

IN THE SUPREME COURT OF THE STATE OF NEVADA

BOBBY L. FRANKLIN,

Appellant,

vs.

D.J. LAUGHLIN, D/B/A BWD  
PROPERTIES 2, LLC; BWD  
PROPERTIES 3, LLC; AND BWD  
PROPERTIES 4, LLC,  
Respondents.

Supreme Court No. 67364

District Court No. A707291

Due Date: March 17, 2015

**FILED**

FEB 24 2015

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
CHIEF DEPUTY CLERK

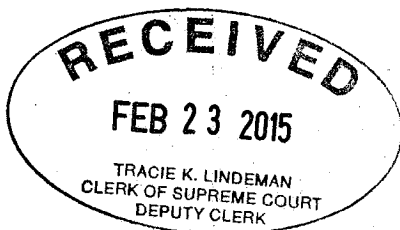
**CIVIL PROPER PERSON APPEAL STATEMENT**

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BWD Properties 4, LLC  
*Respondents*

*Appellant in Proper Person*



## **CIVIL PROPER PERSON APPEAL STATEMENT**

**INSTRUCTIONS:** You must complete and file this Appeal Statement with the Nevada Supreme Court on or before **March 17, 2015**.

**HOW TO FILL OUT THE FORM:** The form must be typed or clearly handwritten. Write only in the space allowed on the form. **Additional pages and attachments are not allowed.** The Nevada Supreme Court prefers short and direct statements. You do not need to refer to legal authority or the district court record.

**WHERE TO FILE THE FORM:** You may file your form in person or by mail.

To file your form in person: Bring the form to the Clerk's Office at the Supreme Court of Nevada, 201 South Carson Street, Carson City, Nevada. You can file your form Monday through Friday, 8:00 a.m. to 4:00 p.m.

To file your form by mail: Mail the form to the Clerk of the Supreme Court of Nevada, 201 S. Carson St., Carson City, NV 89701. Your form must be postmarked by the due date.

You must file the original form and 1 copy with the Clerk of the Nevada Supreme Court. If you want the clerk to return a file-stamped copy of your form, you must submit the original form and 2 copies and include a self-addressed, stamped envelope. Forms cannot be faxed or e-mailed to the Nevada Supreme Court Clerk's Office.

Copies of the completed form must be mailed or delivered to the other parties to this appeal or to the parties' attorneys, if they have attorneys. You must also fill out the certificate of service that is attached to the form. The Nevada Supreme Court may return any document that does not meet these requirements.

**Judgment or Order You Are Appealing.** List the judgment or order that you are appealing from and the date that the judgment or order was filed in the district court.

Filed Date	Name of Judgment or Order
01/14/2015	Defendant's Motion to Expunge Title & Dismiss Complaint GRANTED
01/20/2015	ORDER Granting Defendant's Motion to Expunge Title & Motion to Dismiss
	Complaint ( <b>Order for Dismissal With Prejudice</b> )

**Notice of Appeal.** Give the date you filed your notice of appeal in the district court: 02/02/2015

**Related Cases.** List all other court cases related to this case. Provide the case number, title of the case and name of the court where the case was filed.

Case No.	Case Title	Name of Court

**Issues on Appeal.** Does your appeal concern any of the following issues? Check all that apply:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> divorce   | <input type="checkbox"/> child custody/visitation       | <input type="checkbox"/> child support        |
| <input type="checkbox"/> relocation  | <input type="checkbox"/> termination of parental rights | <input type="checkbox"/> attorney fees        |
| <input type="checkbox"/> paternity   | <input type="checkbox"/> marital settlement agreement   | <input type="checkbox"/> division of property |
| <input type="checkbox"/> adoption  | <input type="checkbox"/> prenuptial agreement           | <input type="checkbox"/> spousal support      |
| <input checked="" type="checkbox"/> other—briefly explain: <u>Quiet Title Action ("QTA") appeal.</u> |   |   |

**Statement of Facts.** Explain the facts of your case. (Your answer must be provided in the space allowed.) (Please see, next page)

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On 9/20/1993, I re-recorded my 80 acre Title & Deed with the Clark County Recorder. On 12/19/1996, the Dept of Interior Board of Appeals ("IBLA") dismissed my confirmation rights in such Title & Deed, in its final administrative decision. Subsequently, the federal judicial courts denied their subject-matter jurisdiction to examine, review or enforce my confirmation rights in such Title & Deed instrument. In 2006, Defendant D.J. Laughlin alleges he purchased my re-recorded 80 acres from a Laughlin Land Auction, without doing a Title Search; then he transferred it into his BWD corporations; and then, he sued my family in federal court to quiet his title without having any federal subject-matter jurisdiction statute to do so. In 2014, his lawyers have repeatedly requested the federal court to imprison me for demanding my re-recorded 80 acre Title be examined and enforced, while knowing the federal court denied its jurisdiction to do so, and that is why this Quiet Title Action was filed and summoned in the Clark County District Court.

ON APPEAL:

On 1/14/2015 (on appeal), the District Court "expunged" my Title & Deed that was on exhibit in the Complaint, without ever reading it or evaluating its legal validity; "dismissed" the Complaint; and, ignored the related motions on docket. On 1/20/2015 (on appeal), a District Court Judge that had resigned in 1995, again disregarded his duty to evaluate the legal validity of my property rights in my Title on exhibit in the QTA Complaint; yet expunged it; dismissed the QTA Complaint with prejudice; and, mooted the related motions on docket.

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**Statement of District Court Error.** Explain why you believe the district court was wrong. Also state what action you want the Nevada Supreme Court to take. (Your answer must be provided in the space allowed).

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Pursuant to federal & Nevada Rule of Civil Procedure 60(b)(4), the District Court's judgment and order on appeal is "*void*" of my property Title rights on exhibit in the Complaint. A "Void judgment" is clearly defined in *Black's Law Dictionary*:

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**"Void judgment.** One which has no legal force or effect, invalidity of which may be asserted by any person whose rights are affected at any time and at any place directly or collaterally. *Reynolds v. Volunteer State Life Ins. Co.*, Tex.Civ.App., 80 S.W.2d 1087, 1092. One which, from its inception is and forever continues to be absolutely null, without legal efficacy, ineffectual to bind parties or support a right, of no legal force and effect whatever, and incapable of confirmation, ratification, or enforcement in any manner or to any degree. Judgment is a "void judgment" if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted inconsistent with due process. *Klugh v. U.S., D.C.S.C.*, 620 F.Supp. 892, 901."

*Black's Law Dictionary, Sixth Edition*

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In clear errors.

The District Court has disregarded its subject-matter (QTA) jurisdiction and duty to evaluate the legal validity and effect of my re-recorded 80 acre *Title* rights on exhibit in the Complaint; yet it claims jurisdiction and power to *expunge* it; and, is thereby inconsistent with due process of law and justice.

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The District Court's judgment and order on appeal should be reversed, and be remanded its duty to evaluate the legal validity and effect of my re-recorded 80 acre *Title* rights that are described and on exhibit in the QTA Complaint.

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