

IN THE SUPREME COURT OF THE STATE OF NEVADA

KYMBERLIE JOY HURD,  
Appellant,  
vs.  
MARIO OPIPARI,  
Respondent.

No. 85537

FILED

JAN 27 2023

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

ORDER REGARDING MOTIONS

Appellant has filed two pro se amended motions for stay pending appeal.<sup>1</sup> Respondent has filed an opposition and appellant has replied.<sup>2</sup>

When a movant seeks a stay pending appeal, the movant must ordinarily seek such relief in the district court in the first instance. NRAP 8(a)(1). If a movant seeks a stay from this court in the first instance, the movant must demonstrate that seeking relief in the district court first would be “impracticable.” NRAP 8(a)(2)(A)(i). “Impracticable” requires the movant to show that it was ‘not capable’ of first seeking relief in the district

---

<sup>1</sup>The first motion was inadvertently filed by the clerk of this court despite exceeding the page limitation. See NRAP 27(d)(2). Within the second motion, appellant asks for leave to file a longer motion for stay. Appellant is advised that a motion for leave to file a document in excess of the page limitation should be filed separately from the document appellant seeks to file. Nevertheless, in this instance, the motion is granted. *Id.* This court has considered both motions.

<sup>2</sup>Appellant’s reply exceeds the applicable page limitation and was also inadvertently filed by the clerk of this court. NRAP 27(d)(2). The reply was nevertheless considered by this court in its entirety.

court or that such an act could not be done.” *TRP Fund VI, LLC v. PHH Mortg. Corp.*, 138 Nev. Adv. Op. 21, 506 P.3d 1056, 1058 (2022).

Here, appellant does not assert that she sought a stay in the district court in the first instance. She argues that moving for relief in the district court in the first instance would be impracticable because the district court has demonstrated bias and prejudice towards her; filing first in the district court would only result in a delay of justice. Appellant does not demonstrate that moving first in the district court is impracticable. Accordingly, the motions are denied without prejudice.

Appellant has also filed two pro se motions regarding service of documents and counsel. Having considered these filings, attorney Chaka T. Henry Crome is again instructed to file a motion to withdraw as counsel of record for respondent if Crome no longer represents respondent in this appeal.<sup>3</sup> See NRAP 46(e)(3). The motion shall be filed in this court within 7 days of the date of this order. If Crome still represents respondent, Crome shall so notify this court, in writing, within the same time period. Failure to timely comply with this order may result in the imposition of sanctions. This court takes no further actions on the motions at this time.

It is so ORDERED.

                    Higlin                    , C.J.

cc: Kymberlie Joy Hurd  
Crome Law Firm  
Ford & Friedman, LLC  
Crome Law Firm

---

<sup>3</sup>See *Hurd v. Oipari*, Docket No. 85537 (Order, December 20, 2022).