

HOW TO APPEAL ANY CIVIL CASE

New River Township Justice Court

Time Limits to file Appeal paperwork with the Justice Court:

Civil cases: **20** days after date of the filing of the Judgment

Small Claims cases: **5** days after date of the filing of the Judgment

Evictions: **10** days after date of the filing of the Order for Eviction

Restraining Order cases: **10** days after date of issuance of the Temporary or Extended Protection Order

NOTE: Please be advised that failure to file your appeal within these deadlines may result in the dismissal of your appeal. Subsequently, failure to miss any of the other deadlines, may result in the dismissal of your appeal.

Filing Fees:

Civil cases:

- \$50 filing fee for the Justice Court.
- Cost Bond: -Plaintiff: \$250
-Defendant: *amount of Judgment*
- \$100 transcript deposit (this can be rolled into the same check as the filing fee)
- \$134 filing fee for the Tenth Judicial District Court (this MUST be a separate money order)

Small claims cases:

- \$50 filing fee for the Justice Court.
- Cost Bond: -Plaintiff: \$250
-Defendant: *amount of Judgment*
- \$100 transcript deposit fee (this can be rolled into the same check as the filing fee)
- \$134 filing fee for the Tenth Judicial District Court (this MUST be a separate money order)

Eviction cases:

- \$50 filing fee for the Justice Court.
- Cost Bond: -Landlord: \$250
-Tenant: \$250
- \$100 transcript deposit fee (this can be rolled into the same check as the filing fee)

- \$134 filing fee for the Tenth Judicial District Court (this MUST be a separate money order)

Temporary/Extended Protection Order cases:

- \$50 filing fee for the Justice Court.
- *there is no cost bond to appeal these cases for either party*
- \$100 transcript deposit fee (this can be rolled into the same check as the filing fee)
- \$134 filing fee for the Tenth Judicial District Court (this MUST be a separate money order)

NOTE: Please be advised that for the TRANSCRIPT DEPOSIT FEE, if the final bill for the transcript comes to more than the \$100, you will be responsible to pay the difference.

ALSO NOTE: That if you are unable to pay these fees, you must get a waiver form from the Justice Court and the District Court. Whether the fees are waived or not is at the discretion of the Judge.

STEP ONE:

Attached, you will find all the documents you will need to fill out and file with the Justice Court within the above time limits. All documents attached must be filled out entirely and brought to Justice Court, along with the above fees or the application for waiver (please ask the court clerk for this application).

If you need an explanation of any of the documents, please ask the court clerk. If you need help filling out any of the document, please consult an attorney.

NOTE: The Motion and Order Staying Judgment/Eviction/Writ of Restitution does not apply to Protection Order cases.

IF YOU ARE APPEALING AN EVICTION/WRIT OF RESTITUTION: Please be advised that the time limit to file your appeal might go past the date you were ordered to vacate the residence, therefore, the **very first** thing you should be filing with the court is the Motion and Order Staying Judgment/Eviction/Writ of Restitution.

STEP TWO:

After receiving and filing all the attached documents, the Justice Court clerk will then prepare and send your case to the District Court and order the transcript. Keep in contact with the Justice Court to confirm when your case was sent to the District Court. You will then have 30 days from the transference of your case to file an Appellate's Brief with the District Court.

When writing your brief:

Do not argue disputed facts. Only argue the mistakes of the law that will make a difference in your case.

The other party, the Respondent, will then have 30 days to file their Answering Brief with the District Court. You will then have 15 days to file a Reply Brief with the District Court. ALL BRIEFS MUST BE SERVED ON THE OPPOSITE PARTY WITHIN THE SAME FILING WINDOW and all briefs must be accompanied by Certificates of Service.

After completing these steps, stay in contact with the District Court to confirm if there is anything else you need to file.

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(Name)

(Mailing Address)

(City, State, Zip)

(Telephone Number)

(Email Address)

Plaintiff Defendant : In Pro Person

**JUSTICE COURT, TOWNSHIP OF NEW RIVER
CHURCHILL COUNTY, NEVADA**

<p>_____ Appellant (s)</p> <p>Vs.</p> <p>_____ Respondent (s)</p>	<p>Case No.:</p> <p>Dept. No:</p>
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NOTICE OF APPEAL TO THE TENTH JUDICIAL DISTRICT COURT

TO: _____ and their attorney, _____

Comes now, the above name Appellant, in proper person, does hereby appeal from each and every part of the Judgment entered into the Justice Court on the _____ day of _____, 20____, to the Tenth Judicial District Court.

The basis for this Appeal is: (please state briefly your reasoning for the appeal)

ACKNOWLEDGMENT

I acknowledge that I may be required to post an appeal bond and to pay all filing fees and costs of appeal, including the expense of a transcript of the trial this appeal will be filed and considered by the District Court. I further acknowledge that if the appeal is dismissed or the judgment is affirmed, I may be subject to reimbursing the other party for court costs and other expenses or damages as determined by the District Court and as allowed by law.

DATE: _____

I declare, under penalty of perjury under the law of the State of Nevada, that the foregoing is true and correct.

(Signature of Appellant)

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DATE: _____

I declare, under penalty of perjury under the law of the State of Nevada, that the foregoing is true and correct.

(Signature of Appellant)

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DATE: _____

I declare, under penalty of perjury under the law of the State of Nevada, that the foregoing is true and correct.

(Signature of Appellant)

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(Name)

(Mailing Address)

(City, State, Zip)

(Telephone Number)

(Email Address)

Plaintiff Defendant : In Pro Person

**JUSTICE COURT, TOWNSHIP OF NEW RIVER
CHURCHILL COUNTY, NEVADA**

Appellant (s)

Vs.

Respondent (s)

Case No.:

Dept. No:

NOTICE OF POSTING AND ACCEPTANCE OF SUPERSEDES/COST BOND ON APPEAL

WHEREAS, a judgment was entered in the above-captioned case on the _____ day of _____, 20____, in the sum of \$ _____, plus costs in the amount of \$ _____, which judgment was in favor of the Plaintiff Defendant and against Plaintiff Defendant; and a Notice of Appeal to District Court was filed on the _____ day of _____, 20____, with appropriate fees or waivers,

NOW THEREFORE, Appellant _____ posts his Supersedes/Cost Bond in the amount of \$ _____, pursuant to JCRCP 100(a).

DATE: _____

I declare, under penalty of perjury under the law of the State of Nevada, that the foregoing is true and correct.

(Signature of Appellant)

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(Name)

(Mailing Address)

(City, State, Zip)

(Telephone Number)

(Email Address)

Plaintiff Defendant : In Pro Person

**JUSTICE COURT, TOWNSHIP OF NEW RIVER
CHURCHILL COUNTY, NEVADA**

Appellant (s)

Vs.

Respondent (s)

Case No.:

Dept. No:

MOTION AND ORDER STAYING JUDGMENT/EVICTION/WRIT OF RESTITUTION

COMES NOW, the Appellant _____, in proper person, does hereby
motion this court for an Order to Stay any Judgment, Eviction, and/or Writ of Restitution in this case.

DATE: _____

I declare, under penalty of perjury under the law of the State of Nevada, that the foregoing is true and correct.

(Signature of Appellant)

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ORDER

IT IS HEREBY ORDERED, that pursuant to JCRCP 100(a), Appellant may proceed and the Supersedes/Cost Bond found above does stay the execution of the appealed judgment in the above referenced case.

DATED this _____ day of _____, 20_____.

JUSTICE OF THE PEACE

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4 **CERTIFICATE OF SERVICE**

5 I HEREBY CERTIFY that on _____ (date document was mailed)
6 I served the foregoing, pursuant to JCRCP 5(b), by depositing a copy of the same in the United State
7 Mail, postage prepaid, to the address(es) listed below:

8 _____
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14 _____
15 DATE: _____

16 I declare under penalty of perjury under the law of the
17 State of Nevada that the foregoing is true and correct.

18 _____
19 (Signature)

20 _____
21 (Print name)
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