
ASSEMBLY BILL NO. 12—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE NEVADA SUPREME COURT)

PREFILED JANUARY 26, 2005

Referred to Committee on Judiciary

SUMMARY—Extends period for transmittal of transcript from justice’s court to district court after notice of appeal is filed in criminal action. (BDR 14-521)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to justices’ courts; extending the period for justice of the peace to transmit a copy of the transcript of a criminal case to the district court after a notice of appeal is filed by a defendant; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes a criminal defendant tried in a justice’s court to appeal
2 the judgment rendered in the case to the district court. (NRS 189.010) After the
3 party appealing the case files a notice of appeal with the justice of the peace, the
4 justice of the peace is required to transmit the transcript, all other papers relating to
5 the case and a certified copy of the docket to the district court within 10 days.
6 (NRS 189.030)
7 This bill increases the period within which the justice of the peace is required to
8 transmit the transcript of the case to 30 days after the notice of appeal is filed. The
9 period within which the justice of the peace is required to transmit the other
10 documents remains the same.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 189.030 is hereby amended to read as follows:
2 189.030 1. The justice shall ~~[-within]~~ :



1 **(a) Within** 10 days after the notice of appeal is filed, transmit to
2 the clerk of the district court ~~{the transcript of the case, all other}~~ **all**
3 papers relating to the case , **other than the transcript of the case,**
4 and a certified copy of his docket ~~{.}~~ ; **and**

5 **(b) Within 30 days after the notice of appeal is filed, transmit**
6 **to the clerk of the district court the transcript of the case.**

7 2. The justice shall give notice to the appellant or his attorney
8 that the transcript and all other papers relating to the case have been
9 filed with the clerk of the district court.

10 3. If the district judge so requests, before or after receiving the
11 record, the justice of the peace shall transmit to him the sound
12 recording of the case.

