

1 CODE NO.  
2 MARY LOU WILSON  
3 Attorney at Law, #3329  
4 132 Rue De La Noir  
5 Sparks, Nevada 89434  
6 775-771-8620  
7 Attorney for Petitioner

Electronically Filed  
Apr 27 2021 09:57 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

8  
9 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

10 IN AND FOR THE COUNTY OF STOREY

11 MARY LOU MCSWEENEY-WILSON,  
12 Petitioner,

13 vs.

Case No. 20OC 0005 1E

14 Dept. 1

15 STOREY COUNTY COMMISSIONERS, and  
16 STERICYCLE, INC.,  
17 Respondents.

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CASE APPEAL STATEMENT

1. Name of appellant filing this case appeal statement: Mary Lou McSweeney-Wilson.
2. Identify the judge issuing the decision, judgment, or order appealed from: The Honorable Judge James Todd Russell, Department 1, First Judicial District Court, Carson City, Nevada, 1) Order Granting Storey County Commissioners Order to Dismiss and 2) Stericycle, Inc.'s Motion to Dismiss the Petition.
3. Identify each appellant and the name and address of counsel for each appellant:  
Appellant Mary Lou McSweeney Wilson, 132 Rue De La Noir, Sparks, NV, 89434, representing herself.

1 4. Identify each respondent and the name and address of appellate counsel, if known, for  
2 each respondent (if the name of a respondent's appellate counsel is unknown, indicate as  
3 much and provide the name and address of that respondent's trial counsel):

4 Respondents Storey County Commissioners, Jay Carmona and Marshall McBride  
5 represented by Assistant District Attorney of Storey County, Keith Loomis, Storey  
6 County District Attorney, 201 S C St. Virginia City, Nevada 89440; and Respondents  
7 Stericycle, Inc. represented by Michael Pagni and Chelsea Latino, McDonald Carano  
8 Law Firm, 100 West Liberty Street, 10th Floor, Reno, Nevada 89501

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

13 6. Indicate whether appellant was represented by appointed or retained counsel in the  
14 district court: Appellant, a licensed attorney in the State of Nevada, represented herself in  
15 district court.

16 7. Indicate whether appellant is represented by appointed or retained counsel on appeal:  
17 Appellant is representing herself on appeal.

18 8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date  
19 of entry of the district court order granting such leave: Appellant was not granted leave to  
20 proceed in forma pauperis.

21 9. Indicate the date the proceedings commenced in the district court (e.g., date complaint,  
22 indictment, information, or petition was filed): Petition for Judicial Review was filed on  
23 September 10, 2020.

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

1 district court: Appellant is appealing the district court's 1) Notice of Entry of Order filed  
2 March 16, 2021, Granting Stericycle, Inc's Motion to Dismiss, authored by McDonald  
3 Carano Law Firm, and the district court's 2) Notice of Entry of Order, filed March 17,  
4 2021, Order of Dismissal authored by the Storey County Commissioners represented by  
5 the Assistant District Attorney, Keith Loomis. Both Orders found in favor of  
6 Respondents and dismissed Petitioner's Petition for District Court Review of Storey  
7 County Commissioners Vote to Permit Stericycle 's Special Use Permit, In Violation of  
8 Public Health, Safety, and Welfare. The Petition for Judicial Review sought to have a re-  
9 vote for the special use permit, since Petitioner and the residents of Rainbow Bend and  
10 Lockwood Community Corporation, Lockwood, and Storey County Residents were not  
11 given physical notice of the Storey County Planning and Commission meetings, during  
12 July and August 2020, because of the Governor's Order to Stay at Home during the  
13 COVID-19 worldwide pandemic. The biohazardous medical waste incinerator facility  
14 operated by Stericycle Inc. is located at 1655 Milan Drive in the Tahoe-Reno Industrial  
15 Center, twelve (12) miles from Exhibit 22, Lockwood, Storey County, Nevada.

16 11. Indicate whether the case has previously been the subject of an appeal to or original writ  
17 proceeding in the Supreme Court and, if so, the caption and Supreme Court docket  
18 number of the prior proceeding: A Petition for Writ of Mandamus or Prohibition was  
19 filed on March 23, 2021, and the case number is 82652.

20 12. Indicate whether this appeal involves child custody or visitation: Not applicable.

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

2 Appellant is open to the possibility of a settlement.

3 DATED this 27<sup>th</sup> day of April, 2021.

4 By: s/s: MARY LOU WILSON  
5 MARY LOU WILSON  
6 Attorney At Law, Bar #3329  
7 132 Rue De La Noir  
8 Sparks, Nevada 89434  
9 775-771-8620

8 AFFIRMATION PURSUANT TO NRS 239B.030

9  
10 The undersigned does hereby affirm that the preceding document does not contain the social  
11 security number of any person.

12 DATED this 27<sup>th</sup> day of April, 2021.

13 By: s/s: MARY LOU WILSON  
14 MARY LOU WILSON  
15 Attorney At Law, Bar #3329  
16 132 Rue De La Noir  
17 Sparks, Nevada 89434  
18 775-771-8620  
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1 CERTIFICATE OF SERVICE

2 I, Mary Lou Wilson, hereby affirm that on the 27<sup>th</sup> day of April, 2021, the aforementioned  
3 document was filed through eflex and hard copies sent through the U.S. Mail to the following  
4 parties:

5 The Storey County Clerk of the Court  
6 26 S. B Street  
7 Drawer D  
8 Virginia City, Nevada 89440

9 The Honorable Judge James Todd Russell  
10 First Judicial District Court, Department 1  
11 885 Musser Street  
12 Carson City, Nevada 89701

13 Assistant District Attorney Keith Loomis  
14 Storey County District Attorney  
15 201 S C St.  
16 Virginia City, Nevada 89440

17 Commissioners Jay Carmona  
18 and Marshall McBride  
19 P.O. Box 176  
20 26 South B Street  
21 Virginia City, Nevada 89440

22 Stericycle Biohazardous Medical Waste Disposal  
23 c/o McDonald/Carano  
24 100 West Liberty Street  
25 10<sup>th</sup> Floor  
Reno, Nevada 89501

Office of the Attorney General  
100 North Carson Street  
Carson City, Nevada 89701-4717