

IN THE SUPREME COURT OF THE STATE OF NEVADA

ESTATE OF REBECCA POWELL,
THROUGH BRIAN POWELL, AS
SPECIAL ADMINISTRATOR; DARCI
CREECY, INDIVIDUALLY AND AS
HEIR; TARYN CREECY,
INDIVIDUALLY AND AS HEIR;
ISAIAH KHOSROF, INDIVIDUALLY
AND AS HEIR; AND LLOYD CREECY,
INDIVIDUALLY,
Appellants,

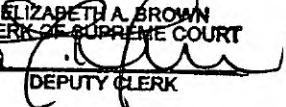
vs.

VALLEY HEALTH SYSTEM, LLC,
D/B/A CENTENNIAL HILLS HOSPITAL
MEDICAL CENTER, A FOREIGN
LIMITED LIABILITY COMPANY,
Respondent.

No. 84861

FILED

FEB 03 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER

On December 2, 2022, respondent filed a motion requesting this court increase the supersedeas bond. Appellants oppose the motion and respondent has filed a reply. At a November 16, 2022, hearing, respondent requested the district court increase the supersedeas bond amount from the already posted \$500 amount. The district court denied respondent's request based on concerns over its jurisdiction to consider the request. However, this court remands the matter for the limited purpose of allowing the district court to consider the motion to increase the supersedeas bond on its merits. *See* NRAP 8(a)(1); *Nelson v. Heer*, 121 Nev. 832, 122 P.3d 1252 (2005) (stating that the requirement that a party move first in district court is grounded in the district court's vastly greater familiarity with the facts and circumstances of the particular case, and that the district court is better positioned to resolve any factual disputes concerning the adequacy of any

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proposed security, while this court is ill suited to such a task). The district court shall have 30 days after entry of this order to determine the appropriate security amount. Appellants shall have 30 days from the date of the district court's order to provide any additional security ordered and to submit proof of security to the clerk of this court.

On January 9, 2023, appellants filed a motion seeking a third extension of time to file the opening brief. Respondent opposes the motion and appellants have filed a reply. Having reviewed these filings, appellants' motion is granted.¹ NRAP 26(b)(1)(B). The opening brief and appendix were filed on January 30, 2023. However, the six-volume appendix was filed as a single submission and should have been filed as six separate submissions. Accordingly, the clerk shall strike the appendix filed on January 30, 2023. Appellants shall have 7 days from the date of this order to re-file the six-volume appendix in six separate submissions. Respondent shall have 30 days from the date of this order to file and serve the answering brief.

It is so ORDERED.

_____*Thiglin*_____, C.J.

cc: Hon. Jerry A. Wiese, Chief Judge
Paul Padda Law, PLLC
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
Eighth District Court Clerk

¹Respondent's motion to dismiss this appeal is denied.