

IN THE SUPREME COURT OF THE STATE OF NEVADA


DARRELL E. WHITE, AN
INDIVIDUAL,
Appellant,
vs.

STATE OF NEVADA, DIVISION OF
FORESTRY; AND CANNON COCHRAN
MANAGEMENT SERVICES, INC.,
A/K/A CCMSI, A FOREIGN
CORPORATION,
Respondents.

No. 76737

FILED

OCT 17 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DIRECTING SIMULTANEOUS SUPPLEMENTAL BRIEFING

Having reviewed the briefs, record on appeal, and entertained oral arguments, we conclude that simultaneous supplemental briefing will assist this court in resolving the appeal. Therefore, we direct the parties to provide supplemental briefing as outlined below.

NRS 616B.028 mandated that the Division adopt regulations establishing a modified program of industrial insurance to provide inmates with a comparable workers' compensation program. The Division adopted these regulations under NAC 616B.960-616B.986. Specifically, NAC 616B.964(1) defines "[w]ages" as "the money [an inmate] earns in the prison industry program before any deductions are made from those earnings." Further, wages do not include "[t]he value of room and board, medical care and other goods and services" or "[t]he value of good time earned towards" sentence reduction, or "[i]ncome from any source other than the prison industry program." NAC 616B.964(2)(a)-(c). Appellants and respondents shall address whether NAC 616B.964 is unconstitutional under Nevada Constitution Article 15, Section 16, Nevada's minimum wage amendment.

Accordingly, both appellant and respondent shall have 15 days from the date of this order within which to file a supplemental brief addressing the issue set forth above. The supplemental briefs shall comply with the type-volume limitations in NRAP 32(a)(7)(A).

It is so ORDERED.

Hardesty J.
Hardesty

cc: Hon. Rob Bare, District Judge
Gallian Welker & Beckstrom, LC/Las Vegas
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
Eighth District Court Clerk