

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALI SHAHROKHI,

Appellant,

vs.

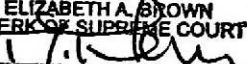
KIZZY BURROW,

Respondent.

District Court Case # D-18-581208-P
Supreme Court Case # 81978 82245

FILED

DEC 09 2021

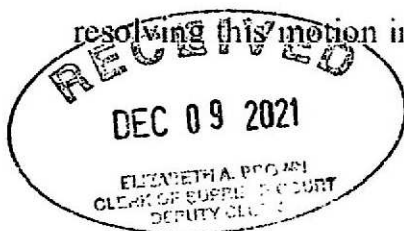
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

**“MOTION ASKING CHIEF JUSTICE JAMES HARDESTY TO
DISCLOSE RELATIONSHIPS ON THE RECORD PURSUANT
TO NCJC RULE 2.11”**

COMES NOW, appellant, ALI SHAHROKHI, appearing in *proper person*, hereby moves for a motion asking Nevada Supreme Court, Chief Justice, James Hardesty, to disclose on the record “any” and “all” personal or business relationships he has had with Thomas Standish.Esq., “Standish” ,Standish law firm, and Mathew Harter. “Harter”, district court judge, family division.

HISTORY OF FACTS

SHAHROKHI will only discuss facts relevant to this motion for the sake of resolving this motion immediately.



Shahrokhi is fully aware that a single justice may individually decide on procedural motions pending before the Nevada Supreme Court. See, NRAP(C)(2).

On 8/6/2020, Shahrokhi filed a motion to disqualify Mathew Harter, district judge, pursuant to NRS 1.235.

As Mandated by NRS 1.235(5), not only did Harter not transfer the case to another department, but he actually continued to issue orders while the pending motion to disqualify was not resolved yet by chief judge Bell.

On 8/13/2020, Harter entered a minute order as his so-called objection to Shahrokhi's motion to disqualify supposedly pursuant to NRS 1.235(6). This is a minute order and not "an affidavit" as required by NRS 1.235(6) and Harter failed to object to any of Shahrokhi's allegations against him and therefor his minute order is improper as a matter of law and does not substitute a proper objection pursuant to NRS 1.235(6).

On 8/28/2020, Harter without any authority, an direct violation of Nrs 1.235(5), still pending a disqualification motion that was not resolved yet by the chief judge , went on and entered an order, a notice of a 3-day trial and order regarding procedures for the trial on **"his own calendar"** which is in direct violation of NRS 1.235(5).

Not only the notice of 3-days trial set by Harter on 8/28/2020 is in direct violation of NRS 1.235(5), it only gave Shahrokhi to prepare less than 23 days for

a 3 days trial as a pro-se, where Shahrokhi's previous attorney of the record was withdrawn only days before on or around 8/5/202.

It is quite concerning that chief Hardesty has ignored such facts and legal arguments raised by Shahrokhi as a pro-se prior to his 3 day trial, yet justice Hardesty, in his opinion in writ petition # 8159, 137 Nev. Advance Opinion #71 confirms the judge that is subject to a pending motion to disqualification shall proceed no further. Shall is a "MANDATORY" term not up for discretion.

The NCJC requires a judge to "act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary and [to] avoid impropriety and the appearance of impropriety. See, NCJC Rule 1.2. Because chief Justice opinion in his writ petition # 81596, 137 Nev. Advance opinion 71, is in direct conflict of his DENIAL of Shahrokhi's supplemental emergency motion filed on 11/2/2021, Shahrokhi does not have any confidence in the integrity of the judiciary and chief Hardesty's DENIAL of Shahrokhi's motion on 11/8/2021, raises serious concerns for such denial and denying Shahrokhi's emergency motion is inconsistent with the published opinion under petition docket # 81596 and Nevada's own statutes and public policy.

Pursuant to NRS 1.235(5) a judge should **suspend proceedings and refrain from taking further substantive action** in the case once a party moves to disqualify the judge. Shahrokhi has clearly raised this issue multiple times and

justice Hardesty's ignorance as a single justice disposing a motion of such legal arguments is troubling. Harter setting a 3-day trial on his own calendar while being a subject to a disqualification is a substantive action. 3-day trial setting on the judges own calendar while awaiting a disqualification is a substantive action, as the calendar was Harter's own calendar, not another department's calendar.

Shahrokhi has filed the emergency motion to stay the final custody decree issued by the trial court in October 2020, couple of different times, raising serious constitutional issues, violation of his first amendment rights by Harter and lack of subject-matter jurisdiction which have fallen deaf on the ears of the justices of the Supreme Court so far which now raises serious concerns for Shahrokhi to file this motion and demand chief Hardesty to declare any and all relationships on the record.

Shahrokhi has noticed there might be a discrimination by the justices against him being a self-represented individual and thereby not being treated equally raising the same legal issues before this court when a licensed attorney seems to be treated differently and gets different results on the same legal arguments.

One example of such is that in Shahrokhi's previous emergency motions Shahrokhi has raised the serious concern that Harter, setting up a 3 days trial on his own calendar while pending a disqualification motion back in August 28, 2020, without authority, lacked subject-matter jurisdiction, and refusing to transfer the

case to a different department while there was a pending motion to disqualify the trial judge is a serious matter. In fact Shahrokhi has even raised such question on his opening brief on this appeal before this court, and chief Hardesty has denied such motion individually and not with the panel. See Opening brief , question #12.

Recently, chief Hardesty, among two other justices issues a published opinion in a writ petition that confirms what Shahrokhi has been arguing, yet for shahrokhi as a pro-se, his motion was DENIED by a single justice (Chief Hardesty), yet the decision on the same issues is GRANTED for a licensed lawyers. This can be a serious concern and discrimination that Shahrokhi is raising here and making clear record of it.

POINTS AND AUTHORITIES

Under NRS 1.235, “[e]xcept as otherwise provided . . . [a] judge against whom an affidavit alleging bias or prejudice is filed **shall proceed no further with the matter . . .**” except to “immediately transfer the case to another department of the court . . .” NRS 1.235(5)(emphasis added).

The language of the statue is very clear. Shahrokhi has raised the same legal arguments not only in his appeals but also in the most recent supplement emergency motion for relief that was DENIED, by a single justice who happens to be Hardesty. This raises serious concern for Shahrokhi, as justice Hardesty does not have discretion to do favors and adjudicate the same legal issues with two

different conflicting decisions, one denying a pro-se relief on the same legal arguments, second granting a relief to a licensed lawyer just because he is a lawyer. As such Shahrokhi raises discriminatory practices by this court and Shahrokhi is putting Justice Hardesty notice here on the record.

Nevada law clearly directs that, once Shahrokhi filed his Motion to disqualify Mathew Harter back in August 18 of 2020, Harter was obliged to **proceed no further with the matter, except to immediately transfer the case to another department.** NRS 1.235(5). Harter did neither!

Indeed, Harter not only did not transfer the case to another department, he went ahead without authority or subject matter jurisdiction and set on his own calendar,(not another judge's calendar) a 3 days trial within less than 25 days' notice for trial preparation.

It is quite interesting that Shahrokhi and a licensed lawyer are raising the same legal issues based on law and authority before this court, yet chief justice Hardesty issues two different and conflicting orders, one DENYING Shahrokhi as a pro-se for relief, yet GRANTING the license attorney relief on the same legal argument. **As such is consider discrimination and is FORBIDDEN by law.**

As such, Shahrokhi demands justice Hardesty to disclose any and all personal or business relationship that he has had with Thomas Standish,Esq.,

Standish Law firm and Mathew Harter, district Judge, family division of Eight Judicial District Court.

“A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary and shall avoid impropriety and the appearance of impropriety.” NCJC 1.2. To that end, a judge shall not act in an action when either actual or implied bias exists. NRS 1.230(1-2).

In fact, “[a] judge shall disqualify himself or herself in any proceeding in which the judge’s impartiality might reasonably be questioned, including [when] the judge has a personal bias or prejudice concerning a party or a party’s lawyer” NCJC 2.11(A)(1) (emphasis added); *Mkhitarian v. Eighth Judicial Dist. Court*, 2016 WL 5957647, *2 (Nev. Unpub., October 13, 2016; No. 71177) (citing NCJC 2.11) (internal quotation marks omitted). Moreover, a judge is obliged “not to hear or decide matters in which disqualification is required . . . regardless of whether a motion to disqualify is filed.” NCJC 2.11, Comment 2

NRS 1.235 specifically governs pre-trial motions, and Shahrokhi’s motion to disqualify Mathew Harter in August 6, 2020, was a pre-trial motion as Harter again went on to set 3 days trial on his own calendar while a disqualification motion was not resolved yet with less than 25 days notice to Shahrokhi.

It is troubling that chief justice Hardesty has ignored such legal arguments raised by Shahrokhi in his emergency supplement motion to STAY before this

court and DENIED Shahrokhi relief, all on his own as a single justice. See, docket # 81978, 11/18/2021 (id- 2133247).

As such, in his own opinion, Justice Hardesty issued on 12/3/2021 in writ petition docket # 81596, justice Hardesty states the following:

“We conclude that once a motion to disqualify is filed by a party, the subject judge can take no further action in the case until the motion to disqualify is resolved.”

In the same opinion justice Hardesty states:

“The disqualification motion must be adjudicated before the trial proceedings may continue.”

Contrary to their own opinion, published on 12/3/2021, chief Hardesty completely ignores the same legal arguments Shahrokhi has raised in his supplement emergency motion to stay filed on 11/2/2021, which was **DENIED** by chief Hardesty as a single justice. That is alarming and must be addressed on the record immediately.

Is that a legal error by chief Hardesty, or is there discrimination here? The answer is unknown at this time and therefore Shahrokhi through this motion demands that chief justice Hardesty disclose any and all relationships with parties named here in this motion immediately.

Pursuant to NCJC 2.11(C), Justice Hardesty should disclose his prior relationships with Thomas Standish, Esq., Standish Lawfirm and Mathew Harter, district court judge on the record if any exists.

A judge should disclose on the record information that the judge believes the parties or their lawyers might reasonably consider relevant to the question of disqualification, even if the judge believes there is no real basis for disqualification. See, Nevada Code of Judicial Conduct Canon 2.11, See also *Rippo v State* (1997).

Judges presiding over the case are encouraged by the NCJC to reveal potentially disqualifying information: "A judge should disclose on the record information that the judge believes the parties or their lawyers might reasonably consider relevant to the question of disqualification, even if the judge believes there is no real basis for disqualification." NCJC Canon 2.11, Commentary.

Conclusion & Relief Requested

The clear language of NRS 1.235(5) speaks for itself. The published opinion in writ petition docket # 81596, 137 Nev. Adv Opinion #71 confirms the language of NRS 1.235(5), yet justice Hardesty's ignoring such arguments raised by Shahrokhi in his supplement motion to STAY on 11/2/2021 is very concerning.

Shahrokhi demands chief Hardesty to immediately declare on the record any personal or business relationship he has had with Thomas Standish, Esq., Standish law firm, and Mathew Harter, district judge on the record pursuant to NCJC Rule 2.11.

DocuSigned by:
Ali Shahrokhi
ED43B0CA76FC4D6...

Dated: **December 8, 2021**

Ali Shahrokhi,

In Proper Person

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08/02/2020 **Notice of Entry of Order** Doc ID# 352
[352] Notice of Entry of Decision and Order

08/03/2020 **Motion** Doc ID# 353
[353] Motion and Notice of Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt

08/04/2020 **Clerk's Notice of Hearing** Doc ID# 354
[354] Notice of Hearing

08/04/2020 **Notice of Hearing** Doc ID# 355
[355]

08/05/2020 **Notice of Hearing** Doc ID# 356
[356]

08/05/2020 **Decision and Order** Doc ID# 357
[357] Decision and Order re: Discovery Objection

08/05/2020 **Notice of Entry of Order** Doc ID# 358
[358] Notice of Entry of Decision and Order

08/05/2020 **Decision** Doc ID# 359
[359] Decision and Order re: Pending Motions and Notice Regarding Order of Issues to be Addressed at Trial

08/05/2020 **Motion** Doc ID# 360
[360] Motion for Mathew Harter, District Court Judge to Declare on Record Subject Matter Jurisdiction on Temporary Relocation Sua Sponte Order, Declare on Record Directives Regarding Procedures for Covid-19 Bench Trials Issued by Chief Judge Linda Bell.

08/05/2020 **Motion** Doc ID# 361
[361] Motion to Vacate Void Orders that Lack Due Process, Motion to Immediately Order the Minor to be Returned to State of Nevada for Lack of Subject Matter Jurisdiction and to Maintain Status Quo.

08/05/2020 **Document Filed** Doc ID# 362
[362] Bundled Filing - Motion and Notice of Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt; Motion/Opposition Fee Information Sheet; Ex Parte Application for an Order to Show Cause: Order to Show Cause; Proof of Service (Motion for Contempt / Order to Show Cause)

08/05/2020 **Motion** Doc ID# 363
[363] Motion and Notice of Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt

08/05/2020 **Ex Parte Application for Order** Doc ID# 364
[364] Ex Parte Application for an Order to Show Cause

08/05/2020 **Proof of Service** Doc ID# 365
[365] Proof of Service (Motion for Contempt / Order to Show Cause)

08/06/2020 **Motion** Doc ID# 366
[366] Bundled Filing - "This Motion Only to be Decided by Chief Judge of District Court" Motion to Disqualify Mathew Harter, District Court Judge Based on Pattern of Legal Errors, Intentional Disregard for State and Federal Laws, Violation of My Fundamental Rights, and Conflict of Interest (Serious Judicial Misconducts), Intimidation of Plaintiff in a Federal Law Suit, Making Comments on a Proceedings Where the Judge is a Litigant in His Judicial Capacity (NCJC Rule 2.10(D)), in Violation of NCJC Rule 2.11(C) Automatic Disqualification, and Risk of Unfair Determination By Judge Mathew Harter.; Certificate of Mailing; Motion/Opposition Fee Information Sheet; Exhibits

08/06/2020 **Clerk's Notice of Nonconforming Document and Curative Action** Doc ID# 367
[367]

08/06/2020 **Clerk's Notice of Hearing** Doc ID# 368
[368]

08/06/2020 **Clerk's Notice of Hearing** Doc ID# 369
[369] Notice of Hearing

08/06/2020 **Motion** Doc ID# 374
[374] "This Motion Only to be Decided by Chief Judge of District Court" Motion to Disqualify Mathew Harter, District Court Judge Based on Pattern of Legal Errors, Intentional Disregard for State and Federal Laws, Violation of My Fundamental Rights, and Conflict of Interest (Serious Judicial Misconducts), Intimidation of Plaintiff in a Federal Law Suit, Making Comments on a Proceedings Where the Judge is a Litigant in His Judicial Capacity (NCJC Rule 2.10(D)), in Violation of NCJC Rule 2.11(C) Automatic Disqualification, and Risk of Unfair Determination By Judge Mathew Harter.

08/06/2020 **Certificate of Mailing** Doc ID# 375
[375]

08/06/2020 **Document Filed** Doc ID# 376
[376] Miscellaneous Court Documents

08/07/2020 **Notice of Rescheduling of Hearing** Doc ID# 370
[370]

08/07/2020 **Order to Withdraw as Attorney of Record** Doc ID# 371
[371] Order Granting Withdrawal as Attorney of Record

08/07/2020 **Clerk's Notice of Hearing** Doc ID# 372
[372]

08/09/2020 **Notice of Entry of Order** Doc ID# 373
[373]

08/10/2020 **Clerk's Notice of Nonconforming Document and Curative Action** Doc ID# 377
[377]

08/12/2020 **Motion** Doc ID# 378
[378] Motion for Mathew Harter, District Court Judge to Declare Shahrokhi's Rights Regarding Physical Custody, Legal Custody Care, Control, Upbringing of the Minor B E S, Declare Rights of Shahrokhi's Fundamental Liberty Rights, Delcatory Rights Factual Findings to Why Custody Changed on 7/11/2019, Declatory Rights Fact Finding Why Temporary Relocation was Granted Where There Was No Motion Before the Court ,Declare on Record How Change of Custody on 7/11/2019 was Factually Justified and Narroley Tailored, Declare on Record Why He Continues to Avoid to Facilitate Post-Deprivation on Temporary Relocation and Temporary Custody.

08/13/2020 **Notice of Hearing** Doc ID# 379
[379]

08/13/2020 **Minute Order** (12:15 PM) (Judicial Officer Harter, Mathew)
Minutes
Result: Minute Order - No Hearing Held

08/13/2020 **Motion** Doc ID# 380
[380] "This Motion Only to be Decided by Chief Judge of District Court" Motion to Immediately Inform Chief District Judge Honorable Linda Bell, that Mathew Harter, District Court Judge Continues to Violate My Procedural Due Process Rights, Continues to Violate My Federally Protected Rights and Continue to Violate NRS 1.235(5)(a), SCR Rule 251, Motion for Immediate Assignment to a Different Department While Disqualification Decision is Being Finalized by the Chief Judge.

08/13/2020 **Certificate of Mailing** Doc ID# 381
[381] Bundled Filing - Certificate of Mailing; Motion/Opposition Fee Information Sheet

08/13/2020 **Ex Parte Motion** Doc ID# 382

pursuant to NRS 1.235(5) a
judge should transfer the case and
proceed no futhur.



	<u>[382] Ex Parte Motion for an Order Shortening Time</u>	
08/13/2020	Ex Parte Motion Doc ID# 384	
	<u>[384] Ex Parte Motion for an Order Shortening Time</u>	
08/17/2020	Clerk's Notice of Nonconforming Document and Curative Action Doc ID# 383	
	<u>[383]</u>	
08/18/2020	Clerk's Notice of Nonconforming Document Doc ID# 385	
	<u>[385]</u>	
08/18/2020	Opposition and Counter Motion Doc ID# 386	
	<u>[386] Opposition to Motion to Disqualify Mathew Harter, District Court Judge Based on Pattern of Legal Errors, Intentional Disregard for State and Federal Laws, Violation of My Fundamental Rights, and Conflict of Interest (Serious Judicial Misconducts), Intimidation of Plaintiff in Federal Law Suit, Making Comments on a Proceeding Where the Judge is a Litigant in His Judicial Capacity (NCJC Rule 2.10(D)), in Violation of NCJC Rule 2.11(C) Automatic Disqualification, and Risk of Unfair Determination by Judge Mathew Harter and Counter Motion for Attorney's Fees and Costs and Motion to Sanction Philip Spradling, Esq. for Misrepresentation of the Facts on This Motion as an Officer of the Court.</u>	
08/18/2020	Reply to Opposition Doc ID# 387	
	<u>[387] Defendant's Reply to Plaintiff's Opposition to Defendant's Motion to Disqualify Mathew Harter, District Court Judge Based on Pattern of Legal Errors, Intentional Disregard for State and Federal Laws, Violation of My Fundamental Rights, and Conflict of Interest (Serious Judicial Misconducts), Intimidation of Plaintiff in Federal Law Suit, Making Comments on a Proceeding Where the Judge is a Litigant in His Judicial Capacity (NCJC Rule 2.10(D)), in Violation of NCJC Rule 2.11(C) Automatic Disqualification, and Risk of Unfair Determination by Judge Mathew Harter and Counter Motion for Attorney's Fees and Costs and Motion to Sanction Philip Spradling, Esq. for Misrepresentation of the Facts on This Motion as an Officer of the Court.</u>	
08/18/2020	Certificate of Mailing Doc ID# 388	
	<u>[388]</u>	
08/19/2020	Supplement Doc ID# 389	
	<u>[389] Supplement Motion to Disqualify Mathew Harter, District Court Judge Based on Pattern of Legal Errors, Intentional Disregard for State and Federal Laws, Violation of My Fundamental Rights, and Conflict of Interest (Serious Judicial Misconducts), Intimidation of Plaintiff in Federal Law Suit, Making Comments on a Proceeding where the Judge is a Litigant in His Judicial Capacity (NCJC Rule 2.10(D)), in Violation of NCJC Rule 2.11(C) Automatic Disqualification, and Risk of Unfair Determination by Judge Mathew Harter and Counter Motion for Attorney's Fees and Costs and Motion to Sanction Philip Spradling, Esq. for Misrepresentation of the Facts on the Motion as an Office of the Court.</u>	
08/19/2020	Certificate of Mailing Doc ID# 390	
	<u>[390]</u>	
08/20/2020	Notice of Hearing Doc ID# 391	
	<u>[391]</u>	
08/27/2020	Motion Doc ID# 392	
	<u>[392] "This Motion to Be Heard by Chief Judge Linda Bell Only" Motion for Relief from a Judgment Pursuant to NRCPC Rule 60(B)(1)(3), Motion for Shahrokhi to Litigate Federally Protected Rights (Due Process and 14th Amendment) in a State Court.</u>	
08/27/2020	Certificate of Mailing Doc ID# 393	
	<u>[393]</u>	
08/28/2020	Notice of Hearing Doc ID# 394	while motion to disqualify is pending and not resolved yet, harter enters an order for a 3 day trial on his own calendar setting a 3-day trial in direct violation of NRS 1.235(5)
	<u>[394] Notice of Hearing and Order Regarding Procedures</u>	
08/28/2020	Notice of Hearing Doc ID# 395	
	<u>[395]</u>	
08/29/2020	Supplement Doc ID# 396	
	<u>[396] 2nd Supplement Motion to Disqualify Mathew Harter, District Court Judge, Motion to Strike or Declare Void Order Entered by Judge Harter on 8/28/2020, "Notice of Hearing and Order Regarding Procedures as Department N, Currently Lacks Jurisdiction in Violation of NRS 1.235, Motion Asking Honorable Linda Bell, Chief Judge for Nevada's Code of Judicial Conduct, or the Due Process Clause of the Nevada Constitution or U.S. Constitution Deemd to be Relevant to this Judicial Disqualification Motion, Motion to Consider Federal Status 28. U.S. Code 455(A).</u>	
08/29/2020	Certificate of Mailing Doc ID# 397	
	<u>[397]</u>	
08/31/2020	Supplemental Doc ID# 398	
	<u>[398] 3rd Supplement Motion to Disqualify Mathew Harter, District Court Judge, Motion to Disqualify Based on New Information Increasing the Probability of Bias and/or Risk of Unfair Determination by Judge Harter, Motion to Ask this Court to Declare Unconstitutional Orders from July 11, 2019 Hearing Void.</u>	
08/31/2020	Supplemental Exhibits Doc ID# 399	
	<u>[399] "Exhibit A" "This Motion to Be Heard by Chief Judge Linda Bell Only" Motion for Relief from a Judgment Pursuant to NRCPC Rule 60(B)(1)(3), Motion for Shahrokhi to Litigate Federally Protected Rights (Due Process and 14th Amendment) in a State Court.</u>	
08/31/2020	Certificate of Mailing Doc ID# 400	
	<u>[400]</u>	
08/31/2020	Ex Parte Motion Doc ID# 401	
	<u>[401] Ex-Parte Motion for Order Shortening Time, to Strike Supplements and Motions Improperly Before the Chief Judge, and to Immediately Rule on Further Motions to Disqualify</u>	
08/31/2020	Motion to Strike Doc ID# 402	
	<u>[402] Motion to Strike Plaintiff's Ex-Parte Motion for Order Shortening Time, to Strike Supplements and Motions Improperly Before the Chief Judgment, and to Immediately Rule on Further Motions to Disqualify, Motion for Shahrokhi to Litigate His Federally Protected Rights" Due Process", 14th Amendment Rights, Before Chief Judge, as Judge Harter Continues to Violate Those Rights.</u>	
08/31/2020	Certificate of Mailing Doc ID# 403	
	<u>[403]</u>	
09/01/2020	Supplemental Exhibits Doc ID# 404	
	<u>[404] Supplemental Exhibits to Motion to Strike Plaintiff's Ex-Parte Motion for Order Shortening Time, to Strike Supplements and Motions Improperly Before the Chief Judgment, and to Immediately Rule on Further Motions to Disqualify, Motion for Shahrokhi to Litigate His Federally Protected Rights" Due Process", 14th Amendment Rights, Before Chief Judge, as Judge Harter Continues to Violate Those Rights.</u>	
09/01/2020	Notice of Hearing Doc ID# 405	
	<u>[405]</u>	
09/02/2020	Notice of Hearing Doc ID# 406	
	<u>[406]</u>	
09/03/2020	CANCELED Motion (11:00 AM) (Judicial Officer Harter, Mathew)	
	Vacated Defendant's Motion To Vacate Void Orders That Lack Due Process, Motion To Immediately Order The Minor To Be Returned to State Of Nevada For Lack Of Subject Matter Jurisdiction And To Maintain Status Quo.	
09/07/2020	Motion Doc ID# 407	
	<u>[407] "To be Filed with Chief Judge Linda Bell Only" Motion for Declaratory Relief Asserting Affirmative Application of Strict Scrutiny Procedural Protections, Motion for Shahrokhi to Litigate His Federally Protected Rights", Before Chief Judge, in a State Court, as Judge Harter, Department "N", Nevada State Family Court Continues to Violate Shahrokhi's Federally Protected Rights.</u>	
09/07/2020	Certificate of Mailing Doc ID# 408	
	<u>[408]</u>	

- 09/07/2020 **Motion** Doc ID# 409
[409] "To be Filed with Chief Judge Linda Bell Only" Motion for Declaratory Relief Asserting Substantive Rights, Motion for Shahrokhi to Litigate His Federally Protected Rights", Before Chief Judge, in a State Court, as Judge Harter, Department "N", Nevada State Family Court Continues to Violate Shahrokhi's Federally Protected Rights.
- 09/07/2020 **Motion** Doc ID# 410
[410] "To be Filed with Chief Judge Linda Bell Only" Motion for Declaratory Relief Asserting Substantive Rights, Motion for Shahrokhi to Litigate His Federally Protected Rights", Before Chief Judge, in a State Court, as Judge Harter, Department "N", Nevada State Family Court Continues to Violate Shahrokhi's Federally Protected Rights.
- 09/07/2020 **Motion** Doc ID# 411
[411] "To be Filed with Chief Judge Linda Bell Only" Motion for Declaratory Relief and Equal Protection of the Law, Motion for Shahrokhi to Litigate His Federally Protected Rights", Before Chief Judge, in a State Court, as Judge Harter, Department "N", Nevada State Family Court Continues to Violate Shahrokhi's Federally Protected Rights.
- 09/07/2020 **Certificate of Mailing** Doc ID# 412
[412]
- 09/08/2020 **CANCELED Motion** (11:00 AM) (Judicial Officer Harter, Mathew)
Vacated
Motion and Notice of Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt
- 09/08/2020 **Decision and Order** Doc ID# 413
[413]
- 09/08/2020 **Notice of Hearing** Doc ID# 414
[414]
- 09/08/2020 **Notice of Hearing** Doc ID# 415
[415]
- 09/09/2020 **Notice of Hearing** Doc ID# 416
[416]
- 09/10/2020 **CANCELED Motion** (9:00 AM) (Judicial Officer Harter, Mathew)
Vacated
Defendant's Motion To Vacate Void Orders That Lack Due Process, Motion To Immediately Order The Minor To Be Returned to State Of Nevada For Lack Of Subject Matter Jurisdiction And To Maintain Status Quo.
- 09/10/2020 **CANCELED Motion** (10:30 AM) (Judicial Officer Bell, Linda Marie)
Vacated
Defendant's Motion to Disqualify Mathew Harter, District Court Judge Based on Pattern of Legal Errors, Intentional Disregard for State and Federal Laws, Violation of my Fundamental Rights, and Conflict of Interest (Serious Judicial Misconduct) Intimidation of Plaintiff a Federal Law Suit, Making Comments on a Proceeding Where the Judge is the Litigant in his Judicial Capacity (NCJS Rule 2.11(C) Automatic Disqualification, and Risk of Unfair Determination by Judge Mathew Harter
09/08/2020 Reset by Court to 09/10/2020
- 09/10/2020 **CANCELED Opposition & Countermotion** (10:30 AM) (Judicial Officer Bell, Linda Marie)
Vacated
Plaintiff's Opposition to Defendant's Motion to Disqualify Mathew Harter, District Court Judge Based on Pattern of Legal Errors, Intentional Disregard for State And Federal Laws, Violation of My Fundamental Rights, And Conflict of Interest (Serious Judicial Misconducts), Intimidation of Plaintiff in Federal Law Suit. Making Comments on a Proceeding Where the Judge is a Litigant in His Judicial Capacity (NCJC Rule 2.10(D)). In Violation of NCJC Rule 2.11(C) Automatic Disqualification, and Risk of Unfair Determination by Judge Mathew Harter And Counter Motion for Attorney's Fees and Costs
09/08/2020 Reset by Court to 09/10/2020
- 09/10/2020 **CANCELED Motion** (10:30 AM) (Judicial Officer Bell, Linda Marie)
Vacated
Defendant's Reply to Plaintiff's Opposition to Defendant's Motion to Disqualify Mathew Harter, District Court Judge Based on Pattern of Legal Errors, Intentional Disregard for State and Federal Laws, Violation of My Fundamental Rights and Conflict of Interest Serious Judicial Misconducts, Intimidation of Plaintiff in Federal Law Suit. Making Comments on a Proceeding Where the Judge is a Litigant in His Judicial Capacity (NCJC Rule 2.1(D) in Violation of NCJC Rule 2.11 (C) Automatic Disqualification, and Risk of Unfair Determination by Judge Mathew Harter and Countermotion for Attorney Fees and Costs and Counter Motion for Attorney's Fees and Costs and Motion to Sanction Philip Spradling, Esq. for Misrepresentation of the Facts on This Motion as an Officer of the Court
09/08/2020 Reset by Court to 09/10/2020
- 09/11/2020 **CANCELED Motion** (8:45 AM) (Judicial Officer Harter, Mathew)
Vacated
Defendant's Motion to Remove Fred Page, ESQ. Immediately From This Case And Put This Court On Notice to Stop Trying To Intimidate Me As A Plaintiff in Pending Federal Law Suit
- 09/11/2020 **CANCELED Motion** (8:45 AM) (Judicial Officer Harter, Mathew)
Vacated
Defendant's Motion for Mathew Harter District Court Judge to Declare on Record Subject Matter Jurisdiction on Temporary Relocation Sua Sponte Order Declare On Record Directives Regarding Procedures for Covid 19 Bench Trials Issued by Chief Judge Linda Bell
- 09/11/2020 **CANCELED Motion** (8:45 AM) (Judicial Officer Harter, Mathew)
Vacated
Page Law Firm's Motion To Withdraw As Atty Of Record
- 09/11/2020 **Minute Order**
- 09/11/2020 **Motion** Doc ID# 417
[417] Defendant's Motion Requesting Resolution of Essential Pre- Trial. Questions of Law, Motion Raising Objections and Plea to the Jurisdiction
- 09/11/2020 **Certificate of Mailing** Doc ID# 418
[418]
- 09/11/2020 **Motion** Doc ID# 419
[419] Motion for Declaratory Relief Asserting Affirmative Application of Strict Scrutiny Procedural Protections, Motion for Shahrokhi to Litigate His Federally Protected Rights", as Judge Harter, Department "N", Nevada State Family Court Continues to Violate Shahrokhi's Federally Protected Rights.
- 09/11/2020 **Certificate of Mailing** Doc ID# 420
[420]
- 09/11/2020 **Motion** Doc ID# 421
[421] Shahrokhi Now Raises These Issues in Department N; Motion for Declaratory Relief Asserting Substantive Rights, Motion for Shahrokhi to Litigate His Federally Protected Rights", as Judge Harter, Department "N", Nevada State Family Court Continues to Violate Shahrokhi's Federally Protected Rights.
- 09/11/2020 **Motion** Doc ID# 422
[422] Shahrokhi Now Raises These Issues in Department N; Motion for Declaratory Relief Asserting Substantive Rights, Motion for Shahrokhi to Litigate His Federally Protected Rights", as Judge Harter, Department "N", Nevada State Family Court Continues to Violate Shahrokhi's Federally

Harter, ignored this motion and CANCELED it on his own,
direct violatoion of NRS 1.235(5) to transfer to another judge
and 11 days later persided over a 3-day trial whihc by law
and pursuant to NRS 1.235(5) could not do.
▲ WAKE UP JUSTICES...STOP DISCRIMINATING

	<u>Protected Rights.</u>	
09/11/2020	Financial Disclosure Form Doc ID# 423 [423] General Financial Disclosure Form	
09/11/2020	Pre-trial Memorandum Doc ID# 424 [424] Second Amended Pretrial Memorandum	
09/11/2020	Motion Doc ID# 425 [425] "Shahrokhi Now Raises His Federal Rights in Department N"; Motion for Declaratory Relief and Equal Protection of the Laws, Motion for Shahrokhi to Litigate His Federally Protected Rights", as Judge Harter, Department "N", Nevada State Family Court Continues to Violate Shahrokhi's Federally Protected Rights.	
09/11/2020	Certificate of Mailing Doc ID# 426 [426]	
09/13/2020	Motion Doc ID# 427 [427] Defendant's Objection to Minute Entry Order Declaring Motions Filed on 8/27/20, 9/27/20 Moot, Motion to Vacate Trial Date Due to Lack of Subject Matter Jurisdiction (Void); Motion for Department N to Adjudicate on Shahrokhi's Declaratory Relief Before Trial, Motion to Ask Trial to be Set Immediately With Proper Notice for Due Process, Motion to Put on Notice this Department to Stop Violating Shahrokhi's Procedural and Substantive Due Process Rights, Motion to Ask this Court to Stop Violating Shahrokhi's Federally Protected Rights Such as 1st, 4th, 5th and 14th Fundamental Rights and Shahrokhi's Fundamental Liberty Rights, Motion to Object to Any Psychological Evaluation in Violations of Shahrokhi's 4th Amendment Right.	
09/13/2020	Certificate of Mailing Doc ID# 428 [428]	
09/14/2020	CANCELED Motion (8:45 AM) (Judicial Officer Harter, Mathew) Vacated Defendant's Motion for Mathew Harter, District Court Judge to Declare on Record Subject Matter Jurisdiction on Temporary Relocation Sua SPONTE Order, Declare on Record Directives Regarding Procedures for Covid-19 Bench Trials Issued By Chief Judge Linda Bell	
09/14/2020	Ex Parte Motion Doc ID# 429 [429] Ex Parte Motion for an Order Shortening Time	
09/14/2020	Certificate of Mailing Doc ID# 430 [430] Bundled Filing - Certificate of Mailing; Motion/Opposition Fee Information Sheet	
09/14/2020	Certificate of Mailing Doc ID# 435 [435]	
09/14/2020	Family Court Motion Opposition Fee Information Sheet Doc ID# 436 [436] Motion/Opposition Fee Information Sheet	
09/15/2020	Notice of Hearing Doc ID# 431 [431]	
09/15/2020	Clerk's Notice of Hearing Doc ID# 432 [432] Notice of Hearing	
09/15/2020	Notice of Hearing Doc ID# 433 [433]	
09/15/2020	Notice of Hearing Doc ID# 434 [434]	
09/15/2020	Clerk's Notice of Nonconforming Document and Curative Action Doc ID# 437 [437]	
09/15/2020	Notice of Hearing Doc ID# 438 [438]	
09/15/2020	Clerk's Notice of Hearing Doc ID# 439 [439]	
09/16/2020	Objection Doc ID# 440 [440] Defendant's Objection to Void Order on Trial Setting Filed on 8/28/2020, Without Proper Notice, Without Reasonable Time to Prepare, Violation of NRCP 16(C)(E). Violation of Defendant's Procedural Due Process by Department N Again. Motion for Shahrokhi to Preserve Record.	
09/17/2020	Notice of Hearing Doc ID# 441 [441]	
09/18/2020	Affidavit of Service Doc ID# 442 [442]	
09/21/2020	Evidentiary Hearing. (9:00 AM) (Judicial Officer Harter, Mathew) EH day 1 of 3 Parties Present Minutes Result: Matter Heard	HARTER CANCELED A MOTION TO DISQUALIFY HIM ON HIS OWN ON 9/11/202 AND PERSIDED OVER A 3 DAYS TRIAL WHERE THE PENDING DISQUALIFICATION MOTION HAD TO BE DECIDED BY ANOTHER JUDGE NOT CANCELED BY HARTER HIMSELF. SEE, NRS 1.235(5)
09/21/2020	Motion (9:00 AM) (Judicial Officer Harter, Mathew) Defendant's Motion for Mathew Harter, District Court Judge to Declare on Record Subject Matter Jurisdiction on Temporary Relocation Sua Ponte Order, Declare on Record Directive Regarding Procedures for Covid 19 Bench Trial Issued by Chief Judge Linda Bell 09/11/2020 Reset by Court to 09/21/2020 Result: Denied	
09/21/2020	Motion (9:00 AM) (Judicial Officer Harter, Mathew) Defendant's Motion to Vacate Void Orders that Lack Due Process, Motion to Immediately Order the Minor to be Returned to State of Nevada for Lack of Subject Matter Jurisdiction and to Maintain Status Quo 09/21/2020 Reset by Court to 09/21/2020 Result: Denied	
09/21/2020	CANCELED Motion (9:00 AM) (Judicial Officer Harter, Mathew) Vacated Defendant's Motion and Notice of Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt 09/10/2020 Reset by Court to 09/21/2020	
09/21/2020	Motion (9:00 AM) (Judicial Officer Harter, Mathew) Defendant motion for mathew harter, district court judge to declare shahrokhi's rights regarding physical custody, legal custody care, control, upbringing of the minor b.e.s, declare rights of shahrokhi's fundamental liberty rights, declaratory rights factual findings to why custody changed on 7/11/2019, declaratory rights fact finding why temporary relocation was granted where there was no motion before the court, declare on record how change of custody on 7/11/2019 was factually justified and narrowly tailored, declare on record why he continues to avoid to facilitate post-deprivation on temporary relocation and temporary custody. 09/28/2020 Reset by Court to 09/21/2020 Result: Denied	
09/21/2020	CANCELED Motion (9:00 AM) (Judicial Officer Harter, Mathew)	

AFFIDAVIT of ALI SHAHROKHI

My name is ALI SHAHROKHI. I am the petitioner herein. All facts herein alleged are true and correct of my own personal knowledge; and as to those matters alleged on information and belief, I reasonably believe them true. If called upon to testify, I could and would give competent and truthful evidence.

I declare under penalty of perjury, pursuant to the laws of the United States, the foregoing is both true and correct.

Dated: **December 8, 2021**

DocuSigned by:
Ali Shahrokhi
ED43B0CA78FC4D6

Ali Shahrokhi

Plaintiff, ALI SHAHROKHI

Affiant

10695 Dean Martin Dr. #1214

Las Vegas, NV 89141

702-835-3558

Certificate of Service

I, Ali Shahrokhi, do hereby declare that I am over the age of 18 and a party to this action, and that I have placed a true and correct copy of this Emergency Motion into a sealed envelope and mailed it, postage prepaid, *via* United States Postal Service, addressed as follows:

Eighth Judicial District Court
Dawn Throne Dept. U
200 Lewis Ave.
Las Vegas, NV 89155

Kizzy Burrow
1500 SW 11th ave. #804
Portland, Oregon 97201
(702) 501-6462

SERVED THIS 8th day of December 2021.

/s/ Ali Shahrokhi .
ALI SHAHROKHI,
In Proper Person