

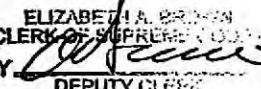
IN THE SUPREME COURT OF THE STATE OF NEVADA

KURT A. SMITH,
Appellant,
vs.
STEPHANIE A. HANCHETT, F/K/A
STEPHANIE A. SMITH,
Respondent.

No. 80852

FILED

NOV 09 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

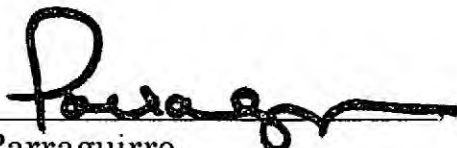
This is an appeal from an order denying modification of a divorce decree. Eighth Judicial District Court, Family Court Division, Clark County; Rebecca Burton, Judge.

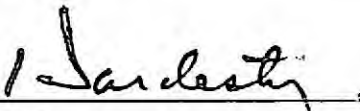
This appeal was docketed in this court on March 27, 2020. Appellant failed to pay the filing fee until April 13, 2020. Appellant was obligated to file the docketing statement by April 27, 2020, and the rough draft transcript request form by May 4, 2020. The fast track statement was due by May 26, 2020. Appellant failed to timely file any of the documents, and on June 30, 2020, this court entered an order directing appellant to file all three documents within 14 days. On July 8 and 9, 2020, appellant attempted to e-file the transcript request form and the docketing statement. The clerk of this court rejected the documents because, although appellant is a licensed Nevada attorney, he is proceeding in this appeal pro se and is not entitled to use the court's e-filing system. Appellant filed the documents, including the fast track statement, by mail on July 22, 2020.

Respondent has filed a motion to dismiss the appeal in its entirety pursuant to NRAP 3E(i) and NRAP 14, or in the alternative, to

dismiss the first and fourth issues on appeal on the ground that appellant's consistent failure to comply with the rules of appellate procedure warrant dismissal. Appellant has not opposed the motion. A party's failure to oppose a motion may constitute an admission that the motion was meritorious and consent to grant the motion. *Walls v. Brewster*, 112 Nev. 175, 178, 912 P.2d 261, 263 (1996). The motion is therefore granted, and this court

ORDERS this appeal DISMISSED.¹

 J.
Parraguirre

 J.
Hardesty

 J.
Cadish

cc: Hon. Rebecca Burton, District Judge, Family Court Division
Kurt A. Smith
The Dickerson Karacsonyi Law Group
Eighth District Court Clerk

¹Respondent's request for an extension of time to file a fast track response is denied as moot.