

IN THE SUPREME COURT OF THE STATE OF NEVADA

NEVADA STATE BOARD OF
ARCHITECTURE, INTERIOR DESIGN
AND RESIDENTIAL DESIGN,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
KATHLEEN E. DELANEY, DISTRICT
JUDGE,

Respondents,
and

DENNIS E. RUSK,
Real Party in Interest.

No. 76792

FILED

NOV 07 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER GRANTING MOTION

This petition for a writ of prohibition challenges the district court's jurisdiction over a petition for judicial review because the petition for review was untimely filed. This court directed real party in interest to file an answer, which was filed on October 24, 2018. Petitioner has filed a motion for leave to file a reply. Petitioner contends that a reply is warranted to address new case law cited by real party in interest in his answer. Real party in interest opposes the motion, arguing that the issues raised and case law cited were briefed and addressed in the district court and are therefore not new. Having considered the motion and opposition, we grant the motion. Although NRAP 21, which governs extraordinary writ practice, is silent regarding the filing of a reply, NRAP 1(c) requires that the rules of appellate and writ practice be "liberally construed . . . to promote and facilitate the

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administration of justice by the court." We conclude that a reply to the answer will serve the interests of justice in this original writ proceeding.

Petitioner shall have 5 days from the date of this order to file and serve a reply. Failure to timely file a reply will be construed as a waiver of the right to file a reply.

It is so ORDERED.

Dwyer, C.J.

cc: Louis A. Ling
Nersesian & Sankiewicz