


IN THE SUPREME COURT OF THE STATE OF NEVADA

LUANN TERRELL AND JAMES
TERRELL,
Appellants,
vs.
EDWARD HADDAD AND LANA
CHENKO-HADDAD,
Respondents.

No. 54969

FILED

SEP 14 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

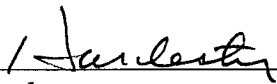
ORDER DISMISSING APPEAL AND REFERRING COUNSEL TO THE
STATE BAR FOR INVESTIGATION

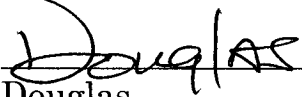
On December 28, 2009, this court issued a notice directing appellants to file the docketing statement within ten days from the notice's date. When appellants failed to comply with the December 28 notice, we entered an order on April 28, 2010, again directing appellants to file the docketing statement, giving them ten days from that order's date within which to do so. When appellants again failed to comply with this court's directive to file the docketing statement, we entered an order on June 10, 2010, conditionally imposing a \$500 sanction on appellants' counsel, Dan Winder, for failure to file the docketing statement. The June 10 order noted that if the docketing statement was filed within ten days from the order's date, the sanction would be automatically vacated. When Mr. Winder failed to comply with this court's June 10 order, this court entered an order on July 9, 2010, directing Mr. Winder to pay the \$500 sanction and to file the docketing statement. Mr. Winder paid the \$500 sanction on July 19, 2010, but again failed to file the docketing statement. Finally, on July 28, 2010, this court gave Mr. Winder another ten days to file the docketing statement.


To date, Mr. Winder has failed to file the docketing statement. This court's notice and orders cautioned Mr. Winder that the failure to file

the docketing statement could result in the imposition of sanctions, including dismissal of this appeal and referral to the State Bar for investigation. Given Mr. Winder's repeated failures to comply with this court's directive to file the docketing statement, we hereby dismiss this appeal and refer Mr. Winder to the State Bar of Nevada for investigation and appropriate disciplinary action.¹ Bar Counsel shall, within 90 days of the date of this order, inform this court of the status or results of the investigation and any disciplinary proceedings.

It is so ORDERED.²


_____, J.
Hardesty


_____, J.
Douglas


_____, J.
Pickering

cc: Hon. Doug Smith, District Judge
Howard Roitman, Settlement Judge
Edgar C. Smith
The Law Office of Dan M. Winder, P.C.
The Eighth District Court Clerk
State Bar of Nevada

¹The clerk of this court shall provide Bar Counsel with copies of this court's December 28, 2009, notice and the April 28, June 10, July 9, and July 28, 2010, orders.

²In light of this order, we deny as moot respondents' September 7, 2010, motion to dismiss.