

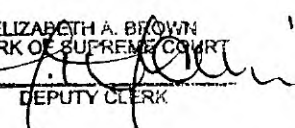
IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN J. MINOLI, M.D.,  
INDIVIDUALLY; JOHN MINOLI, M.D.,  
F.A.C.S., P.C., D/B/A MINOLI PLASTIC  
SURGERY CLINIC, A NEVADA  
PROFESSIONAL CORPORATION,  
Appellants,  
vs.  
LYNDEE GUIDICI, INDIVIDUALLY,  
Respondent.

No. 86914

**FILED**

MAY 22 2024

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY:   
DEPUTY CLERK

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

This is an appeal from a district court order granting a motion to confirm an arbitration award and denying a countermotion to vacate the award.

Appellants' opening brief and appendix were originally due to be filed on January 16, 2024. When appellants failed to file the opening brief and appendix, this court issued an order on February 28, 2024, directing appellants to file the opening brief and appendix within 7 days. Appellants again failed to comply. On March 11, 2024, this court entered an order partially dismissing this appeal and directing appellants to file the opening brief and appendix by March 18, 2024. This court cautioned that failure to comply could result in the imposition of sanctions, including dismissal of this appeal. Appellants again failed to comply. Thus, on April 22, 2024, this court entered an order conditionally imposing sanctions against appellants' counsel Kristine J. Maxwell, for failing to timely comply with this court's notices and orders. The order directed Ms. Maxwell to pay the sum of \$250 to the Supreme Court Law Library and provide this court with proof of such payment within 14 days. However, the sanction would

be automatically vacated if Ms. Maxwell served and filed the opening brief and appendix within the same time period. If the opening brief and appendix were not timely filed, the sanction would no longer be conditional and must be paid. This court cautioned that failure to comply with the order or any other filing deadlines could result in the dismissal of this appeal. See NRAP 3(a)(2). Further, because it appeared that Ms. Maxwell's conduct in this appeal may constitute violations of RPC 1.3 (diligence), 3.2(a) (expediting litigation), and 8.4 (misconduct), we cautioned that failure to comply with the order or any other filing deadlines could also result in Ms. Maxwell's referral to the State Bar of Nevada for investigation pursuant to SCR 104-105.

To date, Ms. Maxwell has failed to pay the conditional 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. Maxwell shall pay the sum of \$250 to the Supreme Court Law Library within 7 days of the date of this order and provide proof of such payment within 14 days.

This court has repeatedly stated that all appeals are expected 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. Dept. v. Weber*, 100 Nev. 121, 123, 676 P.2d 1318, 1319 (1984). It is incumbent upon Ms. Maxwell, 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. 645, 650, 261 P.3d 1080, 1084 (2011). Ms. Maxwell is "not at liberty to disobey notices, orders, or any other directives issued by this court." *Id.* at 652, 261 P.3d at 1085. Accordingly, this appeal is dismissed.

Finally, because it appears that her conduct in this appeal may constitute violations of RPC 1.3 (diligence), 3.2(a) (expediting litigation), and 8.4 (misconduct), this court refers Ms. Maxwell 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.

  
\_\_\_\_\_, J.  
Herndon

  
\_\_\_\_\_, J.  
Lee

  
\_\_\_\_\_, J.  
Bell

cc: Hon. Eric Johnson, District Judge  
Janet Trost, Settlement Judge  
Kristine J. Maxwell  
Hepworth Legal  
Paul Padda Law, PLLC  
Bar Counsel, State Bar of Nevada  
Supreme Court Law Librarian  
Eighth District Court Clerk