

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES EARL PARKER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 70139

FILED

JUN 03 2016

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

ORDER CONDITIONALLY IMPOSING SANCTIONS

This appeal was docketed in this court on April 12, 2016. Appellant's counsel, Michael W. Sanft, did not file the rough draft transcript request form with the notice of appeal. See NRAP 3C(d)(3)(A)(ii). Therefore, on April 12, 2016, we directed Mr. Sanft to file the rough draft transcript request form within 10 days or face sanctions.¹ See NRAP 3C(n). To date, Mr. Sanft has not complied.² Further, the fast track statement and appendix are now overdue.

We conclude that Mr. Sanft's failure to file the rough draft transcript request form and the fast track statement and appendix warrants the *conditional* imposition of sanctions. See *id.* Within 15 days from the date of this order, Mr. Sanft shall pay the sum of \$250 to the Supreme Court Law Library and provide this court with proof of such payment. Mr. Sanft shall have 11 days from the date of this order to file 2 file-stamped copies of the rough draft transcript request form and proof of

¹A copy of this notice is attached.

²While it appears that counsel may have filed the transcript request form in the district court, to date, it has not been filed *in this court*. See NRAP 3C(d)(3)(A)(iii).



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service of the rough draft transcript request form or a certificate that no transcripts are being requested, and the fast track statement and appendix. See NRAP 3C(d)(3)(A)(iii), (D); NRAP 3C(e). 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 or any other filing deadlines will result in the removal of Mr. Sanft as counsel of record in this appeal. See NRAP 3C(n). Further, because it appears that Mr. Sanft's conduct in this appeal may constitute violations of RPC 1.3 (diligence), 3.2(a) (expediting litigation), and 8.4 (misconduct), failure to comply with this order or any other filing deadlines will also result in Mr. Sanft's referral to the State Bar of Nevada for investigation pursuant to SCR 104-105.

It is so ORDERED.

J. Hardesty, J.
Hardesty

J. Saitta, J.
Saitta

J. Pickering, J.
Pickering

cc: Sanft Law, P.C.
Attorney General/Carson City
Clark County District Attorney
Supreme Court Law Librarian
Michael W. Sanft

**IN THE SUPREME COURT OF THE STATE OF NEVADA
OFFICE OF THE CLERK**

JAMES EARL PARKER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Supreme Court No. 70139
District Court Case No. C308719

NOTICE TO REQUEST ROUGH DRAFT TRANSCRIPTS

TO: Sanft Law, P.C. \ Michael W. Sanft

To date, the appellant has failed to request transcripts in this appeal. Please file and serve a Rough Draft Transcript Request Form or, alternatively, a certificate that preparation of transcripts is not requested within 10 days from the date of this notice. See NRAP 3C(d)(3). Failure to request transcripts in compliance with NRAP 3C(d)(3) may result in the imposition of sanctions. See NRAP 3C(n).

DATE: April 12, 2016

Tracie Lindeman, Clerk of Court

By: Linda Hamilton
Deputy Clerk

Notification List

Electronic

Sanft Law, P.C. \ Michael W. Sanft

Clark County District Attorney \ Steven S. Owens, Chief Deputy District Attorney

Attorney General/Carson City \ Adam Paul Laxalt, Attorney General

Steven D. Grierson, Eighth District Court Clerk