

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID ANDREW COIL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 74949

FILED

JAN 09 2019

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

ORDER

On December 5, 2018, attorney Todd M. Leventhal filed a notice of appearance of counsel stating that he has been retained to represent appellant in this matter. Mr. Leventhal represented that a substitution of counsel would be filed in this court once received from appellant. To date, however, no substitution of counsel has been filed.¹ See NRAP 46(d)(2). Because no substitution has been filed, and appellant's current counsel has not moved to withdraw, Mr. Leventhal cannot be listed as appellant's counsel of record.² This court will take no action on the notice of appearance.

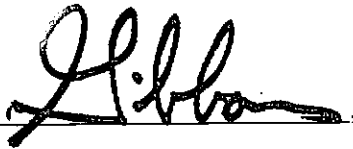
As he is not appellant's counsel of record, the December 6, 2018, motion for an extension of time filed by Mr. Leventhal on appellant's behalf is denied. Appellant shall have 11 days from the date of this order to file

¹The notice of appearance is not signed by either appellant's current counsel or appellant.

²The clerk shall remove Mr. Leventhal as counsel of record on this court's docket.

and serve the reply brief. Failure to file a timely reply brief may be treated as a waiver of the right to file a reply brief. NRAP 28(c).

It is so ORDERED.

 C.J.

cc: Nevada Appeal Group, LLC
Leventhal & Associates
Attorney General/Carson City
Clark County District Attorney
David Andrew Coil
Kelsey Bernstein