

NOAS
BOBBY L FRANKLIN
2451 N Rainbow Blvd. #2037
Las Vegas, NV. 89108
839-822-4791
dlepatent@hotmail.com
IN PROPER PERSON

Electronically Filed
Jul 07 2020 03:07 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

**IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR
THE COUNTY OF CLARK**

BOBBY L. FRANKLIN, *dba* DAYDREAM
LAND & SYSTEMS DEVELOPMENT,

Case No.: A-20-815083-D

Dept. No.: 22

Plaintiff,

vs.

D.J. LAUGHLIN; Attorney WILLIAM R.
URGA, "Also all other persons unknown
claiming any right, title, estate, lien or
interest in the real property described in the
complaint adverse to plaintiff's ownership,
or any cloud upon plaintiff's title thereto"

Defendants.

NOTICE OF APPEAL

Notice is hereby given that Mr. Bobby L. Franklin, plaintiff above named, hereby appeals to the Supreme Court of Nevada from the final Decision and Order that: 1) Denied to ever review, address or consider Franklin's overlooked *stare decisis* patent rights recorded in his *certified First Title* on the disputed 80 acres; 2) Overlooked the undisputed [fraud on the district court minutes](#) that attorney URGa repeatedly stated that got Franklin's NRS 40.010 Quiet Title Action dismissed with prejudice; and that, 3) Failed to respond to Franklin's timely NRCP 60(b)(4) and (d)(3) [Motion to Reconsider](#) his overlooked *stare decisis* patent rights recorded in his *certified First Title* on the disputed 80 acres that has never been adjudicated in any court of law or equity,

1 all in violations to the due process clause in the 14th Amendment of the U.S. Constitution,
2 entered in this action on the 4th day of June, 2020.
3

4 Respectfully submitted by,

5
6 /s/ Bobby L. Franklin
7 BOBBY L FRANKLIN (pro se)

July 1st, 2020
DATED

8 -----
9
10 CERTIFICATE OF MAILING

11 I HEREBY CERTIFY that on the 1st day of July, 2020, I placed a true and correct copy of
12 the following document: NOTICE OF APPEAL in the United States mail, with first-class
13 postage prepaid, addressed to the following:
14

15 D.J. LAUGHLIN
16 Riverside Hotel & Casino Resort
17 1650 S. Casino Dr. PMB 500
18 Laughlin, NV. 89029
702-298-2535
(Defendant)

WILLIAM R. URG
Jolley Urga Woodbury & Holtus
330 S. Rampart Blvd. # 380
Las Vegas, NV. 89145
702-699-7500
(Defendant)

19 Per NRS 53.045, I declare under penalty of perjury
20 that the foregoing is true and correct.

21 /s/ BOBBY L FRANKLIN (pro se)
22
23
24
25
26
27
28



1 ASTA

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6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**

9
10 BOBBY L. FRANKLIN dba DAYDREAM LAND
& SYSTEMS DEVELOPMENT CO,

11 Plaintiff(s),

12 vs.

13 D.J. LAUGHLIN; Attorney WILLIAM R. URGAS,

14 Defendant(s),
15

Case No: A-20-815083-D

Dept No: XXII

16
17 **CASE APPEAL STATEMENT**

18 1. Appellant(s): Bobby L. Franklin

19 2. Judge: Linda Marie Bell

20 3. Appellant(s): Bobby L. Franklin

21 Counsel:

22
23 Bobby L. Franklin
24 2451 N. Rainbow Blvd., #2037
25 Las Vegas, NV 89108
26
27
28

1 4. Respondent (s): D.J. Laughlin

2 Counsel:

3 D.J. Laughlin
4 Riverside Hotel & Casino Resort
5 1650 S. Casino Dr. PMB 500
6 Laughlin, NV 89029

7 Respondent (s): Attorney William R. Urga

8 Counsel:

9 William R. Urga
10 330 S. Rampart Blvd., #380
11 Las Vegas, NV 89145

12 5. Appellant(s)'s Attorney Licensed in Nevada: N/A
13 Permission Granted: N/A

14 Respondent(s)'s Attorney Licensed in Nevada: N/A
15 Permission Granted: N/A

16 Respondent(s)'s Attorney Licensed in Nevada: Yes
17 Permission Granted: N/A

18 6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

19 7. Appellant Represented by Appointed Counsel On Appeal: N/A

20 8. Appellant Granted Leave to Proceed in Forma Pauperis**: N/A
21 **Expires 1 year from date filed
22 Appellant Filed Application to Proceed in Forma Pauperis: No
23 Date Application(s) filed: N/A

24 9. Date Commenced in District Court: May 15, 2020

25 10. Brief Description of the Nature of the Action: Unknown

26 Type of Judgment or Order Being Appealed: Misc. Order

27 11. Previous Appeal: No

28 Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

13. Possibility of Settlement: Unknown

Dated This 2 day of July 2020.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

Heather Ungermann, Deputy Clerk

200 Lewis Ave

PO Box 551601

Las Vegas, Nevada 89155-1601

(702) 671-0512

A-20-815083-D

cc: Bobby L. Franklin

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. A-20-815083-D**

Bobby Franklin, Plaintiff(s)
vs.
D Laughlin, Defendant(s)

§
 §
 §
 §
 §

Location: **Department 22**
 Judicial Officer: **Johnson, Susan**
 Filed on: **05/15/2020**
 Cross-Reference Case Number: **A815083**

CASE INFORMATION**Statistical Closures**

06/04/2020 Other Manner of Disposition

Case Type: **Chapter 40**

Case Status: **06/04/2020 Closed**






DATE**CASE ASSIGNMENT****Current Case Assignment**

Case Number A-20-815083-D
 Court Department 22
 Date Assigned 05/15/2020
 Judicial Officer Johnson, Susan

PARTY INFORMATION

Plaintiff	Franklin, Bobby L	Pro Se 830-822-4791(H)
Defendant	Laughlin, D J	Pro Se 702-298-2535(H)
	Urga, William R	

DATE**EVENTS & ORDERS OF THE COURT****INDEX****EVENTS**

06/04/2020	 Decision and Order <i>Decision and Order</i>
06/09/2020	 Motion to Reconsider Filed By: Plaintiff Franklin, Bobby L <i>Petitioner's Motion to Reconsider</i>
06/11/2020	 Notice Filed By: Plaintiff Franklin, Bobby L <i>Notice of Clerical Error</i>
07/01/2020	 Notice of Appeal Filed By: Plaintiff Franklin, Bobby L <i>Notice of Appeal</i>
07/02/2020	 Case Appeal Statement Filed By: Plaintiff Franklin, Bobby L <i>Case Appeal Statement</i>

DATE**FINANCIAL INFORMATION**

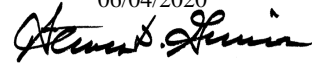
Plaintiff Franklin, Bobby L

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-20-815083-D

Total Charges	294.00
Total Payments and Credits	294.00
Balance Due as of 7/2/2020	0.00



CLERK OF THE COURT

1 **DAO**2 **EIGHTH JUDICIAL DISTRICT COURT**3 **CLARK COUNTY, NEVADA**4
5 BOBBY FRANKLIN,

6 Plaintiff,

7 vs.

8 D.J. LAUGHLIN, ET AL.,

9 Defendants.

Case No.

A-20-815083-D

Dept. No.

22

10
11 **DECISION AND ORDER**

12 Bobby Franklin filed a petition requesting approval to file a complaint in the Eighth
13 Judicial District Court. In 2016, Mr. Franklin was declared a vexatious litigant. Under the vexatious
14 litigant order, Mr. Franklin must obtain leave of the Chief Judge of the Eighth Judicial District Court
15 before filing any new litigation. After review of Mr. Franklin's petition and complaint, the Court
16 denies Mr. Franklin's petition.

17 The Clerk of the Court is directed to close case A-20-815083-D and strike both of the
18 documents filed by Mr. Franklin into the case on May 15, 2020.

19 **I. Factual and Procedural Background**

20 Mr. Franklin has filed numerous actions in both state and federal court related to an 80 acre
21 parcel of land located in Southern Nevada. The federal courts have held that Mr. Franklin has no
22 right to the property at issue. Following the federal court rulings, Mr. Franklin filed an action in the
23 Eighth Judicial District Court in which Mr. Franklin asserted an ownership interest in the subject
24 property. Mr. Franklin was ordered to show cause why he should not be declared a vexatious
25 litigant. The show cause hearing was held on March 1, 2016, and Mr. Franklin was present at the
26 hearing.

27 On March 29, 2016, an order was issued declaring Mr. Franklin a vexatious litigant. Under
28 the vexatious litigant order, Mr. Franklin may not file any new litigation without first obtaining

1 leave from the Chief Judge of the Eighth Judicial District Court. To obtain leave, Mr. Franklin's
2 new litigation must be 1) meritorious; 2) not addressed in another pleading; and 3) not related to the
3 subject property.

4 On May 15, 2020, Mr. Franklin filed a "Petition to Chief Judge Linda Marie Bell to Approve
5 Franklin's Right to File the Attached Complaint in this Court." Mr. Franklin also included a copy of
6 his proposed complaint.

7 **II. Discussion**

8 Mr. Franklin's petition argues that his complaint is meritorious because Mr. Franklin's first
9 title legal right on the subject property "has never been examined nor legally determined in any
10 court." The record does not support Mr. Franklin's argument. Federal courts have found that Mr.
11 Franklin has no right to the property at issue. E.g., Franklin v. United States, 46 F.3d 1140 (9th
12 Cir.1995); Franklin v. Laughlin, No. 10-CV-1027, 2011 WL 672328 (W.D.Tex. Feb. 15, 2011);
13 Franklin v. Chatterton, Order and Injunction, No. 2:07-CV-01400 (D. Nev. April 21, 2008), aff'd,
14 358 F. App'x 970 (9th Cir.2009); BWD Props. 2, LLC v. Franklin, Order, No. 2:06-CV-01499
15 (D.Nev. Sept. 29, 2008). Additionally, the federal courts have enjoined Mr. Franklin from bringing
16 litigation regarding his claims to the property and declared Mr. Franklin a vexatious litigant.
17 Franklin, Order and Injunction, No. 2:07-CV-01400 (D. Nev. April 21, 2008); BWD Props. 2,
18 Order, No. 2:06-CV-01499 (D.Nev. Sept. 29, 2008). Mr. Franklin's petition is therefore denied on
19 these grounds.

20 Turning to Mr. Franklin's complaint itself, the complaint claims that Mr. Franklin was
21 denied the opportunity to examine his first title rights to the property due to fraud by opposing
22 counsel. Mr. Franklin alleges that opposing counsel's fraud mislead the court in 2016. Mr.
23 Franklin's claim is meritless because Mr. Franklin's arguments fail to support the claim. The Court
24 addresses each argument below:

- 25 1) Mr. Franklin argues that opposing counsel lied when counsel stated "[Mr. Franklin's title
26 rights] had been laid out in several federal courts." This argument is contradicted by the
27 record. As stated above, several federal courts have determined that Mr. Franklin has no
28 rights to the property.

- 2) Mr. Franklin argues that opposing counsel falsely stated that “the BLM rejected plaintiff’s action because the land was mineral in character.” This argument is also contradicted by the record. The BLM initially rejected Mr. Franklin’s action in 1988, but the BLM’s decision was reversed in 1990 because there had not been a mineral report to determine if the land was “mineral in character.” Following the reversal, the BLM obtained the required mineral report. The report determined that the land was “mineral in character” and, in 1993, the BLM rejected Mr. Franklin’s action on the basis of the mineral report.
- 3) Mr. Franklin argues that opposing counsel falsely stated that he was deemed vexatious. This argument is baseless as Mr. Franklin had indeed been deemed vexatious by the federal courts in 2008.
- 4) Mr. Franklin argues that opposing counsel fraudulently argued that “the plaintiff’s application to purchase the property from the BLM was denied due to their report, which indicated the land was mineral in nature and not suitable for agricultural purposes.” This argument is baseless because opposing counsel’s statement was accurate as explained in point 2 above.
- 5) Mr. Franklin argues that the BLM auction of the property was criminal. This argument is baseless because it is a bare allegation that is unsupported by the record or any factual allegations.

The Court finds that Mr. Franklin’s complaint is meritless, raises claims and arguments that have already been addressed in other pleadings, and is related to the subject property. Therefore, Mr. Franklin’s petition is denied.


///

III. Conclusion

The Court denies Mr. Franklin's "Petition to Chief Judge Linda Marie Bell to Approve Franklin's Right to File the Attached Complaint in this Court" because Mr. Franklin's proposed complaint is meritless, raises claims and arguments that have already been addressed in other pleadings, and is related to the subject property.

The Clerk of the Court is directed to close case A-20-815083-D and strike both of the May 15, 2020, filings.

Dated this 4th day of June, 2020



LINDA MARIE BELL
DISTRICT COURT JUDGE
C5B 80F 6362 A585
Linda Marie Bell

DISTRICT COURT
CLARK COUNTY, NEVADA

Bobby Franklin, Plaintiff(s)

CASE NO: A-20-815083-D

vs.

DEPT. NO. Department 22

D Laughlin, Defendant(s)

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Decision and Order was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Envelope ID: 6142618

Service Date: 6/4/2020

BOBBY FRANKLIN

dlepatent@hotmail.com



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

BOBBY L. FRANKLIN
2451 N. RAINBOW BLVD., #2037
LAS VEGAS, NV 89108

DATE: July 2, 2020
CASE: A-20-815083-D

RE CASE: BOBBY L. FRANKLIN dba DAYDREAM LAND & SYSTEMS DEVELOPMENT CO vs. D.J. LAUGHLIN; Attorney WILLIAM R. URGAS

NOTICE OF APPEAL FILED: July 1, 2020

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS NOT TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)**
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☒ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. The district court clerk shall apprise appellant of the deficiencies in writing, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (g) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

*****Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.***

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; DECISION AND ORDER; NOTICE OF DEFICIENCY

BOBBY L. FRANKLIN dba DAYDREAM
LAND & SYSTEMS DEVELOPMENT CO,

Plaintiff(s),

vs.

D.J. LAUGHLIN; Attorney WILLIAM R.
URGA,

Defendant(s),

Case No: A-20-815083-D

Dept No: XXII

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 2 day of July 2020.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk