

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

MAR 02 2021

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

*ORDER DIRECTING TRANSMISSION OF RECORD AND
REINSTATING BRIEFING*

This court has reviewed the documents on file in this appeal and concludes that 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. CV20-00866. 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).

This court referred this matter to the Pro Bono Committee of the State Bar of Nevada's Appellate Litigation Section for the selection of pro bono counsel to represent appellant in this appeal. Appellant is eligible and has not filed an objection to the appointment. Attorney Neal S. Krokosky has now filed a notice of appearance as appellant's pro bono

counsel. Accordingly, this court sets forth the following schedule for the requesting of transcripts and briefing in this appeal.

Appellant shall have 14 days from the date of this order to determine the transcripts necessary for a review of this appeal and to file either a transcript request form or a certification that no transcripts are requested under NRAP 9(a). As appellant is now a client of a program for legal aid, *see* NRS 12.015(1)(b), appellant's counsel is directed to follow NRS 12.015(3) for obtaining any necessary transcripts at county expense. Appellant shall have 90 days from the date of this order to file and serve the opening brief. *See* NRAP 28; NRAP 30; NRAP 31(a)(1). Thereafter, briefing shall proceed in accordance with NRAP 31(a)(1). Because the trial court record has been ordered in this appeal, the parties are permitted, but not required, to cite to that record in lieu of filing joint or separate appendices with their briefs. *Compare* NRAP 10(a) (governing transmission of trial court record), *with* NRAP 30 (setting forth requirements for appendices). Although this matter will be scheduled for oral argument upon completion of briefing, counsel may notify this court in writing if counsel believes that oral argument is undesirable or unnecessary.

It is so ORDERED.

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

cc: Neal Krokosky
Lemons, Grundy & Eisenberg
Washoe District Court Clerk