

**DISTRICT COURT
CLARK COUNTY, NEVADA**

In the matter of) **Administrative Order No. 07-5**
the Calendaring of Appeals Relating to)
Summary Evictions and Protection Orders,)
_____)

WHEREAS, litigants in Justice Court are authorized by law to appeal summary eviction orders, pursuant to the case of Lippis v. Peters, 112 Nev. 1008 (1996); and

WHEREAS, litigants in Justice Court are also authorized by law to appeal from the issuance of an extended order in the four types of protection order actions, pursuant to NRS 33.030(3) (domestic violence TPO's), NRS 33.270(11) (workplace harassment TPO's), NRS 33.400(5) (harm to minors TPO's), and NRS 200.591(4) (stalking and harassment TPO's); and

WHEREAS, these specific case types raise distinct economic and safety concerns that warrant expedited review at the District Court level; and

WHEREAS, a new process is necessary to facilitate this expedited review; therefore,

IT IS HEREBY ORDERED that, until further notice, District Court Judge James Bixler will be assigned to rule upon the following:

- (1) All appeals from an order for summary eviction, pursuant to NRS Chapter 40.
- (2) All appeals from an extended order for protection against domestic violence, pursuant to NRS 33.030(3).
- (3) All appeals from an extended order for protection against harassment in the workplace, pursuant to NRS 33.270(11).
- (4) All appeals from an extended order for protection against harm to minors, pursuant to NRS 33.400(5).
- (5) All appeals from an extended order for protection against stalking and harassment, pursuant to NRS 200.591(4).

IT IS FURTHER ORDERED that in all appeals governed by this Order, the appellant

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must include with the Notice of Appeal:

- (1) The appropriate Justice Court filing fees for the appeal, or a Request to Proceed in Forma Pauperis;
- (2) The appropriate District Court filing fees for the appeal, or a Request to Proceed in Forma Pauperis;
- (3) An appeal bond, if the appeal relates to a summary eviction case, and if the appellant desires a stay of execution;
- (4) A copy of the transcript of the relevant Justice Court hearing, if such transcript is available; and
- (5) The "Statement of Facts and Law in Support of the Appeal," which is attached as Exhibit "A" to this Order.

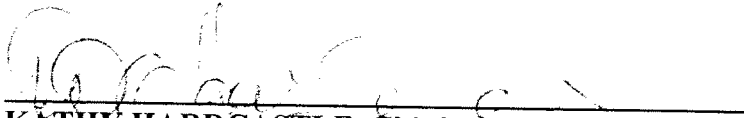
IT IS FURTHER ORDERED that, once the appellant has prepared a complete appeal package, Judge Bixler will review the documentation submitted in conjunction with the appeal. After such review, Judge Bixler must summarily dismiss the appeal if no valid grounds for the appeal have been presented.

IT IS FURTHER ORDERED that, if Judge Bixler concludes that valid grounds for the appeal have been presented, he must calendar such appeal within 30 days of receipt of the case file from the Justice Court, unless otherwise approved by the Chief Judge.


IT IS FURTHER ORDERED that all appeals subject to this Order will be required to comply with this Order if the appeal is filed on or after **August 1, 2007**.

DATED this 1 day of August, 2007

7/1/07
Date


KATHY HARDCASTLE, Chief District Court Judge

7/1/07
Date


DOUGLAS SMITH, Chief Justice of the Peace

“Exhibit A”

STATEMENT OF FACTS AND LAW IN SUPPORT OF THE APPEAL

This form **must** be used if you are appealing:
(1) A Summary Eviction Order;
(2) An Extended Order for Protection Against Domestic Violence;
(3) An Extended Order for Protection Against Harassment in the Workplace;
(4) An Extended Order for Protection Against Harm to Minors; or
(5) An Extended Order for Protection Against Stalking or Harassment

_____,)
Plaintiff(s),)
vs.)
_____,)
Defendant(s).)
_____)

JUSTICE COURT CASE #:

Summary of the Evidence Presented at the Hearing in Justice Court:

(* If more space is needed, you may attach additional information as long as it is LEGIBLE.)

Summary of the Legal Issues Presented and Why You Are Entitled to Appellate Relief:

(* If more space is needed, you may attach additional information as long as it is LEGIBLE.)

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct. Dated: _____ **Signature of Appellant:** _____

TO BE COMPLETED BY THE DISTRICT COURT JUDGE ONLY:

DISTRICT COURT CASE # _____

- No valid grounds for an appeal have been presented. Therefore, the appeal is **dismissed**.
- Valid grounds for an appeal have been presented. Therefore, this appeal will be **calendared** for hearing on _____, 20_____, at _____ .M. in District Court Dept. 24.

DATE

DISTRICT COURT JUDGE JAMES BIXLER