

Electronically Filed  
Dec 16 2010 02:47 p.m.  
rt-Docket No. 51920  
Tracie K. Lindeman

Supreme Court Docket No. 19-0007, p.m.  
Tracie K. Lindeman  
District Court Case No. 07-OC-012451B

VS.

Respondent.

**MOTION TO STAY REISSUANCE OF THE REMITTITUR**

Respondent, the Commission on Ethics of the State of Nevada, by and through its attorney, Yvonne M. Nevarez-Goodson, Esq., moves this Court to stay reissuance of the remittitur pending the disposition of its writ of certiorari to the United States Supreme Court. This motion is made pursuant to NRAP 41(b)(2) and the attached exhibit and affidavit.

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This Court issued a remittitur to the First Judicial District Court on August 24, 2010 and recalled the remittitur upon the Commission's Petition for writ of certiorari to the Supreme Court of the United States. The Court stayed reissuance of the remittitur for 120 days thereafter. Pursuant to NRAP 41(b)(2), the stay shall continue until final disposition by the Supreme Court of the United States if the clerk of that Court files a notice with this Court that the Commission filed a petition for writ of certiorari. The clerk of the Supreme Court of the United States filed such a notice with this Court on November 3, 2010. *See* Appendix. Accordingly, the Commission requests that this Court stay its reissuance of the remittitur until the disposition by the Supreme Court of the United States.

Dated this 16th day of December, 2010.

/s/ Yvonne M. Nevarez-Goodson, Esq.  
Yvonne M. Nevarez-Goodson, Esq.  
Nevada Bar No. 8474  
Nevada Commission on Ethics  
704 W. Nye Lane, Suite 204  
Carson City, Nevada 89703  
Telephone: (775) 687-5469  
Attorney for Respondent

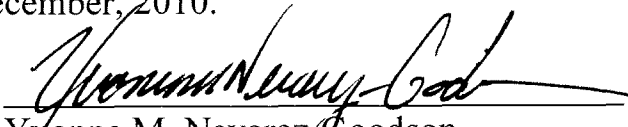
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2 **AFFIDAVIT OF COUNSEL**

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

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

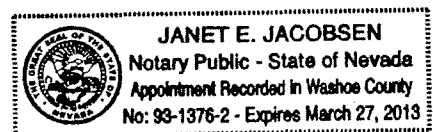
- 8 1. I am an attorney licensed to practice before this Court, and I currently serve as  
9 Commission Counsel for the Commission on Ethics of the State of Nevada.  
10 2. This case represented an appeal from the First Judicial District Court of  
11 Nevada. On July 29, 2010, this Court reversed the decision of the First Judicial  
12 District Court.  
13 3. On October 27, 2010, the Nevada Commission on Ethics filed a petition for  
14 writ of certiorari in the United States Supreme Court. The petition is currently  
15 pending before the United States Supreme Court.  
16 4. I am informed and believe state and federal law supports granting the stay  
17 under the circumstances presented in this matter.  
18

19 Dated this 16th day of December, 2010.

20  
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22   
23 Yvonne M. Nevarez-Goodson  
24

25 SUBSCRIBED AND SWORN to before  
26 me this 16th day of December, 2010.

27   
28 NOTARY PUBLIC



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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,

Supreme Court Docket No. 51920

District Court Case No. 07-OC-012451B

7                                   Appellant,

8                                   vs.

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

12                                  Respondent.

13 \_\_\_\_\_ /  
14  
15                                  **RESPONDENT THE COMMISSION ON ETHICS OF THE STATE OF**  
16                                  **NEVADA'S APPENDIX TO MOTION TO STAY REISSUANCE OF THE**  
17                                  **REMITTITUR**  
18

19   Yvonne M. Nevarez-Goodson, Esq.  
20   Nevada Bar No. 8474  
21   Nevada Commission on Ethics  
22   704 W. Nye Lane, Suite 204  
23   Carson City, Nevada 89703  
24   (775) 687-5469

25   Attorney for Respondent  
26   Nevada Commission on Ethics  
27  
28

**INDEX OF EXHIBITS**

**Volume I**

Exhibit A Notice of Petition for Writ of Certiorari

**Supreme Court of the United States  
Office of the Clerk  
Washington, DC 20543-0001**

**William K. Suter**  
Clerk of the Court  
(202) 479-3011

October 29, 2010

Clerk  
Supreme Court of Nevada  
Capitol Complex  
Supreme Court Building  
Carson City, NV 89710

**FILED**

**NOV 03 2010**

Re: Nevada Commission on Ethics  
v. Michael A. Carrigan  
No. 10-568  
(Your No. 51920)

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

Dear Clerk:

The petition for a writ of certiorari in the above entitled case was filed on October 27, 2010 and placed on the docket October 29, 2010 as No. 10-568.

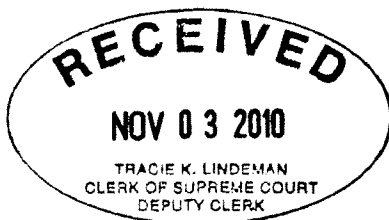
Sincerely,

**William K. Suter, Clerk**

by

*Melissa Blalock*

Melissa Blalock  
Case Analyst



10-28782