

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN CARR,  
Appellant,  
vs.  
GUSTAVO PAREDES; AND KAYLA D.  
PAREDES,  
Respondents.

No. 60318

JOHN CARR,  
Appellant,  
vs.  
GUSTAVO PAREDES; AND KAYLA D.  
PAREDES,  
Respondents.

No. 61301

JOHN CARR,  
Appellant,  
vs.  
GUSTAVO PAREDES; AND KAYLA D.  
PAREDES,  
Respondents.

No. 68518 ✓

**FILED**

APR 13 2016

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

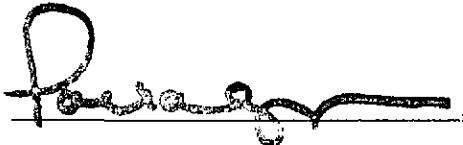
*ORDER*

On February 10, 2014, this court entered a non-dispositional order in Docket Nos. 60318 and 61301, remanding the matter to the district court to make specific findings with regard to a motion for a new trial based on attorney misconduct. The order contemplated that the court would consider the other issues raised on appeal, as well as the amended order regarding the denial of the motion for a new trial, once the amended order was entered. Despite the non-dispositional nature of the order, the remittitur issued on March 7, 2014, due to a clerical error. On July 30, 2015, appellant filed a notice of appeal from the amended order entered upon remand as well as an order challenged in the original appeal. That appeal was docketed separately as Docket No. 68518.

We direct the clerk to recall the remittitur in Docket Nos. 60318 and 61301 and reinstate those consolidated appeals. The clerk shall also administratively close the appeal in Docket No. 68518 and transfer to Docket Nos. 60318 and 61301 all documents filed in Docket No. 68518.

Respondent has filed a motion to strike portions of the opening brief filed in Docket No. 68518. Having considered the motion, opposition, and reply, we grant the motion to the following extent. The clerk shall strike the opening brief filed on December 30, 2015, in Docket No. 68518. Appellant shall have 20 days from the date of this order to file and serve an amended opening brief that is identical to the opening brief filed on November 1, 2012, in Docket Nos. 60318 and 61301 with the following exceptions. Appellant may alter the citations to correspond with the page numbers in the appendix filed on December 30, 2015, in Docket No. 68518, and may include additional factual and procedural history and argument solely insofar as they relate to the amended district court order denying the motion for a new trial. Should appellant wish to present supplemental authorities not included in the original opening brief, he may advise the court of such authorities by filing a notice of supplemental authorities as provided in NRAP 31(e). Respondents may file an amended answering brief within 20 days of service of appellant's amended opening brief. Thereafter, appellant shall have 20 days to file and serve an amended reply brief. The amended answering and reply briefs are subject to the same restrictions discussed above with respect to the amended opening brief.

It is so ORDERED.

 C.J.

cc: Hon. Kerry Louise Earley, District Judge  
Phillip Aurbach, Settlement Judge  
Keating Law Group  
Pyatt Silvestri  
Eighth District Court Clerk