

LAWRENCE SPARKS, PRO PER
817 Arrowhead Trail
Henderson, Nevada 89002
(714) 391-3766

ORIGINAL

RECEIVED
LAS VEGAS DROP BOX
CLERK OF SUPREME COURT

2015 NOV ~9 PM 1:28

No: 69073

FILED

NOV 13 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

LAWRENCE SPARKS,

Petitioner,

VS.

ROBBARE, J., EIGHTH JUDICIAL COURT;
STEVEN D. GRIERSON, CEO/CLERK OF
THE EIGHTH JUDICIAL DISTRICT
COURT; HENDERSON CLERK OF THE
MUNICIPAL COURT, THE HONORABLE
MARK J. STEVENS, PRESIDING,

Respondents.

PETITION FOR WRIT
PROHIBITION, AND/ OR
IN THE ALTERNATIVE
WRIT OF MANDAMUS;
AND/OR WRIT OF
CERTIORARI

SUPPLEMENT

Petitioner, LAWRENCE SPARKS, hereby submits his Supplement for the purpose of further defining and narrowing relevant issues. The City of Henderson files the additional Documents, after the initial filing, needed to totally substantiate the Petitioners *petition*, the Plaintiff(s) and the Justice Court Appellate Judge, and CEO/Clerk of the Nevada Southern 8th Judicial District, together, form an Enterprise intentionally structured to deny this Petitioner and hundreds of other *Pro Se* litigants, their **absolute** right to Procedural Due Process. A signed admission by Appellate Judge Rob Bear, surfaced that acknowledges having unilaterally structured a Policy, "as though jurisdictional," for the purpose

RECEIVED
NOV 12 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

15-34637

of denying Procedural Due Process; a scheme that is conjointly executed, tongue and groove, by the officer of the Court, under color of law. (Supplemental Exhibit H). It is just as NRS 189.030(1)(2) states, the municipal court is obliged to prepare the record and the transcript and to notify the appellant.

The time-line carries a meaning of its own indicating there was no intention of allowing an appeal, much less honor Petitioners absolute right for Procedural Due Process, see *Michael Ediga v. State of Nevada*, Eighth Judicial District Court Case No. C-14-299765, 05/04/2015.¹

April 1, 2015: Court alleges guilt for running a Stop Sign [Municipal Court enters Conviction without filing a Written, Signed and Filed Judgment of Conviction]

Step. 23, 2015: Clerk of the State District Court files Remittitur divesting Eighth Judicial District Court Judge Rob Bare, J., of jurisdiction; sending the case back to the Henderson Municipal Court to follow the Court's instruction and/or execution of sentence.

1

The Petitioner is not citing to this case as "authority." But what the Petitioner is citing to it for, is for the purpose of showing that the Honorable Judge Bare, has established a policy or procedure that is not properly promulgated, completely lacking in any form of notice to Appellants appearing in his Courtroom. Hence, procedure by ambush.

October 21, 2015: Minute of Eighth Judicial District Court Decision, the Honorable Rob Bare, J.'s, decision regarding the Petitioner's appeal.

The guiding pillar of light followed by the District Court's Honorable Rob Bare, J., and the Henderson City Attorney's Office is found in *Moore v. Cherry*, 90 Nev. 390, 393, 528 P.2d 1018, 1020 (1974) (Exhibit H)

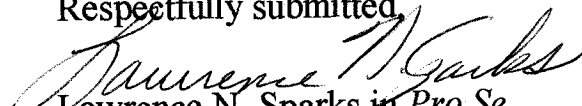
"Inherent in Nevada courts is the power to dismiss a case for failure to prosecute or to comply with its orders; to prevent undue delays and to control their calendars, courts may exercise this power within the bounds of sound judicial discretion, independent of any authority granted under statutes or court rules, unless gross misconduct can be proven. (*Id. Moore*). (Emphasis added).

"This Court will treat this policy as though it is jurisdictional, not law based, and any violation of this policy in will result in the appeal being dismissed." See *Ediga v. State*, (Emphasis added). What is missing in the judge's bellicose statement, is the "unless" disclaimer. In the misdirecting attention away from the facts throughout this case are controlling factors that trump state law and remains with the MUTCD supremacy clause of the Congressional funded Mandate contracted between the State and its political subdivisions and the FHWA, is controlling language the state of Nevada is required to *substantially conform to the language* of the MUTCD that includes protection of substantive and procedural rights to due process.

The ruling by both the lower court and actions by the Henderson City Attorney's office and its staff interferes with the operations of the contract between the State and the FHWA. These unlawful actions deny the Petitioner his substantive and procedural rights to due process regarding his right to appeal. The ruling from the Henderson Municipal Court is unlawful. This is also irrespective of any policy, which it has passed that constitutes an "*ex post facto*" law that goes back three years plus to a Nevada state statute that the MUTCD made invalid by the 2009 amendments to the MUTCD which had not been updated by the City of Henderson. This case should have been dismissed from the very beginning for lack of jurisdiction and the lack of lawful authority to charge under an invalid version of the Nevada Statutes superseded under MUTCD 9th Revised Version. Instead, the City of Henderson pursues, by any means, alleged breaches of the MUTCD as conclusory revenue regulations. This is made clear by the lower courts execution of the sentence, in my case, without a judgment of conviction written, signed, and filed by the Clerk, NRS 176.195(3), (*Stanley V. State*, 106 Nev. 75, 179, 787 P2d, 396, (1999)).

WHEREFORE, the Petitioner prays this Honorable Court review the facts and law as set forth herein and grant the relief the Court deems appropriate.
DATED: November 9th, 2015.

Respectfully submitted,


Lawrence N. Sparks in Pro Se

CERTIFICATE OF SERVICE

I, the undersigned, hereby acknowledge that on the day of November, 9th, 2015, that I personally, Deposited the above and foregoing

SUPPLEMENT for PETITION for WRIT, No: 69073, in a postage prepaid envelope, in the United States Mail and addressed as follows:

Steven Grierson, CEO/Clerk
8th Judicial District Court
200 S. Third St.
Las Vegas, NV 89115

The Henderson Municipal Court
The Honorable Mark J. Stevens, J
243 Water Street, 3rd Floor
Henderson, NV 89015

The Henderson Municipal Court Clerk
243 Water St.
Henderson, NV 89015

The Honorable, Rob Bare, J
8th Judicial District Court Dept. 32
200 Lewis Ave., 3rd Floor, Rm 3C
Las Vegas, NV 89155

Their last known Address(es)

Manmeet Kaur
Manmeet Kaur
3001 W. Warm Springs Rd.
Henderson, NV 89014
(702) 577-6922