

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARILEE BROWN; MARILOU  
BROWN; AND GREGORY J. BROWN  
(FOR BEVERLY M. BROWN'S  
FAMILY),

Appellants,

vs.

ST. MARY'S REGIONAL MEDICAL  
CENTER; TAMMY EVANS  
(ERRONEOUSLY NAMED AS TAMI  
EVANS); PREM REDDY, M.D.;  
TANZEEL ISLAM, M.D.; SRIDEVI  
CHALLAPALLI, M.D.; AND MARK  
MCCALLISTER, M.D.,

Respondents.

No. 81434

**FILED**

**AUG 27 2020**

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

*ORDER DENYING MOTION TO DISMISS AND DIRECTING  
TRANSMISSION OF RECORD*

This is a pro se appeal from an order dismissing appellants' medical malpractice complaint for failure to comply with NRS 41A.071. Attorneys Edward J. Lemons and Alice Campos Mercado of Lemons, Grundy & Eisenberg have filed a notice of appearance as counsel for respondent Mark McCallister, M.D. The clerk of this court shall add McCallister as a respondent to the caption on this appeal to conform to the caption on this order and shall add attorneys Lemons and Mercado and the law firm of Lemons, Grundy & Eisenberg as counsel on the docket.

Respondents move to dismiss the appeal on the ground that as non-attorneys appellants lack standing to represent their mother's interests.<sup>1</sup> Appellants oppose the motion, respondents have filed a reply,

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<sup>1</sup>McCallister has filed a joinder in the motion.

and appellants have filed a response to McCallister's joinder. Having reviewed the arguments of the parties, this court concludes that whether or not appellants have individual standing to prosecute the appeal involves analysis of the merits of the appeal, including the underlying complaint and claims for relief, and is therefore not an appropriate basis for a motion to dismiss. *See Taylor v. Barringer*, 75 Nev. 409, 410, 344 P.2d 676, 676 (1959). Accordingly, the motion to dismiss is denied. This court may reevaluate its jurisdiction as the appeal progresses.

Review of the complete record is warranted. NRAP 10(a)(1). Accordingly, within 30 days from the date of this order, the clerk of the district court shall transmit to the clerk of this court a certified copy of the trial court record in District Court Case No. CV20-00422. *See* NRAP 11(a)(2) (providing that the complete "record shall contain each and every paper, pleading and other document filed, or submitted for filing, in the district court," as well as "any previously prepared transcripts of the proceedings in the district court"). The record shall not include any exhibits filed in the district court. NRAP 11(a)(1).

It is so ORDERED.

Pickering, C.J.

cc: Gregory J. Brown  
Marilee Brown  
Marilou Brown  
Hall Prangle & Schoonveld, LLC/Las Vegas  
Hall Prangle & Schoonveld/Reno  
Lemons, Grundy & Eisenberg  
Washoe District Court Clerk