

NEVADA COURT OF APPEALS

Eby v. Johnston Law Office, P.C.

Eby, 2022 NV 63 (Nev. Ct. App. 2022) · No. 83299-COA · Decided September 8, 2022

SUMMARY

The Nevada Court of Appeals issued a per curiam opinion in Eby v. Johnston Law Office, P.C. The court affirmed in part, reversed in part, and remanded the matter.

CASE DETAILS

COURT	Nevada Court of Appeals
WRITING FOR THE COURT	Chief Judge Gibbons; Judge Tao; Judge Bulla
JURISDICTION	Nevada
DECIDED	September 8, 2022
DOCKET	83299-COA
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Civil appeal from the Lyon County Third Judicial District Court; the appeal was transferred from the Nevada Supreme Court to the Nevada Court of Appeals.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Donald Douglas Eby v. Brad M. Johnston, Johnston Law Office, P.C., LeAnn E. Schumann

TOPICS

- appellate procedure
- civil procedure

PRACTICE AREAS

- civil procedure
- appellate procedure

PROCEDURAL HISTORY

Eby appealed from proceedings in the Lyon County Third Judicial District Court, case number 20-CV-01031. The matter was transferred from the Nevada Supreme Court to the Court of Appeals. The Court of Appeals affirmed in part, reversed in part, and remanded.

DISPOSITION

reversed_and_remanded

OPINION

PER CURIAM.

83299-COA: 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 22-28108: 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: 83299-COA Short Caption:EBY VS. JOHNSTON LAW OFFICE P.C.Court:Court of Appeals Related Case(s):82914, 83299 Lower Court Case(s):Lyon Co. - Third Judicial District - 20-CV-01031Classification:Civil Appeal - General - Proper Person Disqualifications:Case Status:Case Closed Replacement:Panel Assigned: Panel To SP/Judge:SP Status: Oral Argument:Oral Argument Location: Submission Date:How Submitted: + Party Information RoleParty NameRepresented By AppellantDonald Douglas Eby In Proper Person RespondentBrad M. JohnstonJames E. Whitmire, III (Santoro Whitmire) RespondentJohnston Law Office, P.C.James E. Whitmire, III (Santoro Whitmire) RespondentLeAnn E. SchumannJames E. Whitmire, III (Santoro Whitmire) Docket Entries DateTypeDescriptionPending?Document 03/11/2022Case Status UpdateTransferred from Supreme Court.

(COA). 03/23/2022MotionFiled Appellant's Proper Person Motion. Objection to Transfer to Court of Appeals. (MOTION TRANSFERRED TO SC PER ORDER FILED 5/12/22). (COA)22-09154 05/12/2022Order/ProceduralFiled Order Denying Motion Appellant has filed a pro se objection to the transfer of this matter to the Court of Appeals. He requests that this court retain the case and publish an opinion regarding NRAP 17(a) and two state statutes.

The motion was inadvertently filed in the Court of Appeals. The clerk shall file the March 23, 2022, motion in this court and file a copy of this order in both courts. No cause appearing, the motion is denied. (COA)22-15060 05/31/2022MotionFiled Appellant's Proper Person Motion to Vacate or Alter or Amend Order. (MOTION TRANSFERRED TO SC PER ORDER FILED 6/9/22).

(COA)22-17177 06/09/2022Order/ProceduralFiled Order Denying Motion. Appellant previously filed a pro se objection to the transfer of this matter to the Court of Appeals. Appellant requested, among other things, that this court retain this case.

On May 12, 2022, this court entered an order denying the motion. Appellant has now filed a motion to vacate or amend, apparently seeking reconsideration of the May 12, 2022, order. The motion to vacate or amend was inadvertently filed in the Court of Appeals.

The clerk shall file the May 31, 2022, motion in this court and file a copy of this order in both courts. No cause appearing, the motion is denied. (COA)22-18409 09/08/2022Opinion/DispositionalFiled Per Curiam Opinion. "Affirmed in part, reversed in part, and remanded."

Before the Court of Appeals, Gibbons, C.J., Tao and Bulla, JJ., 138 Nev. Adv. Opn. No. 63. (COA)22-28108 10/03/2022Case Status UpdateTransferred to Supreme Court. (COA). 10/03/2022Case Status UpdateCase Closed. (COA). Combined Case View