

Justin Odell Langford[©] [1159546]

LCC

1200 Prison Rd.

Love Lock, Nv 00000

FILED

APR 11 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY DT Richard
DEPUTY CLERK

IN THE SUPREME COURT OF
THE STATE OF NEVADA

JUSTIN ODELL LANGFORD[©] Supp. No. 75825
Appellant, Supp. No. 76075

-VS-

THE STATE OF NEVADA, Motion To Reconsider Denial
Respondent, Of Appeal

COMES NOW JUSTIN ODELL LANGFORD[©], in pro per,
and Moves this Honorable Court to Grant his Appeal
on Denial of Writ Of Habeas Corpus (Post Conviction).

This Motion is made and based upon all papers,
pleadings, and documents on file with this Court
and The 8th Judicial District Court, And is further
made and based Upon Youtube Videos Made by
Gary Walters and any other Arguments ~~that~~ that may
be required By this Court

Dated this day of April

Documents Prepared By:

Benjamin McCurdy 1157357

I have Prepared everything for Justin Langford

RECEIVED

APR 11 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

19-15976

POINTS AND AUTHORITIES

ARGUMENT

This Court chooses to ignore the full argument put in front of it Regarding the Nevada Revised Statutes (NRS), The argument is not addressing that there is no enacting clause in the NRS's themselves. The argument is about NO ENACTING CLAUSE IN SENATE BILL No. 2 in which created the NRS's, without this enacting clause not one of the NRS's are valid. SENATE BILL No. 2 was allegedly passed in 1957 during the 48th session of the Nevada Legislature. This whole "ISSUE WAS PROVEN ONCE ALREADY IN 'The State of Nevada vs Gary Walters, Case No. OSC217569' Mr. Walter's Filed is Writ Concerning this Matter somewhere between 2012-2016 and had it granted, Also Mr. Walter's Did three (3) You Tube Videos on this matter. So while you choose to not pay attention to the arguments put to you, All state Official have been putting people in prison and Jail illegally since 2016. Knowingly and choosing to ignore this matter you are hereby Notified of Your violation of 18 U.S.C. §242 and 18 U.S.C. §34. So let me ask you again please reread the argument on Nevada Law again then go see records in the forgoing case and watch the three (3) videos By Gary Walters. Let me also ~~created~~ point out are ex-Governor Brian Sandoval Knows about this because he signed a Bill into affect saying inmates can't have access to

Public Records Right after Gary Walter sent every thing to him in regards to this Very Matter. So while this court has missed the relief in the conclusion of the Writ of Habeas Corpus (Post Conviction) and in the appellants brief which was in Affidavit formatt and had pages removed, Also known as destroying documents, Appellant seeks Reversal of his conviction with prejudice and being sent home. Parts of Appellants Exhibits for this issue in his Memorandum of Evidence show how the states Officials have gone to great Lengths to cover this issue up, Also Senate Bill No. 2 Repealed the old statutes, which ~~were~~ more than codified the Legislative Counsel modified the statutes by removing word and changing the Sentence Structure. Which WAS DONE BY THREE (3) NEVADA SUPREME COURT JUDGES violation of seperation of powers. So As for use of prior laws or the Codified version, this can't be proven because The Secretary of State does not have a copy of the Laws, bills or any Legislative Record for this state as required by the Nevada Constitution. Don't mention the NRS that modified this as a NRS can't ~~modified~~ modify the Constitution per the Nevada Constitution.

Then as for appellants other grounds being waived can't be true as counsel was ineffective at trial and on direct appeal, with claims of ineffective assistance of counsel claim avoid waiver. Also a claim of miscarriage of Justice claim Schlup v. Delo can get around the waiver of claims. Also Appellant pointed to Federal

Caselaw from the U.S. Supreme Court in regards to his ineffective assistance of counsel claim that has been ignored by this court. The Most important caselaw is regarding the Supremacy Clause in Article 6, sec. 2 that says Federal Law and the U.S. Constitution trump the state Constitution and state law. The Speedy trial Act say you can't waive a speedy at all so Appellants reliance in Zedner is founded and further supported by United States v. Lloyd, 125 F.3d 1263, 1268 (9th Cir. 1997) so this Court has gone against Federal Ruling and Circuit rulings, this Courts use of persuasive caselaw instead of going by Authoritive caselaw which is binding on court. So this courts ruling transcends logic and Constitutional Authority, so Furbay v. State and United States v. Wilson are Against Rulings in this circuit and the U.S. Supreme Court.

Also this Court has missed the fact that the Appellant said "If you test everyone in the House that had contact with the alleged crime scene i.e. Kaylie Langford He can guarantee 100% that the DNA that identified Him and H.H. would only identify Kaylie Langford" another words ~~the~~ Appellants name and H.H.'s name would be removed and it would only show Kaylie Langford in those spots. Appellant also ask this Court to carefully reread his arguments put forth as the appellant renews his challenge to denial of his Writ of Habeas Corpus (Post Conviction)

Verification

I Justin Odell Langford[©], declare and verify that I have ~~att~~ read the foregoing motion and to the best of his knowledge and belief that the foregoing is true and correct. Pursuant to 28 U.S.C. §1746 & 18 U.S.C. §1621

Dated this Day of April, 2019,

6/

Certificate Of Service

I Justin Odell Langford, certify, that I have attached a copy of Motion For Reconsideration.... With special instructions for the Clerk of Court for electronic filing & Service to all of my Opponents Pursuant To N.E.F.C.R. 5(k), 9 et seq (A-E) Etc., To the following

Hon. Susan Johnson, District Judge

Attorney General/Carson City

Clark County District Attorney

Eighth District Court Clerk

Attach is copy of letters to the below cc; As Exhibit 1

Exhibit 2 is No Law in Nevada argument in writ = No Jurisdiction

Exhibit 3 Article From Lexis Nexis

cc: U.S. Department of Justice

Federal Bureau of Investigation

U.S. Marshalls

EXHIBIT

1

EXHIBIT

1

TO: United States Dept. of Justice
950 Pennsylvania Ave., NW
Washington, DC 20530

From: Justin Odell Langford - 1159546

LCC

c/o
1200 Prison Rd

Lovelock, NV 00000

RE: Nevada Law's are VOID and been Proven But still choose's to
Convict People based on VOID LAWS! violating 18 U.S.C, §§ 4 & 242

What you will find enclosed is a copy of the argument I
provided in my Petition For Writ of Habeas Corpus (Post
Conviction) on the laws of Nevada, you'll also find that
I've enclosed a copy of My Motion To Reconsider Denial
Of Appeal. The Legality of Nevada's Law's was proven
in the 8th Judicial District Court in case no. OSC217569,
The State Of Nevada vs. Gary Walters the Judge that
presided over the issue was Doug Herndon. This issue was
Discovered in the Lexis Nexis Legal Database in an article
entitled 'The Greatest Legal Discovery In The History
Of The State Of Nevada' this article has now vanished,
Gary Walters also notified former Gov. Sandaval. Mr. Walters
has posted Three (3) YouTube video's on this Subject.
The State of Nevada is doing everything they can to make
this issue dissappear, for obvious reasons.

Respectfully Submitted

Please Help us Nevada Citizen From A Corrupt State

TO FBI HQ

1787 West Lake Mead Blvd

Las Vegas, NV 89106-2135

From: Justin Odell Langford

LCC

90 1200 Prison Rd

Lovelock, NV 00000

RE: Nevada Laws are VOID and been Proven But still choose's to Convict
People based on VOID LAWS! violating 18 U.S.C. §§ 4 & 242

What you will find enclosed is a copy of the argument I provided in my Petition For Writ of Habeas Corpus (Post Conviction) on the laws of Nevada, you'll also find that I've enclosed a copy of My Motion To Reconsider Denial Of Appeal. The Legality of Nevada's Laws was proven in the 8th Judicial District Court in case no. 05C217969, The State of Nevada vs Gary Walters, the Judge that presided over the issue was Doug Herndon. This issue was Discovered in the Lexis Nexis Legal Database in an article entitled 'The Greatest Legal Discovery In The History Of The State of Nevada' this article has now vanished, Gary Walters also notified Former Gov. Sandarov. Mr. Walters has posted Three(3) YouTube video's on this Subject. The State of Nevada is doing everything they can to make this issue disappear, for obvious reasons. Please Help us Nevada Citizens From A Corrupt State

Respectfully Submitted

TO: United States District Court
ATTN: United States Marshall's
333 Las Vegas BLVD. So.
Las Vegas, NV 89101

From: Justin Odell Langford
LCC
c/o 1200 Prison Rd.
Lovelock, NV 00000

RE: Nevada Law's are VOID and been Proven But still choose's to Convict
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The State of Nevada vs Gary Walters, the Judge that presided over
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posted Three (3) YouTube video's on this Subject. The state of Nevada is
doing everything they can to make this issue dissappear, for
obvious reasons. Please Help us Nevada Citizens From A Corrupt
State. Please Press all charges that apply to All Officials in this
state.

Respectfully Submitted

EXHIBIT

2

EXHIBIT

2

1 NO LAW IN NEVADA IN VIOLATION OF
2 U.S. CONST. AMEND. V, VI, VIII, XIV

3
4 The procedural process for the passage of a State
5 Law generally consist of the following flow chart:

6 (1) The Law is passed by both houses;

7 (2) The Bill is sent to the Governor, who then signs or
8 doesn't sign it;

9 (3) If the Governor signs the Bill, then it goes to the
10 Secretary of State;

11 (4) In Nevada, the Secretary of State is the Constitutional
12 Keeper of all legislative records;

13 (5) The Secretary of State also possesses the official State
14 Seal and affixes them to laws that have been passed to
15 certify that it is a true and valid document.

16 The laws that are passed by the state legislature are
17 prima facie evidence that it has been passed, but the laws
18 that are issued and published by the Secretary of State are
19 irrefutable proof that the law exists. Statutes are
20 presumed to be valid, and the challenger bears the burden
21 of showing that a statute is unconstitutional.

22 Halverson v. Secretary of State, 124 Nev. 484, 487, 186 P.3d
23 at 896 (2008). Therefore this petitioner proceeds with his
24 challenge to the Constitutionality of the passage of the
25 Nevada Revised Statutes [NRS] which are alleged to have
26 been legislatively passed en mass by Senate Bill No. 2.

27 The mode of a statute depends on Constitutional
28 Mead v. Arnell, 791 p.2d 410, 117 Idaho 660 (1990), and
29 statutory requirements. Harris v. Shanahan, 387 p.2d 771
30 192 Kan. 183 (1963). The Nevada Revised Statutes are
31 alleged to have been passed into law on May 1, 1951 in
32 the form of a copy of an "engrossed Bill" - commonly
33 known as Senate Bill No. 2 [herein SB-2]. This Bill was, in
34 fact, not a bill at all. Further, there were so many
35 Constitutional and other mandatory protocols that were
36 Violated as to the manner and method of the
37 passage of ~~any law in Nevada must meet certain~~

1 SB-2, which voided the entire act. The passage of any
2 law in Nevada must meet certain criteria for its
3 "lawful" passage.

4 The first set of issues are related to "Mode, style
5 and Identification" of a Bill. The purpose of prescribing an
6 enacting clause - "The style of the acts" - is to establish it; to
7 give it permanence, uniformity, and certainty; to ~~establish the~~
8 identify the act of legislation as of the general assembly;
9 to afford evidence of its legislative statutory nature;
10 and to secure uniformity of identification, and thus prevent
11 inadvertence, possibly mistake, and fraud State v.
12 Patterson, 4 S.E. 350, 352, 98 N.C. 660 (1957); 82 C.J.S. "Statute", ¶
13 §65, p. 104; Joiner v. State, 15 S.E.2d 8, 233 GA. 367 (1967).

14 The mode, style and identification issues are as follows:
15 The Nevada law mandates that each bill that is passed
16 contains the following language. "The people of the state of
17 Nevada, represented in Senate and Assembly do enact as follows:"
18 The Joint Resolution used as a bandaid to pass SB-2 into law
19 does not contain the enactment clause. Nevada Constitution
20 Article 4 §17, requires that each act embrace only one subject;
21 title; amendment; to wit: "Each law enacted by the
22 legislature shall embrace but one subject, and matter,
23 properly connected therewith, which subject shall be
24 briefly expressed in the title and no law shall be revised or
25 amended by ~~any~~ reference to its title only; but, in such case,
26 the act as revised or section as amended. Shall be re-enacted
27 and publish at length."

28 SB-2, which embraced the passage of the NRS, embraced
29 every subject in Nevada law. SB-2 violated the Nevada
30 Constitution, placing all the subjects of the laws of Nevada
31 under the penumbra of the NRS does not meet the
32 requirements that the bill embrace only one subject. This
33 Constitutional provision is mandatory. State, ex. rel.
34 Chase v. Rogers, 10 Nev. 250 (1875); State v. Ah Sam, 15 Nev.
35 27 (1880). Compliance with this section is essential to the
36 validity of every law enacted by the legislature. State, ex. rel.
37 Wilson v. Stone, 24 Nev. 308, 53 P. 497 (1898); Bell v. First,
38 Judicial Dist. Ct., 28 Nev. 280, 81 P. 875 (1905). Any Act passed
39 disregard of the letter and spirit of this provision is

1 pro tanto void. State v. Ah Sam, 15 Nev. 27 (1880).

2 Authentication Procedures, Senate Bill No. 109,

3 Sponsored by Whitacre, Brown and Seever. in chapters 385 and

4 again as referenced in the Joint Resolution, which states in

5 §2. All bills or resolution shall be introduced in triplicate, and

6 one copy of each bill or resolution shall be marked "Original",

7 one shall be marked "Duplicate", and one shall be marked

8 "Triplicate". The copy marked "Duplicate" shall be sent to the

9 State Printer for the purpose of printing and the copy

10 marked "Triplicate" shall be referred to the amendment clerk.

11 In §3 it states that, the printer shall immediately after

12 receipt of the copy of any Bill or Resolution print, in addition to

13 the regular number herein before authorized, one copy

14 thereof upon heavy buff paper, which copy shall be delivered

15 to the Secretary of the Senate or Chief Clerk of the

16 Assembly. The Amendment Clerk shall then certify to the

17 correctness of the bound copy. In §4 it states, that, the

18 Official and engrossed copy may by resolution be used as

19 the enrolled bill. SB-2 was passed using a Joint Resolution. The

20 severity of the problem with the Joint Resolution used in

21 connection with the copy of the Engrossed Bill [SB-2] is that it

22 does not contain the mandatory enactment language. The State

23 Senate's committee on Judiciary, File No. 1. passed Senate

24 concurrent Resolution No. 1 [Attached as Exhibit ~~8~~], which

25 provides that the official engrossed copy of SB-2 may be used

26 as an enrolled bill. The enacting clause is mandatory and

27 cannot be cured by a Joint Resolution. The Joint Resolution

28 adopted by both houses cannot become a valid law if it does

29 not contain the enacting clause required by this section.

30 AGO 85(07-25-1951). This constitutional provision is

31 mandatory and an act not in proper form is void and

32 unenforceable. State, ex. rel. Chase v. Rogers, 10 Nev. 250 (1875).

33 The words "represented in Senate and Assembly" expressive

34 of the authority which passed the law, are as necessary as

35 the words "The people" or any of the other words of the

36 enacting clause. State. ex. rel. Chase v. Rogers, 10 Nev. 250 (1875).

37 See also Nevada Highway Patrol Ass'n v. State, 107 Nev. 547,

38 815 P.2d 508 (1991).

39 In State. ex. rel. Chase v. Rogers, 10 Nev. 250 (1875), the

40 court held that where the enacting words were prescribed.

41 it was mandatory they be included in the act. Without the

42 words required by the constitution, and without the

43 concurrence of the Senate, the people had no power to enact any

1 law. The county recorder contended that when the bill was
2 presented to the Legislature the words were in the
3 enacting clause. The court ruled that it could only look at the
4 enrolled bill in the office of the Secretary of State in order
5 to ascertain the terms of the law. pursuant to rule 7 of the
6 Joint Rules of the Nevada Senate and Assembly. a Joint
7 Resolution can only be used for the purposes set forth
8 therein, as follows:

- 9 (1) Propose an amendment to Nevada Constitution;
- 10 (2) Ratify a proposed amendment to the United States
- 11 Constitution;
- 12 (3) Address the President of the United States, Congress,
- 13 either House or Committee or Member of Congress, any
- 14 department or agency of the Federal Government, or any
- 15 State of the Union.

16 A Concurrent Resolution must be used for:

- 17 (1) Amendment of these Joint Standing Rules, which require
- 18 a majority vote of each House for adoption;
- 19 (2) Request the return from the Governor of an enrolled
- 20 bill for further consideration;
- 21 (3) Request the return from the Secretary of State an
- 22 enrolled Join or Concurrent Resolution for further
- 23 consideration;
- 24 (4) Resolve the return of a Bill from one House to the
- 25 other House if necessary and appropriate;
- 26 (5) Express facts, principles, opinions and purposes of the
- 27 Senate and Assembly;
- 28 (6) Establish a Joint Committee of the two Houses;
- 29 (7) Direct the Legislature Commission to conduct an
- 30 interim study.

31 A Concurrent Resolution or a Resolution of one House may be
32 used to memorialized a former member of the Legislature or
33 other notable or distinguished person upon his or her death. A
34 Resolution of one House may be used to request the return
35 from the Secretary of State of an enrolled resolution of the
36 same House for further consideration.

37 See Nevada Highway Patrol Ass'n v. State, 107 Nev. 547,
38 815 P.2d 608 (1991). which states as follows:

39 First, by its nature, an assembly concurrent
40 Resolution is not intended to have the force
41 and effect of law. Pursuant to Rule 7 of the
42 Joint Rules of the Nevada Senate and Assembly,
43 the purpose of a concurrent resolution is to direct
44 the Legislative Commission to conduct interm
studies, to request the return of a bill from

the other House, and to request ~~the return~~ an enrolled bill from the Governor. On occasion a Concurrent Resolution is also used to memorialize a former member of the Legislature or other distinguished person upon death, or to congratulate or to commend any person or organization for a significant and meritorious accomplishment.

Second, [e]very bill which may have passed the Legislature shall, before it becomes a law, be presented to the Governor. . . Nev. Const. Art. IV, §35. A review of the Legislative history of the aforementioned Assembly Concurrent Resolutions, No. 29, indicates that this resolution, like other Concurrent Resolutions passed by the Legislature during the same time period, was never presented to the Governor for approval or disapproval. See generally FINAL VOLUME ASSEMBLY HISTORY, 1969 at 218-288. Accordingly, this assembly Concurrent Resolution cannot be construed as the law of this state.

Finally, [t]he enacting clause of every law shall be as follows: The People of the State of Nevada, represented in Senate and Assembly, do enact as follows; and now law shall be enacted except by bill. Nev. Const. Art. IV, §23 (Emphasis added). We have previously ruled that this enacting clause is mandatory and must be included in every law created by the Legislature. See State v. Rogers, 10 Nev. 250 (1875). Since Concurrent Resolution No. 29 and other similar resolutions do not contain the requisite enactment language, they cannot represent the law of this state.

35 The Illegally Operated Legislative Commission:

36 According to the Legislative Counsel Bureau [LCB] the Nevada
37 Revised Statutes were created in 1951 by a enigmatic
38 member of the Statute Revision Commission. Currently, the
39 LCB illegally maintains the History of all Nevada Legislation.
40 It is unknown as to whether or not the LCB is a state agency
41 or department. The LCB appears as a common thread that is
42 ever present as we wind down this rabbit hole to
43 Legislative fraud and lawlessness. It appears that the LCB
44 has been slowly and illegally absorbing State government
45 functions, some of which are Constitutionally mandated.
46 This has been surprisingly accomplishment, in part, by amending
47 the State Constitution through the use of newly created

1 state statute, which have been used to illegal transfer the
2 power from an elected office with Constitutional duties,
3 to the LCB

4 According to the LCB their predecessor, the statute
5 revision commission, was originally created by the
6 Nevada Supreme Court in 1951. However. Senate Bill No 182,
7 Attached as Exhibit 1, approved March 9, 1951, created
8 the statute review commission. This commission consisted
9 of three Nevada Supreme Court Justices:

10 (1) Milton Badt

11 (2) Edgar Eather

12 (3) Charles Merrill

13 Later a rather mysterious man named Russell West
14 McDonald would be appointed by these Justices as "The
15 Director." This commission became increasingly involved
16 in bill drafting as an adjunct to its statute revision
17 work.

18 The origin of the statute revision commission is
19 some what of a mystery as well, providing conflicting and
20 multiple representations from various sources making it
21 unclear as to its actual origin. The Legislative Counsel
22 Bureau states in their literature that the Supreme
23 Court formed this Commission. Regardless of its origin, the
24 entire Commission was Constitutionally Compromised
25 from the start. The Commission was unlawful for several
27 reasons, the most obvious being its very operation, the
28 Justices who served on it did so in violation of the
29 Nevada Constitution and the Separation of Powers
30 Doctrine. Which is discussed as follows, Constitutional
31 Violations: The placement of the ~~at~~ three Nevada Supreme
32 Court Justices on the Statute Revision Commission
33 Violated Nevada Constitution Article VII, §11, which
34 states in pertinent part, The Justices of the Supreme
35 Court and the District Judges shall be ineligible to
36 any office, other than a Judicial Office, during the
37 term for which they shall have been elected or

1 appointed and all elections or appointments of any such
2 Judges by the people, legislature, or otherwise, during
3 said period, to any office other than Judicial shall
4 be void.

5 The Statute Review Commission inherently involved
6 Legislative functions and generated other income for
7 these Justices. For instances Justice Badt was paid an
8 additional \$6,500 more a year to sit on the Commission.
9 Therefore, the placement of three members of the Nevada
10 Supreme Court on the Statute Review Commission
11 clearly violated Art. III, §11 of the Nev. Const. This
12 also violated Nev. Constitution's Separation of Powers
13 prohibition in Art. III, §1, which states in pertinent
14 part, Three separate departments; Legislative review of
15 Administrative Regulations. The power of the
16 Government of the State of Nevada shall be divided into
17 three separate departments. The Legislative, The Executive
18 and the Judicial; and no person charged with the
19 exercise of powers properly belonging to one of these
20 departments shall exercise any functions, appertaining
21 to either of the others, except in cases expressly
22 directed or permitted in this Constitution.

23 Thus the Separation of Powers Doctrine was violated
24 as three(3) Justices were involved in the drafting of
25 legislation and the passage of Bills in the Legislature, a
26 purely legislative function. Further, the Statute Revision
27 Commission was completely responsible for the generation of
28 the Nevada Revised Statutes (NRS). The generation of these
29 Revised Statutes specifically state that there were actual
30 changes in the statement of the law as they were
31 compiled into the NRS. Changes were made to existing
32 statutes, entire words were deleted as being redundant,
33 grammar was changed, sentence structures were altered.
34 All in the name of progress. Changing even one(1) jot or
35 title was a legislative act and the Statute Revision
36 Commission's members were Constitutionally prohibited from
37 this conduct. It is important to note here that the Statute
38 Revision Commission was not legally created until 1955. On
39 April 26, 1963, the legislature committed an illegal act by

1 back dating the appointment of the Statute Revision
2 Commission and revisor of statutes to 1951 to cover up
3 their pre-existing criminal fraud. See April 26, 1963 Bill
4 Act Bill No. 24, Chapter 403, Reading the Forward
5 providing by the Statute Revision Commission reveals
6 some interesting facts (if true), to wit:

7 8 FOREWORD

9 By the provisions of chapter 304, Statutes of Nevada 1951,
10 amended by chapter 280, Statutes of Nevada 1953, and
11 chapter 248, Statutes of Nevada 1955, the Legislature of the
12 State of Nevada created the Statute Revision Commission
13 comprised of three Justices of the Supreme Court, authorized
14 such commission to appoint a revisor of the statutes to be known
15 as the Director of the Statute Revision Commission. and
16 charged the commission to commence the preparation of a
17 complete revision and compilation of the laws of the state
18 of Nevada to be known as Nevada Revised Statutes for further
19 duties and authority of the Statute Revision Commission
20 relating to the preparation of Nevada Revised Statutes, the
21 numbering of sections, bindings, printing, classification, revision
22 and sale thereof.

23
24 The Commission employed as Director, Russell W. McDonald,
25 a member of the state bar of Nevada, who, with his staff,
26 undertook and performed this monumental task, with such
27 method, care, precision, completeness, accuracy and safe
28 guarded against error as to evoke the highest praise of the
29 Commission and the Commendation of the bench and bar of
30 the State.

31
32 As the work progressed, Mr. McDonald submitted drafts of
33 chapter after chapter as recompiled and revised, and the
34 members of the commission individually and in conference
35 meticulously checked all revision. In the vast majority of
36 cases these revisions were promptly approved. Many required
37 further conferences with the Director. Some were modified
38 and redrafted. As the several chapters were returned with
39 approval to the Director, they were in turn delivered to the
40 superintendent of State printing for printing, to the end
41 that upon the convening of the 1957 Legislature Nevada
42 Revised Statutes were ready to present for approval. By
43 the provisions of chapter 2, Statutes of Nevada 1957,

1 Nevada Revised Statutes, consisting of NRS 1.010 to
2 110.590, inclusive, was "adopted and enacted as law of
3 the State of Nevada."

4 STATUTE REVISION COMMISSION

5 Milton B. Badt

6 Edgar Ether

7 Charles M. Merrill

8
9 The Supreme Court says that the Statute Revision
10 Commission was created by the Legislature. But the LCB
11 states the Statute Revision Commission was originally
12 created by the Nevada Supreme Court in 1951 and became
13 involved in bill drafting as an adjunct to its statute
14 revision work. And, further the 1945 law establishing the
15 bureau [LCB] charged it with assisting the Legislature
16 to find facts concerning government, proposal legislation,
17 and various other public matters. The LCB goes on further
18 to state that, During the next several years, the duties
19 of the bureau and its staff were modified and expanded.
20 In 1963, the Nev. Legislature reorganized the Legislative
21 Counsel Bureau, giving it structure and responsibilities
22 similar to those it has today. One part of this change
23 was the incorporation of the Statute Revision
24 Commission [via Legislative Counsel, Russell W. McDonald]
25 into the Legislative Counsel Bureau as the Legal
26 Division... The 1963 Legislation also added a Fiscal
27 and Auditing Division and a Research Division.

28
29 In 1956-57 the Committee on Judiciary in the Senate
30 passed Concurrent Resolution No. 1. Attached as Exhibit 86.
31 The legislation was an attempt to bootstrap the illegal
32 passage of the NRS by SB-2. The Senate attempted to do
33 so by using a Joint Resolution to provide that the
34 "official engrossed copy of SB-2 may be used as the
35 enrolled bill". As set forth above Resolutions cannot be
36 used to pass any bill into law, rendering any law using
37 this legislative vehicle as void.

38 Even the LCB's preface to the NRS describing the
39 work done by the Statute Revision Commission as a
40 delegation of the Legislature's own duties, Russell McDonald

1 was engaged in "revising" which the LCB states in their
2 preface as follows:

3 "Revising" the statutes, on the other hand, involves
4 these additional and distinguishing operations: (1) The
5 collection into chapters of all sections and part of
6 sections that relate to the same subject and the
7 orderly arrangement into sections of the material
8 assembled in each chapter. (2) The elimination of
9 inoperative or obsolete, duplicated, impliedly repealed
10 and unconstitutional (as declared by the Supreme
11 Court of the State of Nevada) sections and parts
12 of sections. (3) The elimination of unnecessary and
13 words and the improvement of the grammatical
14 structure and physical form of sections.
15 The revision, instead of the recompilation, of the
16 statutes was undertaken, therefore, first, to eliminate
17 sections or parts of sections which, though not
18 specifically repealed, were nevertheless ineffective
19 and, second to clarify, simplify, classify and generally
20 make more accessible, understandable and usable
21 the remaining effective sections or part of sections.

22
23 Changing any word, whether it is redundant, unnecessary,
24 ineffective, simply, clarifying, or just simply an
25 improvement of the grammatical structure is a
26 legislative function, not a judicial function. Let us
27 forget these corrections were being approved first
28 by three (3) State Supreme Court Justices. This is a
29 blatant violation of the Separation of Powers Doctrine.
30 But we don't really know whether any of the records that
31 can be retrieved from the LCB or the Nevada archives
34 are copies of the original bill or records, but both
35 produce what they say are copies but don't match what
36 the other has. Will never know which one is a true copy of
37 the original because of the fact the records are not in
38 their Constitutional Repository and, therefore, legally do
39 not exist. Literally, the Statute Review Commission was

1 passing (or attempting to pass) laws in complete derogation of
2 the three Justices Oath of Office and blatant violation
3 of Constitutionally prohibited practices. Effectively the predecessor
4 to the LCB and then later the LCB took over the official
5 duties of Nevada's elected officials and ran the entire state
6 Legislative System through one guy - Russell West McDonald - a
7 character who the Legislature was told was an attorney who
8 graduated from Stanford's Law School, was a Rhodes Scholar, was
9 educated in Nevada's public Schools, and was a native-born
10 Nevadan. None of it verifiable. Russel West McDonald was a
11 mystery man, who obtained almost unlimited and certainly
12 unchecked power. (see Exhibit _____).

13 The harsh reality of both of the amorphously hollow
14 Resolutions that are alleged to have caused the passage of SB-2,
15 while at the same time revoking Nevada's existing Statutes and
16 replacing them with the NRS, is that the entire program is
17 legally and legislatively Bankrupt. That means that the entire
18 process was void by the plethora of Constitutional Violations, but
19 included acts of a criminal nature, not to mention the passage of
20 SB-2 violated the Legislature's own rules. The passing of Legislation
21 is not like horseshoes and handgrenades. Close does not count, the
22 Nevada Constitution prohibits the passage of bills in the
23 manner that was done for the entire NRS. The NRS is void
24 ab initio, meaning from its inception.

25 The Joint House Rules of the Nevada Legislature were clearly
26 violated on the method of the passage of Bills into law which
27 also prevented the NRS alleged en mass passage through these
28 violations as well. How many Constitutional provisions or
29 Legislative rules need to be violated in order to negate it's
30 passage? The answer should be only one! There are other
31 revealing Constitutional violations as well as the violations of
32 the Legislature's own rules which are egregious, for instance, the
33 NRS's very passage violates Senate Bill 109, Sec. 4, section 8
34 being chapter 3, Statute of Nevada 1949, at page 4.

35 Literally, the term "enrolled" Bill means a "printed and
36 signed" Bill. An examination of the engrossed Bill referred to or,
37 more succinctly, SB-2; which was used to pass the NRS en mass
38 shows that it was type-written-not printed. The LCB even
39 admits this.

40 Other errors were committed. For instance the requirement
41 for the passage of a Bill is that it be read three times over
42 three separate days as required by Nevada Constitution;
43 Article 4, §17. There is no evidence that this was ever
44 accomplished and this information cannot be obtained from the
45 Constitutional Record Keeper - that being the Secretary of State.
46 See Nevada Constitution; Art. 5, §20, which requires the

1 Legislative Records to be maintained by the Secretary of State.
2 ~~See Nevada Constitution~~ The Nevada Constitution requires
3 that the procedures set forth in Article 16, §1 and/or §2 be
4 followed to amend the constitution. These do not include
5 amendment by statute or amendment by subterfuge and guise.
6 Holding that a statute can amend the state Constitution
7 Violates every citizen's Constitutional Right to procedural
8 and substantive due process under the Nevada
9 Constitution [Art. 1, §4(5)] and under the United States
10 Constitution I, II, XIV Amendments. However, the LCB
11 has once again taken action to cover their fraud by
12 getting the Nevada Legislature to become co-conspirators
13 in their criminal enterprise. This was accomplished by the
14 Nevada Legislature amending the Constitution through
15 passage of statute. This was done through NRS 225.070,
16 which transfers all authority of record keeping from the
17 Secretary of State to the LCB. Yet a search of the
18 NRS shows that NRS 225.070 does not exist. Holding
19 that a statute can diminish or negate the
20 Constitutional Authority mandated in the Constitution
21 violates the Separation of Powers Doctrine (Amending
22 the Constitution must be effectuated by the Body Politic.
23 Not Legislating from the bench, nor amended by the passage of a
24 statute). "A statute cannot amend the Constitution." Seminole
25 Tribe of Florida v. Florida, 517 U.S. 44, 116 S Ct 1114 (U.S. Fla. 1996);
26 Pennsylvania v. Union Gas Co., 491 U.S. 1, 24, 109 S Ct 2273, 2286, 105
27 L Ed 2d 1 (1989); Counselman v. Hitchcock, 142 U.S. 547, 12 S Ct 195 (1892);
28 "... [A]n unconstitutional statute is to be regarded as
29 nonexistent and no state defense to State Officers acting under
30 it..." Rockaway Pacific Corporation v. Statesbury, 255 F. 345 (D.C. N.Y.
31 1917). See also Cooper v. Aaron, 385 U.S. 1, 18, 78 S.Ct. 1401, 1409-1410, 3
32 L Ed 2d 5 (1958) (holding that an Oath to support the Constitution is
33 an Oath to support its interpretation by the United States
34 Supreme Court). See also Baker v. Carr, 369 U.S. 189, 215, 82 S Ct 691,
35 709, 7 L Ed 2d 663 (1962), which the United States Bankruptcy Court
36 relied upon in In Re Tessier, 190 B.R. 296 (1995) to make the
37 following conclusion:
38 Finally, in attempting to deny the Supreme Courts'
39 determination of its own capacity to adjudicate,
40 the Congress invades a province properly left to a
41 coordinate Branch, and in so doing, impermissibly
42 exceeds its Legislative authority.
43 Nevadas sister state, California, has had some things to say about
44 similar circumstances in their state. "The Constitutional provision was
45 a law made directly by the people instead of the Legislature, and
46 such laws are to be construed and enforced in all respects as though
47 they were statutes." Winchester v. Mabury, 122 Cal. 552, 55 P.393.

1 in effect. these Constitutional provisions are but statutes,
2 which the Legislature cannot repeal or amend. Winchester v
3 Howard, 136 Cal. 432, 439, 64 P. 692, 69 P. 77, 79, 49 Am. St. Rep. 153.

4 The LCB has and allegedly maintains all of the Legislative
5 records in clear violation of the Nevada Constitution. Bill Resolution
6 Journals and all other records were allegedly taken away from the
7 Secretary of State and transferred to the LCB through the
8 passage of NRS 225.070. A statute that does not exist.

9 Even if the Legislature did everything lawfully by following the
10 correct rules and guidelines, we still will never know if the NRS were
11 passed into law because there are no records at the Secretary of
12 State's Office. See Letter from Secretary of State stating that they
13 do not have these records (Exhibit ____). (as the Nevada
14 Constitution, Art. 5, §20, commands the Secretary of State to
15 maintain and protect). Even the proofs of the unconstitutional NRS,
16 passed off as law, has been unconstitutionally hidden by an entity
17 that may deny access to the information to anyone.

18 There exists even more disturbing issues regarding the legality of
19 the NRS in that there are no records even showing that the
20 Governor signed SB-2 into law. Interestingly, although the Secretary
21 of State is Constitutionally mandated to maintain the legal custody
22 and control of this information and provide it to any party
23 seeking the information, the Secretary of State avers that it does
24 not have legal custody and control of it. The Secretary of State
25 tells you ask the LCB for it, this is absurd! The Attorney
26 General's Office has addressed a similar issue before and stated
27 that. A Joint Resolution appropriating money from the
28 Highway Fund, adopted by both, but never presented to the
29 Governor for his signature, does not become law. Thus, an
30 appropriation is invalid under this section. Attorney General
31 Opinion 85[AGO (7-25-1950)].

32 Currently the Secretary of State states that their office does
33 not have the files that will prove the Petitioners argument. This
34 poses a serious problem for two reasons: (1) the loss or hiding of these
35 records prevents the petitioners' story from being proven
36 conclusively; and (2) losing, or destroying or hiding these records
37 constitutes a crime. See NRS 239.330. which discusses the crime of
38 any public officer causing INJURY TO, CONCEALMENT OR
39 FALSEFICATION OF RECORDS OR PAPERS to wit:

40 An officer who mutilates, destroys, conceals, erases,
41 obliterates or falsifies any record or paper
42 appertaining to his office, is guilty of a category C
43 felony and shall be punished as provided in
44 NRS 193.130.

45 Further, the documents which were submitted for the passage of SB-2 do
46 not conform to the Constitutional requirements or the Joint Rules of
47 the Senate and Assembly. Since this document was submitted by the
48 LCB, the Senate and the Assembly, this unqualified document was not
49 a true Bill. Since it was not a true Bill it was a false or fraudulent Bill.
50 NRS 239.330. discusses the penalties for submitting or offering
51 false information for filing or for recording. The statute reads
52 in pertinent part as follows:

53 A person who knowingly procures or offers any false or

1 forged instrument to be filed, registered or recorded
2 in any public office, which instrument, if genuine,
3 might be filed, registered or recorded in a public
4 office under an law of this state or of the United
5 States, is guilty of a Category C felony and shall
6 be punished as provided in NRS 193.130

7
8 There is no question that SB-2, was passed off as a legitimate
9 document, when it was not. Therefore, this constituted the offering
10 of a false instrument and caused it to be filed, registered or
11 record in a public office. Currently the Secretary of State,
12 who is the Constitutionally mandated office, does not have
13 the documents or at least not willing to admit that they
14 do. But since the Secretary of State is Required to
15 maintain these Legislative and Executive Records, but tells
16 you to request them from the LCB, it is assumed, that this
17 office will continue to maintain this position because it has
18 been ordered to do so. The probable explanation is that if
19 we don't maintain that the NRS is the law in Nevada it could
20 cause complete and total chaos, even anarchy, however, the
21 United States Constitution in Article 4, §4 states that the
22 United States government shall guarantee to every state in
23 this Union a Republican form of government. Everybody these
24 days is being told that our soldiers are fighting for
25 Democracy, but this is not true. They are fighting to
26 maintain the rule of law which is what a Republic is based
27 upon. So, even our politicians and educators don't know what
28 kind of government we have. It is rather interesting that the
29 Constitution does not guarantee every state a "Democratic
30 form of government." But it does guarantee each state a
31 Republican form of government.

32 So what is the answer to all of these problems? ~~This~~ The
33 petitioners' assessment is that what is good for the goose
34 should be good for the gander. In other words, we need to
35 follow the same protocols that the gaming industry does
36 when it enforces gaming rules on the citizens of the state
37 and that is: ZERO tolerance for any kind of non-conformance
38 with the rules the gaming industry calls any non-conformance
39 with the gaming rules CHEATING! Cheating is a criminal act.

40 So why does the government think they can get away
41 with something that is much, much more egregious than
42 cheating at gaming. The State is putting the citizens of the
43 State of Nevada in Jail or Prison and even putting them to
44 death, based upon [laws that are completely void]. This must be
45 seen for what it is - a criminal act. Arresting and
46 incarcerating someone on a bogus law is "Kidnapping" and
47 "false imprisonment." Putting someone to death, even if they
48 deserve it, for a law that doesn't exist is "Murder." SB-2
49 is literally a Bill of Attainder by the United States
50 Constitution, Article 1, §10 and it has been executed against

1 the entire populace of the State.

2 What will the government have to say about all of this?

3 The answer is nothing, because they have already brought
4 the Secretary of State into the fold and instructed him/her
5 not to release any documents, in fact, the office is
6 denying that the office even has or maintains them. What
7 would happen if the Secretary of State produced these
8 documents, as the office is required to do, and it shows
9 that every single thing the Petitioner is saying is true?

10 Well, most certainly they will say that we can't set aside
11 the NRS because when they passed the NRS they voided
12 all the general statutes, so they are gone too. Which
13 would be untrue because within SB-2 it says in the case
14 that this is found unconstitutional then all laws revert
15 back to all the original statutes. The absurdity of the
16 legal viewpoint is that if we have laws that were never
17 properly passed and they are null and void - don't we already
18 have no law? In fact, isn't what we have even worse than
19 no law? The United States Supreme Court has addressed

20 this issue in Merritt v. Welsh, 104 U.S. 694, 702 (1881), stating, "it
21 has been said, with much truth, where the law ends, tyranny
22 begins!" So let's call it what it is: Tyranny.

23 The vastness of this conspiracy goes all the way to the
24 top. After all, Governor Sandavol signed into law a bill that
25 prohibits inmates from having access to public records.
26 This can't be just a coincidence, can it? Sandavol is a former
27 Federal Judge. prior to signing this Bill of Attainder into
28 law he recieved a package from Gary Walters outlining the
29 the illegality of the NRS. The prosecutors have gone as
30 far as saying that one NRS backs this NRS as Prima Facie
31 evidence, but prima Facie means from the begging, you can't
32 use one unconstitutional law to support another
33 unconstitutional law, two wrongs don't make it right.
34 Prosecutors have admitted in other Petitioners Writs that
35 the NRS's are not law, if there not law then there
36 unenforceable.

37 If words mean nothing, then our Constitution means
38 nothing. If our Constitution means nothing then we have no
39 rights. If we have no rights, then we only have privileges and
40 immunities that are granted by government. We are ~~not~~
41 then but subjects of a tyrannical government, it is a maxim
42 of law, "That which creates, has the power to destroy."

43 Therefore, privileges are worthless because they can be
44 legislated away for any reason, where as Constitutional Rights
45 cannot be legislated away without the consent of the Body
46 politic. Our state law has been morphed into a form of
47 territorial Federal law. This destroys the sovereignty of the

1 State and its citizens. The Legislature has taken upon themselves to
2 take total power away from the State Constitution-the law of the
3 Body politic-the citizens of the State. However, "A State
4 Constitution is binding on the courts of the State and on every
5 officer and every citizen. Any attempt to do that which is
6 prescribed in any manner than that prescribed or to do that which
7 is prohibited, is repugnant to the supreme and paramount law,
8 and invalid." Porch v. Patterson, 39 Nev. 251, 268, 156 P. 439, 445 (1916).

9 The Constitution nullifies sophisticated as well as simple-minded
10 modes of infringing on Constitutional protections. Lane v. Wilson,
11 307 U.S. 268, 275, 59 S Ct 872, 876, 83 L Ed 1281 (1939); Harmon v.
12 Forseverus 380 U.S. at 540-541. 85 S Ct at 1185. Cited in

13 U.S. Term Limits, Inc. v. Thornton, 514 U.S. 779, 829, 115 S.Ct. 1842 (1995).

14 like its counterpart in the Fifth Amendment, the Due Process Clause
15 of the Fourteenth Amendment was intended to prevent the
16 government. "From abusing [its] power, or employing it as an
17 instrument of oppression." Davidson v. Cannon, 474 U.S. 344, 348 (1986).

18 The Constitution of the United States guarantees each state a
19 Republican form of government. A Republican form of government
20 means that we have the rule of law. Currently we have no rule of
21 law in Nevada, ~~Nation State~~ in fact we have nothing but
22 lawlessness. We have an oligarchy, a Nation-State where our
23 representatives have become rulers who are a law unto
24 themselves and are rules are lying to us in order to maintain the
25 facade that we are in an orderly, Free Society-when the truth
26 is we are living under an oppressive and tyrannical government.
27 "No state Legislation or executive or judicial officer can war
28 against the Constitution without violating his undertaking to support
29 it." Copper v Aaron, 385 U.S. 1, 78 S.Ct, 1401 (1965). The United States
30 Supreme Court has spoken, "We [Judges] have no more right to
31 decline the exercise of Jurisdiction which is given, than to usurp
32 which is ~~given~~ than not given. The one or the other would be
33 treason to the Constitution." U.S. v. Will, 449 U.S. 200, 216, 101 S Ct 471,
34 66 L Ed 2d 392, 406 (1980); Coburn v. Virginia 19 U.S. (6 Wheat) 264, 404,
35 5 L Ed 257 (1821). The [illegality] of the [NRS] denies the Courts
36 their Jurisdiction to act.

37 The Legislative Counsel Bureau [LCB] is an illegally created
38 private corporate entity, which maintains all of the public records
39 in violation of the Nevada Constitution. This corporation has obtain
40 untold powers over the years and controls many aspects of the
41 State Government including the writing and drafting of all Bills in the
42 Legislature. The State Mail Room, the Senate printing office and the
43 ownership of the copyrights on the Nevada Revised Statutes [NRS],
44 which have brought millions of dollars of profit to the private
45 corporation.

46 A "Democracy" is mob rule, directed and controlled by an
47 oligarchy. Currently in this country we have a Nation-State type
48 of government that operates as a democratic-welfare state,

1 where laws are not obeyed or enforced because they might offend
2 someone. Whereas a Republican Form of Government is a Government
3 of laws, where laws are enforced regardless of whether we will
4 offend somebody or not simply because it is the law.

5 "[T]he courts statutory... Power to adjudicate" is defined as
6 Subject Matter Jurisdiction. Cotton v. United States, 535 U.S. 625, 630 (2005).
7 It logically follows that an unconstitutional law deprives a court
8 of Subject Matter Jurisdiction rendering judgements void. See
9 Wright v. West, 505 U.S. 277, 285 (1992) ("Court without
10 jurisdiction to impose sentence under unconstitutional statute")
11 (citing Ex Parte Siebold, 100 U.S. 372, 377 (1880); Ex Parte Smith,
12 126 P. 655, 669 (Nev. 1912) (an unconstitutional law "is a
13 Jurisdictional defect"); Ex Parte Rosenblatt, 14 P. 298, 299 (Nev. 1887)
14 (holding that an unconstitutional law is void and insufficient to
15 give jurisdiction to the court) (citing Ex Parte Siebold, Supra).

16 A sentence based upon an unconstitutional law not only
17 deprives a court of Jurisdiction to impose the sentence at all, the
18 sentence would also be illegal. see Edwards v. State, 918 P.2d 321.
19 324 (Nev. 1996) (holding that a sentence is illegal if the court
20 goes beyond its authority by acting without Jurisdiction).

21 Sentencing laws are enacted by the Legislature through
22 statutes and confer the Court with Jurisdiction to adjudicate
23 within the scope of the statute's provision. "A court does not
24 have the power, by judicial fiat, to extend its Jurisdiction
25 over matters beyond the scope of the authority granted to it
26 by its creators." Stoll v. Gottlieb, 305 U.S. 165, 171 (1938); Ex Parte
27 Smith, 126 P. at 671. An unconstitutional law is no law at all

28 and cannot legitimately confer a court with jurisdiction.
29 such laws are without force and effect. There is nothing
30 anyone can provide to rebut the facts of this argument
31 for the NRS's being unconstitutional, anyone who attempts to
32 argue against the cold hard facts does not care about
33 justice and is against this States Constitution. Chapman v.
34 California, 386 U.S. 18, 23-24, 17 L Ed2d 705, 87 S Ct 824 (1967)

35 1) HARMLESS BEYOND REASONABLE DOUBT standard presumes
36 prejudice and burden on beneficiary of errors to prove beyond
37 reasonable doubt that errors did not contribute to verdict.

38 2) Harmless plain error does not exist, all plain errors are
39 harmful. (3) Harmless Constitutional error test is stringently applied,
40 resolving all reasonable doubts against government. "Where Court is
41 in grave doubt as to harmlessness of State Court error, habeas
42 petitioner must win." Crespin v. State of N.M., 144 F.3d 641
43 (10th Cir. 1998). There is no way for the State to prove the use
44 of unconstitutional laws were not harmful to the Petitioner.

45 The subject matter embodied in a legislative act must be
46 expressed in the title. AGO 17(2-17-1923), all Legislative
47 power is vested in the Legislature by the Constitution, and
48 the Legislature cannot delegate this power to any officer or

1 board. AGO 157(15-26-1938). This section requires that each law
2 enacted by the legislature embrace only one subject and
3 that the subject matter of a Bill appear in the title. That part of
4 a statute which provided for the payment of salary to an
5 official reporter of the Supreme Court was VOID because
6 not embraced in the title. AGO(3-30-1929). State ex rel.
7 Stevenson v. Tufty. 19 Nev. 391, 12 P. 835, 1887 Nev. LEXIS 4(Nev.
8 1887). "According to Amendments to the Constitution can be
9 made only in the mode provided by the Constitution itself.
10 The provisions providing the mode of amending the
11 Constitution were intended to secure care and deliberation
12 on the part of the Legislature and people, and are exclusive
13 and controlling." State ex rel. Narcross v. Board of Comm'r. 22
14 Nev. 399. 41 P. 145. 1895 Nev. Lexis 20(1895). "If the title
15 is restricted to a certain purpose, the purview or body of the
16 act must also be restricted to that subject; the act can be
17 no broader than the subject expressed in the title." State
18 ex rel. Abelman v. Douglas, 46 Nev. 121, 108 P. 412, 1922 Nev. Lexis
19 10(Nev. 1922). "If a statute is broader than its title, the part
20 expressed in the title is valid, while the parts not indicated
21 thereby are void." Pacific Live Stock Co. v. Ellison Ranching Co. 46
22 Nev. 351. 213 P. 700. 1923 Nev. Lexis 14(1923). "A district Court
23 has authority to declare an act of the Legislature
24 unconstitutional." The State can say they were repealed and
25 don't exist, but if you read SB-2 in its entirety you'll notice
26 the section that says "if found to be unconstitutional the
27 laws shall revert back to the old statutes" so there is no
28 excuse. The Courts are bound to enforce the Constitution.

29 The Challenge to the NRS is a challenge to the
30 jurisdiction of the lower courts, a Jurisdictional challenge.
31 cannot be waived at any time. A Jurisdictional challenge is the
32 same as a challenge to an Illegal sentence which can be
33 challenged years down the road. See Edwards v. State, 418 P 1d
34 321. 324(Nev. 1996); Passanisi v. State. Also a Judge is a Judge,
35 they are Judicial Officials which means they can only perform
36 Judicial Duties nothing else. The LCB was an quasi legislative
37 office. Judges are elected to be an Judicial official. The LCB
38 did legislative work which is forbidden for a Judicial official
39 to do you can't change the definition of something as an Judicial
40 official by statute. A what Judge will always be a Judicial officer, and
41 a senator or congress man will always be an legislator and neither
42 can perform the duties of another under the seperation of powers.

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EXHIBIT 3

EXHIBIT 3

~~Greatest Legal Discovery in the History of the State of Nevada~~

~~CONDENSED VERSION WITHOUT EXHIBITS ATTACHED~~

~~Preliminary Statement~~

Gary Walters, once had a personal bank account containing over one hundred million dollars and had exclusive control of over one billion dollars in investment funds. Mr. Walters was arrested and prosecuted for the forgeries committed by Robert Earl Ford and Effraim Mizrahi (In another court case Effraim Mizrahi testified that he and Robert Earl Ford forged the documents that put Mr. Walters in prison). This recorded testimony was not permitted to be used in Mr. Walter's defense by Judge Michael P. Villani in Eighth Judicial District Court No. 17. While Mr. Walters was in custody, with no bail, he was systematically robbed and stripped of hundred's of millions of dollars by the surviving and un-prosecuted members of Nevada's notorious HOA scandal.¹²³⁴ Mr. Walters was prosecuted by the surviving spouse of HOA conspiracy member, David Amesbury.⁵ Mr. Walters has come forward and released this phenomenal historical and legal research effort which was completed after spending over eight years in prison. Mr. Walter's conviction was reversed on a Post-Conviction Writ. This puts his case in the one-half of one percentile that are granted in Nevada State Courts. In other words, Mr. Walters Writ was one of the only 0.05 which are granted relief. Many of the documents obtained by Mr. Walters within the walls of Nevada's Department of Correction are no longer available to the public.⁶ Once Mr. Walters made this information generally available, Nevada's Governor Brian Sandoval quickly signed a Bill into law denying all Prisoner's access to public records.⁷ Mr. Walter's discovery follows:

~~Preface to Mr. Walters' discovery:~~

To understand the nature and validity of codification and revision of statues at large, there needs to be an understanding that there are rules that direct the execution and making of them. These are generally found in every States' Constitution. These Constitutional directives are mandated, in other words, they must be followed or the codification or revision is a nullity. There are two levels that control this process. They are procedural and substantive in nature. By comparison, somewhat like a obtaining a driver's license: First you have a written test (substantive), eye test (substantive), and then you take a driving test (procedural).

The procedural process for the passage of a State Law *generally* consists of the following flow chart:

1. The Law is passed by both houses;
2. The bill is sent to the Governor, who then signs or doesn't sign it;
3. If the Governor signs the bill, then it goes to the Secretary of State;
4. In Nevada, the Secretary of State is the Constitutional keeper of ALL legislative records;
5. The Secretary of State also possesses the official state seal and affixes them to laws that have been passed to certify that it is a true and valid document.

The laws that are passed by the State Legislature are prima facie evidence that it has been passed, but the laws that are issued and published by the Secretary of State are irrefutable proof that the law exists. Statutes are presumed to be valid, and the challenger bears the burden of showing that a statute is unconstitutional. Halverson v. Secretary of State, 124 Nev. 484, 487, 186 P.3d at 896 (2008). Therefore, ~~the challenger~~ proceeds with his challenge to the Constitutionality of the passage of the Nevada Revised Statutes [NRS] which are alleged to have been Legislatively passed *en mass* by Senate Bill No. 2.



THE ENTIRE NEVADA REVISED STATUTES SCHEME IS NULL & VOID

The mode of a statute depends on constitutional, Mead v. Arnell, 791 P.2d 410, 117 Idaho 660 (1990), and statutory requirements. Harris v. Shanahan, 387 P.2d 771, 192 Kan. 183 (1963). The Nevada Revised Statutes are alleged to have been passed into law on May 1, 1951 in the form of a copy of an "engrossed Bill" - commonly known as Senate Bill No. 2 [hereinafter SB-2]. ~~the challenger~~ discovered that this Bill was, in fact, not a Bill at all. Further, there were so many Constitutional and other mandatory protocols that were violated, as to the manner and method of the passage of SB No. 2, which voided the entire act. The passage of any law in Nevada must meet certain criteria for its "lawful" passage.

The first set of issues are related to "Mode, Style and Identification" of a Bill. The purpose of prescribing an enacting clause - "the style of the acts" - is to establish it; to give it permanence, uniformity, and certainty; to identify the act of legislation as of the general assembly; to afford evidence of its legislative statutory nature; and to secure uniformity of identification, and thus prevent inadvertence, possibly mistake, and fraud. State v. Patterson, 4 S.E. 350, 352, 98 N.C. 660 (1887); 82 C.J.S. "Statute," §65, p. 104; Joiner v. State, 15 S.E.2d 8, 233 Ga. 367 (1967). The object of the style of a bill or enacting clause is to show the authority by which the bill is enacted into law, to show that the act comes from a place pointed out by the Constitution as the source of legislation. Ferrill v. Keel, 151 S.W. 269, 272, 105 Ark. 380 (1912). In sum and substance, the enacting clause is that portion of a statute that gives it jurisdictional identity and constitutional authenticity. Joiner v. State 155 S.E.2d 8, 10 (Ga. 1967).

The *mode, style and identification* issues are as follows:

- a. The Nevada law mandates that each Bill that is passed contain the following language:

"The people of the State of Nevada, represented in Senate and Assembly do enact as follows:"

- SB No. 2 does not contain this language.
- Nor does the Joint Resolution used as a band aid to pass it into law.

- b. Nevada Constitution Article 4, §17, requires that each Act embrace only one subject; to wit:

"Each law enacted by the Legislature shall embrace but one subject, and matter, properly connected therewith, which subject shall be briefly expressed in the title; and no law shall be revised or amended by reference to its title only; but, in such case, the act as revised or section as amended, shall be re-enacted and published at length."

SB-2, which embraced the passage of the NRS embraced every subject in Nevada Law. SB-2 violated the Nevada Constitution. Placing all the subjects of the laws of Nevada under the penumbra of the NRS does not meet the requirements that the Bill embrace only one subject. This Constitutional provision is mandatory. State, ex rel. Chase v. Rogers, 10 Nev. 250 (1875); State v. Ah Sam, 15 Nev. 27 (1880). Compliance with this section is essential to the validity of every law enacted by the Legislature. State, ex rel., Wislon v. Stone, 24 Nev. 308, 53 P. 497 (1898); Bell v. First Judicial Dist. Ct., 28 Nev. 280, 81 P. 875 (1905). Any act passed in disregard of the letter and spirit of this provision is pro tanto void. State v. Ah Sam, 15 Nev. 27 (1880).

- c. Authentication Procedures:

SENATE BILL NO. 109, sponsored by Whitacare, Brown and SeEVERS, in Chapters 385 and again as referenced in the JOINT RESOLUTION, which states in §2,

"All Bills or Resolutions shall be introduced in triplicate, and one copy of each Bill or Resolution shall be marked "Original," one shall be marked "Duplicate," and one shall be marked "Triplicate." The copy marked "duplicate" shall be sent to the State printer for the purpose of printing and the copy marked "triplicate" shall be referred to the Amendment Clerk."

In §3 it states that,

"The printer shall immediately after receipt of the copy of any Bill or Resolution print, in addition to the regular number herein before authorized, one copy thereof upon heavy buff paper, which copy shall be delivered to the Secretary of the Senate or Chief Clerk of the Assembly. The Amendment Clerk shall then certify to the correctness of the bound copy."

In §4 it states that,

The official and engrossed copy may by Resolution be used as the enrolled Bill.

SB-2 was passed using a Joint Resolution. The severity of the problem with the Joint

Resolution used in connection with the copy of the Engrossed Bill [SB-2] is that it ~~does not~~ ^{does} contain mandatory enactment language. The State Senate's Committee on Judiciary, File No. 1, passed Senate Concurrent Resolution No. 1, which provides that the official engrossed copy of SB-2, may be used as an enrolled Bill.

d. The enacting clause is mandatory and cannot be cured by a Joint Resolution.

"A joint resolution adopted by both houses cannot become a valid law if it does not contain the enacting clause required by this section. ATTORNEY GENERAL OPINION 85 (07-25-1951). This constitutional provision is mandatory and an act not in the proper form is void and unenforceable. State, ex rel. Chase v. Rogers, 10 Nev. 250 (1875). The words "represented in Senate and Assembly" expressive of the authority which passed the law, are as necessary as the words "the people" or any of the other words of the enacting clause. State, ex rel. Chase v. Rogers, 10 Nev. 250 (1875). See also, Nevada Highway Patrol Assoc. v. Nevada DMVPS, 107 Nev. 547, 815 P.2d 508 (1991).

In State, ex rel. Chase v. Rogers, 10 Nev. 250 (1975), the court held that

The court held that where the enacting words were prescribed, it was mandatory they be included in the act. Without the words required by the constitution, and without the concurrence of the senate, the people had no power to enact any law. The county recorder contended that when the bill was presented to the legislature the words were in the enacting clause. The court ruled that it could only look at the enrolled bill in the office of the secretary of state in order to ascertain the terms of the law.

e. Pursuant to Rule 7 of the Joint Rules of the Nevada Senate and Assembly, a Joint Resolution can only be used for the purposes set forth therein, as follows:

1. A Joint Resolution may be used to:
 - (a) Propose an amendment to Nevada Constitution;
 - (b) Ratify a proposed amendment to the United States Constitution;
 - (c) Address the President of the United States, Congress, either House or any Committee or member of Congress, any department or agency of the Federal Government, or any other State of the Union.
2. A Concurrent Resolution must be used for:
 - (a) Amendment of these Joint Standing Rules, which required a Majority Vote of each House for Adoption;
 - (b) Request the return from the Governor of an enrolled Bill for further consideration;
 - (c) Request the return from the Secretary of State an enrolled Joint or

- (d) Concurrent Resolution for further consideration;
- (d) Resolve the return of a Bill from one House to the other House if necessary and appropriate;
- (e) Express facts, principles, opinion and purposes of the Senate and Assembly;
- (f) Establish a Joint Committee of the two Houses;
- (g) Direct the Legislative Commission to conduct an interim study;
- 3. A ~~Concurrent Resolution~~ or a ~~Resolution of one House~~ may be used to memorialize a former member of the Legislature or other notable or distinguished person upon his or her death.
- 4. A ~~Resolution of one House~~ may be used to request the return from the Secretary of State of an Enrolled Resolution of the same House for further consideration.

See Nevada Highway Patrol Association v. The State of Nevada, DMV&PS, 107 Nev. 547, 815 P.2d 608 (1991), which states as follows:

"First, by its nature, an assembly concurrent resolution is not intended to have the force and effect of law. Pursuant to Rule 7 of the Joint Rules of the Nevada Senate and Assembly, the purpose of a concurrent resolution is to direct the Legislative Commission to conduct interim studies, to request the return of a bill from the other House, and to request an enrolled bill from the Governor. On occasion, a concurrent resolution is also used to memorialize a former member of the Legislature or other distinguished person upon death, or to congratulate or commend any person or organization for a significant and meritorious accomplishment.

Second, "[e]very bill which may have passed the legislature shall, before it becomes a law, be presented to the governor . . . Nev. Const. Art. IV, §35. A review of the legislative history of the aforementioned Assembly Concurrent Resolution, No. 29, indicates that this resolution, like other concurrent resolutions passed by the legislature during the same time period, was never presented to the Governor for approval or disapproval. See generally FINAL VOLUME ASSEMBLY HISTORY, 1969 at 218-288. Accordingly, this assembly concurrent resolution cannot be construed as the law of this State.

Finally, "[t]he enacting clause of every law shall be as follows: 'The People of the State of Nevada, represented in Senate and Assembly, do enact as follows; and no law shall be enacted except by bill. Nev. Const. Art. IV, §23. (Emphasis added.) We have previously ruled that this enacting clause is mandatory and must be included in every law created by the Legislature. See State v. Rogers, 10 Nev. 250

(1875). Since Concurrent Resolution, NO. 29 and other similar resolutions do not contain the requisite enactment language, they cannot represent the law of this State.

~~Never appointed by the people~~
~~Legislation from bench~~

The Illegally Operated Legislative Commission:

According to the Legislative Counsel Bureau [LCB] the Nevada Revised Statutes were created in 1951 by a enigmatic member of the Statute Revision Commission. Currently, the LCB illegally maintains the history of all Nevada Legislation. It is unknown as to whether or not the LCB is a State agency or department. The LCB appears as a common thread that is ever present as we wind down this rabbit hole to legislative fraud and lawlessness. It appears that the LCB has been slowly and illegally absorbing State government functions, some of which are Constitutionally mandated. This has been surprisingly accomplished, in part, by amending the State Constitution through the use of newly created State statutes, which have been used to illegally transfer the power from an elected office with Constitutional duties, to the LCB.

According to the LCB their predecessor, the Statute Revision Commission, was originally created by the Nevada Supreme Court in 1951. However, Senate Bill No. 182, approved March 2, 1951, created the Statute Review Commission.⁸ This Commission consisted of three Nevada Supreme Court justices: (1) Milton Badt; (2) Edgar Eather; and (3) Charles Merrill. Later a rather mysterious man named Russell West McDonald would be appointed by these Justices as "the Director."

~~Created by~~
~~Leg from bench~~
~~Appointment of Sup. of Court~~
~~unlawful~~

This Commission became increasingly involved in bill drafting as an adjunct to its statute revision work. These same three Supreme Court Justices appointed a man named Russell W. McDonald to their committee as the Director. Russell McDonald was allegedly hired in 1951 to began work on the Nevada Revised Statutes, but it appears that he had been working on it long before he was hired to do so. McDonald was alleged by the Statute Review Commission to: (1) be a native Nevadan (born in Nevada), (2) have gone through and graduated from Nevada's public education system, (3) be a Rhodes Scholar, (4) have graduated from Stanford School of Law. Mr. McDonald's biography is contradictory and varies widely depending on the source. His personal history cannot be verified. Russell West McDonald is a ghost. Even a Google search of McDonald reveals surprisingly little. A check of these credentials reveals that many of the statements made about Russell McDonald's qualifications are false. Oxford University denies that Russell McDonald was a Rhodes Scholar; Stanford University's school of law denies that he was a graduate therefrom; Even the statement that he was a native-born Nevadan is contradicted by a newspaper article stating that was born in California. Whether he attended any of Nevada's public schools could not be confirmed. Mr. Russell has been revered and exalted by the members of the Legislature and newspapers as a pillar of the community and yet, his background appears to be a total fraud. Just who was Russell West McDonald? That question, to this day, has still never been answered completely.

The origin of the Statute Revision Commission is somewhat of a mystery as well, providing conflicting and multiple representations from various sources making it unclear as to its actual origin. The Legislative Counsel Bureau states in their literature that the Supreme Court formed this Commission. While other sources state that the Legislature formed this Commission. Regardless of its origin, the entire Commission was Constitutionally compromised from the start. The

~~SECRET~~

Commission was unlawful for several reasons, the most obvious being its very operation. - The Justices who served on it did so in violation of the Nevada Constitution and the separation of powers doctrine. Which is discussed as follows,

Constitutional Violations:

The placement of three Nevada Supreme Court justices on the Statute Revision Commission violated Nevada Constitution Article 6, §11, which states in pertinent part,

~~Everything (Judges) did was void~~
The justices of the Supreme Court and the district judges shall be ineligible to any office, other than a judicial office, during the term for which they shall have been elected or appointed and all elections or appointments of any such judges by the people, Legislature, or otherwise, during said period, to any office other than judicial shall be void.

The Statute Review Commission inherently involved legislative functions and generated other income for these Justices. For instance Justice Bandt was paid an additional \$6,500 more a year to sit on the Commission. Therefore, the placement of three members of the Nevada Supreme Court on the Statute Review Commission clearly violated Article 6, §11 of the Nevada Constitution. This also violated Nevada Constitution's Separation of Powers prohibition in Article 3, §1, which states in pertinent part,

Three separate departments; separation of powers; legislative review of administrative regulations.

1. The power of the Government of the State of Nevada shall be divided into three separate departments, - the Legislative, - the Executive and the Judicial; and no persons charged with the exercise of powers properly belonging to one of these departments shall exercise any functions, appertaining to either of the others, except in the cases expressly directed or permitted in this constitution.

Thus, the separation of powers doctrine was violated as the three Justices were involved in the drafting of legislation and the passage of Bills in the Legislature, a purely legislative function. Further, the Statute Revision Commission was completely responsible for the generation of the Nevada Revised Statutes [NRS]. The generation of these Revised Statutes specifically state that there were actual changes in the statement of the law as they were compiled into the NRS. Changes were made to existing statutes, entire words were deleted as being redundant, grammar was changed, sentence structures were altered. All in the name of progress. Changing even one jot or tittle was a legislative act and the Statute Revision Commission's members were Constitutionally prohibited from participating in this conduct. It is important to note here that the Statute Revision Commission was not legally created until 1955. On April 26, 1963, the Legislature committed an illegal act by back dating the appointment of the Statute Revision Commission and revisor of statutes to 1951 to cover up their pre-existing criminal fraud. See April 26, 1963 Act Bill No. 24, Chapter 403. Reading the Forward provided by the Statute Revision Commission reveals some interesting facts (if true), to wit:

FOREWORD

By the provisions of chapter 304, Statutes of Nevada 1951, amended by chapter 280, statutes of Nevada 1953, and chapter 248, Statutes of Nevada 1955, the legislature of the State of Nevada created the statute revision commission comprised of the three justices of the supreme court, authorized such commission to appoint a revisor of the statutes to be known as the director of the statute revision commission, and charged the commission to commence the preparation of a complete revision and compilation of the laws of the state of Nevada to be known as ~~Nevada Revised Statutes~~ Nevada Revised Statutes for further duties and authority of the statute revision commission relating to the preparation of Nevada Revised Statutes, the numbering of sections, binding, printing, classification, revision and sale thereof.

The commission employed as director Russell W. McDonald, a member of the State bar of Nevada, who, with his staff, undertook and performed this monumental task, with such methods, care, precision, completeness, accuracy and safeguarded against error as to evoke the highest praise of the commission and the commendation of the bench and bar of the state.

As the work progressed, Mr. McDonald submitted drafts of chapter after chapter as recompiled and revised, and the members of the commission individually and in conference meticulously checked all revision. In the vast majority of cases these revisions were promptly approved. Many required further conferences with the director. Some were modified and redrafted. As the several chapters were returned with approval to the director, they were in turn delivered to the superintendent of state printing for printing, to the end that upon the convening of the 1957 legislature Nevada Revised statutes were ready to present for approval. By the provisions of chapter 2, statutes of Nevada 1957, Nevada Revised Statutes, consisting of NRS 1.010 to 710.590, inclusive, was "adopted and enacted as law of the State of Nevada."

STATUTE REVISION COMMISSION

Milton B. Badt

Edgar Ether

Charles M. Merrill

This foreword sets forth that the Statute Revision Commission is a Legislatively created State entity. The Statute Revision Commission has now been absorbed by the Legislative Counsel, i.e., Russell W. McDonald, who then made the Legislative Counsel a division of the LCB. After which Russell W. McDonald then took the LCB director's position. Why and how did the LCB obtain the copyright and the rights to sell the NRS (and keep the money)? The LCB makes it appear through innuendo and subliminal word play by speaking or writing about them simultaneously, making people think that they are one and the same, when in fact the copyrights are under LCB control. Why and how did the Statute Revision Commission obtain the copyright and the rights to sell the NRS (and keep the money)? Why doesn't the State of Nevada own the copyright? Who gets the money from the sale of the NRS? Perhaps the intended purpose was to create a slush fund which could then be raided by a number of individuals for their illegal and nefarious means.

The Supreme Court says that the Statute Revision Commission was created by the Legislature, but the LCB states that the Statute Revision Commission was created by the Nevada Supreme Court,

The Statute Revision Commission was originally created by the Nevada Supreme Court in 1951 and became involved in bill drafting as an adjunct to its statute revision work.

And, further

The 1945 law establishing the bureau [LCB] charged it with assisting the Legislature to find facts concerning government, proposed legislation, and various other public matters.

The LCB goes on further to state that,

During the next several years, the duties of the bureau and its staff were modified and expanded. In 1963, the Nevada Legislature reorganized the Legislative Counsel Bureau, giving it structure and responsibilities similar to those it has today. One part of this change was the incorporation of the Statute Revision Commission [via legislative counsel, Russell W. McDonald] into the Legislative Counsel Bureau as the Legal Division. . . . The 1963 legislation also added a Fiscal and Auditing Division and a Research Division.

Who actually created the Statute Revision Commission? How did the LCB end up with the copyrights to the NRS? Is the LCB even a State entity? Why doesn't the State own the copyright? How much money does the LCB make off of the NRS copyright? We will revisit these issues later.

In 1956-57 the Committee on Judiciary in the Senate passed **Concurrent Resolution No. 1**. This legislation was an attempt to *bootstrap* the illegal passage of the NRS by SB-2. The Senate attempted to do so by using a Joint Resolution to provide that the "official engrossed copy of SB-2 may be used as the enrolled bill." As set forth above Resolutions cannot be used to pass any Bill into law, rendering any law using this legislative vehicle as void.

In that same year, not to be out done by the Senate, the Committee on Judiciary of the Assembly passed **Concurrent Resolutions No. 1 and 2**, which extolled the virtues of Russell West McDonald and his involvement with the creation of the NRS stating as following:

- Expressing congratulations and gratitude to Russell West McDonald upon completion and enactment of the Nevada Revised Statutes;
- Stating that the preparation of Nevada Revised Statutes was a monumental undertaking requiring a degree of intelligence, knowledge, technical ability and dedication possessed by few men;
- That the Justices of the Supreme Court, in their capacity as the Statute Revision Commission, secured the employ of Russell West McDonald as its director;
- The Assembly extolled Russell West McDonald's false *curriculum vitea*;

- Explicated that the Nevada Revised Statutes marked the culmination of **6 years of exceptionally devoted public service** by Russell West McDonald as a statute reviser and legislative bill drafter;

Even the LCB's Preface to the NRS describes the work done by the Statute Revision Commission as a delegation of the Legislature's own duties. Russell McDonald was engaged in "revising" which the LCB states in their preface as follows:

- "Revising" the statutes, on the other hand, involves these additional and distinguishing operations: (1) the collection into chapters of all the sections and part of sections that relate to the same subject and the orderly arrangement into section of the material assembled in each chapter. (2) the ~~elimination of inoperative or obsolete, duplicated, impliedly repealed and unconstitutional (as declared by the Supreme Court of the state of Nevada) sections and parts of sections.~~ (3) The ~~elimination of unnecessary words and the improvement of the grammatical structure and physical form of sections.~~

The revision, instead of the recompilation, of the statutes was undertaken, therefore, first, to ~~eliminate sections or parts of sections which, though not specifically repealed, were nevertheless ineffective and, second to clarify, simplify, classify and generally make more accessible, understandable and usable the remaining effective sections or part of sections.~~

Doesn't this sound remarkably like *legislating*? Changing any word, whether it is redundant, unnecessary, ineffective, simplifying, clarifying or just simply an improvement of the grammatical structure is a legislative function, not a judicial function. Lest we forget these corrections were being approved **first** by three State Supreme Court Justices. This is a blatant violation of the ~~separate~~ ^{separation} of powers doctrine. Literally, the Nevada State Legislature abdicated their Legislative powers to the judiciary. They were then told by the Statute Review Commission that every thing was already checked out and was fine. The Legislature then supposedly passed it, even though we don't know this for sure because the record of their voting on it is either missing or is being hidden from public view. We don't even know if the Legislature even read it, because there is no record that it was read three times as required before its passage. It is alleged to have been voted on, but we don't really know this for a fact because the records are not in their Constitutional repository and, therefore, legally do not exist. Literally, the Statute Review Commission was passing (or attempting to pass) laws in complete derogation of the three Justices oath of office and in blatant violation of Constitutionally prohibited practices. Effectively the predecessor to the LCB and then later the LCB took over the official duties of Nevada's elected officials and ran the entire State legislative system through one guy - Russell West McDonald - a character who the Legislature was told was an attorney who graduated from Stanford's Law School, was a Rhodes Scholar, was educated in Nevada's public schools, and was a native-born Nevadan. ^{None of it verifiable.} Russell West McDonald was a mystery man, who obtained almost unlimited and certainly unchecked power.

The harsh reality of both of the amorously hollow Resolutions that are alleged to have caused the passage of SB-2, while at the same time revoking Nevada's existing Statutes and

replacing them with the NRS, is that the entire program is legally and legislatively bankrupt. That means that the entire process was voided by the plethora of Constitutional violations, but included acts of a criminal nature, not to mention the passage of SB-2 violated the Legislature's own Rules. The passing of legislation is not like Horseshoes and Hand Grenades. Close does not count. If it did then why would they even make rules for the passage of a Bill? The passing of legislation is more like flying a plane. All aircraft have a checklist that must be completed before take off and before landing as well. Suppose that a pilot did everything that he was supposed to do to prepare to land, but he forgot one simple thing - he forgot to put the landing gear down. Is the Horseshoes and Hand Grenades theory going to win the day for that pilot when he kills everyone on board including himself? This writer thinks not. The Nevada Constitution prohibits the passage of Bills in the manner that was done for the entire NRS. The NRS is void ab initio, meaning from its inception.

The Joint House Rules of the Nevada Legislature were clearly violated on the method of the passage of Bills into law which also prevented the NRS' alleged en mass passage through these violations as well. How many Constitutional provisions or legislative rules need to be violated in order to negate its passage? The answer should be only one. Here there are so many errors of constitutional dimensions that it literally boggles the mind. ~~The Bible states that it is easier for a camel to pass through the eye of a needle than it is for a rich man to gain the Kingdom of heaven. By way of analogy, SB-2, in itself and the method by which the Legislature attempted to pass it into law is as remarkable as passing a camel through the eye of a needle. In other words it DID NOT HAPPEN, it constitutes a literal impossibility.~~ There are other revealing Constitutional violations as well as the violations of the Legislature's own rules which are just as egregious, which are yet to be discussed.

For instance, the NRS's very passage violates Senate Bill No. 109, which states as follows:

Sec. 4. Section 8 of the above entitled act, being chapter 3, Statute of Nevada 1949, at page 4, is hereby amended to read as follow:

Section 8. The *amendment clerk* shall transmit copies of passed bills or resolutions without delay, in the order of their receipt, to the state printer, taking his receipt therefor. Such receipt shall bear the date of delivery, and given the bill or resolution number. The state printer shall without delay enroll (print) the bills or resolution in the order of the receipt by him, and they shall be printed in enrolled form, retaining symbols indicating amendments to existing law only. In printing enrolled bills amending existing law, the state printer in cooperation with the *amendment clerk* shall cause to be printed between brackets, the words, phrases, or provisions of the existing law, if any, which have been stricken out or eliminated by the adoption of the amendment, and they shall cause to be printed in italics all new words, phrases or provisions, if any, which have been inserted into or added to the law by the passage of such amendment. In ascertaining the correct reading, status, and interpretation of an enrolled bill amending existing law, the matter inserted within brackets shall be omitted, and the matter in italics shall be read and interpreted as part of the enrolled bill. At least one enrolled copy, with proper blanks for the signatures of the officers whose duty it is to sign enrolled bills and resolutions, shall be printed on bond paper, and the state printer shall deliver the enrolled copy of the bill or resolution to the *amendment clerk*. The *amendment clerk* shall then carefully compare the enrolled

copy with the official engrossed copy, and if the enrolled copy is found to be correct the *amendment clerk* shall present it to the proper officers for their signatures. When the officers sign their names thereon, as required by law, it is enrolled. The official engrossed copy may by resolution be used as the enrolled bill.

Literally, the term "enrolled" Bill means a "*printed* and signed" Bill. An examination of the *engrossed bill* referred to or, more succinctly, SB-2, which was used to pass the NRS's *en mass* shows that it was type written - not printed. The LCB even admits this.

Other errors were committed. For instance the requirement for the passage of a Bill is that it be read three times over three separate days as required by Nevada Constitution; Article 4, §17. There is no evidence that this was ever accomplished and this information cannot be obtained from the Constitutional Record Keeper - that being the Secretary of State. See Nevada Constitution; Art. 5, §20, which requires the legislative records are to be maintained by the Secretary of State, to wit:

20. Secretary of State: Duties. The Secretary of State shall keep a true record of the Official Acts of the Legislative and Executive Departments of the Government, and shall when required, lay the same and all matters relative thereto, before either branch of the Legislature

The Constitution's language is very clear. Further, NRS 225.100, provides that the Secretary of State has a . . .

"Duty to furnish certified copies of laws, records and instruments. The Secretary of State shall furnish, on request, to any person who has paid the proper fee for it, a certified copy of all or any part of any law, act, record or other instrument of writing on file or deposited with the Office of the Secretary of State of which a copy may properly be given."

However, the LCB has once again taken action to cover their fraud by getting the Nevada Legislature to become co-conspirators in their criminal enterprise. This was accomplished by the Nevada Legislature amending the Constitution through the passage of Statute. ⁴ This was done through NRS 225.070, which transfers all authority of record keeping from the Secretary of State to the LCB. Yet, a search of the NRS shows that NRS 225.070 does not exist. Curiously, the Secretary of State directs all inquiries into the records of the Senate and Assembly to the State Archives. Who controls the State Archives? Inquiring parties will discover that the State Archives is a very unassuming small block building located in Carson City with no frontage name. Inquiring parties who grace this building with questions of the history of the Legislature are then directed to the LCB for the information. How is it possible that the Nevada Constitution can be amended without a Constitutional Amendment or by a Statute? The Nevada Constitution requires that the procedures set forth in Article 16, §1 and/or §2 be followed to amend the Constitution. These do not include amendment by statute or amendment by subterfuge and guise. Holding that a Statute can amend the State Constitution violates every citizen's constitutional right to procedural and substantive due process under the Nevada Constitution [Art. 1, §8(5)] and under the United States Constitution's, 1st, 5th and 14th Amendments. Holding that a Statute can diminish or negate the constitutional

authority mandated in the Constitution violates the separation of powers doctrine (Amending the Constitution must be effectuated by the Body Politic. Not legislating from the bench; nor amended by the passage of a statute). "A statute cannot amend the constitution." Seminole Tribe of Florida v. Florida, 517 U.S. 44, 116 S.Ct. 1114 (U.S. Fla. 1996) Pennsylvania v. Union Gas Co., 491 U.S. 1, 24, 109 S.Ct. 2273, 2286, 105 L.Ed.2d 1 (1989); Counselman v. Hitchcock, 142 U.S. 547, 12 S.Ct. 195 (1892); "... [A]n unconstitutional statute is to be regarded as nonexistent and no defense to state officers acting under it. ..." Rockaway Pacific Corporation v. Statesbury, 255 F. 345 (D.C.N.Y. 1917). See also, Cooper v. Aaron, 358 U.S. 1, 18, 78 S.Ct. 1401, 1409-1410, 3 L.Ed.2d 5 (1958) (holding that an oath to support the Constitution is an oath to support its interpretation by the United States Supreme Court). See also, Baker v. Carr, 369 U.S. 186, 215, 82 S.Ct. 691, 709, 7 L.Ed.2d 663 (1962), which the United States Bankruptcy Court relied upon in In Re Tessier, 190 B.R. 396 (1995) to make the following conclusion:

Finally, in attempting to deny the Supreme Court's determination of its own capacity to adjudicate, the Congress invades a province properly left to a coordinate Branch, and in so doing, impermissibly exceeds its legislative authority.

Nevada's sister State, California, has had some things to say about similar circumstances in their State: "The constitutional provision was a law made directly by the people instead of the Legislature, and such laws are to be construed and enforced in all respects as though they were statutes." Winchester v. Mabury, 122 Cal. 522, 55 P.393. "In effect, these constitutional provisions are but statutes, which the legislature cannot repeal or amend." Winchester v. Howard, 136 Cal. 432, 439, 64 P. 692, 69 P. 77, 79, 89 Am. St. Rep. 153.

The LCB has and allegedly maintains all of the legislative records in clear violation of the Nevada Constitution. Bill Resolution Journals and all other records were allegedly taken away from the secretary of state and transferred to the LCB through the passage of NRS 225.070. A statute that does not exist.

Even if the Legislature did everything lawfully by following the correct rules and guidelines, we still will never know if the NRS were passed into law because there are no records at the Secretary of State's Office. See Letter from Secretary of State stating that they do not have these records (as the Nevada Constitution; Art. 5, §20, commands the Secretary of State to maintain and protect). Even the proofs of the unconstitutional NRS, passed off as law, has been unconstitutionally hidden by an entity that may deny access to the information to anyone.

There exists even more disturbing issues regarding the legality of the NRS in that there are no records even showing that the Governor signed SB-2 into law. ~~On February 4, 2014, the Secretary of State was asked to produce several documents, this being one of them and their office related the following;~~

~~We received your request, via mail, for the following information:~~

- ~~* The bill from the 48th session of the Nevada Assembly, passed January 25, 1957,~~
- ~~* The governor as of January 25, 1957;~~
- ~~* Proof that the bill was signed into law by the governor during the 48th Session.~~

Our office reviewed your request and determined that we do not have legal custody and control of the information. You may contact Nevada State Archives to determine if they have documents related to your request. The contact information for the Nevada Archives is: 100 N. Stewart Street, Carson City, Nevada, 89701.

Interestingly, although the Secretary of State is Constitutionally mandated to maintain the legal custody and control of this information and provide it to any party seeking the information, the Secretary of State avers that it does not have *legal custody and control* of it.

The Secretary of State alleges that it doesn't even know where it is. This is absurd! The Attorney General's office has addressed a similar issue before and stated that, A joint resolution appropriating money from the highway fund, adopted by both houses but never presented to the Governor for his signature, does not become law; thus, an appropriation is invalid under this section. Attorney General Opinion 85 [AGO 85 (7-25-1951)].

Currently the Secretary of State states that their office does not have the files that will prove ~~Mr. Walters'~~ argument. This poses a serious problem for two reasons: (1) the loss or hiding of these records prevents ~~Mr. Walters'~~ story from being proven conclusively; and (2) losing, destroying or hiding these records constitutes a crime. See NRS 239.320, which discusses the crime of any public officer causing INJURY TO, CONCEALMENT OR FALSIFICATION OF RECORDS OR PAPERS, to wit:

An officer who mutilates, *destroys, conceals*, erases, obliterates or *falsifies* any record or paper appertaining to his office, is guilty of a category C felony and shall be punished as provided in NRS 193.130.

Further, the documents which were submitted for the passage of SB-2 do not conform to the Constitutional requirements or the Joint Rules of the Senate and Assembly. Since this document was submitted by the LCB, the Senate and the Assembly, this unqualified document was not a true Bill. Since it was not a true bill ~~it~~ was a false or fraudulent bill. NRS 239.330, discusses the penalties for submitting or offering false instrument for filing or for recording. The statute reads in pertinent part as follows;

A person who *knowingly procures or offers any false or forged instrument to be filed, registered or recorded in any public office*, which instrument, if genuine, might be filed, registered or recorded in a public office under an law of this state or of the United States, *is guilty of a category C felony* and shall be punished as provided in NRS 193.130.

There is no question that SB-2, was passed off as a legitimate document, when it was not. Therefore, this constituted the *offering of a false instrument* and caused it to be *filed, registered or recorded* in a public office. Currently the Secretary of State, who is the Constitutionally mandated office, does not have the documents or at least is not willing to admit that they do. But, since the Secretary of State is Required to maintain these Legislative and Executive Records, you would think that at least the Secretary of State would at least know where they are. They state they don't. Currently, the Secretary of State is feigning any knowledge of their location and, it is assumed, that this office will continue to maintain this position because it has been ordered to do so. The probable explanation

is that if we don't maintain that the NRS is the law in Nevada it could cause complete and total chaos, even anarchy. However, the United States Constitution in Article 4, §4, states that the United States government shall guarantee to every State in this Union a Republican form of government. Everybody these days is being told that our soldiers are fighting for Democracy, but this is not true. — They are fighting to maintain the Rule of Law, which is what a Republic is based upon. So, even our politicians and educators don't know what kind of government we have. It is rather interesting that the Constitution does not guarantee every state a "Democratic form of government." But it does guarantee each State a Republican form of government.

~~CONCLUSION~~

So what is the answer to all of these problems? ~~Mr. Walters~~' assessment is that what is good for the goose should be good for the gander. In other words, we need to follow the same protocols that the gaming industry does when it enforces gaming rules on the citizens of the State and that is: ZERO tolerance for any kind of non-conformance with the rules. The gaming industry calls any non-conformance with the gaming rules CHEATING! Cheating is a criminal act.

So why does the government think they can get away with something that is much, much more egregious than cheating at gaming. The State is putting the citizens of the State of Nevada in jail or prison and even putting them to death, based upon laws that are completely void. This must be seen for what it is - a criminal act. Arresting and incarcerating someone on a bogus law is "Kidnaping" and "False Imprisonment." Putting someone to death, even if they deserve it, for a law that doesn't exist is "Murder." SB-2 is literally a Bill of attainder and/or a Bill of Pains and Penalties, which are prohibited by the United States Constitution, Article 1, §10 and it has been executed against the entire populace of the State.

What will the government have to say about all of this? The answer is nothing, because they have already brought the Secretary of State into the fold and instructed her not to release any documents, in fact, the office is denying that the office even has or maintains them. What would happen if the Secretary of State produced these documents, as the office is required to do, and it shows that every single thing that ~~Mr. Walters~~ has been saying is true? Well, most certainly they will say that we can't just set aside the NRS because when they passed the NRS they voided all of the old general statutes, so they are gone too. We'll be left with nothing - no law at all. They'll say that we will have no law and no law means *anarchy*. The absurdity of this legal viewpoint is that if we have laws that were never properly passed and they are null and void - don't we already have no law? In fact, isn't what we have even worse than no law? The United States Supreme Court has addressed this issue in Merritt v. Welsh, 104 U.S. 694, 702 (1881), stating, "It has been said, with much truth, 'where the law ends, tyranny begins.'" So, let's call it what it is: Tyranny.

The vastness of this conspiracy goes all the way to the top. After all, Governor Sandoval ~~just~~ signed into law a Bill that prohibits inmates from having access to public records. This can't be just a coincidence, can it? Sandoval is a former Federal Judge, prior to signing this Bill of Attainder into law he received one of ~~Mr. Walters~~ packages outlining the illegality of the NRS. He was duly noticed and is therefore fully informed. Prisoners don't lose all of their civil rights just because they are in prison, they only lose their freedom. They still have the same civil rights as everyone else does outside, the only difference is that those rights may be conformed to a standard that will not compromise the security of the prison. ~~Mr. Walters has also made other allegations regarding his stay in Nevada's Department of Corrections such as: (1) the prison collects absentee ballots for~~

prisoners and votes for them in order to stuff ballot boxes; (2) the prison is serving food to the prisoners that is visibly marked "Not Fit For Human Consumption;" (3) theft of prison resources by its own management for their own personal gains; (4) the use of nepotism in key positions to prevent prisoners from timely filing their legal documents.

Long before 1984 gave us the adjective "Orwellian" to describe the political corruption of language and thought, Thucydides observed how factional struggles for power make words their first victims. Describing the horrors of civil war on the island of Corcyra during the Peloponnesian War, Thucydides wrote,

"Words had to change their ordinary meaning and to take that which was now given them."

Orwell explains the reason for such degradation of language in his essay "Politics and the English Language": "Political speech and writing are largely the defense of the indefensible." Tyrannical power and its abuses comprise the "indefensible" that must be verbally disguised. The gulags, engineered famines, show trials, and mass murder that occurred in the Soviet Union required that it become a "regime of lies," as the disillusioned admirer of Soviet communism Pierre Pascal put it in 1927. And so we already know that the State will respond accordingly. Is this really what we have become? ~~It is~~ is sad to say that it is.

~~If words mean nothing, then our Constitution means nothing. If our Constitution means nothing then we have no rights. If we have no rights, then we only have privileges and immunities that are granted by government. We are then but subjects of a tyrannical government. It is a maxim of law, "That which creates, has the power to destroy." Therefore, privileges are worthless because they can be legislated away for any reason, whereas Constitutional Rights cannot be legislated away without the consent of the body politic. What has happened, quite literally is that the Judicial courts of Nevada have been illegally legislatively morphed into Legislative/administrative courts where Statutes are more like administrative regulations, which are subject to agency interpretation. This is very disconcerting because the down side is that the Bill of Rights do not exist and have no province in legislative Courts. The United States Supreme Court has stated that claims of Constitutional rights can [only] be adjudicated in Article I [legislative/administrative] courts established for geographical enclaves such as federal territories or the District of Columbia see, e.g., *Palmore v. United States*, 411 U.S. 389 (1973), and in military courts, see, e.g., *United States ex rel. Toth v. Quarles*, 350 U.S. 41, 17 (1955). This means that within the 50 States only a Judicial Court (not a legislative/administrative court) may hear a case of controversy concerning Constitutional rights. The States have attempted to mimic the administrative agencies of the Federal Government, whose only authority lies in a territorial jurisdiction. Territorial jurisdictions do not enjoy the full protection of the United States Constitution because Congress has absolute authority over all territories and possessions of the United States. Federal citizens who live in these federal enclaves are subject to the complete and total control of Congress under United States Constitution; Article 4, §3, Cl. 2, which states in pertinent part,~~

~~The Congress shall have Power to dispose of and make all needed Rules and Regulations respecting the Territory or other Property belonging to the United States;~~

Our state law has been morphed into a form of territorial federal law. This destroys the sovereignty of the State and its citizens. The Legislature has taken it upon themselves to take total power away from the State Constitution - the law of the body politic - the citizens of the State. However, "A state constitution is binding on the courts of the State, and on every officer and every citizen. Any attempt to do that which is prescribed in any manner than that prescribed or to do that which is prohibited, is repugnant to the supreme and paramount law, and invalid." Porch v. Patterson, 39 Nev. 251, 268, 156 P. 439, 445 (1916). The Constitution nullifies sophisticated as well as simple-minded modes of infringing on Constitutional protections. Lane v. Wilson, 307 U.S. 268, 275, 59 S.Ct. 872, 876, 83 L.Ed. 1281 (1939); Harman v. Forseeus, 380 U.S. at 540-541, 85 S.Ct. at 1185. Cited in U.S. Term Limits, Inc. v. Thornton, 514 U.S. 779, 829, 115 S.Ct. 1842 (1995). Like its counterpart in the Fifth Amendment, the Due Process Clause of the Fourteenth Amendment was intended to prevent government "from abusing [its] power, or employing it as an instrument of oppression," Davidson v. Cannon, 474 U.S. 344, 348 (1986).

The Constitution of the United States guarantees each State a Republican form of government. A Republican form of government means that we have the rule of law. Currently we have no rule of law in Nevada, in fact we have nothing but lawlessness. We have an oligarchy, a Nation-State where our representative has become rulers who are a law unto themselves and our rulers are lying to us in order to maintain the facade that we are living in an orderly, free society - when the truth is we are living under an oppressive and tyrannical government. "No state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it." Copper v. Aaron, 385 U.S. 1, 78 S.Ct. 1401 (1958). The United States Supreme Court has spoken, "We [judges] have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the Constitution." U.S. v. Will, 449 U.S. 200, 216, 101 S.Ct. 471, 66 L.Ed.2d 392, 406 (1980); Cohens v. Virginia, 19 U.S. (6 Wheat.) 264, 404, 5 L.Ed. 257 (1821). The illegally passed NRS denies the Courts their jurisdiction to act. The legislative branch, the judicial branch, and the members of the executive branch (police & prosecutors), have all made war against the Nevada Constitution and ~~in~~ doing so have declared war on its citizens and have committed high treason in doing so.

1. http://content.usatoday.com/communities/ondeadline/post/2012/06/26-now-guilty-in-las-vegas-hoa-corruption-fraud-scandal/1#V_J1JmrrvIU
2. <http://vegasinc.com/business/tourism/2012/jun/03/hoa-scandal-involving-millions-dollars-and-thousan/>
3. <http://www.dailymail.co.uk/news/article-2121625/HOA-scandal-FOUR-commit-suicide-probe-Nevada-homeowners-association-fraud.html>
4. <http://lasvegassun.com/news/hoa/>
5. David Amesbury, a Deputy District Attorney, found snatched at his brother's cabin in California,

was found hanged, after other members of the conspiracy attempted to silence him by breaking both of his legs. Which proves the old Las Vegas saying, "Three men can keep a secret, if two of them are dead." Dead men tell no tales. The death of David Amesbury and three other key members of the conspiracy insulated the members who were higher up on the conspiracy pyramid. In order for conspiracies to be successful, they are required to be compartmentalized so that if one rung on the ladder is taken out this eliminates the connection to the next rung. The fact that District Attorney David Roger resigned from his position before his term was up and went into private practice is rather curious.

The Legislative Counsel Bureau [LCB] is an illegally created private corporate entity, which maintains all of the public records in violation of the Nevada Constitution. This Corporation has obtain untold powers over the years and controls many aspects of the State Government including the writing and drafting of all Bills in the Legislature, the State Mail room, the State printing office and the ownership of the copyrights on the Nevada Revised Statutes, which have brought millions of dollars of profit to the private corporation.

This law violates the Federal Constitution and is a lesser version of the Bill of Attainder, commonly called a Bill of Pains and Penalties. The difference is a Bill of Attainder would apply to a death sentence and the Bill of Pains and Penalties has no threat of death attached to its illegality.

This Senate Bill [No. 182] also sets forth that, "as soon as practicable after the effective date hereof the commission shall commence the preparation of a complete revision and compilation of the Constitution and the laws of the State of Nevada of general application, together with brief annotations and marginal notes to sections thereof. Such compilation when completed shall be known as "revised Laws of Nevada. . . ." and the year of first publication shall be filled in the blank space of such title, for brevity such title maybe cited as "Rev. Laws."

The phrase 'jot or tittle' is somewhat tautological, as both *jot* and *tittle* refer to tiny quantities. A *jot* is the name of the least letter of an alphabet or the smallest part of a piece of writing. It is the Anglicized version of the Greek *iota* - the smallest letter of the Greek alphabet, which corresponds to the Roman *I*. This, in turn, was derived from the Hebrew word *jod*, or *yodr*, which is the smallest letter of the square Hebrew alphabet. Apart from its specialist typographical meaning, we still use the word *jot* more generally to mean 'a tiny amount'. Hence, when we have a brief note to make, we 'jot it down'. A *tittle*, rather appropriately for a word which sounds like a combination of *tiny* and *little*, is smaller still. It refers to a small stroke or point in writing or printing. In classical Latin this applied to any accent over a letter, but is now most commonly used as the name for the dot over the letter *I*.

A newspaper article titled "Russ McDonald Celebrates 30 years of Public Service," states that

Exhibit 011

Russell W. McDonald was born in Prosser Creek, California. What happened to his native born Nevadan status that was pontificated about by the State Legislature in SB-1?

The Nevada Supreme Court ruled in *State, ex rel., Chase v. Rogers*, 10 Nev. 250 (1875), which states in pertinent part, "The court ruled that it could only look at the enrolled bill in the office of the secretary of State in order to ascertain the terms of the law."

A "Democracy" is mob rule, directed and controlled by an oligarchy. Currently in this Country we have a Nation-State type of government that operates as a democratic-welfare state, where laws are not obeyed or enforced because they might offend someone. Whereas a Republican form of Government is a government of laws, where laws are enforced regardless of whether we will offend somebody or not - simply because it is the law.

13.

These territorial jurisdictions include Washington, D.C., Puerto Rico, the American Virgin Islands, Somoa and Guam. Those citizens literally have NO RIGHTS only privileges granted by Congress. These US citizens have no rights - except what Congress says they have. Any decision made by the United States Supreme Court which originated in one of these territorial jurisdictions has no application in the 50 States because these people exist under a diminished capacity that is not shared by State Citizens. Yet, these decisions are illegally applied across the board. These territorial citizens are all "subjects," just like the inhabitants of the original 13 colonies and that is the mission of our State governments, to render us all as mere subjects of the State to be trifled with as though we were the same. This is why the Bush administration stuck all of these combatants in Guantanamo Bay, being a military installation, in a territory or possession of the United States the right to the Writ of Habeas Corpus does not exist and the combatants were not availed of the Bill of Rights. The only reason why Boumediene was permitted access to the Writ of Habeas Corpus by the United States Supreme Court is that he was taken from his residence within a State and involuntarily taken to this facility. Once these combatants are moved into the United States, as Obama has planned, then the entire Bill of Rights will apply to them and they will have to be tried or released.

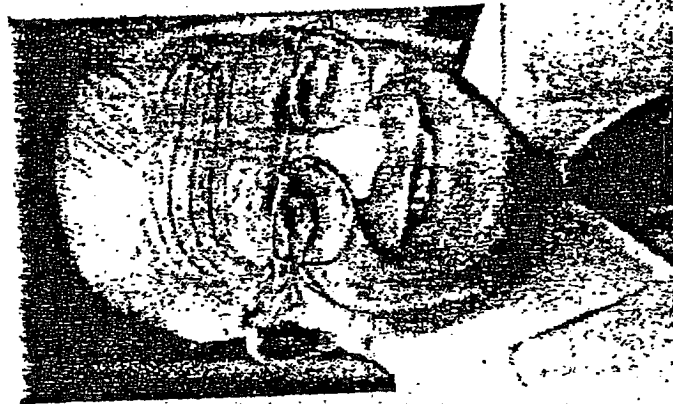
① "[T]he court's statutory... Power to adjudicate" is defined as subject matter Jurisdiction. Cotton v. United States, 535 U.S. 625, 630 (2005), it logically follows that an unconstitutional law deprives a court subject matter Jurisdiction rendering Judgements Void. See Wright v. West, 505 U.S. 277, 285 (1992) ("court without Jurisdiction to impose sentence under unconstitutional statute") (citing Ex Parte Siebold, 100 U.S. 371, 377 (1880)); Ex Parte Smith, 126 P.655, 669 (Nev. 1912) (an unconstitutional law "is Jurisdictional defect"); Ex Parte Rosenblatt, 14 P. 298, 299 (Nev. 1887) (holding that an unconstitutional law is Void and insufficient to give Jurisdiction to the court) (citing Ex Parte Siebold, supra).

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~~Exhibit "E"~~
This Exhibit Shows that Russell W. McDonald was not a Native Nevadan Born citizen, but was Born in Proccessor Creek California. The Joint Concurrent Resolution No. 2 Contains the false information...

Russ McDonald celebrates 30 years of public service

government codes for Reno, Sparks, Winnemucca, Lovelock and Washoe County.



RUSS McDONALD

McDonald's a jolly good fellow in legislature. Instead, the commissioners resolved to throw a party.

The official object of the county party, according to the resolution, is to provide "an opportunity for his countless friends and admirers to spend an evening of remembering and congratulation."

It all will take place at Harrah's Convention Center in Reno Saturday, June 24.

McDonald, who has been in the position of Nevada's great-fiving legend. He's been listed in the past for accomplishing on his own what entire legislatures couldn't do in an image.

McDonald started his career as a two-a-month Reno deputy city attorney. He spent another 21 years as director of the state's Statute Revision Commission and then as director of the state's Legislative Counsel Bureau. In 1971, he was appointed Washoe County manager, a post he held until his retirement in 1976.

Since that time, McDonald has been working for the county as a consultant and lobbyist.

McDonald's writing of the complete Nevada Revised Statutes often is cited as his greatest accomplishment in government. He also worked in the preparation of the municipal

"It wasn't for the money," Russ McDonald explained, in the wake of a standing ovation Tuesday.

The Washoe County commissioners had just taken a break in their regular meeting to celebrate a special anniversary.

McDonald, 60, is celebrating 30 years of public-service. His last full-time post was as Washoe County manager, but along the line, he's won a large share of the other hats that government in all its forms has to offer.

While public service may not pave the path to financial wealth, McDonald said, it has its own treasures to offer.

He told the overflow crowd of county employees and friends in that commission chambers Tuesday that one of his greatest delights in working in government is "the ability to always know what's going to happen next."

Casting a grin and an eye toward the scattered reporters in the chambers, he added, "...even before the press knew."

County employees treated McDonald to an anniversary cake-cutting in February. The commissioners did their part Tuesday, adopting a resolution which started out conventionally enough, with five "whereases."

But the "therefore be it resolved" had a brand new twist. It did not say