



**EIGHTH JUDICIAL DISTRICT COURT
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER
200 LEWIS AVENUE, 3rd FL.
LAS VEGAS, NEVADA 89155-1160
(702) 671-4554

Electronically Filed
Jan 03 2022 08:13 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Steven D. Grierson
Clerk of the Court

Anntoinette Naumec-Miller
Court Division Administrator

January 3, 2022

Elizabeth A. Brown
Clerk of the Court
201 South Carson Street, Suite 201
Carson City, Nevada 89701-4702

RE: RICKY NOLAN vs. STEVEN B. WOLFSON; MARY KAY HOLTHUS; JEAMES R. SWEETIN;
SARAH OVERLY; CLARK COUNTY DISTRICT ATTORNEY OFFICE; STATE OF NEVADA;
FRANK LOGRIPPO
S.C. CASE: 83616
D.C. CASE: A-20-820190-C

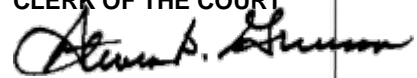
Dear Ms. Brown:

Pursuant to your Order of Limited Remand, dated November 15, 2021, enclosed is a certified copy of the Verified Notice of Supplemental Service filed December 21, 2021 in the above referenced case. If you have any questions regarding this matter, please do not hesitate to contact me at (702) 671-0512.

Sincerely,
STEVEN D. GRIERSON, CLERK OF THE COURT

/s/ Amanda Hampton

Amanda Hampton, Deputy Clerk



1 **NOTC**
2 STEVEN B. WOLFSON
3 District Attorney
4 **CIVIL DIVISION**
5 State Bar No. 001565
6 By: **JOEL K. BROWNING**
7 Deputy District Attorney
8 State Bar No. 014489
9 500 South Grand Central Pkwy. 5th Flr.
10 Las Vegas, Nevada 89155-2215
11 Telephone: (702) 455-4761
12 Fax (702) 382-5178
13 E-Mail: Joel.Browning@ClarkCountyDA.com
14 *Attorneys for Defendants Clark County District Attorney's Office, Steven Wolfson,*
15 *James Sweetin, Sarah Overly, Frank Logrippo, and Mary K. Holthus*

9
10
11 DISTRICT COURT
12 CLARK COUNTY, NEVADA

11 RICKY NOLAN,
12
13 Plaintiff,

14 vs.

14 STEFANY MILEY, KATLYN BRADY,
15 STEVEN WOLFSON, MARY K. HOLTHUS,
16 JAMES R. SWEETIN, SARAH OVERLY,
17 CLARK COUNTY DISTRICT ATTORNEY
18 OFFICE, STATE OF NEVADA, FRANK
19 LOGRIPPO ,

20 Defendants.

Case No: A-20-820190-C
Dept. No: 8

**VERIFIED NOTICE OF
SUPPLEMENTAL SERVICE**

19 COME NOW Defendants CLARK COUNTY DISTRICT ATTORNEY'S OFFICE,
20 STEVEN WOLFSON, MARY K. HOLTHUS, JAMES R. SWEETIN, SARAH OVERLY,
21 AND FRANK LOGRIPPO, (hereinafter collectively "District Attorney Defendants" or
22 "Defendants") through their attorney District Attorney STEVEN B. WOLFSON, by Deputy
23 District Attorney JOEL K. BROWNING, and hereby file this Verified Notice of Supplemental
24 Service.

25 A copy of the Notice of Entry of Order on Plaintiff's Motion for Appointment of
26 Counsel and Motion for Reconsideration and the District Attorney Defendants' Motion to
27 Dismiss (hereinafter "Notice of Entry of Order") was served by standard U.S. mail to Plaintiff
28 Ricky Nolan in compliance with Rule 5(b)(2)(C) of the Nevada Rules of Civil Procedure on

1 August 19, 2021, by Christine Wirt of the Clark County District Attorney's Office Civil
2 Division. *See* Notice of Entry of Order, attached hereto as **Exhibit A**, at 3:1-15. The Notice of
3 Entry of Order was not returned to the District Attorney's Office as undeliverable.

4 Upon receiving the Notice of Appeal from Plaintiff Ricky Nolan on October 4, 2021,
5 in which he indicated that he had not received a copy of that Notice of Entry of Order, I
6 instructed my assistant to mail a second copy of the Notice of Entry of Order by certified mail
7 to the Ely State Prison, P.O. Box 1989, Ely, Nevada 89301. The second copy of the Notice of
8 Entry of Order was sent on October 8, 2021, by Tawana Thomas, an employee of the Clark
9 County District Attorney's Office. The certified mail receipt was returned signed on October
10 12, 2021. *See* Proof of Mailing by Certified U.S. Mail, attached hereto as **Exhibit B**.

11 Plaintiff acknowledged receipt of this October 8, 2021, certified mail in correspondence
12 sent to counsel for the District Attorney Defendants, but still contended that he did not receive
13 the Notice of Entry of Order served on August 19, 2021. *See* Correspondence from Ricky
14 Nolan dated October 18, 2021, attached hereto as **Exhibit C** ("Joel K. Browning did not serve
15 the Appellant with the Entry of Order until 10/8/2021").

16 The representations made in the instant Verified Notice of Supplemental Service are
17 true and accurate to the best of my knowledge regarding service of the subject Notice of Entry
18 of Order on Plaintiff Ricky Nolan.

19 DATED this 21st day of December, 2021.

20 STEVEN B. WOLFSON
21 DISTRICT ATTORNEY

22 By:

23 JOEL K. BROWNING
24 Deputy District Attorney
25 State Bar No. 014489
26 500 South Grand Central Pkwy. 5th Flr.
27 Las Vegas, Nevada 89155-2215
28 *Attorneys for Defendants Clark County
District Attorney's Office, Steven Wolfson,
James Sweetin, Sarah Overly, Frank
Logrippo, and Mary K. Holthus*

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Ricky Nolan, #80612
Ely State Prison
P.O. Box 1989
Ely, Nevada 89301
Plaintiff in Proper Person
Via Certified Mail 7009 2250 0001 9100 5997

An Employee of the Clark County District
Attorney's Office – Civil Division

EXHIBIT A



1 **NEOJ**
2 STEVEN B. WOLFSON
3 District Attorney
4 **CIVIL DIVISION**
5 State Bar No. 001565
6 By: **JOEL K. BROWNING**
7 Deputy District Attorney
8 State Bar No. 014489
9 500 South Grand Central Pkwy. 5th Flr.
10 Las Vegas, Nevada 89155-2215
11 Telephone: (702) 455-4761
12 Fax (702) 382-5178
13 E-Mail: Joel.Browning@ClarkCountyDA.com
14 *Attorneys for Defendants Clark County District Attorney's Office, Steven Wolfson,*
15 *James Sweetin, Sarah Overly, Frank Logrippo, and Mary K. Holthus*

9
10 DISTRICT COURT
11 CLARK COUNTY, NEVADA

11 RICKY NOLAN,
12
13 Plaintiff,
14
15 vs.

Case No: A-20-820190-C
Dept. No: 8

14 STEFANY MILEY, KATLYN BRADY,
15 STEVEN WOLFSON, MARY K.
16 HOLTHUS, JAMES R. SWEETIN, SARAH
17 OVERLY, CLARK COUNTY DISTRICT
18 ATTORNEY OFFICE, STATE OF
19 NEVADA, FRANK LOGRIppo ,
20
21 Defendants.

NOTICE OF ENTRY OF ORDER

22 ///

23 ///

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28 ///

1 TO: THE ABOVE-NAMED PARTIES:

2 YOU WILL PLEASE TAKE NOTICE that on the 11th day of August, 2021, the Court
3 entered an Order in the above-entitled action, a copy of which is attached hereto.

4 DATED this 19th day of August, 2021.

5
6 STEVEN B. WOLFSON
DISTRICT ATTORNEY

7
8 By: /s/ Joel K. Browning
9 JOEL K. BROWNING
Deputy District Attorney
10 State Bar No. 014489
500 South Grand Central Pkwy. 5th Flr.
11 Las Vegas, Nevada 89155-2215
Attorneys for Defendants Clark County
12 District Attorney's Office, Steven Wolfson,
13 James Sweetin, Sarah Overly, Frank
14 Logrippo, and Mary K. Holthus
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Ricky Nolan, #80612
Ely State Prison
P.O. Box 1989
Ely, Nevada 89301
Plaintiff in Proper Person
Via U.S. Mail

/s/ Christine Wirt
An Employee of the Clark County District
Attorney's Office – Civil Division

ORDR
STEVEN B. WOLFSON
District Attorney
CIVIL DIVISION
State Bar No. 001565
By: **JOEL K. BROWNING**
Deputy District Attorney
State Bar No. 014489
500 South Grand Central Pkwy. 5th Flr.
Las Vegas, Nevada 89155-2215
Telephone: (702) 455-4761
Fax (702) 382-5178
E-Mail: Joel.Browning@ClarkCountyDA.com
*Attorneys for Defendants Clark County District Attorney's Office, Steven Wolfson,
James Sweetin, Sarah Overly, Frank Logrippo, and Mary K. Holthus*

DISTRICT COURT
CLARK COUNTY, NEVADA

RICKY NOLAN,
Plaintiff,

vs.

STEFANY MILEY, KATLYN BRADY,
STEVEN WOLFON, MARY K. HOLTHUS,
JAMES R. SWEETIN, SARAH OVERLY,
CLARK COUNTY DISTRICT ATTORNEY
OFFICE, STATE OF NEVADA, FRANK
LOGRIPPO ,

Defendants.

Case No: A-20-820190-C
Dept. No: 8

**ORDER ON PLAINTIFF'S
MOTION FOR APPOINTMENT OF
COUNSEL AND MOTION FOR
RECONSIDERATION AND
DISTRICT ATTORNEY
DEFENDANTS' MOTION TO
DISMISS**

This matter, having come before the Court on July 20, 2021, regarding Plaintiff's Motion for Appointment of Counsel, Plaintiff's Motion for Reconsideration, and the District Attorney Defendants' Motion to Dismiss, Deputy District Attorney Joel K. Browning, appearing on behalf of the District Attorney Defendants; and the Court, having reviewed all fully briefed issues, heard oral arguments by the District Attorney Defendants and for good cause showing, finds and concludes as follows:

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FINDINGS OF FACTS AND CONCLUSIONS OF LAW

1. The Court concluded that Plaintiff's Motion for Appointment of Counsel and Motion for Reconsideration and the District Attorney Defendants' Motion to Dismiss, having been fully briefed, were ripe for determination on July 20, 2021;
2. The Court concluded that, pursuant to NRS 34.720, an individual is only entitled to appointment of counsel under NRS 34.750 where that individual has filed a petition for writ of habeas corpus seeking relief from a judgment or conviction in a criminal case or has challenged the computation of time associated with the same;
3. The Court found that the instant action did not constitute a petition for a writ of habeas corpus or a challenge to the computation of time for Plaintiff's conviction;
4. Accordingly, the Court concluded that Plaintiff was not entitled to appointment of counsel in this matter and **DENIED** Plaintiff's Motion for Appointment of Counsel filed on July 1, 2021;
5. The Court found that the basis for Plaintiff's Motion for Reconsideration as to the Order dismissing Defendants Stefany Miley and Katlyn M. Brady was his assertion that the dismissal was premature as time to effect proper service on defendants still remained;
6. The Court, however, found that Defendants Stefany Miley and Katlyn M. Brady's Motion to Dismiss was granted based on their absolute judicial immunity and litigation privilege, respectively, and not issues of service;
7. Accordingly, the Court found that Plaintiff's Motion for Reconsideration, filed July 1, 2021, lacked merit and **DENIED** the same;
8. The Court found that Plaintiff had filed multiple post-conviction petitions requesting access to evidence in his underlying criminal case to perform genetic marker analysis;
9. The Court found that each of these petitions had been denied by the district court on the merits;
10. The Court found that Plaintiff had appealed the denial of his requests for access to evidence for genetic marker testing to the Nevada Supreme Court, which transferred his request to the Nevada Court of Appeals;
11. It was found that the Nevada Court of Appeals reviewed the merits of Plaintiff's request and affirmed the district court's denial of Plaintiff's request for access to evidence;
12. The Court found that the issues raised in these petitions were identical to the injunctive relief sought by Plaintiff in the instant matter, that the prior petitions were adjudicated on the merits, and that Plaintiff was the same party whose petitions had been previously rejected;
13. Accordingly, the Court concluded that Plaintiff's injunctive relief claims in this action were barred by res judicata and **GRANTED** the District Attorney Defendants' Motion to Dismiss the same;
14. The Court concluded that there is no constitutional right guaranteeing unfettered access to genetic material post-conviction and concluded that Plaintiff, by being properly denied access to this material, had not suffered a constitutional deprivation;

- 1 15. The Court also found that the conduct for the individual District Attorney Defendants
2 alleged by Plaintiff in his Complaint was conduct falling within the scope of their
prosecutorial duties;
- 3 16. Accordingly, the Court concluded that Plaintiff had failed to state a claim upon which
4 the Court could grant relief against the individual District Attorney Defendants and that
Plaintiff's claims against the individual District Attorney Defendants were barred by
5 prosecutorial immunity;
- 6 17. It was found that Plaintiff's Complaint failed to state a cognizable official capacity
claim against the Clark County District Attorney's Office and/or District Attorney
7 Steven B. Wolfson;
- 8 18. Accordingly, the Court concluded that Plaintiff had failed to state a constitutional claim
upon which relief could be granted against the District Attorney Defendants in both
9 their individual and official capacities and GRANTED the District Attorney
Defendants' Motion to Dismiss the case against them, with prejudice;
- 10 19. The Court found that granting the District Attorney Defendants' Motion to Dismiss was
11 completely dispositive of the case and would render all other pending motions moot;
and
- 12 20. The Court cautioned that any further attempts by Plaintiff to file additional motions or
13 pleadings in this matter once the case is closed would result in the Court seeking to
have Plaintiff declared a vexatious litigant in future civil actions.

14 Respectfully Submitted By:

15 DATED this 20th day of July, 2021

16
17 STEVEN B. WOLFSON
DISTRICT ATTORNEY

18 By: /s/ Joel K. Browning

19 Joel K. Browning

20 Deputy District Attorney

21 CIVIL DIVISION

22 State Bar No. 14489

23 500 S. Grand Central Pkwy., Ste. 5075

24 Las Vegas, Nevada 89155-2215

25 *Attorneys for Defendants Clark County District Attorney's Office, Steven Wolfson,*
26 *James Sweetin, Sarah Overly, Frank Logrippo, and Mary K. Holthus*

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5 **ORDER**

6 Based on the foregoing and for good cause appearing, IT IS HEREBY ORDERED that
7 Plaintiff RICKY NOLAN's Motion for Appointment of Counsel and Motion for
8 Reconsideration are **DENIED**.

9 IT IS HEREBY FURTHER ORDERED that Defendants CLARK COUNTY
10 DISTRICT ATTORNEY'S OFFICE, STEVEN WOLFSON, JAMES SWEETIN, SARAH
11 OVERLY, FRANK LOGRIPPO, and MARY K. HOLTHUS' Motion to Dismiss is
12 **GRANTED WITH PREJUDICE**.

13 **IT IS SO ORDERED.**

14 DATED this ____ day of July/August, 2021.

15 Dated this 11th day of August, 2021

16 
HONORABLE JESSICA K. PETERSON

17 B69 63F 0F89 2690
18 Jessica K. Peterson
19 District Court Judge
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1 CSERV

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA
4

5
6 Ricky Nolan, Plaintiff(s)

CASE NO: A-20-820190-C

7 vs.

DEPT. NO. Department 8

8 Stefany Miley, Defendant(s)
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Order was served via the court's electronic eFile system to all
13 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 8/11/2021

15 Christopher Guy

cguy@ag.nv.gov

16 Joel Browning

joel.browning@clarkcountyda.com

17 Christine Wirt

christine.wirt@clarkcountyda.com

18 Christopher Guy

cguy@ag.nv.gov

19 Sheri Regalado

sregalado@ag.nv.gov
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EXHIBIT B

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ricky Nolan, #80612
Ely State Prison
P.O. Box 1989
Ely, Nevada 89301

SAID

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

B. Received by (Printed Name)

- ☐ Agent
☐ Addressee

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7009 2250 0001 9100 5959

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

UNITED STATES POSTAL SERVICE

LAS VEGAS NV 890

8 OCT 2021 PM 3 L



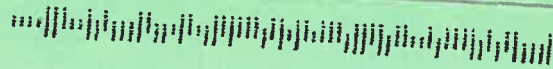
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Tawana Thomas
District Attorney's Office - Civil Division
500 S. Grand Central Parkway
Las Vegas, Nevada 89155-2215

DA CIVIL

OCT 12 2021 PM 3 L



DISTRICT COURT
CLARK COUNTY, NEVADA

Case No: A-20-820190-C
Dept. No: 8

STEFANY MILEY, KATLYN BRADY,
STEVEN WOLFSON, MARY K.
HOLTHUS, JAMES R. SWEETIN, SARAH
OVERLY, CLARK COUNTY DISTRICT
ATTORNEY OFFICE, STATE OF
NEVADA, FRANK LOGRIppo ,

Defendants.

///

1 TO: THE ABOVE-NAMED PARTIES:

2 YOU WILL PLEASE TAKE NOTICE that on the 11th day of August, 2021, the Court
3 entered an Order in the above-entitled action, a copy of which is attached hereto.

4 DATED this 19th day of August, 2021.

5
6 STEVEN B. WOLFSON
DISTRICT ATTORNEY

7
8 By: /s/ Joel K. Browning
9 JOEL K. BROWNING
Deputy District Attorney
10 State Bar No. 014489
500 South Grand Central Pkwy. 5th Flr.
11 Las Vegas, Nevada 89155-2215
Attorneys for Defendants Clark County
12 District Attorney's Office, Steven Wolfson,
James Sweetin, Sarah Overly, Frank
13 Logrippo, and Mary K. Holthus
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I hereby certify that I am an employee of the Office of the Clark County District Attorney and that on this 19th day of August, 2021, I served a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER** (United States District Court Pacer System or the Eighth Judicial District Wiznet), by e-mailing the same and by mailing the same to the following recipients via the United States Postal Service.

Ricky Nolan, #80612
Ely State Prison
P.O. Box 1989
Ely, Nevada 89301
Plaintiff in Proper Person
Via U.S. Mail

Christopher M. Guy, Esq.
Deputy Attorney General
Office of the Attorney General
cguy@ag.nv.gov
Attorneys for Specially Appearing Defendants Stefany Miley and Katlyn M. Brady

/s/ Christine Wirt
An Employee of the Clark County District
Attorney's Office – Civil Division

ORDR

STEVEN B. WOLFSON

District Attorney

CIVIL DIVISION

State Bar No. 001565

By: **JOEL K. BROWNING**

Deputy District Attorney

State Bar No. 014489

500 South Grand Central Pkwy. 5th Flr.

Las Vegas, Nevada 89155-2215

Telephone: (702) 455-4761

Fax (702) 382-5178

E-Mail: Joel.Browning@ClarkCountyDA.com

*Attorneys for Defendants Clark County District Attorney's Office, Steven Wolfson,
James Sweetin, Sarah Overly, Frank Logrippo, and Mary K. Holthus*

DISTRICT COURT

CLARK COUNTY, NEVADA

RICKY NOLAN,

Plaintiff,

vs.

STEFANY MILEY, KATLYN BRADY,
STEVEN WOLFON, MARY K. HOLTHUS,
JAMES R. SWEETIN, SARAH OVERLY,
CLARK COUNTY DISTRICT ATTORNEY
OFFICE, STATE OF NEVADA, FRANK
LOGRIPPO ,

Defendants.

Case No: A-20-820190-C

Dept. No: 8

**ORDER ON PLAINTIFF'S
MOTION FOR APPOINTMENT OF
COUNSEL AND MOTION FOR
RECONSIDERATION AND
DISTRICT ATTORNEY
DEFENDANTS' MOTION TO
DISMISS**

This matter, having come before the Court on July 20, 2021, regarding Plaintiff's Motion for Appointment of Counsel, Plaintiff's Motion for Reconsideration, and the District Attorney Defendants' Motion to Dismiss, Deputy District Attorney Joel K. Browning, appearing on behalf of the District Attorney Defendants; and the Court, having reviewed all fully briefed issues, heard oral arguments by the District Attorney Defendants and for good cause showing, finds and concludes as follows:

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///

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

1. The Court concluded that Plaintiff's Motion for Appointment of Counsel and Motion for Reconsideration and the District Attorney Defendants' Motion to Dismiss, having been fully briefed, were ripe for determination on July 20, 2021;
2. The Court concluded that, pursuant to NRS 34.720, an individual is only entitled to appointment of counsel under NRS 34.750 where that individual has filed a petition for writ of habeas corpus seeking relief from a judgment or conviction in a criminal case or has challenged the computation of time associated with the same;
3. The Court found that the instant action did not constitute a petition for a writ of habeas corpus or a challenge to the computation of time for Plaintiff's conviction;
4. Accordingly, the Court concluded that Plaintiff was not entitled to appointment of counsel in this matter and **DENIED** Plaintiff's Motion for Appointment of Counsel filed on July 1, 2021;
5. The Court found that the basis for Plaintiff's Motion for Reconsideration as to the Order dismissing Defendants Stefany Miley and Katlyn M. Brady was his assertion that the dismissal was premature as time to effect proper service on defendants still remained;
6. The Court, however, found that Defendants Stefany Miley and Katlyn M. Brady's Motion to Dismiss was granted based on their absolute judicial immunity and litigation privilege, respectively, and not issues of service;
7. Accordingly, the Court found that Plaintiff's Motion for Reconsideration, filed July 1, 2021, lacked merit and **DENIED** the same;
8. The Court found that Plaintiff had filed multiple post-conviction petitions requesting access to evidence in his underlying criminal case to perform genetic marker analysis;
9. The Court found that each of these petitions had been denied by the district court on the merits;
10. The Court found that Plaintiff had appealed the denial of his requests for access to evidence for genetic marker testing to the Nevada Supreme Court, which transferred his request to the Nevada Court of Appeals;
11. It was found that the Nevada Court of Appeals reviewed the merits of Plaintiff's request and affirmed the district court's denial of Plaintiff's request for access to evidence;
12. The Court found that the issues raised in these petitions were identical to the injunctive relief sought by Plaintiff in the instant matter, that the prior petitions were adjudicated on the merits, and that Plaintiff was the same party whose petitions had been previously rejected;
13. Accordingly, the Court concluded that Plaintiff's injunctive relief claims in this action were barred by res judicata and **GRANTED** the District Attorney Defendants' Motion to Dismiss the same;
14. The Court concluded that there is no constitutional right guaranteeing unfettered access to genetic material post-conviction and concluded that Plaintiff, by being properly denied access to this material, had not suffered a constitutional deprivation;

- 1 15. The Court also found that the conduct for the individual District Attorney Defendants
2 alleged by Plaintiff in his Complaint was conduct falling within the scope of their
prosecutorial duties;
- 3 16. Accordingly, the Court concluded that Plaintiff had failed to state a claim upon which
4 the Court could grant relief against the individual District Attorney Defendants and that
Plaintiff's claims against the individual District Attorney Defendants were barred by
5 prosecutorial immunity;
- 6 17. It was found that Plaintiff's Complaint failed to state a cognizable official capacity
claim against the Clark County District Attorney's Office and/or District Attorney
7 Steven B. Wolfson;
- 8 18. Accordingly, the Court concluded that Plaintiff had failed to state a constitutional claim
upon which relief could be granted against the District Attorney Defendants in both
9 their individual and official capacities and GRANTED the District Attorney
Defendants' Motion to Dismiss the case against them, with prejudice;
- 10 19. The Court found that granting the District Attorney Defendants' Motion to Dismiss was
11 completely dispositive of the case and would render all other pending motions moot;
and
- 12 20. The Court cautioned that any further attempts by Plaintiff to file additional motions or
13 pleadings in this matter once the case is closed would result in the Court seeking to
have Plaintiff declared a vexatious litigant in future civil actions.

14 Respectfully Submitted By:

15 DATED this 20th day of July, 2021

16
17 STEVEN B. WOLFSON
DISTRICT ATTORNEY

18 By: /s/ Joel K. Browning

19 Joel K. Browning
20 Deputy District Attorney
CIVIL DIVISION

21 State Bar No. 14489
22 500 S. Grand Central Pkwy., Ste. 5075
Las Vegas, Nevada 89155-2215

23 *Attorneys for Defendants Clark County District Attorney's Office, Steven Wolfson,*
24 *James Sweetin, Sarah Overly, Frank Logrippo, and Mary K. Holthus*

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28 ///

5 **ORDER**

6 Based on the foregoing and for good cause appearing, IT IS HEREBY ORDERED that
7 Plaintiff RICKY NOLAN's Motion for Appointment of Counsel and Motion for
8 Reconsideration are **DENIED**.

9 IT IS HEREBY FURTHER ORDERED that Defendants CLARK COUNTY
10 DISTRICT ATTORNEY'S OFFICE, STEVEN WOLFSON, JAMES SWEETIN, SARAH
11 OVERLY, FRANK LOGRIPPO, and MARY K. HOLTHUS' Motion to Dismiss is
12 **GRANTED WITH PREJUDICE**.

13 **IT IS SO ORDERED.**

14 DATED this ____ day of July/August, 2021.

15 Dated this 11th day of August, 2021

16 
HONORABLE JESSICA K. PETERSON

17 **B69 63F 0F89 2690**
18 **Jessica K. Peterson**
19 **District Court Judge**

1 CSERV

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA
4

5
6 Ricky Nolan, Plaintiff(s)

CASE NO: A-20-820190-C

7 vs.

DEPT. NO. Department 8

8 Stefany Miley, Defendant(s)
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Order was served via the court's electronic eFile system to all
13 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 8/11/2021

15 Christopher Guy cguy@ag.nv.gov

16 Joel Browning joel.browning@clarkcountyda.com

17 Christine Wirt christine.wirt@clarkcountyda.com

18 Christopher Guy cguy@ag.nv.gov

19 Sheri Regalado sregalado@ag.nv.gov
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EXHIBIT C

In the Supreme Court of Nevada,
NO. 93616

RICKY Nolan
Appellant

US
Steven W. [unclear] [unclear] [unclear] [unclear]
James R. Sweet, Sarah O'Connell
Frank Lopez, Clerk County
District Attorney's Office,
Nevada Ass. of Counties, [unclear]
State of Nevada, et al.
Respondents

Appellant Exhibits - 1 -
Pursuant to Order on
Limited Remand - See Ex - 1
Attached

Pursuant to this court order on Limited Remand, the Appellant submit that Respondents of the Clark County District Attorney's Office, Attorney, Joel K. Browning, did not serve the Appellant with the Entry of order until 10/8/2021 - See attached document of Certified mail from Respondents, Yes Respondents Certificate of Service says August 19, 2021 But the Appellant did not receive the legal MAIL / Entry of order from Respondents until ~~10/8/2021~~ 10/8/2021 - See Ex - 1 - 46 - After service, by the time the Appellant received the Entry of order from Respondents - Attorney Browning the time to file a Appeal had expired this court must grant Appellant Appeal as timely

Dated this 18th day of October 2021 -
By Peter Both

Certificate of Service
was duly served upon Respondent
dated this 18th of November 2021
By Richard J. Peltz Esq. - Attorney

Office of District Attorney
Joel L. Browning
500, James Garfield Blvd
Las Vegas, NV 89155-2215

Office of Attorney General
Christopher L. Bell
100, N. Carson Street
Carson, CA 94701

NOV 29 '21 PM 12:40
DA CIVIL

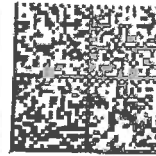


STEVEN B. WOLFSON, District Attorney
Office of the District Attorney
500 GRAND CENTRAL PKY
PO BOX 552215
LAS VEGAS, NV 89155-2215

CERTIFIED MAIL™



7009 2250 0001 9100 5959



U.S. POSTAGE >> PITNEY BOWES
ZIP 89120 \$ 007.29
02 4W
0000362048 SEP 30 20

Ricky Nolan, #80612
Ely State Prison
P.O. Box 1989
Ely, Nevada 89301

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149 HRDFNMP 89301



NEVADA DEPARTMENT OF CORRECTIONS
ELY STATE PRISON
LEGAL MAIL

NAME: Nolan R. DOC#: 80612 UNIT: 5A10

REPORT TO CONTROL AT ADMIN FOR THE FOLLOWING:

LEGAL MAIL: _____

CERTIFIED MAIL: 7009 2250 0001 9100 5959

REGISTERED MAIL: _____

DATE: _____

OFFICER: _____

INMATE SIGNATURE: Ricky Nolan

DOC: 80612 DATE: 10/1/92

DOC - 3020A (REV. 7/01)

NEVADA DEPARTMENT OF CORRECTIONS
ELY STATE PRISON
LEGAL MAIL

NAME: Nolan DOC#: 80612 UNIT: 5A10

REPORT TO CONTROL AT ADMIN FOR THE FOLLOWING:

LEGAL MAIL: _____

CERTIFIED MAIL: _____

REGISTERED MAIL: _____

DATE: _____

OFFICER: _____

INMATE SIGNATURE: Ricky Nolan

DOC#: 80612 DATE: 10/3/92

Clerk of the Court
200 Lewis Ave. 3rd Floor
Las Vegas, NV 89155

Ricky Nolan 80612
ESP
P.O. Box 1989
ELY, NV. 89301

LAS VEGAS NV 890
24 NOV 2021 PM 3 L



Office of the District Attorney

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Las Vegas, NV. 89155-2215

89155-221515



January 3, 2022



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