

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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Mar 20 2018 10:19 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

SUPREME COURT CASE NO.:
75095

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

**MOTION FOR LEAVE TO FILE RESPONSE IN EXCESS OF
PAGE/TYPE VOLUME LIMITATION**

Respondent Las Vegas Review-Journal, by and through its counsel, Alina M. Shell, hereby moves this Court, pursuant to Nevada Rule of Appellate Procedure (“NRAP”) 32(a)(7)(D), to file an Opposition to the Clark County Office of the Coroner/ Medical Examiner’s March 8, 2018 Emergency Motion for Stay that exceeds the ten-page limit imposed by NRAP 27(d)(2). This Motion is supported by the attached declaration of counsel.

Dated this the 20th day of March, 2018.

/s/ Alina M. Shell

Margaret A. McLetchie, Nevada Bar No. 10931

Alina M. Shell, Nevada Bar No. 11711

MCLETCHIE SHELL LLC

701 East Bridger Ave., Suite 520

Las Vegas, Nevada 89101

Counsel for Respondent, Las Vegas Review-Journal

DECLARATION OF ALINA M. SHELL

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

I, Alina M. Shell, declare, pursuant to Nev. Rev. Stat. § 53.330, as follows:

1. I am counsel for Respondent the Las Vegas Review-Journal (“Review-Journal”) in this matter. I have personal knowledge of all matters contained herein and am competent to testify thereto.

2. The Clark County Office of the Coroner/Medical Examiner (“Coroner’s Office”) is appealing an order of a district court for the Eighth Judicial District Court granting the Review-Journal’s motion for attorney’s fees and costs filed pursuant to the Nevada Public Records Act, Nev. Rev. Stat. § 239.011(2) and Nev. Rev. Stat. § 18.010(2)(b).

3. On March 8, 2018, the Coroner’s Office filed an Emergency Motion for Stay Under NRAP 27(e) (“Motion for Stay”) asking this Court to stay enforcement of the district court’s February 1, 2018 order granting the Review-Journal’s motion for attorney’s fees and costs.

4. Pursuant to Nevada Rule of Appellate Procedure 27(d)(2), a response to a motion may not exceed 10 pages absent leave from the Court.

5. In preparing the proposed Opposition to the Coroner’s Office’s Motion for Stay, I endeavored to present the arguments as succinct as possible. However, to

address the arguments presented in the Motion for Stay, I required more than the 10-page limit set by Nev. R. App. P. 27(d)(2). The attached proposed opposition is seventeen (17) pages.

6. I believe that any reduction to this Opposition would materially detract from the Review-Journal's presentation of its response to the arguments presented by the Coroner's Office in its Motion for Stay. Given the number of arguments raised in the Motion for Stay, I required the additional 7 pages to adequately present the grounds which weigh against a stay of the district court's February 1, 2018 order.

7. I therefore respectfully request that this Court grant the Review-Journal leave to file a Response in excess of the normal page limitations.

8. This Motion is not made for the purposes of delay, or any other improper purpose, but only to ensure that I provide competent and effective representation to the Review-Journal. *See* Nev. R. Prof. Conduct 1.1.

I certify under the penalty of perjury that the foregoing is true and correct.

Executed this the 20th day of March, 2018.

/s/ Alina M. Shell

Margaret A. McLetchie, Nevada Bar No. 10931

Alina M. Shell, Nevada Bar No. 11711

MCLETCHIE SHELL LLC

701 East Bridger Ave., Suite 520

Las Vegas, Nevada 89101

Counsel for Respondent, Las Vegas Review-Journal

CERTIFICATE OF SERVICE

I hereby certify that the foregoing MOTION FOR LEAVE TO FILE RESPONSE IN EXCESS OF PAGE/TYPE VOLUME LIMITATION was filed electronically with the Nevada Supreme Court on the 20th day of March, 2018. 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
Marquis Aurbach Coffing

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

/s/ Pharan Burchfield
Employee of McLetchie Shell LLC