

IN THE SUPREME COURT OF THE STATE OF NEVADA

FRANK MILFORD PECK,
Appellant,

vs.

DAVID R. ZIPF, M.D.; AND MICHAEL
D. BARNUM, M.D.,
Respondents.

No. 68664

RICHEY L. ANDREW,
Appellant,

vs.

SHARON COSTER; NEVADA
DEPARTMENT OF CORRECTIONS;
AND THE STATE OF NEVADA,
Respondents.

No. 70836 ✓

FILED

SEP 08 2017

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

*ORDER RESCINDING TRANSFER TO COURT OF APPEALS,
CLUSTERING APPEALS, AND VACATING ORAL ARGUMENT IN
DOCKET NO. 70836*

The appeal in Docket No. 68664 has been retained in the supreme court. On June 7, 2017, the appeal in Docket No. 70836 was transferred to the court of appeals.

Respondents in Docket No. 68664 have filed a "Joint Notice of Related Case" indicating that the appeal in Docket No. 70836 raises the same or similar issues as the appeal in Docket No. 68664, and requesting that the appeals be clustered for the purpose of resolution. Having reviewed the documents on file in each appeal, we conclude that these appeals shall be clustered based on the related subject matter to ensure that they are resolved in a consistent and efficient manner. IOP 2(c)(2). Accordingly, we rescind the June 7, 2017, transfer order in Docket No. 70836, and we recall that appeal to this court for resolution.

The oral argument in the court of appeals scheduled for September 19, 2017, in Docket No. 70836 is hereby vacated. The oral argument scheduled for September 26, 2017, at 2:00 pm in Docket No. 68664 shall proceed as scheduled in this court. We direct the clerk of this court to schedule oral argument in Docket No. 70836 for September 26, 2017, at 2:30 pm for 30 minutes in this court in Carson City. The clerk shall file this order in Docket No. 70836 in both this court and the court of appeals.

It is so ORDERED.

Cherry, C.J.

cc: Holley, Driggs, Walch, Fine, Wray, Puzey & Thompson/Las Vegas
Alverson Taylor Mortensen & Sanders
Hall Prangle & Schoonveld, LLC/Las Vegas
McCormick, Barstow, Sheppard, Wayte & Carruth, LLP/Las Vegas
Rogers, Mastrangelo, Carvalho & Mitchell, Ltd.
Attorney General/Carson City
Attorney General/Las Vegas