

FILED

JUL 21 2022

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

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

NONA TOBIN, AN INDIVIDUAL,  
APPELLANT,

vs.

BRIAN CHIESI, AN INDIVIDUAL,  
DEBORA CHIESI, AN  
INDIVIDUAL; QUICKEN LOANS,  
INC.; JOEL A. STOKES, AN  
INDIVIDUAL; JOEL A. STOKES  
AND SANDRA F. STOKES, AS  
TRUSTEES OF JIMI JACK  
IRREVOCABLE TRUST; JIMI JACK  
IRREVOCABLE TRUST;  
NATIONSTAR MORTGAGE LLC;  
AND RED ROCK FINANCIAL  
SERVICES,

RESPONDENTS

Court of Appeal Case No. 82294-COA

District Court Case A-19-799890-C

Appellant's motion for an order to show cause why sanctions should not be imposed pursuant to NRCP 11(b) (1)(2)(3) &/or (4); NRS 18.010(2), and EDCR 7.60(b)(1)&(3) NRS 42.005; NRCP 60(b)(3)&(d)(3); NRPC 3.1, 3.3, 3.4, 3.5A, 4.1, 4.4, 5.1, 5.2, 8.3, &/or 8.4 and for conduct prohibited by NRS 205.330; NRS 205.360; NRS 205.377; NRS 205.395; NRS 205.405; NRS 205.450; NRS 205.455; NRS 207.360 (9) (28) (30) (35); and for which treble damages pursuant to NRS 42.005 and NRS 207.470 (1) & (4) are owed to Appellant

Comes now, Appellant Nona Tobin, In Proper Person, to respectfully petition this Court for an order for opposing counsels to show cause why they should not be sanctioned for their personal unethical conduct that Appellant alleges violates NRCP 11(b) (1)(2)(3) &/or (4); NRS 18.010(2); EDCR 7.60(b)(1) & (3); NRCP 60(b)(3)&(d)(3); NRPC 3.1, 3.3, 3.4, 3.5A, 4.1, 4.4, 5.1, 5.2, 8.3, &/or 8.4 to a sufficient degree of severity that treble damages should be awarded to Appellant pursuant to NRS 42.005 and

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1 Specifically, Appellant moves the Court to issue orders to show cause why  
2 these attorneys should not be sanctioned: Steven Scow (SBN 9906); Brody Wight  
3 (SBN 13615); Joseph Hong (SBN 5995); Brittany Wood (SBN 7562); Melanie  
4 Morgan (SBN 8215); Wright Finlay Zak LLP; David Ochoa (SBN 10414); Adam  
5 Clarkson (SBN 10003); Rock K. Jung (SBN 10906).

7 A massive amount of documentary evidence exists in the court records of  
8 the related Eighth District Court cases (hyperlinked to (sometimes annotated )  
9 case summaries): A-15-720032-C, A-16-730078-C, A-19-799890-C, A-21-  
10 828840-C, and Nevada Courts of Appeal cases, 79295, 82094, 82234, 82294,  
11 82294-COA and 84371 that corroborates the veracity of Nona Tobin's claims and  
12 that shows Tobin's 100% failure rate at getting ANY court to hear her claims on  
13 their merits and adjudicate them based on evidence. This litigation has lasted six  
14 years during which time she has spent close to \$400,000 in litigation-related costs  
15 and invested over 10,000 hours of personal time, and no court has looked at the  
16 evidence yet.

17 The order requested is based on their alleged violations of Nevada statutes,  
18 court rules, and the Nevada Rules of Professional Conduct (**DECL Ex. 13**) that  
19 are described in detail in the uninvestigated complaints to the State Bar that are  
20 hyperlinked linked in **DECL Ex. 9**.

- 21 • NRCP 11(b) (1)(2)(3) &/or (4) – misrepresentations of material facts to the  
22 court

- 1 • NRS 18.010(2) – filing unwarranted claims that had no proper purpose and
- 2 were filed with the intent to assert a false claim, suppress inculpatory
- 3 evidence, or to acquire property or money on false pretenses
- 4 • EDCR 7.60(b)(1)& (3) – filed motions and oppositions without standing or
- 5 legal merit
- 6 • NRS 42.005 exemplary and punitive damages
- 7 • NRCP 60(b)(3)&(d)(3) – fraud and fraud on the court
- 8 • NRPC 3.1 (meritorious claims & contentions), 3.3 (Candor to the Tribunal),
- 9 3.4 (Fairness to Opposing Parties), 3.5A, 4.1 (Truthfulness in Statements to
- 10 Others), 4.4 (Respect for the Rights of 3<sup>rd</sup> Persons), 5.1, 5.2, 8.3 (Reporting
- 11 Professional Misconduct), &/or 8.4 (Misconduct)(a) violate the NRCP; (b)
- 12 commit criminal act; (c) conduct involving dishonesty, fraud, deceit, or
- 13 misrepresentation; (d) conduct prejudicial to the administration of justice;
- 14 (f) knowingly assist a judge in conduct that is a violation of rules of judicial
- 15 conduct
- 16 • NRS 207.470(1) & (4) – treble civil penalties for damages caused by
- 17 racketeering.

18 Three motions, all filed concurrently, are supported by Nona Tobin's  
19 declaration under penalty of perjury and its 14 exhibits that describe her pro se  
20 filings that were primarily, and unfairly, stricken from the court record or  
21 otherwise unheard and undecided and provide evidence that her claims have never  
22 been heard through no fault of her own, but through the fault of opposing  
23 counsels' fraud on the court.  
24  
25

26 All motions deal with essentially the same subject, i.e., criminal and  
27 professional misconduct, fraud and fraud on the court obstructed an evidence-  
28

1 based adjudication of Appellant's claims such that she had no full or fair  
2 opportunity to litigate in the 1<sup>st</sup> (A-15-720032-C/A-16-730078-C), 2<sup>nd</sup> (A-19-  
3 799890-C), or 3<sup>rd</sup> (A-21-828840-C) district court actions. (Ex. 12)

4  
5 Appellant alleges that attorney misconduct has unwittingly been enabled by  
6 three district court judges who have failed to hold the evidentiary hearing required  
7 by NRS 40.110(1) prior to awarding quiet title without allowing Appellant to put  
8 on a case.

9  
10 Appellant has been unfairly bound to the orders despite the fact that Tobin's  
11 opponents didn't just fail to join her as a necessary NRS 40 010 party under Rule  
12 19. (NRS 30.130), (Ex. 13) they used abusive, unethical litigation tactics to  
13 prevent her from being a party in the 1<sup>st</sup> action, and then subsequently to obstruct  
14 her claims from being heard as an individual deedholder in the 2<sup>nd</sup> and 3<sup>rd</sup> actions  
15 and in four appeals 79295, 82094, 82234, 82294). (Ex. 12)

16  
17  
18 The table of cases and authorities (attached to the motion for rehearing  
19 82294 Order of Affirmance) shows the legal and evidentiary support Appellant  
20 has for this motion as well as her motion for a referral to the Attorney General for  
21 a criminal investigation and her motion motion for rehearing the 6/30/22 82294  
22 Order of Affirmance.

23  
24  
25 Exhibit 9 is particularly germane to this motion as it contains hyperlinks to  
26 Appellant's complaints to the State Bar of Nevada Disciplinary Panels that were  
27 included in the 84371 Petition For Writs of Mandamus For The Enforcement Of  
28

1 The Judicial and Professional Codes of Conduct Petitioner's Appendix volumes  
2 (4) 22-08163, (27) 22-08189, (28) 22-08190, (29) 22-08191, (30) 22-08192, (31)  
3 22-08194, (32) 22-08195, (33.1) 22-08196, (33.2) 22-08198, (34) 22-08199.

4  
5 Specific allegations of dates on which the attorneys made material  
6 misrepresentations to the Court are found on pages 3 to 6 of Appellant's  
7 companion motion for a criminal investigation referral to the AG.

8  
9 **Conclusion**

10 Appellant respectfully moves the Court to issue orders for the named  
11 attorneys and their clients to show cause why sanctions should not be imposed for  
12 their alleged ethical and/or criminal conduct.

13  
14 Appellant's motions for investigation by the proper authority are justified  
15 as opposing counsels intentionally committed fraud on the court, by presenting  
16 false evidence, by withholding and/or misrepresenting material facts and law to  
17 the court, by suppressing Appellant's evidence, and, by ex parte communications.  
18 This misconduct obstructed the administration of justice, that obstructed and  
19 abridged Appellant's substantive rights to a fair, impartial evidence-based  
20 adjudication of her claims on their merits and extinguished her right to appeal her  
21 unlawful removal as a party an individual from the 1<sup>st</sup> action.

22  
23  
24  
25 The State Bar of Nevada has repeatedly declined to investigate any of the  
26 complaints filed absent a court order with findings of attorney misconduct. ( 22-  
27 08163, 460-461)

1 The A-21-828840-C refused to hear or decide any claims of attorney  
2 misconduct as shown in volumes 35 and 36 of the 84371 appendix:

3 35 5047 - 5204 PRO SE A-21-828840-C FAILED ATTEMPTS TO GET 22-08200  
4 ORDER WITH WRITTEN FINDINGS OF ATTORNEY  
5 MISCONDUCT  
6 36 5205 - 5282 A-21-88840-C 8/19/21, 11/16/21, and 1/18/22 HEARING 22-08218  
7 TRANSCRIPTS

8 At this point, Appellant's only legal remedy is to petition the Court of  
9 Appeals to issue orders to show cause or refer the matter to the proper authorities  
10 for investigation. If this fails, the alleged violations of the Rules of Professional  
11 Conduct will be simply ignored, and it will be as if the Rules of Professional  
12 Conduct don't exist in Nevada.  
13

14 Dated this 18th day of July 2022,  
15

16   
17

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24  
25  
26  
27  
28

### Certificate of Compliance

1. I hereby certify that this brief complies with the formatting requirements of NRAP 32(a)(4), the typeface requirements of NRAP 32(a)(5) and the type style requirements of NRAP 32(a)(6) because this brief (motion for an order to show cause) has been prepared in a proportionally spaced typeface using Microsoft Word 2016 in Times New Roman 14-point font.
2. I further certify that this brief complies with the page- or type-volume limitations of NRAP 32(a)(7) because, excluding the parts of the brief exempted by NRAP 32(a)(7)(C), it is proportionately spaced, has a typeface of 14 points or more, and contains 1,281 words.
3. Finally, I hereby certify that I have read this appellate brief, and to the best of my knowledge, information, and belief, it is not frivolous or interposed for any improper purpose. I further certify that this brief complies with all applicable Nevada Rules of Appellate Procedure, in particular NRAP 28(e) (1), which requires every assertion in the brief regarding matters in the record to be supported by a reference to the page and volume number, if any, of the transcript or appendix where the matter relied on is to be found. I understand that I may be subject to sanctions in the event that the accompanying brief is not in conformity with the requirements of the Nevada Rules of Appellate Procedure.

DATED this 18<sup>th</sup> day of July 2022,

  
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