

FILED

SEP 09 2022

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

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3 Suite 4, No. 152
4 Las Vegas, Nevada 89123
5 (702) 835-3558
6 Email: Alibe76@gmail.com
7 *Self-Represented Plaintiff*

8 NEVADA SUPREME COURT

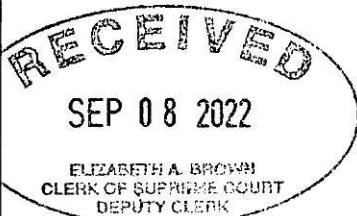
9 STATE OF NEVADA

11
12 **ALI SHAHROKHI**) **Appeals Ct: 81978/82245**
13) **District Ct: D-18-581208-P**
14)
15 *Appellant,*) **APPELLANT'S MOTION**
16) *to STAY the REMITTITUR*
17 **KIZZY BURROW**) **PENDING APPLICATION**
18) *to U.S. SUPREME COURT.*
19)
20)
21) **Dept. U**

22 ////

23 ////

24 ////



Appellant's Motion to Stay Remittitur Pending Application to U.S. Supreme Court, p. 1

22-28290

1 **I. PROCEDURAL HISTORY—**

2 Order of Affirmance: On May 12, 2022, this Court entered an *Order of*
3 *Affirmance* on Appellant’s appeal, [22-15092].

4 Petition for Re-Hearing Denied: On June 16, 2022, Appellant filed a
5 *Petition for Rehearing*, [22-19171].

6
7 **II. MOTION TO STAY REMITTITUR—**

8 Motion to Stay Remittitur: “A party may file a motion to stay the remittitur
9 pending application to the Supreme Court of the United States for a writ of
10 certiorari,” [NRAP, Rule, 41(b)(3)(A)].

11 Stay Shall Not Exceed 120 Days: As per the Rules, a stay of remittitur shall
12 not exceed 120 days, [NRAP, Rule, 41(b)(3)(B)]. Appellant seeks a stay of 120
13 days—pending his application to the U.S. Supreme Court.

14 Writ of Certiorari: This Court DENIED Appellant’s petition for rehearing
15 on June 29 , 2022; *therefore*, Appellant’s last day to file his writ of certiorari is
16 September 27, 2022.

17
18 **III. OVERLOOKED & MISAPPREHENDED—**

19 Unresolved Issues of First Impression: This Court overlooks and
20 misapprehends fundamental due process issues now ripe for resolution—

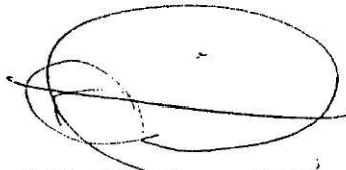
- 21 • May one party to a civil case bring a criminal cause-of-action against
22 the other? (No!—of course, not.)

23 There is no private right of action to allege crimes in a civil case. No district judge
24 may conclude that a parent committed a crime—unless or until The People bring a
25 criminal complaint, [NRS 172.015; (“[e]very public offense must be prosecuted by
26 indictment or information”)]. The criminal complaint is what confers subject-
27 matter jurisdiction for the judge to make criminal findings and conclusions—and
28

1 The People are the only entity who may bring criminal complaints—and Burrow,
2 most certainly, is *not* The People.

3 **Shahrokhi request the STAY of the remittitur to be extended by at least**
4 **another 60 days.**

5
6 Dated: September 6, 2022



7
8 **Ali Shahrokhi**
9 *Ali Shahrokhi,*
10 *Appellant*
11

12
13 * * *

14
15
16 **AFFIDAVIT of ALI SHAHROKHI**

17 My name is ALI SHAHROKHI. I am the Appellant. All facts herein alleged
18 are true and correct of my own personal knowledge. And as to those matters
19 alleged on information and belief, I reasonably believe them to be true.

20 ***I hereby declare under penalty of perjury pursuant to the laws of Nevada,***
21 ***the foregoing is both true and correct.***
22

23 Dated: September 6, 2022



24
25 **Ali Shahrokhi**
26 *Ali Shahrokhi,*
27 *Affiant*
28

1
2 **CERTIFICATE-OF-SERVICE**

3 I am an individual over the age of eighteen and not a
4 party to the within action. My address is 9620 S. Las Vegas
5 Blvd. Suite 4, 152 Las Vegas, NV 89123

6 On **September 6, 2022**, I served the following:

7 **Appellant's Motion to Stay Remittitur Pending**
8 **Application to U.S. Supreme Court;**

9 on an interested party in the above-entitled action by

10 X via e-mail transmission,

11 _____ personal service on the person below listed,

12 _____ depositing it in the U.S. Mail, postage prepaid,

13 and addressed to the person below listed,

14 _____ overnight delivery, addressed as follows:

15
16 **Kizzy Burrow**
17 **Kizzyb13@gmail.com**

18
19 I declare under penalty of perjury under Nevada law the
20 foregoing is true and correct.

21 Dated: **September 6, 2022**

22
23
24 /s/ Ali Shahrokhi.
25 Declarant.

See Pages

SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, D. C. 20543-0001

July 2019

SCOTT S. HARRIS
CLERK OF THE COURT

AREA CODE 202
479-3011

Pages 90
Calendar Day

MEMORANDUM TO THOSE INTENDING TO PREPARE A PETITION
FOR A WRIT OF CERTIORARI IN BOOKLET FORMAT AND PAY THE
\$300 DOCKET FEE.

This memorandum is directed to those who intend to prepare a petition for a writ of certiorari in booklet format pursuant to Rule 33.1 and pay the \$300 docket fee required by Rule 38(a). It highlights the most common mistakes observed by the Clerk's Office. By following these guidelines you may help to expedite the processing of your petition. If you have questions, they should be directed to a case analyst in the Clerk's Office. This memorandum is useful also for those preparing appeals under Rule 18. The Rules of the Supreme Court, including amendments to those Rules that went into effect on July 1, 2019, are available at the Filing and Rules section of the Court's website.

Attorneys must submit petitions and other documents through the Court's electronic filing system. At this time, paper remains the official means of filing, and the electronic filing requirements are in addition to the existing requirements for paper filings. Attorneys must register through the electronic filing system prior to submitting their documents; it may take 1-2 days for an application to be approved, so attorneys should apply well in advance of a filing deadline. Documents should be submitted through the electronic filing system contemporaneously with the submission of the paper version. Certain types of filings—including those containing sealed material and those in cases that were governed below by Fed. R. Civ. P. 5.2(c)—should not be submitted electronically. Personal identifying information contained in filings must be redacted pursuant to Rule 34.6. More detailed information can be found in the Court's Rules, in the Guidelines for the Submission of Documents to the Supreme Court's

Electronic Filing System, and in other guidance available at the Electronic Filing section of the Court's website.

1. PAGE AND TYPE SIZE:

The petition and the appendix required by Rule 14 must be presented on paper that is 6½ by 9¼ inches and not less than 60 pounds in weight as stated in Rule 33.1(a) and (c). The color of the cover must be white. Rule 33.1(g)(i). The petition shall be typeset in a Century family (*e.g.*, Century Expanded, New Century Schoolbook, or Century Schoolbook) 12-point type with 2-point or more leading between lines. Footnotes must be 10-point with 2-point or more leading between lines. Any type that does not measure on a typesize finder to be 12-point for the body and 10-point for footnotes will not be accepted. Attached are sample copies of correct and incorrect type.

Petitions produced on a personal computer using word processing, electronic publishing, or image setting are considered typeset and are acceptable. Petitions produced on a typewriter are not acceptable. Quotations exceeding 50 words shall be indented. The text of the petition and the appendix thereto must appear on both sides of the page. Rule 33.1(b).

2. COVER and COVER PAGE INFORMATION:

The front and back covers of the petition shall consist of 65-pound weight white paper. Rule 33.1(e). Items on the cover of the petition shall be in the order set forth in Rule 34.1(a) through (f). The caption of the case must list the petitioner(s) in this Court on the topside of the *versus* with your real opponent(s) on the bottom side. You should not copy the caption of the case as it appeared in the lower court unless it accurately identifies who the petitioner(s) and who the respondent(s) are in this Court. Counsel of record shall be a member of the Bar of this Court at the time the petition is presented for filing. Rule 34.1(f). Names of other attorneys who are members of the Bars of the several states may be listed on the cover, but names of non-lawyers such as research assistants, law students, and advisors may not appear on the cover under any circumstances; nor are they to be credited with having contributed to the preparation of the petition either in the text, in a footnote, or at the conclusion of the petition. If you are representing yourself, your name, address, and telephone number shall appear on the cover. If the names of

the parties are too lengthy to be fully included on the cover of the petition, a short caption may be used. The complete listing of the parties to the proceeding in this Court shall be placed on the page following Questions Presented for Review. Rule 14.1(b). No text of the petition is to appear on the inside of the front or back covers. Do not list the October Term of the Court on the cover of the petition. A sample cover that may be followed as to form only is attached to this memo.

3. QUESTIONS PRESENTED:

The first page of the petition, not the back of the front cover, must contain **Questions Presented for Review**. Rule 14.1(a). The caption of the petition is not to be repeated on this page. The question(s) may be prefaced by a very brief introductory statement to set the scene, so that the question(s) may be understood. The question(s) should be short and concise and may not be argumentative or repetitious. If the petitioner or respondent is under a death sentence that may be affected by the disposition of the petition, the notation “**CAPITAL CASE**” shall precede the words “Questions Presented.” No other information is to be included on this page. Rule 14.1(a).

4. PARTIES TO PROCEEDING AND RELATED CASES:

The next page shall list the parties to the proceeding in this Court if all their names do not appear on the cover. Rule 14.1(b)(i). This list must be precise. Should a corporate entity be a petitioner, the Rule 29.6 corporate disclosure statement is to appear on this page. If there is no parent or publicly held company owning 10% or more of the corporation's stock, a statement to that effect shall be included on this page. Rules 14.1(b)(ii) and 29.6.

A list of all proceedings in other courts that are directly related to the case in this Court should also appear on this page. Rule 14.1(b)(iii). Below is an example of the format that should be used for this list:

- *Smith v. Jones*, No. 18-cv-200, U. S. District Court for the Western District of Pennsylvania. Judgment entered Oct. 1, 2018.
- *Smith v. Jones*, No. 18-1200, U. S. Court of Appeals for the Third Circuit. Judgment entered Apr. 15, 2019.

5. NUMBERING OF PAGES:

The pages containing questions presented for review, the list of parties and corporate disclosure statement, table of contents, and table of authorities should be numbered (i), (ii), (iii), etc. The table of contents and the table of authorities are followed by the text of the petition. Rule 14.1(c). There should be no second cover page prior to beginning the text of the petition. The pages of the text of the petition should be numbered 1, 2, 3, etc., and not a continuation of (i), (ii), (iii), etc. In no event may the text of the petition exceed 9000 words. Rule 33.1(d) and Rule 33.1(g)(i).

6. CONTENTS OF APPENDIX:

The appendix to the petition must contain all items required by Rule 14.1(i). If you are seeking review of a state court judgment and an intermediate state appellate court was the last court to act on the merits, you shall include in the appendix any order regarding a petition for rehearing that may have been acted upon by that court as well as any orders denying discretionary review that may have been issued by higher state courts. Any order denying rehearing that starts the running of the time for filing the petition must also be contained in the appendix. Those orders shall include the caption showing the name of the issuing court, the title and number of the case, and the date of entry. Rule 14.1(i)(i) through (iv). If you are seeking review of a judgment from a United States Court of Appeals, you must, on that document, include the names of the judges who acted on the appeal. Any published and unpublished opinions issued with respect to the judgment sought to be reviewed shall be included in the appendix. Should the appendix become too voluminous, it may be presented in a separate volume or volumes with white covers bearing the appropriate caption.

The Court's practice is to scan and make available on its website most filings submitted by litigants representing themselves. The Court scans petitions, motions to proceed *in forma pauperis*, proofs of service, and the portion of an appendix that includes relevant lower court opinions and rulings. While the Court does not scan other portions of an appendix from a *pro se* litigant, the entire appendix is fully a part of the Court's record and is available to the Justices.

7. REPRODUCING DOCUMENTS IN APPENDIX:

Material contained in the appendix as required by Rule 14.1(i) must also comply in all respects with the type size and page size requirements contained in Rule 33.1. Lower court orders and opinions issued on paper larger than 6½ by 9¼ inches *may not be photo-reduced*. Rule 33.1(b). These items must be reformatted to comply with Rule 33.1 and they must contain the caption showing the name of the issuing court or agency, the title and number of the case, and the date of entry. Rule 14.1(i). If a signature is contained on the original, reproduce the name by using “s”. The seal of the lower court and the file stamp may be reproduced by typesetting the information verbatim. Photo reproductions from Federal Supplement, Federal 2nd and 3rd Reporters, and regional reporters are not acceptable under Rule 33.1. Such materials must be reformatted to comply with the type size requirements of Rule 33.1. Items in the appendix are to be arranged as required by Rule 14.1(i)(i) through (vi).

8. BINDING:

The petition and appendix shall be bound firmly in at least two places along the left margin so as to make an easily opened volume. No part of the text may be obscured by the binding. Saddle stitching or perfect binding is preferred. Staples may be used, with at least two along the left margin, covered with tape. Under no circumstances may spiral, plastic, metal, or string bindings be used. Rule 33.1(c).

9. DOCKET FEE:

The \$300 docket fee and the certificate of service shall accompany the petition. These items should not be sent under separate cover. The \$300 docket fee may be paid by personal check, cashier’s check, money order, or certified check made out to “Clerk, U. S. Supreme Court.” Rule 38(a). **Do not send cash.**

10. CERTIFICATE OF SERVICE:

The certificate of service of the petition shall be on a separate piece of paper apart from the petition. Rule 29.5. The certificate of service shall identify who was served with three copies of the petition and list the names, addresses, and telephone numbers of

counsel indicating the name of the party or parties each counsel represents. Rule 29.5. If the proof of service is signed by a member of the Bar of this Court, notarization is not needed. If it is executed by one who is not a member of the Bar of this Court, the signature shall be either notarized or be accompanied by a declaration in compliance with 28 U.S.C. § 1746. Rule 29.5(c). The certificate of service is not to be included in the bound petition.

11. CERTIFICATE OF COMPLIANCE:

The petition for a writ of certiorari must be accompanied by a certificate signed by the attorney, the unrepresented party, or the preparer of the document stating that the petition complies with the word limitation. The person preparing the certificate may rely on the word count of the word-processing system used to prepare the petition. The word-processing system must be set to include footnotes in the word count. The certificate must state the number of words in the petition. The certificate shall accompany the petition when it is presented to the Clerk for filing and shall be separate from it. If the certificate is signed by a person other than a member of the Bar of this Court, the counsel of record, or the unrepresented party, it must contain a notarized affidavit or declaration in compliance with 28 U.S.C. § 1746. A sample certificate of compliance that may be followed as to form is attached to this memo.

12. TIME FOR FILING:

You have ninety calendar days, not three months, from the date of entry of judgment, order or opinion, or the date a timely filed petition for rehearing is denied, or a subsequent judgment based on the grant of the petition for rehearing, within which to file with the Clerk a petition for a writ of certiorari. Rules 13.1 and 13.3. The time to file does not begin to run when the mandate, remittitur, rescript, or similar document issues or is filed in the lower court. Rule 13.3. In order for the petition to be timely filed, it shall either be received by the Clerk of the Court within those ninety days or be sent to the Clerk by first-class United States Postal Service, including express and priority mail, postage prepaid, and bearing a postmark, other than a commercial postage meter label, showing that the document was mailed on or before the last day for filing; or if it is delivered on or before the last day for filing to a third-party commercial carrier for delivery to the Clerk within 3 calendar days.

90 Calendar Days