

NOTC

CATHERINE CORTEZ MASTO
Attorney General
CAROLYN L. WATERS
Senior Deputy Attorney General
Nevada Bar No. 5824
Transportation Division/DMV&DPS
555 East Washington Ave., #3900
Las Vegas, Nevada 89101
Tel: (702) 486-3318
Fax: (702) 486-3906
Attorneys for Respondent

DISTRICT COURT
CLARK COUNTY, NEVADA

WILLIAM JUNGE,

Petitioner,

vs.

STATE OF NEVADA, DEPT. OF
MOTOR VEHICLES,

Respondent.

No. 49350

CASE NO. A529007
DEPT. NO. X

NOTICE OF APPEAL

FILED

APR 30 2007

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

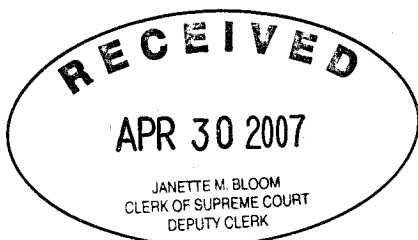
TO: WILLIAM JUNGE, Petitioner, and CATHERINE L. NELSON, ESQ, his Attorney.

NOTICE IS HEREBY GIVEN that the State of Nevada, Department of Motor Vehicles, by and through its attorneys, CATHERINE CORTEZ MASTO, Attorney General, and CAROLYN L. WATERS, Senior Deputy Attorney General, hereby appeals to the Supreme Court of the State of Nevada from the Decision and Order entered in this matter on March 27, 2007, a copy of which Order is attached hereto as Exhibit "A".

DATED: April 24, 2007.

CATHERINE CORTEZ MASTO
Attorney General

By: *[Signature]*
Carolyn L. Waters
Senior Deputy Attorney General
Attorneys for Respondent



CERTIFICATE OF MAILING

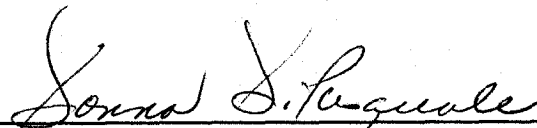
I hereby certify that on the 24th day of April, 2007, I served the foregoing *NOTICE OF APPEAL* by causing to be delivered to the Department of General Services for mailing at Las Vegas, Nevada, a true copy thereof, addressed to:

William Junge
5409 Contera Court
Las Vegas, NV 89102

and

Catherine L. Nelson, Esq.
619 S. Sixth Street
Las Vegas, NV 89101

Attorney for Petitioner


An employee of Office of the Attorney General

Attorney General's Office
555 E. Washington, Suite 3900
Las Vegas, NV 89101

EXHIBIT A

FILED

MAR 27 3 00 PM '07

[Signature]
CLERK OF THE COURT

1 ORDR
Catherine L. Nelson, Esq.
2 Nevada Bar No. 009636
619 South Sixth Street
3 Las Vegas, Nevada 89101-6919
(702) 384-0200
4 Attorney for Petitioner
William Junge
5

6 **DISTRICT COURT**
7 **CLARK COUNTY, NEVADA**
8

9 WILLIAM JUNGE,)	
	)	CASE NO. A 529007
10 Petitioner,	)	DEPT NO. X
)	
11 vs.)	
)	
12 STATE OF NEVADA, DEPT.)	
OF MOTOR VEHICLES,)	
	)	HEARING DATE: 2-28-07
13 Respondent.)	
14	)	HEARING TIME: 9:00 a.m.

15
16 **DECISION AND ORDER**

17 THIS MATTER having come on for argument and decision on
18 February 28, 2007, at 9:00 a.m., the parties being represented by
19 respective counsel, CATHERINE L. NELSON, ESQ. for Petitioner
20 WILLIAM JUNGE, and CAROLYN L. WATERS, SENIOR DEPUTY ATTORNEY
21 GENERAL for Respondent, STATE OF NEVADA, DEPARTMENT OF MOTOR
22 VEHICLES, and the Court having reviewed the papers, pleadings,
23 files, and the transcript from the Administrative Hearing held on
24 August 8, 2006, having read the briefs submitted by respective
25 counsel, hearing oral argument and good cause appearing,

26 IT IS HEREBY ORDERED that the Administrative Law Judge's
27
28

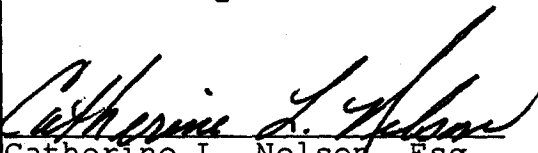
1 decision affirming the Department's denial of Petitioner's
2 Personalized License Plate "HOE" is reversed.

3 Dated this 26 day of March 2007.

4
5 JESSIE WALSH


6 District Court Judge

7 Submitted by:

8
9 

10 Catherine L. Nelson, Esq.
11 Nevada Bar No. 009636
12 619 South Sixth Street
13 Las Vegas, NV 89101-6919
14 Counsel for Petitioner


15 Reviewed and approved
16 as to form by:

17
18 
19 CAROLYN L. WATERS, ESQ.
20 Senior Deputy Attorney General
21 Nevada Bar No. 005891
22 555 E. Washington Ave., #3900
23 Las Vegas, NV 89101
24
25
26
27
28

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding
NOTICE OF APPEAL
filed in District Court Case No. A529007

X Does not contain the social security number of any person.


Carolyn L. Waters,
Senior Deputy Attorney General
Attorney for Respondent

4.24.07
Date

1 **ASTA**
2 CATHERINE CORTEZ MASTO
3 Attorney General
4 CAROLYN L. WATERS
5 Senior Deputy Attorney General
6 Nevada Bar No. 5824
7 Transportation Division/DMV&DPS
8 555 East Washington Ave., #3900
9 Las Vegas, Nevada 89101
10 Tel: (702) 486-3318
11 Fax: (702) 486-3906
12 Attorneys for Respondent

DISTRICT COURT
CLARK COUNTY, NEVADA

9 WILLIAM JUNGE,

10 Petitioner,

11 vs.

12 STATE OF NEVADA, DEPT. OF
13 MOTOR VEHICLES,

14 Respondent.

CASE NO. A529007
DEPT. NO. X

CASE APPEAL STATEMENT

- 16 1. Name of appellant filing this Case Appeal Statement:

17 State of Nevada, Department of Motor Vehicles

- 18 2. Identify the judge issuing the decision, judgment, or order appealed from:

19 Jessie Walsh

- 20 3. Identify all parties to the proceedings in the District Court:

21 William Junge, Petitioner

22 State of Nevada, Department of Motor Vehicles,
23 Respondent

- 24 4. Identify all parties to the proceedings in this appeal:

25 William Junge, Respondent

26 State of Nevada, Department of Motor Vehicles, Appellant

FILED
JUN 24 4 28 PM '07

CLERK OF THE COURT

5. Set forth the name, law firm, address and telephone number of all counsel on appeal, and identify the party or parties whom they represent:

Carolyn L. Waters, Senior Deputy Attorney General
Office of the Attorney General
555 East Washington Avenue, #3900
Las Vegas, Nevada 89101
(702) 486-3318
Attorneys for Appellant

Catherine L. Nelson, Esq.
619 S. Sixth Street
Las Vegas, Nevada 89101
(702) 384-0200
Attorney for Respondent Junge in District Court
(withdrew as attorney of record on March 30, 2007)

William Junge
5409 Contera Court
Las Vegas, Nevada 89102
Telephone number unknown
Pro Per Respondent

6. Indicate whether Appellant was represented by appointed or retained counsel in the District Court:

Retained.

7. Indicate whether Appellant is represented by appointed or retained counsel on appeal:

Retained.

8. Indicate whether Appellant was granted leave to proceed in forma pauperis, and the date of entry of the District Court Order granting such leave:

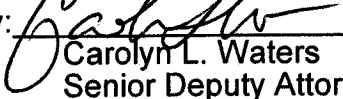
Not applicable.

9. Indicate the date the proceedings commenced in the District court (e.g., date complaint, indictment, information or petition was filed):

Petitioner's Petition for Judicial Review was filed on September 28, 2006.

DATED: April 24th, 2007.

CATHERINE CORTEZ MASTO
Attorney General

By: 
Carolyn L. Waters
Senior Deputy Attorney General
Attorneys for Respondent

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of April, 2007, I served the foregoing CASE
APPEAL STATEMENT by causing to be delivered to the Department of General Services for
mailing at Las Vegas, Nevada, a true copy thereof, addressed to:

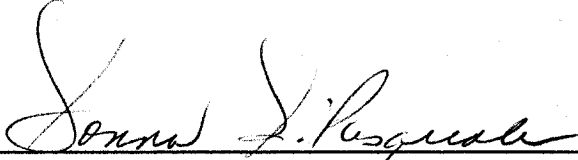
William Junge
5409 Contera Court
Las Vegas, NV 89102

Petitioner

and

Catherine L. Nelson, Esq.
619 S. Sixth Street
Las Vegas, NV 89101

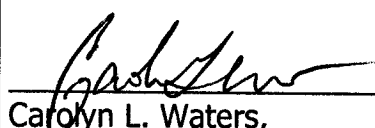
Attorney for Petitioner


An employee of Office of the Attorney General

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding
CASE APPEAL STATEMENT
filed in District Court Case No. A529007

X Does not contain the social security number of any person.


Carolyn L. Waters,
Senior Deputy Attorney General
Attorney for Respondent

4.24.07
Date

DATE: 04/24/07
CASE NO. 06-A-529007-J

I N D E X

TIME 4:51 PM
JUDGE:Walsh, Jessie

Junge, William

[] vs Nevada Dept Of Motor Vehicles

[]

0001 P1 William Junge

?????? ## UNKNOWN ##

0002 D1 Nevada Dept Of Motor Vehicles

?????? ## UNKNOWN ##

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0001	09/28/06	JUDR/JUDICIAL REVIEW Fee \$148.00	0001			
0002	09/28/06	MOT /PETITIONER'S MTN TO STAY OF ADMINSTRATIV REVOCATION OF LICENSE PLATES/1	AL	OC	10/18/06	
0003	09/28/06	NOTC/NOTICE OF MOTION	AL	SH	10/30/06	
0004	10/04/06	ROC /RECEIPT OF A COPY	AL		10/03/06	
0005	10/06/06	STAT/STATEMENT OF INTENT TO PARTICIPATE IN PETITION FOR JUDICIAL REVIEW	AL			
0006	10/09/06	SUPP/SUPPLEMENT TO MOTION FOR STAY OF ADMINISTRATIVE REVOCATION OF PETITIONERS LICENSE PLATES			10/18/06	Y
0007	10/10/06	ROC /RECEIPT OF COPY	0002		10/06/06	
0008	10/12/06	ROA /RECORD ON APPEAL BEFORE THE DEPARTMENT OF MOTOR VEHICLES	AL			
0009	11/03/06	ORDR/STIPULATION AND ORDER TO STAY OF ADMINISTRATIVE REVOCATION OF PETITIONERS LICENSE PLATES	AL		11/02/06	Y
0010	11/07/06	ORDR/STIPULATION AND ORDER TO STAY OF ADMINISTRATIVE REVOCATION OF PETITIONERS LICENSES PLATES	AL		11/06/06	Y
0011	11/08/06	NOTC/NOTICE OF ENTRY OF STIPULATION AND ORDER TO STAY OF ADMINISTRATIVE REVOCATION OF PETITIONERS LICENSE PLATES	AL		11/03/06	Y
0012	11/09/06	CHBD/CASH BOND #222891 \$100.00	0002		11/09/06	
0013	11/29/06	ROC /RECEIPT OF A COPY	0002		11/29/06	
0014	11/29/06	BREF/PETITIONER'S OPENING BRIEF	0001			
0015	01/12/07	BREF/RESPONDENT'S ANSWERING BRIEF	AL			
0016	01/17/07	BREF/RESPONDENTS AMENDED ANSWERING BRIEF	0002			
0017	01/24/07	REVW/HEARING: PTN FOR JUDICIAL REVIEW	AL	GR	02/28/07	
0018	01/25/07	ROC /RECEIPT OF COPY	0002		01/25/07	
0019	03/06/07	CSCL/CASE CLOSED			02/28/07	
0020	03/23/07	ORDR/STIPULATION AND ORDER	AL	HG	02/28/07	
0021	03/27/07	ORDR/DECISION AND ORDER	AL		03/27/07	
0022	03/30/07	NOTC/NOTICE OF ENTRY OF ORDER	AL		03/27/07	
0023	03/30/07	NOTC/NOTICE OF WITHDRAWAL AS ATTORNEY OF RECORD	AL		03/30/07	

16

FILED

MAR 27 3 00 PM '07

Cliff Davis
CLERK OF THE COURT

1 ORDR
2 Catherine L. Nelson, Esq.
3 Nevada Bar No. 009636
4 619 South Sixth Street
5 Las Vegas, Nevada 89101-6919
6 (702) 384-0200
7 Attorney for Petitioner
8 William Junge

DISTRICT COURT

CLARK COUNTY, NEVADA

9 WILLIAM JUNGE,)	
	)	CASE NO. A 529007
10 Petitioner,	)	DEPT NO. X
)	
11 vs.)	
)	
12 STATE OF NEVADA, DEPT.)	
13 OF MOTOR VEHICLES,)	
	)	HEARING DATE: 2-28-07
14 Respondent.	)	HEARING TIME: 9:00 a.m.

DECISION AND ORDER

17 THIS MATTER having come on for argument and decision on
18 February 28, 2007, at 9:00 a.m., the parties being represented by
19 respective counsel, CATHERINE L. NELSON, ESQ. for Petitioner
20 WILLIAM JUNGE, and CAROLYN L. WATERS, SENIOR DEPUTY ATTORNEY
21 GENERAL for Respondent, STATE OF NEVADA, DEPARTMENT OF MOTOR
22 VEHICLES, and the Court having reviewed the papers, pleadings,
23 files, and the transcript from the Administrative Hearing held on
24 August 8, 2006, having read the briefs submitted by respective
25 counsel, hearing oral argument and good cause appearing,

26 IT IS HEREBY ORDERED that the Administrative Law Judge's
27
28

CLERK OF THE COURT

MAR 27 2007

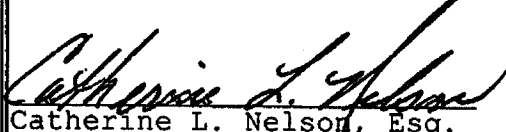
RECEIVED

1 decision affirming the Department's denial of Petitioner's
2 Personalized License Plate "HOE" is reversed.


3 Dated this 26 day of March 2007.

4
5 
6 District Court Judge

7 Submitted by:

8
9 
10 Catherine L. Nelson, Esq.
11 Nevada Bar No. 009636
12 619 South Sixth Street
13 Las Vegas, NV 89101-6919
14 Counsel for Petitioner

15 Reviewed and approved
16 as to form by:

17 
18 CAROLYN L. WATERS, ESQ.
19 Senior Deputy Attorney General
20 Nevada Bar No. 005891
21 555 E. Washington Ave., #3900
22 Las Vegas, NV 89101
23
24
25
26
27
28

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FILED

MAR 30 11 46 AM '07

CLERK OF THE COURT

NOTC
Catherine L. Nelson, Esq.
Nevada Bar No. 009636
619 S. Sixth Street
Las Vegas, Nevada 89101-6919
(702) 384-0200
Attorney for Petitioner

EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA

WILLIAM JUNGE,

Petitioner,

CASE NO.: A 529007

vs.

DEPT. NO.: X

STATE OF NEVADA DEPARTMENT OF
MOTOR VEHICLES,

Respondent.

NOTICE OF ENTRY OF ORDER

TO: STATE OF NEVADA DEPARTMENT OF MOTOR VEHICLES, Respondent;
and

TO: CAROLYN L. WATERS, ESQ., Senior Deputy Attorney General, Attorney of
record for Respondent:

PLEASE TAKE NOTICE that an Order in the above referenced matter was entered
with the Court on the 27th day of March 2007. A copy of said Order is attached for your
reference.

DATED this 30 day of March 2007.

RECEIVED

MAR 30 2007

CLERK OF THE COURT

Catherine L. Nelson, Esq.
Nevada Bar No. 009636
619 S. Sixth Street
Las Vegas, NV 89101-6919
(702) 384-0200
Attorney for Petitioner

1 **CERTIFICATE OF MAILING**

2 I, hereby certify that on the 30th day of March 2007, I mailed a true and correct copy of
3 the foregoing document by depositing same in the United States Mail, postage prepaid, and
4 addressed to the following:

5
6 STATE OF NEVADA DEPARTMENT OF MOTOR VEHICLES AND
7 CAROLYN L. WATERS, ESQ.
8 SENIOR DEPUTY ATTORNEY GENERAL
9 555 E. WASHINGTON AVE., #3900
10 Las Vegas, NV 89101

11 
12 An Agent for Catherine L. Nelson, Esq.

1 ORDR
Catherine L. Nelson, Esq.
2 Nevada Bar No. 009636
619 South Sixth Street
3 Las Vegas, Nevada 89101-6919
(702) 384-0200
4 Attorney for Petitioner
William Junge
5

FILED

MAR 27 3 00 PM '07

Chaf
CLERK OF THE COURT

6 DISTRICT COURT

7 CLARK COUNTY, NEVADA
8

9 WILLIAM JUNGE,)	
	)	CASE NO. A 529007
10 Petitioner,	)	DEPT NO. X
)	
11 vs.)	
)	
12 STATE OF NEVADA, DEPT.)	
OF MOTOR VEHICLES,)	
	)	HEARING DATE: 2-28-07
13 Respondent.)	
14	)	HEARING TIME: 9:00 a.m.

15
16 DECISION AND ORDER

17 THIS MATTER having come on for argument and decision on
18 February 28, 2007, at 9:00 a.m., the parties being represented by
19 respective counsel, CATHERINE L. NELSON, ESQ. for Petitioner
20 WILLIAM JUNGE, and CAROLYN L. WATERS, SENIOR DEPUTY ATTORNEY
21 GENERAL for Respondent, STATE OF NEVADA, DEPARTMENT OF MOTOR
22 VEHICLES, and the Court having reviewed the papers, pleadings,
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24 August 8, 2006, having read the briefs submitted by respective
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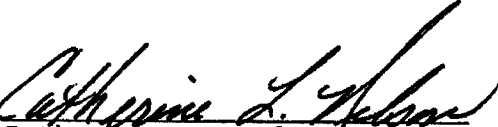
1 decision affirming the Department's denial of Petitioner's
2 Personalized License Plate "HOE" is reversed.

3 Dated this 26 day of March 2007.

4
5 JESSIE WALSH


6 District Court Judge

7 Submitted by:

8
9 
Catherine L. Nelson, Esq.

10 Nevada Bar No. 009636
11 619 South Sixth Street
12 Las Vegas, NV 89101-6919
Counsel for Petitioner

13 Reviewed and approved
14 as to form by:

15
16 
CAROLYN L. WATERS, ESQ.
17 Senior Deputy Attorney General
18 Nevada Bar No. 005891
19 555 E. Washington Ave., #3900
20 Las Vegas, NV 89101

CIVIL COURT MINUTES

06-A-529007-J Junge, William vs Nevada Dept Of Motor Vehicles

10/18/06 09:00 AM 01 PETITIONER'S MTN TO STAY OF ADMINSTRATIV
REVOCATION OF LICENSE PLATES/1

HEARD BY: Jessie Walsh, Judge; Dept. 10

OFFICERS: Nora Pena, Court Clerk

PARTIES: NO PARTIES PRESENT

At request of Pltf., COURT ORDERED, Petitioner's motion OFF CALENDAR.

02/28/07 09:00 AM 00 HEARING: PTN FOR JUDICIAL REVIEW

HEARD BY: Jessie Walsh, Judge; Dept. 10

OFFICERS: Nora Pena, Court Clerk
Victoria Boyd, Reporter/Recorder

PARTIES: 0001 P1 Junge, William N
 009636 Nelson, Catherine L. Y

 0002 D1 Nevada Dept Of Motor Vehicles N
 005824 Waters, Carolyn L. Y

Argument by Ms. Nelson that her client went to DMV, he filled out an application for a personalized license plate but "Tahoe" was unavailable and he received "HOE" for his plate for his 1999 Chevrolet Tahoe then he renewed without problems in 2000, 2001 and 2002. In 2003 the plate was changed to a blue backed plate and reissued and renewed in 2003, 2004, 2005 and 2006. After renewing for 2006 a person from the personalized section requested her Supervisor, Ms. Shaw review the plate and found it was inappropriate then she submitted it to a plate committee and "HOE" was voted to be derogatory. Ms. Nelson advised in all the years her client had his plate there was no complaint against his plate and DMV agreed to allow his plate until the hearing. Opposition by Ms. Waters, she argued the committee has the discretion on what should be on the road and decision was based on DMV's policies, regulations and statutes. Response by Ms. Nelson that her client had the plate since 1999 and since has been renewed. Rebuttal by Ms. Waters. Court stated her findings, and ORDERED, Petitioner's petition for Judicial Review is GRANTED. Ms. Nelson to prepare the Order and pass it to Ms. Waters.

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Charles J. Short, the duly elected, qualifying and acting Clerk of Clark County, in the State of Nevada, and Ex-Officio Clerk of the District Court, do hereby certify that the foregoing is a true, full and correct copy of the original.

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; DECISION AND ORDER; NOTICE OF ENTRY OF ORDER; DISTRICT
COURT MINUTES;

WILLIAM JUNGE,

Plaintiff(s),

vs.

STATE OF NEVADA DEPARTMENT OF
MOTOR VEHICLES,

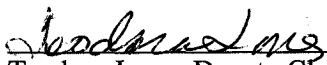
Defendant(s),

)
)
) Case No: A529007
) Dept No: X
)
)
)
)
)
)
)

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 25 day of April 2007.

Charles J. Short, Clerk of the Court


Teodora Jones, Deputy Clerk