

1 KIRK T. KENNEDY, ESQ.
2 Nevada Bar No: 5032
3 815 S. Casino Center Blvd.
4 Las Vegas, NV 89101
(702) 385-5534
Attorney for Appellant

Electronically Filed
Jan 02 2019 01:59 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

5 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

6 MELISSA CUMMINGS,)
7 Appellant,)
8 vs.)
9 ANNABEL E. BARBER, M.D.;)
10 UNIVERSITY MEDICAL CENTER,)
11 Respondents.)

No.: 76972

12 **MOTION FOR LEAVE TO FILE LATE TRANSCRIPT REQUEST FORM**

13 COMES NOW, the Appellant, MELISSA CUMMINGS, by and through her
14 undersigned counsel, KIRK T. KENNEDY, ESQ., who files this motion for leave to file a
15 late transcript request form. The transcript request form was due for filing by December
16 31, 2018, however, Counsel only received the form back from the district court
17 department on January 2, 2018, and submits it separately for filing upon leave of Court.

18 In support hereof, Appellant relies on the following points and authorities.

19 Dated this 2nd day of January, 2018.

20 /s/Kirk T. Kennedy
21 KIRK T. KENNEDY, ESQ.
22 Nevada Bar No: 5032
23 815 S. Casino Center Blvd.
24 Las Vegas, NV 89101
(702) 385-5534
Attorney for Appellant

POINTS AND AUTHORITIES

On or about December 19, 2018, Counsel for Appellant prepared and dropped off the Appellant's Transcript Request form for the signature of the Court Reporter for Department 1 of the district court. Unfortunately, with the holidays and office closure, Counsel did not receive the signed transcript request form back from the district court department unit January 2, 2018. The form was due for filing on Monday, December 31, 2018.

By separate submission, Counsel has submitted the Appellant's Request for Transcripts for Appeal for consideration in conjunction with this motion. Counsel moves the Court to grant this motion and allow the late filing of the transcript request form, which was filed one business day late, not including the federal holiday of January 1.

Dated this 2nd day of January, 2018.

/s/Kirk T. Kennedy
KIRK T. KENNEDY, ESQ.
Nevada Bar No: 5032
815 S. Casino Center Blvd.
Las Vegas, NV 89101
(702) 385-5534
Attorney for Appellant

CERTIFICATE OF SERVICE

I hereby affirm that on this 2nd day of January, 2019, I mailed a copy via first class U.S. Mail to the Respondents and the at the addresses below:

Heather S. Hall, Esq.
8329 W. Sunset Road, Ste 260
Las Vegas, NV 89113

Jeffrey I. Pitegoff, Esq.
330 E. Charleston Blvd., Ste. 100
Las Vegas, NV 89104

/s/Kirk T. Kennedy
Law Office of Kirk T. Kennedy, Esq.