

10 Plaintiff,

Case No.: A-13-680935

Dept. XXX

11 vs,

STP: 13-1744

12 DIANE COLLINS and; ROE CORPORATIONS
13 I through X, inclusive; and DOES I through X,
14 inclusive,

NOTICE OF APPEAL

Defendants.

15 Please take notice that Plaintiff JA CYNTA McCLENDON hereby appeals to the Supreme

16 Court of Nevada from:

17 1. All judgements and orders in this case;

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CRAM VALDEZ BRIGMAN & NELSON

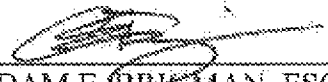
8831 W. Sahara Avenue Las Vegas NV 89117
Telephone (702) 255-0700 Facsimile (702) 255-2159

2. Order Denying Plaintiff's Motion to Designate Eugene L. Appel, M.D., as an expert witness, take his deposition, and use his written opinions and deposition testimony at trial, filed on August 14, 2014.
3. Judgement on Jury Verdict which was rendered on on August 22, 2014, (not yet filed). Notice of the entry of judgment (not yet filed, though notice to file the judgment was served by the ADR office, on September 2, 2014); and
4. All rulings and interlocutory orders made appealable by any of the foregoing.

DATED this 5th day of September, 2014.

CRAM VALDEZ BRIGMAN & NELSON

By:

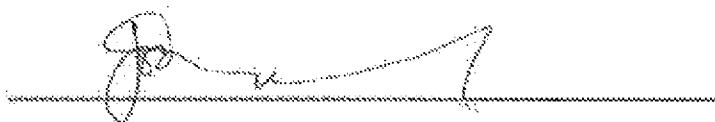

ADAM E. BRIGMAN, ESQ.
Nevada Bar No.: 11926
8831 W. Sahara Avenue
Las Vegas, Nevada 89117
Telephone (702) 255-0700
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5th day of September, 2014, I served a true correct copy of the foregoing NOTICE OF APPEAL via electronic service and US Mail to the following person(s):

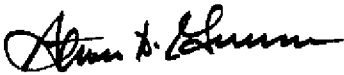
Byron F. Browne, Esq.
BARKSI DRAKE BROWNE
10191 Park Run Drive #110
Las Vegas, Nevada 89145
Fax: 702-240-5900
Attorney for Defendant

Employee of CRAM VALDEZ BRIGMAN & NELSON



CRAM VALDEZ BRIGMAN & NELSON

8831 W. Sahara Avenue Las Vegas NV 89117
Telephone (702) 255-0700 Facsimile (702) 255-2159


CLERK OF THE COURT

1 **ASTA**
2 ADAM E. BRIGMAN, ESQ.
3 Nevada Bar No.: 011926
4 **CRAM VALDEZ BRIGMAN & NELSON**
5 8831 W. Sahara Avenue
6 Las Vegas, Nevada 89117
7 Telephone (702) 255-0700
8 *Attorney for Plaintiff*

DISTRICT COURT

CLARK COUNTY, NEVADA

8 JA CYNTA McCLENDON,

9 Plaintiff,

Case No.: **A-13-680935**
Dept. **XXX**

10 vs.

STP: 13-1744

11 DIANE COLLINS and; ROE CORPORATIONS
12 I through X, inclusive; and DOES I through X,
13 inclusive,

CASE APPEAL STATEMENT

14 Defendants,

15 **1. Name of appellant filing this case appeal statement:**

16 Plaintiff Ja Cynta McClendon

17 **2. Identify the judge issuing the decision, judgment, or order appealed from:**

18 The Honorable Patrick N. Chapin, Judge Pro Tempore

19 **3. Identify each appellant and the name and address of counsel for each appellant:**

20 Adam E. Brigman, Esq.
21 CRAM VALDEZ BRIGMAN & NELSON
22 8831 W. Sahara Avenue
23 Las Vegas, Nevada 89117
24 Telephone (702) 255-0700
25 *Attorney for Appellant*

26 ///

27 ///

28 ///

CRAM VALDEZ BRIGMAN & NELSON
8831 W. Sahara Avenue Las Vegas NV 89117
Telephone (702) 255-0700 Facsimile (702) 255-2159

4. Identify each respondent and the name and address of appellate counsel, if known for each respondent (if the name of a respondent's appellate counsel is unknown, indicate as much and provide the name and address of that respondent's trial counsel):

Appellate counsel unknown.
Trial Counsel:
Byron F. Browne, Esq.
BARSKI DRAKE BROWNE
10191 Park Run Drive, Suite 110
Las Vegas, Nevada 89145
Fax: 702-240-5900
Attorney for Respondent Diane Collins

5. Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission to appear under SCR 42 (attach a copy of any district court order granting such permission):

Counsel listed above are licensed to practice law in Nevada.

6. Indicate whether appellant was represented by appointed or retained counsel in the district court:

Retained Counsel

7. Indicate whether appellant is represented by appointed or retained counsel on appeal:

Retained Counsel

8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave:

Not applicable.

9. Indicate the date the proceedings commenced in the district court, e.g., date complaint, indictment, information, or petition was filed:

Complaint filed April 30, 2013.

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10. Provide a brief description of the nature of the action and result in the district court, including the type of judgement or order being appealed and the relief granted by the district court:

This matter involves motor vehicle accident that occurred May 15, 2012. Plaintiff Ja Cynta McClendon was exiting the I-95 Northbound off-ramp onto westbound Lake Mead Blvd., when Defendant Diane Collins failed to stop her vehicle and crashed into the rear of Ja Cynta McClendon's vehicle. As a result of the accident Ja Cynta McClendon sustained injuries, received medical treatment, and incurred significant medical expenses as a result of those injuries.

On April 30, 2013 Ja Cynta McClendon filed a law suit against Defendant Collins in district court under a negligence theory. This matter went through the court mandated arbitration program. Plaintiff prevailed at arbitration.

Thereafter, Defendant filed a timely Request for Trial de Novo. Subsequently, short trial was set for August 22, 2014, with a discovery deadline of July 30, 2014. During discovery, Defendant designated expert witness Dr. Eugene Appel. Prior to the close of discovery, Plaintiff designated Dr. David Oliveri, as a rebuttal expert. Defendant disputed Plaintiff's designation and demanded additional time to depose Dr. Oliveri. Plaintiff also requested leave to depose Dr. Appel. The court then extended the discovery deadline from July 30, 2014 to August 18, 2014, for the sole purpose of deposing those expert witnesses previously disclosed: Dr. Appel, and Dr. Oliveri.

On August 12, 2014, after properly noticing the depositions of the experts, and approximately three (3) days prior to Plaintiff taking Dr. Appel's deposition, Defendant filed a de-designation of Dr. Appel. On August 13, 2014, as a result of Defendant's de-designation, Plaintiff designated Dr. Appel as her own expert.

On August 14, 2014, Defendant filed a Motion for Protective Order, that because Dr. Appel had been de-designated, he was no longer an expert, could not be deposed, and could not testify or render opinions to be used in trial.

On August 14, 2014, in opposition to Defendant's motion, Plaintiff filed a motion to designate Eugene L. Appel, M.D., as an expert witness, take his deposition, and use his written opinions and deposition testimony at trial.

On August 14, 2014, the court issued an Order granting Defendant's Protective Order and denying Plaintiff's Motion.

This matter went before the jury on August 22, 2014, and a verdict for the Defendant was entered that day.

Plaintiff appeals the courts August 14, 2014, Order regarding Defendant's de-designation Dr. Appel, and subsequent protective order, and denying Plaintiff's motion to designate Dr. Appel, and to use his testimony and opinions at trial. Plaintiff appeals all subsequent judgments.

11. Indicate whether the case has previously been the subject of an appeal or an original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding.

This case has not previously been the subject of an appeal or original writ.

12. Indicate whether this appeal involves child custody or visitation:

This appeal does not involve child custody or visitation.

///


13. If this is a civil case, indicate whether this appeal involves the possibility of settlement.

Presently, settlement does not appear likely.

DATED this 5th day of September, 2014.

CRAM VALDEZ BRIGMAN & NELSON

By:

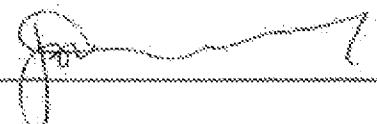

ADAM E. BRIGMAN, ESQ.
Nevada Bar No.: 11926
8831 W. Sahara Avenue
Las Vegas, Nevada 89117
Telephone (702) 255-0700
Attorney for Appellant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5th day of September, 2014, I served a true correct copy of the foregoing NOTICE OF APPEAL via electronic service and US Mail to the following person(s):

Byron F. Browne, Esq.
BARSKI DRAKE BROWNE
10191 Park Run Drive, Suite 110
Las Vegas, Nevada 89145
Fax: 702-240-5900
Attorney for Defendant

Employee of CRAM VALDEZ BRIGMAN & NELSON



DEPARTMENT 30
CASE SUMMARY
CASE NO. A-13-680935-C

Ja Cynta Mc Clendon, Plaintiff(s)
vs.
Diane Collins, Defendant(s)

§
§
§
§
§

Location: **Department 30**
Judicial Officer: **Wiese, Jerry A**
Filed on: **04/30/2013**
Cross-Reference Case Number: **A680935**

CASE INFORMATION

Statistical Closures

06/10/2014 Stipulated Dismissal

Case Type: **Negligence - Auto**

Case Flags: **In Short Trial Program**
Appealed to Supreme Court
Jury Demand Filed

DATE

CASE ASSIGNMENT

Current Case Assignment

| | |
|------------------|----------------|
| Case Number | A-13-680935-C |
| Court | Department 30 |
| Date Assigned | 04/30/2013 |
| Judicial Officer | Wiese, Jerry A |

PARTY INFORMATION

Plaintiff **Mc Clendon, Ja Cynta**

Lead Attorneys

Cram, Roger M
Retained
7023694161(W)

Defendant **Collins, Diane**

Browne, Byron F., ESQ
Retained
702-463-1221(W)

Collins, Richard
Removed: 06/10/2014
Dismissed

Browne, Byron F., ESQ
Retained
702-463-1221(W)

Short Trial Judge **Judge Pro Tempore**


Chapin, Patrick N.
Retained
7024337295(W)

DATE

EVENTS & ORDERS OF THE COURT

INDEX


04/30/2013

 **Complaint**
Filed By: Plaintiff Mc Clendon, Ja Cynta
Complaint


04/30/2013

Case Opened


05/07/2013

 **Initial Appearance Fee Disclosure**
Filed By: Defendant Collins, Diane
Initial Appearance Fee Disclosure

05/07/2013









 **Demand for Jury Trial**
Filed By: Defendant Collins, Diane
Demand for Jury Trial

05/07/2013













 **Consent to Service By Electronic Means**
Filed By: Defendant Collins, Diane

DEPARTMENT 30
CASE SUMMARY
CASE NO. A-13-680935-C








Consent to Service by Electronic Means Through E-Filing Program by Defendants

| | |
|------------|---|
| 05/07/2013 |  Consent to Service by Facsimile Party: Defendant Collins, Diane <i>Consent to Service by Facsimile by Defendant</i> |
| 05/07/2013 |  Answer to Complaint Filed by: Defendant Collins, Diane <i>Defendants' Answer to Plaintiff's Complaint</i> |
| 02/21/2014 |  Notice of Change of Firm Name Filed By: Defendant Collins, Diane <i>Notice of Change of Firm Name, Address, Telephone Number and Fax Number</i> |
| 03/17/2014 |  Request for Trial De Novo Filed by: Defendant Collins, Diane <i>Defendants' Request for Trial De Novo</i> |
| 04/14/2014 |  Selection of Presiding Judge Party: Short Trial Judge Judge Pro Tempore <i>Selection of Presiding Judge</i> |
| 04/14/2014 |  Short Trial Setting Filed By: Short Trial Judge Judge Pro Tempore <i>Short Trial Setting</i> |
| 04/22/2014 |  Notice Filed By: Short Trial Judge Judge Pro Tempore <i>Notice of N.S.T.R. 8 Conference</i> |
| 05/02/2014 |  Errata Filed By: Defendant Collins, Diane <i>Errata to Notice of Change of Firm Name, Address, Telephone Number and Fax Number</i> |
| 05/13/2014 |  Notice of Change of Firm Name Filed By: Defendant Collins, Diane <i>Notice of Change of Firm and Address for Attorney of Record</i> |
| 05/14/2014 |  Order Filed By: Short Trial Judge Judge Pro Tempore <i>Discovery Scheduling Order and Trial Notice</i> |
| 05/19/2014 |  Notice of Entry of Order for Dismissal With Prejudice Filed By: Defendant Collins, Diane <i>Notice of Entry of Order</i> |
| 06/03/2014 |  Stipulation and Order Filed by: Defendant Collins, Diane <i>Stipulation and Order</i> |
| 06/04/2014 |  Notice of Entry of Order Filed By: Plaintiff Mc Clendon, Ja Cynta <i>Notice of Entry of Order</i> |

DEPARTMENT 30
CASE SUMMARY
CASE NO. A-13-680935-C

| | |
|------------|---|
| 06/10/2014 |  Stipulation and Order for Dismissal Without Prejudice Filed By: Plaintiff Mc Clendon, Ja Cynta <i>Stipulation and Order to Dismiss Plaintiff's Claims Against Defendant Richard Collins Without Prejudice</i> |
| 06/10/2014 | Order of Dismissal Without Prejudice (Judicial Officer: Wiese, Jerry A) Debtors: Richard Collins (Defendant) Creditors: Ja Cynta Mc Clendon (Plaintiff) Judgment: 06/10/2014, Docketed: 06/18/2014 |
| 06/11/2014 |  Notice of Entry of Order Filed By: Defendant Collins, Diane <i>Notice of Entry of Order</i> |
| 07/15/2014 |  Notice Filed By: Defendant Collins, Diane <i>Notice of Change of Firm; Telephone Number and Facsimile Number</i> |
| 07/30/2014 |  Order Filed By: Short Trial Judge Judge Pro Tempore <i>Order</i> |
| 08/14/2014 |  Order Filed By: Short Trial Judge Judge Pro Tempore <i>Order</i> |
| 08/18/2014 |  Stipulation and Order Filed by: Plaintiff Mc Clendon, Ja Cynta <i>Stipulation and Order Regarding Pre-Trial Issues and Motions in Limine</i> |
| 08/21/2014 |  Joint Pre-Trial Memorandum Filed By: Plaintiff Mc Clendon, Ja Cynta <i>Joint Pre-Trial Memorandum</i> |
| 08/21/2014 |  Order Filed By: Short Trial Judge Judge Pro Tempore <i>Order (Re: Experts)</i> |
| 08/21/2014 |  Order Filed By: Short Trial Judge Judge Pro Tempore <i>Orders Re: Motions for Summary Judgment and Motions in Limine</i> |
| 08/22/2014 |  Jury List <i>Jury List</i> |
| 08/22/2014 |  Verdict <i>Verdict Form</i> |
| 08/22/2014 | Verdict (Judicial Officer: Wiese, Jerry A) Debtors: Ja Cynta Mc Clendon (Plaintiff) Creditors: Diane Collins (Defendant) Judgment: 08/22/2014, Docketed: 09/04/2014 |
| 08/25/2014 |  Exhibits |

DEPARTMENT 30
CASE SUMMARY
CASE NO. A-13-680935-C

| | |
|------------|---|
| | Filed By: Short Trial Judge Judge Pro Tempore <i>Trial Exhibits</i> |
| 08/25/2014 |  Short Trial Documents Party: Short Trial Judge Judge Pro Tempore <i>Short Trial Documents (Jury Instructions)</i> |
| 08/25/2014 |  Short Trial Documents Party: Short Trial Judge Judge Pro Tempore <i>Short Trial Documents</i> |
| 09/02/2014 |  Notice to Prevailing Party to File Judgment <i>Notice to Prevailing Party to File Judgment Upon Jury Verdict - Short Trial Program</i> |
| 09/04/2014 |  Application Filed By: Defendant Collins, Diane <i>Defendant's Application for Attorneys' Fees and Costs</i> |
| 09/05/2014 |  Opposition Filed By: Plaintiff Mc Clendon, Ja Cynta <i>Opposition to Defendant's Application for Attorney's Fees & Costs</i> |
| 09/05/2014 |  Case Appeal Statement Filed By: Plaintiff Mc Clendon, Ja Cynta <i>Case Appeal Statement</i> |
| 09/05/2014 |  Notice of Appeal Filed By: Plaintiff Mc Clendon, Ja Cynta <i>Notice of Appeal</i> |

| DATE | FINANCIAL INFORMATION |
|------|--|
| | Defendant Collins, Richard Total Charges 30.00 Total Payments and Credits 30.00 Balance Due as of 9/9/2014 0.00 |
| | Defendant Collins, Diane Total Charges 223.00 Total Payments and Credits 223.00 Balance Due as of 9/9/2014 0.00 |
| | Plaintiff Mc Clendon, Ja Cynta Total Charges 294.00 Total Payments and Credits 294.00 Balance Due as of 9/9/2014 0.00 |

CIVIL COVER SHEET

A-13-680935-C

Clark County, Nevada

Case No.

XXX

(Assigned by Clerk's Office)

I. Party Information

Plaintiff(s) (name/address/phone)

Ja Cynta McClendon

Defendant(s) (name/address/phone)

Diane Collins and Richard Collins

Attorney (name/address/phone)

Roger M. Cram, Esq.

8831 W. SAHARA, LAS VEGAS, NV 89117 (702) 255-0700

Attorney (name/address/phone)

II. Nature of Controversy (Please check applicable bold category and applicable subcategory, if appropriate)☐ Arbitration Requested**Civil Cases****Real Property**

- ☐ Landlord/Tenant
- ☐ Unlawful Detainer
- ☐ Title to Property
- ☐ Foreclosure
- ☐ Liens
- ☐ Quiet Title
- ☐ Specific Performance
- ☐ Condemnation/Eminent Domain
- ☐ Other Real Property
- ☐ Partition
- ☐ Planning/Zoning

Torts

- ☒ Negligence
- ☒ Negligence -- Auto
- ☐ Negligence -- Medical/Dental
- ☐ Negligence -- Premises Liability (Slip/Fall)
- ☐ Negligence -- Other
- ☐ Product Liability
- ☐ Product Liability/Motor Vehicle
- ☐ Other Torts/Product Liability
- ☐ Intentional Misconduct
- ☐ Torts/Defamation (Libel/Slander)
- ☐ Other Torts/Product Liability
- ☐ Employment Torts (Wrongful Termination)
- ☐ Other Torts
- ☐ Anti-trust
- ☐ Fraud/Misrepresentation
- ☐ Insurance
- ☐ Legal Tort
- ☐ Unfair Competition

Probate**Other Civil Filing Types**

- ☐ Summary Administration
- ☐ General Administration
- ☐ Special Administration
- ☐ Set Aside Estates
- ☐ Trust/Conservatorships
- ☐ Partition
- ☐ Planning/Zoning
- ☐ Other Probate

- ☐ Construction Defect
- ☐ Chapter 40
- ☐ General
- ☐ Breach of Contract
- ☐ Building and Construction
- ☐ Insurance Carrier
- ☐ Commercial Instrument
- ☐ Other Contracts/Agmt/Judgment
- ☐ Collection of Actions
- ☐ Employment Contract
- ☐ Guarantee
- ☐ Sale Contract
- ☐ Uniform Commercial Code
- ☐ Civil Petition for Judicial Review
- ☐ Other Administrative Law
- ☐ Department of Motor Vehicles
- ☐ Employer's Insurance of Nevada

- ☐ Appeal from Lower Court (also check applicable civil case ax)
- ☐ Transfer from Justice Court
- ☐ Justice Court Civil Appeal
- ☐ Civil Writ
- ☐ Other Special Proceeding
- ☐ Other Civil Filing
- ☐ Compromise of Minor's Claim
- ☐ Conversion of Property
- ☐ Damage to Property
- ☐ Employment Security
- ☐ Enforcement of Judgment
- ☐ Foreign Judgment -- Civil
- ☐ Other Personal Policy
- ☐ Recovery of Property
- ☐ Stockholder Suit
- ☐ Other Civil Matters

III. Business Court Requested (Please check applicable category; (for Clark or Washoe Counties only.)

- ☐ NRS Chapters 78-88
- ☐ Investments (NRS 104 Art. 8)
- ☐ Enhanced Case Mgmt/Business
- ☐ Commodities (NRS 90)
- ☐ Deceptive Trade Practices (NRS 598)
- ☐ Other Business Court Matters
- ☐ Securities (NRS 90)
- ☐ Trademarks (NRS 600A)

4/29/13

Date

Signature of litigating party or representative


CLERK OF THE COURT

1 **ORDR**
2 **PATRICK N. CHAPIN, ESQ.**
3 Nevada Bar No. 004946
4 Patrick N. Chapin, Ltd.
5 129 Cassia Way
6 Henderson, Nevada 89014
7 (702) 433-7295
8 Judge Pro Tempore

6 **DISTRICT COURT**
7
8 **CLARK COUNTY, NEVADA**

9 JA CYNTA McCLENDON,) Case No. A-13-680935-C
10)
11 Plaintiff,) Dept. No. XXX
12) STP No. 13-1744
13 v.)
14) **ORDER**
15 DIANE COLLINS and RICHARD COLLINS;)
16 ROE CORPORATIONS I through X, inclusive,)
17 and DOES I through X, inclusive,)
18 Defendants.)
19)

16 TO: ADAM E. BRIGMAN, ESQ., CRAM VALDEZ BRIGMAN & NELSON,
17 Attorney for Plaintiff; and

18 TO: BYRON F.L. BROWN BARSKI DRAKE BROWN, Attorney for Defendants.

19 This matter came on for "chambers hearing" on two separate motions that were recently
20 filed. Defendant has filed a Motion for Protective Order. Plaintiff filed a Motion to Designate
21 Eugene L. Appel, M.D., as an expert witness, take his deposition, and use his written opinions
22 and deposition testimony at trial. Moreover, Plaintiff has requested in her instant motion that
23 those legal arguments contained within also serve as an Opposition to Defendant's Motion for
24 Protective Order. The Court having reviewed, in detail, the respective and instant motions filed
25 by Plaintiff and Defendant, and considering all legal arguments within, rules as follows:

26 **IT IS HEREBY ORDERED** that Defendant's Motion for Protective Order is hereby
27 **GRANTED**, in full, whereby Plaintiff is barred from taking the deposition of Defendant's de-
28 signated expert witness, Eugene L. Appel, M.D. The Court's decision to grant Defendant's

PATRICK N. CHAPIN, LTD.
129 Cassia Way, Henderson, NV 89014
Telephone: (702) 433-7295 Facsimile: (702) 403-1919

1 Motion for Protective Order is based significantly on the fact that Dr. Appel, prior to Defendant
2 de-designating him as an expert witness, had not performed a Rule 35 examination on the
3 Plaintiff.

4 **IT IS FURTHER ORDERED** that Plaintiff's Motion to Designate Eugene L. Appel,
5 M.D. as an expert witness, take his deposition, and use his written opinions and deposition
6 testimony at trial is hereby **DENIED** in full.

7 **IT IS SO ORDERED.**

8 DATED this 14th day of August, 2014.

9 PATRICK N. CHAPIN, LTD.

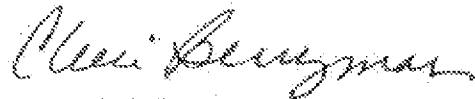
10 
11 _____
12 PATRICK N. CHAPIN, ESQ.
13 Nevada Bar No. 004946
14 129 Cassia Way
15 Henderson, Nevada 89014
16 Judge Pro Tempore
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28

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of August, 2014, I served a copy of the foregoing
ORDER by electronic service via the Odyssey File and Serve system within the Eighth Judicial
District Court addressed to the following:

Adam E. Brigman, Esq.
Cram Valdez Brigman & Nelson
8831 West Sahara Avenue
Las Vegas, NV 89117
abrigman@cvbnlaw.com
Attorney for Plaintiff

Byron F.L. Browne, Esq.
Barks Drake Brown
10191 Park Run Drive #110
Las Vegas, NV 89145
bbrowne@bdbattorneys.com
Attorney for Defendant



An Employee of Patrick N. Chapin, Esq.
Judge Pro Tempore



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

ADAM E. BRIGMAN, ESQ.
8831 W. SAHARA AVE.
LAS VEGAS, NV 89117

DATE: September 9, 2014
CASE: A680935

RE CASE: JA CYNTHIA MCCLENDON vs. DIANE COLLINS

NOTICE OF APPEAL FILED: September 5, 2014

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS NOT TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)**
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☒ Order - *re: Judgment on Jury Verdict*
- ☒ Notice of Entry of Order - *re: Order filed August 14, 2014 and Judgment on Jury Verdict*

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

*****Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.***

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; CIVIL COVER SHEET; ORDER; NOTICE OF DEFICIENCY

JA CYNTA MCCLENDON,

Plaintiff(s),

vs.

DIANE COLLINS,

Defendant(s).

Case No: A680935

Dept No: XXX

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 9 day of September 2014.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk