

IN THE SUPREME COURT OF THE STATE OF NEVADA

GREGORY SCOTT HERMANSKI A/K/A
ROBERT JAMES DAY,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

No. 41405

FILED

NOV 18 2003

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER TO COMPLY WITH NRAP 9(a), TO FILE OPENING BRIEF
AND APPENDIX AND IMPOSING SANCTIONS


On May 27, 2003, the notice of appeal was filed in this court. Accordingly, appellant was required to comply with NRAP 9(a) by June 11, 2003. See NRAP 9(a). Because appellant had not yet complied with NRAP 9(a), on July 22, 2003, this court entered an order directing appellant to file either a transcript request form or a certificate indicating that no transcripts are being requested. Appellant's counsel was cautioned that failure to comply with that order could result in the imposition of sanctions. Because appellant had still not complied with NRAP 9(a), on August 21, 2003, this court entered a second order directing appellant to comply with NRAP 9(a) within 10 days or show cause why sanctions should not be imposed.

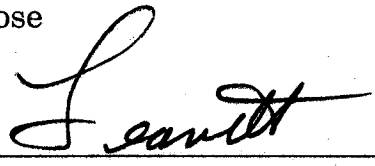
To date, appellant's counsel has failed to comply with NRAP 9(a) or respond to this court's July 22, 2003, and August 21, 2003, orders. Accordingly, we conclude that the imposition of sanctions is warranted. Attorney Paul E. Wommer shall, within 15 days from the date of this order, personally pay the sum of \$500.00 to the Supreme Court Law Library. Within that same time period, Mr. Wommer shall file, with this court, proof of payment of the sanction. Further, Mr. Wommer shall comply with NRAP 9(a) within 10 days from the date of this order.

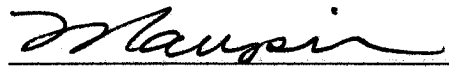
The opening brief and appendix were due to be filed by September 24, 2003. See NRAP 31(a)(1). To date, appellant has failed to file the opening brief and appendix. Appellant shall have 15 days from the date of this order to file the opening brief and appendix. Thereafter, briefing shall proceed in accordance with NRAP 31(a)(1).

We caution appellant's counsel that failure to comply with this order in a timely manner may result in the imposition of additional sanctions.

It is so ORDERED.


_____, J.
Rose


_____, J.
Leavitt


_____, J.
Maupin

cc: Paul E. Wommer
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Supreme Court Law Librarian