

IN THE SUPREME COURT OF THE STATE OF NEVADA

SONJIA MACK,

Appellant,

vs.

BRIAN WILLIAMS; JAMES

DZURENDA; ARTHUR EMLING, JR.;

AND MYRA LAURIAN,

Respondents.

No. 81513

FILED

JUL 21 2021

ELIZABETH A. DODD  
CLERK OF SUPREME COURT  
BY: *Caldero*  
DEPUTY CLERK

*ORDER ACCEPTING CERTIFIED QUESTIONS, DIRECTING  
BRIEFING, AND DIRECTING SUBMISSION OF FILING FEE*

This matter involves legal questions certified to this court, under NRAP 5, by the United States District Court for the District of Nevada. Specifically, the U.S. District Court has certified the following questions to this court:

1. Is there a private right of action under the Nevada Constitution, Article 1, § 8?
2. Is there a private right of action under the Nevada Constitution, Article 1, § 18?
3. If there is a private right of action, what immunities, if any, can a state actor defendant raise as a defense?
4. If there is a private right of action, what remedies are available to a plaintiff for these claims?

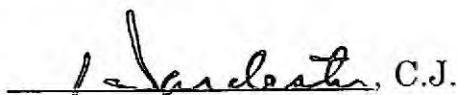
As no clearly controlling Nevada precedent exists with regard to these legal questions and the answers may determine part of the federal case, we accept these certified questions. *See* NRAP 5(a); *Volvo Cars of N. Am., Inc. v. Ricci*, 122 Nev. 746, 749-51, 137 P.3d 1161, 1163-64 (2006) (discussing the factors this court considers when determining whether to accept a certified question).

Appellant shall have 30 days from the date of this order to file and serve an opening brief. Respondents shall have 30 days from the date the opening brief is served to file and serve an answering brief. Appellant

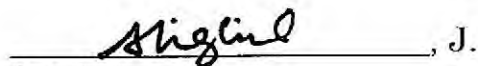
shall then have 21 days from the date the answering brief is served to file and serve any reply brief. The parties' briefs shall comply with NRAP 28, 28.2, 31(c), and 32. See NRAP 5(g)(2). The parties may file a joint appendix containing any portions of the record before the U.S. District Court that are necessary to this court's resolution of the certified questions. See NRAP 5(d), (g)(2).


Lastly, in any proceeding under NRAP 5, fees "shall be the same as in civil appeals . . . and shall be equally divided between the parties unless otherwise ordered by the certifying court." NRAP 5(e). The U.S. District Court's order does not address the payment of this court's fees. Accordingly, appellant and respondents shall each tender to the clerk of this court, within 14 days from the date of this order, the sum of \$125, representing half of the filing fee. See NRAP 3(e); NRAP 5(e).

It is so ORDERED.

  
Hardesty, C.J.  
Hardesty

  
Parraguirre, J.  
Parraguirre

  
Stiglich, J.  
Stiglich

  
Cadish, J.  
Cadish

  
Silver, J.  
Silver

  
Pickering, J.  
Pickering

  
Herndon, J.  
Herndon

cc: Gallian Welker & Beckstrom, LC/Las Vegas  
Attorney General/Carson City  
Attorney General/Las Vegas  
Clerk, United States District Court for the District of Nevada  
Hon. Andrew P. Gordon, Judge, United States District Court  
for the District of Nevada