

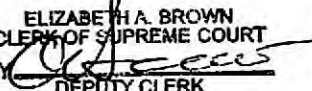
IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVE SANSON, AN INDIVIDUAL;  
AND ROB LAUER, AN INDIVIDUAL,  
Appellants,  
vs.  
LAWRA KASSEE BULEN,  
Respondent.

No. 82393

**FILED**

SEP 14 2021

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER DENYING MOTIONS*

On August 20, 2021, this court entered an order granting respondent's untimely and opposed motion for a third extension of time to file the answering brief and directed respondent to file the brief within 5 days, by August 25, 2021. Respondent represented to this court that the brief was complete and ready to be immediately filed upon the granting of the motion. This court cautioned that no further extensions would be granted and that failure to comply with the order would result in this appeal being decided without an answering brief from respondent. Respondent failed to file the brief, and appellants have filed a motion to treat respondent's failure as a confession of error. Respondent has filed an opposition to appellants' motion and a motion for a fourth extension of time to file the answering brief. Appellants have filed a reply in support of their motion and oppose an extension, noting respondent's counsel's repeated disregard of this court's rules of procedure and deadlines.

Counsel for respondent offers no real explanation for the failure to file the answering brief on time, except to say that counsel was out of town dealing with houses affected by Hurricane Ida, which occurred well after the August 25, 2021, deadline imposed by this court. This does not

constitute cause for the failure to timely file the brief. Accordingly, the motion for an extension is denied. The clerk of this court shall detach the answering brief from the motion filed on September 1, 2021, and return it unfiled. This appeal will be decided without an answering brief from respondent.

In light of this court's preference for deciding cases on their merits rather than on technicalities, appellants' motion to treat the failure to file an answering brief as a confession of error is denied. *See Stoecklein v. Jonson Elec., Inc.*, 109 Nev. 268, 271, 849 P.2d 305, 307 (1993) (noting that this state's general underlying fundamental policy is to decide cases on the merits whenever possible).

It is so ORDERED.

1. Henderson, C.J.

cc: Breeden & Associates, PLLC  
Brandon L. Phillips, Attorney At Law, PLLC