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CIVIL APPEALS

Any party dissatisfied with a Court's decision has the right to appeal it. Justice Court appeal timeframes are:

- ❖ For civil actions, an appeal must be filed no later than **21 calendar** days after the date the judgment or order appealed from is served. (JCRCF 72(B)(a)).
- ❖ For small claims actions, an appeal must be filed within **7 calendar** days from service of the judgment or order. (JCRCF 98).
- ❖ To appeal a judgment in a formal eviction taken through Justice Court, an appeal must be filed within **10 calendar** days from the date the judgment was rendered. (NRS 40.380).
- ❖ To appeal a decision in a summary eviction, an appeal must be filed within **10 judicial** days after the date of entry of the order. (NRS 40.385).

FORMS

Information and forms for small claims appeals and summary eviction appeals can be obtained by visiting Sparks Justice Court or can be found on the Sparks Justice Court website under Forms.

FEES / BONDS

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

Notice of Appeal and Preparation & Transmittal of Appeal to District Court.....	\$ 50.00
Appeal Cost Bond (<i>other than small claims</i>)	250.00
Appeal Cost Bond (<i>small claims</i>)	115.00
District Court filing fee on appeal (<i>payable to Second Judicial District Court</i>)	211.00

The Appeal Cost Bond must be posted at the time the appeal is filed. The Appeal Cost Bond, as well as any supersedeas bond ordered by a judge, **must be tendered in cash, cashier's check, or a trust account check or business check of appellant's attorney.**

The filing of a notice of appeal by a judgment debtor in a "Justice Court" civil or small claims case and posting of Appeal Cost Bond will not automatically stay the execution of a judgment. An appealing party may also file a motion to set supersedeas bond to stay the execution of a judgment. A supersedeas bond will usually be set in the amount of the judgment. (JCRCF 62(d), 73A(a), 100).

If a summary eviction case is being appealed by a tenant, the filing of the notice of appeal and motion to stay with the posting of a \$250.00 Appeal Cost Bond shall stay the proceedings. (NRS 40.385(2)). However, a tenant who retains possession of the premises during an appeal shall pay rent to the landlord as it becomes due during the appeal. (NRS 40.385(3)).