

IN THE SUPREME COURT OF THE STATE OF NEVADA

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RONALD DAVID HARRIS,
Appellant,
vs.
JENNIFER FIGUEROA,
Respondent.

Docket No. 81746

Electronically Filed
Aug 03 2021 02:06 p.m.
District Court No. 203-00280
Elizabeth A. Brown
Clerk of Supreme Court

MOTION TO STRIKE RESPONDENT'S SURREPLY

Ronald David Harris, by and through counsel, LANCE J. HENDRON,
ESQ., and hereby moves this Court for an Order to Strike the Respondents
Surreply as in violation of NRAP 28(c).

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This motion is made and based upon NRAP 28 and the Points and Authorities attached hereto. This motion is made in good faith and not for the purposes of delay.

DATED this 3rd day of August, 2021.

Respectfully Submitted,
HENDRONLAWGROUPLLC

/s/ L. Hendron

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POINTS AND AUTHORITIES

Mr. Harris filed an Opening Brief with this Court on June 11, 2021. On July 12, 2021, the Respondent filed an Answering Brief. Thereafter, on July 21, 2021, Mr. Harris filed a Reply Brief. On August 3, 2021, the Respondent filed a Reply Brief (Surreply).

NRAP 28(c) states:

The appellant may file a brief in reply to the respondent's answering brief that shall be entitled "Appellant's Reply Brief." A reply brief shall comply with Rule 28(a)(1)-(2) and (10) and must be limited to answering any new matter set forth in the opposing brief. **Unless the court permits, no further briefs may be filed.** A party may waive the right to file a reply brief. Providing the clerk with immediate notice of that waiver will expedite submission of the case to the court. (Emphasis added).

NRAP 28(c) is clear that without authority of this Court, no further briefs may be filed. This provision applies directly to the Reply Brief filed by the Respondent on August 3, 2021. Furthermore, Respondent does not provide any reasoning for, and Appellant cannot ascertain any reason why this Court should permit the Respondent to file a Surreply that comports with this Court's rules.

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CONCLUSION

Based upon the above, counsel respectfully requests this Court strike the Respondent's Surreply filed August 3, 2021 as it is in violation of NRAP 28(c).

DATED this 3rd day of August, 2021.

Respectfully Submitted,
HENDRONLAWGROUPLLC

/s/ L. Hendron

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CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Supreme Court of Nevada efilings system located at:

<https://efile.nvsupremecourt.us/>

I further certify that all participants in this case are registered users of the Supreme Court of Nevada's efilings system, and that service will be accomplished in accordance with NEFCR 9(c) of the Nevada Electronic Filing Rules.

Dated this 3rd day of August, 2021.

/s/ L. Hendron
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