

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE ESTATE OF
THOMAS JOSEPH HARRIS,
DECEASED.

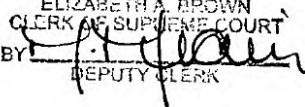
TODD ROBBEN,
Appellant,
vs.

THE ESTATE OF THOMAS JOSEPH
HARRIS; AND THOMAS J. HARRIS
TRUST,
Respondents.

No. 86096

FILED

OCT 13 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING MOTION

Appellant's pro se motion for reconsideration of this court's September 11, 2023, order is denied. To the extent appellant asserts he maintains a First Amendment right to use abusive, threatening, or otherwise inappropriate language when communicating with respondent's counsel or this court, appellant is mistaken. *See Chambers v. IVASCO, Inc.*, 501 U.S. 32, 43 (1991) (internal quotation marks omitted) (recognizing that "[c]ourts of justice are universally acknowledged to be vested, by their very creation, with power to impose silence, respect, and decorum, in their presence, and submission to their lawful mandates"); *Wyatt v. Five Star Tech. Sols., LLC*, No. 120CV03198JMSTAB, 2021 WL 1340991, at *2 (S.D. Ind. Mar. 23, 2021), report and recommendation adopted, No. 1:20-CV-03198-JMS-MG, 2021 WL 1338933 (S.D. Ind. Apr. 9, 2021) ("The First Amendment does not allow a person to make harassing or threatening communications, and the Court's inherent authority to manage proceedings before it provides a basis for admonishing [the wrongdoer's] conduct."). *See*

also *Mohammed v. Anderson*, 833 F. App'x 651, 655 (7th Cir. 2020), cert. denied, 141 S. Ct. 1242 (2021) (explaining that the First Amendment does not protect against sanctions for profane, inappropriately belligerent, and threatening actions and communications in a civil lawsuit). Respondent's request for the imposition of additional sanctions against appellant is denied at this time. However, appellant is again cautioned that use of abusive or threatening language may result in the imposition of sanctions, up to and including dismissal of this appeal. *See, e.g., Nelson v. Eaves*, 140 F.Supp.2d 319, 322 (S.D.N.Y.2001) (dismissing pro se litigant's complaint with prejudice after he wrote inappropriate and threatening letters to opposing counsel); *Cameron v. Lambert*, 2008 WL 4823596 (S.D.N.Y. Nov. 7, 2008) (granting a sanction of dismissal after pro se plaintiff threatened defense counsel with physical violence and engaged in disturbing behavior during a deposition).

The clerk shall file this order in both the Supreme Court and the Court of Appeals.

It is so ORDERED.

 Higlin , C.J.

cc: Todd Robben
Wallace & Millsap LLC