

IN THE SUPREME COURT OF THE STATE OF NEVADA

BETTY FUCHSEL,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 68112  
**FILED**

JUN 06 2016

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

**ORDER DISMISSING APPEAL AND REFERRING COUNSEL TO THE  
STATE BAR OF NEVADA**

On March 31, 2016, this court entered an order conditionally imposing sanctions on appellant's counsel, Nancy Lord for her failure to file the opening brief and appendix. We directed Ms. Lord to pay the sum of \$250 to the Supreme Court Law Library and provide proof of such payment to this court within 15 days. However, the sanction would be automatically vacated if Ms. Lord filed the required documents or a motion for an extension of time within 11 days. We cautioned Ms. Lord that failure to comply would result in dismissal of this appeal. We further warned that failure to comply would result in Ms. Lord's referral to the State Bar of Nevada for investigation pursuant to SCR 104-105.

To date, Ms. Lord has failed to pay the sanction, failed to file the opening brief or appendix, or otherwise communicate with this court. Accordingly, we conclude that the sanction is no longer conditional. Ms. Lord shall pay the sum of \$250 to the Supreme Court Law Library within 11 days of the date of this order and provide proof of such payment within 15 days.

We have repeatedly stated that we expect all appeals 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. Dep't v. Weber*, 100 Nev. 121, 123, 676 P.2d 1318, 1319 (1984). It is incumbent upon Ms. Lord, as part of her professional obligations of competence and diligence to her 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 she follow these rules and timely comply with our directives. *Weddell v. Stewart*, 127 Nev. Adv. Op. No. 58, 261 P.3d 1080, 1084 (2011). Ms. Lord is "not at liberty to disobey notices, orders, or any other directives issued by this court." *Id.* at 261 P.3d at 1085. Accordingly, we dismiss this appeal. NRAP 31(d).

Finally, because it appears that Ms. Lord's conduct in this appeal may constitute violations of RPC 1.3 (diligence), 3.2(a) (expediting litigation), and 8.4 (misconduct), we refer Ms. Lord 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 this court of the status or results of the investigation and any disciplinary proceedings in this matter.

It is so ORDERED.

Hardesty, J.  
Hardesty

Saitta, J.  
Saitta

Pickering, J.  
Pickering

cc: Hon. Kimberly A. Wanker, District Judge  
Nancy Lord  
Nye County District Attorney  
Nye County Clerk  
Stan Hunterton, Bar Counsel  
Supreme Court Law Librarian