

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA BOARD
OF PHARMACY, a public entity in the
State of Nevada,

Appellant,

v.

CANNABIS EQUITY AND
INCLUSION COMMUNITY (CEIC), a
domestic nonprofit corporation; and
ANTOINE POOLE, an individual,
Respondent.

Electronically Filed
Aug 03 2023 11:57 AM
Elizabeth A. Brown
Clerk of Supreme Court

CASE NO: 85756 c/w 86128

**MOTION FOR LEAVE TO PARTICIPATE AS AMICUS CURIAE AND
FOR EXTENSION OF TIME TO FILE BRIEF**

COMES NOW the Nevada District Attorneys Association, by and through counsel, Alexander Chen, respectfully requests leave to file an amicus brief in support of appellant's opening brief. *See* NRAP 29. This Motion is predicated on NRAP 29 and the following memorandum and points of authorities.

Dated this 3rd day of August, 2023.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

BY /s/ Alexander Chen

ALEXANDER CHEN
Nevada District Attorneys Association
Nevada Bar #010539

MEMORANDUM OF POINTS AND AUTHORITIES

The Nevada District Attorney's Association ("NDAA") is an organization comprised of 17 elected district attorneys through the State of Nevada. NDAA's mission is to meet several times of year to discuss trends, share information and ideas, and to develop strategies to improve Nevada's criminal justice process. The NDAA also monitors and evaluates legislative and judicial proposals, advocating in favor of those that have a positive impact on public safety and victims' rights.

The undersigned counsel has spoken with counsel for Respondents, Christopher Peterson, Esq., regarding whether there is an objection to having NDAA provide input in this matter of public importance. Mr. Peterson does not object to NDAA's involvement as amicus curiae in this case. Written e-mail correspondence between undersigned counsel and Mr. Peterson is attached for this Court's review.

Furthermore, undersigned counsel realizes that NDAA's time for filing a brief in this matter has passed pursuant to NRAP 29(f). Mr. Peterson does not have an objection to NDAA having thirty days from today to file its amicus brief. Similarly, the NDAA agrees that counsel for Respondents should be granted additional time to respond to all briefs in this matter.

Given that there is an agreement between the parties, the NDAA respectfully requests that this Court allows for input from NDAA and for an additional 30 days

from today to file its amicus brief.

Dated this 3rd day of August, 2023.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney

BY */s/ Alexander Chen*

ALEXANDER CHEN
Nevada District Attorneys Association
Nevada Bar #010539
Regional Justice Center
200 Lewis Avenue
P.O. Box 552212
Las Vegas, Nevada 89155-2212
(702) 671-2500

CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on August 3, 2023. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

W. BRETT KANDT
PETER K. KEEGAN
GREGORY L. ZUNINO
Counsel for Appellant

CHRISTOPHER M. PETERSON
SADMIRA RAMIC
SOPHIA A. ROMERO
Counsel for Respondent

ALEXANDER CHEN
Nevada District Attorneys Association

BY /s/ J. Hall
Employee, District Attorney's Office

AC/jh

EXHIBIT 1

EXHIBIT 1

From: [Chris Peterson](#)
To: [Alexander Chen](#)
Subject: RE: Request for NDAA to participate as amicus curiae
Date: Thursday, August 3, 2023 10:39:40 AM

CAUTION: This email originated from an **External Source**. Please **use caution** before opening attachments, clicking links, or responding to this email. **Do not sign-in with your DA account credentials.**

Hi Alex,

We consent to the NDAA to filing a brief in NV Board of Pharmacy vs. Cannabis Equity and Inclusion Community and Antione Poole (Cases 85756 and 86128). We would also consent to any other organizations that intend to join NDAA's brief.

Though we are aware that NDAA has passed the filing deadline imposed by NRAP 29(f), we would not oppose NDAA having an additional 30 days from today to file its amicus brief in support of the Board.

If NDAA's motion is granted, we will likely request additional time to file our opposition, but we will do so in a separate motion.

Christopher Peterson
He/Him/His
Legal Director
ACLU of Nevada
4362 W. Cheyenne Ave. | North Las Vegas, Nevada 89032
www.aclunv.org | [Facebook](#) | [Twitter](#)

From: Alexander Chen <Alexander.Chen@clarkcountyda.com>
Sent: Thursday, August 3, 2023 10:27 AM
To: Chris Peterson <peterson@aclunv.org>
Subject: Request for NDAA to participate as amicus curiae

Hi Chris,

Would you have any objection to allowing NDAA to participate as amicus curiae in the case of NV Board of Pharmacy vs. Cannabis Equity and Inclusion Community and Antione Poole (Cases 85756 and 86128)?

Based on NRAP 29, NDAA is actually past the deadline for filing an amicus brief, so would you also agree to provide us an additional 30 days for us to complete our brief?

Thank you for your consideration.

Alexander Chen