

MICHAEL T. BOTELHO # 26837
NNCC, P.O. BOX 7000
CARSON CITY, NEV. 89702
IN PROPER PERSON

77004-COA

FILED

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAN 11 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

MICHAEL T. BOTELHO
REAL PARTY IN INTEREST

JUSTICE COURT CASE NO. RCR03-011479

DISTRICT COURT CASE NO. CR03-2156

VS.

SUPREME COURT CASE NO. 77004

SECOND JUDICIAL DIST. COURT
DEFENDANTS

OBJECTION TO UNLAWFUL TRANSFER OF WRIT OF MANDAMUS
WITHOUT COURT ORDER AND IN VIOLATION OF NRAP 17(b) AND
DENIAL OF DUE PROCESS AND EQUAL PROTECTION RESULTING
IN LOSS OF JURISDICTION AND NECESSARY GRANTING OF
RELIEF ON DUE PROCESS GROUNDS.

I, MICHAEL T. BOTELHO, PLAINTIFF, REAL PARTY IN INTEREST AND [U]LTIM, FILE
THIS NECESSARY OBJECTION TO UNLAWFUL TRANSFER OF AND DELIBERATE DELAY
OF WRIT OF MANDAMUS, NOW PAST 110 DAYS. I HAVE BEEN AGAIN DISCRIMINATED
AGAINST BY THIS NV. SUPREME COURT AND ITS CLERK BECAUSE I AM NOT A COURT
OFFICER, BEING PRO SE, INDIGENT, POOR, [U]NLAWFULLY "INCARCERATED" ISLANDER,
AND UNTRAINED IN THE LAW. (EMPHASIS STRONGLY ASSERTED)

THIS COURT'S CLERK PRACTICED LAW AND TRANSFERRED THIS CRITICAL MANDAMUS
WITH STATEWIDE IMPLICATIONS AND CONCERNS BY DISREGARDING NRAP RULE 17(b)
AND VIOLATED MY ASSERTED DUE PROCESS AND EQUAL PROTECTION RIGHTS
GUARANTEED BY NV. CONSTITUTION ART. I, SECTION 8, AND THE 5TH AND 14TH
AMENDMENTS OF OUR "STILL" VALID UNITED STATES CONSTITUTION.

THE CLERK DISREGARDED THE PROPHYLACTIC RULE OF 17(b) WHEREIN CATEGORY
A FELONY CASES ARE EXEMPTED FROM NV. COURT OF APPEALS (EMPHASIS ASSERTED).
FURTHERMORE, UNDER NRAP 17(a) (13/14)) THIS CASE WAS TO BE RULED UPON
BY THE NV. SUPREME COURT, REGARDLESS! THE NV. COURT OF APPEALS HAS NO
AUTHORITY NO DISCRETION, AND THUS, NO SUBJECT MATTER-JURISDICTION TO ACT.

ANY ATTEMPT TO DO SO WILL BE ULTRA VIRES, SIMPLY NULL AND VOID. AND,
THIS COURT DIVERSTED ITS JURISDICTION AWARE OF THAT CONSEQUENCE [.]

RECEIVED
JAN 11 2019
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

I MADE A LEGAL AND MATERIAL, FACTUAL THRESHOLD SHOWING GIVING RISE TO THIS COURTS ORIGINAL JURISDICTION AND NECESSARY DE NOVO REVIEW AND DETERMINATION ON MERITS OF MANDAMUS, TO CORRECT THE UNLAWFUL AND UNCONSTITUTIONAL, REPUGNANT, MANIFEST AND FUNDAMENTAL MISLARRIAGE OF JUSTICE IN THIS CASE OF STATEWIDE IMPORTANCE. I HAVE BEEN PREJUDICED AGAIN AND A CHILLING EFFECT HAS OCCURRED YET AGAIN. I HAD A DUE PROCESS RIGHT TO BE FREE FROM ARBITRARY AND CAPRICIOUS ACTIONS BY THE STATE. THE CLERK PRACTICED LAW AND WHOLLY DISREGARDED THE COURTS CONSTITUTIONAL, STATUTORY AND JURISDICTIONAL DUTY TO CONTROL AND EFFECT THE CASES REQUIRED OUTCOME - AND CLEARLY DELAYED AND OBSTRUCTED JUSTICE AND AFFECTED MOVED OF PROCEDURE AND DISREGARDED THE QUESTION OF THE DUTY OF SUCH COURT WHEN ITS ORIGINAL JURISDICTION WAS APPROPRIATE AND NECESSARY UNDER THE PROPHYLACTIC PREVAILING RULES OF PROCEDURE AND JURISDICTION.

MY PLIGHT IS WHOLLY PREDICATED BY THE STATE COURTS WILLFUL FAILURE(S) TO FOLLOW NEVADA STATUTES, COURT RULES, THE NV. AND U.S. CONSTITUTION(S) AND MY CONSTITUTIONAL RIGHTS THEREIN AND WELL DECIDED NEV. SUPREME COURT STARE DECISIS SPANNING 48 YEARS. THIS COURT HAS PROCEDURALLY DEFAULTED MY NECESSARY WRIT OF MANDAMUS.

THIS NV. SUPREME COURT [MUST] GRANT MY NECESSARY RELIEF ON DUE-PROCESS AND JURISDICTIONAL GROUNDS AS THIS COURT ACTED BEYOND THE BOUNDS OF AUTHORIZED JUDICIAL ACTION AND FURTHER FAILED TO ADHERE TO THE PRINCIPLE THAT IT WILL DE NOVO REVIEW JUDGMENTS OF STATE COURTS THAT FAIL TO REST UPON ADEQUATE AND INDEPENDANT STATE GROUNDS. (EMPHASIS ASSERTED)

DATED JAN. 5, 2019

RESPECTFULLY SUBMITTED

Michael T. Boto

DROPPED IN U.S. MAIL VIA PRISON MAILBOX RULE
ON 1-7-2019 VIA NDOC BRASS SLIP NO # 2349288.