

IN THE SUPREME COURT OF THE STATE OF ~~NEVADA~~
OFFICE OF THE CLERK

MAR 19 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

LEONARD WOODS #1901705

DEFENDANT

Leonard Woods, natural person

Petitioner

District Court Case No: C-15-309820-1

VS.

Department No: 3

THE EIGHTH JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA, IN AND FOR

THE COUNTY OF CLARK

Respondent,

and

THE STATE OF NEVADA

Real Party in Interest

APPLICATION FOR WRIT OF CERTIORARI (or WRIT OF REVIEW)

TO THE HONORABLE

, OF THE SUPREME COURT :

STATE OF NEVADA }

COUNTY OF CLARK }

SS:

Leonard Woods, natural person, hereby swears (or affirms) under penalty
of perjury, that the following assertions are true of his own personal knowledge:

1.) That the assigned judicial officer, Judge D. Herndon, has demon-
strated unfair and prejudicial bias, and non-impartiality to the plaintiff, STATE
OF NEVADA, by forcing counsel upon DEFENDANT, by not granting motions
to dismiss counsel based on racially derogatory statements made by counsel,
Julia Murray, (in District Court 12, Michelle Leavitt) and other ineffective assistance.
Stating to DEFENDANT that his only option to dismiss counsel was to
represent himself. After Pro Se motion was granted to DEFENDANT to
represent himself and dismiss counsel, Judge Herndon then "assigned" the
same counsel to DEFENDANT's case basically forcing counsel upon the
DEFENDANT any way violating his 6th and 14th Amendment Due

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2.) Transcript records will show that Judge Herndon had previously stated to your petitioner, and "assigned" side counsel Julia Murray, that he denied and had no intention on giving DEFENDANT/Petitioner financial assistance to procure witnesses in the defense's favor or to grant/order any financial assistance or help of any kind so that the defense could adequately prepare himself for trial (i.e. means for an investigator, legal material, expert witnesses, etc...) court ordering only legal writing tablets and pens (which only 2 legal pads were supplied) Recently, Judge Herndon recanted his statements, at calendar call, stating he never said that.

3.) Judge Herndon has stated that "it is highly likely the DEFENDANT will be convicted of first degree murder", basically prejudging and convicting DEFENDANT before his right to a fair trial, violating his Due Process rights.

4.) That calendar call is set for March 7, 2019 and trial is set for March 18, 2019. Judge Herndon's unfair and unreasonable amount of time given to DEFENDANT/Petitioner to adequately prepare for a murder trial (Pro Se motion granted 9-11-18), not granting financial assistance to adequately prepare for defense, and by making statements unprofessional and unbecoming of a judge, by all appearances Judge Herndon is not acting in a fair and objective manner, which may even require recusal, see Withrow v. Larkin, 421 U.S. 35, 47 95 S. Ct. 1456, 43 L. Ed. 2d. 712 which held "the probability of actual bias on part of the judge or decisionmaker is too high to be Constitutionally tolerable."

5.) That Judge Herndon has demonstrated actual bias and partiality, Judge Herndon's sitting on future proceedings would be constitutionally intolerable which might lead him not to hold the

balance nice, clear, and true between the State and the accused,
and will deny the DEFENDANT/Petitioner due process of law. 273 U.S.
at 532 47 S.Ct. 437, 71 Ed. 749, 5 Ohio Law Abs. 159 Abs. 5 Ohio Law Abs. 185 25 Ohio L.Rep. 236

6.) That there is no appeal from Leonard Woods, natural person; that
Petitioner has no other plain, speedy, and adequate remedy other than certiorari.

Wherefore, affiant prays that a writ of certiorari or other appropriate
writ may be issued out of this Court to the EIGHTH JUDICIAL DISTRICT COURT
commanding it to certify and return to this Court copies of all motions,
pleadings, findings, orders, rulings, judgements and transcriptions, and affiant
further seeks a stay of proceedings pending final determination of this appli-
cation, and for such other relief as may be just.

Dated this 8th day of March, 2019

x Leonard Woods

Leonard Woods, natural person

DECLARATION UNDER PENALTY OF PERJURY

I, the undersigned, do hereby acknowledge that I executed the above signed and/or foregoing of
my own free will and that I am of sound mind to do so. I understand that a false statement or
answer to any question in this declaration will subject me to penalties of perjury.

I declare under penalty of perjury under the laws of the United States of America that
the above information is accurate, correct, and true to the best of my knowledge executed within the terms of
NRS 171.102 and NRS 208.165 see 28 U.S.C. 1746 and 18 U.S.C. 1621

Dated this 8th day of March, 2019

x Leonard Woods

Leonard Woods, natural person

Agent for Corporation Entity, LEONARD WOODS, DEFENDANT

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