

- 1 (1) All Appeals Except Child Custody, Visitation, or Capital Cases.
2 (A) The appellant shall serve and file the opening brief within 120 days
3 after the date on which the appeal is docketed in the Supreme Court.
4 (B) The respondent shall serve and file the answering brief within 30 days
5 after the appellant's brief is served.

6 The Respondents, therefore, had until May 7, 2019, to file and serve their
7 Answering Brief (s). No Answering Brief has been filed by either party. Pursuant
8 to NRCP 31, if a respondent fails to file an Answering Brief, Respondent will not
9 be heard at oral argument except by permission of the court. The failure of
10 Respondent to file a brief may be treated by the court as a confession of error and
11 appropriate disposition of the appeal thereafter made. Unless the court has ordered
12 the Respondent to file an answering brief as provided in Rule 46A(c), this Rule
13 does not apply to appeals in which the appellant is not represented by counsel.

14 Rule 46A (c) states as follows:
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16 (c) Response Not Required. An opposing party is not required to respond to
17 documents, including briefs, filed by a party appearing without counsel
18 unless ordered to do so by the Supreme Court or Court of Appeals. Except
19 for motions described in Rule 27(b) and 46(d), the court generally will not
20 grant relief without providing an opportunity to file a response.

21 Appellant is represented by counsel; therefore, Rules 31 and 46A(c) do not
22 provide a safe harbor for the respondents to be able to evade the requirement of
23 filing an Answering Brief. The failure to file an Answering Brief should be
24 treated as a confession of error. see *Las Vegas Sun, Inc. v. Nelson*, 96 Nev. 825,
25 619 P.2d 534 (1980). *Knapp v. Lemieux*, 634 P.2d 454, 454 (Nev. 1981)

1 WHEREFORE, the Appellant prays that this Court treat the failures to timely
2 file and serve their respective Reply Briefs as confession of error, and that the
3 relief prayed for in his Opening Brief be granted.
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5 Dated this 13th day of May, 2019. Respectfully submitted by,
6 /s/ Arezou H. Piroozi, Esq.
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14 **CERTIFICATE OF SERVICE**

15 I HEREBY CERTIFY that a copy of the foregoing Appellant's Notice of
16 Non-Opposition was sent by first class mail, postage prepaid, and/or via electronic
17 service to the following parties on the 13th day of May, 2019:

18 Rosie Elena Martinez.
19 5005 Losee Rd. Apt. 3019
20 North Las Vegas, Nevada 89081
21 Respondent in Proper Person

22 Henry Oliva
23 5729 Awakening St.
24 North Las Vegas, Nevada 89081
25 Respondent in Proper Person

/s/ Arezou H. Piroozi, Esq
Arezou H. Piroozi, Esq.