

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT RYAN,
Appellant,
vs.
THE STATE OF NEVADA DIVISION
OF INSURANCE,
Respondent.

No. 72366

FILED

JUN 09 2017

ORDER

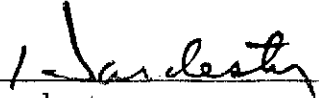
ELIZABETH HENNINGRI
CLERK OF THE SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

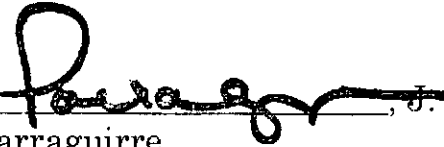
On May 5, 2017, we entered an order conditionally imposing sanctions on counsel for appellant, Kurt R. Bonds and Adam R. Knecht, due to their failure to file the case appeal statement and transcript request form in this court as required by this court's rules and as directed in a notice and an order. The sanctions would be automatically vacated if counsel filed the documents by May 16, 2017.


On May 23, 2017, counsel filed a notice of withdrawal of appeal and a "Petition for Rehearing" in which they request reconsideration of our sanction order. Counsel state that their firm is in the process of relocating offices which has created difficulties with circulating papers served upon the firm. Consequently, this court's May 5 order was not discovered by Mr. Knecht until May 22, 2017. Counsel explain that they filed the case appeal statement in the district court but erroneously failed to file it in this court. They also represent that they submitted a transcript request form to the responsible court reporter and the transcript was prepared, but counsel failed to file the form in this court. Counsel state that these errors were promptly addressed upon discovery.

Counsel submitted the case appeal statement and transcript request form to this court on May 23, 2017. However, the documents were rejected because they were untimely and not accompanied by a motion for an extension of time. Nevertheless, given counsels' response to our order and appellant's desire to dismiss this appeal, we vacate the sanctions imposed in our May 5, 2017, order.¹ Pursuant to the notice of withdrawal of appeal, this appeal is dismissed.

It is so ORDERED.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Stiglich

cc: Hon. Jerry A. Wiese, District Judge
Lansford W. Levitt, Settlement Judge
Attorney General/Carson City
Alverson Taylor Mortensen & Sanders
Attorney General/Las Vegas
John P. Kelleher
Eighth District Court Clerk

¹To the extent counsel ask that we vacate our May 5, 2017, order, we decline to do so.