

IN THE SUPREME COURT OF THE STATE OF NEVADA

JUAN MILLAN ARCE, AN
INDIVIDUAL,

Appellant,

vs.

PATRICIA SANCHEZ, AN
INDIVIDUAL,

Respondent.

No. 81862

FILED

AUG 16 2021

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

*ORDER DENYING MOTION AND CONDITIONALLY IMPOSING
SANCTIONS*

This appeal was docketed on September 30, 2020, with attorney Erich N. Storm of Storm Legal Group named as counsel for appellant. On March 22, 2021, attorney Ryan M. Venci filed a notice of change of firm name, informing this court that the name of the firm representing appellant had changed from Storm Legal Group to Desert Ridge Legal Group and that Erich Storm was no longer affiliated with the firm. Venci also filed an appearance for the firm's attorneys as himself, Danielle A. Kolkoski, Robert L. Thompson and Israel P. Whitbeck. On March 26, 2021, this court granted appellant's motion for an extension of time to file the transcript request form and the opening brief. Pursuant to that order, the transcript request form was due within 7 days and the opening brief and appendix were due

May 13, 2021.¹ This court cautioned that failure to comply timely could result in the imposition of sanctions, including the dismissal of this appeal. No documents were filed.

On June 9, 2021, this court entered an order directing appellant to file the transcript request form and the opening brief and appendix within 7 days.² This court cautioned that failure to comply timely could result in the imposition of sanctions, including the dismissal of this appeal. See NRAP 9(a)(7), NRAP 31(d). Pursuant to the order, the documents were due by June 16, 2021. Appellant failed to respond to the order, failed to communicate with this court, and failed to file any of the documents. On July 30, 2021, appellant filed a motion for an extension of time to file the documents. The motion is opposed.

Appellant fails to offer any explanation or cause for the repeated failure to comply with this court's rules of procedure and direct orders. Therefore the motion for an extension is denied. Moreover, appellant's failure to file the transcript request form and the opening brief in compliance with this court's procedural rules and this court's orders warrants the conditional imposition of sanctions. Accordingly, counsel for appellant shall, within 14 days from the date of this order, pay the sum of \$500 to the Supreme Court Law Library and provide this court with proof of such payment. However, these sanctions shall be automatically vacated if appellant files and serves the transcript request form and the opening brief and appendix within 7 days from the date of this order. Failure to comply with this order may result in additional sanctions, including referral

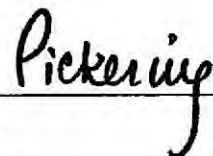
¹A copy of the order is attached.


²A copy of this order is attached.

of counsel to the State Bar of Nevada and dismissal of this appeal. See NRAP 3(a)(2).

It is so ORDERED.


_____, J.
Cadish


_____, J.
Pickering


_____, J.
Herndon

cc: Desert Ridge Legal Group
Deaver & Crafton
Supreme Court Law Library

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MAR 26 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER

Attorneys Ryan M. Venci, Danielle A. Kolkoski, Robert L. Thompson, and Israel P. Whitbeck of Desert Ridge Legal Group have filed a notice of appearance as counsel for appellant. The clerk shall add these attorneys to this court's docket as appellant's counsel. The notice further informs this court that the firm Storm Legal Group has changed its name to Desert Ridge Legal Group and that attorney Erich N. Storm has left the firm and will no longer represent appellant. Accordingly, the clerk of this court shall remove Mr. Storm from the docket.

Notwithstanding its untimeliness, appellant's motion for an extension of time to file the transcript request form and opening brief and appendix is granted as follows. NRAP 26(b)(1)(A); NRAP 31(b)(3)(B). Appellant shall have 7 days from the date of this order to file and serve the transcript request form or certificate of no transcript request. Appellant shall have until May 13, 2021, to file and serve the opening brief and appendix. Thereafter, briefing shall proceed in accordance with NRAP 31(a)(1). Failure to comply timely with this order may result in the

imposition of sanctions, including the dismissal of this appeal. See NRAP 9(a)(7); NRAP 31(d).

It is so ORDERED.

1. Sanderby, C.J.

cc: Desert Ridge Legal Group
Deaver & Crafton
Erich N. Storm

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JUN 09 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER TO FILE DOCUMENTS

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

It is so ORDERED.

[Signature], C.J.

cc: Desert Ridge Legal Group
Deaver & Crafton