

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID ALVAREZ VENTURA,
Appellant,
vs.
JOHN H. GANSER, M.D. LIC #9279;
GOMEZ KOZAR; AND MCELREATH
AND SMITH, A PROFESSIONAL
CORPORATION,
Respondents.

No. 81850

FILED

OCT 15 2020

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

ORDER REGARDING FILING FEE

This pro se appeal was docketed in this court on September 28, 2020. On that same day, this court issued a notice directing appellant to pay the required filing fee or demonstrate compliance with NRAP 24 within ten days. On October 14, 2020, appellant filed a motion for leave to proceed in forma pauperis.

NRAP 24(a) provides that a request for in forma pauperis status must first be presented to the district court. If the district court grants the request, an appellant may proceed in this court without prepayment of fees or costs. If the district court denies the request, it must state in writing the reasons for its decision. A motion for leave to proceed in forma pauperis may then be filed in this court within 30 days after notice of the district court's decision is served. See NRAP 24(a)(5)(A). Under NRAP 24(a), an appellant may not seek in forma pauperis status from this court before the matter has been finally resolved by the district court.

Accordingly, appellant's motion for leave to proceed in forma pauperis is denied without prejudice. Appellant must first seek leave to proceed in forma pauperis in the district court following the procedures

outlined in NRAP 24. If an application to proceed in forma pauperis has already been filed in the district court of which this court is unaware, the district court shall, within 30 days of the date of this order, provide this court a certified copy of its order ruling on the application.

Appellant is cautioned that failure either to properly seek leave to proceed in forma pauperis in the district court or to pay the filing fee within 30 days will result in the dismissal of this appeal.

It is so ORDERED.

CLERK OF THE SUPREME COURT
ELIZABETH A. BROWN

BY: 

cc: David Alvarez Ventura
Lemons, Grundy & Eisenberg
Washoe District Court Clerk

