

IN THE SUPREME COURT OF THE STATE OF NEVADA

AIMEE C. DELANO,  
Appellant,  
vs.  
FIRST COMP INSURANCE; AND  
MANAGED PAY-REAL HOMES,  
Respondents.

No. 52083

**FILED**

**MAR 10 2010**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

ORDER OF REVERSAL AND REMAND

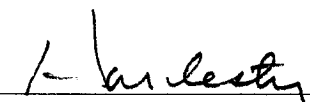
This is a proper person appeal from a district court order dismissing a petition for judicial review in a workers' compensation matter. Eighth Judicial District Court, Clark County; James A. Brennan, Judge.


The sole basis for the district court's dismissal was the alleged untimeliness of appellant's petition for judicial review. NRS 233B.130(2)(c) requires a petition for judicial review to be filed within 30 days after service of an agency's final decision. NRCP 6(e) adds three days to the deadline when service is made by mail. Statutory time requirements for filing petitions for judicial review of administrative decisions are mandatory and jurisdictional. Kame v. Employment Security Dep't, 105 Nev. 22, 25, 769 P.2d 66, 68 (1989).


Here, the appeals officer's decision was served by mail on March 28, 2008, and thus appellant had 30 days, until April 27, 2008, to file her petition for judicial review. Because April 27 was a Sunday, however, the 30-day period was extended until Monday, April 28. NRCP 6(a). Thereafter, three days are added for the period to seek judicial review under NRCP 6(e), because of the service by mail of the appeals officer's March 28 decision. See Winston Products Co. v. DeBoer, 122 Nev.

517, 524, 134 P.3d 726, 731 (2006). Consequently, appellant had until Thursday, May 1, 2008, to file her petition. Having considered appellant's civil proper person appeal statement and other filings and respondents' response, we conclude that appellant's petition was timely filed on May 1, and therefore, we

ORDER the judgment of the district court REVERSED AND REMAND this matter to the district court for proceedings consistent with this order.<sup>1</sup>

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Pickering

cc: Chief Judge, Eighth Judicial District  
Hon. James A. Brennan, Senior Judge  
Aimee C. Delano  
Law Offices of David Benavidez  
Eighth District Court Clerk

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<sup>1</sup>In light of this order, we deny, as moot, appellant's requests for relief in her letters filed with this court on March 9, 2009; July 24, 2009; September 28, 2009; and December 15, 2009.