

CASE No. 27CV-OTH-2020-0057

DEPT. No. I

AFFIRMATION Pursuant to NRS 239B.030

The undersigned affirms that this  
document does not contain the personal  
information of any person

Electronically Filed  
Jun 08 2021 09:07 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

IN THE ELEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF  
NEVADA IN AND FOR THE COUNTY OF PERSHING

Justin Odell Langford

Plaintiff,

NOTICE OF APPEAL

-VS-

C/O SMITH, Et al.,

Defendants.

This is to notify the Court I'm appealing the Court's Order  
entered on April, 20<sup>20</sup> to grant the Defendants' counter-motion  
to Dismiss, due to the grounds of it being an Illegal  
argument and ~~perj~~ perjurious statement made by  
Counsel. The argument made and granted declares all  
NRS's as Unconstitutional and this Court can't enter  
that order. Then order statutory credits forfeited  
based on a Unconstitutional Statute.

Submitted By  
Justin Langford-1159546  
LCC, 1200 Prison Rd  
Lovelock, Nev. 89419

1 Case No. 27CV-OTH-2020-0057

2 *Pursuant to NRS 239B.030, the undersigned affirms that this*  
3 *Document does not contain social security numbers.*

4  
5  
6 IN THE ELEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF PERSHING  
8

9 Justin Odell Langford,

10 Plaintiff,

11 vs.

12 C/O Smith; Renee Baker; Caseworker

13 LeFluer; C. Potter; P. DelPorto; J.

14 Borrowman; D. Baze; Tara Carpenter, et al.,

15 Defendants.  
16

17 **CASE APPEAL STATEMENT**

18 1. Name of appellant filing this case appeal statement:

19 Justin Odell Langford

20 2. Identify the judge issuing the decision, judgment or order appealed from:

21 Honorable Jim C. Shirley

22 3. Identify each appellant and the name and address of counsel for each  
23 appellant:

24 Justin Odell Langford

1 Pro Per  
2 1200 Prison Road  
3 Lovelock Correctional Center  
4 Lovelock, NV. 89419

- 5 4. Identify each respondent and the name and address of appellate counsel, if  
6 known, for each respondent (if the name of a respondent's appellate counsel  
7 is unknown, indicate as much and provide the name and address of that  
8 respondent's trial counsel):

9 C/O Smith; Renee Baker; Caseworker LeFluer; C. Potter;  
10 P. DelPorto; J. Borrowman; D. Baze; Tara Carpenter, et al.

11 Office of the Attorney General  
12 100 North Carson Street  
13 Carson City, NV. 89701-4717

- 14 5. Indicate whether any attorney identified above in response to question 3 or  
15 4 is not licensed to practice law in Nevada and, if so whether the district  
16 court granted that attorney permission to appear under SCR 42 (attach a  
17 copy of any district court order granting such permission):

18 N/A

- 19 6. Indicate whether appellant was represented by appointed or retained counsel  
20 in the district court:

21 No, Pro Per

- 22 7. Indicate whether appellant is represented by appointed or retained counsel  
23 on appeal:

24 No

8. Indicate whether appellant was granted leave to proceed in forma pauperis,  
and the date of entry of the district court order granting such leave:

An Order to Proceed in Forma Pauperis was filed on 03/17/20.

9. Indicate the date the proceedings commenced in the district court (e.g., date  
complaint, indictment, information, or petition was filed):

A Civil Rights Complaint Pursuant to 42 U.S.C. §1983 was filed on  
03/17/20.

1 10. Provide a brief description of the nature of the action and result in the  
2 district court, including the type of judgment or order being appealed and  
the relief granted by the district court:

3 Petitioner filed a Civil Rights Complaint Pursuant to 42 U.S.C. §1983 on  
4 03/17/20. A 'First Amended' Civil Rights Complaint Pursuant to 42 U.S.C.  
§1983 was filed on 04/13/20. A Notice of Appeal was filed on 11/02/20. An  
5 Order Dismissing Appeal was filed on 11/30/20. An Order Granting the  
Motion to Dismiss was filed on 04/30/21. A Notice of Appeal was filed on  
6 05/26/21, which resulted in this instant appeal.

7 11. Indicate whether the case has previously been the subject of an appeal to or  
original writ proceeding in the Supreme Court and, if so, the caption and  
8 Supreme Court docket number of the prior proceeding:

9 This case has previously been appealed to the Supreme Court on 11/02/20, case  
caption: Justin Odell Langford, Appellant, vs. C/O Smith; Renee Baker;  
10 Caseworker LeFleur; C. Potter; P. Delorto; J. Borrowman; D. Baze; and T.  
Carpenter, Supreme Court docket number 82071.

11 12. Indicate whether this appeal involves child custody or visitation: No

12 13. If this is a civil case, indicate whether this appeal involves the possibility of  
13 settlement: No, an Order Granting the Motion to Dismiss was filed.

14 Dated this 28<sup>th</sup> day of May 2021.

15  
16 /s/ Carol Elerick  
Carol Elerick  
17 Senior Court Clerk  
P.O. Box H  
18 Lovelock, NV. 89419  
(775) 273-2410  
19  
20  
21  
22  
23  
24

**Case Snapshot: Fri May 28 14:54:00 PDT 2021**

**Case Number:** 27CV-OTH-2020-0057

**Case Name:** JUSTIN ODELL LANGFORD VS C/O SMITH; RENEE BAKER; CASEWORKER LEFLEUR; C. POTTER; P DELORTO; J. BORROWMAN; D. BAZE; T. CARPENTER

**Date Filed:** 03-06-2020

**Disposition:** Closed

**Parties:**

**PL:** JUSTIN ODELL LANGFORD

**Address:** 1200 PRISON ROAD/ LCC, LOVELOCK NV 89419

**DF:** T. CARPENTER

**DF:** C/O SMITH

**DF:** RENEE BAKER

**Atty:** Laura Ginn

NEVADA ATTORNEY GENERAL'S OFFICE

**DF:** CASEWORKER LEFLEUR

**DF:** C. POTTER

**DF:** P. DELPORTO

**DF:** J. BORROWMAN

**DF:** D. BAZE

**Hearings:**

10-02-2020 10:30 AM Case Management Conference

**Status:** Held

**Dockets:**

05-26-2021 Notice of Appeal

05-26-2021 101.1 Notice of Appeal

05-03-2021 Notice of Entry Notice of Entry of Order

05-03-2021 99.1 Notice of Entry Notice of Entry of Order

05-03-2021 99.1.1 Exhibit 1

04-30-2021 Order Granting the Motion to Dismiss

04-30-2021 98.1 Order Granting the Motion to Dismiss

04-27-2021 Request for Submission

04-27-2021 97.1 Request for Submission

04-27-2021 Reply in Support of Counter-Motion to Dismiss  
04-27-2021 96.1 Reply in Support of Counter-Motion to Dismiss

04-20-2021 Declaration of Laura M. Ginn  
04-20-2021 95.1 Declaration of Laura M. Ginn

04-20-2021 Notice of Filing Declaration  
04-20-2021 94.1 Notice of Filing Declaration

04-14-2021 Plaintiff's Reply to Defendant Opposition to Motion to Compel Discovery and Request for Sanctions and Response to Counter-Motion to Dismiss for (a) Failure to File the Joint Case Conference Report and/or Stating Nevada State Law is Unconstitutional  
04-14-2021 93.1 Plaintiff's Reply to Defendant Opposition to Motion to Compel Discovery and Request for Sanctions and Response to Counter-Motion to Dismiss for (a) Failure to File the Joint Case Conference Report and/or Stating Nevada State Law is Unconstitutional

04-09-2021 Request for Submission  
04-09-2021 92.1 Request for Submission

04-08-2021 Motion to Enlarge Dispositive Motion Deadline (First Request to Enlarge Dispositive Motion Deadline)  
04-08-2021 91.1 Motion to Enlarge Dispositive Motion Deadline (First Request to Enlarge Dispositive Motion Deadline)

04-05-2021 (1) Opposition to Motion to Compel Discovery By The Defendants and Request for Sanctions and (2) Counter-Motion to Dismiss  
04-05-2021 90.1 (1) Opposition to Motion to Compel Discovery By The Defendants and Request for Sanctions and (2) Counter-Motion to Dismiss  
04-05-2021 90.1.1 Exhibit 1  
04-05-2021 90.1.2 Exhibit 2  
04-05-2021 90.1.3 Exhibit 3

03-31-2021 Objection Plaintiffs Objection to Joinder of Robert Smith, The State of Nevada, ex rel. NDOC, and The Nevada Department of Corrections  
03-31-2021 89.1 Objection Plaintiffs Objection to Joinder of Robert Smith, The State of Nevada, ex rel. NDOC, and The Nevada Department of Corrections

03-22-2021 Motion to Compel Discovery by the Defendants and Request for Sanctions  
03-22-2021 88.1 Motion to Compel Discovery by the Defendants and Request for Sanctions  
03-22-2021 88.1.1 Exhibit 1.1  
03-22-2021 88.1.2 Exhibit 1.2  
03-22-2021 88.1.3 2.1  
03-22-2021 88.1.4 Exhibit 2.2  
03-22-2021 88.1.5 Exhibit 3.1  
03-22-2021 88.1.6 3.2  
03-22-2021 88.1.7 4.1

03-22-2021 88.1.8 4.2  
03-22-2021 88.1.9 5.1  
03-22-2021 88.1.10 5.2  
03-22-2021 88.1.11 5.3

03-22-2021 2nd Settlement Offer  
03-22-2021 87.1 2nd Settlement Offer

03-17-2021 Other Filing Joinder of Robert Smith, the State of Nevada, ex rel. NDOC, and the Nevada Department of Corrections  
03-17-2021 86.1 Other Filing Joinder of Robert Smith, the State of Nevada, ex rel. NDOC, and the Nevada Department of Corrections

03-12-2021 Notice Judicial Notice and Notice to the Attorney General  
03-12-2021 85.1 Notice Judicial Notice and Notice to the Attorney General

03-05-2021 Notice of Identity and Judicial Notice  
03-05-2021 84.1 Notice of Identity and Judicial Notice

03-03-2021 Other Filing Opposition to Plaintiff's Second Request to Extend Discovery Deadline  
03-03-2021 83.1 Other Filing Opposition to Plaintiff's Second Request to Extend Discovery Deadline

03-02-2021 Declaration Declaration of Laura M. Ginn  
03-02-2021 82.1 Declaration Declaration of Laura M. Ginn

03-02-2021 Motion Defendants' Motion for Extension of Time to Respond to Outstanding Request for Discovery (Second Request)  
03-02-2021 81.1 Motion Defendants' Motion for Extension of Time to Respond to Outstanding Request for Discovery (Second Request)

02-24-2021 Declaration Declaration of Laura M. Ginn  
02-24-2021 80.1 Declaration Declaration of Laura M. Ginn

02-24-2021 Motion Defendants' Motion for Extension of Time to Respond to Outstanding Request for Discovery (First Request)  
02-24-2021 79.1 Motion Defendants' Motion for Extension of Time to Respond to Outstanding Request for Discovery (First Request)

02-18-2021 Request for Extension on all Discovery Deadlines  
02-18-2021 78.1 Request for Extension on all Discovery Deadlines

02-08-2021 Request for Production of Documents Pursuant to FED.R.CIV. P. 34 "4th Request"  
02-08-2021 77.1 Request for Production of Documents Pursuant to FED.R.CIV. P. 34 "4th Request"

02-08-2021 Notice Notice of Change of Deputy Attorney General

02-08-2021 76.1 Notice Notice of Change of Deputy Attorney General

01-29-2021 Certificate of Service  
01-29-2021 74.1 Certificate of Service

01-29-2021 Proposed Settlement Offer  
01-29-2021 73.1 Proposed Settlement Offer

01-29-2021 Request for Production of Documents Pursuant to FED.R.CIV. P. 34 "3rd Request"  
01-29-2021 72.1 Request for Production of Documents Pursuant to FED.R.CIV. P. 34 "3rd Request"

01-29-2021 Admissions for Defendant Nevada Department of Corrections Pursuant to FED.R.CIV.P.36 "1st Request"  
01-29-2021 71.1 Admissions for Defendant Nevada Department of Corrections Pursuant to FED.R.CIV.P.36 "1st Request"

12-23-2020 Motion Defendant's Motion for Extension of Time to Respond to Outstanding Discovery  
12-23-2020 69.1 Motion Defendant's Motion for Extension of Time to Respond to Outstanding Discovery

12-23-2020 Remittitur  
12-23-2020 68.1 Remittitur

12-16-2020 Motion Defendant's Motion for Extension of Time to Respond to Outstanding Discovery (2nd Request)  
12-16-2020 65.1 Motion Defendant's Motion for Extension of Time to Respond to Outstanding Discovery (2nd Request)

12-09-2020 Other Filing Defendant's Amended Non-Opposition to Plaintiff's Request for an Extension on all Discovery Deadlines  
12-09-2020 64.1 Other Filing Defendant's Amended Non-Opposition to Plaintiff's Request for an Extension on all Discovery Deadlines

12-09-2020 Other Filing Defendant's Non-Opposition to Plaintiff's Request for an Extension on all Discovery Deadlines  
12-09-2020 63.1 Other Filing Defendant's Non-Opposition to Plaintiff's Request for an Extension on all Discovery Deadlines

12-09-2020 Request for Extension on all Discovery Deadlines  
12-09-2020 62.1 Request for Extension on all Discovery Deadlines

12-08-2020 Response Plaintiffs' Response to Defendant's Response to Plaintiff's Notice of Intent to Take Default  
12-08-2020 61.1 Response Plaintiffs' Response to Defendant's Response to Plaintiff's Notice of Intent to Take Default



12-01-2020 Admission For Defendant Carter Potter Pursuant to Fed.R.Civ.p.36 "1st Request"  
12-01-2020 59.1 Admission For Defendant Carter Potter Pursuant to Fed.R.Civ.p.36 "1st Request"

12-01-2020 Request for Production of Documents Pursuant to Fed.R.Civ.P.34 "2nd Request"  
12-01-2020 58.1 Request for Production of Documents Pursuant to Fed.R.Civ.P.34 "2nd Request"

12-01-2020 Interrogatory for Defendant Nevada Department of Corrections Pursuant to Fed.R.Civ.P.37  
12-01-2020 57.1 Interrogatory for Defendant Nevada Department of Corrections Pursuant to Fed.R.Civ.P.37

11-30-2020 Order Dismissing Appeal  
11-30-2020 56.1 Order Dismissing Appeal

11-13-2020 Motion Defendants' Motion for Extension of Time to Respond to Outstanding Discovery  
11-13-2020 54.1 Motion Defendants' Motion for Extension of Time to Respond to Outstanding Discovery

11-05-2020 Opposition Response to Plaintiff's Notice of Intent to Take Default  
11-05-2020 53.1 Opposition Response to Plaintiff's Notice of Intent to Take Default  
11-05-2020 53.1.1 Exhibit A

11-05-2020 Case Appeal Statement  
11-05-2020 51.1 Case Appeal Statement

11-02-2020 Notice of Appeal  
11-02-2020 50.1 Notice of Appeal

10-22-2020 Request for Production of Production of Documents Pursuant to Fed. R. Civ.P.34  
10-22-2020 48.1 Request for Production of Production of Documents Pursuant to Fed. R. Civ.P.34

10-22-2020 Interrogatory for Defendant John Borrowman Pursuant too Fed.R.Civ.P.37  
10-22-2020 47.1 Interrogatory for Defendant John Borrowman Pursuant too Fed.R.Civ.P.37

10-22-2020 Interrogatory for Defendant Carter Potter Pursuant to Fed.R.Civ.p.37 "1st Request"  
10-22-2020 46.1 Interrogatory for Defendant Carter Potter Pursuant to Fed.R.Civ.p.37 "1st Request"

10-22-2020 Request for Submission Re: Notice of Intent to Default  
10-22-2020 45.1 Request for Submission Re: Notice of Intent to Default

10-22-2020 Notice of Intent to Default  
10-22-2020 44.1 Notice of Intent to Default

10-22-2020 Application In Support of Default Judgement  
 10-22-2020 43.1 Application In Support of Default Judgement

10-01-2020 Answer/Response - Civil Joinder of Renee Baker, The State of Nevada, ex rel. NDOC, and The Nevada Department of Corrections  
 10-01-2020 39.1 Answer/Response - Civil Joinder of Renee Baker, The State of Nevada, ex rel. NDOC, and The Nevada Department of Corrections

09-28-2020 Certificate of Service  
 09-28-2020 38.1 Certificate of Service

09-28-2020 Affidavit in Support of Default  
 09-28-2020 37.1 Affidavit in Support of Default

09-28-2020 Application "Amended" Application in Support of Default Judgement  
 09-28-2020 36.1 Application "Amended" Application in Support of Default Judgement

09-28-2020 Notice "Amended" Notice of Intent to Default  
 09-28-2020 35.1 Notice "Amended" Notice of Intent to Default

09-25-2020 Request for Judicial Notice and Judicial Action to be Taken  
 09-25-2020 33.1 Request for Judicial Notice and Judicial Action to be Taken

09-15-2020 Notice of Entry of Order Re: Order Directing Service Upon the State  
 09-15-2020 32.1 Notice of Entry of Order Re: Order Directing Service Upon the State

09-11-2020 Order Directing Service Upon State of Nevada ex rel. NDOC and Nevada Department of Corrections and Directions to Clerk of Court Regarding Default Application  
 09-11-2020 31.1 Order Directing Service Upon State of Nevada ex rel. NDOC and Nevada Department of Corrections and Directions to Clerk of Court Regarding Default Application

08-26-2020 Notice of Substitution of Counsel Notice of Change of Attorney  
 08-26-2020 29.1 Notice of Substitution of Counsel Notice of Change of Attorney

08-25-2020 Notice of Entry of Order :Order Setting Hearing and to Produce Prisoner  
 08-25-2020 28.1 Notice of Entry of Order :Order Setting Hearing and to Produce Prisoner

08-24-2020 Order Setting Hearing and to Produce Prisoner  
 08-24-2020 27.1 Order Setting Hearing and to Produce Prisoner

08-18-2020 Plaintiff's Opposition to Defendants Answer  
 08-18-2020 26.1 Plaintiff's Opposition to Defendants Answer

08-18-2020 Application In Support of Default Judgement  
 08-18-2020 25.1 Application In Support of Default Judgement

08-18-2020 Notice of Intent to Default  
08-18-2020 24.1 Notice of Intent to Default

07-31-2020 Answer/Response - Civil Defendants' Answer to Plaintiff's Civil Rights Complaint - Jury Trial Demanded  
07-31-2020 21.1 Answer/Response - Civil Defendants' Answer to Plaintiff's Civil Rights Complaint - Jury Trial Demanded

07-16-2020 Proof of Service Declaration of Service (Sanders)  
07-16-2020 20.1 Proof of Service Declaration of Service (Sanders)

07-16-2020 Proof of Service Declaration of Service (Sanders)  
07-16-2020 19.1 Proof of Service Declaration of Service (Sanders)

07-16-2020 Proof of Service Declaration of Service  
07-16-2020 18.1 Proof of Service Declaration of Service

07-16-2020 Motion for Requesting Status Check of Case and Copy of Court Docket Sheet  
07-16-2020 17.1 Motion for Requesting Status Check of Case and Copy of Court Docket Sheet

06-29-2020 Notice of Entry of Order- Order Granting Plaintiff's Request to Withdraw Amended Complaint  
06-29-2020 16.1 Notice of Entry of Order- Order Granting Plaintiff's Request to Withdraw Amended Complaint

06-29-2020 Request for Submission  
06-29-2020 15.1 Request for Submission

06-22-2020 Order Granting Plaintiff's Request to Withdraw Amended Complaint  
06-22-2020 14.1 Order Granting Plaintiff's Request to Withdraw Amended Complaint

06-03-2020 Notice of Entry of Order  
06-03-2020 13.1 Notice of Entry of Order

06-02-2020 Order - Decision  
06-02-2020 12.1 Order - Decision

06-02-2020 Application for Default with exhibits  
06-02-2020 10.1 Application for Default with exhibits

06-01-2020 Request for Submission  
06-01-2020 9.1 Request for Submission

06-01-2020 Request for Dismissal of First Amended Complaint  
06-01-2020 8.1 Request for Dismissal of First Amended Complaint

04-13-2020 Complaint - Amended First Amended Civil Rights Complaint Pursuant to 42 U.S.C. 1983

04-13-2020 5.1 Complaint - Amended First Amended Civil Rights Complaint Pursuant to 42 U.S.C. 1983

03-17-2020 Complaint - General Civil Rights Complaint Pursuant to 42 U.S.C. 1983

03-17-2020 4.1 Complaint - General Civil Rights Complaint Pursuant to 42 U.S.C. 1983

03-17-2020 Order to Proceed in Forma Pauperis

03-17-2020 3.1 Order to Proceed in Forma Pauperis

03-06-2020 Certificate of Inmate's Institutional Account

03-06-2020 2.1 Certificate of Inmate's Institutional Account

03-06-2020 Application to Waive Fees & Costs Application to Proceed in Forma Pauperis

03-06-2020 1.1 Application to Waive Fees & Costs Application to Proceed in Forma Pauperis

1 CASE NO. 27CV-OTH-2020-0057

2 DEPT. NO. I

3 Affirmation pursuant to NRS 239B.039

4 The undersigned affirms that this  
5 document does not contain the  
6 personal information of any person

7 **IN THE ELEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**

8 **IN AND FOR THE COUNTY OF PERSHING**

9 JUSTIN ODELL LANGFORD,

10 Plaintiff,

**ORDER**

11 vs.

12 C/O SMITH; RENEE BAKER;  
13 CASEWORKER LeFLUER; C. POTTER; P.  
14 DeLPORTO; J BORROWMAN;  
15 D. BAZE; TARA CARPENTER, et al.,

16 Defendants.

17 Having reviewed Defendants' John Borrowman, Tara Carpenter, Mark La Fleur, P. Del  
18 Porta, Carter Potter, Renee Baker, State of Nevada ex. Rel., the Nevada Department of  
19 Corrections, and Robert Smith Counter-Motion to Dismiss, this Court finds good cause and  
20 GRANTS the Motion to Dismiss. This Court finds that Langford presented a written Motion to  
21 the Court that contains claims and other arguments that are not warranted by existing law.  
22 Therefore, this Court ORDERS the forfeiture of Langford's statutory time credits pursuant to  
23 NRS 209.451.

24 **GOOD CAUSE APPEARING, IT IS SO ORDERED.**

**ELEVENTH JUDICIAL  
DISTRICT COURT**



**Eleventh Judicial District Court**

**Case Title:** JUSTIN ODELL LANGFORD VS C/O SMITH; RENEE BAKER;  
CASEWORKER LEFLEUR; C. POTTER; P DELORTO; J.  
BORROWMAN; D. BAZE; T. CARPENTER  
**Case Number:** 27CV-OTH-2020-0057  
**Type:** Order

It is so Ordered.

A handwritten signature in cursive script, appearing to read "Shirley", is written in black ink.

Judge Shirley

CASE NO. 27CV-OTH-2020-0057

DEPT. NO. I

Affirmation pursuant to NRS 239B.039

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document does not contain the  
personal information of any person

IN THE ELEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF PERSHING

JUSTIN ODELL LANGFORD,

Plaintiff,

vs.

NOTICE OF ENTRY OF ORDER

C/O SMITH; RENEE BAKER;  
CASEWORKER LeFLUER; C. POTTER;  
P. DeLPORTO; J BORROWMAN;  
D. BAZE; TARA CARPENTER, et al.,

Defendants.

PLEASE TAKE NOTICE that an Order Granting Defendants' Counter-Motion to Dismiss was  
entered on April 30, 2021, in the above matter, a copy of which is attached hereto as Exhibit 1.

DATED this 3rd day of May, 2021.

AARON D. FORD  
Attorney General

By:

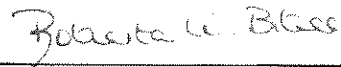
  
LAURA M. GINN, Bar No. 8085  
Deputy Attorney General  
100 N. Carson Street  
Carson City, NV 89701-4717  
(775) 684-1120  
[lginn@ag.nv.gov](mailto:lginn@ag.nv.gov)

*Attorneys for Defendants*

1 **CERTIFICATE OF SERVICE**

2 I certify that I am an employee of the Office of the Attorney General, State of  
3 Nevada, and that on the 3rd of May 2021, I caused to be deposited for mailing a true and  
4 correct copy of the foregoing **NOTICE OF ENTRY OF ORDER**, to the following:

5 Justin Odell Langford, #1159546  
6 Lovelock Correctional Center  
7 1200 Prison Road  
8 Lovelock, NV 89419

9 

10 An employee of the  
11 Office of the Attorney General  
12  
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# EXHIBIT 1

## Order Granting Defendants' Counter-Motion to Dismiss

# EXHIBIT 1

1 CASE NO. 27CV-OTH-2020-0057

2 DEPT. NO. I

3 Affirmation pursuant to NRS 239B.039

4 The undersigned affirms that this  
5 document does not contain the  
6 personal information of any person

7 **IN THE ELEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**

8 **IN AND FOR THE COUNTY OF PERSHING**

9 JUSTIN ODELL LANGFORD,

10 Plaintiff,

11 vs.

**ORDER**

12 C/O SMITH; RENEE BAKER;  
13 CASEWORKER LeFLUER; C. POTTER; P.  
14 DeLPORTO; J BORROWMAN;  
15 D. BAZE; TARA CARPENTER, et al.,

16 Defendants.

17 Having reviewed Defendants' John Borrowman, Tara Carpenter, Mark La Fleur, P. Del  
18 Porta, Carter Potter, Renee Baker, State of Nevada ex. Rel., the Nevada Department of  
19 Corrections, and Robert Smith Counter-Motion to Dismiss, this Court finds good cause and  
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21 the Court that contains claims and other arguments that are not warranted by existing law.  
22 Therefore, this Court ORDERS the forfeiture of Langford's statutory time credits pursuant to  
23 NRS 209.451.

24 **GOOD CAUSE APPEARING, IT IS SO ORDERED.**

**ELEVENTH JUDICIAL  
DISTRICT COURT**



**Eleventh Judicial District Court**

**Case Title:** JUSTIN ODELL LANGFORD VS C/O SMITH; RENEE BAKER;  
CASEWORKER LEFLEUR; C. POTTER; P DELORTO; J.  
BORROWMAN; D. BAZE; T. CARPENTER

**Case Number:** 27CV-OTH-2020-0057

**Type:** Order

It is so Ordered.

A handwritten signature in dark ink, appearing to read "Shirley", is written over a faint, circular official stamp.

Judge Shirley

1 COURT MINUTES. NOT AN OFFICIAL TRANSCRIPT OF ANY PROCEEDING.

2 \* \* \* \*

3 This document does not contain any  
4 social security numbers.

5 **IN THE ELEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF**  
6 **NEVADA, IN AND FOR THE COUNTY OF PERSHING**

7 Justin Odell Langford

8 Plaintiff/Petitioner,

9 vs.

Case No. 27CV-OTH-2020-0057  
And 27CV-OTH-2019-0046

WEDNESDAY, October 02, 2020

10:21 a.m.

10 C/O Smith; Renee Baker; CaseWorker  
11 Lefleur; C. Potter; P Delporto; J.

11 Borrowman; D. Baze; T. Carpenter.

12 And

13 Barbara K. Cegavske

14 Defendant/Respondent.

15 PRESENT: Honorable Jim C. Shirley, presiding District Judge  
16 Candice Boyce, Court Clerk

17 **Case Management Conference:**

18 Plaintiff, Justin Odell Langford, appearing telephonically and representing himself.

19 Douglas Rands, Senior Deputy Attorney General, appearing telephonically on behalf of  
20 the Defendants. And Andrea M. Dominguez.

21 All parties give 2 party consent to the hearing being telephonic and to being reported.

22 The Court stated that we will cover both cases and will start with case ending in 0046.  
23 The Court canvassed Mr. Langford regarding service of a Motion and Mr. Langford admitted  
24 that he did not attach a certificate of service.

25 The Court addressed an issue with a Default from 2019 and had discussion with Mr.  
26 Rands and Mr. Langford.

27 The Court addressed the Motion to Amend.

28 Mr. Langford gave argument.

The Court canvassed Mr. Langford regarding his argument.

Mr. Rands gave argument.

The Court Grants the Motion and stated that Mr. Langford has 20 days to file an  
Amended Complaint. Once the Motion is sent Mr. Rands has 14 days to respond.

1 The Court now moves onto case ending in 0057

2 The Court canvassed Mr. Langford regarding his certificate of service and his amended  
3 application for default. The Court and Mr. Langford have discussion regarding the issues with  
4 these documents.

5 Mrs. Dominguez gave argument.

6 The Court stated that he default is moot and the prior default be stricken from the record  
7 so it doesn't hold any weight or validity.

8 The Court asked the parties how long they need for discovery and both parties agree they  
9 need 90 days.

10 The Court ordered 90 days to complete discovery and 30 days to file dispositive motions  
11 and oppositions due 30 days after that and any replies due within 14 days after.

12 The Court confirmed with Mr. Langford that he withdrew the Amended and we are going  
13 off the original and Mr. Langford confirmed.

14 Court is in recess 10:58 a.m.

1 Case No. 27CV-OTH-2020-0057

2 Pursuant to NRS 239B.030, the undersigned affirms that this  
3 Document does not contain social security numbers.

4  
5  
6 IN THE ELEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF PERSHING

8 Justin Odell Langford,

9 Plaintiff,

10 vs.

11 C/O Smith; Renee Baker; Caseworker  
12 LeFluer; C. Potter; P. DelPorto; J Borrowman;  
D. Baze; Tara Carpenter, et al.,

13 Defendants.

**CERTIFICATE**

14 State of Nevada )  
15 County of Pershing ) : ss.

16 I, Carol Elerick, Deputy Court Clerk, do hereby certify that the following are  
17 true and correct copies of the original documents in the above-entitled case, which was  
18 appealed to the Supreme Court.

19 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the  
20 seal of said Court, at Lovelock, Nevada, this 28<sup>th</sup> day of May 2021.

21 Kate Martin  
22 Eleventh Judicial District Court Clerk

23 By:   
24 Deputy Clerk

# ELEVENTH JUDICIAL DISTRICT COURT

Jim C. Shirley  
District Judge  
Tel. (775) 273-2105  
Fax (775) 273-4921



Kate Martin  
Court Administrator  
Tel. (775) 273-5128  
kmartin@11thjudicialdistrictcourt.net

May 28, 2021

Elizabeth Brown  
Supreme Court Clerk  
201 South Carson Street  
Carson City, NV 89701-4702

Re: Eleventh Judicial District – Pershing County  
Case No. 27CV-OTH-2020-0057  
Justin Odell Langford vs. C/O Smith; Renee Baker; Caseworker LeFluer; C. Potter;  
P. DelPorto; J. Borrowman; D. Baze; Tara Carpenter, et al.

Enclosed, please find the following documents as it relates to an Appeal filed on

May 26, 2021:

- Certification
- Exhibit List (if applicable)
- Minutes (if applicable)
- Notice of Entry of Order (with Order)
- Judgment / Order
- District Court Docket
- Case Appeal Statement
- Notice of Appeal

Should you have any questions or require additional information, please do not  
hesitate to contact the Court.

Kate Martin  
Eleventh Judicial District Court Clerk

By:   
Deputy Clerk

ce  
Encl.

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