

IN THE SUPREME COURT OF THE STATE OF NEVADA

CLARK COUNTY OFFICE OF THE
CORONER/MEDICAL EXAMINER,

Appellant,

vs.

LAS VEGAS REVIEW-JOURNAL,

Respondent.

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Elizabeth A. Brown
Clerk of Supreme Court

SUPREME COURT CASE NOS:
74604 / 75095

DISTRICT COURT CASE NO.:
A-17-758501-W

RESPONDENT'S UNOPPOSED MOTION TO CONTINUE

ORAL ARGUMENT

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RESPONDENT’S UNOPPOSED MOTION TO CONTINUE

ORAL ARGUMENT

Respondent the Las Vegas Review-Journal, Inc. (“Review-Journal”), by and through its counsel of record, Margaret A. McLetchie of McLetchie Law, hereby moves this Court for an order continuing the oral argument in the above-entitled matter.

Oral argument is currently scheduled for July 2, 2019. The Review-Journal was prepared to argue this matter on June 3, 2019. However, oral argument was recently rescheduled to July 2, 2019, after Appellant, the Clark County Office of the Coroner (the “Coroner’s Office”), filed a motion requesting more time to accommodate its counsel’s schedule.¹ A continuance is necessary because counsel for the Review-Journal has had a death in the family and was planning to attend a memorial service in Maine the same week that oral argument is now scheduled for.

Before seeking this continuance, counsel for the Review-Journal contacted counsel for the Coroner’s Office, who does not oppose this continuance. However, the Coroner’s Office indicated that Mr. Fudenberg, the Coroner, will not be available for the first two weeks of September. Accordingly, this continuance requests that oral argument be rescheduled to a date outside that timeframe.

¹ The Coroner’s Office did not contact the Review-Journal before seeking this continuance, which was granted before the Review-Journal could respond to notify the Court regarding counsel’s availability.

POINTS AND AUTHORITIES

This Court has the inherent authority to manage its docket and continue hearings upon a party's motion to the Court. Nevada Rule of Appellate Procedure 34(a) provides that "[a] motion to postpone the argument must be filed reasonably in advance of the date fixed for hearing. On May 1, 2019, the Court filed a notice scheduling oral argument for June 3, 2019. Appellant Clark County Office of the Coroner/Medical Examiner filed a Motion to Postpone Oral Argument Hearing Date and Allow Longer Argument Time on May 8, 2019. On May 14, 2019 the Court filed an Order Granting Motion scheduling the oral argument for July 2, 2019 in Carson City, Nevada. Thus, the instant motion is being made "reasonably in advance of the date fixed for hearing."

As discussed above, undersigned counsel has family obligations (and was planning to in Maine for the week of July 2, 2019). Thus, good cause exists to continue oral argument in this matter.

On May 14, 2019, counsel for the Review-Journal communicated with Micah S. Echols, counsel for the Appellant Clark County Office of the Coroner/Medical Examiner in this matter, to notify him of the need to continue oral argument. Mr. Echols indicated the Appellant Clark County Office of the Coroner/Medical Examiner did not oppose continuing oral argument. The undersigned appreciates the Appellant Clark County Office of the Coroner/Medical Examiner's and counsel's

professional courtesy.

CONCLUSION

Based on the reasons set forth above, the Review-Journal respectfully moves this Court for an order continuing oral argument to a later date, not to fall in the first two weeks of September.

DATED this the 17th day of May, 2019.

/s/ Margaret A. McLetchie

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Counsel for Respondent, Las Vegas Review-Journal, Inc.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing RESPONDENT’S UNOPPOSED MOTION TO CONTINUE ORAL ARGUMENT was filed electronically with the Nevada Supreme Court on the 17th day of May, 2019. Electronic service of the foregoing document shall be made in accordance with the Master Service List as follows:

Steven B. Wolfson and Laura Rehfeldt
Clark County District Attorney’s Office

Micah S. Echols and Jackie Nichols
Marquis Aurbach Coffing

*Counsel for Appellant,
Clark County Office of the Coroner/Medical Examiner*

Kristen T. Gallagher and Caitlin Veronica Vogus
McDonald Carano LLP/Las Vegas
Amicus Curiae, The Reporters Committee for Freedom of the Press

/s/ Pharan Burchfield
Employee of McLetchie Law