

IN THE SUPREME COURT OF THE STATE OF NEVADA

KIRK ROSS HARRISON,
Appellant,
vs.
VIVIAN MARIE LEE HARRISON,
Respondent.

No. 72880

FILED

JAN 18 2018

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

ORDER CONDITIONALLY IMPOSING SANCTIONS

On December 12, 2017, this court entered an order granting respondent's motion for an extension of time to file the fast track response and for leave to file a fast track response in excess of the type-volume limitation. That order directed respondent to file and serve a fast track response, consisting of no more than 6,686 words, by December 15, 2017.¹ To date, respondent has failed to file the fast track response or to otherwise communicate with this court.

The failure of respondent's counsel, Gary Silverman and Radford Smith, to file the fast track response warrants the *conditional* imposition of sanctions. Mr. Silverman and Mr. Smith shall each pay the sum of \$250 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 sanctions will be automatically vacated if Mr. Silverman and/or Mr. Smith files and serves the fast track response or a motion to extend time that complies with NRAP 3E(f)(3) within 11 days from the date of this order.

¹A copy of this order is attached.

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 this appeal being decided without a fast track response from respondent. Further, because it appears that Mr. Silverman's and Mr. Smith'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 their referral to the State Bar of Nevada for investigation pursuant to SCR 104-105.

It is so ORDERED.

Pickering, J.
Pickering

Gibbons, J.
Gibbons

Hardesty, J.
Hardesty

cc: Kirk R. Harrison
Lemons, Grundy & Eisenberg
Silverman, Kattelman, Springgate
Radford J. Smith, Chartered
Gary Silverman
Radford Smith
Supreme Court Law Librarian

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DEC 12 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER

Extreme need or merit having been demonstrated, we grant respondent's motions for a extensions of time to file the fast track response and we grant the opposed motion for leave to file a response in excess of the type-volume limitation to the following extent. NRAP 3E(f)(3); NRAP 3E(d)(3). Respondent shall have until December 15, 2017, to file and serve a fast track response consisting of no more than 6,686 words. We caution respondent's counsel that failure to comply may result in the imposition of sanctions. See NRAP 3E(i).

It is so ORDERED.

Cherry, C.J.

cc: Kirk R. Harrison
Lemons, Grundy & Eisenberg
Silverman, Kattelman, Springgate
Radford J. Smith, Chartered

17-42788