


FILED

MAY 27 2021

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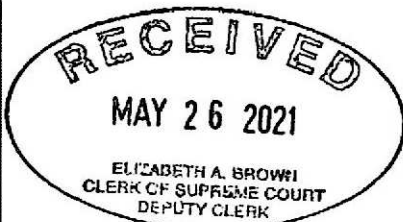
1 Ali Shahrokhi
2 10695 Dean Martin Dr. #1214
3 Las Vegas, NV 89141
4 (702) 835-3558
5 Alibe76@gmail.com
6 In Proper Person

7 **IN THE SUPREME COURT OF NEVADA**

8 ALI SHAHROKHI,)
9 Appellant,) Case No.: 81978
10 vs.) District Court Case No.: D-18-581208-P
11 KIZZY BURROW,)
12 Respondent.)
13)

14 **“SUPPLEMENT TO EMERGENCY MOTION TO**
15 **RECONSIDER REQUEST FOR STAY WHICH WAS DENIED**
16 **WITHOUT SPECIFIC REASONS ON 5/24/2021**
17 **ANSWER IS NEEDED BY 6/7/2021”**

18 ALI SHAHROKHI (“ALI”), in proper person, respectfully submits this
19 SUPPLEMENT Emergency Motion for reconsideration of Stay filed on
20 5/3/2021 that was denied without explaining why on 5/24/2021. Shahrokhi
21 demands this Court to start protecting Shahrokhi’s constitutional rights as Chief
22 Justice continues to issues denied orders without explaining why he is trying to
23 enforce “VOID” orders that lack subject-matter jurisdiction and were issued in
24 direct violation of Shahrokhi’s substantive and procedural due process.



21-15174

1 DATED this 26th day of May, 2021.

DocuSigned by:

Ali Shahrokhi

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2 Ali Shahrokhi

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9 Shahrokhi and his minor child are entitled to full Constitutional principles
10 and protection that was articulated in U.S. Supreme Court in the matter of Turner
11 vs. Rogers, 564,131 S. Ct. 2507 (2011).

12 Shahrokhi served the lower Court on multiple occasions a true copy of PRE-
13 TRIAL OBJECTIONS AND CHALLENGED JURISDICTION (*See V. 15,*
14 *P.2831-2877*) (which is not a discovery instrument- Coffin vs. US 156 432).
15 **FAILURE TO RESPOND IS A CRIME.**

16 District Court never responded to Shahrokhi's pre-trial objection and
17 NEVER proved what constitutional and statutory jurisdiction it had as it was
18 challenged to preside over the custody case # D-18-581208-P .

19 Subject matter-jurisdiction is fundamental to the power of adjudication of a
20 court See, Lacks, 41 NY2d at 74; see also, Gonzalez vs Thaler, US, 132 S. Ct. 641,
21 648 [2012]; and litigants may not by agreement confer subject-matter jurisdiction
22 upon a court which is not competent to adjudicate a case. See, Cuomo vs Long
23 Island Lighting Co., 71 NY2d 349, 351 [1988]; County of Monroe vs City of
24 Rochester, 39 AD3d 1272, 1273 [2007]; Burke vs Aspland, 56 AD3d 1001, 1003-
25 1004 [2008], lv denied 12 NY3d 709 [2009]; Hart Family, LLC vs Town of Lake
26 George, 110 AD3d 1278, 1280 [2013].

1 District COURT has no authority to continue the above matter if the
2 COURT does not prove jurisdiction on the record before presiding over any legal
3 disputes as it was challenged to do so.

4 Where a court failed to observe safeguards, it amounts to denial of due
5 process of law, court is deprived of juris. See, Merritt vs Hunter, C.A. Kansas 170
6 F2d 739.

7 A judge is not the Court. See People vs Zajic, Supra.

8 A court has no jurisdiction to determine its own jurisdiction, for a basic issue
9 in any case before a tribunal is its power to act, and a court must have the authority
10 to decide that question in the first instance.; See, Rescue Army vs Municipal Court
11 of Los Angeles, 171 P2d 8; 331 US 549, 91 L. ed. 1666, 67 S. Ct. 1409.

12 ***Any further argument on this issue of the role of the judge is settled law***
13 ***and moot.***

14 Jurisdiction is not a fiction of which that can be created, it cannot be
15 manufactured nor can its limitations be circumvented merely to suit the exigencies
16 of the moment. Jurisdiction is the cornerstone of the entire judicial process;
17 without it, courts have no power to decide the merits of a controversy. The absence
18 of jurisdiction is so serious that it is one of the few defects of which that cannot be
19 waived even by consent of all the parties.

20 The law requires proof of jurisdiction to appear on the record of the
21 administrative agency and all administrative proceedings. See, Hagans vs Lavine
22 415 U. S. 533. The burden shifts to the court to prove jurisdiction. See Rosemond
23 vs Lambert, 469 F2d 416.

24 Once jurisdiction is challenged, the court cannot proceed when it clearly
25 appears that the court lacks jurisdiction, the court has no authority to reach merits,
26 but, rather, should dismiss the action. See, Melo vs US, 505 F2d 1026.

1 The law provides that once State and Federal
2 Jurisdiction has been challenged, it must be proven on
3 the record. See, Main vs Thiboutot, 100 S. Ct. 2502
4 (1980).

5
6
7 Conclusion

8 Shahrokhi has asked this Court to Stay the Orders that
9
10 were issued from the 3 days trial on 9/21/21 through 9/23/23
11
12 because as the district Court has FAILED to prove it's subject
13
14 matter jurisdiction as it was challenged before presiding over
15
16 the case as MANDATED by law. (See, Hagans vs Lavine 415 U.
17
18 S. 533. The burden shifts to the court to prove jurisdiction. See Rosemond vs
19
20 Lambert, 469 F2d 416.

21
22 Supreme Court has failed to protect Shahrokhi's constitutional rights and
23
24 correct the matter where lower court has abused its discretion, acted capriciously
25
26 and without any AUTHORITY. Shahrokhi is putting Supreme Court of Nevada on
27
28

NOTICE that depriving one out of their protected constitutional rights has serious consequences and Shahrokhi will take any legal action as it may be necessary to protect his rights.

Entered in this action on the 26th day of May, 2021

DocuSigned by:
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In Proper Person

AFFIDAVIT of Ali Shahrokhi

My name is Ali Shahrokhi. I am a litigant before the court. All of the allegations herein are true and correct of my own personal knowledge. If called upon to testify, I could and would give competent and truthful evidence.

I hereby declare under penalty of perjury under the laws of the State of Nevada the foregoing is both true and correct.

Dated: May 26th, 2021

DocuSigned by:
Ali Shahrokhi
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Ali Shahrokhi

Declarant.

-CERTIFICATE-OF-SERVICE-

I am an individual over the age of eighteen and not a party to the within action. My home address is 10695 Dean Martin Dr. #1214, Las Vegas, Nev. 89141. My phone number is (702)835-3558.

On **May 26th, 2021**, I served the following:

**"Supplement Motion for
Reconsideration"**

On an interested party in the above-entitled action by
 X via e-mail transmission,
 personal service on the person below listed,
 X depositing it in the U.S. Mail, postage prepaid,
and addressed to the person below listed,
 overnight delivery, addressed as follows:

**Vincent Ochoa, District Court Judge
601 N. Pecos Rd.
Las Vegas, NV 89101
Yvonne Ruiz (E-Served)
170 S Green Valley Pkwy. #300
Henderson, NV 89012**

I declare under penalty of perjury under Nevada law the foregoing is true and correct.

Dated: **May 26th, 2021.**

DocuSigned by:
Ali Shahrokhi
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Ali Shahrokhi