

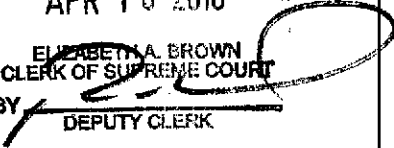
IN THE SUPREME COURT OF THE STATE OF NEVADA

CHARLES BEN FRITSCHKE,
Appellant,
vs.
JANE MOORE; JAMES GREG COX;
THE STATE OF NEVADA
DEPARTMENT OF CORRECTIONS;
AND THE STATE OF NEVADA,
Respondents.

No. 74107

FILED

APR 16 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order dismissing a civil rights complaint. Eleventh Judicial District Court, Pershing County; Jim C. Shirley, Judge.

On October 3, 2017, the clerk of this court issued a notice directing appellant to file and serve either (1) a brief that complies with NRAP 28(a) and 32, or (2) an informal brief form for pro se parties by January 31, 2018.¹ The notice cautioned that failure to comply could result in the dismissal of this appeal. When appellant failed to comply or otherwise communicate with this court, we entered an order on February 21, 2018, directing appellant to file and serve either (1) a brief that complies with NRAP 28(a) and 32, or (2) an informal brief form for pro se parties by

¹A copy of this notice is attached.

March 5, 2018.² See NRAP 26(a)(3). We cautioned that failure to comply could result in the dismissal of this appeal. NRAP 31(d)(1).

To date, appellant has not filed a brief or an informal brief or otherwise communicated with this court. Accordingly, we conclude that this appeal is abandoned and we

ORDER this appeal DISMISSED.

Cherry, J.
Cherry

Parraguirre, J.
Parraguirre

Stiglich, J.
Stiglich

cc: Hon. Jim C. Shirley, District Judge
Charles Ben Fritsche
Attorney General/Carson City
Attorney General/Las Vegas
Pershing County Clerk

²A copy of this order is attached.

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

CHARLES BEN FRITSCHÉ,
Appellant,
vs.
JANE MOORE; JAMES GREG COX; THE
STATE OF NEVADA DEPARTMENT OF
CORRECTIONS; AND THE STATE OF
NEVADA,
Respondents.

Supreme Court No. 74107
District Court Case No. PI-15-0981

INSTRUCTIONS/NOTICE REGARDING DEADLINES

TO: Charles Ben Fritsche
Attorney General/Carson City \ Adam Paul Laxalt, Heather Bailey Zana

**PLEASE CAREFULLY REVIEW THE INFORMATION BELOW REGARDING
REQUIREMENTS FOR THIS APPEAL.**

Definitions/Terms

"NRAP" stands for Nevada Rules of Appellate Procedure, which govern procedure in the Nevada Supreme Court and Nevada Court of Appeals.

"Pro se" refers to a party acting on his or her own behalf without the assistance of an attorney.

"In forma pauperis" refers to a party who has been determined by a court to be indigent and not required to pay filing fees. Only a court can grant a party in forma pauperis status. Please see NRAP 24 for more information.

Copies of all documents sent to the court for filing must also be served on all other parties in the appeal. Such service should be made at the same time the document is sent for filing, and may be accomplished by mailing a copy of the document to the other party (if the other party has an attorney, the document should be mailed to the attorney). Please see NRAP 25(b) and NRAP 25(c). The rules do not require that copies served on other parties be file-stamped by the court.

Required Documents/Deadlines

1. Transcript Request Form

Within 15 days, appellant(s) must file in this court either (1) a transcript request form requesting transcripts of all district court proceedings that are necessary for the court's review on appeal; or (2) a certificate that no transcripts are being requested. See NRAP 9. The enclosed blank transcript request form may be used.

APPELLANTS WHO HAVE NOT BEEN GRANTED IN FORMA PAUPERIS STATUS must serve a copy of the transcript request form on the court reporter/recorder who reported the proceedings and on all other parties to the appeal and must also pay an appropriate deposit to the court reporter/recorder at the time of service. NRAP 9(b)(1)(B). Upon receiving a transcript, the party who requested it must file a copy of the transcript in this court. NRAP 9(b)(1)(B).

APPELLANTS WHO ARE IN FORMA PAUPERIS should not serve a transcript request form on the court reporter/recorder, but should still file the request in this court; the court will review the request and enter an appropriate order.

2. Docketing Statement

Within 20 days, all appellant(s) must file in this court a docketing statement that complies with NRAP 14. The enclosed blank docketing statement may be used.

FOR APPELLANTS WHO ARE IN FORMA PAUPERIS, the requirement that supporting documents be attached to the docketing statement may be waived.

3. Brief or Informal Brief Form

Within 120 days, appellant(s) must file in this court either (1) a brief that complies with the requirements in NRAP 28(a) and NRAP 32; or (2) the "Informal Brief Form for Pro Se Parties" provided by the supreme court clerk. NRAP 31(a)(1). Failure to file a brief or informal brief form by the deadline may result in dismissal of the appeal. NRAP 31(d)(1).

Appendices/record

Pro se parties are not permitted to file an appendix to their briefs unless ordered to do so by this court. NRAP 30(i). If the court's review of the complete trial court record is necessary, the court will direct the district court to transmit the record. Pro se parties are not required to cite the record in their briefs, but are encouraged to do so if possible. See NRAP 28(e)(3).

Responses to Pro Se Documents

Opposing parties are not required to respond to documents, including briefs, filed by a pro se party unless ordered to do so by this court. The court generally will not grant relief without providing an opportunity to file a response. See NRAP 46(c).

DATE: October 03, 2017

Elizabeth A. Brown, Clerk of Court

By: Linda Hamilton
Deputy Clerk

Notification List

Electronic

Attorney General/Carson City \ Adam Paul Laxalt, Attorney General

Paper

Charles Ben Fritsche

Attorney General/Carson City \ Heather Bailey Zana

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHARLES BEN FRITSCHÉ,
Appellant,
vs.
JANE MOORE; JAMES GREG COX;
THE STATE OF NEVADA
DEPARTMENT OF CORRECTIONS;
AND THE STATE OF NEVADA,
Respondents.

No. 74107

FILED

FEB 21 2018

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

ORDER TO FILE OPENING BRIEF

On October 3, 2017, the clerk of this court issued a notice directing appellant to file and serve either (1) a brief that complies with NRAP 28(a) and 32, or (2) an informal brief form for pro se parties. The notice cautioned that failure to comply could result in the dismissal of this appeal. To date, appellant has not complied or otherwise communicated with this court. Accordingly, appellant shall have 11 days from the date of this order to file and serve either (1) a brief that complies with NRAP 28(a) and 32, or (2) an informal brief form for pro se parties. Failure to comply with this order may result in the dismissal of this appeal. NRAP 31(d)(1).

It is so ORDERED.

Dwyer, C.J.

cc: Charles Ben Fritsche
Attorney General/Carson City
Attorney General/Las Vegas