

IN THE SUPREME COURT OF THE STATE OF NEVADA

LEIDIANNE L. BAUTISTA; AND
CONSTANTINE S. NACAR,
Appellants,

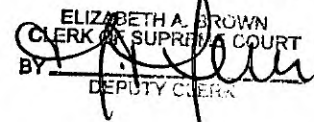
vs.

NEVADA ASSOCIATION SERVICES,
INC., A NEVADA CORPORATION; AND
SATICOY BAY LLC SERIES 10449
FORKED RUN, A NEVADA LIMITED
LIABILITY COMPANY,
Respondents.

No. 85204

FILED

DEC 16 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

***ORDER IMPOSING CONDITIONAL SANCTION AND
DIRECTING APPELLANTS TO FILE DOCUMENTS***

On November 4, 2022, an order granting appellants' motion for reconsideration was entered recalling the remittitur and reinstating this matter. On November 8, 2022, this court issued a notice referring this case to the settlement program, directing appellants' counsel, Joseph A. Scalia, II, to file the docketing statement within 21 days from the date of the notice, and cautioning that failure to comply could result in the imposition of sanctions, including the dismissal of this appeal.¹ See NRAP 14(b)-(c). On November 9, 2022, this court issued a notice directing Mr. Scalia to file the case appeal statement within 7 days and cautioning that failure to file the case appeal statement could result in the imposition of sanctions, including dismissal of this appeal. See NRAP 3(f)(1) (requiring the case appeal

¹A copy of the notice is attached.

22-39542

statement to be filed with the notice of appeal).² Because Mr. Scalia had not yet filed the case appeal statement, on November 18, 2022, this court issued an order directing Mr. Scalia to file the case appeal statement within 7 days.³ Mr. Scalia was again cautioned that failure to comply could result in the imposition of sanctions. To date, Mr. Scalia has failed to file the case appeal statement and the docketing statement.

Mr. Scalia's failure to file documents in this appeal in compliance with the court's procedural rules and the notices and order issued in this appeal warrants the *conditional* imposition of sanctions. Accordingly, Mr. Scalia shall, within 14 days from the date of this order, pay the sum of \$250 to the Supreme Court Law Library and provide this court with proof of such payment. However, this sanction shall be automatically vacated if Mr. Scalia files and serves the case appeal statement and docketing statement within the same time period. If these documents are 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 may result in the further imposition of sanctions, including dismissal of this appeal. See NRAP 3(a)(2). Further, because it appears that Mr. Scalia'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 may also result in Mr. Scalia's

²A copy of the notice is attached.

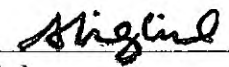
³A copy of the order is attached.

referral to the State Bar of Nevada for investigation pursuant to SCR 104-105.

It is so ORDERED.

 C.J.
Parraguirre

 J.
Hardesty

 J.
Stiglich

cc: Charles K. Hauser, Settlement Judge
Senior Counsel, LLC
Brandon E. Wood
Roger P. Croteau & Associates, Ltd.
Supreme Court Law Librarian

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LEIDIANNE L. BAUTISTA; AND
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BAY LLC SERIES 10449 FORKED RUN, A
NEVADA LIMITED LIABILITY COMPANY,
Respondents.

Supreme Court No. 85204
District Court Case No. A852903

**NOTICE OF REFERRAL TO SETTLEMENT PROGRAM AND SUSPENSION
OF RULES**

TO: Senior Counsel, LLC \ Joseph A. Scalia, II
Roger P. Croteau & Associates, Ltd. \ Christopher L. Benner, Roger P. Croteau
Brandon E. Wood

This notice is to inform you that this appeal may be assigned to the court's Settlement Program. See NRAP 16(a). The issuance of this notice automatically stays the time for filing a request for transcripts and for filing briefs. See NRAP 16(a)(1).

The docketing statement must be filed and served within 21 days of the date of this notice. See NRAP (14)(b). This timeline is not stayed by this notice. Failure to timely file the docketing statement may result in the imposition of sanctions, including dismissal of this appeal. See NRAP 14(c).

DATE: November 08, 2022

Elizabeth A. Brown, Clerk of Court

By: Linda Hamilton
Deputy Clerk

Notification List

Electronic

Senior Counsel, LLC \ Joseph A. Scalia, II
Roger P. Croteau & Associates, Ltd. \ Roger P. Croteau
Roger P. Croteau & Associates, Ltd. \ Christopher L. Benner
Brandon E. Wood

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Supreme Court No. 85204

District Court Case No. A852903

NOTICE TO FILE CASE APPEAL STATEMENT - CIVIL

TO: Senior Counsel, LLC \ Joseph A. Scalia, II

The Clerk of the District Court has informed the Supreme Court of Nevada that your notice of appeal was filed without the required Case Appeal Statement. NRAP 3(a)(3). Please refer to NRAP 3(f) and file the Case Appeal Statement with the Supreme Court Clerk's Office within 7 days from the date of this notice

Your failure to file the Case Appeal Statement may result in the imposition of sanctions, including the dismissal of this appeal. NRAP 3(a)(2).

DATE: November 09, 2022

Elizabeth A. Brown, Clerk of Court

By: Linda Hamilton
Deputy Clerk

Notification List

Electronic

Senior Counsel, LLC \ Joseph A. Scalia, II

Roger P. Croteau & Associates, Ltd. \ Roger P. Croteau

Roger P. Croteau & Associates, Ltd. \ Christopher L. Benner

Brandon E. Wood

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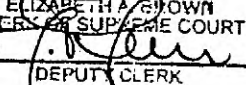
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Respondents.

No. 85204

FILED

NOV 18 2022

ELIZABETH A. SHOWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER

On November 4, 2022, this court entered an order reinstating this appeal. On November 9, 2022, this court issued a notice directing appellants to file the case appeal statement. To date, appellants have failed to file the case appeal statement.

Appellants shall, within 7 days from the date of this order, file the case appeal statement with the Supreme Court Clerk's Office. Failure to comply timely with this order may result in the imposition of sanctions, including the dismissal of this appeal. See NRAP 3(a)(2).

It is so ORDERED.

 C.J.

cc: Charles K. Hauser, Settlement Judge
Senior Counsel, LLC
Brandon E. Wood
Roger P. Croteau & Associates, Ltd.