

IN THE SUPREME COURT OF THE STATE OF NEVADA

1209 VILLAGE WALK TRUST, LLC, A  
NEVADA LIMITED LIABILITY  
COMPANY,

Appellant,

vs.

U.S. BANK NATIONAL ASSOCIATION,  
AS TRUSTEE RELATING TO CHEVY  
CHASE FUNDING LLC MORTGAGE  
BACKED CERTIFICATES SERIES  
2006-3, A NATIONAL ASSOCIATION,  
Respondent.

No. 71859

**FILED**

MAY 08 2017

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

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

On December 19, 2016, the clerk of this court issued a notice directing appellant to file and serve the docketing statement by January 9, 2017.<sup>1</sup> On December 20, 2016, the clerk issued a notice directing appellant to request transcripts in compliance with NRAP 9(a) by January 4, 2017, and to file and serve the opening brief and appendix by April 19, 2017.<sup>2</sup> When appellant failed to file the transcript request form and docketing statement, on January 27, 2017, the clerk issued notices directing appellant to file and serve a transcript request form, or certificate of no transcript, and the docketing statement by February 10, 2017, or face sanctions.<sup>3</sup> Appellant failed to comply. Thus, on March 6, 2017, we entered an order conditionally imposing sanctions on counsel for

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<sup>1</sup>A copy of this notice is attached.

<sup>2</sup>A copy of this notice is attached.


<sup>3</sup>A copy of these notices are attached.

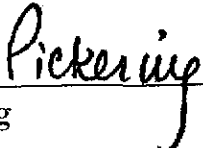
appellant, Steven T. Loizzi, Jr.<sup>4</sup> We directed Mr. Loizzi to pay \$250 to the Supreme Court Law Library and provide this court with proof of payment by March 21, 2017. The sanction would be automatically vacated if Mr. Loizzi filed and served the transcript request form, or certificate that no transcripts were to be requested, and the docketing statement by March 17, 2017. We cautioned that failure to comply would result in the dismissal of this appeal and the referral of Mr. Loizzi to the State Bar of Nevada for investigation pursuant to SCR 104-105 for violations of RPC 1.3 (diligence), RPC 3.2(a) (expediting litigation), and RPC 8.4 (misconduct).

To date, Mr. Loizzi has not filed the required documents, requested an extension of time, paid the sanction, or otherwise communicated with this court. Additionally, the opening brief and appendix are now overdue. Accordingly, the sanction imposed in our March 6, 2017, order is now due. Mr. Loizzi shall have 11 days from the date of this order to pay the sum of \$250 to the Supreme Court Law Library and provide this court written proof of payment. We dismiss this appeal and refer Mr. Loizzi to the State Bar of Nevada for investigation.

It is so ORDERED.

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Pickering

<sup>4</sup>A copy of this order is attached.

cc: Hon. Valerie Adair, District Judge  
HOA Lawyers Group, LLC  
Zieve, Brodnax & Steele, LLP  
Eighth District Court Clerk  
Steven T. Loizzi  
Supreme Court Law Librarian  
Stan Hunterton, Bar Counsel

**IN THE SUPREME COURT OF THE STATE OF NEVADA  
OFFICE OF THE CLERK**

1209 VILLAGE WALK TRUST, LLC, A  
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U.S. BANK NATIONAL ASSOCIATION, AS  
TRUSTEE RELATING TO CHEVY CHASE  
FUNDING LLC MORTGAGE BACKED  
CERTIFICATES SERIES 2006-3, A  
NATIONAL ASSOCIATION,  
Respondent.

**Supreme Court No. 71859**  
District Court Case No. A666861

**NOTICE OF REFERRAL TO SETTLEMENT PROGRAM AND SUSPENSION  
OF RULES**

TO: Zieve, Brodnax & Steele, LLP \ Sherry A. Moore, Benjamin D. Petiprin  
Alessi & Koenig, LLC \ Steven T. Loizzi, Jr.

This notice is to inform you that this appeal may be assigned to the court's Settlement Program. See NRAP 16(a). The issuance of this notice automatically stays the time for filing a request for transcripts under NRAP 9, and for filing briefs under NRAP 31. See NRAP 16(a)(1).

The docketing statement must be filed and served within 20 days of the date of this notice. This timeline is not stayed by this notice.

DATE: December 19, 2016

Elizabeth A. Brown, Clerk of Court

By: Sally Williams  
Deputy Clerk

**Notification List**

Electronic

Alessi & Koenig, LLC \ Steven T. Loizzi, Jr.

Zieve, Brodnax & Steele, LLP \ Benjamin D. Petiprin

Paper

Zieve, Brodnax & Steele, LLP \ Sherry A. Moore

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**Supreme Court No. 71859**  
District Court Case No. A666861

**EXEMPTION FROM SETTLEMENT PROGRAM -  
NOTICE TO FILE DOCUMENTS**

TO: Alessi & Koenig, LLC \ Steven T. Loizzi, Jr.  
Zieve, Brodnax & Steele, LLP \ Sherry A. Moore  
Zieve, Brodnax & Steele, LLP \ Benjamin D. Petiprin

Upon review of this matter, it has been determined that this appeal will not be assigned to the settlement program. Accordingly, appellant(s) shall have fifteen (15) days from the date of this notice to comply with NRAP 9(a).

Appellants shall have 120 days from the date of this notice to file and serve the opening brief and appendix. Thereafter, briefing shall proceed in accordance with NRAP 31(a)(1).

DATE: December 20, 2016

Elizabeth A. Brown, Clerk of Court

By: Sally Williams  
Deputy Clerk

Notification List

Electronic

Alessi & Koenig, LLC \ Steven T. Loizzi, Jr.  
Zieve, Brodnax & Steele, LLP \ Benjamin D. Petiprin

Paper

Zieve, Brodnax & Steele, LLP \ Sherry A. Moore

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**Supreme Court No. 71859**  
District Court Case No. A666861

**NOTICE TO FILE DOCKETING STATEMENT**

TO: HOA Lawyers Group, LLC \ Steven T. Loizzi, Jr.

To date, appellant has not filed the docketing statement in this appeal. NRAP 14(b).

Appellant(s) shall file a docketing statement with the Clerk of the Supreme Court within 10 days of the date of this notice. See NRAP 14. Failure to file a docketing statement may result in the imposition of sanctions, including the dismissal of this appeal. NRAP 14(c).

DATE: January 27, 2017

Elizabeth A. Brown, Clerk of Court

By: Amanda Ingersoll  
Chief Deputy Clerk

Notification List

Electronic

HOA Lawyers Group, LLC \ Steven T. Loizzi, Jr.  
Zieve, Brodnax & Steele, LLP \ Benjamin D. Petiprin

Paper

Zieve, Brodnax & Steele, LLP \ Sherry A. Moore  
Steven D. Grierson, Eighth District Court Clerk

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Respondent.

**Supreme Court No. 71859**  
District Court Case No. A666861

**NOTICE TO REQUEST TRANSCRIPTS**

TO: HOA Lawyers Group, LLC \ Steven T. Loizzi, Jr.

To date, appellant has failed to request transcripts in this appeal. Please file and serve a Transcript Request Form or, alternatively, a certificate that preparation of transcripts is not requested within 10 days from the date of this notice. See NRAP 10(b); NRAP 30(b)(1). Failure to request transcripts in compliance with NRAP 9 may result in the imposition of sanctions, including dismissal of this appeal. See NRAP 9(a)(7).

DATE: January 27, 2017

Elizabeth A. Brown, Clerk of Court

By: Amanda Ingersoll  
Chief Deputy Clerk

Notification List

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HOA Lawyers Group, LLC \ Steven T. Loizzi, Jr.

Zieve, Brodnax & Steele, LLP \ Benjamin D. Petiprin

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Steven D. Grierson, Eighth District Court Clerk

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2006-3, A NATIONAL ASSOCIATION,

Respondent.

No. 71859

**FILED**

MAR 06 2017

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER CONDITIONALLY IMPOSING SANCTIONS*

On December 19, 2016, the clerk of this court issued a notice directing appellant to file and serve the docketing statement by January 9, 2017.<sup>1</sup> On December 20, 2016, the clerk issued a notice directing appellant to request transcripts in compliance with NRAP 9(a) by January 4, 2017.<sup>2</sup> When appellant failed to comply with both notices, on January 27, 2017, the clerk issued notices directing appellant to file and serve the docketing statement and request transcripts in compliance with NRAP 9 by February 10, 2017, or face sanctions.<sup>3</sup> To date, appellant has failed to file the required documents or otherwise communicate with this court.

We conclude that the failure of appellant's counsel, Steven T. Loizzi, Jr., to file the docketing statement and transcript request form

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<sup>2</sup>A copy of this notice is attached.

<sup>3</sup>Copies of these notices are attached.



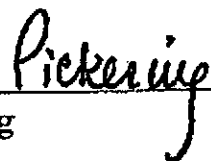
warrants the *conditional* imposition of sanctions. Mr. Loizzi shall pay the sum of \$250 to the Supreme Court Law Library and provide this court with proof of such payment within 15 days from the date of this order. The conditional sanction will be automatically vacated if counsel files and serves the docketing statement and transcript request form, or a certificate that no transcript is to be requested, within 11 days from the date of this order. See NRAP 14; NRAP 9(a).

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 may result in the dismissal of this appeal. Further, because it appears that his conduct in this appeal may constitute violations of RPC 1.3 (diligence), 3.2(a) (expediting litigation), and 8.4 (misconduct), failure to comply with this order or any other filing deadlines may also result in the referral of Mr. Loizzi to the State Bar of Nevada for investigation pursuant to SCR 104-105.

It is so ORDERED.

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Pickering

cc: HOA Lawyers Group, LLC  
Zieve, Brodnax & Steele, LLP  
Steven T. Loizzi  
Supreme Court Law Library