

IN THE SUPREME COURT OF THE STATE OF NEVADA

VERONICA JAZMIN CASTILLO, AN
INDIVIDUAL,

Appellant,

vs.

ARMANDO PONS-DIAZ, AN
INDIVIDUAL,

Respondent.

No. 82267

FILED

JAN 06 2022

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

ORDER CONDITIONALLY IMPOSING SANCTIONS

On September 14, 2021, this court entered an order denying appellant's motion for an extension of time and directing appellant to serve and file, in this court, a file-stamped transcript request form in compliance with NRAP 9(a) and the opening brief and appendix within 7 days.¹ This court cautioned that failure to timely comply could result in the imposition of sanctions, including the dismissal of this appeal. NRAP 9(a)(7); NRAP 31(d). Appellant filed the opening brief and appendix on September 21, 2021. However, those documents were rejected by the clerk of this court on that same date because they were not signed by counsel of record.² See NRAP 25(a)(5). The clerk directed appellant to re-file the documents and a notice of appearance within 5 days. On September 22, 2021, counsel filed a notice of appearance. However, counsel did not re-file the opening brief and appendix, file the transcript request form, or otherwise communicate with this court regarding these documents. Accordingly, on November 2, 2021, this court entered an order directing appellant to serve and file, in this

¹A copy of this order is attached.

²A copy of the notice of rejection is attached.

court, a file-stamped transcript request form in compliance with NRAP 9(a), and the opening brief and appendix.³ This court again cautioned that failure to timely comply could result in the imposition of sanctions, including the dismissal of this appeal. On November 9, 2021, appellant re-filed the opening brief and appendix. That same date, the clerk of this court rejected the opening brief because it did not comply with the page-numbering requirements of NRAP 32(a)(4).⁴ The clerk directed appellant to correct the deficiencies and re-file the brief within 5 days. On November 15, 2021, appellant re-filed the opening brief. The clerk again rejected the brief because it contained the same deficiency with respect to page-numbering.⁵ The clerk directed appellant to correct the deficiency and re-file the opening brief within 5 days. To date, appellant has not re-filed the opening brief, filed the transcript request form, or otherwise communicated with this court.

The failure of appellant's counsel, Danielle A. Kolkoski, Thomas A. Larmore, Robert L. Thompson, and Ryan M. Venci to file the transcript request form and opening brief in compliance with this court's procedural rules, the notices issued in this matter, and the orders entered herein 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. These sanctions shall be automatically vacated if appellant timely files and serves the transcript request form or,

³A copy of this order is attached.

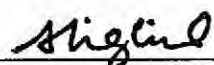
⁴A copy of the notice of rejection is attached.


⁵A copy of the notice of rejection is attached.

alternatively, a certificate that no transcripts will be requested, *see* NRAP 9(a)(1)(C), (a)(3), and a procedurally compliant opening brief. Failure to comply with this order may result in the imposition of additional sanctions, including the referral of counsel to the State Bar of Nevada and the dismissal of this appeal. *See* NRAP 9(a)(7); NRAP 31(d)(1).

It is so ORDERED.


_____, J.
Hardesty


_____, J.
Stiglich


_____, J.
Herndon

cc: Desert Ridge Legal Group
Eric Blank Injury Attorneys
Supreme Court Law Library
Ryan M. Venci
Danielle A. Kolkoski
Robert L. Thompson
Thomas A. Larmore

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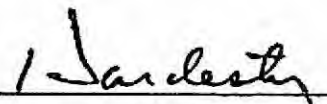
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER

Appellant has filed a motion to forgive the failure to timely file the transcript request form and opening brief and appendix and for an extension of time to file those documents. No motion to forgive an untimely filing is necessary and thus no action will be taken on that portion of the motion. Regarding the motion for an extension of time, the motion is denied because it does not comply with NRAP 27(a)(2) (requiring a motion to state with particularity the relief sought) and NRAP 31(b)(3)(A) (listing requirements for a motion for an extension of time to file a brief).

Appellant shall have 7 days from the date of this order to serve and file, in this court, a file-stamped transcript request form in compliance with NRAP 9(a), and the opening brief and appendix. Failure to timely comply with this order may result in the imposition of sanctions, including the dismissal of this appeal. NRAP 9(a)(7); NRAP 31(d).

It is so ORDERED.

 C.J.

cc: Desert Ridge Legal Group
Eric Blank Injury Attorneys

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

VERONICA JAZMIN CASTILLO, AN
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Respondent.

Supreme Court No. 82267
District Court Case No. A789525

NOTICE OF REJECTION OF FILED DOCUMENT

TO: Desert Ridge Legal Group \ Thomas A. Larmore

Document entitled "Appellant's Opening Brief and Appendix Volumes 1-5" are being rejected for the following reason:

"Thomas A. Larmore" is not listed as an attorney of record. *See* NRAP 25(a)(5). Therefore, the document is being rejected. A notice of appearance is required to participate in this matter. *See generally* NRAP 46.

Please re-file the document and a notice of appearance within 5 days of the date of this notice.

DATE: September 21, 2021

Elizabeth A. Brown, Clerk of Court

By: Dana Richards
Deputy Clerk

Notification List

Electronic

Desert Ridge Legal Group \ Ryan M. Venci
Eric Blank Injury Attorneys \ Eric R. Blank

Paper

Eric Blank Injury Attorneys \ Brian P. Nestor
Eric Blank Injury Attorneys \ Vernon Evans
Kerry Louise Earley

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NOV 02 2021

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

***ORDER TO FILE TRANSCRIPT REQUEST FORM AND
OPENING BRIEF AND APPENDIX***

On September 14, 2021, this court entered an order denying appellant's motion for an extension of time and directing appellant to serve and file, in this court, a file-stamped transcript request form in compliance with NRAP 9(a) and the opening brief and appendix within 7 days. This court cautioned that failure to timely comply could result in the imposition of sanctions, including the dismissal of this appeal. NRAP 9(a)(7); NRAP 31(d). Appellant filed the opening brief and appendix on September 21, 2021. However, those documents were rejected by the clerk of this court on that same date because they were not signed by counsel of record. See NRAP 25(a)(5). The clerk directed appellant to re-file the documents and a notice of appearance within 5 days. On September 22, 2021, counsel filed a notice of appearance. To date, however, counsel has not re-filed the opening brief and appendix, filed the transcript request form, or otherwise communicated with this court.

Appellant shall have 7 days from the date of this order to serve and file, in this court, a file-stamped transcript request form in compliance

with NRAP 9(a), and the opening brief and appendix.¹ Failure to timely comply with this order will result in the imposition of sanctions that may include the dismissal of this appeal. NRAP 9(a)(7); NRAP 31(d).

It is so ORDERED.

1. Sandesh, C.J.

cc: Desert Ridge Legal Group
Eric Blank Injury Attorneys

¹The appendix must contain all documents required by NRAP 30(b).

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Respondent.

Supreme Court No. 82267
District Court Case No. A789525

NOTICE OF REJECTION OF DEFICIENT BRIEF

TO: Desert Ridge Legal Group \ Danielle A. Kolkoski

The brief you filed is being rejected for the following reason(s):

Pages are not properly numbered. NRAP 32(a)(4) (i, ii, iii, etc. before statement of case;
1, 2, 3, etc. after)

Please correct the deficiencies and re-file the brief within 5 days of the date of this
notice.

DATE: November 09, 2021

Elizabeth A. Brown, Clerk of Court

By: Amanda Ingersoll
Deputy Clerk

Notification List

Electronic

Desert Ridge Legal Group \ Ryan M. Venci
Eric Blank Injury Attorneys \ Eric R. Blank
Desert Ridge Legal Group \ Danielle A. Kolkoski
Desert Ridge Legal Group \ Robert L. Thompson

Paper

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Eric Blank Injury Attorneys \ Vernon Evans
Desert Ridge Legal Group \ Thomas A. Larmore

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Supreme Court No. 82267
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NOTICE OF REJECTION OF DEFICIENT BRIEF

TO: Desert Ridge Legal Group \ Danielle A. Kolkoski

The brief you filed is being rejected for the following reason(s):

Pages are not properly numbered. NRAP 32(a)(4). (i, ii, iii, etc. before statement of case; 1, 2, 3, etc. after)

Please correct the deficiencies and re-file the brief within 5 days of the date of this notice.

DATE: November 15, 2021

Elizabeth A. Brown, Clerk of Court

By: Amanda Ingersoll
Deputy Clerk

Notification List

Electronic

Desert Ridge Legal Group \ Ryan M. Venci
Eric Blank Injury Attorneys \ Eric R. Blank
Desert Ridge Legal Group \ Danielle A. Kolkoski
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