

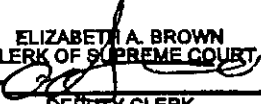
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JAYME FANNON,
Appellant,
vs.
NEVADA GAMING COMMISSION,
Respondent.

No. 89673-COA

FILED

DEC 09 2025

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Jayme Fannon appeals from a district court order granting a motion to dismiss her petition for judicial review from a Nevada Gaming Commission decision. Eighth Judicial District Court, Clark County; Susan Johnson, Judge.

In 2023, Fannon applied to renew her gaming employee registration with the Nevada Gaming Control Board (Board). However, the Board ultimately objected to the renewal. After following the administrative process with the Board, Fannon requested that respondent Nevada Gaming Commission (Commission) review the decision under NRS 463.335(13) (allowing applicants aggrieved by the decision of the Board to apply in writing to the Commission for review of the decision).

On June 20, 2024, the Commission issued a final decision sustaining the Board's objection to Fannon's application for registration as a gaming employee. The decision warned that a petition for judicial review

must be filed with the district court within 20 days of the effective date of the final decision. Twenty-nine days later, on July 19, 2024, Fannon filed a petition for judicial review of the Commission's decision.

Thereafter, the Commission filed and served a motion to dismiss, arguing that Fannon's petition for judicial review should be dismissed for lack of subject matter jurisdiction due to Fannon's failure to file the petition within the statutory timeframe required under NRS 463.315(2). Fannon later filed an untimely opposition to the motion to dismiss.

The district court considered the motion to dismiss on its chambers calendar and ultimately entered an order granting the motion on two grounds: first, that Fannon failed to file a timely opposition under EDCR 2.20(e), and second, that the court lacked jurisdiction to consider the petition for judicial review as her petition was untimely. Thereafter, Fannon filed a motion for reconsideration, which the district court considered under NRCP 60. The district court denied the motion, and Fannon now appeals.

This court reviews a district court's order granting a motion to dismiss for lack of jurisdiction de novo. *See Whitfield v. Nev. State Pers. Comm'n*, 137 Nev. 345, 349, 492 P.3d 571, 575 (2021). Because courts have no inherent appellate jurisdiction over official acts of administrative agencies except where the legislature has provided for judicial review by statute, our appellate courts require strict compliance with statutory requirements for petitions for judicial review and "noncompliance with the

requirements is grounds for dismissal.” *Washoe Cnty. v. Otto*, 128 Nev. 424, 431, 282 P.3d 719, 724-25 (2012).

Under NRS 463.335(13), “[a]ny applicant aggrieved by the decision of the Board may, within 15 days after the announcement of the decision, apply in writing to the Commission for review of the decision.” Thereafter, “the decision of the Commission is subject to judicial review pursuant to NRS 463.315 to 463.318, inclusive.” NRS 463.335(13). Under NRS 463.315(2), “judicial review must be instituted by filing a petition within 20 days after the effective date of the final decision or order.”

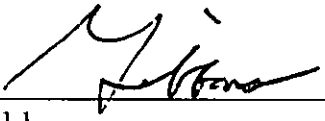
On appeal, Fannon argues that the district court erred by applying the incorrect statutory scheme to her petition and that she timely filed her petition as she filed it within 30 days as permitted under NRS 233B.130. However, with the exclusion of certain exceptions that do not apply here, decisions of the Commission are “entirely exempted” from the requirements of NRS Chapter 233B, and the 30-day statute of limitations does not apply. See NRS 233B.039(1)(f) (“The following agencies are entirely exempted from the requirements of this chapter . . . [e]xcept as otherwise provided in NRS 368A.140 and 463.765, the Nevada Gaming Commission.”). Instead, the district court appropriately applied the statutory scheme under NRS Chapter 463 as it applies to petitions for judicial review from final decisions of the Commission. Because the petition for judicial review was before the district court under NRS 463.315(2), and Fannon filed her petition outside the statutory deadline, we conclude that the district court did not err when it dismissed her petition for judicial


review for lack of subject matter jurisdiction. *Otto*, 128 Nev. at 431, 282 P.3d at 724-25.

Accordingly, we

ORDER the judgment of the district court AFFIRMED.¹


_____, C.J.
Bulla


_____, J.
Gibbons


_____, J.
Westbrook

cc: Hon. Susan Johnson, District Judge
Jayme Renee Fannon
Attorney General/Carson City
Attorney General/Reno
Eighth District Court Clerk

¹Insofar as Fannon raises arguments that are not specifically addressed in this order, we have considered the same and conclude that they do not present a basis for relief.