

IN THE SUPREME COURT OF THE STATE OF NEVADA

LEONARD CONNELL,
Appellant,
vs.
ALLEN GROSNICK; AND GROSNICK
STRUCTURED FUNDING, LLC,
Respondents.

No. 87966

FILED

MAY 10 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: 
DEPUTY CLERK

*ORDER DISMISSING APPEAL AND REFERRING COUNSEL TO
STATE BAR FOR INVESTIGATION*

This is an appeal from a district court order granting a motion for summary judgment. Eighth Judicial District Court, Clark County; Anna C. Albertson, Judge.

This appeal was docketed in this court on January 24, 2024. Because the notice of appeal was not accompanied by the case appeal statement as required, *see* NRAP 3(f)(1), on that same date, the clerk of this court issued a notice directing appellant's counsel, Rulon J. Huntsman, to file the case appeal statement within 7 days. The notice cautioned that failure to file the case appeal statement could result in the imposition of sanctions, including dismissal of the appeal. *See* NRAP 3(a)(2). Mr. Huntsman did not comply or otherwise communicate with this court.

On February 6, 2024, the clerk of this court issued a notice that, among other things, directed Mr. Huntsman to file and serve the docketing statement by February 27, 2024. On February 8, 2024, this court entered an order directing Mr. Huntsman to file the case appeal statement within 7 days. The order cautioned that failure to comply could result in the imposition of sanctions, including the dismissal of this appeal. Mr. Huntsman did not comply or otherwise communicate with this court.

On February 28, 2024, the clerk of this court issued a notice directing Mr. Huntsman to file and serve the overdue docketing statement by March 6, 2024. The notice cautioned that failure to file a docketing statement could result in the imposition of sanctions, including the dismissal of this appeal. *See* NRAP 14(c).

On March 9, 2024, Mr. Huntsman untimely filed a docketing statement. The docketing statement was rejected by the clerk as untimely. The clerk of this court advised Mr. Huntsman the untimely docketing statement must be accompanied by a motion for an extension of time. Mr. Huntsman subsequently filed a motion for an extension of time accompanied by the docketing statement, the motion was granted, and the docketing statement was filed. However, Mr. Huntsman did not file the overdue case appeal statement.

On March 22, 2024, this court entered an order imposing a conditional sanction on Mr. Huntsman for his failure to timely file the case appeal statement. This court directed Mr. Huntsman, by April 5, 2024, to pay the sum of \$250 to the Supreme Court Law Library and provide this court with proof of such payment. The sanction would be automatically vacated if Mr. Huntsman filed and served the case appeal statement within the same time period. If the case appeal statement was not timely filed, the sanction would no longer be conditional and must be paid. This court cautioned that failure to comply with the order or any other filing deadlines could result in the dismissal of this appeal. *See* NRAP 3(a)(2). Further, because it appeared that Mr. Huntsman'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 the order or any other filing

deadlines could also result in Mr. Huntsman's referral to the State Bar of Nevada for investigation pursuant to SCR 104-105.

Also on March 22, 2024, this court entered an order that, among other things, directed Mr. Huntsman to file and serve a transcript request form by April 5, 2024. If no transcript is to be requested, Mr. Huntsman was to file and serve a certificate to that effect within the same time period. *See* NRAP 9(a).

On April 5, 2024, this court entered an order explaining that the filed docketing statement was deficient because it did not contain complete responses to items 22 and 23 and appellant failed to attach file-stamped copies of the documents required by item 27. The order directed Mr. Huntsman to file an amended docketing statement by April 12, 2024, and cautioned that failure to timely comply could result in the imposition of sanctions, including the dismissal of this appeal. NRAP 14(c); *KDI Sylvan Pools v. Workman*, 107 Nev. 340, 344, 810 P.2d 1217, 1220 (1991).

Mr. Huntsman untimely filed the amended docketing statement on April 20, 2024. That filing was rejected by the clerk on April 22, 2024, and Mr. Huntsman was directed to refile the docketing statement along with any necessary motion. On April 29, 2024, Mr. Huntsman filed an untimely motion for an extension of time with an amended docketing statement attached. Mr. Huntsman does not explain within the motion why the amended docketing statement was not timely filed or why an extension motion was not timely filed, other than to say the deadline was very short. The amended docketing statement still does not have any of the documents required by item 27 attached.

To date, Mr. Huntsman has failed to file the case appeal statement, provide this court with proof of payment of the sanction, and file

the transcript request form or certificate that no transcript will be requested.

This court has repeatedly stated that all appeals are expected to be “pursued in a manner meeting high standards of diligence, professionalism, and competence.” *Cuzdey v. State*, 103 Nev. 575, 578, 747 P.2d 233, 235 (1987); *accord Polk v. State*, 126 Nev. 180, 184, 233 P.3d 357, 359 (2010); *Barry v. Lindner*, 119 Nev. 661, 671, 81 P.3d 537, 543 (2003); *State, Nev. Emp’t Sec. Dept. v. Weber*, 100 Nev. 121, 123, 676 P.2d 1318, 1319 (1984). It is incumbent upon Mr. Huntsman, as part of his professional obligations of competence and diligence to his clients, to know and comply with all applicable court rules. *See* RPC 1.1; RPC 1.3. These rules have been implemented to promote cost-effective, timely access to the courts; it is “imperative” that he follows these rules and timely complies with our directives. *Weddell v. Stewart*, 127 Nev. 645, 650, 261 P.3d 1080, 1084 (2011). Mr. Huntsman is “not at liberty to disobey notices, orders, or any other directives issued by this court.” *Id.* at 652, 261 P.3d at 1085.

Mr. Huntsman’s failure to comply with this court’s rules, notices, and orders has forced this court to divert its limited resources to ensure his compliance and needlessly delayed the processing of this appeal. Therefore, this appeal is dismissed.¹ Because it appears that Mr. Huntsman’s conduct in this appeal may constitute violations of RPC 1.3 (diligence), 3.2(a) (expediting litigation), and 8.4 (misconduct), we refer Mr. Huntsman to the State Bar of Nevada for investigation pursuant to SCR 104-105. Bar counsel shall, within 90 days of the date of this order, inform

¹The motion for an extension of time to file the amended docketing statement is denied.

