NOAS
MATTHEW S. DUNKLEY, ESQ.
Nevada Bar No. 6627
MARK G. LOSEE, ESQ.
Nevada Bar No. 12996
DUNKLEY LAW
2450 St. Rose Parkway, Suite 210
Henderson, Nevada 89074
Tel. (702) 413-6565
Fax (702) 570-5940

Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

WILLIAM POREMBA Petitioner, vs. SOUTHERN NEVADA PAVING; S&C CLAIMS SERVICE and DEPARTMENT OF ADMINISTRATION, APPEALS OFFICER, Respondent.	CASE NO. : A-14-698184 DEPT NO. : II

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Petitioner, WILLIAM POREMBA, hereby appeals to the Supreme Court of Nevada from the District Courts Order Denying Petitioner's Petition for Judicial

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Review entered on October 8, 2014.

Dated this 10 of November, 2014.

DUNKLEY LAW

By _____

MATTHEW S. DUNKLEY, ESQ.
Nevada Bar No. 6627
MARK G. LOSEE, ESQ.
Nevada Bar No. 12996
2450 St. Rose Parkway, Suite 210
Henderson, Nevada 89074
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that on this 10th day of November, 2014, I served a true and correct copy of the foregoing NOTICE OF APPEAL on the parties addressed as shown below:

[ ] Electronic Service – via the Court's electronic service system
[ ] Facsimile
[ ] Facsimile and U.S. Mail first class postage prepaid
[X] U.S. Mail first class postage prepaid

Shirley D. Lindsey, Esq.
Appeals Officer
Department of Administration
Hearings Division
2200 South Rancho Drive, Suite 220
Las Vegas, Nevada 89102

Daniel L. Schwartz, Esq.
LEWIS BRISBOIS BISGAARD & SMITH LLP
2300 West Sahara, Suite 300
Las Vegas, NV 89102-4375

Julie Wood
S&C Claims Service
9075 W. Diablo Drive, # 140
Las Vegas, Nevada 89148

Southern Nevada Paving
3101 E. Craig Road
N. Las Vegas, Nevada 89030

William Poremba
168 Red Arches Court
Henderson, Nevada 89012

An Employee of DUNKLEY LAW

ASTA
MATTHEW S. DUNKLEY, ESQ.
Nevada Bar No. 6627
MARK G. LOSEE, ESQ.
Nevada Bar No. 12996
DUNKLEY LAW
2450 St. Rose Parkway, Suite 210
Henderson, Nevada 89074
Tel. (702) 413-6565
Fax (702) 570-5940
Attorneys for Appellant

DISTRICT COURT

CLARK COUNTY, NEVADA

WILLIAM POREMBA Petitioner, vs. SOUTHERN NEVADA PAVING; S&C CLAIMS SERVICE and DEPARTMENT OF ADMINISTRATION, APPEALS OFFICER, Respondent.	CASE NO. : A-14-698184 DEPT NO. : II

CASE APPEAL STATEMENT

1. Name the appellant filing this case appeal statement:

William Poremba

2. Identify the judge issuing the decision, judgment, or order appealed from

Honorable Judge Valorie J. Vega. The District Court Case Number is A-14-698184-J.

3. Identify all parties to the proceedings in the district Court:

William Poremba, Petitioner

Southern Nevada Paving; S&C Claims Services, Inc., and Nevada Department of

Administration Appeals Officer, Respondent

4. Identify all parties involved in this appeal:

William Poremba, Petitioner

Southern Nevada Paving; S&C Claims Services, Inc., and Nevada Department of Administration Appeals Officer, Respondent

5. Set forth the name, law firm, address, and telephone number of all counsel on appeal and identify the party or parties whom they represent:

Matthew S. Dunkley, Esq.
Nevada Bar No. 6627
Mark G. Losee, Esq.
Nevada Bar No. 12996
DUNKLEY LAW
2450 St. Rose Parkway, Suite 210
Henderson, Nevada 89074
(702) 413-6565
Attorneys for Petitioner, William Poremba

Daniel L. Schwartz, Esq.
Nevada Bar No.5125
LEWIS BRISBOIS BISGAARD & SMITH, LLP
2300 W. Sahara Avenue, Suite 300
Las Vegas, Nevada 89102
(702) 893-3383
Attorneys for Respondents, S&C Claims Services, Inc., and Southern Nevada Paving

6. Indicate whether appellant was represented by appointed or retained counsel in district court:

Appellant was represented by retained counsel.

7. Indicate whether appellant is represented by appointed or retained counsel on appeal:

Appellant is represented by retained counsel.

8. Indicate whether appellant was granted leave to proceed in forma pauperis:

Appellant did not request to proceed in forma pauperis.

9. **Indicate the date the proceedings commenced in the district court:**

The Petition for Judicial Review in this matter was filed in District Court on March 25, 2014.

Dated this 10 of November, 2014.

DUNKLEY LAW

By _____

Matthew S. Dunkley, Esq.
Nevada Bar No. 6627
Mark G. Losee, Esq.
Nevada Bar No. 12996
2450 St. Rose Parkway, Suite 210
Henderson, Nevada 89074
Attorneys for Petitioner

CERTIFICATE OF SERVICE

I certify that on this 10th day of November, 2014, the foregoing **CASE APPEAL STATEMENT** was served on the following by

[ ] hand delivery
[ ] Facsimile
[ ] Facsimile and U.S. Mail first class postage prepaid
[✓] U.S. Mail first class postage prepaid

addressed as follows:

Shirley D. Lindsey, Esq.
Appeals Officer
Department of Administration
Hearings Division
2200 South Rancho Drive, Suite 220
Las Vegas, Nevada 89102

Daniel L. Schwartz, Esq.
LEWIS BRISBOIS BISGAAARD & SMITH LLP
2300 West Sahara, Suite 300
Las Vegas, NV 89102-4375

Julie Wood
S&C Claims Service
9075 W. Diablo Drive, # 140
Las Vegas, Nevada 89148

Southern Nevada Paving
3101 E. Craig Road
N. Las Vegas, Nevada 89030

William Poremba
168 Red Arches Court
Henderson, Nevada 89012

An Employee of *DUNKLEY LAW*

DEPARTMENT 2

CASE SUMMARY

CASE NO. A-14-698184-J

William Poremba, Plaintiff(s)	§	Location:	**Department 2**
vs.	§	Judicial Officer:	**Vega, Valorie J.**
Southern Nevada Paving, Defendant(s)	§	Filed on:	**03/25/2014**
	§	Cross-Reference Case Number:	**A698184**

CASE INFORMATION

Statistical Closures
10/22/2014 Summary Judgment

Case Type: **Civil Petition for Judicial Review**
Subtype: **Worker's Compensation Appeal**

Case Flags: **Appealed to Supreme Court**

DATE — CASE ASSIGNMENT

Current Case Assignment

Case Number	A-14-698184-J
Court	Department 2
Date Assigned	03/25/2014
Judicial Officer	Vega, Valorie J.

PARTY INFORMATION

		Lead Attorneys
Plaintiff	**Poremba, William**	**Dunkley, Matthew S.** *Retained* 7024716777(W)
Defendant	**Nevada Dept Of Administration Appeals**	
	S & C Claims Services	**Fischer, Alyssa M** *Retained* 702-893-3383(W)
	Southern Nevada Paving	**Fischer, Alyssa M** *Retained* 702-893-3383(W)

DATE — EVENTS & ORDERS OF THE COURT — INDEX

DATE	EVENTS & ORDERS OF THE COURT
03/25/2014	Petition for Judicial Review Filed by: Plaintiff Poremba, William *Petition for Judicial Review*
03/25/2014	Case Opened
03/27/2014	Amended Petition Filed By: Plaintiff Poremba, William *Amended Petition for Judicial Review*
03/31/2014	Initial Appearance Fee Disclosure Filed By: Defendant Southern Nevada Paving *Initial Appearance Fee Disclosure*
03/31/2014	Notice of Intent to Participate Filed By: Defendant Southern Nevada Paving *Notice of Intent to Participate*
05/05/2014	Certificate of Mailing

Filed By: Defendant Nevada Dept Of Administration Appeals
Certification of Transmittal

05/05/2014 Transmittal
Party: Defendant Nevada Dept Of Administration Appeals
Transmittal of Record on Appeal

05/05/2014 Transmittal of Record on Appeal
Party: Defendant Nevada Dept Of Administration Appeals
Record on Appeal in Accordance with the Nevada Administrative Procedure Act

06/18/2014 Brief
Filed By: Plaintiff Poremba, William
Petitioners Opening Brief

06/24/2014 Certificate of Service
Filed by: Plaintiff Poremba, William
Certificate of Service

07/21/2014 Brief
Filed By: Defendant S & C Claims Services
Respondents' S&C Claims Services, Inc., and Southern Nevada Paving's Answering Brief

08/25/2014 Petitioner's Reply Brief
Filed by: Plaintiff Poremba, William
Petitioners Reply Brief

08/26/2014 Request
Filed by: Plaintiff Poremba, William
Request for Hearing

08/27/2014 Certificate of Mailing
Filed By: Plaintiff Poremba, William
Certificate Of Mailing

09/29/2014 **Petition for Judicial Review** (3:00 AM) (Judicial Officer: Vega, Valorie J.)

10/22/2014 Order Denying Judicial Review of Administrative Decision
Filed by: Defendant S & C Claims Services
Order Denying Petition's Petition for Judicial Review

10/22/2014 **Order Denying Judicial Review** (Judicial Officer: Vega, Valorie J.)
Debtors: William Poremba (Plaintiff)
Creditors: Southern Nevada Paving (Defendant), S & C Claims Services (Defendant)
Judgment: 10/22/2014, Docketed: 10/29/2014

10/23/2014 Notice of Entry of Order
Filed By: Defendant S & C Claims Services
Notice of Entry of Order

11/10/2014 Notice of Appeal
Filed By: Plaintiff Poremba, William
Notice of Appeal

CASE SUMMARY

CASE NO. A-14-698184-J

11/10/2014	Case Appeal Statement Filed By: Plaintiff Poremba, William *Case Appeal Statement*	

DATE	FINANCIAL INFORMATION	
	Defendant S & C Claims Services	
	Total Charges	30.00
	Total Payments and Credits	30.00
	Balance Due as of 11/13/2014	**0.00**
	Defendant Southern Nevada Paving	
	Total Charges	223.00
	Total Payments and Credits	223.00
	Balance Due as of 11/13/2014	**0.00**
	Plaintiff Poremba, William	
	Total Charges	24.00
	Total Payments and Credits	24.00
	Balance Due as of 11/13/2014	**0.00**

ORDD

DANIEL L. SCHWARTZ, ESQ.
Nevada Bar No. 005125
LEWIS BRISBOIS BISGAARD & SMITH LLP
2300 W. Sahara Ave., Ste. 300, Box 28
Las Vegas, Nevada 89102
Telephone: 702/893-3383
Facsimile: 702/366-9689
Email: daniel.schwartz@lewisbrisbois.com
Attorneys for Respondents
S&C CLAIMS SERVICES, INC. and
SOUTHERN NEVADA PAVING

DISTRICT COURT
CLARK COUNTY, NEVADA

WILLIAM POREMBA, Petitioner, vs. SOUTHERN NEVADA PAVING; S&C CLAIMS SERVICES, INC.; AND NEVADA DEPARTMENT OF ADMINISTRATION, APPEALS OFFICER Respondents.	Case No.: A-14-698184-J Dept. No.: II

ORDER DENYING PETITIONER'S PETITION FOR JUDICIAL REVIEW

TO: WILLIAM POREMBA, Petitioner; and

TO: MATTHEW DUNKLEY, ESQ. and MARK LOSEE, ESQ. Petitioner's Attorneys of Record.

The above-captioned matter came before the Honorable Valorie J. Vega on September 29, 2014, on the Petitioner, WILLIAM POREMBA's Petition for Judicial Review relative to the Appeal Officer's Order Granting Summary Judgment against him related to a request for reopening, in a contested workers' compensation claim. The Court, having reviewed the record and considered the arguments of the parties, finds that the Petitioner's Petition for Judicial Review is DENIED.

When this Court reviews an Administrative decision, it is to give deference to the

☐ Voluntary Dismissal ☐ Involuntary Dismissal ☐ Stipulated Dismissal ☐ Motion to Dismiss by Deft(s)
☒ Summary Judgment ☐ Stipulated Judgment ☐ Default Judgment ☐ Judgment of Arbitration

agency's determination of facts. Roberts v. State Indus. Ins. System, 114 Nev. 364, 367, 956 P.2d 790, 792 (1998). The reviewing Court is not to substitute its view of the case so long as the Appeals Officer's decision does not contain an error of law or is clearly erroneous in view of the reliable, probative and substantial evidence, and therefore, based upon the whole record was not arbitrary, capricious or characterized by an abuse of discretion. NRS 233B.135(3).

Here, the claimant appealed from the denial of reopening of his workers' compensation claim. Claimant failed to submit any medical evidence in support of his request for reopening. Further, claimant failed to prove that he exhausted his third-party proceeds on medical treatment before asking the Insurer to pay additional benefits under the workers' compensation claim. The Insurer denied claimant's request for reopening and the claimant appealed. The parties bypassed the Hearing Officer. The Insurer filed a Motion for Summary Judgment, which the Appeals Officer initially denied and a hearing commenced.

At the Appeals Officer hearing, the Claimant testified that he spent the third-party settlement sum of $34,631.51 on paying his mortgage, supporting his family, and on food. The Claimant admitted that he did no spend the $34,631.51 on medical care that would be the responsibility of the workers' compensation Insurer if the claim was reopened.

The Insurer argued (1) that the Claimant has not proven that he has exhausted his offset because he has not proven that he spent his third-party proceeds on medical care incurred after the date of settlement; and (2) even if we could reach the issue of reopening, the Claimant has insufficient medical evidence to prove the need for more treatment on an industrial basis.

Appeals Officer Shirley Lindsey issued an Order Granting the Insurer's Motion for Summary Judgment, in lieu of a Decision and Order with Findings of Fact and Conclusions of Law.

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Order Denying Petition for Judicial Review
Petitioner: William Poremba
Case No.: A-14-698184-J
Dept. No.: II

THE COURT FINDS, that the there was no violation of law, excess of authority, unlawful procedure, error of law, nor clear error upon review of the record. The Appeal's Officer's granting of Insurer's Motion for Summary Judgment was based upon substantial evidence and, therefore, was not arbitrary, capricious, or an abuse of discretion. Therefore, COURT ORDERED, Petition for Judicial Review is DENIED.

Accordingly, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Petitioner WILLIAM POREMBA's Petition for Judicial Review is DENIED.

IT IS SO ORDERED.

DATED this 8th day of October, 2014.

VALORIE J. VEGA
DISTRICT COURT JUDGE

Submitted by:

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: for
DANIEL L. SCHWARTZ, ESQ.
Nevada Bar No. 5125
2300 W. Sahara Ave., Ste. 300, Box 28
Las Vegas, Nevada 89102
Attorneys for the Respondents
S&C CLAIMS and SOUTHERN NEVADA PAVING

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10/23/2014 03:37:44 PM

CLERK OF THE COURT

NEOJ
DANIEL L. SCHWARTZ, ESQ.
Nevada Bar No. 005125
LEWIS BRISBOIS BISGAARD & SMITH LLP
2300 W. Sahara Ave. Ste. 300
Las Vegas, Nevada 89102
Telephone: 702/893-3383
Facsimile: 702/366-9689
Attorney for Respondents
S&C CLAIMS SERVICES, INC.,
and SOUTHERN NEVADA PAVING

DISTRICT COURT

CLARK COUNTY, NEVADA

WILLIAM POREMBA, Petitioner, vs. SOUTHERN NEVADA PAVING; S&C CLAIMS SERVICES, INC.; AND NEVADA DEPARTMENT OF ADMINISTRATION, APPEALS OFFICER Respondents.	Case No.: A-14-698184-J Dept. No.: II

NOTICE OF ENTRY OF ORDER

YOU, AND EACH OF YOU, please take notice that a **ORDER OF DENYING PETITINOER'S FOR JUDICIAL REVIEW** was entered in the above-captioned matter on the 8th day of October, 2014, a copy of which is attached hereto and made a part hereof.

DATED this 22 day of October, 2014.

Respectfully submitted,

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: _____
DANIEL L. SCHWARTZ, ESQ.
Nevada Bar No. 005125
2300 W. Sahara Ave. Ste. 300
Las Vegas, Nevada 89102
Attorney for Respondents

CERTIFICATE OF MAILING

Pursuant to Nevada Rules of Civil Procedure 5(b), I hereby certify that, on the 23 day of October, 2014, service of the attached **NOTICE OF ENTRY OF ORDER** was made this date by depositing a true copy of the same for mailing, first class mail, at Las Vegas, Nevada, addressed follows:

Matthew Dunkley, Esq.
Dunkley Law
2450 St. Rose Pkwy., Ste. 210
Henderson, NV 89074

Southern Nevada Paving
3101 E. Craig Road
N. Las Vegas, NV 89030

S&C Claims Services
9075 W. Diablo Drive, Ste. 140
Las Vegas, NV 89148

Department of Administration
2200 S. Rancho Drive, Ste. 220
Las Vegas, NV 89102

An employee of LEWIS BRISBOIS BISGAARD & SMITH LLP

Electronically Filed
10/22/2014 02:36:59 PM

CLERK OF THE COURT

ORDD
DANIEL L. SCHWARTZ, ESQ.
Nevada Bar No. 005125
LEWIS BRISBOIS BISGAARD & SMITH LLP
2300 W. Sahara Ave., Ste. 300, Box 28
Las Vegas, Nevada 89102
Telephone: 702/893-3383
Facsimile: 702/366-9689
Email: daniel.schwartz@lewisbrisbois.com
Attorneys for Respondents
S&C CLAIMS SERVICES, INC. and
SOUTHERN NEVADA PAVING

DISTRICT COURT
CLARK COUNTY, NEVADA

WILLIAM POREMBA, Petitioner, vs. SOUTHERN NEVADA PAVING; S&C CLAIMS SERVICES, INC.; AND NEVADA DEPARTMENT OF ADMINISTRATION, APPEALS OFFICER Respondents.	Case No.: A-14-698184-J Dept. No.: II

ORDER DENYING PETITIONER'S PETITION FOR JUDICIAL REVIEW

TO: WILLIAM POREMBA, Petitioner; and

TO: MATTHEW DUNKLEY, ESQ. and MARK LOSEE, ESQ. Petitioner's Attorneys of Record.

The above-captioned matter came before the Honorable Valorie J. Vega on September 29, 2014, on the Petitioner, WILLIAM POREMBA's Petition for Judicial Review relative to the Appeal Officer's Order Granting Summary Judgment against him related to a request for reopening, in a contested workers' compensation claim. The Court, having reviewed the record and considered the arguments of the parties, finds that the Petitioner's Petition for Judicial Review is DENIED.

When this Court reviews an Administrative decision, it is to give deference to the

☐ Voluntary Dismissal
☐ Involuntary Dismissal
☐ Stipulated Dismissal
☐ Motion to Dismiss by Deft(s)
☒ Summary Judgment
☐ Stipulated Judgment
☐ Default Judgment
☐ Judgment of Arbitration

agency's determination of facts. Roberts v. State Indus. Ins. System, 114 Nev. 364, 367, 956 P.2d 790, 792 (1998). The reviewing Court is not to substitute its view of the case so long as the Appeals Officer's decision does not contain an error of law or is clearly erroneous in view of the reliable, probative and substantial evidence, and therefore, based upon the whole record was not arbitrary, capricious or characterized by an abuse of discretion. NRS 233B.135(3).

Here, the claimant appealed from the denial of reopening of his workers' compensation claim. Claimant failed to submit any medical evidence in support of his request for reopening. Further, claimant failed to prove that he exhausted his third-party proceeds on medical treatment before asking the Insurer to pay additional benefits under the workers' compensation claim. The Insurer denied claimant's request for reopening and the claimant appealed. The parties bypassed the Hearing Officer. The Insurer filed a Motion for Summary Judgment, which the Appeals Officer initially denied and a hearing commenced.

At the Appeals Officer hearing, the Claimant testified that he spent the third-party settlement sum of $34,631.51 on paying his mortgage, supporting his family, and on food. The Claimant admitted that he did no spend the $34,631.51 on medical care that would be the responsibility of the workers' compensation Insurer if the claim was reopened.

The Insurer argued (1) that the Claimant has not proven that he has exhausted his offset because he has not proven that he spent his third-party proceeds on medical care incurred after the date of settlement; and (2) even if we could reach the issue of reopening, the Claimant has insufficient medical evidence to prove the need for more treatment on an industrial basis.

Appeals Officer Shirley Lindsey issued an Order Granting the Insurer's Motion for Summary Judgment, in lieu of a Decision and Order with Findings of Fact and Conclusions of Law.

///

///

Order Denying Petition for Judicial Review
Petitioner: William Poremba
Case No.: A-14-698184-J
Dept. No.: II

THE COURT FINDS, that the there was no violation of law, excess of authority, unlawful procedure, error of law, nor clear error upon review of the record. The Appeal's Officer's granting of Insurer's Motion for Summary Judgment was based upon substantial evidence and, therefore, was not arbitrary, capricious, or an abuse of discretion. Therefore, COURT ORDERED, Petition for Judicial Review is DENIED.

Accordingly, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Petitioner WILLIAM POREMBA's Petition for Judicial Review is DENIED.

IT IS SO ORDERED.

DATED this 8th day of October, 2014.

VALORIE J. VEGA
DISTRICT COURT JUDGE

Submitted by:

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: for
DANIEL L. SCHWARTZ, ESQ.
Nevada Bar No. 5125
2300 W. Sahara Ave., Ste. 300, Box 28
Las Vegas, Nevada 89102
Attorneys for the Respondents
S&C CLAIMS and SOUTHERN NEVADA PAVING

DISTRICT COURT
CLARK COUNTY, NEVADA

Civil Petition for Judicial Review	**COURT MINUTES**	**September 29, 2014**

A-14-698184-J William Poremba, Plaintiff(s)
vs.
Southern Nevada Paving, Defendant(s)

September 29, 2014 **3:00 AM** **Petition for Judicial Review**

HEARD BY: Vega, Valorie J. **COURTROOM:** RJC Courtroom 16B

COURT CLERK: Nora Pena

PARTIES PRESENT: None

JOURNAL ENTRIES

- COURT ORDERED, Petition for Judicial Review DENIED and thereby AFFIRMS the DECISION below pursuant to NRS 233B.135 as the Court does not find any violation of law, excess of authority, unlawful procedure, error of law, clear error upon review of the record, nor that the decision was arbitrary, or capricious, or characterized by abuse of discretion. Ms. Fischer to prepare the order.

EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE

NOTICE OF DEFICIENCY

ON APPEAL TO NEVADA SUPREME COURT

MATTHEW S. DUNKLEY, ESQ.
2450 ST. ROSE PKWY., SUITE 210
HENDERSON, NV 89074

DATE: November 13, 2014
CASE: A698184

RE CASE: WILLIAM POREMBA vs. SOUTHERN NEVADA PAVING; S&C CLAIMS SERVICE; DEPARTMENT OF ADMINISTRATION, APPEALS OFFICER

NOTICE OF APPEAL FILED: November 10, 2014

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

☒ $250 – Supreme Court Filing Fee**
- If the $250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.

☐ $24 – District Court Filing Fee (Make Check Payable to the District Court)**

☒ $500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
- NRAP 7: Bond For Costs On Appeal in Civil Cases

☐ Case Appeal Statement
- NRAP 3 (a)(1), Form 2

☐ Order

☐ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

***Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.*

Certification of Copy

State of Nevada
County of Clark } **SS:**

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER DENYING PETITIONER'S PETITION FOR JUDICIAL REVIEW; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

WILLIAM POREMBA,

Plaintiff(s),

vs.

SOUTHERN NEVADA PAVING; S&C CLAIMS SERVICE; DEPARTMENT OF ADMINISTRATION, APPEALS OFFICER,

Defendant(s),

Case No: A698184

Dept No: II

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto Set my hand and Affixed the seal of the Court at my office, Las Vegas, Nevada This 13 day of November 2014.

Steven D. Grierson, Clerk of the Court

Heather Ungermann, Deputy Clerk