

Case Nos. 85756 & 86128

Supreme Court of Nevada

Electronically Filed
Oct 13 2023 09:53 AM
Elizabeth A. Brown
Clerk of Supreme Court

State of Nevada Board of
Pharmacy,

Appellant,

vs.

Cannabis Equity & Inclusion
Community, et al.,

Respondents.

**Motion of Nevada Attorneys
for Criminal Justice for
Leave to File Brief of Amicus
Curiae in Support of
Respondents and Affirmance
of District Court Order**

Appeal from the Eighth Judicial District Court

Randolph M. Fiedler
Nevada State Bar No. 12577
Shelly Richter
Nevada State Bar No. 16352C
411 E. Bonneville Ave., Ste. 250
Las Vegas, NV 89101
(702) 388-6577

Counsel for Amicus Curiae Nevada Attorneys for Criminal Justice

Nevada Attorneys for Criminal Justice seeks leave to file an amicus curiae brief in support of respondents and affirmance of the Eighth Judicial District Court’s order. *See* NRAP 29(a).

The Nevada Rules of Appellate Procedure provide that amicus curiae “may file a brief . . . if accompanied by written consent of the parties.” NRAP 29(a).

Counsel for both Appellant and Respondents have provided written consent to the filing of an amicus brief by Nevada Attorneys for Criminal Justice; both accompany this motion. *See* Exs. 1, 2.

Thus, Nevada Attorneys for Criminal Justice respectfully requests that this Court grant leave and accept the contemporaneously filed brief.

Dated this 13th day of October, 2023.

Respectfully submitted,

/s/ Randolph M. Fiedler
Chair of Amicus
Nevada Attorneys for Criminal Justice

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of October 2023, I electronically filed the foregoing document with the Nevada Supreme Court by using the appellate electronic filing system. The following participants in the case will be served by the electronic filing system:

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

ALEXANDER CHEN
Nevada District Attorneys Association

CHRISTOPHER PETERSON
SADMIRA RAMIC
SOPHIA ROMERO
Counsel for Respondent

/s/ Victoria Lenzi _____
An Employee of the
Federal Public Defender

EXHIBIT 1

EXHIBIT 1

From: [Chris Peterson](#)
To: [Randolph Fiedler](#)
Subject: RE: State of Nevada Bd. of Pharmacy v. CEIC, Nos. 85756 & 86128
Date: Wednesday, October 11, 2023 9:53:33 AM

Good morning,

You have our consent to file an amicus brief in this matter.

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: Randolph Fiedler <Randolph_Fiedler@fd.org>
Sent: Wednesday, October 11, 2023 9:45 AM
To: Chris Peterson <peterson@aclunv.org>
Subject: State of Nevada Bd. of Pharmacy v. CEIC, Nos. 85756 & 86128

Mr. Peterson:

Nevada Attorneys for Criminal Justice will be seeking leave from the Nevada Supreme Court to file an amicus brief in support of your clients on Friday.

Would you be willing to give your consent to the filing of our brief?

Thanks in advance,

-Randy

Randolph M. Fiedler
Chair of Amicus
Nevada Attorneys for Criminal Justice

EXHIBIT 2

EXHIBIT 2

From: [Brett Kandt](#)
To: [Randolph Fiedler](#); [Gregory Zunino](#); [Peter Keegan](#)
Cc: [Alexander Chen](#)
Subject: Re: State of Nevada Bd. of Pharmacy v. CEIC, Nos. 85756 & 86128
Date: Wednesday, October 11, 2023 1:33:33 PM
Attachments: [Outlook-ad05ybfk](#)

Randy-

Appellants will consent to the filing of an amicus brief by Nevada Attorneys for Criminal Justice.

Regards,

Brett Kandt
General Counsel
Nevada State Board of Pharmacy



<!--[if !vml]-->

<!--[endif]-->

From: Randolph Fiedler <Randolph_Fiedler@fd.org>
Sent: Wednesday, October 11, 2023 9:43 AM
To: Gregory Zunino <zunino@pharmacy.nv.gov>; Peter Keegan <p.keegan@pharmacy.nv.gov>; Brett Kandt <bkandt@pharmacy.nv.gov>
Cc: Alexander Chen <Alexander.Chen@clarkcountyyda.com>
Subject: State of Nevada Bd. of Pharmacy v. CEIC, Nos. 85756 & 86128

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mr. Zunino, Mr. Keegan, and Mr. Kandt:

My name is Randy Fiedler, and I am writing in my capacity as Chair of Amicus for Nevada Attorneys for Criminal Justice, which is an organization of criminal defense attorneys who practice in Nevada. We will be seeking leave from the Nevada Supreme Court to file an amicus brief in support of respondents on Friday.

Would you be willing to give your consent to the filing of our brief?

Mr. Chen: As I read NRAP 29(a), the Nevada District Attorney's Association is not a party, and thus your consent is not part of the court's consideration related to our request. However, if you have a position that you would like me to represent in our motion, I am happy to do so.

Thanks in advance,

-Randy

Randolph M. Fiedler
Chair of Amicus
Nevada Attorneys for Criminal Justice