



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Holly Isenhour**, Legal Secretary,
Office of the District Attorney,
Esmeralda County, State of Nevada,

Ethics Complaint
Case No. 19-129C

Subject. /

REVIEW PANEL DETERMINATION

NRS 281A.730; NAC 281A.440

The Nevada Commission on Ethics ("Commission") received this Ethics Complaint on December 30, 2019, regarding the alleged conduct of Subject Holly Isenhour ("Isenhour"). On February 13, 2020, the Commission instructed the Executive Director to investigate alleged violations of NRS 281A.400(1), (2) and (7) and NRS 281A.420(1).

Isenhour is a public employee as defined in NRS 281A.150, and the Commission has jurisdiction over this matter pursuant to NRS 281A.280 because the allegations contained in the Complaint relate to Isenhour's conduct as a public employee and have associated implications under the Ethics Law.

On January 20, 2021, a Review Panel consisting of Commissioners Teresa Lowry, Esq. (Presiding Officer), Barbara Gruenewald, Esq. and Thoran Towler, Esq. reviewed the following: (1) Ethics Complaint No 19-129C (2) Order on Jurisdiction and Investigation in Ethics Complaint No. 19-129C; (3) Isenhour's Response to the Complaint; and (4) Executive Director's Recommendation to the Review Panel with Summary of Investigatory Findings.¹

Under NAC 281A.430, the Review Panel unanimously finds and concludes that the facts do not establish credible evidence to support a determination that just and sufficient cause exists for the Commission to render an opinion in the matter regarding the alleged violations of NRS 281A.400(1), (2) and (7), and NRS 281A.420(1).

Specifically, the investigation did not produce evidence that Isenhour misused her official position or government time to affect her personal interests or the private interests of a person to whom she has a commitment in a private capacity pursuant to NRS 281A.065, including her employer, the Esmeralda County District Attorney's Office. Isenhour's personal service of private legal matters on Goldfield residents on behalf of the District Attorney in his private legal practice did not involve the misuse of her public duties or resources. Nevertheless, because of her public employment with the Esmeralda District Attorney's Office, Isenhour should maintain the proper separation between her public duties and her private interests to avoid an appearance of impropriety. Here, the potential conflict and associated appearance of impropriety could have been alleviated had Isenhour informed the individuals she served that she was delivering the legal papers

¹All materials provided to the Review Panel, except the Ethics Complaint and the Order on Jurisdiction and Investigation, represent portions of the investigatory file and remain confidential pursuant to NRS 281A.750.

in her private capacity, and not in her public capacity as an employee of the District Attorney's Office.

No further proceedings will be held with regard to this complaint and the allegations related to NRS 281A.400(1), (2) and (7), and NRS 281A.420(1) are dismissed.

Dated this 21st day of January, 2021.

REVIEW PANEL OF THE NEVADA COMMISSION ON ETHICS

By: /s/ Teresa Lowry
Teresa Lowry, Esq.
Commissioner and Presiding Officer

By: /s/ Barbara Gruenewald
Barbara Gruenewald, Esq.
Commissioner

By: /s/ Thoran Towler
Thoran Towler, Esq.
Commissioner

CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I transmitted a true and correct copy of the foregoing **REVIEW PANEL DETERMINATION** via U.S. Certified Mail and electronic mail addressed as follows:

Holly Isenhour
c/o Katherine F. Parks, Esq.
Thorndal Armstrong et al
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Certified Mail No.: 9171 9690 0935 0037 6389 21

Email: kfp@thorndal.com
cc: psb@thorndal.com

Dated: 1/21/21



Employee, Nevada Commission on Ethics