

1 **NYE COUNTY RESOLUTION 2020-35**

2 A RESOLUTION REQUESTING THE ASSISTANCE OF THE ATTORNEY GENERAL TO
3 REVIEW DOCUMENTATION/EVIDENCE RECEIVED BY THE DISTRICT ATTORNEY
4 WHEREBY THE DA/3 DDA's HAVE A CONFLICT OF INTEREST

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 the documentation/evidence received by the District Attorney be referred to the
20 Office of the Attorney General of the State of Nevada for a determination as to whether a criminal action
21 should be brought and if so, to prosecute such matter.

22 ADOPTED this 20th day of October, 2020.

23 NYE COUNTY
24 BOARD OF COUNTY COMMISSIONERS:

ATTEST:

25 Prinda A. Wichman 10-20-20
John Koenig, Chairman

Kelly L. Sidman
Sandra L. Merlino, Nye County Clerk
And Ex-Officio Clerk of the Board