

Case No: DC-CV-20-53

Dept No: 1

FILED

2021 JAN 11 P 3:09

Electronically Filed  
Jan 15 2021 02:57 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

In the Fourth Judicial District  
Court of the State of Nevada in and  
for the County of Elko

Mark L Sharp  
Petitioner,

- V -

Heather Korbolic, Director  
Nevada Department of Employment  
Training and Rehabilitation  
Respondent

Appeal to the  
Nevada  
Supreme Court

The Fourth Judicial District  
Court of the State of Nevada

ON: December-14-2020 @ 9:04 AM.

Headed Down a:

Order Granting Motion To Dismiss

P 1 of 4

The Granting of this motion  
was "not" on the "Marrits"  
of the Filings. That was Filed on.  
June-12-2020

This Document is asking the  
Nevada Supreme Court.

To weigh in on. if the facts  
of the filing on June-12-2020 is.  
What the 4<sup>th</sup> Judicial Court.  
Should have "Ruled" on?

The "Marrits" of the Filings of  
June-12-2020

P 2 of 4

Now I'd like to Thank the  
Nevada Supreme Court  
for their time and their  
Patience with Me.

Mark Leonard Sharp  
Thank You

Mark L Sharp

Date: January-7-2021

P 3 of 4

# Certificate of Service

I hereby certify that I Mark L Sharp on 1-7-2021. I caused to be served a true and correct copy of the enclosed

Appeal to the  
Nevada Supreme Court

To:

Elko County  
District Court  
Clerks office  
550 Court Street  
3 floor  
Elko NV. 89801

Nevada Employment  
Office of Appeals  
2800 E St Louis Avenue  
Las Vegas. NV. 89104-4227

a file stamped copy back too

Mark L Sharp: 1050 Thomas Street  
Reno NV. 89502

04 of 4

DC-CV-20-53

DEPARTMENT 1

FILED

2021 JAN 12 P 3:55

IN THE FOURTH JUDICIAL DISTRICT COURT

ELKO CO. DISTRICT COURT  
CLERK \_\_\_\_\_ DEPUTY *AM*

OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO

MARK L. SHARP,

APPELLANT,

vs.

HEATHER KORBULIC, DIRECTOR NEVADA  
DEPARTMENT OF EMPLOYMENT TRAINING  
AND REHABILITATION,

RESPONDENT.

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CASE APPEAL STATEMENT

1. Name of appellant filing this case appeal statement:  
**Mark L. Sharp**
2. Identify the judge issuing the decision, judgment or order  
appealed from:  
**Judge Nancy Porter**
3. Identify each appellant and the name and address of counsel for each appellant:  
**Mark L. Sharp**  
**1050 Thoma Street**  
**Reno, Nevada 89502**
4. Identify each respondent and the name and address of appellant counsel, if known for each  
respondent (if the name of a respondent's appellate counsel is unknown, indicate as much  
and provide the name and address of that respondent's trial counsel):

**Heather Korbolic, Director**  
**State of Nevada DETRE/ESD**  
**500 E. Third Street**  
**Carson City, Nevada 89413**

**Aaron Ford, Esq.  
Nevada Attorney General  
100 North Carson St.  
Carson City, Nevada 89701**

5. Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission to appear under SCR 42 (attach a copy of any district court order granting such permission):

**N/A**

6. Indicate whether appellant was represented by appointed or retained counsel in the district court:

**Mark L. Sharp did not retain counsel.**

7. Indicate whether appellant is represented by appointed or retained counsel on appeal:

**No**

8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave:

**No**

9. Indicate the date the proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed):

**June 12, 2020**

10. Provide a brief description of the nature of the action and result in the district court, including the type of judgment or order being appealed and the relief granted by the district court:

**Case dismissed per Order Granting Motion to Dismiss filed 12/14/20**

11. Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding:

**N/A**

12. Indicate whether this appeal involves child custody or visitation:

**N/A**

13. If this is a civil case, indicate whether this appeal involves the possibility of settlement:

N/A

Dated this 12<sup>th</sup> day of January, 2021

Kristine Jakeman, Elko County Clerk

By:   
Annette Marshall, Deputy Clerk

## Case Summary

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### DC-CV-20-53 - SHARP, MARK L VS. NEVADA, STATE OF - EMPLOYMENT SECURITY

Court: DC-CV-20-53

Agency: Elko County Clerk's Office

Type: Civil

CaseID: 20-73279

Status: Closed

Received Date: 6/12/2020

Status Date: 12/15/2020

Age: 214 days    Active Age: 214 days

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#### Involvements

PORTER, NANCY Judge -

SHARP, MARK Petitioner -

NEVADA, STATE OF - EMPLOYMENT SECURITY Respondent -

#### Name Attributes

For: NEVADA, STATE OF - EMPLOYMENT  
SECURITY

Name Record Source - Name Record Converted  
from JALAN - Court

#### Issues

##### 1. CVC39 ~ Judicial Review/Appeal - State Agency: Other Occurred: 6/12/2020

Judicial Review/Appeal - State Agency: Other

Disposition: Motion to Dismiss by Defendant(s)    Dispo Date: 12/14/2020

#### Case History

Date	Event Type Desc	Status
	Pending - Case Status	
	APPEAL FILED	
	Awaiting Charging Decision - Case Status	
	Case Status Change	
	Closed - Case Status	
	Case Status Change	
6/12/2020	APPEAL TO THE FOURTH JUDICIAL DISTRICT COURT - Document	
	FILE STAMPED COPY MAILED BACK IN SASE TO PO BOX593, CARLIN, NV 89822 FILE PLACED IN DC1 P/U BOX @1:00	
6/25/2020	ORDER DIRECTING RESPONSE - Document	

## Case Summary

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8/7/2020	MOTION TO DISMISS - Document COPY MAILED BACK DETR
12/3/2020	REQUEST FOR SUBMISSION - Document 1 COPY RETURNED IN SASE FILE TO DC 1 FOR REVIEW
12/14/2020	ORDER GRANTING MOTION TO DISMISS - Document
1/11/2021	APPEAL TO THE NEVADA SUPREME COURT- Document COPY MAILED TO MARK SHARP IN SASE
1/12/2021	CASE APPEAL STATEMENT- Document
1/12/2021	CLERK'S CERTIFICATION - Document

1 Case No. DC-CV-20-53

2 Dept. No. 1

FILED  
2020 DEC 14 AM 9:03  
ELKO CO DISTRICT COURT  
CLERK \_\_\_\_\_ DEPUTY AP

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5  
6 IN THE FOURTH JUDICIAL DISTRICT COURT  
7 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO  
8

9 MARK L. SHARP,

**ORDER GRANTING MOTION  
TO DISMISS**

10 Petitioner,

11 V.

12 HEATHER KORBULIC, Director,  
13 Nevada Department of Employment,  
Training, and Rehabilitation,

14 Respondent.  
15 \_\_\_\_\_/

16 Before the Court is a Motion to Dismiss (hereinafter "Motion") filed by Heather Korbolic,  
17 Nevada Department of Employment, Training and Rehabilitation (hereinafter "Respondent"), by and  
18 through her attorney Troy C. Jordan, Esq., on August 7, 2020. Since this filing, there has been no  
19 opposition or response from Mark L. Sharp (hereinafter "Petitioner").

20 DCR 13(3) states that. "Within 10 days after the service of the motion, the opposing party  
21 shall serve and file his written opposition thereto, together with a memorandum of points and  
22 authorities and supporting affidavits, if any, stating facts showing why the motion should be denied.  
23 Failure of the opposing party to serve and file his written opposition may be construed as an  
24 admission that the motion is meritorious and a consent to granting the same."

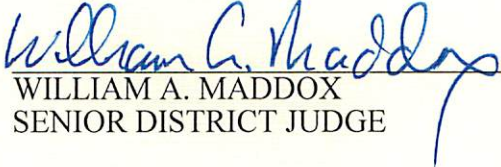
25 Thus, this Court recognizes Petitioner's failure to respond to Respondent's Motion as an  
26 admission that the motion is meritorious and a consent to granting the same.

Therefore, **IT IS HEREBY ORDERED** that Respondent's Motion to Dismiss is

1 **GRANTED.** Accordingly, Petitioner's "Appeal to the Fourth Judicial Court in Elko County" is

2 **DISMISSED.**

3 SO ORDERED this 11 day of December, 2020.

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6 WILLIAM A. MADDOX  
7 SENIOR DISTRICT JUDGE  
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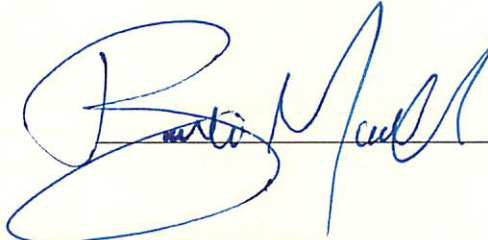
CERTIFICATE OF MAILING

Pursuant to NRCP 5(b), I certify that I am an employee of the Fourth Judicial District Court, Department 1, and that on this 14<sup>th</sup> day of December, 2020, I deposited for mailing in the U.S. mail at Elko, Nevada, postage prepaid, a copy of the foregoing **ORDER GRANTING MOTION TO DISMISS** addressed to:

Aaron D. Ford, Esq.  
Nevada Attorney General  
100 North Carson St.  
Carson City, Nevada 89701

Mark L. Sharp  
1050 Thoma Street  
Reno, Nevada 89502

Heather Korbolic, Director  
NV Dept of Employment  
500 E. Third Street  
Carson City, NV 89713



CERTIFICATE OF HAND DELIVERY

Pursuant to NRCP 5(b), I certify that I am an employee of the Fourth Judicial District Court, Department 1, and that on this \_\_\_\_\_ day of December, 2020, I personally hand delivered a file stamped copy of the foregoing **ORDER GRANTING MOTION TO DISMISS** addressed to:

Tyler J. Ingram  
Elko County District Attorney  
540 Court Street, 2<sup>nd</sup> floor  
Elko, Nevada 89801  
[Box in Clerk's Office]



Case No. DC-CV-20-53

Dept. No. 1

FILED

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT  
IN AND FOR THE COUNTY OF ELKO, STATE OF NEVADA

2021 JAN 12 P 4:17  
ELKO CO. DISTRICT COURT  
CLERK \_\_\_\_\_ DEPUTY *AM*

\_\_\_\_\_  
MARK L. SHARP,

Appellant,

vs.

HEATHER KORBULIC, Director Nevada  
Department of Employment Training  
and Rehabilitation

Respondent,  
\_\_\_\_\_ /

**CLERK'S CERTIFICATION**

I, KRISTINE JAKEMAN, the duly elected, acting and qualified County Clerk and Ex-Officio Clerk of the District Court of the Fourth Judicial District of the State of Nevada, in and for the County of Elko, do hereby certify that the annexed are true, full and correct copies of certain documents in Case No. DC-CV-20-53 Dept. 1, MARK L. SHARP, Appellant, vs. HEATHER KORBULIC, Director Nevada Department of Employment Training and Rehabilitation, Respondent, as appears on file and of record in my office.

WITNESS My Hand and Seal of said Court on January 12, 2021.

KRISTINE JAKEMAN, ELKO COUNTY CLERK

By *Annette Marshall*  
\_\_\_\_\_

Annette Marshall, DEPUTY CLERK

**CERTIFICATE OF SERVICE**

I hereby certify that I caused to be sent electronically and/or mailed a certified copy of the annexed documents in Case No. DC-CV-20-53 Dept. 1, MARK L. SHARP, Appellant, vs. HEATHER KORBULIC, Director Nevada Department of Employment Training and Rehabilitation, Respondent, as appears on file and of record in this Court, to the following:

Mark L. Sharp  
1050 Thoma Street  
Reno, NV 89502

Heather Korbolic, Director  
State of Nevada DETRE/ESD  
500 E Third Street  
Carson City, NV 89502

Aaron Ford  
Nevada Attorney General  
Attn: Criminal Division  
100 North Carson Street  
Carson City, NV 89701-4717

DATED this 12<sup>th</sup>, day of January, 2021.

  
\_\_\_\_\_  
Annette Marshall, Deputy Clerk