

Elizabeth A. Brown
CLERK OF THE COURT

1 **ORDR**

FILED

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

JAN 18 2022

5 RICKY NOLAN,

6 Plaintiff,

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *Elizabeth A. Brown*
DEPUTY CLERK

7 -vs-

8 STEVE WOLFSON; MARY KAY
9 HOLTHUS; JAMES R. SWEETIN;
10 CLARK COUNTY DISTRICT
11 ATTORNEYS OFFICE; FRANK R.
12 LOGRIPPO; STEFANY MILEY; AND
13 KATLYN BRADY

Defendant.

CASE NO: A-20-820190-C

DEPT NO: VIII

14 **RESPONSE TO THE ORDER OF LIMITED REMAND**

15 On August 11, 2021, the Court dismissed Plaintiff's complaint, denied Plaintiff's
16 motion to appoint counsel and motion for reconsideration. Notice of Entry of the Court's
17 Order along with a copy of the Order was mailed to Plaintiff on August 19, 2021. Plaintiff
18 appealed the Court's Order.

19 The Nevada Supreme Court noting that it is not a fact finding tribunal issued a
20 limited remand on November 15, 2021, instructing this Court to make a factual record
21 regarding whether the Notice of Entry of the August 11, 2021 Order and the Order itself
22 were in fact mailed to Plaintiff.

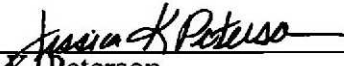
23 On December 21, 2021, the Court held a hearing to address this matter. Notice of the
24 hearing was sent to Plaintiff on December 2, 2021.

25 At the December 21, 2021 hearing, Attorney Joel Browning appeared on behalf of the
26 Defendants, STEVE WOLFSON; MARY KAY HOLTHUS; JAMES R. SWEETIN;
27 CLARK COUNTY DISTRICT ATTORNEYS OFFICE; and FRANK R. LOGRIPPO. Under
28 oath, Mr. Browning stated that he prepared the notice of entry and that the notice was mailed
to Plaintiff by his assistant Christine Wirt on August 19, 2021. Ms. Wirt, while under oath,

22-01714

1 confirmed that she had mailed the notice of entry on August 19, 2021 to Plaintiff at the Ely
2 Nevada Prison. Ms. Wirt stated that she made sure there was sufficient postage on the
3 mailing. Ms. Wirt did not receive the mailing back and to the best of her knowledge, the
4 mailing was received by Plaintiff.
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7 Dated this 10th day of January, 2022

8 
9 Jessica K. Peterson
10 District Court Judge

11 34A CCC ABFB FE3C
12 Jessica K. Peterson
13 District Court Judge
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AFFIRMATION

Pursuant to NRS 239B.030

The undersigned does hereby affirm that the
preceding Order filed in District Court case number
A820190 DOES NOT contain the social security
number of any person.

/s/ Jessica K. Peterson

1 CSERV

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA
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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 Sheriff's Certificate of Sale was served via the court's electronic eFile
13 system to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 1/10/2022

15 Christopher Guy cguy@ag.nv.gov

16 Joel Browning joel.browning@clarkcountyda.com

17 Christopher Guy cguy@ag.nv.gov

18 Sheri Regalado sregalado@ag.nv.gov

19 Tawana Thomas Tawana.Thomas@clarkcountyda.com
20

21 If indicated below, a copy of the above mentioned filings were also served by mail
22 via United States Postal Service, postage prepaid, to the parties listed below at their last
23 known addresses on 1/11/2022

24 Mary Holthus P.O. Box 552212
Las Vegas, NV, 89155-2212

25 Ricky Nolan #80612
26 Po Box 1989
27 Ely, NV, 89301
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