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IN THE JUSTICE COURT OF \_\_\_\_\_ TOWNSHIP  
IN AND FOR THE COUNTY OF \_\_\_\_\_, STATE OF NEVADA

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

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Landlord/Plaintiff

vs.

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

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

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

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Tenant/Defendant

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

COMES NOW, \_\_\_\_\_ (Name), and respectfully requests that the Court set the Cost and Supersedeas Bonds 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 40.380 provides that:

Either party may, within 10 (judicial) days, appeal from the judgment rendered. But an appeal by the defendant shall not

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stay the execution of the judgment, unless, within the 10 (judicial) days, he shall execute and file with the court or justice his undertaking to the plaintiff, with two or more sureties, in an amount to be fixed by the court or justice, but which shall not be less than twice the amount of the judgment and costs, to the effect that, if the judgment appealed from be affirmed or the appeal be dismissed, the appellant will pay the judgment and the cost of appeal, the value of the use and occupation of the property, and damages justly accruing to the plaintiff during the pendency of the appeal. Upon taking the appeal and filing the undertaking, all further proceedings in the case shall be stayed.

**FACTS AND ARGUMENT**

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, a judgment was entered against Appellant which requires Appellant to pay Respondent \$\_\_\_\_\_ and which evicts Appellant from the mobile home space Appellant occupies at \_\_\_\_\_.

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, Appellant filed its Notice of Appeal.

WHEREFORE, Appellant requests that the Court set the Cost and Supersedeas Bonds and stay execution of the order of eviction entered on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in the above-entitled court upon posting of said Bonds pending the appeal of this matter.

Submitted by,

\_\_\_\_\_  
Date

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

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

1 I swear the above is true. Signature: \_\_\_\_\_

2

3

4 SUBSCRIBED AND SWORN to before me this \_\_\_\_ day of \_\_\_\_\_,

5

6 20\_\_\_\_.

7

8 NOTARY PUBLIC

9 OR

10 DEPUTY CLERK \_\_\_\_\_

11

12

**OR**  
**THE FOLLOWING:**

13

14

15

16 Pursuant to NRS 53.045:

17 "I declare under penalty of perjury under the law of the State of Nevada that the  
18 foregoing is true and correct."

19

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

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\_\_\_\_\_  
Signature

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\_\_\_\_\_  
Print Name

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**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b) and JCRCP 5(b), I hereby certify that I am a non-party 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:

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

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.

BY FACSIMILE TO: \_\_\_\_\_ (FAX number).

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