

1 NO. 15 OC 00048 1B

DEPT. NO. I

2

3 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

4 IN AND FOR CARSON CITY

Electronically Filed  
Jun 13 2016 03:52 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

5

6 GREGORY FELTON,

7

Petitioner,

8

vs.

9 DOUGLAS COUNTY; PUBLIC AGENCY  
10 COMPENSATION TRUST; and APPEALS  
11 OFFICE of the DEPARTMENT OF  
ADMINISTRATION,

12

Respondents.

13

14

CORRECTED CASE APPEAL STATEMENT

15

16 statement:

17

GREGORY FELTON.

18

19 or order appealed from:

20

HON. JAMES T. RUSSELL, District Court Judge.

21

22 counsel for each appellant:

23

24 GREGORY FELTON (Appellant): EDWARD L. OUEILHE, Esq.,  
deputy, Nevada Attorney for Injured Workers (NAIW), 1000 East  
William Street, Suite 208, Carson City, Nevada 89701..

25

26 4. Identify each respondent and the name and address  
27 of appellate counsel, if known, for each respondent (if the name  
of a respondent's appellate counsel is unknown, indicate as much

28

//

NEVADA ATTORNEY FOR INJURED WORKERS  
1000 East William Street, Suite 208  
Carson City, NV 89701 (775) 684-7555  
2200 South Rancho Drive, Suite 230  
Las Vegas, NV 89102 (702) 486-2830

1 and provide the name and address of that respondent's trial  
2 counsel):

3 PUBLIC AGENCY COMPENSATION TRUST (Respondent): ROBERT  
4 F. BALKENBUSH, ESQ. and JOHN D. HOOKS, ESQ., Thorndal Armstrong  
5 Delk Balkenbush & Eisinger, 6590 S. McCarran Blvd., Suite B,  
6 Reno, Nevada 89509.

7 DOUGLAS COUNTY (Respondent): ROBERT F. BALKENBUSH,  
8 ESQ. and JOHN D. HOOKS, ESQ., Thorndal Armstrong Delk Balkenbush  
9 & Eisinger, 6590 S. McCarran Blvd., Suite B, Reno, Nevada 89509.

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

15 All attorneys listed are licensed to practice in  
16 Nevada.

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

19 NAIW was appointed to represent appellant.

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

22 NAIW was appointed to represent appellant.

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

26 Appellant did not proceed in forma pauperis. The  
27 Nevada Attorney for Injured Workers is a state agency exempt from  
28 //

1 fees, and therefore, did not file a cost bond and did not pay a  
2 filing fee.

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

6 Petition for Judicial Review was filed March 2,  
7 2015.

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

12 This was a petition for judicial review of the decision  
13 and order of an appeals officer in a workers' compensation claim  
14 that was filed with the district court in accordance with NRS  
15 233B.130.

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

20 No, it has not.

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

23 No, it does not.

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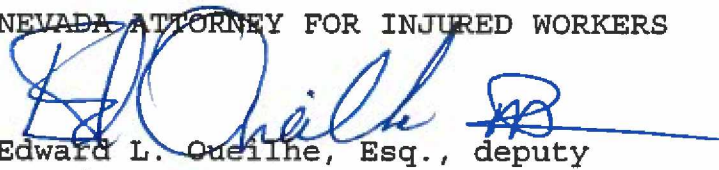
NEVADA ATTORNEY FOR INJURED WORKERS  
1000 East William Street, Suite 208  
Carson City, NV 89701 (775) 684-7555  
2200 South Rancho Drive, Suite 230  
Las Vegas, NV 89102 (702) 486-2830

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

3 Yes, it does.

4 DATED this 13th day of June, 2016.

5 NEVADA ATTORNEY FOR INJURED WORKERS

6   
7 Edward L. Ouelhe, Esq., deputy  
8 Nevada Bar No. 8218  
9 1000 East William Street, Suite 208  
10 Carson City, Nevada 89701  
11 Attorneys for Appellant  
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the State of Nevada, Nevada Attorney for Injured Workers, and that on this date I deposited for mailing at Carson City, Nevada, a true and correct copy of the within and foregoing CORRECTED CASE APPEAL STATEMENT addressed to:

GREGORY FELTON  
PO BOX 2130  
STATELINE NV 89449

JOHN D HOOKS ESQ  
THORNDAL ARMSTRONG ET AL  
1100 E BRIDGER AVE  
PO DRAWER 2070  
LAS VEGAS NV 89125

ROBERT F BALKENBUSH ESQ  
THORNDAL ARMSTRONG ET AL  
6590 S MCCARRAN BLVD #B  
RENO NV 89509-6112

and that on this date, I prepared for hand-delivery a true copy of the attached document addressed to:

APPEALS OFFICE  
DEPT OF ADMINISTRATION  
1050 E WILLIAM ST STE 450  
CARSON CITY NV 89701

DATED: June 13, 2016

SIGNED: Taney L. Sherwood

CERTIFICATE OF SERVICE

Pursuant to NRAP 25(c)(1), I certify that I am an employee of the State of Nevada, Nevada Attorney for Injured Workers, and that on or about March 10, 2016, the foregoing 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 Eflex as users will be served by the Eflex system as follows:

rbalkenbush@thorndal.com  
ROBERT F BALKENBUSH ESQ  
THORNDAL ARMSTRONG ET AL  
6590 S MCCARRAN BLVD #B  
RENO NV 89509-6112

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LAS VEGAS NV 89125

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DATED: June 13, 2016  
SIGNED: Taney L. Sherwood