

IN THE SUPREME COURT OF THE STATE OF NEVADA

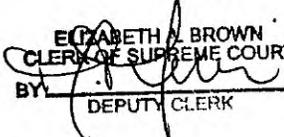
IN THE MATTER OF THE ESTATE OF
MARILYN WEEKS SWEET,
DECEASED.

No. 83342

CHRISTY KAY SWEET,
Appellant,
vs.
CHRIS HISGEN,
Respondent.

FILED

FEB 08 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER

Counsel for respondent has filed a motion for an extension of time (120 days) to file an answer to appellant's petition for review on the ground that respondent has died and no personal representative for respondent has been appointed. Appellant has filed a limited opposition to the motion, suggesting that this court may direct proceedings absent a personal representative and that 60 days should suffice for counsel for respondent to file legal arguments.

Upon the death of a party, an action may not proceed until a personal representative is substituted for the decedent. *Walker v. Burkham*, 68 Nev. 250, 253-54, 229 P.2d 158, 160 (1951). NRAP 43(a)(1) provides that "if a party dies after a notice of appeal has been filed or while a proceeding is pending in the Supreme Court or Court of Appeals, the decedent's personal representative may be substituted as a party on motion filed by the representative or by any party." Counsel for respondent shall have 60 days from the date of this order to (1) file a motion for the substitution of a personal representative or (2) inform this court that respondent has no personal representative. See NRS 7.075(1); NRAP 43(a)(1), *Brass v. State*, 129 Nev. 527, 530, 306 P.3d 393, 394-95 (2013). The

