

IN THE SUPREME COURT OF THE STATE OF NEVADA

JEAN FRANCOIS RIGOLLET, AN
INDIVIDUAL; LE MACARON LLC, A
NEVADA LIMITED LIABILITY
COMPANY; AND BYDOO, LLC, A
NEVADA LIMITED LIABILITY
COMPANY,
Appellants,
vs.
MAX JOLY, AN INDIVIDUAL,
Respondent.

No. 74334

FILED

DEC 12 2017

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

O R D E R

This appeal was docketed on November 3, 2017, without payment of the requisite filing fee. That same day, this court issued a notice directing appellants to pay the filing fee. On December 5, 2017, appellants' counsel filed a notice of withdrawal of appeal. However, appellants have not paid the filing fee and the filing fee is due.

The fee was due at the time of filing the notice of appeal. See NRAP 3(e) ("upon filing a notice of appeal, the appellant must pay . . . the Supreme Court filing fee"); NRS 2.250(1)(a) ("appellant . . . shall, at or before the appeal . . . has been entered on the docket, pay to the Clerk of the Supreme the sum of \$200"); NRS 2.250(c)(1) ("appellant . . . shall, at or before the appeal . . . has been entered on the docket, pay to the Clerk of the Supreme Court a court automation fee of \$50"). This court has stated that, unless a party is exempt from paying the requisite fee, "we will not consider the merits of any matter presented for filing until the requisite fee has been paid." *Weddell v. Stewart*, 127 Nev. 645, 653, 261 P.3d 1080, 1086 (2011) (emphasis added).

Therefore, appellants are again directed to pay the filing fee. No action will be taken on counsel's motion to withdraw until the filing fee is paid or it is demonstrated that appellants are exempt from paying the filing fee. Failure to comply with this order within ten days may result in the imposition of sanctions, including referral of counsel to the State Bar of Nevada for investigation pursuant to SCR 104-105.

It is so ORDERED.

CLERK OF THE SUPREME COURT
ELIZABETH A. BROWN

BY: Elizabeth A Brown

cc: Cutter Law Firm, Chtd.
Jennings & Fulton, Ltd.