

Michael T. Botelho # 80937
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CARSON CITY NV. 89702
IN PROPER PERSON

FILED

OCT 11 2018

IN THE SUPREME COURT OF THE STATE OF NEVADA

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

Michael T. Botelho
REAL PARTY IN INTEREST

NV. SUPREME COURT CASE NO. 77004

JUSTICE COURT CASE NO. RCRO3-011479

VS.

DISTRICT COURT CASE NO. CRD3-2156

SECOND JUDICIAL DIST. COURT
STATE OF NEVADA, ET-AL,
DEFENDANTS

JUDICIAL NOTICE

I, Michael T. Botelho, PURSUANT TO NEV. STATUTE AND FED. RULE 201, BRING FORTH THIS [N]ECESSARY JUDICIAL NOTICE TO INFORM THIS COURT ON THE RECORD, OF THE UNETHICAL AND DELIBERATE ACTS AND ACTIONS IN DELAYING, HINDERING AND ALTERING/ SABOTAGING OF THE FILING OF MY EXTRAORDINARY WRIT OF MANDAMUS NECESSARILY BROUGHT BEFORE THIS COURT, BY THIS COURTS OWN CLERK, ELIZABETH BROWN. MY FILING WAS DELIBERATELY MANIPULATED BECAUSE I AM AN UNTRAINED IN THE LAW, PROSE, INCARCERATED LITIGANT AND BEING TREATED AS IF I AM DUMB AND STUPID. THESE ACTIONS AMOUNT TO OBSTRUCTION OF ADMINISTRATION OF JUSTICE, WHICH [IS] OBSTRUCTION OF JUSTICE [.] THESE ARE [NOT] BARE & NAKED ALLEGATIONS, BUT ARE MATERIAL, LEGAL FACTS IN EVIDENCE IN THIS COURTS RECORD. THIS CLERK RUNS INTERFERENCE FOR THIS COURT TO PROTECT THE STATES CASE AND THEIR LACK OF INTEGRITY [.]

I FILED WRIT OF MANDAMUS BY PLACING SAME WITH PRE PAID FIRST CLASS POSTAGE IN NDOC U.S. MAILBOX PURSUANT TO PRISON MAILBOX RULE [HOUSTON V. LACKS], ON SEPT. 11, 2018. ON SEPT. 24, 2018, I RECEIVED NEV. SUPREME COURT "RECEIPT FOR DOCUMENTS" STATING THAT THIS COURT RECEIVED, AND/OR FILED DOCUMENTS ON SEPT. 21, 2018. THE "RECEIPT FOR DOCUMENTS" WAS ALTERED, INCORRECT AND INCOMPLETE, FOR OBVIOUS AND DELIBERATE REASONS [.]

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

18-902402

(A) 1 THE WRIT OF MANDAMUS IS THE NECESSARY RESULT OF [DUAL PROSECUTIONS]
2 WITH [TWO] SEPERATE CRIMINAL CASE[S] WITH IDENTICAL CHARGES [AND] "TWO"
3 SEPERATE NECESSARY CRIMINAL CASE NUMBERS. YOUR CLERK WILLFULLY FAILED TO RECORD
4 THE NECESSARY AND CRITICAL CRIMINAL COMPLAINT CASE NO. RCRO3-011479. I
5 ASSERT THAT IT WAS DONE BY DESIGN AS NEWLY DISCOVERED [AS A RESULT OF A THREAT
6 OF FILING A COMPLAINT] EVIDENCE FACTUALLY PROVES THAT THIS COURTS CLERK
7 "DELIBERATELY" HELD ON TO MY WRIT OF MANDAMUS FOR [9 DAYS] AFTER RECEIVING
8 IT ON SEPT. 13, 2018. THIS IS (NOT) THE FIRST TIME SHE HAS DONE THIS TO ME AS IN
9 2012, MY WIFE AND MOTHER WERE FORCED TO DRIVE 90 MILES TO THIS NV. SUPREME
10 COURT TO SEE WHY MY DOCUMENTS WERE NEVER FILED IN THAT ACTION. SHE HAD
11 ANOTHER SUPREME COURT EMPLOYEE HANDLE THE DESIGNED STATE CREATED IMPEDIMENT;
12 WHO WENT TO A SHELF WITH A LARGE STACK OF DOCUMENTS AND WENT THROUGH
13 THEM UNTIL SHE FOUND MINE AND APOLOGIZED, CALLING IT AN "OVERSIGHT." YET,
14 PRIOR TO THAT, I HAD REPEATEDLY WRITTEN AND ASKED THIS CLERK WHY MY ACTION
15 HAD NOT BEEN FILED WHEN RECEIVED, WITHOUT A RESPONSE. THIS AS YOU JUSTICE(S)
16 WELL KNOW - OCCURS AS COMMON PRACTICE AND POLICY WHEN ADDRESSING PRO SE
17 INCARCERATED LITIGANTS AND OUR ACTIONS BEFORE THIS COURT [.]

(B) 18 THIS CLERK FURTHER DID [NOT] RECORD IN RECEIPT FOR DOCUMENTS THE ALSO INCLUDED
19 AFFIDAVIT [AND] FIVE NECESSARY EXHIBITS. THESE WERE IMPORTANT DOCUMENTS ALSO
20 INCLUDED WITH WRIT OF MANDAMUS. SHE ALSO FAILED TO RECORD THE TOTAL PAGE
21 COUNT OF DOCUMENTS ACTUALLY & FACTUALLY RECEIVED. THERE WERE 54 PAGES IN TOTAL !
22 THIS WAS ALSO AN IMPORTANT MATERIAL FACT IN THIS COURTS RECORD BECAUSE THIS
23 WOULD, AND HAS PREVIOUSLY DISMISSED MY ACTIONS WITH EXCUSES AND AN INCOMPETE AND
24 ALTERED RECORDS (BOTH THOSE FORWARDED BY SECOND JUDICIAL DISTRICT COURT CLERK
25 AND DOCUMENTS I FORWARDED [MAILED IN U.S. MAIL] TO THIS COURTS CLERK).
26 BY YOUR CLERKS KNOWN ACTS / ACTIONS, NO FEDERAL COURT WOULD HAVE A TRUE AND
27 COMPLETE CERTIFIED RECORD OF THE REQUIRED [ACTUAL RECORD] THAT FACTUALLY
28 EXISTED, THUS, OBSTRUCTING JUSTICE [AGAIN] BY DESIGN.

(C)

1 WHEN I MAILED WRIT OF MANDAMUS WITH AFFIDAVIT AND 5 EXHIBITS, I ALSO
2 SPECIFICALLY REQUESTED A [CERTIFIED] "FILED" STAMPED COPY AS I AM A PARTY IN
3 THIS ACTION AND AM ENTITLED TO SUCH COPY AS AN IN FORMA PAUPERIS, PRO SE
4 LITIGANT. FURTHERMORE IT WAS THE ONLY LEGAL PROOF THAT YOUR CLERK FILED SAID
5 MANDAMUS AND UPHOLD HER SWORN OATH, RULES OF PROCEDURE, NEV. STATUTES AND
6 NV. AND U.S. CONSTITUTION(S) AND MY CONSTITUTIONAL RIGHTS THEREIN. THE CLERK NOT
7 ONLY DID NOT FILE DOCUMENTS ON SEPT. 13, 2018, BUT REFUSED TO SEND A CERTIFIED
8 (ALL 54 PAGES) AND FILED COPY OF MANDAMUS, PERIOD! THAT WAS MY ONLY ASSURANCE
9 THAT EACH AND EVERY PAGE OF MY DOCUMENTS WERE INFACIT FILED. THIS CLERK IS CLEARLY
10 OBSTRUCTIVE AND WILLFULLY CREATED ANOTHER STATE CREATED IMPEDIMENT.

(D)

11 BECAUSE THE CLERK FAILED TO RETURN CERTIFIED COPY STAMPED FILED w/ AFFIDAVIT &
12 EXHIBITS AS REQUESTED, MY FAMILY WAS FORCED TO CALL THE CLERK TO ENSURE SHE
13 TOOK CORRECTIVE ACTION. MY MOTHER CALLED TWICE AND WAS LEFT ON HOLD FOR [TWO HOURS]
14 THEN TOLD STORIES. HER THIRD PHONECALL (JACKIE BOTELHO) MADE TO THIS COURT CLERK
15 AND HER ASSERTION THAT SHE WOULD FILE A COMPLAINT WITH THE U.S. POSTAL INSPECTOR IF
16 THE CLERK AGAIN FAILED TO DO HER JOB RESULTED IN ELIZABETH BROWN FINALLY
17 SENDING FILED COPY OF MANDAMUS TO ME ON OCT. 4, 2018, 13 DAYS LATER! BUT, SHE
18 STILL SHIRKED HER DUTIES AND MY REQUEST WHEN SHE:

19 (1) STILL DID NOT RETURN A "CERTIFIED" FILED COPY OF EACH AND EVERY SINGLE PAGE,
20 ALL 54 OF THEM; IT WAS ONLY STAMPED FILED OCT. 21, 2018, ON FRONT PAGE. THUS, NOT
21 ENSURING IN COURT RECORD THE ACTUAL/FACTUAL DOCUMENTS IN RECORD! AND

22 (2) SHE [D]ELIBERATELY SENT ME A COPY [NOT CERTIFIED] HAVING BEEN COPIED ON
23 [BOTH SIDES] KNOWING IT WAS NOT A COURT DOCUMENT I WOULD BE ALLOWED TO USE IN
24 ANY COURT OF LAW. THIS IS ANOTHER IMPEDIMENT TO SLOW ME DOWN, TO DISTRACT ME
25 AND [FOR ME] TO SPEND MORE MONEY [EXTORTION & FRAUD] ALSO WIRE FRAUD &
26 MAIL FRAUD]] IN PAPER, CARBON PAPER, COPIES AND POSTAGE [AGAIN], TO GET HER TO
27 DO HER SWORN DUTIES!

28

(E)

1 AFTER MY FAMILY HAD TO GET INVOLVED, YOUR COURT CLERK STILL WOULD NOT DO AS
2 REQUESTED AND FURTHER OBSTRUCTED AND IMPEDED JUSTICE BY COPYING AND SENDING
3 TWO-SIDED FILED DOCUMENT (NOT CERTIFIED) BY DESIGN, THAT IS FURTHER PROOF,
4 TANGIBLE PROOF, THAT ELIZABETH BROWN, NV. SUPREME COURT CLERK, DID FACTUALLY
5 TAMPER WITH, INTERFERE WITH, DELAYED AND STILL DENIED IN PART, MY ACCESS TO THIS
6 COURT, IN VIOLATION OF MY ASSERTED COMMON LAW RIGHTS, MY NV. CONSTITUTIONAL
7 RIGHTS, INALIENABLE UNDER ART. I, SECT(S) (I) - (8), AND MY 1ST, 5TH AND 14TH AMENDMENT
8 RIGHTS GUARANTEED ME UNDER OUR [STILL VALID] UNITED STATES CONSTITUTION. THIS
9 ALSO FURTHER ~~PRO~~ PROVES THAT SHE OBSTRUCTED ADMINISTRATION OF JUSTICE, ALTERED THE
10 COURT RECORD ON HER OWN, OR AT THIS COURTS DIRECTION.

(F)

11 THE NOT CERTIFIED, TWO-SIDED, FILED COPY OF MANDAMUS WITH EXHIBITS AND AFFIDAVIT
12 FURTHER PROVE THE FOLLOWING:

- 13 (1) THAT CLERK STAMPED MANDAMUS "RECEIVED" ON SEPT. 13, 2018;
- 14 (2) THAT CLERK SAT ON MANDAMUS FOR (9 DAYS) PRIOR TO [FILING] ON SEPT. 21, 2018.
- 15 (3) THAT CLERK WOULD NOT PROVIDE CERTIFIED FILED COPY OF MANDAMUS UNTIL MY FAMILY
16 WAS FORCED TO CALL THIS COURT, YET ONLY SENT FILED COPY ON OCT 3, 2018, AND
17 RECEIVED ON OCT. 4, 2018. AND THAT WAS STILL [21 DAYS] AFTER RECEIVING MANDAMUS
- 18 (4) THAT CLERK WOULD STILL NOT SEND [CERTIFIED] COPY OF ALL 54 PAGES OF DOCUMENTS
- 19 (5) THAT CLERK INTENTIONALLY SENT MANDAMUS "FILED" COPY REPRODUCED AS A
20 TWO-SIDED COPY KNOWING IT WOULD NOT BE VALID IN ANY COURT OF LAW.

(G)

21 THE FRAUDULENTLY MISREPRESENTED, ALTERED, AND INCOMPLETE "RECEIPT FOR
DOCUMENTS 22 ALSO CLEARLY ESTABLISH AND PROVE THAT THIS COURT CLERK DID INFACT:

23 (1) ALTER MY ACTUAL WRIT OF MANDAMUS DOCUMENTS BEFORE THIS COURT BY WILLFULLY
24 LEAVING [OUT] CRIMINAL COMPLAINT CASE NO. RCR03-011479, ADDITIONAL DOCUMENTS RECEIVED
25 [AFFIDAVIT AND 5 EXHIBITS] AND "TOTAL PAGES OF DOCUMENTS RECEIVED 54 PAGES"

26 (2) VIOLATED STATE AND FEDERAL STATUTES, INCLUDING: BECAUSE OF WIRE AND MAIL FRAUD -
27 18 USC 9 FRAUD; 18 USC 1503 OBSTRUCTION OF JUSTICE; 18 USC 1001 STATEMENTS OR ENTRIES;
28 18 USC 1341, 1342, 1343, 1346 (FRAUD BY WIRE RADIO OR TELEVISION); 18 USC 1701, 1703 AND 1708

ALSO 1702 (OBSTRUCTION, DELAY); 18 USC 35 (IMPARTING OR CONVEYING FALSE INFORMATION);
18 USC 1506 (ALTERATION OF RECORD OR PROCESS FOR COURT RECORDS); 18 USC 241
(CONSPIRACY AGAINST RIGHTS TO INTURE OPPRESS THREATEN OR INTIMIDATE); 18 USC 242
(DEPRIVATION OF RIGHTS UNDER COLOR OF LAW [ALSO HOBBS ACT]); 28 USC 2250 (INDIGENT
PETITIONER ENTITLED TO DOCUMENTS WITHOUT COST); 28 USC 951 (CLERKS OATH OF
OFFICE); 42 USC 1985-1986. YOUR CLERK IS ALSO FACTUALLY GUILTY OF VIOLATING
NRS 197.200 (OPPRESSION UNDER COLOR OF OFFICE); NRS 281.360 (FAILURE BY PUBLIC
OR EMPLOYEE TO PERFORM DUTY); NRS 199.220 (DESTROYING EVIDENCE, ALTER, ERASE OR
CONCEAL); AND OTHERS, ETC... MY FAMILY IS PREPARED TO FILE A CRIMINAL COMPLAINT IF
NECESSARY WITH (1) THE U.S. POSTAL INSPECTOR; (2) THE F.B.I AND; (3) THE D.O.J.

I FURTHER ASSERT THAT UNDER 18 USC 401 - A COURT OF THE UNITED STATES SHALL HAVE
POWER TO PUNISH BY FINE OR IMPRISONMENT, AT ITS DISCRETION, SUCH CONTEMPT OF ITS
AUTHORITY, AND NONE OTHER, AS

(1) MISBEHAVIOR OF ANY PERSON IN ITS PRESENCE OR SO NEAR TO AS TO OBSTRUCT THE
ADMINISTRATION OF JUSTICE

(2) MISBEHAVIOR OF ANY OF ITS OFFICIALS IN THEIR OFFICIAL TRANSACTIONS
AND MUST DO SO HERE AND NOW.

I HEREBY REQUEST THAT RECEIPT FOR DOCUMENTS BE CORRECTED IMMEDIATELY,
I FURTHER REQUEST THAT I BE IMMEDIATELY SENT A CERTIFIED FILED COPY OF EACH
AND EVERY SINGLE PAGE (54 PAGES) AND THAT THIS COURT PUBLICLY PUNISH THIS COURTS
CLERK, ELIZABETH BROWN, DOING & WHAT IT MUST, REGARDLESS OF ITS CONSEQUENCES,
JUST AS IT MUST DO IN MY WRIT OF MANDAMUS, REGARDLESS.

RESPECTFULLY SUBMITTED

DATED OCTOBER 9, 2012

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C.C. FILE:

IN PROPER PERSON