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## Nevada Appellate Court Docket Sheet

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**Docket: 75815 SCHMIDT VS. STATE (BALLOT ISSUE)**

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GARY R. SCHMIDT,  
Appellant,  
vs.  
THE STATE OF NEVADA; AND ADAM P. LAXALT, ATTORNEY  
GENERAL,  
Respondents.

**Appellate Court No. 75815**  
Consolidated With:

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### Counsel

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David O'Mara, Reno, NV, as counsel for Appellant  
Michelle Briggs, Las Vegas, NV, as counsel for Respondent  
Adam Laxalt, Carson City, NV, as counsel for Respondent

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### Case Information

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<b>Panel:</b> En Banc		<b>Panel Members:</b> Full Court
<b>Disqualification:</b>		
<b>Case Status:</b> Scheduled for Argument	<b>Category:</b> Civil Appeal	<b>Type:</b> Other
<b>Submitted:</b>		<b>Date Submitted:</b>
<b>Oral Argument:</b>		
<b>Sett. Notice Issued:</b>	<b>Sett. Judge:</b>	<b>Sett. Status:</b>
<b>Related Appellate Court Cases:</b>		

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### District Court Case Information

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**Case Number:** 18OC000911B  
**Case Title:** THE STATE OF NEVADA VS GARY R. SCHMIDT  
**Judicial District:** First Judicial District    **Division:**    **County:** Carson City  
**Sitting Judge:** James E. Wilson  
**Replaced By:**  
**Notice of Appeal Filed:** 05/09/2018                      **Judgment Appealed From Filed:** 05/08/2018

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### Docket Entries

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Date	Docket Entries	
05-14-2018	Filing Fee due for Appeal. Filing fee will be forwarded by the District Court.	
05-14-2018	Filed Notice of Appeal. Appeal docketed in the Supreme Court this day. (Docketing statement mailed to counsel for appellant.)	18-18205
05-14-2018	Issued Notice of Exemption from Settlement Program/File Documents. Transcript request due: 15 days. Opening brief due: 120 days.	18-18207

05-14-2018	Filed Emergency Motion for Expedited Appeal.	18-18219
05-14-2018	Document Part. Exhibit 1	18-18219
05-14-2018	Filed Order Directing Expedited Briefing. Appellant's Opening Brief and Appendix due: May 16, 2018, by 4 p.m. Respondent's Answering Brief due: May 21, 2018, by 4p.m. Appellant's Reply Brief due: May 23, 2018, by 4 p.m. No extensions of time will be granted. All documents shall be filed personally or by facsimile or electronic transmission with the clerk of this court in Carson City. fn1[In addition to the opening brief, appellant must file his transcript request form and docketing statement within this same timeframe.].	18-18337
05-15-2018	Filing Fee Paid. \$250.00 from The O'Mara Law Firm. Check no. 1099.	
05-16-2018	Filed Docketing Statement Civil Appeals.	18-18791
05-16-2018	Document Part. Petition for Order to Show Cause	18-18791
05-16-2018	Document Part. Notice of Entry of Order	18-18791
05-16-2018	Filed Appellant's Opening Brief.	18-18801
05-16-2018	Filed Certificate of No Transcript Request.	18-18802
05-16-2018	Filed Notice of Completion and Delivery of Transcript(s).	18-18803
05-17-2018	Filed Appendix to Opening Brief - Joint Appendix - Volume I.	18-18917
05-17-2018	Document Part. Apeendix I Part I	18-18917
05-17-2018	Document Part. Appendix I part II	18-18917
05-17-2018	Document Part. Appendix I part III	18-18917
05-17-2018	Document Part. Appendix I part IV	18-18917
05-17-2018	Document Part. Appendix I part V	18-18917
05-17-2018	Filed Copy of District Court Docket Entries.	18-18918
05-18-2018	Filed District Court Docket Entries.	18-19028
05-21-2018	Filed Respondent's Answering Brief.	18-19385
05-23-2018	Filed Appellant's Reply Brief.	18-19853
05-23-2018	Briefing Completed/To Screening.	
05-25-2018	Filed Order Directing Oral Argument and Imposing Stay. The clerk shall schedule this matter for oral argument before the en banc court on July 9, 2018, at 10:00 a.m. in Carson City. The argument shall be limited to 30 minutes. Given the significant issues in this case and the necessity for oral argument, we determine that insufficient time exists for us to adequately analyze the parties' arguments and law involved and render a final decision before the periods for absentee and early voting expire and the primary election takes place on June 12. In light of the unsettled issues on appeal and the policy favoring candidates' right to run for office, we believe that appellant should be allowed to run for election pending our resolution of this appeal, and therefore, we stay the district court's order until further order of this court.	18-20167