

IN THE SUPREME COURT OF THE STATE OF NEVADA

LESLIE MARK STOVALL, D/B/A
STOVALL & ASSOCIATES,
Appellant,
vs.
BRANDEN MCDONALD,
Respondent.

No. 69291

FILED

JUL 15 2016

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

ORDER DISMISSING APPEAL AND IMPOSING SANCTIONS

On June 3, 2016, we entered an order imposing a conditional sanction against appellant, attorney Leslie Mark Stovall, and directing him to pay \$250 to the Supreme Court Law Library by June 20, 2016, for his failure to file the transcript request form and the opening brief and appendix.¹ That order provided that the conditional sanction would be vacated if he filed the required documents by June 14, 2016. We cautioned Mr. Stovall that failure to comply with the order or any other filing deadlines would result in the dismissal of this appeal. To date, Mr. Stovall has not filed the transcript request form or the opening brief and appendix. Nor has he filed a motion for extension of time, paid the \$250 sanction, or otherwise communicated with this court.

Mr. Stovall's failure to comply with our rules and orders has forced this court to divert our limited resources to ensure his compliance and needlessly delayed the processing of this appeal. Therefore, we dismiss this appeal. See NRAP 31(d). Mr. Stovall shall have 7 days from

¹A copy of this order is attached.

the date of this order to pay the sum of \$250 to the Supreme Court Law Library and provide this court with proof of such payment. Failure to comply with this order will result in the referral of Mr. Stovall to the State Bar of Nevada for investigation pursuant to SCR 104-105.

It is so ORDERED.

Hardesty, J.
Hardesty

Saitta, J.
Saitta

Pickering, J.
Pickering

cc: Hon. Gloria Sturman, District Judge
Craig Hoppe, Settlement Judge
Leslie Mark Stovall
Stovall & Associates
Injury Lawyers of Nevada
Eighth District Court Clerk
Supreme Court Law Librarian

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JUN 03 2016

FRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER CONDITIONALLY IMPOSING SANCTIONS

On February 17, 2016, this court entered an order reinstating briefing as the parties were unable to agree to a settlement of this appeal, and directed appellant to file a transcript request form by March 3, 2016. When appellant failed to comply, the clerk of this court issued a notice on March 23, 2016, that again directed appellant's counsel, Leslie Mark Stovall, to file a transcript request form within 10 days.¹ See NRAP 9(a). We cautioned Mr. Stovall that failure to request transcripts in compliance with NRAP 9 could result in the imposition of sanctions, including dismissal of this appeal. To date, Mr. Stovall has failed to comply with this court's order entered on February 17, 2016, or the notice issued on March 23, 2016. Further, the opening brief and appendix are now overdue.

We conclude that Mr. Stovall's failure to file the transcript request form and the opening brief and appendix warrants the conditional imposition of sanctions. See NRAP 9(a)(7); NRAP 31(d). Within 15 days

¹A copy of this notice is attached.

from the date of this order, Mr. Stovall shall pay the sum of \$250 to the Supreme Court Law Library and provide this court with proof of such payment. The conditional sanction will be automatically vacated if Mr. Stovall files and serves the transcript request form² and the opening brief and appendix or a motion for an extension that complies with NRAP 31(b)(3)(B) within 11 days from the date of this order.

If the required documents are not timely filed, the sanction will no longer be conditional and must be paid. Failure to comply with this order or any other filing deadlines will result in the dismissal of this appeal. Further, because it appears that Mr. Stovall's conduct in this appeal may constitute violations of RPC 3.2(a) (expediting litigation) and 8.4 (misconduct), failure to comply with this order or any other filing deadlines will also result in Mr. Stovall's referral to the State Bar of Nevada for investigation pursuant to SCR 104-105.

It is so ORDERED.

Hardesty, J.
Hardesty

Saitta, J.
Saitta

Pickering, J.
Pickering

²If no transcript is to be requested, appellant shall file and serve a certificate to that effect within the same time period. NRAP 9(a).

cc: Stovall & Associates
Injury Lawyers of Nevada
Supreme Court Law Librarian
Leslie Mark Stovall