

RICHARD KILGORE,
Appellant/Cross-
Respondent,

vs.

ELENI KILGORE,
Respondent/Cross-
Appellant.

District Court Case No. 15-12430-11-D
Appeal from the Eighth Circuit Court, the Honorable Chief Justice presiding

Respondent/Cross-Appellant, ELENI KILGORE, by and through her
counsel, Fred Page, Esq., hereby submits her Motion to Treat Case as Submitted.

PAGE LAW OFFICE

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(702) 469-3278
Attorney for Respondent/Cross-Appellant

Memorandum of Points and Authorities

I. Appellant/Cross-Respondent's Failed To Timely File a Reply Brief or Answering Brief to the Cross-Appeal Opening Brief

On August 16, 2018, after the fourth request by Appellant/Cross-Respondent for an extension was filed Respondent/Cross-Appellant was given 30 days from the date of the Order in which to file the Answering and Opening Brief. On September 14, 2018, Respondent/Cross-Appellant made a timely telephonic request for an extension which was granted until October 1, 2018. The Answering Brief to the Opening Brief for the appeal and Opening Brief for the cross-appeal were timely filed on October 1, 2018.

This Court's December 1, 2017, Order instructed the parties to follow the briefing schedule set forth in NRAP 31(a)(1) for the filing of the Answering Brief and Reply Brief. Despite this deadline, Appellant/Cross-Respondent failed to file the Reply Brief or the Answering Brief or move for any type of extension by October 31, 2018. To date, Appellant/Cross-Respondent has not filed a Reply Brief to the Answering Brief to the Opening Brief for the appeal or a Answering Brief to the Opening Brief for the cross-appeal.

Because of Appellant/Cross-Respondent's failure to timely file a Reply Brief to Respondent/Cross-Appellant's Answering Brief to the Opening Brief for the appeal, and failure to timely file an Answering Brief to Respondent/Cross-Appellant's Opening Brief, for the cross-appeal, Respondent/Cross-Appellant

1 respectfully requests that this Court treat the case as submitted at this time subject
2 to oral argument should this Court request the same.

3 DATED this 5th day of November 2018

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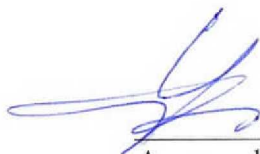
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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Page Law Office and that on November 5, 2018, I electronically filed with the Supreme Court a true and correct copy of the above and foregoing **RESPONDENT/CROSS-APPELLANT'S MOTION TO TREAT CASE AS SUBMITTED**

I further certify that on November 5, 2018, I served a true and correct copy of the above and foregoing **RESPONDENT/CROSS-APPELLANT'S MOTION TO TREAT CASE AS SUBMITTED** via e-service and U.S. Mail, postage prepaid, to the following:

Betsy Allen, Esq.
P.O. Box 46991
Las Vegas, Nevada 89114
Attorney for Appellant/Cross-Respondent



An employee of Page Law Office