

IN THE SUPREME COURT OF THE STATE OF NEVADA

JASON RICHARD LOFTHOUSE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 70587

FILED

MAR 13 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER CONDITIONALLY IMPOSING SANCTIONS

Appellant served a transcript request form on court reporter Amber Riggio on August 5, 2016. On September 19, 2016, we granted Ms. Riggio's motion for an extension of time, until October 14, 2016, to file the transcripts requested of her, deliver copies to appellant, and file a notice with this court that the transcripts have been delivered. We cautioned that failure to comply could result in the imposition of sanctions.

Ms. Riggio failed to comply or otherwise communicate with this court. On January 4, 2017, we entered an order directing Ms. Riggio to (1) file and deliver the requested transcripts as required by NRAP 9(c)(1)(A), and (2) file with this court the notice required by NRAP 9(c)(2).¹ If an extension of time was needed, Ms. Riggio was directed to file and serve a motion as provided within NRAP 9(c)(4) with the same time period. If Ms. Riggio believes that she is not responsible for the requested transcripts, she was to inform this court in writing immediately. We again cautioned that failure to comply could result in the imposition of sanctions.

¹A copy of this order is attached.


To date, Ms. Riggio has not filed a notice of delivery in this court. Further, appellant has now filed a second motion for an extension of time to file the opening brief based on his non-receipt of the requested transcripts.

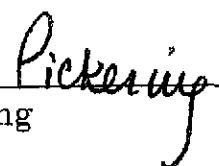
Ms. Riggio's failure to file the requested transcripts or otherwise communicate with this court warrants the *conditional* imposition of sanctions. Ms. Riggio shall pay the sum of \$100 to the Supreme Court Law Library and provide this court with proof of such payment within 15 days from the date of this order. The conditional sanction will be automatically vacated if Ms. Riggio files the requested transcripts in the district court, delivers the transcripts to counsel, and files the certificate of delivery in this court within 11 days from the date of this order.

If Ms. Riggio does not comply, the sanction will no longer be conditional and must be paid. Failure to comply with this order may result in the imposition of additional sanctions, including referral to the Certified Court Reporters' Board of Nevada. See NRAP 9(c)(5), 13(b).

It is so ORDERED.


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Pickering

cc: Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Amber Riggio, Court Reporter
Supreme Court Law Library

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JAN 04 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *S. Young*
DEPUTY CLERK

ORDER REGARDING TRANSCRIPTS

Appellant served a transcript request form on court reporter Amber Riggio and court recorder Yvette Sison on August 5, 2016.¹ On September 19, 2016, we granted Ms. Riggio's motion for an extension of time, until October 14, 2016, to file the transcripts requested of her, deliver copies to appellant, and file a notice with this court that the transcripts have been delivered.² To date, no notice of delivery has been filed in this court. Further, appellant has now filed a motion for an extension of time in which counsel for appellant represents that he has not yet received any of the requested transcripts.

Ms. Riggio and Ms. Sison shall have 20 days from the date of this order to: (1) file and deliver the requested transcripts as required by NRAP 9(c)(1)(A) and (2) file with this court the notice required by NRAP 9(c)(2). If an extension of time is needed, a motion as provided in NRAP 9(c)(4) must be filed within the same time period. If Ms. Riggio or Ms. Sison believes that she is not responsible for producing the requested

¹A copy of the request form is attached.

²A copy of this order is attached.

transcripts, she shall so inform this court in writing immediately. Failure to comply with this order may result in the imposition of sanctions. See NRAP 9(c)(5); NRAP 13.

It is so ORDERED.

Cherry C.J.

cc: Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Yvette Sison, Court Recorder
Amber Riggio, Court Reporter