

1 STATE OF NEVADA
2 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
3 RELATIONS BOARD
4

5 MARK ANTHONY BOYKIN,

6 Complainant,

7 vs.

8 CITY OF NORTH LAS VEGAS POLICE
9 DEPARTMENT,

10 Respondent.

) ITEM NO. 674A

) CASE NO. A1-045921

) **ORDER**

11 For Complainant: Mark Anthony Boykin, In Proper Person

12 For Respondents: L. Steven Demaree, Esq.
13 City of North Las Vegas

14 On the 23rd day of June, 2008, this matter came on before the State of Nevada, Local
15 Government Employee-Management Relations Board ("Board"), for consideration and decision
16 pursuant to the provisions of NRS and NAC chapters 288, NRS chapter 233B, and Nevada's
17 open meeting laws.

18 On January 8, 2008, Mark Anthony Boykin ("Boykin") filed a verified complaint with
19 the Board, alleging prohibited labor practices by North Las Vegas and the North Las Vegas
20 Police Department (collectively, "North Las Vegas"). On January 24, 2008, rather than file an
21 answer, the City of North Las Vegas ("City") filed a motion to dismiss claiming that the Board
22 does not have jurisdiction over this action inasmuch as Boykin was claiming a Civil Rights
23 action. The motion was treated as a motion for more definite statement of the allegations, and
24 Boykin was ordered to amend his complaint. The amended complaint was filed and, thereafter,
25 the City filed another motion to dismiss. Boykin opposed the same.

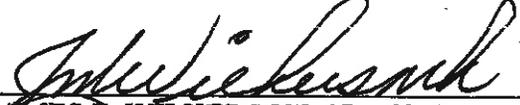
26 Based upon the arguments raised in the motion.

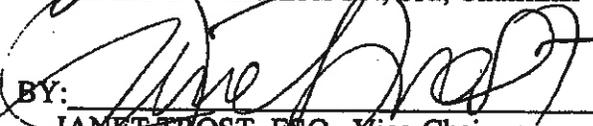
27 IT IS HEREBY ORDERED that the motion to dismiss is DENIED, without prejudice at
28 this time. The Complainant in this matter was a governmental employee at the time of the events

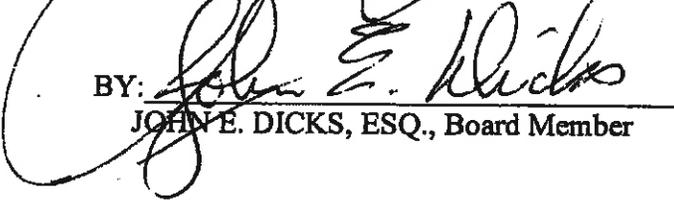
1 alleged in the Complaint on file herein as defined in NRS chapter 288. Furthermore, sufficient
2 allegations exist within the complaint warranting the denial of the motion at this time. Should
3 the City wish to file an answer to the amended complaint, it should do so within ten (10) days of
4 service of this order. At the expiration of the ten-day period, pre-hearing statements are due
5 from the parties pursuant to NAC 288.250.

6 DATED this 23rd day of June, 2008.

7 LOCAL GOVERNMENT EMPLOYEE-
8 MANAGEMENT RELATIONS BOARD

9 BY: 
10 JAMES E. WILKERSON, SR., Chairman

11 BY: 
12 JANET TROST, ESQ., Vice-Chairman

13 BY: 
14 JOHN E. DICKS, ESQ., Board Member
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