

IN THE SUPREME COURT OF THE STATE OF NEVADA

NEVADA STATE DEMOCRATIC
PARTY; AND ROSS MILLER, IN HIS
CAPACITY AS SECRETARY OF STATE
FOR THE STATE OF NEVADA,
Appellants,

vs.

NEVADA REPUBLICAN PARTY; AND
DAVID BUELL, AN INDIVIDUAL,
Respondents.

No. 58404

FILED

MAY 24 2011

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

ORDER GRANTING MOTION
AND SETTING EXPEDITED BRIEFING SCHEDULE

This is an appeal from a district court order granting a permanent injunction in an NRS Chapter 304 special election matter.¹

Appellant Ross Miller, Secretary of State, has filed a motion to expedite this court's resolution of this appeal. We agree that expedited consideration of this appeal is required, and so we grant appellants' motion.² Accordingly, appellants' opening brief and appendix shall be filed

¹For this appeal, we suspend the provisions of NRAP 25(a), which state that a document is timely filed if, on or before its due date, it is mailed to this court, dispatched for delivery within three calendar days by a third-party commercial carrier, or deposited in the supreme court drop box in Las Vegas. See NRAP 2. Accordingly, all documents shall be filed personally, electronically, or by facsimile transmission with the clerk in Carson City.

²In light of the strict time constraints applicable to this case, we have considered this procedural motion without waiting for an opposition from respondents. See NRAP 27(b).

and served no later than 4 p.m. on Tuesday, May 31, 2011. Respondents' answering brief shall be filed and served no later than 4 p.m. on Wednesday, June 8, 2011. Appellants' reply brief, if any, shall be filed and served no later than 4 p.m. on Monday, June 13, 2011. No extensions of time to the briefing schedule will be granted.

We direct the clerk of the district court to transmit to the clerk of this court a certified copy of the trial court record in District Court Case No. 11OC001471B by 4 p.m. on Friday, May 27, 2011. NRAP 10(a)(1); NRAP 11.

Finally, we direct Secretary Miller to provide this court, by 4 p.m. on Friday, May 27, 2011, with an affidavit or declaration under oath specifying the actual time lines required for the preparation, printing, and circulation of ballots relating to this matter, both in regard to if this court were either to affirm the district court, or alternatively, vacate the injunction and reinstate the Secretary of State's prior interpretation of NRS Chapter 304. If the briefing schedule set forth in this order is incompatible with either set of deadlines, the Secretary of State should so inform this court in his affidavit or declaration.

It is so ORDERED.

Drygas, C.J.

cc: Jones Vargas/Las Vegas
Perkins Coie, LLC
Griffin Rowe & Nave
Attorney General Catherine Cortez Masto/Carson City
O'Mara Law Firm, P.C.
Parsons Behle & Latimer/Reno
Carson City Clerk