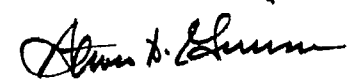


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CLERK OF THE COURT

Electronically Filed
Nov 02 2015 10:58 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

1 **ASTA**
2 ERIC A. DALY, ESQ.
3 Nevada Bar No.: 5274
4 LAW OFFICE OF KATHERINE M. BARKER
5 901 N. Green Valley Parkway, Suite 190
6 Henderson, NV 89074
7 Telephone: (702) 233-9303
8 Facsimile: (702) 233-9343
9 Attorney for Petitioner-Appellant
10 GENEVA SIMMONS
11
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17

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR
THE COUNTY OF CLARK

GENEVA SIMMONS, individually,

Petitioner,

vs.

Case No.: A-14-706955
Dept. No.: XXXII

JESUS MANUAL BRIONES; and NEVADA
DEPARTMENT OF MOTOR VEHICLES,

Respondents.

CASE APPEAL STATEMENT

1. Name of appellant filing this case appeal statement:

Geneva Simmons, Petitioner.

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

The Honorable Rob Bare, of the Eighth Judicial District Court, Clark County,

Nevada

3. Identify each appellant and the name and address of counsel for each
appellant:

1 Appellant Geneva Simmons is represented by Eric A. Daly, Esq., Law Office of
2 Katherine M. Barker, 901 N. Green Valley Parkway, Henderson, Nevada 89074.

- 3 4. Identify each respondent and the name and address of appellate counsel,
4 if known, for each respondent (if the name of a respondent's appellate
5 counsel is unknown, indicate as much and provide the name and address
6 of that respondent's trial counsel):

7 Respondent Jesus Manuel Briones is represented by Cliff W. Marcek, Esq., Cliff
8 W. Marcek, P.C., 700 S. Third Street, Las Vegas, Nevada 89101.
9

- 10 5. Indicate whether any attorney identified above in response to question 3
11 or 4 is not licensed to practice law in Nevada and, if so, whether the
12 district court granted that attorney permission to appear under SCR 42
13 (attach a copy of any district court order granting such permission):

14 No attorney identified in response to question 3 or 4 is not licensed to practice
15 law in Nevada.

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

18 Appellant Geneva Simmons was represented by retained counsel in the district
19 court.
20

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

23 Appellant Geneva Simmons is represented by retained counsel on appeal.
24
25
26

1 8. Indicate whether appellant was granted leave to proceed in forma
2 pauperis, and the date of entry of the district court order granting such
3 leave:

4 Appellant was not granted leave to proceed in forma pauperis.

5 9. Indicate the date the proceedings commenced in the district court (e.g.,
6 date complaint, indictment, information, or petition was filed):

7 On September 12, 2014 proceedings were commenced in district court.
8

9 10. Provide a brief description of the nature of the action and result in the
10 district court, including the type of judgment or order being appealed and
11 the relief granted by the district court:

12 The nature of the action in in the district court was a Petition for Judicial Review
13 of the Order of Dismissal, Findings of Fact, Conclusions of Law and Decision of Thomas
14 D. Sutherland, Administrative Law Judge regarding contested proceedings including,
15 but not limited to, in the Nevada Department of Motor Vehicles in accordance with the
16 provisions of NRS 233B.
17

18 11. Indicate whether the case has previously been the subject of an appeal to
19 or original writ proceeding in the Supreme Court and, if so, the caption and
20 Supreme Court docket number of the prior proceeding:

21 The case has not previously been the subject of an appeal to or original writ
22 proceeding in the Supreme Court.

23 12. Indicate whether this appeal involves child custody or visitation:

24 This appeal does not involve child custody or visitation.
25
26

1 13. If this is a civil case, indicate whether this appeal involves the possibility of
2 settlement:

3 This is a civil case. Appellant's position is that this appeal does not involve the
4 possibility of settlement.

5 DATED this ^{11th} day of October, 2015

6 **LAW OFFICE OF KATHERINE M. BARKER**

7 

8 Eric A. Daly, Esq.
9 Nevada Bar No. 5274
10 901 N. Green Valley Parkway, Suite 190
11 Henderson, NV 89074
12 Telephone: (702) 233-9303
13 Facsimile: (702) 233-9343
14 Attorneys for Petitioner-Appellant
15 GENEVA M. SIMMONS, individually

CERTIFICATE OF MAILING

Pursuant to NRCP 5(b), NEFR 9 and EDCR 8.05, I hereby certify that I submitted the foregoing **CASE APPEAL STATEMENT** to the Clark County Court's Electronic E-Filing System to be served on all parties registered to this case, and by depositing a true copy of the same for mailing, first class mail, at Las Vegas, Nevada, addressed as follows:

Cliff Marcek, Esq.
CLIFF W. MARCEK, P.C.
700 S. Third Street
Las Vegas, NV 89101



EMPLOYEE OF LAW OFFICE OF
KATHERINE M. BARKER

DATED: 10.21.15