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IN THE JUSTICE COURT OF RENO TOWNSHIP IN AND FOR THE  
COUNTY OF WASHOE, STATE OF NEVADA

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Landlord/Plaintiff

vs.

CASE NO: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Tenant/Defendant

DEPT. NO: \_\_\_\_\_

**NOTICE OF APPEAL**

The Appellant, \_\_\_\_\_, in the above-entitled matter, appeals to the District Court, Washoe County, Nevada, from the judgment entered on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in the above-named Court.

Submitted by,

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Party

\_\_\_\_\_  
Print Name of Party

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IN THE JUSTICE COURT OF RENO TOWNSHIP  
IN AND FOR THE COUNTY OF WASHOE, STATE OF NEVADA

\_\_\_\_\_  
Plaintiff,

vs.

Case No.

Dept. No.

\_\_\_\_\_  
Defendant.  
\_\_\_\_\_ /

**Proof of Service**

I served a true and correct copy of \_\_\_\_\_(name of document)  
upon the following: \_\_\_\_\_(name) \_\_\_\_\_(date)

by: [ ] Personal Service [ ] Certified mail, return receipt attached  
[ ] U.S. Mail, postage paid [ ] Other: \_\_\_\_\_

Address where service occurred, if applicable: \_\_\_\_\_

A copy of this Proof of Service has been served, mailed, or personally delivered to all parties or  
their lawyer.

This document does not contain personal information of any person as defined by NRS603A.040.

Dated: \_\_\_\_\_

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

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**IN THE JUSTICE COURT OF RENO TOWNSHIP IN AND  
FOR THE COUNTY OF WASHOE, STATE OF NEVADA**

Landlord's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

Landlord/Respondent

CASE NO.: \_\_\_\_\_

vs.

DEPT. NO.: \_\_\_\_\_

Tenant's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

Tenant/Appellant.

**MOTION TO SET BOND AND TO STAY EVICTION PENDING APPEAL**

COMES NOW, \_\_\_\_\_ (name) ("Appellant"), and respectfully requests that the Court set the Cost and Supersedeas (Stay ) Bond and stay execution of the order of eviction entered on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in the above-entitled Court pending the appeal of this matter.

**POINTS AND AUTHORITIES**

NRS 40.385 provides that:

1. Either party may appeal an order entered pursuant to [NRS40.253](#), [40.254](#) or [40.2542](#) by filing a notice of appeal within 10 judicial days after the date of entry of the order.
2. Except as otherwise provided in this section, a stay of execution may be obtained by filing with the trial court a bond in the amount of \$250 to cover the expected costs on appeal. A surety upon the bond submits to the jurisdiction of the appellate court and irrevocably appoints the clerk of that court as the surety's agent upon whom papers affecting the surety's liability upon the bond may be served. Liability of a surety may be enforced, or the bond may be released, on motion in the appellate court without independent action. A tenant of commercial property may obtain a stay of execution only upon the issuance of a stay pursuant to [Rule 8](#) of the Nevada Rules of Appellate Procedure and the posting of a supersedeas bond in the amount of 100 percent of any unpaid rent claim of the landlord.
3. A tenant who retains possession of the premises that are the subject of the appeal during the pendency of the appeal shall pay to the landlord rent in the amount provided in the underlying contract between the tenant and the landlord as it becomes due. If the tenant fails to pay such rent, the landlord may initiate new proceedings for a summary eviction by serving the tenant with a new notice pursuant to [NRS 40.253](#), [40.254](#) or [40.2542](#). (Emphasis Added).

### FACTS AND ARGUMENT

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, a judgment/order was entered against Appellant which evicts Appellant from the residence/unit/mobile home. Appellant continues to occupy the property at \_\_\_\_\_. On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, Appellant filed its Notice of Appeal.

Appellant also agrees to pay Landlord contract rent as it becomes due as provided in the underlying lease (express or implied). Appellant acknowledges if he/she fails to pay such rent, Landlord may start a new summary eviction and serve a new eviction notice pursuant to NRS § 40.385(3).

Tenant Motion and Notice  
to Set Bond and Stay Eviction  
Pending Appeal based on Summary Eviction.

RJC 12/9/2022

1           WHEREFORE, Appellant requests that the Court set the Cost and Supersedeas (Stay)  
2 Bond and stay execution of the order of eviction entered on the \_\_\_\_ day of \_\_\_\_\_,  
3 20\_\_\_\_, in the above-entitled court upon posting of said a Bond in the sum of \_\_\_\_\_ to  
4 cover expected costs of appeal and to stay execution during the appeal of this matter in  
5 compliance with NRS § 40.385(1)-(3); JCRCP 73 and 73(a)(4).

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Date \_\_\_\_\_

Signature of Party \_\_\_\_\_

Print Name of Party \_\_\_\_\_

Pursuant to NRS § 53.045:

11  
12 “I declare under penalty of perjury, under the laws of the State of Nevada, that the foregoing is  
13 true and correct.”

14 Executed on \_\_\_\_\_, 20\_\_\_\_

15  
16  
17 \_\_\_\_\_  
Signature

18  
19  
20 \_\_\_\_\_  
Print Name

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25 Tenant Motion and Notice  
to Set Bond and Stay Eviction  
26 Pending Appeal based on Summary Eviction.

RJC 12/9/2022

**CERTIFICATE OF SERVICE**

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CERTIFICATE OF SERVICE pursuant to NRCP 5(b) and JCRCP 5(b), I hereby certify that I am a nonparty over the age of 18 years, and that on \_\_\_\_\_, 20\_\_\_\_, I served a true and correct copy of the foregoing \_\_\_\_\_, (Name of document that was served) addressed to: (Landlord)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

BY U.S. MAIL: I deposited for mailing in the United States mail, with postage fully prepaid, an envelope containing the above-identified document at \_\_\_\_\_ (City and State), in the ordinary course of business. **Please attach proof.**

BY FACSIMILE TO: \_\_\_\_\_ (FAX number). **Please attach proof.**

BY PERSONAL SERVICE: I personally hand delivered the above-identified document to the address/offices of the person named above.

\_\_\_\_\_ Signature of Server

\_\_\_\_\_ Print Name of Server