

IN THE SUPREME COURT OF THE STATE OF NEVADA

Dr. VINCENT M. MALFITANO, an individual; VIRGINIA CITY GAMING LLC, a Nevada limited liability company; and DELTA SALOON, INC., a Nevada corporation,

Appellants,

vs.

COUNTY OF STOREY, acting by and through the STOREY COUNTY BOARD OF COUNTY COMMISSIONERS and the STOREY COUNTY LIQUOR BOARD,

Respondent.

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Supreme Court No. 70055
Elizabeth A. Brown
Clerk of Supreme Court
District Court Case No. 15 OC 00008 IE

APPEAL FROM THE FIRST JUDICIAL DISTRICT COURT
STATE OF NEVADA, STOREY COUNTY
HONORABLE JAMES E. WILSON, JR.

**POST-ARGUMENT ADDENDUM TO RESPONDENT'S
ANSWERING BRIEF**

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NRAP 28(e) provides for the inclusion in an addendum to Respondent's Brief of any statutes, rules, regulations, etc. which may require study by the Court. During the course of oral argument of this case on April 11, 2017, a question arose as to the source of the authority to issue temporary liquor licenses. Respondent advised this Court that it would supplement the record with that portion of the Storey County Code addressing the issuance of temporary liquor licenses if it existed. There is a provision of the Storey County Code which does address the issuance of temporary liquor licenses. That code section is SCC §5.12.030. It is set out in full below.

Text of Storey County Ordinance §5.12.130

5.12.130 Temporary license.

A temporary liquor license may be issued for the purpose of continuing an existing business during the period in which a liquor license application has been made, and prior to its approval or disapproval. No additional fee shall be required. (Ord. 83 § 2E, 1983)

Dated this 12th day of April 12, 2017.

STOREY COUNTY DISTRICT ATTORNEY

By: _____

A handwritten signature in blue ink, appearing to read "Keith Loomis", is written over a horizontal line.

Keith Loomis No. 1912
Deputy District Attorney

CERTIFICATE OF SERVICE

Pursuant to NRAP 25(c)(1)(A-D)(2)(3), I certify that I am an employee of the Office of the District Attorney of Storey County, Nevada, and that on or about the 12TH day of April, 2017, the foregoing **POST-ARGUMENT ADDENDUM TO RESPONDENT'S ANSWERING BRIEF** was electronically filed with the clerk of the Court for the Nevada Supreme Court by using the Nevada Supreme Court's E-filing system (Eflex). Participants in the case who are registered with the Eflex as users will be served by the Eflex system as follows:

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