

1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

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4 **MICHAEL A. CARRIGAN**, Fourth
5 Ward City Council Member of the City of
6 Sparks,

7 Appellant,

8 vs.

9
10 **THE COMMISSION ON ETHICS OF**
11 **THE STATE OF NEVADA,**

12 Respondent.

13 _____/

14
15 **MOTION TO STAY ISSUANCE OF THE REMITTITUR**

16
17 Respondent, the Commission on Ethics of the State of Nevada, by and through its
18 attorney, Yvonne M. Nevarez-Goodson, Esq., moves this Court to stay issuance of the
19 remittitur pending its application to the United States Supreme Court for a writ of
20 certiorari. This motion is made pursuant to NRAP 41(b) and the attached affidavit of
21 counsel.
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Electronically Filed
Aug 31 2010 02:43 p.m.
Supreme Court Docket No. 51920
Tracie K. Lindeman
District Court Case No. 07-OC-012451B

1 Pursuant to NRAP 41(b)(2), the Commission requests that this Court stay issuance
2 of the remittitur for 120 days or until the disposition by the Supreme Court of the United
3 States, as applicable.
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7 Dated this 31st day of August, 2010.
8

9
10 /s/ Yvonne M. Nevarez-Goodson, Esq.
11 Yvonne M. Nevarez-Goodson, Esq.
12 Nevada Bar No. 8474
13 Nevada Commission on Ethics
14 704 W. Nye Lane, Suite 204
15 Carson City, Nevada 89703
16 Telephone: (775) 687-5469
17 Attorney for Respondent
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3 **AFFIDAVIT OF COUNSEL**

4 STATE OF NEVADA)
5 :SS
6 CARSON CITY)

7 YVONNE M. NEVAREZ-GOODSON, being first duly sworn on oath, deposes
8 and says as follows:

- 9
10 1. I am an attorney licensed to practice before this Court, and I currently serve as
11 Commission Counsel for the State of Nevada Commission on Ethics.
12
13 2. This is an appeal from the First Judicial District Court of the State of Nevada.
14 On July 29, 2010, this Court reversed the decision of the First Judicial District
15 Court.
16
17 3. The Nevada Commission on Ethics intends to file a petition for writ of
18 certiorari in the United States Supreme Court. Pursuant to Rule 13.1 of the
19 United States Supreme Court Rules, the Commission's petition for writ of
20 certiorari is due on or before October 27, 2010, unless an extension is granted
21 pursuant to Rule 13.5.
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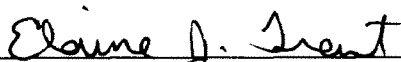
25 ///

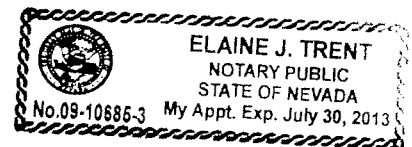
1 4. I am informed and believe federal law supports granting the stay under the
2 circumstances presented in this matter.

3 Dated this 31st day of August, 2010.
4

5
6 
7 _____
8 Yvonne M. Nevarez-Goodson

9
10 SUBSCRIBED AND SWORN to before
11 me this 31st day of August, 2010.

12 
13 _____
14 NOTARY PUBLIC



CERTIFICATE OF SERVICE

I certify that I am an employee of the Nevada Commission on Ethics, and that on this 31st day of August, 2010, I served a copy of the foregoing Motion to Stay Issuance of Remittitur by mailing, via U.S. mail a true copy of each to the following:

CHESTER H. ADAMS, ESQ.

City Attorney

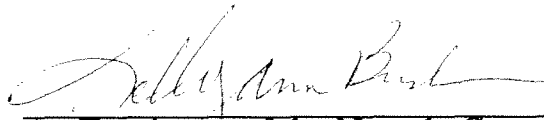
DOUGLAS R. THORNLEY, ESQ.

Assistant City Attorney

431 Prater Way

Sparks, NV 89431

First Judicial District Court, Department 2
885 East Musser
Carson City, NV 89701


An Employee of the Nevada Commission on Ethics