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HOW TO APPEAL A SUMMARY EVICTION FROM JUSTICE COURT TO DISTRICT COURT

In Nevada, either party can appeal a summary eviction order. If a party chooses to appeal a decision stemming from a Summary Eviction, the appeal must be filed within **10 judicial** days after the decision date. Judicial days exclude weekends and court holidays. (NRS 40.385).

WHAT IS INCLUDED IN THIS PACKET?

1. Notice of Appeal;
2. Motion to Stay Eviction Pending Appeal Upon Posting of Cost Bond; and
3. Request for Copies of Audio Recording of Court Proceedings.

You will need to completely fill out each of the documents included in this packet. Once you have completed these forms, you will bring them to Sparks Justice Court for filing.

FEES / BOND

At the time the appeal is filed with the Justice Court, the appellant is also responsible to pay the fees and costs outlined below. Fees and costs are payable to Sparks Justice Court, unless otherwise noted below.

For filing a Notice of Appeal and Preparation & Transmittal of Transcript on appeal	\$ 50.00
For the Request for Audio Copy of Proceedings - CD for Transcriptionist	\$ 35.00
For the District Court filing fee on appeal (payable to Second Judicial District Court)	\$ 211.00
For the Appeal Cost Bond	\$ 250.00

The \$250 Appeal Cost Bond must be posted at the time the Notice of Appeal and Motion to Stay Eviction Pending Appeal Upon Posting of Cost Bond are filed. (JCRCF 73). **The Appeal Cost Bond must be tendered in cash, cashier's check, or a trust account check or business check of appellant's attorney.**

In a Summary Eviction, the posting of the \$250 cost bond and filing of the appeal pleadings included in this packet shall stay proceedings. However, it should be noted that during the appeal, a tenant who retains possession of the premises shall pay rent to the landlord as it becomes due during the appeal. (NRS 40.385.3).

TRANSCRIPTS

Pursuant to JCRCF Rule 74, a transcription of the proceedings is required to perfect the appeal process. Transcripts must be received within 30 days of the date the appeal was filed. Therefore, within 10 days of filing your appeal and Request for Audio Copy of Proceedings, you must contact a transcriptionist to have an original and 2 copies of the recording transcribed. The cost for the recording is \$35.00, due at the time the Request is filed. For your convenience, a few Transcriptionist contacts are listed on the next page.

TRANSMITTAL

The Justice Court must transmit the case to the District Court within 30 days of the filing date of the appeal. The Justice Court will mail all parties a copy of the Notice of Transmittal when the matter has been forwarded to the Second Judicial District Court.

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TRANSCRIPTIONISTS

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