

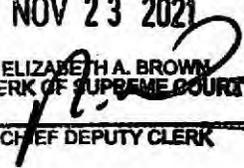
IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES TYRONE MYRTIS, A/K/A
MYRTIS TYRONE JAMES,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 83439

FILED

NOV 23 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

ORDER CONDITIONALLY IMPOSING SANCTIONS

On September 29, 2021, this court issued a notice rejecting appellant's improper transcript request form and directing appellant's counsel, Richard W. Sears, to file the required document within 5 days.¹ On October 13, 2021, this court entered an order granting appellant's motion for an extension of time to file the transcript request form; the transcript request form was due to be filed on or before October 20, 2021.² To date, Mr. Sears has not complied or otherwise communicated with this court.

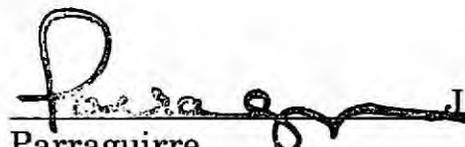
Mr. Sears's failure to file the transcript request form warrants the *conditional* imposition of sanctions. Mr. Sears shall pay the sum of \$250 to the Supreme Court Law Library and provide this court with proof of such payment within 14 days from the date of this order. The conditional sanction will be automatically vacated if Mr. Sears files and serves the transcript request form or a properly supported motion to extend time, *see* NRAP 26(b)(1)(A), within the same time period.

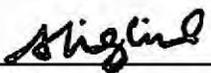
¹A copy of this notice is attached.

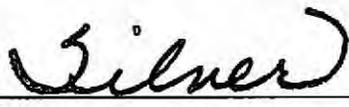
²A copy of this order is attached.

If the required document is not timely filed, the sanction will no longer be conditional and must be paid. Failure to comply with this order or any other filing deadlines will result in Mr. Sears's removal as counsel of record in this appeal. See NRAP 9(a)(7). Further, because it appears that Mr. Sears's conduct in this appeal may constitute violations of RPC 1.3 (diligence), 3.2(a) (expediting litigation), and 8.4 (misconduct), failure to comply with this order or any other filing deadlines will also result in Mr. Sears's referral to the State Bar of Nevada for investigation pursuant to SCR 104-105.

It is so ORDERED.


Parraguirre


_____, J.
Stiglich


_____, J.
Silver

cc: Sears Law Firm, Ltd.
Attorney General/Carson City
White Pine County District Attorney
Richard W. Sears
Supreme Court Law Librarian

**IN THE SUPREME COURT OF THE STATE OF NEVADA
OFFICE OF THE CLERK**

JAMES TYRONE MYRTIS, A/K/A MYRTIS
TYRONE JAMES,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Supreme Court No. 83439
District Court Case No. CR1903028

NOTICE OF DEFICIENT TRANSCRIPT REQUEST

TO: Sears Law Firm, Ltd. \ Richard W Sears

Your transcript request has been rejected for the following reason:

Appellant improperly filed a request for rough draft transcripts. A rough draft transcript request form is appropriate in fast track appeals under NRAP 3C. This appeal is not subject to the provisions of NRAP 3C.

Please submit a corrected transcript request that fully complies with NRAP 9(a)(3) within 5 days from the date of this notice.

DATE: September 29, 2021

Elizabeth A. Brown, Clerk of Court

By: Dana Richards
Deputy Clerk

Notification List

Electronic

Attorney General/Carson City \ Aaron D. Ford, Attorney General

Paper

White Pine County District Attorney \ James S. Beecher, District Attorney

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MYRTIS TYRONE JAMES,

Appellant,

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OCT 13 2021

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

ORDER GRANTING MOTION

Notwithstanding its untimeliness, appellant's motion for an extension of time to file the transcript request form is granted to the following extent. NRAP 26(b)(1)(A). Appellant shall have 7 days from the date of this order to file and serve a transcript request form. Failure to comply with this order may result in the imposition of sanctions. NRAP 9(a)(7).

It is so ORDERED.

Elizabeth A. Brown, C.J.

cc: Sears Law Firm, Ltd.
Attorney General/Carson City
White Pine County District Attorney