

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANTHONY ROY SALAZAR,
Appellant.

CASE NO.: 82667

Electronically Filed
Apr 29 2022 03:29 p.m.

DISTRICT COURT CASE NO.
D611509

Elizabeth A. Brown
Clerk of Supreme Court

APPELLANT'S MOTION TO SUBMIT THE CASE
FOR DECISION ON THE BRIEF

Appeal from Dismissal of Petition for Name Change
District Court – Family Division
Clark County, Nevada Department F

Margaret A. McLetchie, Nevada Bar No. 10931
MCLETSCHIE LAW
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Counsel for Appellant

Appellant ANTHONY ROY SALAZAR, who uses the name Monica Denise Salazar, requests that this case be submitted for decision on the Opening Brief, filed March 4, 2022, pursuant to NRAP 27, 31(d)(2), and 34(f)(2).

This appeal pertains to a denial of a petition for a name change to conform with Appellant's gender identify. NRS 41.270 allows that "[a]ny natural person, except an unemancipated minor, desiring to have his or her name changed may file a verified petition with the clerk of the district court of the district in which the person resides." NRS 41.280(3) provides that, as occurred here, where the petition is sought to "conform the applicant's name to his or her gender identity, the court shall not require the applicant to comply with" the notice by publication requirements that apply to other name change petitions. Here, there is no other party to this proceeding, as reflected by the attached docket (Exhibit 1).

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This Court's docket reflects a pending Answering Brief due on April 4, 2022. But given the nature of the proceedings below, there is no party that would submit such a brief. Thus, a decision on the briefs is appropriate. NRAP 34(f)(2) allows a party to "submit a case for decision on the briefs," while reserving this Court's right to order oral argument. NRAP 31(d)(2) permits this Court to proceed without oral argument if, as in this case, "respondent fails to file an answering brief."¹

DATED this 29th day of April, 2022.

/s/ Margaret A. McLetchie

Margaret A. McLetchie, Nevada Bar No. 10931

MCLETCHIE LAW

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Counsel for Appellant

¹ Of course, Ms. Salazar would be more than happy to participate in oral argument should the Court have questions about the matter.

EXHIBIT 1

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. D-20-611509-N

In the Matter of the Petition for Change of Name by:
Anthony Roy Salazar, Petitioner

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§
§
§

Location: Department F
Judicial Officer: Gentile, Denise L
Filed on: 07/29/2020

CASE INFORMATION

Related Cases
D-20-605181-N (Related)

Statistical Closures
01/27/2021 Dismissed - Want of Prosecution

Case Type: Name Change Petition - Adult

Case Status: 01/27/2021 Dismissed

Case Flags: Filing Fee Balance Due
Pet owes \$270

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number D-20-611509-N
Court Department F
Date Assigned 01/04/2021
Judicial Officer Gentile, Denise L

PARTY INFORMATION






Petitioner Salazar, Anthony Roy
#1003740
HDSP P.O. Box 650
Indian Springs, NV 89070

Pro Se

DATE

EVENTS & ORDERS OF THE COURT

EVENTS

07/29/2020	 Petition for Change of Name Filed by: Petitioner Salazar, Anthony Roy <i>Petition for Change of Name</i>
07/29/2020	 Notice of Petition for Change of Name Filed by: Petitioner Salazar, Anthony Roy <i>Notice of Petition for Change of Name</i>
07/29/2020	 Request for Summary Disposition of Petition Filed By: Petitioner Salazar, Anthony Roy <i>Request for Summary Disposition of Petition</i>
07/29/2020	 Application to Proceed in Forma Pauperis Filed By: Petitioner Salazar, Anthony Roy <i>Application to Proceed in Forma Pauperis</i>
01/04/2021	Administrative Reassignment to Department F <i>Judicial Reassignment - From Judge William Potter to Judge Denise Gentile</i>
01/27/2021	 Order of Dismissal Without Prejudice <i>Order of Dismissal without Prejudice</i>

CERTIFICATE OF SERVICE

I hereby certify that the foregoing MOTION TO SUBMIT THE CASE FOR DECISION ON THE BRIEFS was filed electronically with the Nevada Supreme Court on the 29th day of April, 2022. The above-mentioned filing was also served by mail via United States Postal Service, postage prepaid, to the party listed below at their address listed below:

Anthony Roy Salazar AKA Monica Salazar, NDOC #1003740
Northern Nevada Correctional Center
PO Box 7000
Carson City, NV 89702
Appellant

/s/Judy Sanderlin
Employee of McLetchie Law