

IN THE SUPREME COURT OF THE STATE OF NEVADA

JASON ERIC SONNTAG,
Appellant,

No. 53831

vs.

J.C. PENNEY OUTLET STORE; J.C.
PENNEY INC., SPARKS, NEVADA;
AND J.C. PENNEY & ASSOCIATES,
SPARKS, NEVADA,
Respondents.

FILED

JUN 10 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY MOOP
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a district court order awarding attorney fees. Second Judicial District Court, Washoe County; Robert H. Perry, Judge.

On September 25, 2009, this court issued an order directing appellant to, within 20 days, properly serve his notice of appeal on respondents and file in this court a properly completed certificate of service for the notice of appeal. In that order, we pointed out that the failure to serve documents is grounds for sanctions, including striking the unserved document or dismissing this appeal. To date, appellant has failed to comply with our September 25 order by serving his notice of appeal and filing in this court a properly completed certificate of service. And in the response to appellant's civil appeal statement, respondents ask this court to dismiss appellant's appeal, based on his failure to serve his notice of appeal. In reply, appellant has filed a document that appears to oppose respondents' request. In that reply, however, appellant failed to address our September 25 directive and to provide evidence that he properly served his notice of appeal on respondents. Accordingly, based on appellant's failure to comply with this court's directive and the rules of

appellate procedure, NRAP 3(d)(1), we conclude that sanctions are warranted, NRAP 3(a)(2), and we therefore

ORDER this appeal DISMISSED.

Cherry, J.
Cherry

Saitta, J.
Saitta

Gibbons, J.
Gibbons

cc: Hon. Robert H. Perry, District Judge
Jason Eric Sonntag
Lewis Brisbois Bisgaard & Smith, LLP
Washoe District Court Clerk