

STATE OF NEVADA
LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD

SHERMAN WILLOUGHBY
Complainant,

vs.

CLARK COUNTY; HUMAN
RESOURCES/REAL PROPERTY
MANAGEMENT,

Respondents,

CASE NO. A1-046030

ITEM: 769

ORDER

For Complainant: Sherman Willoughby, In Proper Person

For Respondents: Clark County and their attorney Yolanda T. Givens, Esq., Deputy District Attorney, Clark County

On the 12th day of October, 2011, this matter came on before the State of Nevada, Local Government Employee-Management Relations Board ("Board"), for consideration and decision pursuant to the provisions of NRS and NAC chapters 288, NRS chapter 233B, and was properly noticed pursuant to Nevada's open meeting laws.

Respondent Clark County has filed a motion to dismiss this matter, on the basis that the complaint filed by Complainant Willoughby does not state a justiciable claim arising under NRS Chapter 288. NAC 288.200(1) states that a complaint before this Board shall include a statement of fact sufficient to raise such a justiciable controversy. Willoughby has filed an opposition to the motion. The Board agrees with the County that the complaint, at least as presently written, makes only vague accusations but does not contain sufficient detail to present a justiciable controversy.

The Board, having duly considered the pleadings filed herein, and having fully considered the law and being fully advised in the premises makes its Findings of Fact, Conclusions of Law and Order as follows:

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1 **FINDINGS OF FACT**

- 2 1. Complainant Sherman Willoughby filed a complaint with this Board on August 3, 2011.
3 2. If any of the foregoing findings is more appropriately construed a conclusion of law, it
4 may be so construed.

5 **CONCLUSIONS OF LAW**

- 6 1. NAC 288.200(1) states that a complaint must contain facts sufficient to state a justiciable
7 controversy under NRS Chapter 288.
8 2. The complaint filed in this matter is too vague and does not specify a violation of NRS
9 Chapter 288.
10 3. If any of the foregoing conclusions is more appropriately construed a finding of fact, it
11 may be so construed.

12 **ORDER**

13 IT IS HEREBY ORDERED that this action is dismissed without prejudice.

14 DATED this 31st day of October, 2011.

15 LOCAL GOVERNMENT EMPLOYEE-
16 MANAGEMENT RELATIONS BOARD

17 BY: Philip E. Larson
18 PHILIP E. LARSON, Vice-Chairman

19 BY: Sandra Masters
20 SANDRA MASTERS, Board Member

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

5 SHERMAN WILLOUGHBY

6 Complainant,

7 vs.

CASE NO. A1-046030

8 CLARK COUNTY; HUMAN
9 RESOURCES/REAL PROPERTY
10 MANAGEMENT,

NOTICE OF ENTRY OF ORDER

11 Respondents,

12 To: Sherman Willoughby, In Proper Person

13 To: Clark County and their attorney Yolanda T. Givens, Esq., Deputy District Attorney,

14 PLEASE TAKE NOTICE that an ORDER was entered in the above-entitled matter on
15 October 31, 2011.

16 A copy of said order is attached hereto.

17 DATED this 31st day of October, 2011.

18 LOCAL GOVERNMENT EMPLOYEE-
19 MANAGEMENT RELATIONS BOARD

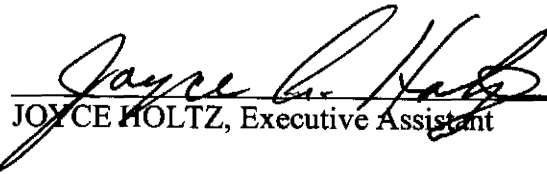
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21 BY 
22 JOYCE A. HOLTZ, Executive Assistant
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CERTIFICATE OF MAILING

I hereby certify that I am an employee of the Local Government Employee-Management Relations Board, and that on the 31st day of October, 2011, I served a copy of the foregoing ORDER by mailing a copy thereof, postage prepaid to:

Sherman Willoughby
1260 Linn Lane
Las Vegas, NV 89110

Yolanda T. Givens, Esq.
Deputy District Attorney, Clark County
PO Box 552215
Las Vegas, NV 89155-2215


JOYCE HOLTZ, Executive Assistant

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