

# An open letter to Washoe County District Attorney Richard A. Gammick

## letters to the editor

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The Nevada Supreme Court on Dec. 28, 2006 affirmed an order which was filed as an appeal by the Washoe County Assessor from a District Court ruling, overturning a decision of the Nevada State Board of Equalization regarding real property located in Washoe County.

Your office, including you and Washoe County Deputy District Attorney E. Terrance Shea, represented the appellants Washoe County and the Washoe County Assessor, who appealed this District Court's ruling to the Supreme Court.

The conclusion reached on this appeal by the Nevada Supreme Court was that "those methodologies (used by the Washoe County Assessor Robert W. McGowan) are unconstitutional because they are inconsistent with the methodologies used in other parts of Washoe County and the entire state. Therefore, for reasons discussed above, we affirm that District Court order."

"The District Court Order" confirmed that the Washoe County Board of Equalization's decision to "roll the taxable values of residential parcels in Incline Village and Crystal Bay to 2002/2003 values was correct."

Now the question that comes to mind is, why would you, the District Attorney of Washoe County take the side of the Washoe County Assessor against the Washoe County Board of Equalization in favor of the Washoe County Assessor on an appeal before Judge William A. Maddox in the first Judicial District Court, Carson City?

This whole matter was precipitated by a group of Incline Village / Crystal Bay citizens' appeal before the Washoe County Board of Equalization

on March 8, 2006. The Washoe County Board of Equalization ruled that the taxable values on residential parcels in Incline Village and Crystal Bay be rolled back to 2002/2003 values.

Apparently, under your guidance, the Washoe County's Board of Equalization's decision was appealed to the Nevada State Board of Equalization, the Nevada First Judicial District Court, and finally the Nevada Supreme Court. Other than the Nevada State Board of Equalization, the Washoe County Board of Equalization decision was upheld by the First Judicial District Court and the Nevada State Supreme Court.

Bob McGowan, the Washoe County assessor, was using "unconstitutional methodologies." Why didn't you as district attorney for all of Washoe County take the side of the Washoe County Board of Equalization, (hence the citizens of Incline Village and Crystal Bay) instead of the Washoe County Assessor?

Why give the Washoe County Assessor preferential treatment?

Especially when he was using "unconstitutional methodologies," which the Washoe County Board of Equalization could figure out, but your office couldn't? After all you are a lawyer.

Is using or doing "unconstitutional" methods the same as breaking the law? If so are charges against the then assessor McGowan and the now assessors Josh Wilson, who determined to ignore the decision of the Nevada Supreme Court by not abiding by the Dec. 28 ruling, to be initiated? If so when?

Please advise.

William H. Silcox, Incline Village

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