

1 **IN THE SUPREME COURT OF NEVADA**
2 **STATE OF NEVADA**

3 ROMAN HILDT,
4 Petitioner,
5 vs.
6

NO. 79605 Electronically Filed
Oct 07 2020 05:08 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

7 THE HONORABLE RICHARD F.
8 SCOTTI, EIGHTH JUDICIAL DISTRICT
9 COURT JUDGE
10 Respondent,
11 CITY OF HENDERSON,
12 Real Party in Interest.

13 **PETITIONER'S NOTICE OF**
14 **SUPPLEMENTAL AUTHORITIES**

15 COMES NOW Petitioner, ROMAN HILDT, by and through his attorney
16 ADAM L. GILL, and pursuant to **NRAP 31(e)** files the following supplemental
17 authorities in response to several questions at oral argument as to whether
18 Petitioner's request for extraordinary relief would be available only if Petitioner had
19 submitted a Petition for Writ of Certiorari.
20

21 DATED this 7th day of October, 2020.
22

23 By :/s/ Adam L. Gill.
24 ADAM L. GILL, #11575
25 Aisen, Gill & Associates, LLP
26 723 S Third Street
27 Las Vegas, Nevada 89101
28 (702) 750-1590

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2
3 **NRAP 31(e)** allows a party to file supplemental authorities and states:

4 (e) Supplemental Authorities. When pertinent and significant
5 authorities come to a party's attention after the party's brief has been
6 filed, but before a decision, a party may promptly advise the Supreme
7 Court or Court of Appeals by filing and serving a notice of
8 supplemental authorities, setting forth the citations. The notice shall
9 provide references to the page(s) of the brief that is being
10 supplemented. The notice shall further state concisely and without
11 argument the legal proposition for which each supplemental authority
12 is cited. The notice may not raise any new points or issues. Any
13 response must be made promptly and must be similarly limited. If
14 filed less than 10 days before oral argument, a notice of supplemental
15 authorities shall not be assured of consideration by the court at oral
16 argument; provided, however, that no notice of supplemental
17 authorities shall be rejected for filing on the ground that it was filed
18 less than 10 days before oral argument.

15 As such, NRAP 31(e) allows Appellant to directly file supplemental authorities
16 without first seeking permission from the court under **NRAP 27**.

18 Petitioner directs this Court to the following supplemental authorities, which
19 establishes that this Court may treat Petitioner's Petition for Writ of Mandamus as a
20 Petition for Writ of Certiorari in order to grant the extraordinary relief sought by
21 Petitioner, supplementing pages 2-3 of Petitioner's Opening Brief:

22 **Caballero v. Seventh Judicial District Court**, 123 Nev. 316, 320, 167 P3.d
23
24 415, 417 (Nev. 2007) ("Although Caballero has styled his proper person petition as
25 seeking a writ of certiorari, he seeks to compel the district court to require the justice
26 court to appoint an interpreter under a pertinent justice court rule and thus, he seeks
27
28

1 mandamus relief. Consequently, even though Caballero has requested a writ of
2 certiorari, we elect to treat this petition as seeking relief in mandamus.”)

3 **Marshall v. Eighth Judicial District Court**, 108 Nev. 459, 466, 836 P.2d
4 47, 52 (Nev. 1992) (where Petitioner submitted two writs of certiorari and this Court
5 treated the petitions as petitions for writs of mandamus. This Court exercised its
6 discretion to treat one request for extraordinary relief as a different request for
7 extraordinary relief to ensure the appropriate remedy.)
8
9

10 DATED 7th day of October, 2020.

11 By: /s/ Adam L. Gill.
12 ADAM L. GILL, #11575
13 Aisen, Gill & Associates, LLP
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15 Las Vegas, Nevada 89101
16 (702) 750-1590

17 **CERTIFICATE OF SERVICE**

18 I hereby certify that I electronically filed the foregoing document with the
19 Supreme Court of the State of Nevada by using the EFlex Electronic Filing system. I
20 certify that the following parties or their counsel of record received by electronic
21 means

22 Aaron Ford
23 Alexander Chen
24 Micaela Moore
25 Elaine Mather
26 Aaron Ford
27 Carlene Helbert
28 Marc Schifalacqua

DATED this 7th day October, 2020.

By: Jasmine Torres
An employee working for Aisen, Gill & Associates