

October 26, 2018

VIA E-MAIL
nvscclerk@nvcourts.nv.gov
Clerk of the Nevada Supreme Court

Re: ADKT 501

Justices of the Nevada Supreme Court:

FILED

OCT 29 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

I write in Opposition to the ADKT 501 and request leave to submit this late Opposition and to be permitted to speak at the November 5 hearing. ADKT 501 denies parties the due process right to be fully heard in the Court of Appeals and the Nevada Supreme Court. The party appealing the grant of dismissal under NRCP 12(b)(2), 12(b)(5), and 56 is entitled to be heard in briefing, opening brief and reply brief, as to why the lower court erred in granting dismissal of the party's case. Submission on just the briefs from the district court does not give the aggrieved party the due process opportunity to demonstrate why the district court erred in granting dismissal.

Please accept this late Opposition and allow me to be heard on November 5.

Sincerely yours,

/s/

J. Stephen Peek

JSP

cc:

18-42252