

Liberate production from taxation, the earth from monopoly and humanity from poverty!

# Intermountain Single Tax Association

I S T A

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October 27, 1986

James L. Busey  
ISTA  
P.O. Box 7  
Manitou Springs, CO 80829

Dear Jim:

The lawsuit of Don Pinson against the Clark County, Nevada, Assessor, Jean Dutton, came before the Ninth District Court of Nevada at Las Vegas on Wednesday, October 22. It was heard by a visiting judge Sullivan from Lovelock.

The charge made by Pinson was that Dutton should be removed from office for nonfeasance because the gross under-appraisal and underassessment of unimproved vacant land was in violation of Nevada law. In a Las Vegas Sun item of 8-22-86, Dutton was quoted as saying: "casual discussions with attorneys have indicated the suit will be dismissed". That is what happened, so Don's evidence did not get presented and no publicity came from the case that might have brought some votes to Don.

Dutton's attorney based his appeal for dismissal on a lack of evidence that Don had fully used administrative procedures open to him before filing the law suit. Presumably, if there had been a record of personal complaints to the Assessor and written complaints, other than letters to the editor, the charge might have been considered. Also the point was made that the men are political opponents. The judge said, "They are political opponents and the matter should be left to the ballot box".

Without a knowledge of law I am not able to understand how the judge could make his ruling after hearing only the statements of the opposing attorneys. There were witnesses after the dismissal had been granted. Don was questioned about his efforts to have the assessor correct underassessments ~~before~~ resorting to legal action. Also the defense established the costs that Dutton was put to in making his defense. In this kind of action he is not defended by the county attorney. The defense claimed that his costs exceeded \$6,000. The judge called for payment of \$7,000 by Pinson.

When I talked to Don yesterday he had not yet been in contact with his attorney so did not know if he was considering an appeal.

cc: Bob Clancy ✓  
Steve Cord  
Stan Rubenstein

Sincerely,

