

MOTION

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Attorneys for Respondent

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Elizabeth A. Brown
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

JUAN MILLAN ARCE, an individual,

Appellant,

vs.

PATRICIA SANCHEZ, an individual,

Respondent.

Nevada Supreme Court Case: 81862

**OPPOSITION TO APPELLANT'S MOTION TO: (1) FORGIVE LATE
FILING OF REQUEST FOR TRANSCRIPT OF PROCEEDINGS
AND OPENING BRIEF AND APPENDIX; or, alternatively (2) MOTION
FOR EXTENSION OF TIME TO SUBMIT REQUEST FOR
TRANSCRIPT OF PROCEEDINGS AND OPENING BRIEF
AND APPENDIX AND COUNTER MOTION TO
DISMISS APPELLANT'S APPEAL AND CLOSE CASE**

Respondent, PATRICIA SANCHEZ, by and through her attorneys of record, the law office of, DEAVER | CRAFTON, hereby moves this court to deny Appellant's above captioned motion per the Order from the Supreme Court of Nevada of June 9, 2021, which stated:

"On March 26, 2021, this court entered an order granting appellant's motion for an extension of time to file the transcript request form and opening brief and appendix. Pursuant to that order, the transcript request form was due by April 2, 2021, and the opening brief and appendix were due to be filed by May 13, 2021. To date, appellant has not filed either document. Appellant shall have 7 days from the date of this order to file and serve the transcript request form and opening brief and

1 appendix. Failure to comply timely with this order may result in the imposition of
2 sanctions, including the dismissal of this appeal.” See NRAP 9(a)(7); NRAP 31(d).

3 NRAP 9(a)(7) Transcript; Duty of Counsel; Duty of the Court Reporter or Recorder

4 in part states:

5 “Consequences of Failure to Comply. A party’s failure to comply with the
6 provisions of this Rule may result in the imposition of sanctions, including
7 dismissal of the appeal.”

8 Respondent, PATRICIA SANCHEZ, respectfully requests that this court deny
9 Appellant’s Motion.

10 **COUNTER MOTION TO DISMISS**
11 **APPELLANT’S APEAL AND CLOSE CASE**

12 Despite counsel for Appellant claiming that throughout the appellate process that
13 good faith has been displayed. Appellant and his counsel have been well aware of the
14 deadlines regarding this appeal. Two Orders for extensions have already been granted
15 and no good cause has been shown to grant a third. Respondent Sanchez has endured
16 enough with respect to this appeal and appellants failure to comply with this Court’s
17 orders.

18 Respondent, PATRICIA SANCHEZ, respectfully requests that this court
19 dismiss appellant’s appeal and close the case.

20 DATED this 30th day of July, 2021.

21 **DEAVER | CRAFTON**

22 */s/ BRICE J. CRAFTON, ESQ.*

23 BRICE J. CRAFTON, ESQ.
24 NEVADA Bar No. 10558
810 E. Charleston Blvd.
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CERTIFICATE OF SERVICE

I certify that I am an employee of DEAVER | CRAFTON, and that on the 30th day of July, 2021, pursuant to NRCP 5(b), I am serving the attached copy of **OPPOSITION TO APPELLANT'S MOTION TO: (1) FORGIVE LATE FILING OF REQUEST FOR TRANSCRIPT OF PROCEEDINGS AND OPEING BRIEF AND APPENDIX; or, alternatively (2) MOTION FOR EXTESION OF TIME TO SUBMIT REQUEST FOR TRANSCRIPT OF PROCEEDINGS AND OPENING BRIEF AND APPENDIX AND COUNTERMOTION TO STATISTICALLY CLOSE CASE**

on the party(s) set forth below by:

☒ Placing an original or true copy thereof in a sealed envelope placed for collection and mailing in the United States Mail, at Las Vegas, Nevada, postage prepaid, following ordinary business practices.

☐ Via Facsimile (Fax).

☒ By electronic service via EFlex through the Supreme Court of the State of Nevada.

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/s/ SHANNON SHAFFER

An employee of DEAVER | CRAFTON