

IN THE SUPREME COURT OF THE STATE OF NEVADA

DONALD DOUGLAS EBY,
Appellant,

vs.

JOHNSTON LAW OFFICE, P.C. ;BRAD
M. JOHNSTON; AND LEANN E.
SCHUMANN,
Respondents.

No. 86220

FILED

OCT 23 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING MOTION

This is an appeal from an order on remand dismissing appellants complaint. Appellant has filed a motion requesting that this court "stay the appeal" and "order a competency evaluation, and hearing."

This case was docketed on March 9, 2023. Appellant's opening brief was filed on July 24, 2023, and respondents' answering brief was filed on August 23, 2023. Appellant has failed to provide this court with any specific facts or documentation from which this court might reasonably conclude that appellant's mental competence is presently of such acute concern that it warrants further delay in this appeal. If there are valid, demonstrable reasons to doubt appellant's present mental stability, appellant may file a motion requesting a competency evaluation in the district court, the forum best equipped to evaluate and resolve evidentiary issues of this nature. Upon notification of any future finding of legal incompetence, this court would entertain an appropriate motion to suspend the proceedings in this appeal.

However, appellant has failed to demonstrate that the relief requested is warranted at this time. Accordingly, appellant's motion for a stay and to refer appellant for a competency evaluation is denied.¹

It is so ORDERED.

Shingler, C.J.

cc: Donald Douglas Eby
Whitmire Law, PLLC

¹Respondents additionally argue that on belief, the same non-lawyer is ghost writing appellant's motion and that this gives an alternative basis to deny the motion. Given our disposition of this motion, this court need not reach the merits off this claim.