

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN C. WOOD,
Appellant,

vs.

BARRY W. LIPPARELLI AND LYNN
LIPPARELLI, HUSBAND AND WIFE;
DENNIS S. LIPPARELLI AND KERRY
LIPPARELLI, HUSBAND AND WIFE;
MICHAEL LIPPARELLI,
INDIVIDUALLY; 4L PARTNERSHIP, A
NEVADA GENERAL PARTNERSHIP;
AVANTI PROPERTIES, A NEVADA
GENERAL PARTNERSHIP; RIMROCK
DEVELOPMENT, LLC, A NEVADA
LIMITED PARTNERSHIP; MOUNT
ROSE MINI STORAGE, A NEVADA
GENERAL PARTNERSHIP; AND THE
LIPPARELLI FAMILY TRUST,
Respondents.

No. 47191

FILED

APR 13 2007

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE AND IMPOSING SANCTIONS

This is an appeal from a district court post-judgment order that confirmed a final accounting from business dissolutions.¹ Second Judicial District Court, Washoe County; Jerome Polaha, Judge.

Three brothers, respondents Barry, Dennis, and Michael Lipparelli, and their cousin, appellant John C. Wood, formed two entities, respondents Rimrock Development, LLC, and Avanti Properties, to invest in and develop real estate. When the parties' business relationship became strained, Wood instituted an action against respondents, resulting in a district court judgment, which in part directed the entities to be

¹Pursuant to NRAP 34(f)(1), we have determined that oral argument is not warranted in this appeal.

dissolved as of August 31, 2000, and the parties' accounts with respect to the entities to be settled. This court affirmed that judgment in an order entered on November 13, 2003.²

While the prior appeal was pending, the parties commenced settling their accounts and continued that process after this court entered its November 13, 2006 order. The district court apparently provided significant assistance in settling the parties' accounts, as Wood, according to respondents, was uncooperative. After respondents amended their initial statement of the parties' accounts with respect to the entities, the district court ultimately entered an order confirming the amended final accounting. Wood has appealed that order.

Wood's sole argument on appeal is nearly indecipherable. He appears to challenge the nature and content of the final accounting vis-à-vis the process of winding up the entities' business affairs. But Wood has failed to point to any substantial evidence in the record or to construct any reasoned argument demonstrating that the final accounting was somehow deficient or erroneous.³

Instead, Wood's opening brief, prepared by his counsel, attorney James F. Sloan, contains only three pages of argument. The brief lacks meaningful citations and includes no coherent factual or legal

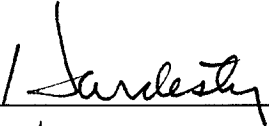
²See Wood v. Lipparelli, Docket No. 38635, consolidated with Docket No. 39635 (Order of Affirmance, November 13, 2003).

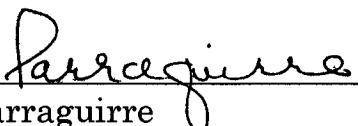

³See First Interstate Bank v. Jafbros Auto Body, 106 Nev. 54, 56, 787 P.2d 765, 767 (1990) (providing that substantial evidence is that which "a reasonable mind might accept as adequate to support a conclusion" (citing State, Emp. Security v. Hilton Hotels, 102 Nev. 606, 608, 729 P.2d 497, 498 (1986))).

analysis.⁴ Wood's reply brief suffers from these same inadequacies; even after respondents pointed out the opening brief's deficiencies in their answering brief, the mere approximate two pages of Wood's reply brief fail to adequately address those concerns. Wood's failure to provide articulate legal argument in his briefs renders this court unable to clearly determine the factual and legal issues presented, if any, and consequently, needlessly expends the valuable resources of this court.⁵ Thus, we conclude that sanctions are warranted.⁶ Sloan shall personally pay three hundred dollars (\$300) to respondents toward their attorney fees for having to respond to an inadequate opening brief. Sloan shall provide proof of this payment within fifteen days of the date of this order.

As Wood has failed to demonstrate any district court error or abuse of discretion, we affirm the district court's order.

It is so ORDERED.


_____, J.
Hardesty


_____, J. 
Parraguirre Douglas, J.

⁴See NRAP 28

⁵See Barry v. Lindner, 119 Nev. 661, 671, 81 P.3d 537, 543 (2003) (providing that "[t]his court expects all appeals to be pursued with high standards of diligence, professionalism, and competence").

⁶See NRAP 28A; NRAP 38(b); see also Barry, 119 Nev. at 671, 81 P.3d at 543-44.

cc: Hon. Jerome Polaha, District Judge
Lester H. Berkson, Settlement Judge
James F. Sloan
Maupin, Cox & LeGoy
Washoe District Court Clerk