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October 24, 2018

**FILED**

**OCT 24 2018**

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
CHIEF DEPUTY CLERK

Elizabeth Brown  
Clerk of the Supreme Court  
201 South Carson St.  
Carson City, NV 89701  
nvscclerk@nvcourts.nv.gov

RE: Public Hearing on ADKT 501 on NRAP 3

Dear Ms. Brown:

Please consider this my comment on proposed changes to NRAP 3. At the outset, I do not support the proposed changes to NRAP 3.

As the Honorable Court knows, most NRCP 12(b) motions are defense motions and most motions for summary judgment are also filed by the defense. My understanding of the proposed change is that when such a motion is granted, "the appeal shall be submitted for decision based on the record without briefs or oral argument unless the court otherwise orders."

While I can certainly appreciate that the result of this change could lower the Court's workload, I believe that such a change would have a direct and disproportionate effect on Plaintiff's and their respective cases as they would be on the losing end of the majority of types of motions affected by the proposed change. Further, such an approach denies the appellate court the ability to hear from the losing party as to what the exact issue, or issues, they had with the District Court's final findings of fact or conclusions of law. Given that a consequence to the proposed change is that it disproportionately disables one side - the Plaintiff - this is a request that the Supreme Court reject the changes to NRAP 3.

Thank you for your consideration.

DRUMMOND LAW FIRM, P.C.

*[Signature]*  
CRAIG W. DRUMMOND, ESQ.

CWD/ad

18-41927