

SUPREME COURT OF NEVADA

Stark v. Lackey

Stark, 2020 NV 4 (Nev. 2020) · No. 74449 · Decided February 27, 2020

SUMMARY

This is an en banc opinion of the Supreme Court of Nevada in Stark v. Lackey. The court issued its opinion on February 27, 2020, reversing and remanding the matter with instructions. The appeal arose from the Second Judicial District Court in Washoe County and was decided after oral argument.

CASE DETAILS

COURT	Supreme Court of Nevada
WRITING FOR THE COURT	Justice Hardesty; Justice Pickering; Justice Gibbons; Justice Parraguirre; Justice Stiglich; Justice Cadish; Justice Silver
JURISDICTION	Nevada
DECIDED	February 27, 2020
DOCKET	74449
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Civil appeal from the Second Judicial District Court in Washoe County, Nevada.
PRECEDENTIAL VALUE	Published, en banc opinion of the Supreme Court of Nevada.
PARTIES	Carolyn Stark, NDOW Watch Keeping Them Transparent v. Carl Lackey

TOPICS

- appellate procedure
- civil procedure

PRACTICE AREAS

- civil procedure
- appellate procedure

PROCEDURAL HISTORY

Carolyn Stark and NDOW Watch Keeping Them Transparent appealed from proceedings in the Second Judicial District Court, Washoe County, case CV1700434. The Nevada Supreme Court heard oral argument en banc and issued an opinion reversing and remanding with instructions.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The case was remanded with instructions; the specific instructions are not included in the provided document text.

OPINION

PER CURIAM.

74449: Case View Nevada Appellate Courts Appellate Case Management System C-Track, the browser based CMS for Appellate Courts Case Search Participant Search Cases Case Search Participant Search 20-07835: This document is currently unavailable. If you need a copy of this document, please contact Clerk's Office at (775)684-1600. Disclaimer: The information and documents available here should not be relied upon as an official record of action.Only filed documents can be viewed.

Some documents received in a case may not be available for viewing.Some documents originating from a lower court, including records and appendices, may not be available for viewing.For official records, please contact the Clerk of the Supreme Court of Nevada at (775) 684-1600. Case Information: 74449 Short Caption:STARK VS. LACKEYCourt:Supreme Court Related Case(s):74461 Lower Court Case(s):Washoe Co. - Second Judicial District - CV1700434Classification:Civil Appeal - General - Other Disqualifications:Case Status:Remittitur Issued/Case Closed Replacement:Panel Assigned: En Banc To SP/Judge:11/16/2017 / Shipman, MadelynSP Status:Completed Oral Argument:10/08/2019 at 10:30 AMOral Argument Location:William S. Boyd School of Law - UNLV Submission Date:10/08/2019How Submitted:After Oral Argument + Party Information RoleParty NameRepresented By AppellantCarolyn StarkDelmar L. Hardy (Winter Street Law Group) Stephanie R. Rice (Winter Street Law Group) Richard A. Salvatore (Winter Street Law Group) AppellantNDOW Watch Keeping Them Transparent RespondentCarl LackeyThomas R. Brennan (Durney & Brennan, Ltd./Reno) Travis W. Gerber (Gerber Law Offices, LLP) Zachary A. Gerber (Gerber Law Offices, LLP) Sean P. Rose (Rose Law Office) Docket Entries DateTypeDescriptionPending?Document 11/14/2017Filing FeeFiling Fee Paid. \$250.00 from Winter Street Law Group.

Check no. 5754. 11/14/2017Notice of Appeal DocumentsFiled Notice of Appeal. Appeal docketed in the Supreme Court this day. (Docketing statement mailed to counsel for appellant.)17-39218 11/14/2017Notice/OutgoingIssued Notice of Referral to Settlement Program. This appeal may be assigned to the settlement program. Timelines for requesting transcripts and filing briefs are stayed.17-39220 11/16/2017Settlement NoticeIssued Notice: Assignment to Settlement Program.

Issued Assignment Notice to NRAP 16 Settlement Program. Settlement Judge: Madelyn Shipman.17-39556 12/04/2017Docketing StatementFiled Docketing Statement Civil Appeals.17-41643 12/04/2017Settlement Program ReportFiled ECAR/Appropriate for Settlement Program. This case is appropriate for mediation and a settlement conference is scheduled for December 20, 2017, at 9:00 am.17-41670 12/27/2017Settlement Program ReportFiled Final Report/No Settlement.

The parties were unable to agree to a settlement of this matter.17-44692 01/02/2018Settlement Order/ProceduralFiled Order: No Settlement/Briefing Reinstated. The parties were unable to agree to a settlement. Appellant(s): 15 days transcript request; 90 days opening brief and appendix.18-00131 01/05/2018Transcript RequestFiled Certificate of No Transcript Request.18-00754 03/27/2018Order/Clerk'sFiled Order Granting Telephonic Extension.

Opening Brief and Appendix due: April 16, 2018.18-11744 04/16/2018AppendixFiled Joint Appendix Vol. I.18-14470 04/16/2018AppendixFiled Joint Appendix Vol. II.18-14471 04/16/2018AppendixFiled Joint Appendix Vol. III.18-14472 04/16/2018AppendixFiled Joint Appendix Vol. IV.18-14473 04/16/2018BriefFiled Appellant's Opening Brief.18-14526 05/16/2018BriefFiled Respondent's Answering Brief.18-18604 06/18/2018BriefFiled Appellant's Reply Brief.18-23103 06/18/2018Case Status UpdateBriefing Completed/To Screening.

08/23/2019Order/ProceduralFiled Order Scheduling Oral Argument. These appeals will be scheduled for oral argument together on October 8, 2019, at 10:30 a.m. at the Thomas and Mack Moot Court Facility on the campus of the William S. Boyd School of Law in Las Vegas. Argument shall be limited to 60 minutes. Nos. 74449 and 74461. (SC)19-35332 08/27/2019Notice/IncomingFiled Notice of Respondent's Association of Counsel (Travis Gerber and Zachary Gerber of Gerber Law Offices are hereby associated as counsel of record into this action on behalf of Respondent).

Nos. 74449/74461 (SC)19-35846 08/27/2019Notice/IncomingFiled Notice of Respondent's Association of Counsel (DUPLICATE FILING). (SC)19-35848 09/27/2019Notice/OutgoingIssued Oral Argument Reminder Notice. Nos 74449/74461 (SC)19-40226 10/08/2019Case Status UpdateOral argument held this day. Case submitted for decision.

Before the En Banc Court. (SC) 02/27/2020Opinion/DispositionalFiled Authored Opinion. "Reversed and remanded with instructions." Before the Court En Banc. Author: Hardesty, J. Majority: Hardesty/Pickering/Gibbons/Parraguirre/Stiglich/Cadish/Silver. 136 Nev. Adv. Opn. No. 4. EN BANC (SC)20-07835 03/23/2020RemittiturIssued Remittitur. (SC)20-11058 03/23/2020Case Status UpdateRemittitur Issued/Case Closed.

(SC) 04/06/2020RemittiturFiled Remittitur. Received by District Court Clerk on March 24, 2020. (SC)20-11058 Combined Case View

