

Natasha Early  
4650 West Oakey Boulevard #2035  
Las Vegas, NV. 89102  
(323) 713-8613  
Natashalee0601@gmail.com

IN THE EIGHT JUDICIAL DISTRICT COURT OF THE  
STATE OF NEVADA IN AND FOR THE COUNTY OF CLATSOP

Electronically Filed  
Apr 06 2021 11:15 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

NATASHA EARLY,

Petitioner,

vs.

EMPLOYMENT SECURITY DIVISION, STAT OF

NEVADA, ET AL.,

Respondents

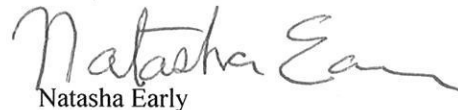
Case No.: A-20-826013-W

Dept. No.: XXXI

### NOTICE OF APPEAL

Notice is hereby given that Natasha Early, Petitioner above named, hereby appeals to the Supreme Court of Nevada from the final judgment denying the Petition for Writ of Mandamus entered this action on the 1<sup>st</sup> of March 2021.

March 26, 2021



Natasha Early

1  
2  
3 **Certificate of Service**

4 Pursuant to NRCP 5(b), I hereby certify that on this 26<sup>th</sup> day of March 2021, I  
5 caused the foregoing Notice of Appeal to be served via the Court's electronic filing system to  
6

7 Attorney Troy C. Jordan

8 State of Nevada, Department of Employment, Training, and Rehabilitation.  
9

10 3-26-2021 

11 /s/ Natasha Jordan  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



1 ASTA

2  
3  
4  
5  
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**  
7 **STATE OF NEVADA IN AND FOR**  
8 **THE COUNTY OF CLARK**

9 NATASHA EARLY,

10 Plaintiff(s),

11 vs.

12  
13 EMPLOYMENT SECURITY DIVISION, STATE  
14 OF NEVADA; KIMBERLY GAA, in her capacity  
15 as Administrator of the EMPLOYMENT  
16 SECURITY DIVISION,

Defendant(s),

Case No: A-20-826013-W

Dept No: XXXI

17  
18 **CASE APPEAL STATEMENT**

19 1. Appellant(s): Natasha Early

20 2. Judge: Joanna S. Kishner

21 3. Appellant(s): Natasha Early

22 Counsel:

23  
24 Natasha Early  
25 4650 W. Oakey Blvd., #2035  
26 Las Vegas, NV 89102

27 4. Respondent (s): Employment Security Division, State of Nevada; Kimberly Gaa, in her  
28 capacity as Administrator of the Employment Security Division

Counsel:

1 Troy C. Jordan, Esq.  
2 500 E. Third St.  
3 Carson City, NV 89713

4 5. Appellant(s)'s Attorney Licensed in Nevada: N/A  
5 Permission Granted: N/A

6 Respondent(s)'s Attorney Licensed in Nevada: Yes  
7 Permission Granted: N/A

8 6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

9 7. Appellant Represented by Appointed Counsel On Appeal: N/A

10 8. Appellant Granted Leave to Proceed in Forma Pauperis\*\*: Yes, December 11, 2020  
11 \*\*Expires 1 year from date filed  
12 Appellant Filed Application to Proceed in Forma Pauperis: N/A  
13 Date Application(s) filed: N/A

14 9. Date Commenced in District Court: December 8, 2020

15 10. Brief Description of the Nature of the Action: Civil Writ

16 Type of Judgment or Order Being Appealed: Dismissal

17 11. Previous Appeal: No

18 Supreme Court Docket Number(s): N/A

19 12. Child Custody or Visitation: N/A

20 13. Possibility of Settlement: Unknown

21 Dated This 1 day of April 2021.

22 Steven D. Grierson, Clerk of the Court

23 /s/ Heather Ungermann

24 Heather Ungermann, Deputy Clerk  
25 200 Lewis Ave  
26 PO Box 551601  
27 Las Vegas, Nevada 89155-1601  
28 (702) 671-0512

cc: Natasha Early

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**  
**CASE NO. A-20-826013-W**

**Natasha Early, Plaintiff(s)**  
**vs.**  
**Employment Security Division of the State of Nevada,**  
**Defendant(s)**

§  
§  
§  
§  
§

Location: **Department 31**  
Judicial Officer: **Kishner, Joanna S.**  
Filed on: **12/08/2020**  
Cross-Reference Case Number: **A826013**

CASE INFORMATION

**Statistical Closures**

03/01/2021 Motion to Dismiss by the Defendant(s)

Case Type: **Writ of Mandamus**

Case Status: **03/01/2021 Dismissed**

DATE

CASE ASSIGNMENT

**Current Case Assignment**

Case Number A-20-826013-W  
Court Department 31  
Date Assigned 12/08/2020  
Judicial Officer Kishner, Joanna S.

PARTY INFORMATION

**Plaintiff** **Early, Natasha**

*Lead Attorneys*

**Pro Se**  
3237138613(H)

**Defendant** **Employment Security Division of the State of Nevada**


**Jordan, Troy**  
*Retained*  
775-684-3996(W)


DATE


EVENTS & ORDERS OF THE COURT


INDEX


**EVENTS**


12/08/2020  Application to Proceed in Forma Pauperis  
Filed By: Plaintiff Early, Natasha

12/09/2020  Order Denying Application to Proceed in Forma Pauperis  
*Order Denying Application to Proceed In Forma Pauperis*

12/10/2020  Application to Proceed in Forma Pauperis  
Filed By: Plaintiff Early, Natasha  
*Application to Proceed in Forma Pauperis*

12/11/2020  Order to Proceed In Forma Pauperis  
*Order to Proceed In Forma Pauperis*

12/11/2020  Petition for Writ of Mandamus  
Filed by: Plaintiff Early, Natasha  
*(3/1/21 Dismissed) Petition for Writ of Mandamus*

01/04/2021  Notice of Hearing  
Filed By: Plaintiff Early, Natasha  
*Notice of Hearing*

**CASE SUMMARY**  
**CASE NO. A-20-826013-W**

01/04/2021	 Notice of Hearing <i>Notice of Hearing on Petition for Writ of Mandamus</i>
01/05/2021	 Notice of Appearance Party: Defendant Employment Security Division of the State of Nevada; Administrator Gaa, Kimberly <i>Notice of Appearance</i>
01/05/2021	 Notice of Telephonic Hearing Filed by: Defendant Employment Security Division of the State of Nevada; Administrator Gaa, Kimberly <i>Notice of Telephonic Hearing</i>
01/12/2021	 Audiovisual Transmission Equipment Appearance Request Party: Plaintiff Early, Natasha <i>Remote Appearance Request</i>
01/15/2021	 Supplement Filed by: Plaintiff Early, Natasha <i>Supplement to Petition for Writ of Mandamus</i>
01/17/2021	 Memorandum <i>Court's Memo RE: Remote Appearance Information for January 19, 2021, Hearing</i>
02/01/2021	 Motion to Dismiss Filed By: Defendant Employment Security Division of the State of Nevada; Administrator Gaa, Kimberly <i>Motion to Dismiss Petition for Writ of Mandamus</i>
02/02/2021	 Memorandum <i>Court's Memo RE: Remote Appearance Information for February 4, 2021</i>
02/02/2021	 Audiovisual Transmission Equipment Appearance Request Party: Plaintiff Early, Natasha <i>Audio Transmission Equipment Appearance Request</i>
02/03/2021	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
02/03/2021	 Opposition to Motion Filed By: Plaintiff Early, Natasha <i>Petitioner's Opposition to Motion to Dismiss Petition for Writ of Mandamus, Request to Strike Motion</i>
03/01/2021	 Order Granting Motion Filed By: Defendant Employment Security Division of the State of Nevada <i>Order Granting Motion to Dismiss Writ of Mandamus and Denying Petition of Writ of Mandamus</i>
03/01/2021	 Notice of Entry of Order Filed By: Defendant Employment Security Division of the State of Nevada; Administrator Gaa, Kimberly <i>Notice of Entry of Order Granting Motion to Dismiss Petition for Writ of Mandamus, and Denying Petition for Writ of Mandamus</i>

# CASE SUMMARY

CASE NO. A-20-826013-W

03/16/2021



Recorders Transcript of Hearing

*Transcript of Proceedings: Petition for Writ of Mandamus; Defendant's Motion to Dismiss Petition for Writ of Mandamus -- 2-4-21*

03/29/2021



Notice of Appeal

Filed By: Plaintiff Early, Natasha  
*Notice of Appeal*

04/01/2021



Case Appeal Statement

Filed By: Plaintiff Early, Natasha  
*Case Appeal Statement*

## HEARINGS

01/19/2021



**Petition for Writ of Mandamus (9:00 AM)** (Judicial Officer: Kishner, Joanna S.)

**01/19/2021, 02/04/2021**

Matter Continued;

Denied;

Journal Entry Details:

*DEFENDANT'S MOTION TO DISMISS PETITION FOR WRIT OF MANDAMUS(9:00 a.m. calendar)...PETITION FOR WRIT OF MANDAMUS (9:30 calendar) Court announced the case and requested appearances. Troy Jordan, Esq., announced his presence via Blue Jeans. Natasha Early not present. COURT ORDERED, matter TRAILED. MATTER RECALLED: Natasha Early now present. Arguments by Mr. Jordan and Ms. Early regarding the merits of the Petition for Writ of Mandamus and Defendant's Motion to Dismiss Petition for Writ of Mandamus. Colloquy between the Court and Ms. Early regarding the Claim Referee and appeal process. COURT stated FINDINGS, and ORDERED, Petition for Writ of Mandamus DENIED as there was no basis for the Writ, there was failure to exhaust administrative remedies, and for not establishing a basis to grant extraordinary relief. COURT NOTED it was not taking a position whether Ms. Early was entitled to benefits That was not ripe before the Court because all of the administrative processes had not been utilized or exhausted. COURT DIRECTED Mr. Jordan to prepare the Order, circulate to Ms. Early, and provide back to the DC31 inbox according to the Administrative Orders.;*

Matter Continued;

Denied;

Journal Entry Details:

*Ms. Early advised she had attempted to resolve the issues; however, she has not been able to contact DETR. COURT NOTED DETR had forty days under the statute to respond. Ms. Early further advised she was facing financial hardships. COURT NOTED the matter would be continued to give time for DETR to respond. Mr. Neidert indicated he would file the response this week or next week. COURT ORDERED, matter CONTINUED. CONTINUED TO: 02/04/21 8:30 AM;*

02/04/2021



**All Pending Motions (9:00 AM)** (Judicial Officer: Kishner, Joanna S.)

Matter Heard;

Journal Entry Details:

*DEFENDANT'S MOTION TO DISMISS PETITION FOR WRIT OF MANDAMUS(9:00 a.m. calendar)...PETITION FOR WRIT OF MANDAMUS (9:30 calendar) Court announced the case and requested appearances. Troy Jordan, Esq., announced his presence via Blue Jeans. Natasha Early not present. COURT ORDERED, matter TRAILED. MATTER RECALLED: Natasha Early now present. Arguments by Mr. Jordan and Ms. Early regarding the merits of the Petition for Writ of Mandamus and Defendant's Motion to Dismiss Petition for Writ of Mandamus. Colloquy between the Court and Ms. Early regarding the Claim Referee and appeal process. COURT stated FINDINGS, and ORDERED, Petition for Writ of Mandamus DENIED as there was no basis for the Writ, there was failure to exhaust administrative remedies, and for not establishing a basis to grant extraordinary relief. COURT NOTED it was not taking a position whether Ms. Early was entitled to benefits That was not ripe before the Court because all of the administrative processes had not been utilized or exhausted. COURT DIRECTED Mr. Jordan to prepare the Order, circulate to Ms. Early, and provide back to the DC31 inbox according to the Administrative Orders.;*

02/04/2021



**Motion to Dismiss (9:30 AM)** (Judicial Officer: Kishner, Joanna S.)

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. A-20-826013-W**

*Defendant's Motion to Dismiss Petition for Writ of Mandamus*

Matter Heard;

Journal Entry Details:

*Court announced the case and requested appearances. Troy Jordan, Esq., announced his presence via Blue Jeans. Natasha Early not present. COURT ORDERED, matter TRAILED. MATTER RECALLED: Natasha Early now present. Arguments by Mr. Jordan and Ms. Early regarding the merits of Defendant's Motion to Dismiss Petition for Writ of Mandamus. Colloquy between the Court and Ms. Early regarding the Claim Referee and appeal process. COURT stated FINDINGS, and ORDERED, Writ DENIED as there was no basis for the Writ, there was failure to exhaust administrative remedies, and for not establishing a basis to grant extraordinary relief. COURT NOTED it was not taking a position whether Ms. Early was entitled to benefits That was not ripe before the Court because all of the administrative processes had not been utilized or exhausted. COURT DIRECTED Mr. Jordan to prepare the Order, circulate to Ms. Early, and provide back to the DC31 inbox according to the Administrative Orders.;*

DATE

FINANCIAL INFORMATION

**Plaintiff** Early, Natasha

Total Charges

24.00

Total Payments and Credits

24.00

**Balance Due as of 4/1/2021**

**0.00**



# DISTRICT COURT CIVIL COVER SHEET

County, Nevada  
Case No. \_\_\_\_\_  
*(Assigned by Clerk's Office)*

CASE NO: A-20-826013-W  
Department 31

## I. Party Information *(provide both home and mailing addresses if different)*

Plaintiff(s) (name/address/phone): <p style="text-align: center;">Natasha Early 4560 West Oakey Boulevard #2035 Las Vegas, NV. 89102</p>	Defendant(s) (name/address/phone): <p style="text-align: center;">Employment Security Division and Kimberly Gaa as Administrator of the Employment Security Division 500 East Third Street Carson City, Nevada 89713</p>
Attorney (name/address/phone): <p style="text-align: center;">N/A</p>	Attorney (name/address/phone): <p style="text-align: center;">N/A</p>

## II. Nature of Controversy *(please select the one most applicable filing type below)*

### Civil Case Filing Types

<b>Real Property</b> <b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <b>Title to Property</b> <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <b>Other Real Property</b> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<b>Negligence</b> <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence <b>Malpractice</b> <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	<b>Torts</b> <b>Other Torts</b> <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
<b>Probate</b> <b>Probate <i>(select case type and estate value)</i></b> <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate <b>Estate Value</b> <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	<b>Construction Defect &amp; Contract</b> <b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <b>Contract Case</b> <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	<b>Judicial Review/Appeal</b> <b>Judicial Review</b> <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency <b>Nevada State Agency Appeal</b> <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency <b>Appeal Other</b> <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
<b>Civil Writ</b> <b>Civil Writ</b> <input type="checkbox"/> Writ of Habeas Corpus <input checked="" type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		<b>Other Civil Filing</b> <b>Other Civil Filing</b> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

*Business Court filings should be filed using the Business Court civil coversheet.*

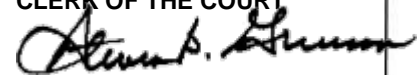
Dec. 7, 2020

Date

*Natasha Sen*

Signature of initiating party or representative

*See other side for family-related case filings.*



1 **OGM**  
2 TROY C. JORDAN, ESQ.  
3 Nevada State Bar No. 9073  
4 State of Nevada, Department of  
5 Employment, Training & Rehabilitation (DETR)  
6 Employment Security Division (ESD)  
7 500 East Third Street  
8 Carson City, NV 89713  
9 Telephone No.: (775) 684-3996  
10 Facsimile No.: (775) 684-3992  
11 *Attorney for DETR/ESD*

7 **DISTRICT COURT**

8 **CLARK COUNTY, NEVADA**

9 NATASHA EARLY, ET AL,

10 Petitioner,

11 vs.

12 EMPLOYMENT SECURITY DIVISION,  
13 STATE OF NEVADA and KIMBERLY GAA  
14 [*now, LYNDA PARVEN*] in her capacity as  
15 ADMINISTRATOR of the EMPLOYMENT  
16 SECURITY DIVISION,

17 Respondents.

CASE NO.: A-20-826013-W

DEPT. NO.: XXXI

16 **ORDER GRANTING MOTION TO DISMISS PETITION FOR WRIT**  
17 **OF MANDAMUS, AND DENYING PETITION FOR WRIT OF MANDAMUS**

18 **THIS MATTER** came before the Court on February 4, 2021, pursuant to Respondent State  
19 of Nevada, Employment Security Division's (ESD) Motion to Dismiss Petition for Writ of  
20 Mandamus. The Court announced the case and requested appearances. ESD's counsel Troy C.  
21 Jordan, Esq. announced his presence via Blue Jeans. Petitioner Natasha Early (Petitioner) was not  
22 present. The Court ordered the matter trailed.

23 The Court recalled this matter and Petitioner was present. Arguments were heard regarding  
24 the merits of the Petition for Writ of Mandamus and ESD's Motion to Dismiss Petition for Writ of

TROY C. JORDAN, ESQ.  
Division Sr. Legal Counsel  
State of Nevada DETR/ESD  
500 East Third Street  
Carson City, NV 89713  
(775) 684-3996  
(775) 684-3992 - FAX

<input type="checkbox"/>	Voluntary Dismissal	<input type="checkbox"/>	Summary Judgment
<input type="checkbox"/>	Involuntary Dismissal	<input type="checkbox"/>	Stipulated Judgment
<input type="checkbox"/>	Stipulated Dismissal	<input type="checkbox"/>	Default Judgment
<input checked="" type="checkbox"/>	Motion to Dismiss by Deft(s)	<input type="checkbox"/>	Judgment of Arbitration

1 Mandamus. There was a colloquy between the Court and Petitioner regarding her claim for  
2 unemployment insurance benefits, the administrative referee and the administrative appeal  
3 process.

4 NRS 34.160 provides that a district court may issue a writ of mandamus to compel the  
5 performance of an act which the law requires as a duty resulting from an office, trust or station.”  
6 *Veil v. Bennett*, 131 Nev. 179, 180, 348 P.3d 684, 686 (2015), quoting *Int’l Game Tech. v. District*  
7 *Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008).

8 Alternatively, a writ of mandamus may issue “to control an arbitrary or capricious exercise  
9 of discretion.” *Western Cab Co. v. District Court*, 133 Nev. 65, 67, 390 P.3d 662, 666 (2017),  
10 quoting *Int’l Game Tech.*, 124 Nev. at 197, 179 P.3d at 558; *State v. District Court (Armstrong)*,  
11 127 Nev. 927, 931, 267 P.3d 777, 779 (2011).

12 NRS 34.170 provides that a writ of mandamus shall issue “in all cases where there is not  
13 a plain, speedy, and adequate remedy in the ordinary course of the law. *Armstrong* helpfully noted  
14 that “[t]he writ *will not* issue, however, if a petitioner has a plain, speedy, and adequate remedy in  
15 the ordinary course of the law. 127 Nev. at 931, 267 P.3d at 779 (emphasis added).

16 “Petitioners have the burden of demonstrating that writ relief is warranted.” *Hairr v.*  
17 *District Court*, 132 Nev. 180, 183, 368 P.3d 1198, 1200 (2016). *Accord Pan v. District Court*, 120  
18 Nev. 222, 228, 88 P.3d 840, 844 (2004).

19 There Court finds that Petitioner has a plain, speedy, and adequate remedy at law,  
20 specifically the administrative appeals process located in Chapter 612 of the NRS. There was a  
21 failure by Petitioner to exhaust administrative remedies. Petitioner, therefore, failed to establish a  
22 basis to grant extraordinary relief. This Court noted it was not taking a position whether Petitioner  
23 was entitled to benefits. The issues raised in the Petition were not ripe before the Court because  
24 all of the administrative processes had not been utilized or exhausted.

1 Based on the foregoing; and GOOD CAUSE APPEARING THEREFOR,  
2 **IT IS HEREBY ORDERED** that Respondent ESD's Motion to Dismiss Petition for Writ  
3 of Mandamus is GRANTED and Petitioner's Petition for Writ of Mandamus is DENIED. The  
4 Clerk of the Court is directed to CLOSE this case.

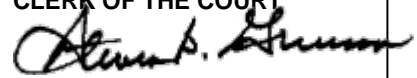
5 DATED this 22nd day of February, 2021.

6  
7   
8 HONORABLE JOANNA S. KISHNER  
9 DISTRICT JUDGE

10 The foregoing Order Granting Motion to Dismiss Petition for Writ of Mandamus, and  
11 Denying Petition for Writ of Mandamus in Case No.: A-20-826013-W has been REVIEWED  
12 and is Approved as to Form and Content:

13  
14   
15 NATASHA EARLY  
16 Petitioner

17  
18  
19 Prepared and Submitted by:  
20 /s/ TROY C. JORDAN  
21 TROY C. JORDAN, ESQ.  
22 Attorney for ESD Respondents  
23  
24



1 **NEOJ**  
2 TROY C. JORDAN, ESQ.  
3 Nevada State Bar No. 9073  
4 State of Nevada, Department of  
5 Employment, Training & Rehabilitation (DETR),  
6 Employment Security Division (ESD)  
7 500 East Third Street  
8 Carson City, NV 89713  
9 Telephone No.: (775) 684-3996  
10 Facsimile No.: (775) 684-3992  
11 *Attorney for DETR/ESD*

7 **DISTRICT COURT**

8 **CLARK COUNTY, NEVADA**

9 NATASHA EARLY, ET AL,

10 Petitioner,

11 vs.

12 EMPLOYMENT SECURITY DIVISION,  
13 STATE OF NEVADA and KIMBERLY GAA  
14 [**now, LYNDA PARVEN**] in her capacity as  
15 ADMINISTRATOR of the EMPLOYMENT  
16 SECURITY DIVISION,

17 Respondents.

CASE NO.: A-20-826013-W

DEPT. NO.: XXXI

16 **NOTICE OF ENTRY OF ORDER GRANTING**  
17 **ESD'S MOTION TO DISMISS PETITION FOR WRIT OF MANDAMUS,**  
18 **AND DENYING PETITION FOR WRIT OF MANDAMUS**

19 **PLEASE TAKE NOTICE** that on the 1st day of March, 2021, the Court entered the Order  
20 Granting ESD's Motion to Dismiss Petition for Writ of Mandamus, and Denying Petition for Writ  
21 of Mandamus in the above-entitled case. A copy of said Order is attached hereto.

22 **DATED** this 1st day of March, 2021.

23 /s/ Troy C. Jordan

TROY C. JORDAN, ESQ.

*Attorney for Nevada ESD Respondents*

1 **CERTIFICATE OF SERVICE**

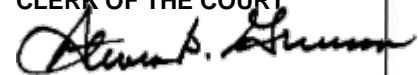
2 Pursuant to NRCP 5(b), I hereby certify that I am an employee of the State of Nevada, over  
3 the age of 18 years; and that on the date hereinbelow set forth, I served a true and correct copy of  
4 the foregoing NOTICE OF ENTRY OF ORDER GRANTING ESD'S MOTION TO DISMISS  
5 PETITION FOR WRIT OF MANDAMUS, AND DENYING PETITION FOR WRIT OF  
6 MANDAMUS, **by either** electronic means (N.E.F.C.R. Administrative Order 14-2), if possible, as  
7 indicated by an email address set forth below, **and/or** by placing the same within an envelope and  
8 depositing said envelope with the State of Nevada Mail for postage and mailing from Carson City,  
9 Nevada, addressed for delivery as follows:

10 Natasha Early  
11 4650 West Oakey Blvd. #2035  
12 Las Vegas, NV 89102  
[natashalee0601@gmail.com](mailto:natashalee0601@gmail.com)

13 **DATED** this 1st day of March, 2021.

14 /s/ Tiffani M. Silva  
15 TIFFANI M. SILVA  
16  
17  
18  
19  
20  
21  
22  
23





1 **OGM**  
2 TROY C. JORDAN, ESQ.  
3 Nevada State Bar No. 9073  
4 State of Nevada, Department of  
5 Employment, Training & Rehabilitation (DETR)  
6 Employment Security Division (ESD)  
7 500 East Third Street  
8 Carson City, NV 89713  
9 Telephone No.: (775) 684-3996  
10 Facsimile No.: (775) 684-3992  
11 *Attorney for DETR/ESD*

7 **DISTRICT COURT**

8 **CLARK COUNTY, NEVADA**

9 NATASHA EARLY, ET AL,

10 Petitioner,

11 vs.

12 EMPLOYMENT SECURITY DIVISION,  
13 STATE OF NEVADA and KIMBERLY GAA  
14 [*now, LYNDIA PARVEN*] in her capacity as  
15 ADMINISTRATOR of the EMPLOYMENT  
16 SECURITY DIVISION,

17 Respondents.

CASE NO.: A-20-826013-W

DEPT. NO.: XXXI

16 **ORDER GRANTING MOTION TO DISMISS PETITION FOR WRIT**  
17 **OF MANDAMUS, AND DENYING PETITION FOR WRIT OF MANDAMUS**

18 **THIS MATTER** came before the Court on February 4, 2021, pursuant to Respondent State  
19 of Nevada, Employment Security Division's (ESD) Motion to Dismiss Petition for Writ of  
20 Mandamus. The Court announced the case and requested appearances. ESD's counsel Troy C.  
21 Jordan, Esq. announced his presence via Blue Jeans. Petitioner Natasha Early (Petitioner) was not  
22 present. The Court ordered the matter trailed.

23 The Court recalled this matter and Petitioner was present. Arguments were heard regarding  
24 the merits of the Petition for Writ of Mandamus and ESD's Motion to Dismiss Petition for Writ of

TROY C. JORDAN, ESQ.  
Division Sr. Legal Counsel  
State of Nevada DETR/ESD  
500 East Third Street  
Carson City, NV 89713  
(775) 684-3996  
(775) 684-3992 - FAX

<input type="checkbox"/>	Voluntary Dismissal	<input type="checkbox"/>	Summary Judgment
<input type="checkbox"/>	Involuntary Dismissal	<input type="checkbox"/>	Stipulated Judgment
<input type="checkbox"/>	Stipulated Dismissal	<input type="checkbox"/>	Default Judgment
<input checked="" type="checkbox"/>	Motion to Dismiss by Deft(s)	<input type="checkbox"/>	Judgment of Arbitration

1 Mandamus. There was a colloquy between the Court and Petitioner regarding her claim for  
2 unemployment insurance benefits, the administrative referee and the administrative appeal  
3 process.

4 NRS 34.160 provides that a district court may issue a writ of mandamus to compel the  
5 performance of an act which the law requires as a duty resulting from an office, trust or station.”  
6 *Veil v. Bennett*, 131 Nev. 179, 180, 348 P.3d 684, 686 (2015), quoting *Int’l Game Tech. v. District*  
7 *Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008).

8 Alternatively, a writ of mandamus may issue “to control an arbitrary or capricious exercise  
9 of discretion.” *Western Cab Co. v. District Court*, 133 Nev. 65, 67, 390 P.3d 662, 666 (2017),  
10 quoting *Int’l Game Tech.*, 124 Nev. at 197, 179 P.3d at 558; *State v. District Court (Armstrong)*,  
11 127 Nev. 927, 931, 267 P.3d 777, 779 (2011).

12 NRS 34.170 provides that a writ of mandamus shall issue “in all cases where there is not  
13 a plain, speedy, and adequate remedy in the ordinary course of the law. *Armstrong* helpfully noted  
14 that “[t]he writ *will not* issue, however, if a petitioner has a plain, speedy, and adequate remedy in  
15 the ordinary course of the law. 127 Nev. at 931, 267 P.3d at 779 (emphasis added).

16 “Petitioners have the burden of demonstrating that writ relief is warranted.” *Hairr v.*  
17 *District Court*, 132 Nev. 180, 183, 368 P.3d 1198, 1200 (2016). *Accord Pan v. District Court*, 120  
18 Nev. 222, 228, 88 P.3d 840, 844 (2004).

19 There Court finds that Petitioner has a plain, speedy, and adequate remedy at law,  
20 specifically the administrative appeals process located in Chapter 612 of the NRS. There was a  
21 failure by Petitioner to exhaust administrative remedies. Petitioner, therefore, failed to establish a  
22 basis to grant extraordinary relief. This Court noted it was not taking a position whether Petitioner  
23 was entitled to benefits. The issues raised in the Petition were not ripe before the Court because  
24 all of the administrative processes had not been utilized or exhausted.



1 Based on the foregoing; and GOOD CAUSE APPEARING THEREFOR,  
2 **IT IS HEREBY ORDERED** that Respondent ESD's Motion to Dismiss Petition for Writ  
3 of Mandamus is GRANTED and Petitioner's Petition for Writ of Mandamus is DENIED. The  
4 Clerk of the Court is directed to CLOSE this case.

5 DATED this 22nd day of February, 2021.

6  
7   
8 HONORABLE JOANNA S. KISHNER  
9 DISTRICT JUDGE

10 The foregoing Order Granting Motion to Dismiss Petition for Writ of Mandamus, and  
11 Denying Petition for Writ of Mandamus in Case No.: A-20-826013-W has been REVIEWED  
12 and is Approved as to Form and Content:

13  
14   
15 NATASHA EARLY  
16 Petitioner

17  
18  
19 Prepared and Submitted by:  
20 /s/ TROY C. JORDAN  
21 TROY C. JORDAN, ESQ.  
22 Attorney for ESD Respondents  
23  
24

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Writ of Mandamus**

**COURT MINUTES**

**January 19, 2021**

---

A-20-826013-W	Natasha Early, Plaintiff(s) vs. Employment Security Division of the State of Nevada, Defendant(s)
---------------	---

---

<b>January 19, 2021</b>	<b>9:00 AM</b>	<b>Petition for Writ of Mandamus</b>
-------------------------	----------------	--

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Natalie Ortega

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Early, Natasha	Plaintiff
	Neidert, David K.	Attorney

**JOURNAL ENTRIES**

- Ms. Early advised she had attempted to resolve the issues; however, she has not been able to contact DETR. COURT NOTED DETR had forty days under the statute to respond. Ms. Early further advised she was facing financial hardships. COURT NOTED the matter would be continued to give time for DETR to respond. Mr. Neidert indicated he would file the response this week or next week. COURT ORDERED, matter CONTINUED.

CONTINUED TO: 02/04/21 8:30 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Writ of Mandamus**

**COURT MINUTES**

**February 04, 2021**

---

A-20-826013-W	Natasha Early, Plaintiff(s) vs. Employment Security Division of the State of Nevada, Defendant(s)
---------------	---

---

<b>February 04, 2021</b>	<b>8:30 AM</b>	<b>Petition for Writ of Mandamus</b>
--------------------------	----------------	--

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Natalie Ortega

**RECORDER:** Deloris Scott

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Early, Natasha	Plaintiff
	Jordan, Troy	Attorney

**JOURNAL ENTRIES**

- DEFENDANT'S MOTION TO DISMISS PETITION FOR WRIT OF MANDAMUS(9:00 a.m. calendar)...PETITION FOR WRIT OF MANDAMUS (9:30 calendar)

Court announced the case and requested appearances. Troy Jordan, Esq., announced his presence via Blue Jeans. Natasha Early not present. COURT ORDERED, matter TRAILED.

MATTER RECALLED: Natasha Early now present. Arguments by Mr. Jordan and Ms. Early regarding the merits of the Petition for Writ of Mandamus and Defendant's Motion to Dismiss Petition for Writ of Mandamus. Colloquy between the Court and Ms. Early regarding the Claim Referee and appeal process. COURT stated FINDINGS, and ORDERED, Petition for Writ of Mandamus DENIED as there was no basis for the Writ, there was failure to exhaust administrative remedies, and for not establishing a basis to grant extraordinary relief. COURT NOTED it was not taking a position whether Ms. Early was entitled to benefits That was not ripe before the Court because all of the administrative processes had not been utilized or exhausted. COURT DIRECTED Mr. Jordan to prepare the Order, circulate to Ms. Early, and provide back to the DC31 inbox according to the Administrative Orders.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Writ of Mandamus**

**COURT MINUTES**

**February 04, 2021**

---

A-20-826013-W	Natasha Early, Plaintiff(s)
	vs.
	Employment Security Division of the State of Nevada, Defendant(s)

---

**February 04, 2021      9:00 AM      All Pending Motions**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Natalie Ortega

**RECORDER:** Deloris Scott

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Early, Natasha	Plaintiff
	Jordan, Troy	Attorney

**JOURNAL ENTRIES**

- DEFENDANT'S MOTION TO DISMISS PETITION FOR WRIT OF MANDAMUS(9:00 a.m. calendar)...PETITION FOR WRIT OF MANDAMUS (9:30 calendar)

Court announced the case and requested appearances. Troy Jordan, Esq., announced his presence via Blue Jeans. Natasha Early not present. COURT ORDERED, matter TRAILED.

MATTER RECALLED: Natasha Early now present. Arguments by Mr. Jordan and Ms. Early regarding the merits of the Petition for Writ of Mandamus and Defendant's Motion to Dismiss Petition for Writ of Mandamus. Colloquy between the Court and Ms. Early regarding the Claim Referee and appeal process. COURT stated FINDINGS, and ORDERED, Petition for Writ of Mandamus DENIED as there was no basis for the Writ, there was failure to exhaust administrative remedies, and for not establishing a basis to grant extraordinary relief. COURT NOTED it was not taking a position whether Ms. Early was entitled to benefits That was not ripe before the Court because all of the administrative processes had not been utilized or exhausted. COURT DIRECTED Mr. Jordan to prepare the Order, circulate to Ms. Early, and provide back to the DC31 inbox according to the Administrative Orders.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Writ of Mandamus**

**COURT MINUTES**

**February 04, 2021**

---

A-20-826013-W	Natasha Early, Plaintiff(s)
	vs.
	Employment Security Division of the State of Nevada, Defendant(s)

---

**February 04, 2021      9:30 AM      Motion to Dismiss**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Natalie Ortega

**RECORDER:** Deloris Scott

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Early, Natasha	Plaintiff
	Jordan, Troy	Attorney

**JOURNAL ENTRIES**

- Court announced the case and requested appearances. Troy Jordan, Esq., announced his presence via Blue Jeans. Natasha Early not present. COURT ORDERED, matter TRAILED.

MATTER RECALLED: Natasha Early now present. Arguments by Mr. Jordan and Ms. Early regarding the merits of Defendant's Motion to Dismiss Petition for Writ of Mandamus. Colloquy between the Court and Ms. Early regarding the Claim Referee and appeal process. COURT stated FINDINGS, and ORDERED, Writ DENIED as there was no basis for the Writ, there was failure to exhaust administrative remedies, and for not establishing a basis to grant extraordinary relief. COURT NOTED it was not taking a position whether Ms. Early was entitled to benefits That was not ripe before the Court because all of the administrative processes had not been utilized or exhausted. COURT DIRECTED Mr. Jordan to prepare the Order, circulate to Ms. Early, and provide back to the DC31 inbox according to the Administrative Orders.

# Certification of Copy

State of Nevada }  
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING MOTION TO DISMISS PETITION FOR WRIT OF MANDAMUS, AND DENYING PETITION FOR WRIT OF MANDAMUS; NOTICE OF ENTRY OF ORDER GRANTING ESD'S MOTION TO DISMISS PETITION FOR WRIT OF MANDAMUS, AND DENYING PETITION FOR WRIT OF MANDAMUS; DISTRICT COURT MINUTES

NATASHA EARLY,

Plaintiff(s),

vs.

EMPLOYMENT SECURITY DIVISION,  
STATE OF NEVADA; KIMBERLY GAA, in  
her capacity as Administrator of the  
EMPLOYMENT SECURITY DIVISION,

Defendant(s),

Case No: A-20-826013-W

Dept No: XXXI

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 1 day of April 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

