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ATTORNEYS FOR WASHOE COUNTY

5
6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 * * *

9 ANTHONY LUNDY, et al,

10 Plaintiff,

Case No. 3:21-CV-00267-MMD-WGC

11 vs.

12 SHERIFF DARIN BALLAAM, et al.,

13 Defendants.
14 _____/

REPLY TO OPPOSITION/REPLY TO
MOTION TO DISMISS

15 Sheriff Balaam, through counsel, replies to the Opposition/Reply to the
16 Motion to Dismiss him from this action.

17 The Washoe Tribe of Nevada and California's criminal court system
18 ordered each of the Petitioners into custody while their individual criminal
19 cases proceed through the Tribe's criminal justice system. Pursuant to a
20 request and subsequent Agreement with the federal Bureau of Indian Affairs,
21 Sheriff Balaam is holding each of the Petitioners at the Washoe County
22 Detention Facility. Put simply, the federal Bureau of Indian Affairs needed
23 assistance with its inmate housing needs and Sheriff Balaam agreed to help
24 that federal agency.

25 But that is where Sheriff Balaam's role in this case ends. The Washoe
26 Tribe of Nevada and California is a distinct and separate sovereign. Sheriff

1 Balaam has no role or oversight in that government's court system so his
2 Office only has limited information related to each of Petitioner's cases.
3 Consequently, the Washoe Tribe needs to come forward to explain for itself
4 the legality of the Petitioners' detention to this Court. Sheriff Balaam will
5 then accept any decision made this Court with respect to the custody of each
6 of the Petitioners.

7 Finally, no Petitioner alleges mistreatment while being housed at the
8 Washoe County Detention Facility, so each inmate's immediate personal
9 well-being is not at issue. But Sheriff Balaam has no objection to this Court
10 transferring any Petitioner to an appropriate federal facility while this federal
11 matter is pending.

12 Dated this 21st day of June, 2021.

13 CHRISTOPHER J. HICKS
14 District Attorney

15 By /s/ Keith G. Munro
16 KEITH G. MUNRO
17 Deputy District Attorney
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CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I certify that I am an employee of the Office of the District Attorney of Washoe County, over the age of 21 years and not a party to nor interested in the within action. I certify that on this date, the foregoing was electronically filed with the United States District Court. Electronic service of the foregoing document shall be made in accordance with the Master Service List as follows:

Jim Salvator, Esq.

Pursuant to FRCP 5(b), I certify that I am an employee of the Office of the District Attorney of Washoe County, over the age of 21 years and not a party to nor interested in the within action. I certify that on this date, I deposited for mailing in the U.S. Mails, with postage fully prepaid, a true and correct copy of the foregoing in an envelope addressed to the following:

Gary LaRance, Esq.
Washoe Tribal Prosecutor
Washoe Tribe of California and Nevada
919 N. US HWY 395 N
Gardnerville, NV 89410

Dated this 21st day of June, 2021.

/s/B. Bull
B. Bull