

1 Pursuant to NRS 239B.030, the undersigned
2 affirms that the following document does not
3 contain the social security number of any person.

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Tracie K. Lindeman
Clerk of Supreme Court

8
9 IN THE SUPREME COURT OF THE STATE OF NEVADA

10 COMSTOCK RESIDENTS ASSOCIATION,
11 JOE McCARTHY

12 Appellants,

No. 68433

District Court Case No. 14-CV-00128

13 v.

14 LYON COUNTY BOARD OF
15 COMMISSIONERS; COMSTOCK
16 MINING INCORPORATED

17 Respondents,
18 _____/

19 **REQUEST FOR LEAVE TO FILE AUDIO CD AND AUDIO-VISUAL DVD PORTIONS**
20 **OF ADMINISTRATIVE RECORD WITH JOINT APPENDIX**

21 Appellants Comstock Residents Association and Joe McCarthy ("CRA") request leave of
22 Court to file the complete "Record on Appeal" in this judicial review action as filed in the Third
23 Judicial District by Respondent Lyon County Board of Commissioners. In this case, Appellant
24 CRA appeals from a denial of their Petition for Judicial Review to review a decision by the
25 Lyon County Board of Commissioners to reverse longstanding land use designations for
26 property in Silver City, Nevada. In order to facilitate judicial review, Respondent Lyon County
27
28

1 filed its “Record on Appeal” with the Third District Court. This administrative record included
2 Compact Discs (“CDs”) containing audio recordings of Lyon County Board of Commission and
3 Planning Commission meetings and audio-visual submissions on Digital Video Discs (“DVDs”)
4 related to the challenged decision. The Third District Court accepted for filing the CDs and
5 DVDs. During briefing below, the parties cited to the discs by disc name, file name and time.
6

7 Appellant CRA has compiled the Joint Appendix, due to be filed December 7, 2015,
8 which includes the Record on Appeal. In order to determine the proper procedure to file the CD
9 and DVDs, Counsel for Appellant contacted the Supreme Court Clerk’s Office on December 3,
10 2015, and was informed that the Clerk’s Office would not accept physical filing of the
11 CD/DVDs without instruction from the Court.
12

13 Appellant CRA therefore seeks leave to file the complete administrative record as filed in
14 the Third District Court by Respondent Lyon County. The parties’ citation in the briefing
15 would be as used below (to disc, file and time). Should the Court prefer another mechanism to
16 file the entire record, Appellant CRA requests leave to augment the Joint Appendix consistent
17 with the Court’s direction.
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19 Date: December 4, 2015.

20 By _____ /s/
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