

1 Scotlund Vaile
2 PO Box 727
3 Kenwood, CA 95452
4 (707) 833-2350
Appellant in Proper Person

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

7 ROBERT SCOTLUND VAILE,

8 *Petitioner,*

10 vs.

11 CISILIE A. PORSBOLL fka, CISILIE
12 A. VAILE,

14 *Respondent.*

Supreme Court Case No: 52593
District Court Case No: 98D230385

FILED

NOV 04 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *R. Malone*
DEPUTY CLERK

16 **MOTION TO ALLOW FULL BRIEFING**
17 **AND**
18 **MOTION TO EXTEND TIME FOR FILING OF TRANSCRIPT**
19 **REQUEST**

20 **I. INTRODUCTION**

21 Mr. Vaile previously filed a notice of appeal in this case following hearings
22 on substantive matters before the case below. This previous appeal, numbered
23 52457, was dismissed by this Court on October 13, 2008 for lack of a final
24 resolution of these issues. Once the district court issued its final decision on these
25 matters on October 9, 2008, Mr. Vaile renewed his motion, which notice has now
26 been amended to include the October 9, 2008 decision. This appeal is numbered
27 52593
28

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NOV 04 2008
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

1 This Court requested a Civil Proper Person Transcript Request by November
2 3, 2008 and a Civil Proper Person Appeal Statement by November 26, 2008.

3 **II. REQUEST FOR FULL BRIEFING**

4 The Pilot Program in Civil Appeals was established via this Court's order on
5 June 10, 2005 and extended periodically thereafter. The order establishing the
6 program states that the basis for the program is "that participation by proper
7 person litigants in civil appeals may assist this court in the processing of their
8 appeals, as well as provide these litigants with an opportunity to be heard." The
9 forms provided to the proper person litigant by the court allow for a few pages of
10 handwritten or typed explanation of the case facts and statement of errors. It is
11 apparent that the forms are intended for litigants without formal legal training and
12 who would typically not be expected to argue the law or provide legal research on
13 relevant legal precedent.

14 Mr. Vaile is law-trained, and intends to present legal arguments based on
15 relevant precedent if given the opportunity. The district court judge below
16 previously commented that arguments presented by Mr. Vaile *pro se* were
17 "intellectually stimulating." Furthermore, this Court has stated that the issue Mr.
18 Vaile presented via a Petition for Writ of Mandamus had "arguable merit." Mr.
19 Vaile has demonstrated the capability to present well-formed arguments based on
20 the relevant legal precedent. As such, Mr. Vaile requests that he be allowed to
21 proceed with the briefing and timing guidelines provided by a full briefing,
22 including those outlined in Rule 28 of the Nevada Rules of Appellate Procedure.

23 **III. REQUEST TO EXTEND TIME**

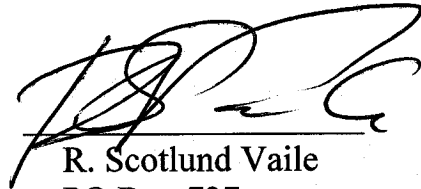
24 In order to further streamline presentation of the issues before the Court in
25 this appeal, Mr. Vaile would like the opportunity to review the record and request
26 only those portions of the transcript which are relevant to the issues presented.
27 Mr. Vaile's recent amendment to the notice of appeal encompasses the October 9,
28

1 2008 hearing, of which Mr. Vaile has only recently received the video record. In
2 order to avoid ordering the entire transcript for this Court to review on appeal,
3 Mr. Vaile requests that he be given an additional two weeks to select the relevant
4 portions, if any, of this hearing for transcription. Given the recency of this
5 hearing, and the increase in efficiency in the review process that will result by
6 streamlined selection of the record, this request is reasonable.

7 **IV. CONCLUSION**

8 Petitioner respectfully requests that he be allowed to proceed with full
9 briefing on appeal, and that the Court will extend the time required to file the
10 Transcript Request Form.

11 Respectfully submitted this 3rd day of November, 2008.

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15 R. Scotlund Vaile
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19 Appellant in Proper Person
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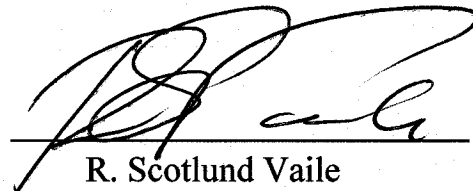
10 **CISILIE A. PORSBOLL fka, CISILIE**
11 **A. VAILE,**
12 *Respondent.*

13 **CERTIFICATE OF SERVICE**

14
15 I hereby certify that a true and correct copy of Appellant R. Scotlund Vaile's
16 *Motion to Allow Full Briefing and Motion to Extend Time for Filing of Transcript*
17 *Request* was served by depositing the same in the U.S. Mail at Kenwood,
18 California in a sealed envelope, first-class postage pre-paid, addressed as follows:

19
20 Marshal S. Willick
21 Willick Law Group
22 3591 E. Bonanza Road, Suite 200
23 Las Vegas, NV 89110-2101
24 *Attorneys for Respondent*

25 Dated this 3rd day of November, 2008.



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