

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID J. MITCHELL; LAS VEGAS  
LAND PARTNERS, LLC; MEYER  
PROPERTY LTD.; ZOE PROPERTY,  
LLC; LEAH PROPERTY, LLC; WINK  
ONE, LLC; AQUARIUS OWNER, LLC;  
LVLP HOLDINGS, LLC; AND LIVE  
WORKS TIC SUCCESSOR, LLC,

Appellants,

vs.

RUSSELL L. NYPE; REVENUE PLUS,  
LLC; AND SHELLEY D. KROHN,

Respondents.

No. 80693

**FILED**

**FEB 26 2021**

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

*ORDER PARTIALLY DISMISSING APPEAL AND GRANTING MOTION*

This court previously directed appellant Liberman Holdings, LLC, to retain counsel and cause counsel to enter an appearance in this appeal. *See* NRAP 46A(b)(2) ("A corporation or other entity may not appear without counsel."). Respondents have filed a notice of clarification, indicating that the inclusion of Liberman Holdings as an appellant in this matter was an inadvertent error, and that Liberman Holdings should not be part of this appeal. Appellants have not filed an objection. Accordingly, the clerk of this court is directed to remove Liberman Holdings, LLC, as an appellant in this appeal.

On January 7, 2021, this court directed appellants Casino Coolidge, LLC, and Barnet Liberman, within 14 days, to file and serve the opening brief and appendix. The court cautioned that failure to timely file the opening brief could result in the imposition of sanctions, including dismissal of the appeal. NRAP 31(d). As Casino Coolidge, LLC, and Barnet Liberman have not filed the opening brief, nor otherwise communicated with this court, their appeal is dismissed.

The clerk of this court shall amend the caption to conform to the caption on this order.

Appellants David J. Mitchell; Las Vegas Land Partners, LLC; Meyer Property Ltd.; Zoe Property, LLC; Leah Property, LLC; Wink One, LLC; Aquarius Owner, LLC; LVLP Holdings, LLC; Live Works TIC Successor, LLC; have filed a motion requesting a second extension of time to file the opening brief and appendix. Respondents have filed a response. Cause appearing, the motion is granted. NRAP 31(b)(3)(B). Appellants shall have until March 19, 2021, to file and serve the opening brief and appendix. No further extensions of time shall be permitted absent demonstration of extraordinary circumstances and extreme need. *Id.* Counsel's caseload normally will not be deemed such a circumstance. *Cf. Varnum v. Grady*, 90 Nev. 374, 528 P.2d 1027 (1974). Failure to timely file the opening brief and appendix may result in the imposition of sanctions, including the dismissal of this appeal. NRAP 31(d).

It is so ORDERED.

1. J. J. J., C.J.

cc: Hon. Elizabeth Goff Gonzalez, District Judge  
Paul M. Haire, Settlement Judge  
Blut Law Group, APC  
Lieberman Holdings, LLC  
Cohen Johnson Parker Edwards  
John W. Muije & Associates  
Eighth District Court Clerk