

IN THE SUPREME COURT OF THE STATE OF NEVADA

KEVIN L. HENDRICKS,  
Appellant,  
vs.  
HELEN T. HENDRICKS,  
Respondent.

No. 67637

**FILED**

**MAR 3 1 2016**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

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

On September 4, 2015, we entered an order reinstating the briefing of this appeal and directing appellant to file and serve a transcript request form in this court by September 21, 2015, and the fast track statement and appendix by October 14, 2015.<sup>1</sup> When appellant failed to comply, on December 17, 2015, we entered an order directing him to file a file-stamped copy of the transcript request form within 5 days and the fast track statement and appendix within 30 days or face sanctions.<sup>2</sup> See NRAP 3E(i). Appellant failed to comply. Thus, on February 16, 2016, we entered an order conditionally imposing sanctions on counsel for appellant, Tanner M. Harris.<sup>3</sup> We directed Mr. Harris to pay \$250 to the Supreme Court Law Library and provide this court with proof of payment by March 2, 2016. The sanction would be automatically vacated if Mr. Harris filed and served the transcript request form, or certificate that no

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

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

<sup>3</sup>A copy of this order is attached.

transcripts were to be requested, and the fast track statement and appendix, or a motion for an extension of time by February 29, 2016. We cautioned that failure to comply would result in the dismissal of this appeal and the referral of Mr. Harris 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. Harris has not filed the required documents, requested an extension of time, paid the sanction, or otherwise communicated with this court.

Accordingly, the sanction imposed in our February 16, 2016, order is now due. Mr. Harris 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. Harris to the State Bar of Nevada for investigation.

It is so ORDERED.

Hardesty, J.  
Hardesty

Saitta, J.  
Saitta

Pickering, J.  
Pickering

cc: Hon. Gayle Nathan, District Judge  
Robert E. Gaston, Settlement Judge  
Tanner Harris Law Firm, LLC  
Helen T. Hendricks  
Supreme Court Law Librarian  
Eighth District Court Clerk  
State Bar of Nevada

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No. 67637

**FILED**

SEP 04 2015

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

*ORDER REINSTATING BRIEFING PURSUANT TO NRAP 3E*

Pursuant to NRAP 16, the settlement judge has filed a report with this court indicating that the parties were unable to agree to a settlement. Accordingly, we reinstate the deadlines for requesting transcripts and filing the fast track statement and response pursuant to NRAP 3E.

Appellant shall have ten days from the date of this order to request transcripts by filing a request form in the district court and filing two file-stamped copies of that request form with this court. See NRAP 3E(c)(2). Appellant shall have 40 days from the date of this order to file and serve the fast track statement and appendix.<sup>1</sup> Respondent shall have 20 days from the service of appellant's fast track statement to file and serve the fast track response.

It is so ORDERED.

*[Signature]*, C.J.

<sup>1</sup> In preparing and assembling the appendix, counsel shall strictly comply with the provisions of NRAP 3E(d)(4).

cc: Robert E. Gaston, Settlement Judge  
Tanner Harris Law Firm, LLC  
Hansen Rasmussen, LLC

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No. 67637

**FILED**

**DEC 17 2015**

*ORDER*

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *Mulca*  
DEPUTY CLERK

On September 4, 2015, we entered an order reinstating the briefing of this appeal and directing appellant to file and serve a transcript request form by September 21, 2015, and the fast track statement and appendix by October 14, 2015. To date, appellant has failed to comply with our order or otherwise communicate with this court.

Appellant shall have 5 days from the date of this order to file a transcript request form in the district court, if he has not done so already, and file two file-stamped copies of that form with the clerk of this court.<sup>1</sup> See NRAP 3E(c)(2). Appellant shall have 30 days from the date of this order to file and serve the fast track statement and appendix. We caution appellant that failure to comply with this order may result in the imposition of sanctions. See NRAP 3E(i)

On October 12, 2015, we entered an order granting respondent's counsel's motion to withdraw and directing respondent, by

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<sup>1</sup>If no transcript is to be requested, appellant shall file and serve a certificate to that effect within the same time period. NRAP 3E(C)(2)

November 12, 2015, to retain new counsel and cause counsel to file a notice of appearance or inform this court that she would be proceeding in proper person. To date, respondent has failed to comply with our order. Accordingly, we presume that respondent will be representing herself in this appeal. Respondent shall have 20 days from service of the fast track statement to file and serve the fast track response in compliance with NRAP 3E(d)(2). See NRAP 3E(a) (requiring proper person respondents to comply with NRAP 3E if appellant is represented by counsel).

It is so ORDERED.

Hendricks, C.J.

cc: Tanner Harris Law Firm, LLC  
Helen T. Hendricks

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No. 67637

**FILED**

FEB 16 2016

TRAGIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

**ORDER CONDITIONALLY IMPOSING SANCTIONS**

On September 4, 2015, we entered an order reinstating the briefing of this appeal and directing appellant to file and serve a transcript request form in this court by September 21, 2015, and the fast track statement and appendix by October 14, 2015. When appellant failed to comply, on December 17, 2015, we entered an order directing him to file a file-stamped copy of the transcript request form within 5 days and the fast track statement and appendix within 30 days or face sanctions. See NRAP 3E(i). To date, appellant has not complied.

Appellant's failure to file the transcript request form and fast track statement and appendix warrants the *conditional* imposition of sanctions. Counsel for appellant, Tanner M. Harris, 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 Mr. Harris files and serves the transcript request form<sup>1</sup> and fast track statement and


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<sup>1</sup>If no transcript is to be requested, appellant shall file and serve a certificate to that effect within the same time period. NRAP 3E(C)(2).

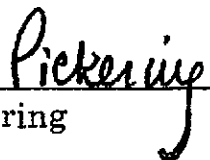
appendix, or a properly supported motion to extend time, *see* NRAP 3E(f); NRAP 26(b)(1)(A), within 11 days from the date of this order.

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 will result in the dismissal of this appeal. *See* NRAP 3E(i). Further, because it appears that Mr. Harris's 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 will also result in Mr. Harris's referral to the State Bar of Nevada for investigation pursuant to SCR 104-105.

It is so ORDERED.

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Saitta

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

cc: Tanner Harris Law Firm, LLC  
Helen T. Hendricks  
Supreme Court Law Librarian  
Tanner M. Harris