

1 **NYE COUNTY RESOLUTION 2019-07**

2 A RESOLUTION REQUESTING THE ASSISTANCE OF THE ATTORNEY GENERAL
3 REGARDING FIFTH JUDICIAL DISTRICT COURT CASE NO. CR7837, STATE V. CARMELO
4 MOTTA

5 WHEREAS, NRS 228.130 provides that the District Attorney may request the assistance of the
6 Attorney General of the State of Nevada in prosecuting a criminal matter in which a conflict exists
7 which precludes the District Attorney from prosecuting such matter; and

8 WHEREAS, pursuant to NRS 228.130(1), the Board of County Commissioners must first adopt
9 a resolution joining in such a request; and

10 WHEREAS, pursuant to NRS 228.130(2), the Board of County Commissioners is required to
11 pay the reasonable legal fees, expenses and costs incurred by the Attorney General for the prosecution of
12 such matter; and

13 WHEREAS, a conflict has arisen necessitating the disqualification for the District Attorney's
14 Office from the potential prosecution of said case; and

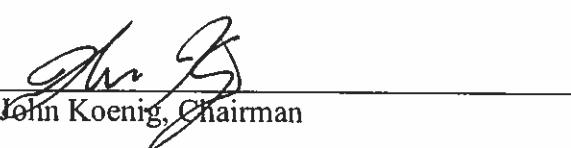
15 WHEREAS, the District Attorney has determined that it is appropriate to refer these matters to
16 the Attorney General for potential prosecution.

17 NOW, THEREFORE, BE IT RESOLVED by the Nye County Board of County Commissioners
18 as follows:

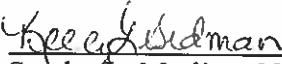
19 1. That Fifth Judicial District Court Case No. CR7837 be referred to the Office of the
20 Attorney General of the State of Nevada for a determination as to whether a criminal action should be
21 brought and if so, to prosecute such matter.

22 ADOPTED this 19th day of February, 2019.

23 **NYE COUNTY
BOARD OF COUNTY COMMISSIONERS:**

24 
25 John Koenig, Chairman

ATTEST:


26 Sandra L. Merlino, Nye County Clerk
27 And Ex-Officio Clerk of the Board