

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

NORA LUNA, et al., <p style="text-align: center;">v.</p> BARBARA CEGAVSKE, et al., <p style="text-align: center;">Defendant(s).</p>		Case No. 2:17-CV-2666 JCM (GWF) <p style="text-align: center;">ORDER</p>
---	--	---

Presently before the court is the matter of Luna, et al. v. Cegavske, et al., case no. 2:17-cv-02666-JCM-CWH.

On November 21, 2017, this court granted plaintiffs’ motion to stay hearings on plaintiffs’ preliminary injunction motion and defendants’ motions to dismiss, pending state court proceedings. (ECF No. 42). The court held that it would be premature to hear argument or rule on these three motions in advance of the state court’s determination as to the legal sufficiency of the recall petitions. *Id.*

On May 9, 2018, the Eighth Judicial District Court in Clark County, Nevada held that the recall petitions against Senators Woodhouse and Cannizzarro were legally insufficient under Nevada state law. (ECF No. 56). On May 30, 2018, a notice of appeal was filed by the recall proponents. *Id.* On June 11, 2018, the Nevada Supreme Court docketed the appeal, but a briefing schedule has not yet been set. *Id.*

As the state court has yet to rule on the appeal, and a briefing schedule has not been set, the court will continue the stay and deny all pending motions without prejudice.

...
...

James C. Mahan
U.S. District Judge

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

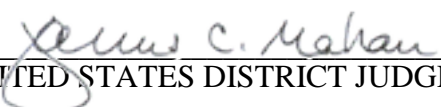
Accordingly,

IT IS HEREBY ORDERED that plaintiffs' motion for preliminary injunction (ECF No. 17) be, and the same hereby is, DENIED without prejudice.

IT IS FURTHER ORDERED that defendant Joseph Gloria's motion to dismiss (ECF No. 23) be, and the same hereby is, DENIED without prejudice.

IT IS FURTHER ORDERED that defendant Barbara Cegavske motion to dismiss (ECF No. 34) be, and the same hereby is, DENIED without prejudice.

DATED August 6, 2018.


UNITED STATES DISTRICT JUDGE