

IN THE SUPREME COURT OF THE STATE OF NEVADA

NATHAN OHM,  
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

THE CITY OF HENDERSON,  
Real Party in Interest.

No. 81960

**FILED**

**DEC 17 2020**

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER GRANTING, IN PART, MOTION TO EXCEED  
TYPE-VOLUME LIMITATION AND DIRECTING ANSWER*

Petitioner has moved for leave to file a petition for writ of certiorari in excess of type-volume limitation pursuant to NRAP 32(a)(7)(D). The proposed petition consists of 15,874 words—more than double the length allowed—and seeks a writ directing the district court to grant its writ petition and order the municipal court to either grant petitioner Nathan Ohm’s motion to divest itself of jurisdiction or, alternatively, provide him with a jury trial on the charges of domestic battery as required by this court’s decision in *Andersen v. Eighth Judicial District Court*, 135 Nev. 321, 448 P.3d 1120 (2019).

NRAP 21(d) limits writ petitions to 15 pages or 7,000 words, unless leave is obtained to file a lengthier petition. This court “looks with disfavor on motions to exceed the applicable page limit or type-volume

limitation, and therefore, permission to exceed the page limit or type-volume limitation will not be routinely granted.” NRAP 32(a)(7)(D)(i).

Having considered the motion, we conclude that while petitioner has failed to demonstrate “diligence and good cause” warranting the filing of such a lengthy petition, he has demonstrated good cause for exceeding the page limit or type-volume limitation to some extent. *See id.* (“A motion to file a brief that exceeds the applicable page limit or type-volume limitation will be granted only upon a showing of diligence and good cause.”). We therefore grant petitioner’s motion, in part, and will permit him to file a petition not to exceed 10,000 words. Petitioner shall have 14 days from the date of this order to file and serve a petition that complies with this order. The clerk of this court shall strike the petition filed on October 19, 2020.

In the event petitioner timely files a petition in accordance with this order, real party in interest, on behalf of respondents, shall have 28 days from the date petitioner serves his petition to file and serve an answer, including authorities, against issuance of the requested writ. In the interest of fairness, real party in interest’s answer may include up to 10,000 words. In addition to addressing the merits of the petition in its answer, real parties in interest should also address the propriety of writ relief.

Petitioner shall have 14 days from service of the answer to file and serve any reply. No further motions to exceed the page limit or type-volume limitation will be granted.

It is so ORDERED.<sup>1</sup>

Pickering, C.J.  
Pickering

Hardesty, J.  
Hardesty

Silver, J.  
Silver

cc: Hon. Kathleen E. Delaney, District Judge  
Nevada Defense Group  
Henderson City Attorney  
Eighth District Court Clerk

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<sup>1</sup>Real party in interest has filed a motion to consolidate the petition in this docket with the writ petition in *City of Henderson v. Eighth Judicial Dist. Court*, Docket No. 81714. Petitioner filed a non-opposition to that motion. Having considered the motion and the non-opposition, we conclude that consolidation is not warranted. The motion to consolidate is therefore denied. This case shall, however, be clustered with that case and any others based on overlapping legal issues to ensure that the issues are resolved in a consistent and efficient manner.