

IN THE SUPREME COURT OF THE STATE OF NEVADA

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KIM BLANDINO,

Appellant,

vs.

THE STATE OF NEVADA,

Appellee.

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CASE NO: 84433

**APPELLANT'S APPENDIX III**

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1 RTRAN

2 DISTRICT COURT  
3 CLARK COUNTY, NEVADA  
4

5 STATE OF NEVADA,

6 Plaintiff,

7 vs.

8 KIM BLANDINO,

9 Defendant.  
10  
11

CASE NO. C-19-341767-1

DEPT. VII

12  
13 HEARD BY THE HONORABLE CRISTINA D. SILVA, DISTRICT COURT JUDGE  
14 Friday, January 3, 2019

15 **RECORDER'S TRANSCRIPT OF HEARING**  
16 **RE: COMPETENCY**

17 APPEARANCES:

18 For the State:

MICHAEL DICKERSON, ESQ.  
Deputy District Attorney

19  
20 For the Defendant:

KIM BLANDINO, Pro Se  
BENNAIR R. BATEMAN, ESQ.  
Standby Counsel

21  
22  
23  
24 RECORDED BY: RENEE VINCENT, COURT RECORDER  
25

1 Friday, January 3, 2020 -- Las Vegas, Nevada

2 [Proceedings begin at 10:00 a.m.]

3  
4 THE CLERK: State of Nevada versus Kim Blandino, C341767.

5 CORRECTIONS OFFICER: He's still in, Your Honor.

6 THE COURT: Good morning. All right. Thank you.

7 [Pause]

8 THE COURT: Good morning.

9 MR. DICKERSON: Good morning, Your Honor. Mike Dickerson on behalf  
10 of the State, Bar Number 13476.

11 THE COURT: Good morning, Mr. Dickerson.

12 MR. BLANDINO: Kim Blandino appearing pro se for Kim Blandino. I see  
13 that's Linda -- Linda Marie Bell as judge, but you don't look like Linda Marie Bell.

14 THE COURT: I'm not Linda Marie Bell. My name is Cristina Silva. Good  
15 morning.

16 MR. BLANDINO: Cristina Silva?

17 THE COURT: Yes.

18 MR. BLANDINO: And you're a District Court judge from this district?

19 THE COURT: I am. I was appointed earlier in 2019.

20 MR. BLANDINO: I ask -- do you have a written request under DCR 18 to  
21 appear?

22 THE COURT: No, and I do not need one. So I'm going to start to ask  
23 some questions, and then I'm going to turn to you. I'll have questions for you  
24 specifically, so hold that thought.

25 Mr. Dickerson, do you have an update for me?



1 MR. DICKERSON: Yes, Your Honor. This is the eighth time that we've  
2 appeared in competency court with this Defendant. To this date he has failed to  
3 get any of the required evaluations that he's been ordered to get --

4 MR. BLANDINO: I object. That's not true.

5 MR. DICKERSON: He's also, it seems, have harassed the psychiatrist  
6 that I -- psychologist that who he's been referred to --

7 MR. BLANDINO: That's a lie.

8 MR. DICKERSON: This is an issue --

9 MR. BLANDINO: No, this is --

10 THE COURT: Mr. Blandino. Mr. Blandino, you'll have after he talks -- let  
11 him finish making a record, and you'll have an opportunity to talk.

12 MR. BLANDINO: Can I tell -- will I have a chance to represent that he's  
13 lying?

14 THE COURT: Hold on, Mr. Blandino. Let him finish talking and then I'll talk  
15 to you.

16 MR. DICKERSON: And I base that off of emails that I've received that  
17 have coming to the Court regarding the way that he's showing up at their offices  
18 and refused dates that he's been given by them to come in and evaluate.

19 MR. BLANDINO: That's not true.

20 MR. DICKERSON: With that, I think that that the only way to remedy this  
21 issue is to just by putting him in custody and having him evaluated in custody. This  
22 is the eighth time. We've asked multiple times to have this Defendant placed in  
23 custody to be evaluated, in addition to the fact that he's continued his criminal  
24 behavior of illegally contacting judges in an extortive manner while he's been out  
25 and in competency court in this case.

1                   So with that, Your Honor, the State's request is just to remand the  
2 Defendant today to get this process moving.

3           THE COURT: All right. Thank you. Mr. Blandino, why haven't you gone to  
4 the appointments that were scheduled for you?

5           MR. BLANDINO: I have. I've gone -- I've got a card here. They refused to  
6 see me. They said they couldn't do it within the timeframe that you allotted. He's  
7 lying three times over, and I'm going to file a bar complaint if he doesn't give an  
8 apology. He lied when he said -- he tried to have me remanded. He put pressure  
9 on my house arrest officer to arrest me before coming to court. Then when he tried  
10 to have me remanded -- when I say he, District Attorney's Office -- but Michael  
11 Dickerson is an embarrassment to the bar.

12                   And I have shown up at all the requirements. As a matter of fact, the  
13 order that you see by Linda Marquis ordering me to go in in seven days and make  
14 an appointment, I was there that -- I called that very moment I got home. I went to  
15 their office at 3. Now he wants to take my appearance at their office as somehow  
16 some bad conduct or bad acting on his part.

17           THE COURT: Well, did you have an appointment or did you just show up?

18           MR. BLANDINO: I told them, look, I wanted to see the office and see you,  
19 and I want to get this appointment scheduled as soon as possible. They said, we  
20 can't do anything until we talk to the doctors.

21           THE COURT: Okay.

22           MR. BLANDINO: At 3 o'clock when I went down there. And I have this all  
23 documented. I've got a copy for the DA and I have a copy for the Judge, and I  
24 demand that you take judicial notice of this because if you go ahead and do this  
25 horrible thing that he's recommending be done based on lies, then -- here's the

1 DA's copy.

2 MR. DICKERSON: Put it right there.

3 THE COURT: Well, Mr. Blandino, hold on. Let's back up a little bit. So you  
4 went down there without an appointment; is that correct?

5 MR. BLANDINO: No, no, no, no, no. The judge told me --

6 THE COURT: No, no, no, no, no. Answer my question. You went down  
7 to the doctor's office without an appointment because you were trying to get one; is  
8 that correct?

9 MR. BLANDINO: Well, yeah, but I called first, and then I said I'll come  
10 down at 3 o'clock. She made no objection, didn't say, no, don't come down here or  
11 anything. Went down there. I've got a witness in court right here, Chris Cave, that  
12 acknowledges that. He took business cards and such. And in good faith, I wanted  
13 to see that the office was clean, there weren't any health violations or anything  
14 such as that, and it was a -- you know, that -- what I was going to appear for, an  
15 appointment.

16 Then I scheduled an appointment for the 26th. Everything seemed  
17 good. They emailed me. And I've got a copy of this stuff -- now, this is labeled me,  
18 but here's the emails back and forth. If I can approach?

19 THE MARSHAL: No.

20 THE COURT: No, you cannot.

21 MR. BLANDINO: Can the Bailiff bring this to you?

22 THE COURT: Sure.

23 MR. BLANDINO: Yeah. There's an email, and then this latest card. They  
24 didn't formally tell me this appointment was cancelled on the 26th. So I went down  
25 there, and now he's again -- the District Attorney is trying to again say that this is

1 somehow bad behavior on my part. This is absolute due diligence on my part to  
2 make sure that they comply with what they were ordered to. But they're telling me  
3 that because this Court by order gave a 20th date, they can't help me. So we  
4 can --

5 THE COURT: Hold on. Now let me review the document you gave me. All  
6 right?

7 MR. BLANDINO: Okay.

8 THE COURT: So hold on.

9 MR. BLANDINO: You give me an order to appear --

10 THE COURT: Mr. Blandino --

11 MR. BLANDINO: Oh, I'm sorry.

12 THE COURT: -- please wait until I'm finished reading the document.

13 Thank you.

14 [Pause]

15 MR. BLANDINO: You do have the Marquis order, right?

16 THE COURT: I do.

17 MR. BLANDINO: Okay. Thank you.

18 [Pause]

19 MR. BLANDINO: I was precluded from --

20 THE COURT: Mister -- Mr. Blandino, hold on --

21 MR. BLANDINO: I'm sorry.

22 THE COURT: -- I'm still reviewing.

23 MR. BLANDINO: I've got other documents --

24 THE COURT: Mr. Blandino --

25 MR. BLANDINO: Yeah.

1 THE COURT: -- hold on.

2 MR. BLANDINO: Well, I'm trying to stay out of jail, so excuse me if I'm a  
3 little bit --

4 THE COURT: And I appreciate that, but you're not going to do yourself any  
5 favor if you don't let me finish reviewing this. Okay?

6 MR. BLANDINO: Yes.

7 [Pause]

8 THE COURT: All right. I have reviewed a number of documents for the  
9 record. The first is an email of -- a three-page email with some -- were classic  
10 email exchanges with what appears to be an individual in the State of Nevada,  
11 specifically at the Lake's Crossing Center. I reviewed a second email to Green  
12 Valley Psychiatric Associates, and it seems to be kind of a cut and paste of a  
13 couple of --

14 MR. BLANDINO: Oh. It's all the replies in there.

15 THE COURT: Mr. Blandino, hold on. A cut and paste of replies -- of an  
16 email exchange that previously went on in the month of December, at attached  
17 to --

18 MR. BLANDINO: It's just required pasting, so it's not cut and paste.

19 THE COURT: Mr. Blandino, let me finish putting this on the record.

20 MR. BLANDINO: Okay.

21 THE COURT: We'll just attach that as an order -- the order that Mr.  
22 Blandino was referencing for the Defendant to be examined. I also have a copy of  
23 a business card with a note that Mr. Blandino showed for an appointment on 12-26  
24 at 7:45, but the appointment cancelled due to the timeliness of the report being due  
25 on 12-20. And attached to that is an email exchange between Mr. Blandino and an

1 attorney for the Court, Mr. Viesca.

2 MR. BLANDINO: Yeah, he's staff counsel for the Administrator's Office.

3 THE COURT: Okay.

4 MR. BLANDINO: They -- Denise Baker and DeNeese Parker of the  
5 Specialty Courts said that I would have to communicate through them. They  
6 refused to communicate with me. I've been absolutely due diligent on behalf of my  
7 client, which is me, Kim Blandino, as I'm representing myself.

8 THE COURT: Okay. Well, Mr. Blandino --

9 MR. BLANDINO: As an officer of the Court --

10 THE COURT: -- let me ask you this question.

11 MR. BLANDINO: Yeah.

12 THE COURT: Why did not go to the appointments on December 11th and  
13 December 16th?

14 MR. BLANDINO: They never set me any appointments for those. Where  
15 do you see an appointment for December 11th and December 16th anyplace?  
16 They never set appointments.

17 THE COURT: Well, the information I have is that you declined  
18 appointments on December 11th and December 16th, and I don't know if you  
19 declined them --

20 MR. BLANDINO: No, no, no, I did not.

21 THE COURT: -- because you just refused to be evaluated. All right. So let  
22 me ask about that and make sure where it's coming from. Hold that thought.  
23 Please don't interrupt.

24 Mr. Dickerson, do you know where the dates of December 12th [sic]  
25 and December 16th came from?

1 MR. DICKERSON: I believe those came from the staff or the doctors that  
2 had emailed the Court to let the Court know that we offered Mr. Blandino -- or they  
3 offered Mr. Blandino those dates. He said those dates wouldn't work for him.

4 MR. BLANDINO: This is not true, Judge.

5 THE COURT: Hold on. Don't interrupt.

6 MR. BLANDINO: Yeah.

7 THE COURT: Let me ask and then I'll ask you questions.

8 MR. DICKERSON: That's my understanding of that situation.

9 THE COURT: Okay. All right.

10 MR. BLANDINO: All he has is hearsay to go on. And if you're going to put  
11 me in jail, I demand an evidentiary hearing because I can get those people on the  
12 stand and verify. If they'd give me those dates, I would've definitely filed an  
13 emergency petition with the Nevada Supreme Court to try and stop this. But if I  
14 couldn't get it, then I would've combined those things --

15 THE COURT: Well, that doesn't make any sense. Why would you file an  
16 emergency petition if you were ordered to go get an evaluation done and then were  
17 ordered to go on to --

18 MR. BLANDINO: Oh, well, it makes perfect sense if you understood the  
19 double jeopardy clause of the United States Constitution. I've already been  
20 punished. I've got this ankle bracelet on here, and I've been under punitive house  
21 arrest. I've been punished with the very crimes that I'm being charged with.

22 Now, under Desimone II, which is Desimone versus State, come  
23 back from the U.S. Supreme Court, if you had been punished already, you cannot  
24 be punished again, and, therefore, it would moot any competency proceedings or  
25 even any charges going forward.

1 I've been denied my religious beliefs and practices to take E.D.  
2 Pendergraft on religious excursions because I'm not a member of an organized  
3 religion, Mormon, Jehovah's Witness, you name them, Catholic, whatever.  
4 Because I have particular and peculiar religious beliefs and practices, I've been  
5 denied to take her. I'm being treated worse than if I were in the Clark County  
6 Detention Center.

7 There's been punitive action here. I've got a 6 p.m. to 6 a.m.  
8 curfew. This statute has not been reviewed by the Nevada Supreme Court or the  
9 federal courts, but this statute where a judge is allowed to put somebody under  
10 punitive house arrest prior to being convicted in any way will not stand  
11 constitutional scrutiny.

12 And I can show with all the documentation -- as you can see from  
13 those emails, I document what I do, and that email that you cursorily read, it  
14 doesn't say anything about any 11th appointment. They said, we can't do it within  
15 the timeframe. They never told me about those appointments, not once. I don't  
16 know where he's getting that information.

17 I know that Mr. Dickerson has lied to this Court before. He said,  
18 when he tried to have me thrown in jail the last time, that my house -- I told my  
19 house arrest officer I was going to drop off some process with Talia Williams, who  
20 was the pro tem judge --

21 MR. DICKERSON: I didn't say that.

22 MR. BLANDINO: -- in the Justice Court. And I asked him, and he gave  
23 me permission to go. If he would've said, no, Kim, you can't go, I would not have  
24 gone. But yet he lied in open court. Now, maybe based on hearsay --

25 MR. DICKERSON: That you lied, sir.



1 MR. BLANDINO: -- that he was taking --

2 MR. DICKERSON: This Defendant right here --

3 THE COURT: All right. We're not going to engage in back --

4 MR. DICKERSON: -- is on house arrest as a privilege, not a punishment.

5 THE COURT: I understand, Mr. Dickerson. I understand that, but we're  
6 also not going to engage in a back and forth.

7 MR. BLANDINO: I'm on house arrest and \$50,000 bail. Oh.

8 THE COURT: That happens, Mr. Blandino, when it comes to court  
9 proceedings, and for the record --

10 MR. BLANDINO: But until -- this Court has never approved that. They  
11 never reviewed that. And you have surprised me, Judge, because I thought Linda  
12 Bell was going to be here on the bench here. I have a right under NRS 1.230,  
13 1.235 not to be surprised by a judge. I don't know if there's any conflicting issues  
14 on which I might need to file a motion to disqualify against you. This motion to  
15 disqualify has not been adjudicated yet. Do you see on the record anywhere it's  
16 been adjudicated?

17 THE COURT: It has not, but I'm not Ms. Bell. So hold up -- Mr. Dickerson,  
18 is his house arrest officer present in the courtroom?

19 MR. DICKERSON: I don't believe the house arrest officer is present.

20 THE COURT: All right. Do we have any information regarding any house  
21 arrest issue?

22 MR. DICKERSON: Well, we addressed it at the last hearing -- or two  
23 hearings ago.

24 THE COURT: Yeah.

25 MR. DICKERSON: We filed a motion to amend --

1 MR. BLANDINO: Marquis denied that, though, on the record, Judge.

2 THE COURT: Hold on. But I'm asking for specifics.

3 MR. BLANDINO: She denied the remand. If you're going to ask -- if you're  
4 going to --

5 THE COURT: Mr. Blandino, I'm going to ask you to please be quiet --

6 MR. BLANDINO: Okay.

7 THE COURT: -- because I need to answers some questions --

8 MR. BLANDINO: I'm sorry. I apologize.

9 THE COURT: -- and then you can address your case. All right?

10 MR. DICKERSON: Essentially, the issue was that Mr. Blandino had told  
11 his house arrest officer that he was going to go to an attorney's office to drop off  
12 some paperwork.

13 THE COURT: Right.

14 MR. DICKERSON: What it sounds like he didn't tell his house arrest  
15 officer was that an attorney was the pro tem judge that was sitting in Justice Court  
16 over his case, and the paperwork that he was going to drop off with her was  
17 extorted paperwork similar to that that had been issued in this case.

18 THE COURT: And was that motion to remand denied by Judge Marquis?

19 MR. BLANDINO: It was -- it was denied in a written order. That's why I  
20 asked if you had that Marquis order.

21 THE COURT: I'm going through the -- I'm going to the docket, but I need to  
22 stop and review, and you'll make this process faster.

23 MR. BLANDINO: I can direct you to the page.

24 THE COURT: Was that denied, Mr. Dickerson?

25 MR. DICKERSON: It was denied with the additional conditions added to

1 his release, that being no contact with Williams; no contact with any judge  
2 privately; no contact with any judge without express written order by the District  
3 Court; and that he can't file anything without express District Court approval.

4 THE COURT: Was he declared a vexatious litigant at that point?

5 MR. DICKERSON: He had been previously.

6 MR. BLANDINO: That is on appeal with the Nevada Supreme Court, Case  
7 Number 76794. Briefing has been initiated by me, waiting for a decision. A  
8 responsive brief is not due unless the Supreme Court so directs.

9 Because of that vexatious litigant order, I've been only able to make  
10 representations orally in this Court except in the unique exception where Judge  
11 Leavitt allowed the motion to disqualify to be filed. But when I went before Marquis  
12 to file it, she wouldn't receive it in court. Was not file stamped. To this day it's not  
13 file stamped, which caused me to file this -- or submit a notice. Under *Sullivan* --

14 THE COURT: So, Mr. Blandino, did you attempt to contact Judge Marquis  
15 after that hearing?

16 MR. BLANDINO: No. Why -- what -- no. I submitted a -- I submitted the  
17 motion to disqualify, as the vexatious litigant order says, to the Chief Judge. Now, I  
18 relied on the Chief Judge, her law clerk, Wes -- he took over for Benjamin  
19 Nemec -- and I said, hey, look, I want to see if I can get approval to file this.  
20 Unbeknownst to me, he went and filed it without bringing it back to me because the  
21 certificate of service was signed in advance figuring I'd be able to file this in open  
22 court.

23 And this is the part of the problem that we have here, Judge. Every  
24 one of you judges are showing favoritism towards the District Attorneys. You let  
25 them file stuff on the very day of court. I get five minutes to look at it. That remand

1 thing was given to me about ten minutes before court. I got a cursory view of it,  
2 and then the judge rules on that without allowing me to do any kind of opposition.

3 This motion to disqualify, I put in a notice, it's still under review.  
4 Wes wouldn't tell me yesterday -- that's Judge Bell's law clerk -- who's reviewing it  
5 or when or under what criteria. *Sullivan v. District Court* is very clear, when I put  
6 this thing in, it has to be marked received, which it wasn't. We have no chain of  
7 custody as to this document. It was filed by someone else other than me. Of  
8 course, I'm restrained from coming to the RJC except when I have court  
9 appearances.

10 So, I mean, there's just a slew of problems here because as  
11 representing my client, which is myself, I have to be zealously and vigorously  
12 defending him and acquiring due process to be followed substantively as well as  
13 procedurally. The U.S. Supreme Court has said over and over again procedural  
14 due process is every bit as important as substantive due process. So to protect my  
15 client's rights, I'm going to demand that the Court and all the officers dot every "i"  
16 and cross every "t" because this protects others that come from behind me.

17 Now, Miranda, he wasn't a good guy, but the *Miranda* warning we  
18 have is due to a guy that said, hey, I was abused of my rights, and there's nothing  
19 in the constitution that mandates that. However, you know, the -- apparently, the  
20 problem is, as you see from that card, they said they were unable to comply with  
21 the 20 days. They were unable to comply, Judge, what you were just given. It  
22 doesn't come down to any misbehavior on my part.

23 So he's trying to shoe in -- he, the District Attorney there for the  
24 record, is trying to shoe horn in somehow that I had an 11th and 16th date and  
25 make me look like I'm not diligent in what I've done. And then when I am diligent,

1 go down to the office to appear, to show, hey, here I am, ready, what do you want  
2 to do, he tries to interpret that as misbehavior like I'm harassing them.

3 THE COURT: Okay. Hold on, Mr. Blandino.

4 MR. BLANDINO: It's damned if you do; damned if you don't.

5 THE COURT: Mr. Blandino.

6 MR. BLANDINO: Yes.

7 THE COURT: Excuse me. The challenge is, and based on my review of  
8 this email exchange, you want to set your competency evaluation based on the  
9 dates you want to go and at the schedule you want to set it at, and that's just not --  
10 and you know --

11 MR. BLANDINO: No, that's not true.

12 THE COURT: Well, I'm looking at this and there's multiple contacts. You  
13 admit in this email, as an example, that you made multiple phone calls wanting to  
14 be seen. You hadn't heard back. It had only been a day since you had placed the  
15 call. You were -- there were repeated phone calls based on what I'm interpreting  
16 here. I can't -- it's a little bit difficult to read some of the things that are submitted --

17 MR. BLANDINO: Yeah. Then that's why an evidentiary hearing -- if you  
18 go to put me in jail without an evidentiary hearing, you will be violating fundamental  
19 due process because you're trying to make some kind of factual determination  
20 based on this and not the evidence of the witnesses and evidence that could be  
21 produced at any evidentiary hearing.

22 I tell you that I did everything due diligent without being harassing in  
23 any way. They never gave me those dates. If they would've given me those dates,  
24 I would've complied with those dates and/or asked for an emergency petition to --  
25 from -- an emergency motion from the Nevada Supreme Court to stay this because

1 of my double jeopardy claims.

2 Now, they gave an order -- Judge Marquis gave an order that I was  
3 supposed to do one within 20 -- the seventh day, but you see that card shows that  
4 they were still locked into this -- somehow this 26th date. Somehow Marquis didn't  
5 get the order down to them or something because I complied with what they said.  
6 They never reset -- just reset any new appointments. Now, this was at the  
7 December -- what was the date on that, that card there? The --

8 THE COURT: On the card or --

9 MR. BLANDINO: Oh, I'm sorry, on the date of the Marquis order.  
10 Because, see, that's the thing, if you're going to do this based on representations  
11 by the DA, he's lying, and I want him on the stand --

12 THE COURT: Mr. Blandino, hold --

13 MR. BLANDINO: -- to show that he's lying.

14 THE COURT: You need to stop --

15 MR. BLANDINO: This gave me seven days --

16 THE COURT: Mr. Blandino, listen to me.

17 MR. BLANDINO: I'm sorry.

18 THE COURT: I need you to stop making accusations that he's lying. Your  
19 train of thought is very difficult to follow, and so you're jumping from one thing to  
20 another, so I'm trying to keep going on track here.

21 MR. BLANDINO: Okay. Okay. Here's what the order says, December  
22 20 --

23 THE COURT: I have it. I have it right in front me. I see it.

24 MR. BLANDINO: It says within seven days.

25 THE COURT: Mr. Blandino, I can read it.

1 MR. BLANDINO: Yeah.

2 THE COURT: I understand, it says within seven days.

3 MR. BLANDINO: Yeah.

4 THE COURT: So hold that thought. I have a question for Mr. Dickerson.  
5 Okay?

6 MR. DICKERSON: Yes, Your Honor.

7 THE COURT: So I'm looking at the email exchanges. What evidence does  
8 the State have regarding his failure to comply with that seven-day order other than  
9 he declined appointments?

10 MR. DICKERSON: So what I have is that we were in court in front of  
11 Judge Marquis on December 6th, 2019.

12 THE COURT: Right.

13 MR. DICKERSON: She told him at that time that he had to get these --

14 MR. BLANDINO: Objection, Your Honor. This is irrelevant to the  
15 December 20 order.

16 THE COURT: Mr. Blandino. Mr. Blandino --

17 MR. BLANDINO: I don't have a door [indiscernible] to go back in time.

18 THE COURT: -- I let you talk. I'm going to let him talk.

19 MR. BLANDINO: Okay. I'm sorry.

20 MR. DICKERSON: Then --

21 THE COURT: Okay.

22 MR. BLANDINO: I need some water, though, Judge. I've got cotton  
23 mouth.

24 THE COURT: Okay. We'll get you some water. Hold on.

25 MR. DICKERSON: Okay. She told him at that time that he had to be

1 evaluated in seven days. And then I currently am looking at email right now from  
2 Green Valley Psychiatric Associates to the Court. It was discussing Mr. Blandino.  
3 Specifically, it talks about how he had come into the office -- he came into the  
4 office on December 6th, the day of that --

5 MR. BLANDINO: I'm sorry, objection. Why isn't he getting you to read it?

6 THE COURT: Mr. Blandino, what did I say? Please stop interrupting. It  
7 will be faster. Let him finish talking, and then I'll -- you'll have an opportunity to --

8 MR. BLANDINO: But you're relying on his representations of what the  
9 email says.

10 THE COURT: I'll take a look at it --

11 MR. BLANDINO: I object to that.

12 MR. DICKERSON: And this is an email that the Court had received, the  
13 Court's administration, Your Honor. December 6th, ultimately, the exchange goes  
14 on there with obviously not being the appropriate way to schedule an appointment.  
15 On Monday, December 9th, they contacted Mr. Blandino. Told Mr. Blandino that  
16 they had December 11th available for him at 7:45. That was left in a voicemail. He  
17 called them back later that day, told them, no, that's not going to work. They said,  
18 well, we can do --

19 MR. BLANDINO: I couldn't make that appointment.

20 MR. DICKERSON: We could do December 16th at 7:45 in the morning.  
21 He said he didn't want that one either.

22 MR. BLANDINO: No.

23 MR. DICKERSON: And then they told him the next available they had was  
24 December 26th, 2019, which he was aware of at that time was after the December  
25 20th date that was due for those particular reports. Well, that's the one that he



1 decides to go for.

2 I think it just shows exactly what the Defendant's doing. He's trying  
3 to drag this out. He's just trying to take this process and make a mockery of it  
4 because he thinks that he can run it the way that he wants to, but he is  
5 disregarding the Court's order after order.

6 THE COURT: Mr. Dickerson, can I see that email you're referring to? For  
7 some reason I don't have a copy of it.

8 MR. DICKERSON: Yes, Your Honor. If I can --

9 MR. BLANDINO: I object. I need a copy of that, too.

10 MR. DICKERSON: -- email it to the Court?

11 THE COURT: Yeah.

12 MR. DICKERSON: Forward it?

13 MR. BLANDINO: I need a copy of that, too.

14 THE COURT: We'll print out --

15 MR. BLANDINO: But look at this, Judge, he's going back in time to  
16 irrelevant matters. The December 20 is what's controlling here. It's irrelevant as to  
17 that. If he wants to make some prior bad acts claim, I object to that. This is what's  
18 at issue here.

19 Obviously, the judge -- I told the judge I need a written order as to  
20 what I'm supposed to do. The evaluation process, which, apparently, attorneys  
21 throughout this entire Eighth Judicial District and maybe even beyond think that  
22 somehow they should -- it's in the interest to waive their client's rights to have a  
23 written order signed and filed by the judge.

24 This is a court of record and a court of justice. As a court of record,  
25 I'm entitled to have a written order that says specifically what I'm required to do and

1 when. And if I don't have that, then I'm up in the air because *Rust v. Clark County*  
2 *School District* is clear, an oral pronouncement from the bench or a minute order  
3 as -- as incompetent for all -- I'm using the wrong word. Incompetent is the -- is  
4 wrongful -- is not viable for any purposes. It has to be a written filed order.

5 So when Judge Marquis agreed with me, apparently, and gave me  
6 this order the same day, on December 20, there's no possible way that can go  
7 back to December 11 and December 16 to make those appointments. So, clearly,  
8 this is vindictive on the part of the District Attorney's Office to try and claim that  
9 those activities, which there was no prior written order, and I had a right to.

10 Because if I'm in contempt of an order, under NRS 22, an order to  
11 show cause has to be made. It has to be done upon affidavit, sworn affidavit, not  
12 from lies from the District Attorney's Office made orally. There has to be a  
13 charging document for a contempt to be done.

14 I went down there. They said, oh, no, we've got a December 20  
15 order. So somehow they didn't get a copy of this because I tried to make -- in good  
16 faith make an appointment. I thought, well, maybe that 26th date appointment was  
17 still good and I can go make it. So I said, I better show up because otherwise the  
18 District attorney's going to lie and say, well, he didn't even try and make the 26th  
19 appointment.

20 THE COURT: Hold on. I'm going to review these emails.

21 MR. BLANDINO: Yeah. I need water desperately. I've got cotton mouth.

22 [Pause]

23 MR. BLANDINO: Can I get a copy of that to read? I need water pretty  
24 badly.

25 THE COURT: Hang on, Mr. Blandino. We're getting you water, Mr.

1 Blandino.

2 MR. BLANDINO: Oh, thank you. I didn't hear that.

3 THE COURT: Yes. So hold on.

4 MR. BLANDINO: I know the Court has a busy day, so when I speak so  
5 fast, I get cotton mouth and the adrenaline doesn't help either.

6 THE COURT: I understand that. I've actually suffered from cotton mouth  
7 myself. I'll tell you, though, talking only makes it worse. All right.

8 MR. BLANDINO: Thank you.

9 THE COURT: Marshal, do you mind -- I've reviewed this now. You can  
10 provide this copy to Mr. Blandino.

11 THE MARSHAL: Yes, ma'am.

12 MR. BLANDINO: Does it indicate where that email is purportedly from?

13 [Court and Marshal confer]

14 MR. BLANDINO: And I asked Green Valley Psychiatric for any information  
15 they had, Judge, and they would not give me anything. I need to know from the  
16 back end what shenanigans might be played especially by this District Attorney,  
17 who's a disgrace to this grandfather. He was an honorable, mythical man --

18 THE COURT: Mr. Blandino, enough. This is not a courtroom we toss  
19 around disparaging remarks to anybody. This is a courtroom, and we're going to --

20 MR. BLANDINO: I wouldn't give them, but they weren't worth it --

21 THE COURT: We're going to conduct ourselves with proper decorum in  
22 this courtroom.

23 MR. BLANDINO: Well, I --

24 THE COURT: Mr. Blandino, enough.

25 MR. BLANDINO: Oh, I'm sorry. I thought I was --

1 THE COURT: I'm going to provide you a copy of the email if you intend to  
2 look at it.

3 MR. BLANDINO: Who is it purportedly from, Judge, and to? From and to?  
4 Thanks. Okay. This is from Denise Baker. This is one of the Specialty Court  
5 ladies.

6 THE COURT: Yeah.

7 MR. BLANDINO: Well, why -- why wasn't I being sent a copy of this?

8 THE COURT: Because it's a court proceeding, Mr. Blandino, and you're  
9 not a member of the court.

10 MR. BLANDINO: I'm an officer of the Court as representing myself under  
11 a *Faretta* canvass, and I object to that. I am an officer of the Court no less than  
12 this barred attorney who is here.

13 THE COURT: All right. Mr. Blandino, take a minute to review that email.

14 MR. BLANDINO: I am.

15 [Pause]

16 MR. BLANDINO: See, all this -- all this irrelevance --

17 THE COURT: Mr. Blandino, have you finished reviewing the email?

18 MR. BLANDINO: No, I'm reading it, but I'm saying this stuff --

19 THE COURT: Well, finish reading it, and we'll talk about it.

20 MR. BLANDINO: This stuff relating to the 12-11 is irrelevant as to this  
21 December 30 order. Unless you've got a time machine, I'll go back in time. Now,  
22 see, this is not true. If I got her on the stand, she wouldn't say -- she would not say  
23 he didn't want that one. I asked if there was another one; that I had a conflict with  
24 that. I told them the next available hearing was this 12-26, and that's the  
25 appointment that was made.

1           The due date for the next report is 12-20. She never told me there  
2 was a problem with that. Just because there's a status check doesn't mean they  
3 can't set the appointment. You know that very well, Judge. "And the Defendant  
4 knew he would not be seen before his" -- now, see, she's testifying here if this is  
5 going to be introduced by some kind of evidence. I mean, this is more bogus than  
6 the Trump witch-hunt impeachment. "I told him the next available date the Dr.  
7 Kapel had was Thursday, the due date, and the Defendant knew that he would not  
8 be seen before this next due date"? How did she know what I know?

9           THE COURT: Okay. So --

10          MR. BLANDINO: Dr. Slagle had no availability. When I set that 12-26 and  
11 said they called me back -- they called me back to make an appointment with Dr.  
12 Slagle. Towards new continuances all the time to fit schedules.

13          THE COURT: Sure. Hold on. Do you mind approaching?

14                               [Court and Marshal confer]

15          THE COURT: All right. So, Mr. Blandino, I'm going to put some things on  
16 the record. You're referring to the December 30th order. I don't know what order  
17 you're referring to --

18          MR. BLANDINO: Well, the December 20 order. This is the Linda Marquis  
19 order.

20          THE COURT: Well, but we're --

21          MR. BLANDINO: Oh, I'm sorry, I'm sorry. It -- you're right, it says for a  
22 status check on December 20 --

23          THE COURT: That's right. So it's actually --

24          MR. BLANDINO: -- but it says December 6th.

25          THE COURT: -- a December 6th order --

1 MR. BLANDINO: Yeah. Oh, you're right. I may have goofed up. I  
2 apologize.

3 THE COURT: All right. No, that's okay, it happens, but --

4 MR. BLANDINO: But I did set those appointments, and this email --

5 THE COURT: Okay, Mr. Blandino. Let me finish stating for the record.  
6 Okay?

7 MR. BLANDINO: Yeah.

8 THE COURT: So this is a December 6th email where Judge Marquis put a  
9 number of things on the record and a number of findings of importance to what  
10 we're here for today. It specifically says on page two of that order, paragraph  
11 number one, "That in seven days of this written order, Mr. Blandino shall make an  
12 evaluation appointments with Dr. Cartell -- excuse me, Dr. Kapel --

13 MR. BLANDINO: Which is undisputed I did.

14 THE COURT: -- or Dr. Slagle, and he can contact them and provide them  
15 the contact information.

16 MR. BLANDINO: Which I did.

17 THE COURT: I also find that that office attempted to schedule  
18 appointments for you for both December 11th and December 16th, but you  
19 advised -- and you said here in open court -- you were, quote, not available for the  
20 December 11th date, and you provided no reason why you couldn't be seen on the  
21 16th. Instead you --

22 MR. BLANDINO: No, no, I was never told about the 16th, Judge. All I was  
23 told -- all I was told is that I had an appointment -- my recollection now is that I had  
24 an appointment for the 26th, and they told me over the phone -- I wish I'd recorded  
25 that darn thing, but I didn't --

1 THE COURT: Well, that would be another crime, so don't do that.

2 MR. BLANDINO: Yeah, but I -- if I would have law enforcement there  
3 because there's a potential crime in progress. Especially if you put me in jail, that  
4 will be a compounded crime. I said -- they said the 26th. They said, we'll call you  
5 later to schedule the one for Dr. Slagle. So at that point when I hung up the phone,  
6 I thought everything was fine and dandy.

7 The email that I showed you -- shows you - and it's not a cut and  
8 paste. It's just what's called a continuation where you got re's back and forth, and  
9 it says -- it says that, we can't -- we can't do anything for you by the 20th date.  
10 You're going to have to work this out with the courts. Do you see that?

11 Now, I was denied to present this information to Judge Bell last time  
12 -- just to make a record -- even though she had no business being in on the case.  
13 But because I'm being denied these rights, especially to make a record, it's very --  
14 very tough to do this.

15 THE COURT: Well, I do find that there was an attempt to have you go in  
16 on December 11th. I mean, we still have no reason as to why other than your  
17 representation that you were unavailable, but you don't have a reason --

18 MR. BLANDINO: No, no, no. See, you're -- you're --

19 THE COURT: -- why you were --

20 MR. BLANDINO: This is not a standard conversation where it's texts --

21 THE COURT: Mr. Blandino.

22 MR. BLANDINO: -- back and forth. I said --

23 THE COURT: Mr. Blandino.

24 MR. BLANDINO: I said --

25 THE COURT: Do you --

1 MR. BLANDINO: -- is the 26th good? And they said yes.

2 THE COURT: That was good because they had an availability, but to  
3 comply with Judge Marquis' order, it had to be before the 20th.

4 MR. BLANDINO: No, that's not true. Read the order. This matter is on --  
5 set for a calendar for a status check on December 20.

6 THE COURT: You're right.

7 MR. BLANDINO: So if I would've come in here --

8 THE COURT: Actually, it would've been before December 13th.

9 MR. BLANDINO: It doesn't say --

10 THE COURT: You didn't --

11 MR. BLANDINO: -- the evaluation had to be done by that day, Judge, and  
12 you have to know that it could very well -- I could've said, hey, look, I got an  
13 appointment with Judge Kapel or Kapel (phonetic) for the 26th and then with Judge  
14 Slagle on so and so forth, and whoever was sitting on the bench could've said,  
15 okay --

16 THE COURT: All right. Let me ask you --

17 MR. BLANDINO: -- that's fine.

18 THE COURT: -- Mr. Dickerson a question about that. Because the order  
19 actually does say, Mr. Dickerson, that he has to make evaluation appointments  
20 within seven days of the order.

21 MR. BLANDINO: Exactly. And I was in total compliance --

22 THE COURT: Mr. Blandino.

23 MR. BLANDINO: Yes.

24 MR. DICKERSON: So the -- I mean, the ruling from the bench was that he  
25 had to get the evaluation done within seven days and --



1 MR. BLANDINO: No, no, that's not true. It doesn't say that. I had to make  
2 an appointment.

3 THE COURT: Mr. Blandino.

4 MR. DICKERSON: That's -- that's in the -- those are the notes that I have,  
5 and that's what I'm showing.

6 MR. BLANDINO: Yeah, don't go by -- don't go by the judge's signature on  
7 a signed and filed order, go by his notes. Yeah, this is America? Help me.

8 MR. DICKERSON: Ultimately, it's -- it's quite clear exactly what Mr.  
9 Blandino was doing.

10 MR. BLANDINO: Denied.

11 MR. DICKERSON: He tried to push this out past the status check. He has  
12 no good reason that he's proffered to this Court as to why he couldn't attend any of  
13 the dates that were offered by the psychiatrists, especially considering that those  
14 were dates that were offered for both of the psychiatrists to be present during the  
15 evaluation.

16 MR. BLANDINO: No, they offered the 26th date, Judge. I took that 26th  
17 date, and they said --

18 THE COURT: I see -- I see that. I have a copy.

19 MR. DICKERSON: And the 26th -- and the 26th date was only for Dr.  
20 Kapel. Dr. Slagle never confirmed for the 26th date. So the Defendant never  
21 actually scheduled his psychiatric --

22 MR. BLANDINO: I tried to.

23 MR. DICKERSON: -- evaluation. He's required by statute to have two. So  
24 he didn't schedule those within the time required by this order or by the ruling from  
25 the bench. Either one, the Defendant's failed and violated this order.

1 MR. BLANDINO: No, that's not true. You're -- you're going to take a  
2 rule, a - this is -- this is absolutely wrong. I did that quicker than the seven days. I  
3 called up that very day; went down to their office that very day. She said she  
4 couldn't do anything until -- until she heard from her doctors.

5 When I called to make that appointment, as far as I knew the 26th  
6 date was fine and dandy. Everything was good. Got off the phone, and they  
7 said -- well, before I got off the phone, they said, we'll have Dr. Slagle make his  
8 appointment with you, and so it could've been before or after. If this order would've  
9 said -- Judge, if this order would've said, you, Mr. Blandino, shall have those  
10 appointments set before December 20, absolutely, my client, me, would've done  
11 so.

12 It says for a status check. I've seen over and over again where they  
13 do status checks and you go and you remand me like this District Attorney wants,  
14 you watch how I'm slow played through the system. Maybe a month, maybe a  
15 month and a half in custody before somebody comes to evaluate me. And will he  
16 be complaining about abusing the process? Absolutely not. This mental health  
17 system spends less than anyplace in the country. It's under a federal consent  
18 decree because of the numerous violations that they've done.

19 And I'll tell you what, I was going to do an emergency motion to the  
20 Nevada Supreme Court prior to this hearing anticipating that there might be some  
21 more lies here, and I said, no, we'll see what happens on this because they've still  
22 got the motion to disqualify.

23 You know, you really don't -- you can't sit on the bench, Judge.  
24 There's still an outstanding motion to disqualify. You have to know that. 1.230 and  
25 1.235 is very specific, until there's been a determination on the motion to disqualify,

1 the court can proceed no further, and that includes you.

2 THE COURT: Okay, Mr. Blandino. So I'm reviewing the transcript from the  
3 proceeding with Judge Marquis --

4 MR. BLANDINO: The transcript that I was paid for -- I paid for.

5 THE COURT: The transcript says specifically: "Make an appointment.  
6 You'll get an written order. That will be issued by 5 p.m. today. That will be filed  
7 into the case, and you will have access to it. I'm not going to grant the motion to  
8 remand; however, I'm going to see you back not next Friday, but the Friday after.  
9 And we better have these appointments made, and I want verification from the  
10 doctors that they were done.

11 "In addition to the requirement of your release, you are -- the  
12 following: You are not to have any contact with Talia Williams privately or in a  
13 professional contact. Your question will be part of the written order." Yes, thank  
14 you very much. I appreciate that. And then you were also ordered not to have any  
15 contact with Judge Leavitt or Judge Delaney. And then there were some back and  
16 forths because you continued to interrupt the judge.

17 Okay. So specifically then, the judge said you better have those  
18 appointments made, and I want verification from the doctors that they were done.  
19 So we're sitting here now on January 3rd --

20 MR. BLANDINO: Appointments made. That's king, Judge. If you'll point  
21 to that --

22 THE COURT: I agree.

23 MR. BLANDINO: -- the appointments were made. I made an appointment  
24 that they said was good till the 26th and I was supposed to get a call back.

25 THE COURT: Except they were supposed to be done by December 20th.

1 MR. BLANDINO: There's nothing on that order. I was required to do  
2 within seven days --

3 THE COURT: Within seven days.

4 MR. BLANDINO: -- which I did.

5 MR. DICKERSON: And there were supposed to be appointments with two  
6 doctors.

7 THE COURT: Correct.

8 MR. DICKERSON: And he knew the whole time that he only had one  
9 appointment.

10 THE COURT: Correct. So you can't do 50 percent of the work, Mr.  
11 Blandino, and then be surprised that the Court is going to have issue with the fact  
12 that not only did you not follow what Judge Marquis said and get those two  
13 appointments done, not just one --

14 MR. BLANDINO: They refused to do them. They said it was beyond the  
15 20th date, and I had no idea --

16 THE COURT: They said --

17 MR. BLANDINO: -- it was --

18 THE COURT: Mr. Blandino, stop interrupting me.

19 MR. BLANDINO: Okay.

20 THE COURT: They sent me information before me, and it appears they  
21 attempted to work with you not just on one occasion but two occasions, December  
22 11th and December 16th, both of which would've been before --

23 MR. BLANDINO: I thought it was the 16th.

24 THE COURT: December 11th and December 16th.

25 MR. BLANDINO: 16th.

1 THE COURT: Which is what -- which would've been before the  
2 December --

3 MR. BLANDINO: I never got a 16th date.

4 THE COURT: Mr. Blandino, let me finish talking.

5 MR. BLANDINO: Yeah.

6 THE COURT: Which would've been within not only the seven-day range  
7 that was discussed before Judge Marquis but well before the 20th date that was  
8 initially set for a status hearing where you would've followed the order, we better  
9 have those appointments made, and I want verification from the doctors that  
10 they're done, the appointments are done.

11 So what you did do is you did 50 percent of the way, and I do give  
12 you credit for that. You did attempt to make an appointment, and you got an  
13 appointment, of course, all that on your schedule. I still have no explanation or  
14 excuse as to why you did not go on December 11th of 2019, which would've been  
15 within the court's --

16 MR. BLANDINO: Because they gave me an appointment for the 26th.  
17 This was a -- they went back and forth where you're trying to reconcile schedules.  
18 The Court does this with the attorneys all the time when you're setting date. Oh,  
19 can we make it this? No, I got this, I got that. And they said 26th.

20 Why -- you can't sit there and say that I did half the work. I did the  
21 entire amount of work. I set the appointment the 26th. I thought everything's fine.  
22 It doesn't say in this order that the appointment has to be before -- before the 20th.  
23 And so they said they were going to call me back or Slagle was going to set up an  
24 appointment. Now, it may have been before the 26th or after the 26th. It's up to  
25 his schedule. But you -- I -- you're making it sound like I just purposely did 50

1 percent of the work, and I complied specifically with this order as written.

2 Now, if Judge Marquis, you know, wanted to do this and say, your  
3 appointments have to be set for December 20th, I would've done that. And I  
4 would've gone to the commission -- or the Nevada Supreme Court --

5 THE COURT: Mr. Blandino, you were here in open court when Judge  
6 Marquis told you those appointments had to be made; the verification had to be  
7 done. You received that order that said within seven days of that appointment, you  
8 had to have those appointments made. You didn't do that. You're relying --

9 MR. BLANDINO: Yes, I did.

10 THE COURT: -- on the December 26th date, but it was made -- that's well  
11 after the seven days.

12 MR. BLANDINO: You were twisting the facts here, Judge. You are clearly  
13 biased and in favor of the District Attorney here.

14 THE COURT: Okay.

15 MR. BLANDINO: I said bias. I -- I am going to file -- I'm going to have to  
16 file another motion to disqualify you.

17 THE COURT: Well, you're going to need to follow the court procedures for  
18 doing that --

19 MR. BLANDINO: But why do you want only half the work? There's a  
20 motion to disqualify. You can't do anything --

21 THE COURT: Will you lower your voice, Mister -- Mr. Blandino.

22 MR. BLANDINO: -- in this case.

23 THE COURT: Mr. Blandino, lower your voice.

24 MR. BLANDINO: You can't do anything in this case with an outstanding  
25 motion to disqualify.

1 THE COURT: I'm going to grant the State's request to remand Mr.  
2 Blandino to custody.

3 MR. BLANDINO: Ha, ha, yeah.

4 THE COURT: He'll be taken into custody at this time.

5 MR. BLANDINO: All right. Can I -- can I --

6 THE MARSHAL: No.

7 THE COURT: I am going to order that Mr. Blandino also be evaluated  
8 while he's in custody pursuant to the (indiscernible) --

9 MR. BLANDINO: Are you going to give a timeline for that, Judge?

10 THE COURT: It'll be with the -- in the normal course of a competency --

11 MR. BLANDINO: Oh, the normal course, which could be three months  
12 from now till I get evaluated. This is outrageous, Judge. I object to what you're  
13 doing. You're taking an evidentiary hearing based on hearsay --

14 MR. DICKERSON: I'm advised by the court staff --

15 MR. BLANDINO: -- and this is outrageous.

16 MR. DICKERSON: -- that it be three weeks -- within three weeks' time to  
17 be evaluated.

18 THE COURT: Thank you very much. I appreciate that.

19 MR. DICKERSON: Thank Your Honor.

20 THE COURT: All right. Is there anything further the State needs to put on  
21 the record? Mr. Dickerson, is there anything else you want to put on the record?

22 MR. DICKERSON: No, Your Honor. I think we just need another date. I  
23 apologize. Three weeks? Three weeks would be best if they are able to get those  
24 evaluations done.

25 THE COURT: All right.

1 THE CLERK: January 24th at 10 a.m.

2 THE COURT: All right. For the record, Mr. Blandino has been removed  
3 from the courtroom. His next court date will be January 24th, 2020. I do find that  
4 Mr. Blandino [indiscernible] to the Court's oral order back on December 6th of  
5 2019 where he ordered to get those appointments done and made and verified that  
6 they were taken of within seven days of that court order.

7 The evidence before the Court shows that he attempted to comply,  
8 but, again, he admitted in open court that he did not go to the December 11th date.  
9 He denies that he was ever contacted about the 16th. He provided no explanation  
10 or justification for missing the December 11th date and instead relied on a date of  
11 December 26th. While that was somewhat partial compliance, it certainly wasn't  
12 full compliance, and it is not the first time, as I understand, that Mr. Blandino has  
13 refused to go to the competency evaluations as ordered.

14 He was released from custody, and I do not find that he was under  
15 any pretrial punitive action or any other issue with pretrial release. He's standard  
16 to the subject -- he was subject to the standard release in pretrial detaining with  
17 conditions which are proper. Anything else we need to put on the record?

18 MR. DICKERSON: Nothing from the State. Thank you.

19 THE COURT: All right. Thank you very much. And for the record, I am  
20 adding the email and card that Mr. Blandino provided to the Court file.

21 MR. DICKERSON: And I would just ask if the email I provided the Court is  
22 added as a Court's exhibit, that the email and phone numbers be redacted.

23 THE COURT: Be redacted.

24 MR. DICKERSON: Yeah. Thank you.

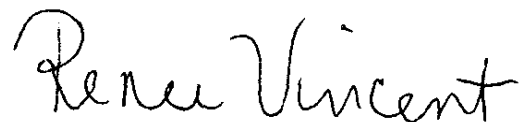
25 [Court and Clerk confer]



1 MR. DICKERSON: Thank you so much.

2 [Proceedings conclude at 10:46 a.m.]

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17 ATTEST: I do hereby certify that I have truly and correctly transcribed the  
18 audio-visual recording of the proceeding in the above entitled case to the  
19 best of my ability.

20 

21 \_\_\_\_\_  
22 Renee Vincent, Court Recorder/Transcriber  
23  
24  
25



1 RTRAN

2 DISTRICT COURT  
3 CLARK COUNTY, NEVADA  
4

5 STATE OF NEVADA,

6 Plaintiff,

7 vs.

8 KIM BLANDINO,  
9

10 Defendant.  
11

CASE NO. C-19-341767-1

DEPT. VII

12  
13 HEARD BY THE HONORABLE JOE HARDY, DISTRICT COURT JUDGE

14 Friday, January 24, 2019

15 **RECORDER'S TRANSCRIPT OF HEARING**  
16 **RE: COMPETENCY**

17 APPEARANCES:

18 For the State:

MICHAEL DICKERSON, ESQ.  
Deputy District Attorney

20 For the Defendant:

KIM BLANDINO, Pro Se

22 BENNAIR R. BATEMAN, ESQ.  
Standby Counsel

24  
25 RECORDED BY: RENEE VINCENT, COURT RECORDER

1 Friday, January 24, 2020 -- Las Vegas, Nevada

2 [Proceedings begin at 10:00 a.m.]

3  
4 THE CLERK: State of Nevada versus Kim Blandino, C341767.

5 MR. BLANDINO: Judge, I'm my own counsel. I'm appearing pro se for Kim  
6 Blandino. I've got ankle cuffs on, and I need to go to the table so I can access my  
7 paperwork. Would it be reasonable to take off these handcuffs so I can come to  
8 the table? And I've got standby counsel next to me. LaMon [sic] Walker could pick  
9 me up and crush me with one hand if anything happened. I guarantee it, nothing's  
10 going to happen.

11 MR. DICKERSON: Good morning, Your Honor. Mike Dickerson on behalf  
12 of the State, Bar Number 13476.

13 THE COURT: Good morning. Doctors Collins and Sussman were unable  
14 to make a determination --

15 MR. BLANDINO: Excuse me, Judge. I'd like to ruling on my request.

16 THE COURT: -- as to competency. Because Defendant refused to  
17 participate, Defendant will more than likely be sent to Lake's or Stein for further  
18 treatment and restoration pursuant to 178.415. Thus pursuant to 178.415, I am  
19 remanding Defendant to the custody of the Sheriff for transport for further  
20 observation and treatment. Thank you.

21 MR. BLANDINO: Do I need -- I don't get to make any kind of record here,  
22 Judge? This is outrageous. I've got a right to make a record.

23 CORRECTIONS OFFICER 1: You can go ahead and sit down, sir.

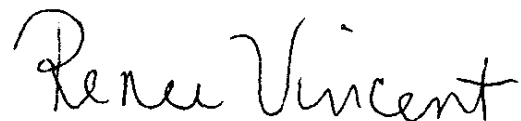
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1 That's it.

2 [Proceedings conclude at 10:01 a.m.]

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19 ATTEST: I do hereby certify that I have truly and correctly transcribed the  
20 audio-visual recording of the proceeding in the above entitled case to the  
21 best of my ability.

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Renee Vincent, Court Recorder/Transcriber

Felony/Gross Misdemeanor

COURT MINUTES

April 03, 2020

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C-19-341767-1      State of Nevada  
                                 vs  
                                 Kim Blandino

---

April 03, 2020      10:15 AM      Further Proceedings: Competency-Return From Lakes Crossing

HEARD BY:      Bell, Linda Marie      COURTROOM: RJC Lower Level Arraignment

COURT CLERK: Estala, Kimberly

RECORDER:      Vincent, Renee

REPORTER:

PARTIES PRESENT:

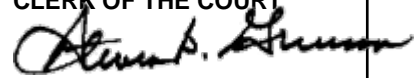
**JOURNAL ENTRIES**

Also present: Glen O'Brien, Deputy District Attorney, Ben Bateman Esq. Standby Counsel, and Denise Baker of the Specialty Courts. Defendant present.

COURT FINDS Defendant COMPETENT pursuant to the Dusky Standard as Defendant is capable of understanding the nature of the charges against him and is able to assist counsel in his defense and ORDERED, pursuant to 178.420, matter TRANSFERRED back to the originating court for further proceedings. COURT FURTHER ORDERED, Defendant's bond REINSTATED with the added condition of Medium Level Electronic Monitoring.

BOND/MID LEVEL EMP

05/05/20 8:30 AM FURTHER PROCEEDINGS: RETURN FROM COMPETENCY COURT  
DEPT. 12



**FOC**  
**STEVEN B. WOLFSON**  
Clark County District Attorney  
Nevada Bar #001565  
**CHRISTOPHER J. LALLI**  
Assistant District Attorney  
Nevada Bar #005398  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,  
  
Plaintiff,

-vs-

KIM DENNIS BLANDINO,  
#363075

Defendant.

CASE NO: C-19-341767-1

DEPT NO: VII

**FINDINGS OF COMPETENCY**

THIS MATTER having come on for hearing before the above-entitled Court on the 24th day of January, 2020, and it appearing to the Court that, pursuant to NRS 178.425(1), the Sheriff was ordered to convey the Defendant forthwith, together with a copy of the complaint, the commitment and the physicians' certificate, if any, into the custody of the Administrator of the Division of Public and Behavioral Health of the Department of Health and Human Services or his or her designee for detention or treatment at a secure facility operated by that Division or his designee; and, it appearing that, upon medical consultation, the Administrator or his or her designee has reported to the Court in writing his specific findings and opinion that the Defendant is of sufficient mentality to be able to understand the nature of the criminal charge against him and, by reason thereof, is able to assist his counsel in the defense interposed upon the trial or against the pronouncement of the judgment thereafter; now, therefore,

//

1 THE COURT FINDS, pursuant to NRS 178.460, that the said Defendant is competent  
2 to stand trial in the above-entitled matter; and,

3 IT IS HEREBY ORDERED that you, the Administrator of the Division of Public and  
4 Behavioral Health of the Department of Health and Human Services or his or her designee,  
5 shall provide forthwith to the Director of Mental Health of the Clark County Detention Center,  
6 true and complete copies of the Defendant's psychological evaluations, hospital course of  
7 treatment and discharge summary; and,

8 IT IS FURTHER ORDERED that you, the Sheriff of Clark County, Nevada, shall  
9 accept and retain custody of said Defendant in the Clark County Detention Center pending  
10 completion of proceedings in the above-captioned matter, or until the further Order of this  
11 Court.

12 DATED this 8 day April, 2020.

13   
14 JUDGE

15  
16 STEVEN B. WOLFSON  
17 District Attorney  
18 Nevada Bar #001565

19 BY /s/CHRISTOPHER J. LALLI  
20 CHRISTOPHER J. LALLI  
21 Assistant District Attorney  
22 Nevada Bar #005398  
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1 RTRAN

2 DISTRICT COURT  
3 CLARK COUNTY, NEVADA  
4

5 STATE OF NEVADA,

6 Plaintiff,

7 vs.

8 KIM BLANDINO,

9 Defendant.  
10  
11

CASE NO. C-19-341767-1

DEPT. VII

12  
13 BEFORE THE HONORABLE LINDA MARIE BELL  
14 CHIEF JUDGE OF THE DISTRICT COURT

15 FRIDAY, APRIL 3, 2020

16 **RECORDER'S TRANSCRIPT OF HEARING**  
17 **RE: COMPETENCY**

18 APPEARANCES:

19 For the State:

GLEN P. O'BRIEN, ESQ. (by video)  
Chief Deputy District Attorney

21 For the Defendant:

22 KIM BLANDINO, Pro Se  
23 BENNAIR R. BATEMAN, ESQ. (by video)  
Standby Counsel

24  
25 RECORDED BY: RENEE VINCENT, COURT RECORDER



1 Friday, April 3, 2020 -- Las Vegas, Nevada

2 [Proceedings begin at 10:43 a.m.]

3  
4 THE COURT: State of Nevada versus Kim Blandino, C341767.

5 CORRECTIONS OFFICER: Hey. Whoa, whoa, whoa.

6 THE COURT: All right. So --

7 [Pause]

8 CORRECTIONS OFFICER: Blandino, right here.

9 THE COURT: Mr. Blandino, I normally wouldn't hear your case, but I want  
10 to make sure that you get out of custody today, so --

11 MR. BLANDINO: I'm sorry, you want to make sure what?

12 THE COURT: That you are released from custody today because you  
13 were only remanded for the purpose of going to Lake's. Okay?

14 MR. BLANDINO: That's true.

15 THE COURT: So --

16 MR. BLANDINO: But I have not been able to confer with my standby  
17 counsel. How am I going to do that before this hearing?

18 THE COURT: Well, I mean, sir --

19 MR. BATEMAN: And, Judge, I am --

20 THE COURT: I'm sorry, sir --

21 MR. BATEMAN: Ben Bateman here, Your Honor. I am here as the  
22 standby counsel. I am appearing by video --

23 THE COURT: They found you competent, so my plan was to have you  
24 released today and give you a date in Department 12.

25 MR. BLANDINO: Am I going to -- going to let me make a record, though? I

1 wasn't able to make a record last time with Judge Hardy, and I need to make a  
2 record.

3 THE COURT: A record of what, sir? There's nothing else. I'm finding you  
4 competent and returning you to the original --

5 MR. BLANDINO: No, I -- no, I object. I want a continuance. I want to  
6 have a full-blown competency hearing. I want to subpoena witnesses and all that  
7 kind of thing.

8 THE COURT: Sir, the only thing that happens at a competency hearing is  
9 that we would find you incompetent or competent, and they found you competent,  
10 so --

11 MR. BLANDINO: Well, I -- I have a right under law to have my own  
12 evaluator because the thing is, there could be a --

13 THE COURT: Sir, are you saying that you're not competent?

14 MR. BLANDINO: No, I'm not saying that.

15 THE COURT: All right. So --

16 MR. BLANDINO: But I still have the right, and I do not have to waive  
17 rights --

18 THE COURT: All right. Pursuant to 178.420, I find you competent to  
19 proceed with adjudication based on the reports of Drs. Henson and Dr. Dillinger.  
20 This will return to District Court Department 12 and --

21 MR. BLANDINO: And I object.

22 THE COURT: Sir, were you on electronic monitoring?

23 MR. BLANDINO: I object.

24 THE COURT: Mr. Blandino, were you on electronic monitoring?

25 MR. BLANDINO: Yes, but I had -- I had July -- I --

1 THE COURT: What level of electronic monitoring?

2 MR. BLANDINO: My -- my house arrest officer said that I should be at  
3 lower medium. I served from 7-14 to January 3rd with no incidents or anything.  
4 That's almost six months with no incidents or anything, and so there's no way --  
5 and, besides, it puts people at risk with this covid virus, if he's got to come into the  
6 house with a 94-year-old World War II vet. This is some of the things I need to  
7 make a record of.

8 THE COURT: Mr. O'Brien, do you have any objection to mid --

9 MR. O'BRIEN: I'm looking, Your Honor.

10 THE COURT: I am not really concerned about --

11 MR. BLANDINO: But I have -- you know that I want to come to court every  
12 single time. There's no way that I am not going to show, and there is no danger-to-  
13 community issue, so, therefore, there should be no electronic monitoring  
14 whatsoever, nonetheless, a punitive house arrest, which was what I was on before.  
15 I've already been punished, Judge --

16 THE COURT: All right. I'm going to release Mr. Blandino --

17 MR. O'BRIEN: I --

18 THE COURT: Yeah.

19 MR. O'BRIEN: I show house arrest. I don't show what level he was on.

20 THE COURT: I'm -- I'm guessing it was high based on the circumstances,  
21 but I'm going to release him on mid. I don't anticipate that there will be a problem.

22 MR. BLANDINO: Can I -- now, that's four days in the past -- four to six  
23 days before I get out on house arrest. Can I be ordered to be released  
24 immediately, Judge? I'll report to house arrest.

25 THE COURT: A return date.

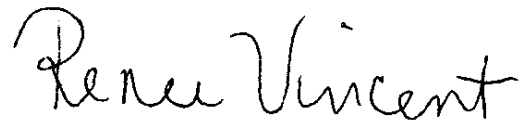
1 THE CLERK: The return date is May 5th at 8:30 a.m. in Department 12.

2 MR. BLANDINO: Can I be ordered released immediately by all means  
3 necessary? It's going to be four or six days --

4 THE COURT: All right.

5 [Proceedings conclude at 10:47 a.m.]  
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17 ATTEST: I do hereby certify that I have truly and correctly transcribed the  
18 audio-visual recording of the proceeding in the above entitled case to the  
19 best of my ability.

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Renee Vincent, Court Recorder/Transcriber  
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DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

KIM DENNIS BLANDINO,

Defendant.

CASE NO. C-19-341767-1

DEPT. NO. XII

BEFORE THE HONORABLE MICHELLE LEAVITT, DISTRICT COURT JUDGE

TUESDAY, OCTOBER 6, 2020

**RECORDER'S TRANSCRIPT OF PROCEEDINGS  
CALENDAR CALL**

APPEARANCES:

For the State:

AUSTIN C. BEAUMONT  
Deputy District Attorney

For the Defendant:

BENNAIR R. BATEMAN  
Stand-by Counsel

RECORDED BY: SAR RICHARDSON, COURT RECORDER

1 LAS VEGAS, NEVADA, TUESDAY, OCTOBER 6, 2020, 10:45 A.M.

2 \* \* \* \* \*

3 THE COURT: State versus Blandino, C341767.

4 THE MARSHAL: I can represent to you that Mr. Blandino showed up out front  
5 this morning, wouldn't wear a mask.

6 THE COURT: Okay.

7 THE MARSHAL: So they wouldn't let him in the building.

8 THE COURT: All right. It's my understanding he thinks he may have been  
9 exposed? I mean, I heard that at some point this morning, but he's not present.

10 MR. BATEMAN: Yeah, I don't -- no, I did speak to him, yes, outside the  
11 courthouse.

12 THE COURT: Okay.

13 MR. BATEMAN: And, yes, he --

14 THE COURT: I just, again, want to make sure it's abundantly clear, if he does  
15 not want to wear the mask in the courthouse, he is free to appear via BlueJeans like  
16 a lot of people do, including lawyers. So I just want to make sure he understands  
17 that and that he's -- he's welcome to be here. But he doesn't get to dictate the rules.

18 MR. BEAUMONT: And in light of that, Your Honor, due to this specific  
19 defendant's failure to show up for the reasons that he refuses to wear a mask in the  
20 courthouse and yet also refuses to show up via BlueJeans, we would request a  
21 bench warrant.

22 THE COURT: I don't know. I mean, we -- it's on for calendar call, we can't  
23 even go forward with trial. So what I'm going to do, I'm going to ask you to convey  
24 to your client that the State is asking for a bench warrant, you know, I'm not inclined  
25 to grant it today. But if he does continue to refuse to appear at these court

1 appearances, I would probably consider that remedy. So, the trial date --

2 MR. BATEMAN: Yes, I'll convey that. And he did want me to -- I believe  
3 there is some outstanding discovery issues still that he hasn't received -- he hasn't  
4 received all the discovery. And I know he is, again, he does have the religious and I  
5 believe a medical exemption or exception is, you know, his position on not wearing  
6 the mask.

7 THE COURT: Sure, then appear by BlueJeans.

8 MR. BATEMAN: So --

9 MR. BEAUMONT: And that is what we are requesting.

10 THE COURT: All right. I mean, there's many people -- I have even appeared  
11 via BlueJeans, so.

12 MR. BATEMAN: Understood. I'll convey that to him, Judge.

13 THE COURT: Okay. And so we're just going to vacate the trial date, and I'm  
14 assuming he wants to stay in his invoked status?

15 MR. BATEMAN: That is my understanding, yes, I would --

16 THE COURT: Okay.

17 MR. BATEMAN: -- absent any other instructions from him.

18 THE COURT: Okay. Do you know what specific discovery he believes he's  
19 missing because --

20 MR. BATEMAN: It's from his -- his hard drives that were taken and -- that I  
21 believe when the officers -- I don't know if they served a search warrant, whatever,  
22 but they took his -- his computers and his computer hard drives and the contents of  
23 those is what he is asking, if not for the -- certainly the content, I'm sure he probably  
24 wants the hard drives themselves, but to the extent that they're not available, the  
25 contents on them.

1 THE COURT: Okay. And you'll pass that on to Mr. Dickerson?

2 MR. BEAUMONT: I will, Your Honor.

3 THE COURT: Okay. So we'll reset the trial date.

4 THE CLERK: Calendar call is going to be November 24<sup>th</sup> at either 8:30 a.m.  
5 or 10:15 a.m., depending on the pandemic; jury trial, November 30<sup>th</sup>, 10:30.

6 THE COURT: Thank you, counsel. Thank you for appearing.

7 MR. BATEMAN: All right. Thank you..

8 PROCEEDING CONCLUDED AT 10:48 A.M.

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22 ATTEST: I do hereby certify that I have truly and correctly transcribed the audio-  
23 video recording of this proceeding in the above-entitled case.

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SARA RICHARDSON  
Court Recorder/Transcriber





DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

KIM DENNIS BLANDINO,

Defendant.

CASE NO. C-19-341767-1

DEPT. NO. XII

BEFORE THE HONORABLE MICHELLE LEAVITT, DISTRICT COURT JUDGE

TUESDAY, MARCH 16, 2021

**RECORDER'S TRANSCRIPT OF PROCEEDINGS  
STATE'S NOTICE OF MOTION AND MOTION TO REMAND THE DEFENDANT  
AND/OR ORDER ADDITIONAL CONDITIONS OF RELEASE**

APPEARANCES:

For the State:

MICHAEL DICKERSON  
Chief Deputy District Attorney  
*via teleconference*

For the Defendant:

Pro Se  
*via teleconference*

BENNAIR R. BATEMAN  
Stand-by Counsel  
*via teleconference*

RECORDED BY: SAR RICHARDSON, COURT RECORDER

1 LAS VEGAS, NEVADA, TUESDAY, MARCH 16, 2021, 1:43 P.M.

2 \* \* \* \* \*

3 THE COURT: State of Nevada versus Blandino, case C341767. Who's here  
4 for the State?

5 MR. DICKERSON: Mike Dickerson on behalf of the State, Your Honor.

6 THE COURT: Thank you, Mr. Dickerson.

7 Mr. Blandino, will you please state your full name.

8 THE DEFENDANT: I'm Kim Blandino. I'm appearing pro se only by special  
9 appearance. I have Chris Cave next to me. He's a witness and assisting me at  
10 counsel, Ben Bateman, I don't know where he is. He -- oh, I'm in Ben Bateman's  
11 office.

12 MR. BATEMAN: Yes.

13 THE DEFENDANT: I don't know this technology stuff.

14 THE COURT: Okay.

15 THE DEFENDANT: So therefore I'm using Ben Bateman's --

16 THE COURT: Okay. All right.

17 THE DEFENDANT: -- technology here --

18 THE COURT: Perfect.

19 THE DEFENDANT: -- in his office.

20 THE COURT: Thank you.

21 And then, Mr. Bateman, will you make your appearance?

22 MR. BATEMAN: Yes. Yes, good afternoon, Your Honor. Ben Bateman, bar  
23 number 9338. I'm stand-by counsel for Mr. Blandino.

24 THE COURT: Okay. This --

25 MR. BATEMAN: Ironically I'm at the R.J.C.

1 THE COURT: And he's at your office? Okay. But the record will reflect --  
2 MR. BATEMAN: Yes, I've got a sentencing in Department 18 I'm waiting on.  
3 THE COURT: Yeah. Mr. Blandino did appear today via BlueJeans. I know  
4 the State has this motion on regarding bail conditions.  
5 THE DEFENDANT: I need to interject, Judge.  
6 THE COURT: No, you don't.  
7 THE DEFENDANT: I'm sorry. But there's a motion to disqualify.  
8 THE COURT: No, stop talking.  
9 Mute him.  
10 THE DEFENDANT: There is a motion to disqualify you. You have no  
11 business sitting on the bench.  
12 THE DEFENDANT: Just mute him.  
13 THE MARSHAL: Blandino, stop.  
14 THE DEFENDANT: Unless you plan to --  
15 THE MARSHAL: Mr. Blandino, stop talking.  
16 THE DEFENDANT: Who's saying "stop talking"?  
17 THE COURT: Everybody is.  
18 THE MARSHAL: The Court is telling you to stop talking. She is trying to talk  
19 to you so let the Judge speak.  
20 THE COURT: Okay. I know that the State has filed their motion. The State  
21 filed their motion -- the State filed their motion on March 8<sup>th</sup> and then, you know, the  
22 State filed their motion and then a couple days later Mr. Blandino filed a motion to  
23 disqualify and so, therefore, I'm going to vacate today, and I will put it back on for  
24 after April 15<sup>th</sup>. He's also filed --  
25 THE DEFENDANT: [Indiscernible] record being made. I need to make a

1 record.

2 THE COURT: -- a motion to disqualify Judge Bell.

3 THE DEFENDANT: Judge, I need to -- I need --

4 THE COURT: I don't know why he's even talking. Let's just go, a date after  
5 April 15<sup>th</sup>.

6 THE CLERK: Okay. That continuance is going to be April 21<sup>st</sup> or, I'm sorry,  
7 it'll be April 22<sup>nd</sup> at 12:30.

8 THE DEFENDANT: I can't hear that. Can you speak louder?

9 THE CLERK: The continued date --

10 THE DEFENDANT: April what?

11 THE CLERK: -- for the State's motion is going to be April 22<sup>nd</sup> at 12:30.  
12 Okay. Page --

13 THE DEFENDANT: Is that April 22<sup>nd</sup> at 12:30?

14 THE COURT: That's correct. Thank you. See you then.

15 THE DEFENDANT: I can't make any record here?

16 THE CLERK: Page 13.

17 THE MARSHAL: We're done with your case, Mr. Blandino. Have a good day.

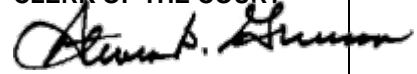
18 PROCEEDING CONCLUDED AT 1:45 P.M.

19 \* \* \* \* \*

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22 ATTEST: I do hereby certify that I have truly and correctly transcribed the audio-  
23 video recording of this proceeding in the above-entitled case.

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25 SARA RICHARDSON  
Court Recorder/Transcriber



DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

KIM DENNIS BLANDINO,

Defendant.

CASE NO. C-19-341767-1

DEPT. NO. XII

BEFORE THE HONORABLE MICHELLE LEAVITT, DISTRICT COURT JUDGE

THURSDAY, APRIL 29, 2021

**RECORDER'S TRANSCRIPT OF PROCEEDINGS  
STATE'S NOTICE OF MOTION AND MOTION TO REVOKE DEFENDANT'S  
SELF-REPRESENTATION AND APPOINT COUNSEL; STATE'S NOTICE OF  
MOTION AND MOTION TO REMAND THE DEFENDANT AND/OR ORDER  
ADDITIONAL CONDITIONS OF RELEASE; AND  
STATUS CHECK: TRIAL READINESS**

APPEARANCES:

For the State:

MICHAEL DICKERSON  
Chief Deputy District Attorney  
*via teleconference*

For the Defendant:

Pro Se  
*via teleconference*

BENNAIR R. BATEMAN  
Stand-by Counsel  
*via teleconference*

RECORDED BY: SAR RICHARDSON, COURT RECORDER

1 LAS VEGAS, NEVADA, THURSDAY, APRIL 29, 2021, 1:21 P.M.

2 \* \* \* \* \*

3 THE COURT: Okay. Page 7, State of Nevada versus Blandino, case  
4 C341767. Who's here for the State?

5 MR. DICKERSON: Mike Dickerson on behalf of the State, Your Honor.

6 THE COURT: Okay. Is stand-by counsel present?

7 THE DEFENDANT: Kim Blandino appearing [indiscernible] open and it's right  
8 [indiscernible]. Can you see me, Judge?

9 MR. BATEMAN: [Indiscernible] stand-by counsel.

10 THE COURT: Okay. Thank you. At this time I'm just going to take the  
11 matter off calendar. When the issue gets resolved we will place the State's motion  
12 back on.

13 THE DEFENDANT: I'm just wondering, Judge, I have an objection. Why  
14 didn't you do this and not have to have this hearing? You knew it was on motion to  
15 qualify. I find this --

16 THE COURT: Thank you. Thank you. We're done.

17 MR. DICKERSON: Thank you, Your Honor.

18 THE COURT: It's off calendar.

19 MR. DICKERSON: I appreciate that. Have a good day.

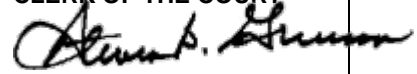
20 THE COURT: Thank you. Everybody have a good day.

21 PROCEEDING CONCLUDED AT 1:22 P.M.

22 ATTEST: I do hereby certify that I have truly and correctly transcribed the audio-  
23 video recording of this proceeding in the above-entitled case.

24 

25 SARA RICHARDSON  
Court Recorder/Transcriber



DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

KIM DENNIS BLANDINO,

Defendant.

CASE NO. C-19-341767-1

DEPT. NO. XII

BEFORE THE HONORABLE MICHELLE LEAVITT, DISTRICT COURT JUDGE

TUESDAY, AUGUST 24, 2021

**RECORDER'S TRANSCRIPT OF PROCEEDINGS**  
ALL PENDING MOTIONS

APPEARANCES:

For the State:

MICHAEL DICKERSON  
Chief Deputy District Attorney  
*via teleconference*

For the Defendant:

Pro Se  
*via teleconference*

BENNAIR R. BATEMAN  
Stand-by Counsel  
*via teleconference*

RECORDED BY: SAR RICHARDSON, COURT RECORDER

1 LAS VEGAS, NEVADA, TUESDAY, AUGUST 24, 2021, 2:49 P.M.

2 \* \* \* \* \*

3 THE COURT: Okay. State of -- State of Nevada versus Kim Blandino, case  
4 C341767.

5 Who is here on behalf of the State of Nevada?

6 MR. DICKERSON: Mike Dickerson on behalf of the State of Nevada,  
7 Your Honor, bar number 134767.

8 THE COURT: Thank you.

9 Mr. Blandino, would you like to make your appearance?

10 THE CLERK: He's muted.

11 THE COURT: You need to take your microphone off mute.

12 THE DEFENDANT: Okay. How's that?

13 THE COURT: Perfect. Go ahead. You can make your appearance.

14 THE DEFENDANT: Can you hear -- Kim Blandino appearing pro se by  
15 BlueJeans. They won't let me in the courthouse without a mask and so I can't --  
16 won't wear a mask and that's why I'm appearing here of necessity.

17 THE COURT: Okay. Thank you. Thank you.

18 And, Mr. Bateman, do you want to make your appearance?

19 MR. BATEMAN: Yes, good afternoon, Your Honor, Ben Bateman, bar  
20 number 9333, and I'm stand-by counsel for Mr. Blandino.

21 THE COURT: Okay. Thank you very much, and thank you very much for  
22 both sides --

23 THE DEFENDANT: After I [indiscernible] with that, there is -- there is no way  
24 you can proceed forward. Tierra Jones has an unadjudicated motion to disqualify  
25 against her.



1 THE COURT: Okay.

2 THE DEFENDANT: It was filed --

3 THE COURT: Mr. Blandino ---

4 THE DEFENDANT: -- the twenty --

5 THE COURT: -- I am going to proceed. And if you interrupt me then I'm  
6 going to have the clerk mute your microphone. Okay?

7 THE DEFENDANT: I object to you --

8 THE COURT: I am going to proceed. You can object. I understand you  
9 object to me proceeding over this. I got it and the record will reflect that.

10 So the first motion --

11 THE DEFENDANT: Okay.

12 THE COURT: -- the State's motion to remand the defendant or order  
13 additional conditions of release, Mr. Dickerson, do you want to be heard?

14 MR. DICKERSON: Yes, Your Honor. Thank you.

15 So this motion was placed on calendar back in February of 2021 based  
16 upon the defendant sending the State a --

17 THE COURT: You mean 2020?

18 MR. DICKERSON: '20, I'm sorry, yeah, 2020.

19 -- the State sending --

20 THE COURT: Yeah, because it's been -- it's been about a year and a half.

21 MR. DICKERSON: That's correct.

22 -- the State sending the -- the defendant sending the State a letter  
23 indicating extremely concerning things about him going to the named victim's home  
24 as well as Municipal Court --

25 THE DEFENDANT: I kept within a discreet distance, not [indiscernible] --

1 MR. DICKERSON: Okay. Mr. Blandino, you can speak after me  
2 [indiscernible].

3 THE COURT: Okay. Please do not interrupt the district attorney. If you  
4 proceed on interrupting people when they're talking, again, I will mute your  
5 microphone.

6 Mr. Dickerson, you may proceed.

7 MR. DICKERSON: Thank you, Your Honor.

8 The defendant sending this letter to us indicating he's going to visit the  
9 named victim's home, as well as another judge's home, and pretty much indicating  
10 in there that, hey, guess what, looks like I'm no longer on high level electronic  
11 monitoring, so I can do what I want and the condition of no contact does not apply. I  
12 would suggest that since it has been such a long time, without a doubt, the Court  
13 should, at the very least, make sure that it is clear that the condition of having no  
14 contact with the named victim, and I would also submit as well as any other sitting  
15 judge or pro tem judge in Clark County since obviously that's the basis of what he's  
16 indicating here, during the time of his release on this case. That would be at a  
17 minimum.

18 THE COURT: Okay. And so I know that the initial no contact order was as to  
19 Mr. Federico; is that correct?

20 MR. DICKERSON: That's correct, Your Honor.

21 THE COURT: And then I thought there was another judge that, I guess,  
22 presided over a T.P.O. hearing and that judge was a temporary judge as well?

23 MR. DICKERSON: The -- Shannon Nordstrom is a judge that the defendant  
24 has become fixated on over the years and that's who he was indicating within the  
25 letter that he was going to also go to her house to conduct some sort surveillance

1 upon her residence.

2 THE COURT: Okay. All right. So the State is seeking to just make sure that  
3 he understands those conditions?

4 MR. DICKERSON: Yes, Your Honor.

5 THE COURT: Okay. Mr. Blandino, do you want to be heard?

6 THE DEFENDANT: Okay. Again, I'm going to renew my objection. I'm only  
7 speaking -- you don't have the capacity to move forward, but since you're forcing me  
8 to move forward and I've got to defend myself against illegal acts, namely, you  
9 sitting on here --

10 THE COURT: Okay.

11 THE DEFENDANT: -- when there's an un [indiscernible] motion --

12 THE COURT: Listen, Mr. Blandino, I'm not going to -- I'm not going to go  
13 through this every time you have an opportunity to talk. You're -- you filed about  
14 four --

15 THE DEFENDANT: Well, here -- to his --

16 THE COURT: -- motions to disqualify, each and every one of them have been  
17 denied. I have jurisdiction and we're going to proceed. So if you want to talk about  
18 this specific issue, you may.

19 THE DEFENDANT: Okay. I'm --

20 THE COURT: Go ahead.

21 THE DEFENDANT: I'm going to have to because they're trying to do  
22 something illegal here. And they're lying to -- again on the record. I said that I  
23 would be -- maintain a discreet distance to view that home, which would be any  
24 discreet distance that would normally be in a -- in a temporary restraining order or a  
25 protective order. The thing is is that it was subsequent to filing a suit which I have

1 now filed. The Court can take judicial notice, I filed a federal suit against  
2 Michael Federico for abuse of process. I have a responsibility filing a suit to  
3 investigate, you know, to see if there's anything regarding that.

4 But in absolute truth, and I state this under penalty of perjury, I have not  
5 visited Federico's home, I've not been to Nordstrom's, in light -- the reason I sent  
6 this -- and it's not really a trial balloon, but this notice to Mr. Dickerson and to the  
7 other parties in that note was to see if there was any fuss made about it and as --  
8 and I've got the ankle bracelet to prove it. I haven't been anywhere near those  
9 persons.

10 THE COURT: Okay.

11 THE DEFENDANT: And the Court doesn't have to make any conditions, I just  
12 say, I'm not going to do that until that's resolved.

13 THE COURT: Okay

14 THE DEFENDANT: But --

15 THE COURT: I appreciate that.

16 THE DEFENDANT: But the point has to be made that Judge Bell, when I got  
17 back from L.C.C., over my objections, against my will, I said that you can't really  
18 do -- you're a competency court judge and you can't really do conditions of custody.  
19 But she nonetheless said -- dropped it from -- she knew it was high level before, she  
20 said I don't think that's necessary, she put it on medium and she didn't set any other  
21 conditions. I double-checked that with my house arrest officer, Daniel Webb, and he  
22 said, Kim, there's no conditions on you whatsoever. And I said, well, I'll still let you  
23 know when I'm going to a sensitive area like to the municipal court or whatever  
24 because at municipal court I could run into these people, Federico or  
25 Shannon Nordstrom.

1 I object to Mr. Dickerson's characterization that I'm -- I don't know how  
2 he put it, he didn't say obsessed with Shannon Nordstrom. I've got to file -- and my  
3 statute of limitations is running off on that. Both of these people, Federico and  
4 Nordstrom, filed frivolous temporary protective order requests with the justice court  
5 and they were denied outright. We did have a little hearing on Shannon Nordstrom  
6 and with Jansen on the Federico one, he did that. So they've abused process.  
7 Federico, their complaining witness, lied and perjured himself. And as a matter of  
8 fact, Dickerson and Melanie Marland were --

9 THE COURT: Okay. Again, I don't think that any of this is relevant. So I'm  
10 going to stop you right there.

11 I am going to deny the State's motion to remand you. I'm going to allow  
12 you to stay on house arrest. However, I disagree that there were no special  
13 conditions. At no time was that no contact order lifted. So I just want to make sure  
14 you understand, you are to have no contact with Mr. Federico and/or  
15 Ms. Shannon Nordstrom. Do you understand that?

16 THE DEFENDANT: Federico.

17 THE COURT: I'm ---

18 THE DEFENDANT: Yeah, it's Federico. There's no first R in there. It's not  
19 Frederico. It's Federico.

20 THE COURT: Okay. Thank you very much. Thank you for correcting me.  
21 Federico.

22 Okay. And so, Mr. Dickerson, you can prepare the order on that.

23 And then now there's a --

24 THE DEFENDANT: So am I [indiscernible] --

25 THE COURT: -- there's a --

1 THE DEFENDANT: It's just a stay-away from Federico and Nordstrom, right?

2 THE COURT: That is correct.

3 THE DEFENDANT: Okay.

4 THE COURT: That is correct. I do not believe that the no contact order was  
5 ever lifted.

6 So, Mr. Dickerson, I think the next motion, let's see, the State's motion  
7 regarding his self-representation.

8 MR. DICKERSON: That's correct, Your Honor.

9 As you'll recall, this motion was originally filed back in November of  
10 2020 and at that point in time it was heard, the Court in December -- December 17<sup>th</sup>  
11 of 2020, essentially held the motion in abeyance and indicated that you weren't  
12 going to grant it at that time, you were going to wait and assess how the defendant  
13 behaved going forward in this case.

14 The State has, since that time, filed three supplements to that motion  
15 detailing every time the conduct that the defendant has shown throughout the  
16 course of this particular case and outside of this case as well. That includes what  
17 we've previously been discussing of the letter that he sent to the State indicating  
18 that he's going to go conduct this covert surveillance upon the victim and  
19 Municipal Court Judge Nordstrom.

20 In addition to that, after that January 2021 letter, we have a series of  
21 motions to disqualify that have been filed that begins March 8<sup>th</sup>, 2021, that is what  
22 I've called in my moving papers the third motion to disqualify or the fifth motion to  
23 disqualify; April 14<sup>th</sup>, 2021, the sixth motion to disqualify; April 22<sup>nd</sup>, 2021, the  
24 seventh motion to disqualify; May 6<sup>th</sup>, 2021, the eighth motion to disqualify;  
25 May 18<sup>th</sup>, 2021, e-mail to your court staff that was extremely disparaging;

1 August 10<sup>th</sup>, 2021, Judge Wilson issued his order denying the -- what he termed the  
2 third motion to disqualify against you, Your Honor. He also indicated within his order  
3 that all of these motions that the defendant had been filing were, in fact, illegitimate  
4 and they were only filed to gain a tactical advantage.

5 This in -- goes on to my analysis of the abuse of process that the  
6 defendant has continued to show during this time that this State's motion to revoke  
7 his right to self-representation has been held in abeyance and so we filed this third  
8 supplement to the motion to revoke his right to self-representation. We filed that on  
9 August 13<sup>th</sup>, 2020. In there you see that I've also indicated under *Indiana v.*  
10 *Edwards*, the extreme concerns that we see as far as the defendant's diagnosis of  
11 having a personality disorder, specifically a personality disorder that includes  
12 obsessive schizotypal and prominent narcissistic traits looking to the Mayo Clinic's  
13 definition of what that entails, we all get an idea of exactly what is going on here and  
14 what the problem is.

15 You see that a personality disorder is a rigid and unhealthy pattern of  
16 thinking and then from there, getting into the typology of his personality disorder, we  
17 see exactly why he continues down this path of the abuse of process and refusing to  
18 acknowledge orders of the court, specifically, the order of Judge Wilson which has  
19 already indicated that his filings were illegitimate because his response thereto is  
20 then the next -- in the next days, August 18<sup>th</sup>, 2021, he then files his ninth and tenth  
21 motions to disqualify, including a motion to disqualify all of the district court judges in  
22 the Eighth Judicial District, which was specifically referenced by Judge Wilson in his  
23 order as being one of the bases for him to determining that these were illegitimate  
24 motions that he was filing.

25 And then to go further, a few days after that, August 23<sup>rd</sup>, 2021, as of

1 yesterday, he's now filed his 11<sup>th</sup> motion to disqualify. This is a continuing abuse of  
2 process that the defendant is going to continue down. We are in a position right  
3 now where it has become clear, it's become clear under *Faretta*, that the plain terms  
4 of the U.S. Supreme Court's seminal decision on self-representation provides that  
5 this does not provide a right to abuse the dignity of the courtroom, it does not  
6 provide a right to avoid compliance with the relevant rules of procedural and  
7 substantive law, and it does not provide a right to engage in serious obstructionist  
8 misconduct, which is exactly what the defendant is doing.

9           And case in point, when we started off this hearing today, the  
10 defendant, after the Court having issued minute orders denying his motions to  
11 disqualify, begins this proceeding today by saying, Your Honor, you do not have  
12 jurisdiction to hear this case, we cannot proceed today because it evidences exactly  
13 what he has been doing. These are his obstructionist misconduct to delay this case  
14 and file these motions only for a tactical advantage to achieve that delay.

15           Based upon that, I think he's left this Court in -- with no other option but  
16 to revoke his right to self-representation because he continues to abuse the process  
17 and it's clear that he's going to continue from this point forward.

18           THE COURT: Okay. Are you done, Mr. Dickerson?

19           MR. DICKERSON: I am, Your Honor.

20           THE COURT: Okay. Mr. Blandino.

21           THE DEFENDANT: Okay, well, he's lying through his teeth again. Really  
22 unfortunate that he violates his own code of --

23           THE COURT: Okay, Mr. Blandino, I am not going to permit you to call the  
24 attorneys or anyone a liar.

25           THE DEFENDANT: Okay.



1 THE DEFENDANT: I just want to hear what you want to say in opposition.  
2 Do not make disparaging remarks --

3 THE DEFENDANT: Would you --

4 THE COURT: -- about the district attorney or anyone else involved. It's not  
5 appropriate.

6 THE DEFENDANT: Well, would you prefer the term "of candor"; is that  
7 appropriate?

8 THE COURT: No. I don't want you to say anything to the district attorney. I  
9 want you to oppose the motion.

10 THE DEFENDANT: In fact, Judge Wilson did not say I did -- he said he was  
11 concerned that he -- concerned that Mr. Blandino thing and he used the term  
12 "concerned" to gain a tactical advantage.

13 THE COURT: Okay.

14 THE DEFENDANT: Or to delay the --

15 But the thing is, Mr. Dickerson misleads the Court when it says ten  
16 motions to disqualify. It's -- this is part -- one of the main factors into which I went  
17 into to investigating judicial corruption and misconduct, especially in the  
18 Eighth Judicial District Court. The court does not want to follow N.R.S. 1.235. They  
19 want to make the law up as they go. All the -- for decades now, they -- they don't  
20 follow -- when the motion to disqualify is filed, only a challenge can be brought within  
21 five days. If the judge decides that they're not going to challenge the motion to  
22 disqualify, it is their obligation to immediately transfer the case. And so -- and then  
23 the thing is, if they do file a challenge, it's supposed to be by a party -- heard by a  
24 party agreed upon by the parties and if they're not to -- care to come to an  
25 agreement, then by a judge appointed.

1 But the Eighth Judicial District trying to become its own legislature, in  
2 essence says, no, we're going to have the Chief Judge hear all of these motions to  
3 disqualify. So it's been Judge Bell now, the current Chief Judge --

4 THE COURT: Okay. Do you have anything that -- Mr. Blandino --

5 THE DEFENDANT: -- before that it was Judge --

6 THE COURT: -- do you have anything that you want to say in response to the  
7 State's motion? They're asking me to revoke your self-representation.

8 THE DEFENDANT: Well, I -- every one of these motions to disqualify have  
9 been based on facts and evidence that Kim has that he cannot have a fair trial by  
10 any Eighth Judicial District Court judges. This judge can -- as you can take judicial  
11 notice of in the *Marlon Brown* case, I am going to have to call multiple judges as  
12 witnesses. And in the *Marlon Brown* case --

13 THE COURT: Okay. That has nothing to do with this case. If you don't want  
14 to talk about this particular motion, I will just rule on the pleadings.

15 THE DEFENDANT: Well --

16 THE COURT: But it is very clear to me that, you know, you do not want to  
17 follow the rules. You don't want to follow the rules. And you continually, you know,  
18 do this obstructionist behavior and try to impede and obstruct the State from moving  
19 forward. You were able to obstruct the State from being heard on their motion to  
20 remand you for over a year based on these motions to disqualify. It's not right.

21 THE DEFENDANT: Sure. But --

22 THE COURT: If you don't want to follow the rules, I'm going to revoke your  
23 self-representation. I want to make sure you understand, self-representation is not  
24 absolute. If you do not comply with the rules, I will revoke your self-representation.  
25 You will be appointed an attorney and your attorney will litigate this case, not you.

1 Do you understand that?

2 THE DEFENDANT: Well, I'd like you to point out to me, Judge --

3 THE COURT: Do you understand that?

4 THE DEFENDANT: What rule did I not follow? I don't know -- I'm the one  
5 that followed N.R.S. 1.230, 1.235. And at no time did Judge Wilson state that my  
6 motions to disqualify were frivolous. He said it was to gain a tactical --

7 THE COURT: Okay. They are -- they are -- they are not made in good faith.  
8 I believe that you filed these last motions to disqualify to prevent the  
9 State of Nevada from having their motions heard. And you were successful in  
10 preventing them from having their motions heard. And then when it gets back on  
11 calendar, even though your motion has been denied, you simply file another one.  
12 You know --

13 THE DEFENDANT: Judge --

14 THE COURT: -- I don't understand what you're trying to do. Don't you want  
15 to --

16 THE DEFENDANT: This is --

17 THE COURT: -- proceed and get this over with?

18 THE DEFENDANT: Judge, Judge --

19 THE COURT: I mean, don't you want to get this over with?

20 THE DEFENDANT: Judge Tierra Jones has an unadjudicated motion to  
21 disqualify. She cannot jump in front of Judge Wilson. Judge Wilson did not dismiss  
22 that motion to disqualify with prejudice. And so I had made the natural -- he said I  
23 did not -- I didn't have specific facts in there. So I had to presume that the denial  
24 and the dismissal was without prejudice and that's why I filed an amended motion  
25 with additional facts with exhibits. It's 1300-and-some-odd pages.

1 THE COURT: All right. All right. Mr. Blandino, I mean, I'm going to tell you  
2 that you are very disruptive. You don't follow the rules. You think that you're above  
3 the rules and that you're not required to follow the rules. A case in point is that we  
4 have rules about how people have to appear in the courtroom. If you come in the  
5 R.J.C., you have to wear a mask. Otherwise --

6 THE DEFENDANT: I've got a --

7 THE COURT: Let me finish.

8 THE DEFENDANT: [Indiscernible]

9 THE COURT: Let me finish. Otherwise, we allow people to appear via  
10 BlueJeans. Every other person that comes to the R.J.C. complies with that. You  
11 refuse to comply with that. You wouldn't even appear via BlueJeans because  
12 apparently you don't have to follow the rules. That is not true. You are required to  
13 follow the rules. If you --

14 THE DEFENDANT: But [Indiscernible]

15 THE COURT: Don't talk. Don't talk. If you want to appear in the  
16 Regional Justice Center, you will be required to follow the rules and wear a mask.  
17 Otherwise, you can appear by BlueJeans, like every other person that has business  
18 in the R.J.C. I don't make the rules. I just follow the rules. And I'm not going to  
19 allow you to just simply disregard the rules.

20 Go ahead.

21 THE DEFENDANT: Can I rebut? Yes, I've got a note from a doctor. I  
22 appeared on August 10<sup>th</sup>, before the Board of Examiners with Judge -- I mean, with  
23 the governor. I was no more -- I was six feet away from him without a mask and he  
24 was no problem with that. This is on YouTube. The Court can take judicial notice. I  
25 showed his staff this doctor's note and he allowed me to make public comments

1 twice at the beginning and at the end with this doctor's note that I cannot wear a  
2 mask. In addition to the --

3 THE COURT: Okay. Then you will have to appear via BlueJeans. That's  
4 fine.

5 THE DEFENDANT: Huh?

6 THE COURT: I mean, you're appearing via BlueJeans today and that's fine.

7 THE DEFENDANT: But I --

8 THE COURT: But for the last year, you have refused to appear even by  
9 BlueJeans and you stand outside the courthouse without a mask on and you  
10 demand to be let in and you have to be told you cannot come in. So, again, I just  
11 want to make sure you understand, you don't want to wear a mask, you have a  
12 medical condition, I don't need to know about it, you can appear via BlueJeans.  
13 That's fine with me. I have absolutely no problem with that.

14 THE DEFENDANT: I have a problem with BlueJeans. I can hardly make out  
15 your face at all. I can't tell what's going on with your facial expressions. I need to  
16 have feedback. I've got -- I'm 66 years old in October, and I have problem --

17 THE COURT: Okay. I am not going to argue with you. These are the rules,  
18 and that's what you can do. Okay. It is what it is. I'm not going to let you just  
19 bypass the rules. You are not --

20 THE DEFENDANT: [Indiscernible]

21 THE COURT: -- above the rules.

22 And, again, I want to make sure you understand, self-representation is  
23 not absolute. You have obstructed and impeded for over a year by your refusal to  
24 follow the rules. And then when the State come close to having their motions heard  
25 by the court, you simply file another motion to disqualify even though for an entire

1 year there's basically nothing going on.

2           So, again, I just want to make sure you understand, you are not entitled  
3 to ignore the rules. Your behavior is disruptive and you obstruct and impede. If you  
4 continue down this path, I will revoke your right to represent yourself; do you  
5 understand that?

6           THE DEFENDANT: Well, I understand what you're saying.

7           THE COURT: Okay.

8           THE DEFENDANT: But I respectfully -- I'm following the rules, and I'm  
9 following the statutes. And it's the Eighth Judicial District Court judges that aren't  
10 following the statute.

11          THE COURT: Okay. All right. Again, I just -- it sounds like you understand  
12 me because I'm not going to allow you to continue to make a mockery of the court  
13 system. Do you understand?

14          THE DEFENDANT: I understand what you're saying.

15          THE COURT: Okay. So if you continue with this obstructionist and impeding  
16 behavior and refusal to follow the rules, I will revoke your self-representation.

17                Do you --

18          THE DEFENDANT: Well, I don't --

19          THE COURT: -- have any questions about that?

20          THE DEFENDANT: I don't hear any specificity on what -- you're just  
21 conclusion -- in a conclusory fashion saying I'm abusing the thing by filing these  
22 motions to disqualify. And contrary to what Judge Wilson states, I am sincere that I  
23 don't believe I can get any kind of fair with any Eighth Judicial District Court judge.  
24 And Marlon Brown was allowed to have all of those recused and he had Kosach  
25 assigned to his petition for writ of habeas corpus.

1 THE COURT: Again, you don't think you have to follow the rules. So --

2 THE DEFENDANT: No.

3 THE COURT: -- I just want to make sure you understand, so at this point I'm  
4 going to deny their request to revoke your self-representation. But I want to make  
5 sure you understand, there is enough in this record right now for me to revoke your  
6 self-representation. So if you continue down this road, I'm going to revoke your  
7 self-representation. So I suggest you follow the rules and that you stop with this  
8 obstructionist behavior.

9 So the next one is, let's see --

10 MR. DICKERSON: Can I make one quick record on that, Your Honor?

11 THE COURT: You may.

12 MR. DICKERSON: The defendant misstated the ruling of Judge Wilson.  
13 Specifically, and I quote, Judge Wilson says, "I conclude Mr. Blandino's  
14 disqualification claims are not legitimate, that they were made to gain tactical  
15 advantages in his criminal case before Judge Leavitt."

16 This is something the defendant needs to understand as he moves  
17 forward. It's clear today listening to him, that he intends to continue down that path  
18 despite the Court's ruling, so I just want to make it very clear that our position is he  
19 should still have his representation revoked today despite the warning.  
20 Your Honor's found that there's the basis for it that he's committed serious  
21 obstructionist -- obstructionist misconduct. It's really just giving him another  
22 opportunity for another years-long delay based upon these continued motions to  
23 disqualify which are illegitimate.

24 THE COURT: Okay. Well, I can assure you I will not let it go on for a year.

25 THE DEFENDANT: [Indiscernible] on that, Judge, so if I take this issue of the

1 motions to disqualify, which now I have a factual record because they won't --  
2 they're saying they're not a fact-finder, so would I not be following the rules if I  
3 appeal this denial to the Nevada Supreme -- not appeal but by extraordinary writ? I  
4 mean, am I going to be charged with -- with not following the rules if I say I think  
5 you're wrong and I think I need extraordinary relief?

6 Because here's the order that they just issued, it said, As it appears --  
7 appears the petitioner's motion to disqualify the district judge has been resolved  
8 such that any motions concerning his house arrest and trial can now move forward,  
9 we con -- we conclude that our extraordinary intervention is not warranted at this  
10 time. So that means that now that if your -- with this record now, I need to go by  
11 extraordinary writ petition back to the Supreme Court and say, hey, look, you know,  
12 I've got legitimate things, Wilson says I didn't cite specific facts. But he didn't even  
13 cite *Rippo versus State*. That's the controlling law on this. I'm sorry,  
14 *Rippo v. Baker*, is that there's not actual or implied bias, they're only asked to be the  
15 risk, intolerable risk of unconstitutional bias. And I think I've shown that clearly.

16 THE COURT: Okay.

17 THE DEFENDANT: And so I think I --

18 THE COURT: All right. All right.

19 THE DEFENDANT: -- I should --

20 THE COURT: But nobody else does that has ruled on these motions. So,  
21 again, do what you think is appropriate. But, again, I'm not going to allow you to  
22 obstruct and impede --

23 THE DEFENDANT: [Indiscernible] ask for a [indiscernible] proceeding?

24 THE COURT: -- these proceedings because the State of Nevada, they're  
25 entitled to a fair trial and fair proceedings as well. So, again, you've been warned, I



1 think the record is clear. I believe I'm required to warn you that your  
2 self-representation will be revoked. I think the record is clear that I have made that  
3 warning and instructed you that I will not hesitate to revoke your self-representation.

4 THE DEFENDANT: Can I ask for a stay of proceeding?

5 THE COURT: The next one is --

6 I'm sorry, what?

7 THE DEFENDANT: Can I ask for a stay of these proceedings pending my  
8 petition to the Nevada Supreme Court on the motion to disqualify issue?

9 THE COURT: No.

10 THE DEFENDANT: They said that there --

11 THE COURT: No.

12 THE DEFENDANT: -- once you got --

13 THE COURT: Any request for a stay is denied.

14 THE DEFENDANT: Okay. Can I get that in writing so that I've got the denial  
15 in writing?

16 THE CLERK: It'll be in the minute order.

17 THE COURT: First of all, I didn't grant any motion or order. But I'm telling  
18 you right now, there is no stay that is going to be issued today pursuant to anything  
19 that I'm doing.

20 So the next motion is your motion, Mr. Blandino. It's your motion for  
21 release from G.P.S. monitoring. Do you --

22 THE DEFENDANT: I don't have a motion.

23 THE COURT: Do you have dates -- yeah, you do have a motion. You want  
24 to go see your son Andrew in California.

25 THE DEFENDANT: I didn't phrase that as a motion. I was just -- that was a

1 notice to the court that there's an emergency thing I need to do.

2 THE COURT: Okay.

3 THE DEFENDANT: And if I make a motion to you it undercuts my argument  
4 that you could be fair and unbiased. I don't think you can --

5 THE COURT: Okay. Let me tell you something else, if you continue to refuse  
6 that this court has jurisdiction, then I will revoke your self-representation because in  
7 my opinion, that is continuing to impede and obstruct. You can say, I don't agree  
8 with Judge Wilson's order or Judge Bell's order or the other, I mean, it's been  
9 denied four times now, you can say you do not agree with that and you can file an  
10 appeal and do whatever you think is appropriate, but you cannot continue to refuse  
11 to acknowledge that this court has jurisdiction; do you understand that?

12 THE DEFENDANT: Well, I -- and I think you're still have the -- there's a risk  
13 of bias.

14 THE COURT: Okay.

15 THE DEFENDANT: I want to see [indiscernible] resigned or --

16 THE COURT: So your motion, and I'm going to tell you another thing, you are  
17 not permitted to communicate with my office, all these e-mails, you have been told  
18 several times not to communicate with my office. It is inappropriate to communicate  
19 with my office. If there is anything that you feel like you have to communicate to the  
20 court, I ask that you put it in writing, send it in the mail, or have Mr. Bateman  
21 communicate with this court.

22 All of these e-mails that you have been sending over here, I wasn't  
23 even reading them. I became aware of some of them when I read the State's  
24 opposition and apparently they've all been made part of the record. So the record  
25 will reflect we have left-side filed many e-mails that you have sent the court that are

1 *ex parte* communication, they are inappropriate, and an attorney would never be  
2 allowed to send those type of e-mails. So, again, do --

3 THE DEFENDANT: I need to respond.

4 THE COURT: -- not communicate with my chambers.

5 THE DEFENDANT: I need to --

6 THE COURT: There is nothing you have to communicate with us.

7 THE DEFENDANT: I need to respond to that, Judge. While there's a motion  
8 to disqualify pending, you are a party in that collateral action in which I have, by  
9 statute, the right to at least ask, at the very least ask to have a judge that could hear  
10 that. And if we would have had a judge to hear this months ago rather than trying to  
11 go through this Villani and then Jones and Alf and all this kind of thing over the  
12 years, if we would have been able -- if you would have been able to agree, well, let's  
13 have a judge from another district, then we wouldn't have had all this and I could  
14 have gone to the Nevada Supreme Court quicker.

15 So my position is that by you not following N.R.S. 1.235 and to agree  
16 upon a judge, Bell was already recused. She --

17 THE COURT: Okay. Again, I am talking about, again, this is kind of what you  
18 do, I am talking about don't communicate with my office and you, you say you want  
19 to respond to that and you say something completely different.

20 THE DEFENDANT: [Indiscernible] on the motion to disqualify it's not  
21 inappropriate to contact you. The statute --

22 THE COURT: Okay. There is no motion to disqualify. And here's the thing,  
23 I'm going to tell you again, do not contact my office. Okay. Do not attempt to have  
24 *ex parte* communications. If there's anything that you need to communicate, you  
25 can put it in writing, you can send it to the court through the mail cc'ing the other

1 side, or you can have Mr. Bateman communicate with the court. But all this *ex parte*  
2 communications, like I don't care what you think of me.

3 THE DEFENDANT: [Indiscernible]

4 THE COURT: So stop reducing it to writing and sending it to the court.

5 THE DEFENDANT: I object to *ex parte*. They were copied, the D.A. was  
6 copied, everybody else was copied, so it's not *ex parte* because they were not --  
7 they were given knowledge of this --

8 THE COURT: Okay.

9 THE DEFENDANT: -- and they had --

10 THE COURT: I'm telling you, don't communicate with my office any more.  
11 It's inappropriate --

12 THE DEFENDANT: [Indiscernible] but it's not *ex parte*.

13 THE COURT: -- it's abusive and it's harassment, so you need to stop doing it.  
14 Okay.

15 If you don't want me to hear your motion to release you from G.P.S.  
16 monitoring, can you let me know that? Because it's on calendar for today and I was  
17 inclined to rule on it.

18 THE DEFENDANT: [Indiscernible] argument.

19 THE COURT: If you don't want a ruling on it, that's fine.

20 THE DEFENDANT: I'm saying I would be undercutting my own argument.  
21 There was no motion. I put it in, I think, as a notice and demand.

22 THE COURT: Okay. So --

23 THE DEFENDANT: And I've got an emergency --

24 THE COURT: -- do you want me to take it off calendar?

25 THE DEFENDANT: Well, no, I -- I'm not saying I want you to do anything

1 there. I want you to resign from the case, I want you to resign from the bench.

2 THE COURT: All right. Mr. Blandino, I'm telling you right now, you're going to  
3 get your self-representation revoked before this hearing's over. I mean, it just  
4 appears as though you just refuse to follow the rules or accept that the court has  
5 jurisdiction. It is totally inappropriate to say what you just said.

6 THE DEFENDANT: Well, you said -- you asked what I wanted. I want to  
7 have a judge that's unbiased, no risk of bias, that I can present a motion to -- to be  
8 able to go visit my son. But I don't have that and it would undercut my argument if I  
9 thought I believed that you were unbi -- I believe you're still biased and there's a risk  
10 of bias with you. So I can't follow -- and I -- that's why I didn't put I in as a motion.  
11 You know --

12 THE COURT: Okay. That's fine. My misunderstanding. My  
13 misunderstanding. It was on the calendar today. So I will vacate defendant's  
14 emergency *ex parte* motion for release from G.P.S. monitoring.

15 THE DEFENDANT: Wait a minute.

16 THE COURT: And I'll sure the record is clear that --

17 THE DEFENDANT: Wait a minute.

18 THE COURT: -- if there's any -- any appeal to the Supreme Court, that I was  
19 willing to rule on this motion and you said you didn't want the court to rule on it.

20 THE DEFENDANT: Judge Wilson -- Judge Wilson did have the authority to  
21 do that. It was Gregory, it was either Gregory --

22 THE COURT: Actually, no, he didn't. You should look at the order appointing  
23 him. He did not.

24 THE DEFENDANT: It was either Gregory or Wilson --

25 THE COURT: Okay. So is there anything else? I don't think there's anything

1 else.

2 THE CLERK: There's two other motions on today.

3 THE COURT: Okay. But those are all -- defendant's motion -- oh, I also  
4 wanted to indicate that the reason why it took so long is that Mr. Blandino filed  
5 another motion to disqualify this Court. Okay. Then it goes to Judge Bell.

6 THE DEFENDANT: No. No.

7 THE COURT: Then Judge Bell assigned it to Judge Jones. Mr. Blandino  
8 promptly filed a motion to disqualify Ms. Jones. Then when it went from  
9 Judge Jones to Judge Allf, he promptly filed a motion to disqualify Judge Allf. It was  
10 abundantly clear that it didn't matter who Judge Bell assigned that motion to,  
11 Mr. Blandino was going to file another motion to disqualify and that's why she  
12 sought guidance from Justice Hardesty in the Nevada Supreme Court to get a judge  
13 assigned to hear the motion to disqualify. So that is why it took so long because  
14 Mr. Blandino kept moving to disqualify every judge that was assigned the motion to  
15 disqualify. So --

16 THE DEFENDANT: Which is consistent with [indiscernible] that all the Eighth  
17 Judicial District Court judges should be disqualified in this matter because I'm  
18 investigating all of you.

19 THE COURT: Okay. Okay. All right. So --

20 THE DEFENDANT: I've been consistent --

21 THE COURT: Let's see --

22 THE DEFENDANT: But the motion for release was to Judge Gregory or  
23 Judge Wilson, I can't --

24 THE COURT: -- the motion to strike affidavits are all off calendar. Yeah, I  
25 have it.

1 THE CLERK: Okay.

2 THE COURT: So, Mr. Blandino's indicated he does not want a ruling on the  
3 motion for release from G.P.S. monitoring. This emergency motion to Judge Wilson  
4 is off calendar. Then this -- the motion to remand the defendant and/or any  
5 additional conditions of release, that has been denied. And then there -- I don't  
6 know why this got put on so many times, the State's notice of motion to remand --

7 THE CLERK: I got all those, Judge.

8 THE COURT: Okay.

9 THE CLERK: I just need one more ruling for a motion to strike affidavits.

10 THE COURT: Yeah, that can be taken off calendar. Okay.

11 THE CLERK: Okay. And then calendar call.

12 THE COURT: All right. Okay. So we are on today for calendar call as well.

13 Is the State of Nevada ready to proceed?

14 MR. DICKERSON: The State can be ready to proceed. We have  
15 subpoenaed the case, we've issued our notices. We were in a position earlier this  
16 week where we believed that the trial had been vacated --

17 THE COURT: Right.

18 MR. DICKERSON: -- as a result of the most recent motions to disqualify. So  
19 as a result of that, we had taken a step back from further preparing for the trial. But  
20 I think that I could determine whether it's possible based upon witness availability to  
21 go forward next week.

22 THE COURT: Okay. How long do you think it will last?

23 MR. DICKERSON: I mean, the State's part of the case would probably last  
24 about two to three days.

25 THE COURT: How many witnesses?

1 MR. DICKERSON: I'm guessing that we would probably have six to -- six to  
2 ten witnesses, maximum.

3 THE COURT: Okay. Thank you.

4 Mr. Blandino, are you ready to go to trial next week?

5 THE DEFENDANT: As I already stated, and I've been consistent on this  
6 point, I want a stay pending -- I demand my speedy trial, you said by my actions  
7 previously that I waived that by my own actions. But I don't want a speedy trial -- I  
8 don't want to have a speedy trial before a judge who has prejudice such as you do.  
9 And so, therefore, I ask again for the stay pending a emergency writ to the  
10 Nevada Supreme Court.

11 THE COURT: There's nothing to stay.

12 THE DEFENDANT: Because I don't want to wait 20, 30 years like in  
13 *Echeverria* and *Rippo* and *Carlos Gurry* and now *Bollinger* now to get a trial and  
14 say, oh, yes, Judge Leavitt and the Eighth Judicial District, they should have  
15 disqualified, so now Mr. --

16 THE COURT: Okay. I'm going to ask you a question again, are you ready to  
17 go forward with trial next week?

18 THE DEFENDANT: I need to do an emergency petition to the  
19 Nevada Supreme Court, so in light of that --

20 THE COURT: Okay. Do whatever you want, are you ready to go to trial?

21 THE DEFENDANT: No. And I've been denied, just for the record so that you  
22 know, Drew Christensen hasn't got back to me. I've interviewed three times with  
23 Collette Putman, who's a private investigator that Drew Christensen approved funds  
24 but I need investigation and Drew Christensen's office is not calling me back as to  
25 the funds for investigation of witnesses.



1 I'm going to have to call myself, if this thing is forced to go to trial, call  
2 myself as an expert witness. I know the D.A.'s going to raise a fit about that. And  
3 so --

4 THE COURT: You're entitled to testify if you want to testify.

5 THE DEFENDANT: Oh, no, no, testify as an expert witness.

6 THE COURT: An expert in what?

7 THE DEFENDANT: I'm an expert in my own religious beliefs.

8 THE COURT: Okay.

9 THE DEFENDANT: After studying comparative religious belief.

10 THE COURT: Okay.

11 THE DEFENDANT: And my religious beliefs are what motivated the conduct  
12 that the district attorney finds criminal and which is no means is criminal. So I  
13 can -- I can testify as to Mr. Blandino --

14 THE COURT: Okay.

15 THE DEFENDANT: -- religious beliefs having been developing and evolving  
16 over the years and how that his main belief is not to do crimes, is not to do anything  
17 that he would not want anyone else to do unto him. And so, therefore, to say that he  
18 had any specific intent to extort is beyond ridiculous. That Mr. Blandino was only  
19 trying to resolve a dispute as to the Commission on Judicial Discipline filing and  
20 following the same metric as what you yourself did in the Rita Dotson method. You  
21 stipulated to discipline and I used those as a template, Judge.

22 THE COURT: Okay. All right. Mr. Blandino, I got it, you want to call yourself  
23 as a witness. So I'm going to ask you one more time, are you ready to go forward  
24 next week or are you asking for a continuance?

25 THE DEFENDANT: I'm not asking for a continuance. I need to file an

1 emergency --

2 THE COURT: Okay. Then we will go -- then we'll go forward next week. If  
3 you don't want a continuance, then we go forward.

4 THE DEFENDANT: Okay. What [indiscernible] --

5 THE COURT: Okay? All right.

6 THE DEFENDANT: -- waiving my right -- waiving my -- no, let me make it  
7 clear, without waiving my right to a speedy trial, I will waive certain amount of the  
8 time it takes to do a petition to the Nevada Supreme Court, and in that regard, I am  
9 waiving the time but not the speedy trial right. And I think I have the right to do that,  
10 the case law all says that time is tolled and you can still maintain the right but the  
11 time is tolled and that's what I'm asking for.

12 THE COURT: I don't know what that means, "time is tolled."

13 THE DEFENDANT: It means that, well, the time, in other words, if the delay  
14 is caused by the other actors, the other actors, the other side of the case, then that  
15 is charged not against the defendant. If the defendant makes a motion, like if I do a  
16 pretrial writ of habeas corpus, then I would have to waive that time that it takes and  
17 you still have the invoked right, so the time is tolled.

18 It's pretty clear in the case law that you can still maintain the right but  
19 certain time is carved out so that that time is charged against the defendant, this  
20 time is charged against the State.

21 THE COURT: Okay. So it seems --

22 THE DEFENDANT: And so that's what I'm looking --

23 THE COURT: -- pretty clear that you are not ready to go to trial next week  
24 and that you want the Court to continue it. So I can continue it for a short time.

25 I don't know, Mr. Dickerson, do you want to be heard on his request to

1 continue the trial?

2 MR. DICKERSON: So, I, I mean, we're ready, we could be ready to go next  
3 week. If we're going to continue the trial, I would just ask to discuss dates with the  
4 Court.

5 THE COURT: Okay.

6 THE CLERK: We're looking at --

7 THE DEFENDANT: Judge, there's another issue that needs to be resolved.  
8 As soon as -- I have a absolute objection to the district attorney being the prosecutor  
9 because Steve Wolfson is a percipient witness. He helped me in my investigation.  
10 He found a judge that was not wearing -- didn't have a name tag on there, and this  
11 is just a month or two before these charges were brought. I demanded to get that  
12 guy's name and Steve Wolfson helped me investigate and found out who that judge  
13 was and I, in turn, sent a letter, similar to what I did with Federico, demanding that  
14 he be either apologize or we go forward with something to the Commission on  
15 Judicial Discipline.

16 So I'm going to have to call Steve Wolfson as a witness in this matter  
17 as well as Michael Dickerson and Melanie Marland as witnesses in this case. So I  
18 think, I mean, I've sent a notice on this and I've sent the proof that's --

19 MR. DICKERSON: It's irrelevant. All of that's irrelevant, Mr. Blandino, so you  
20 need to stop.

21 THE COURT: I know.

22 Mr. Blandino, I'm going to tell you, just because you say you're going to  
23 call a witness doesn't mean you're going to call a witness. You're not going to call  
24 me as a witness. I have nothing to do --

25 THE DEFENDANT: Yes.

1 THE COURT: -- with the underlying extortion and impersonation of an officer.  
2 Any testimony I would give would be completely irrelevant. So, again, it appears as  
3 though you're going down a path where you're going to refuse to follow the rules.  
4 So I have September 13<sup>th</sup> available. So it would be about a 30-day continuance.

5 MR. DICKERSON: I -- so it's real bad for me right now all the way through --  
6 through November is very bad. I would ask for something in January. I think that  
7 September is -- I have trials one on the 7<sup>th</sup>, one on the 13<sup>th</sup>, three on -- three on the  
8 20<sup>th</sup>, one on the 27<sup>th</sup>, and we're talking very serious trials, most of them, several  
9 murder trials, multiple shootings.

10 THE COURT: Okay. How about December 6<sup>th</sup>?

11 MR. DICKERSON: I can -- I can do December 6<sup>th</sup>.

12 THE COURT: Okay. Mr. Blandino?

13 THE DEFENDANT: I'm sorry, you want me to say what?

14 THE COURT: I'm inclined to set the matter over to December 6<sup>th</sup>. I'm just  
15 asking if you have any objection.

16 THE DEFENDANT: Well, I do have objections still with you proceeding  
17 forward. I just [indiscernible] make that clear.

18 THE COURT: Okay. All right. Again, Mr. Blandino, we are not -- I am not  
19 going to do this every time. If you continue to challenge the jurisdiction of this court  
20 after four motions to disqualify have been heard and denied, you know, you're going  
21 to leave me no choice but to revoke your self-representation. Okay?

22 THE DEFENDANT: Well --

23 THE COURT: And then what's going to happen is I'll appoint an attorney and  
24 then you will not be able to talk ever again in court. Do you understand that?

25 THE DEFENDANT: Well, yes.

1 THE COURT: Okay. It appears as though you have heard and you seem to  
2 understand.

3 THE DEFENDANT: You have -- okay.

4 THE COURT: So I'm going to vacate the August 30<sup>th</sup> date.

5 THE DEFENDANT: Well, December --

6 THE COURT: The September 2<sup>nd</sup> date can be vacated as moot. And we will  
7 set the trial over for December 6<sup>th</sup>. And then the calendar call will be?

8 THE CLERK: Calendar call is going to go be November 30<sup>th</sup>, that's going to  
9 be at 12:30 if we're still on pandemic schedule.

10 THE COURT: Okay. Go ahead. Did you want to say something else?

11 THE DEFENDANT: Are you talking to me, Judge?

12 THE COURT: Yeah, it appeared as though you wanted to say something. If  
13 you didn't, that's okay as well.

14 THE DEFENDANT: You didn't ask for what -- my side of this trial, I've got  
15 tend to last about -- it's going to take about three weeks.

16 THE COURT: Okay. All right. So we have it set to go December 6<sup>th</sup>, we'll  
17 have the whole month.

18 THE CLERK: Okay. That's it, Judge.

19 THE COURT: Okay. All right. Thank you very much and, again, thank you to  
20 both sides for your patience. I apologize that it took so long to get to this. So thank  
21 you very much for being so patient and courteous.

22 MR. DICKERSON: Thank you, Your Honor.

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THE DEFENDANT: Thanks, Judge.

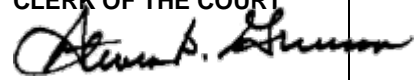
THE COURT: Thank you.

PROCEEDING CONCLUDED AT 3:37 P.M.

\* \* \* \* \*

ATTEST: I do hereby certify that I have truly and correctly transcribed the audio-video recording of this proceeding in the above-entitled case.

  
SARA RICHARDSON  
Court Recorder/Transcriber



DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

KIM DENNIS BLANDINO,

Defendant.

CASE NO. C-19-341767-1

DEPT. NO. XII

BEFORE THE HONORABLE MICHELLE LEAVITT, DISTRICT COURT JUDGE

TUESDAY, JULY 23, 2019

**RECORDER'S TRANSCRIPT OF PROCEEDINGS  
INITIAL ARRAIGNMENT**

APPEARANCES:

For the State:

MICHAEL DICKERSON  
MELANIE H. MARLAND  
Deputy District Attorneys

For the Defendant:

Pro Se

RECORDED BY: KRISTINE SANTI, COURT RECORDER

1 LAS VEGAS, NEVADA, TUESDAY, JULY 23, 2019, 9:06 A.M.

2 \* \* \* \* \*

3 THE COURT: State versus Kim Blandino, C341767.

4 THE DEFENDANT: I would really ask --

5 THE COURT: Good morning.

6 THE DEFENDANT: -- that you trail this matter. There's some unusual  
7 situation regarding this. I know that Mr. Dickerson has a extremely busy schedule,  
8 but this is not going to be the usual arraignment.

9 MR. DICKERSON: Good morning, Your Honor. Mike Dickerson on behalf of  
10 the State.

11 THE DEFENDANT: I'm sorry, Kim Blandino appearing pro se for  
12 Kim Blandino. I was *Faretta* canvased in the case below. But I would desperately  
13 ask this Court to trail this matter.

14 THE COURT: Okay. If he's going to --

15 MR. DICKERSON: So --

16 THE COURT: -- represent himself, I'm going to I'm going to do a *Faretta*.

17 MR. DICKERSON: Okay. Understood. And that's what I would ask as well.  
18 I have provided Mr. Blandino a copy --

19 THE DEFENDANT: Is that being denied then, denied to trail?

20 THE COURT: Okay. No, just a minute.

21 MR. DICKERSON: I have provided Mr. Blandino a copy of the indictment.

22 THE COURT: Okay.

23 MR. DICKERSON: I think that Mr. Blandino's concerns about this taking  
24 longer than it should can be quelled by him simply filing motions with this court as  
25 would be appropriate addressing the issues that he wants to today rolling on for the



1 initial arraignment on the indictment.

2 THE COURT: Right.

3 MR. DICKERSON: And potentially the *Faretta* canvas.

4 THE DEFENDANT: I've been --

5 THE COURT: Right.

6 THE DEFENDANT: I've been forbidden --

7 THE COURT: So that's going to take me a while, so I don't -- I would like to  
8 trail it.

9 MR. DICKERSON: Absolutely.

10 THE COURT: I mean, if you want to leave it, leave the file with the deputy  
11 here, that's fine.

12 MR. DICKERSON: I'll --

13 THE COURT: I won't do anything beyond the *Faretta* and any entry of plea.

14 MR. DICKERSON: Understood.

15 THE DEFENDANT: There was something I needed to approach the bench  
16 and I don't know if Dickerson as lead counsel on this case would like to, you know,  
17 to be there rather than just leaving it to a deputy.

18 MR. DICKERSON: We -- we'll have to do it here.

19 THE COURT: Okay. There -- I'm not -- if you want -- have to say something,  
20 say it, we're not going to approach the bench.

21 THE DEFENDANT: Well, it could be embarrassing to the Court, to you,  
22 Judge.

23 THE COURT: I don't care, say it.

24 THE DEFENDANT: Oh, okay.

25 THE COURT: Well, we are going to trail this anyway.

1 THE DEFENDANT: Oh, okay, so we'll do it then.  
2 THE COURT: So, okay.  
3 MR. DICKERSON: What time do you anticipate, Your Honor?  
4 THE COURT: It's a pretty hefty calendar.  
5 MR. DICKERSON: Okay.  
6 THE COURT: It's like 36 pages, so.  
7 MR. DICKERSON: I appreciate it. I'll have the calendar text me.  
8 THE COURT: 10:00?  
9 MR. DICKERSON: Thank you.  
10 THE COURT: Okay.  
11 THE DEFENDANT: Thank you, Judge.  
12 THE COURT: Thank you.  
13 [Proceeding trailed until 11:11 a.m.]  
14 THE MARSHAL: Please come to order. Court is now back in session.  
15 Mr. Blandino.  
16 THE COURT: Okay. State of Nevada versus Kim Blandino, case C341767.  
17 The defendant is present. He's at liberty.  
18 Will the State make their appearance?  
19 MS. MARLAND: Mel --  
20 THE DEFENDANT: Excuse me, if I can correct the record.  
21 MS. MARLAND: Mel --  
22 THE DEFENDANT: I'm not at liberty. I'm in custody.  
23 THE COURT: Okay. He --  
24 THE DEFENDANT: There's an ankle bracelet.  
25 THE COURT: Okay.

1 THE DEFENDANT: And technically I'm in custody for purposes of state --

2 THE COURT: All right.

3 THE DEFENDANT: -- custody --

4 THE COURT: Okay.

5 THE DEFENDANT: -- and federal custody.

6 THE COURT: All right. So the defendant contends he's in custody.

7 However, the record will reflect he is at liberty apparently with a house arrest  
8 bracelet on.

9 Will the State --

10 THE DEFENDANT: It's one of those technical things.

11 MS. MARLAND: And Melanie --

12 THE COURT: That's okay.

13 MS. MARLAND: Melanie Marland for the State of Nevada.

14 THE COURT: Okay. Sir, this is on today just for an arraignment.

15 THE DEFENDANT: Oh, if I may enter my appearance? Kim Blandino  
16 appearing pro se for Kim Blandino.

17 THE COURT: Okay. Okay. This is just on today for an arraignment. So the  
18 only thing we're going to do, it's my -- I assume that you want to represent yourself.

19 Okay. I don't know why you're pulling a bunch of stuff out because  
20 we're not going to need all that.

21 THE DEFENDANT: I need to make a record, Judge.

22 THE COURT: A record of what?

23 THE DEFENDANT: I -- there -- I'm -- I have been unable because there's  
24 vexatious litigant order outstanding to file anything in this case. I'm prohibited by  
25 threat of contempt and Rule 11 sanctions. It was issued by Judge Bell.

1 THE COURT: Okay.

2 THE DEFENDANT: Therefore, I've been unable to file anything into this case.  
3 I've got this stuff here to present to have the Court take judicial notice which you  
4 could receive it into -- into the file if you want and then get -- seek permission there.

5 The other thing is that because I've been unable to file, I've been  
6 unable to file a motion to disqualify you under N.R.S. 1.230, 1.235, which you must  
7 be disqualified. I believe that it's a district judge outside the district needs to be  
8 appointed to this case because of the investigations I have against certain judges  
9 and you are one of those judges that I have investigations of. I have --

10 THE COURT: Okay.

11 THE DEFENDANT: -- court records from the Nevada Supreme Court going  
12 all the way back to 2007 of misconduct on your part.

13 THE COURT: Okay.

14 THE DEFENDANT: And what I didn't want to put in front of the --

15 THE COURT: Well, here's the deal --

16 THE DEFENDANT: Yeah.

17 THE COURT: Here's what I'm going to tell you, if you just -- if you want to file  
18 a motion to disqualify, you can file a --

19 THE DEFENDANT: I can't.

20 THE COURT: Well --

21 THE DEFENDANT: I've been prohibited --

22 THE COURT: I'm --

23 THE DEFENDANT: -- under threat of contempt. I'm stalemated, Judge.

24 THE COURT: Just a minute, do you -- do you want to file a motion to  
25 disqualify me in this case?

1 THE DEFENDANT: I would have done it before this --

2 THE COURT: Okay.

3 THE DEFENDANT: -- if I was able.

4 THE COURT: No problem. I'll give you an opportunity. I'll sign an order  
5 indicating that you can file --

6 THE DEFENDANT: You cannot --

7 THE COURT: -- a motion to disqualify.

8 THE DEFENDANT: I disagree. You cannot countermand a chief judge's  
9 order.

10 THE MARSHAL: Mr. Blandino.

11 THE DEFENDANT: I have to respectfully disagree.

12 THE COURT: So I'm telling you you can do what you want to do, but you still  
13 want to argue?

14 THE DEFENDANT: No, I'm telling you that I could still be charged with  
15 contempt because you -- you can't -- you can't overrule. THE DEFENDANT: I  
16 disagree. I've been arrested because of a mistaken minute order three times  
17 because the minute orders were mistakenly interpreted. I have a --

18 THE COURT: Well, who do you think's going to arrest you for not going to  
19 impulse control?

20 THE DEFENDANT: Anybody.

21 THE COURT: Like who?

22 THE DEFENDANT: I was --- I was arrested for coming to the R.J.C.

23 THE COURT: You can't be arrested by just anybody.

24 THE DEFENDANT: I have a stay-away order from the R.J.C.

25 THE COURT: Okay.

1 THE DEFENDANT: I can't even go down to the clerk's -- the clerk's office  
2 and research anything.

3 THE COURT: Okay.

4 THE DEFENDANT: See, that's what this court is not aware of and that's -- I  
5 need to make a record of. Half my witnesses are in this courthouse.

6 THE COURT: Okay.

7 THE DEFENDANT: I think there's a very real possibility I'll have to -- I'll have  
8 to call you as a witness. You may not be aware of this, but for the record, I  
9 appeared, and you allowed me to appear *amicus curiae* in a case of Robin Drew.

10 MS. MARLAND: And, Your Honor, I'm going to interrupt.

11 THE DEFENDANT: Some years back.

12 THE COURT: Okay. Right. I know, I don't --

13 MS. MARLAND: I'm going to ask to interrupt. First of all, this is not -- that  
14 was not the case at hand here today. The case here is for extortion and  
15 impersonation of a public officer.

16 Moreover, Mr. Blandino has indicated that he wishes this court to be  
17 disqualified; therefore, any further motions or arguments are inappropriate at this  
18 point.

19 THE COURT: Okay. So we'll see you on August 15<sup>th</sup> at 8:30. Thank you.

20 MS. MARLAND: Thank you. And the State will --

21 THE DEFENDANT: And -- and -- oh, there was one --

22 THE COURT: And thank you for your patience this morning and waiting all  
23 morning.

24 THE DEFENDANT: Yeah. I appreciate your patience, Judge.

25 MS. MARLAND: And the State will prepare the order as to Mr. Blandino

1 having leave to file the motion to disqualify.

2 THE COURT: Okay. Right.

3 MS. MARLAND: Thank you.

4 THE COURT: And I'll make sure I call the chief judge and let her know that  
5 I've indicated you can file the motion to disqualify --

6 THE DEFENDANT: Her law clerk is right here. That's Benjamin Nemec, for  
7 the record, he's in court watching on his own accord.

8 THE COURT: Well, okay then. All right. But I will make sure she knows that  
9 I've given you permission to file it in this case.

10 THE DEFENDANT: Okay.

11 THE COURT: Against Department 12.

12 THE DEFENDANT: All right.

13 THE COURT: You understand that, right?

14 THE DEFENDANT: Right.

15 THE COURT: It's just me in this case --

16 THE DEFENDANT: Right.

17 THE COURT: -- Department 12.

18 THE DEFENDANT: I will be making --

19 THE COURT: Okay.

20 THE DEFENDANT: -- allusions to the fact that the entire district court judges  
21 in Clark County need to be disqualified, but it will be within that motion.

22 THE COURT: Okay.

23 THE DEFENDANT: So there won't be any separate 32 motions.

24 THE COURT: I -- I think that's fine.

25 THE DEFENDANT: All right.

1 THE COURT: Okay. Have a good day.

2 THE DEFENDANT: Thank you, Judge.

3 THE COURT: Thank you for being here.

4 THE DEFENDANT: Appreciate it.

5 MS. MARLAND: And all current conditions of house arrest other than the

6 impulse control remain? Is that --

7 THE COURT: Right. Yes.

8 THE DEFENDANT: So that means that I can't come to the R.J.C. at all, I've

9 got to leave immediately right now then.

10 MS. MARLAND: I believe --

11 THE COURT: Okay. Well, it's my understanding that when you're in the

12 R.J.C., because that's why you have a marshal with you.

13 THE DEFENDANT: That was my understanding too.

14 THE COURT: Okay.

15 THE DEFENDANT: But needless to say, they've arrested me three times for

16 it. And I --

17 THE COURT: Who?

18 THE DEFENDANT: -- have specific permission.

19 THE COURT: Who has?

20 THE DEFENDANT: Huh?

21 THE COURT: Who has?

22 THE DEFENDANT: House arrest.

23 MS. MARLAND: Your --

24 THE COURT: Okay.

25 MS. MARLAND: And, Your Honor, I believe --



1 THE COURT: Well, today you clearly had a legitimate purpose for being  
2 here.

3 THE DEFENDANT: Right. Well, I thought -- I thought going to the clerk's  
4 office and looking and getting certified copies a legitimate purpose, but apparently I  
5 can be arrested unless I leave immediately if Judge Telia Williams' justice court  
6 order is to stand because that was the final order there even though that case has  
7 been dismissed. That's what I needed to know is the vitality of those orders, do they  
8 remain staying away from R.J.C.

9 MS. MARLAND: And, Your Honor --

10 THE DEFENDANT: I have had a marshal here for one year now, over a year,  
11 escorting me by my choice, I requested it.

12 THE COURT: Okay.

13 THE DEFENDANT: Because of the vexatious litigant order which is currently  
14 on appeal by the way.

15 MS. MARLAND: And, Your Honor --

16 THE COURT: Okay.

17 MS. MARLAND: -- Judge Bell at the indictment return set certain conditions  
18 for house arrest and I'm just going to ask that those conditions remain, that's all.

19 THE COURT: Okay. And it's my understanding that those conditions remain.  
20 I mean, and as soon as this case came to me, I quashed the indictment --

21 MS. MARLAND: Yes.

22 THE COURT: -- warrant. So everything's good. If you have any questions.

23 THE DEFENDANT: There was no -- there's only a minute order though,  
24 there's nothing signed and filed by Judge Bell.

25 THE COURT: What do you want it -- what do you want to say?

1 THE DEFENDANT: Well, it doesn't say on there whether I'm supposed to  
2 stay away from the R.J.C. for other purposes. It merely recounts, let's see here --  
3 that's why I have this package.

4 THE COURT: Just -- just for my edification, where did this stay away from the  
5 R.J.C. order come from?

6 MS. MARLAND: It was originally, Your Honor, down in justice court. And  
7 then I believe at the indictment return Mr. Dickerson requested that those same  
8 conditions be transferred to district court with the understanding today that we're not  
9 requesting that Mr. Blandino do any impulse control. It's -- that stay-away, the  
10 house arrest conditions would include staying away from the R.J.C. other than any  
11 legitimate business he has where he is a party. And I believe the house arrest  
12 issues stemmed from Mr. Blandino going from one of the cases where he was a  
13 party to other courtrooms to observe, which --

14 THE CLERK: It says that the bond was transferred and conditions are to be  
15 addressed before the assigned department.

16 THE COURT: Okay.

17 MS. MARLAND: Are they to be addressed in front of this court? Oh, in that  
18 case --

19 THE COURT: Right.

20 MS. MARLAND: -- Your Honor, we'd ask that whatever conditions were there  
21 remain.

22 THE DEFENDANT: What does that order say, the minute order there of --

23 THE COURT: It says that the bond was transferred from justice court and  
24 that any conditions would be set by the district court. But you've indicated that you  
25 want to move to disqualify me, so I can't --

1 THE DEFENDANT: Right.

2 THE COURT: -- I can't set any conditions so. But thank you. You have a  
3 good day.

4 THE DEFENDANT: So that means that the house arrest officer is untethered  
5 from any court view at present then?

6 THE COURT: I'm not sure I understand that comment.

7 THE DEFENDANT: Well, every time I was violated by house arrest or they  
8 had a complaint, it seemed like the tail was wagging the dog, they would have to  
9 report to a court. So I've got the justice court order ordering me released, you say  
10 you can't order any conditions; therefore, I should be released from the -- I should  
11 be released from the house arrest because they're -- they have no one that they can  
12 judicially review the house arrest.

13 THE COURT: Oh, no, no, no. House arrest still remains.

14 THE DEFENDANT: Well, then you are making an order here on that.

15 THE COURT: No, I'm not. That's how it came to me.

16 THE DEFENDANT: But Judge Bell --

17 THE COURT: House arrest ---

18 THE DEFENDANT: Judge Bell has an un -- an unadjudicated disqualification  
19 motion to her.

20 THE COURT: It was actually on the indictment warrant return because when  
21 I got called and asked if he should be remanded on the warrant I said no because  
22 he had posted the bond and he was already on house arrest. Okay.

23 MS. MARLAND: And I believe that this would have just been to readdress  
24 any conditions but he since he filed a motion to disqualify.

25 THE COURT: All right. Have a good day, everyone.

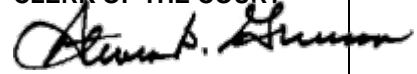
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MS. MARLAND: Thank you.  
THE COURT: Thank you.  
THE DEFENDANT: Thank you, Judge, appreciate it.  
PROCEEDING CONCLUDED AT 11:23 A.M.

\* \* \* \* \*

ATTEST: I do hereby certify that I have truly and correctly transcribed the audio-video recording of this proceeding in the above-entitled case.

  
\_\_\_\_\_  
SARA RICHARDSON  
Court Recorder/Transcriber



DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

KIM DENNIS BLANDINO,

Defendant.

CASE NO. C-19-341767-1

DEPT. NO. XII

BEFORE THE HONORABLE MICHELLE LEAVITT, DISTRICT COURT JUDGE

*Appearing Via Teleconference*

TUESDAY, DECEMBER 1, 2020

**RECORDER'S TRANSCRIPT OF PROCEEDINGS**  
**MOTION**

APPEARANCES:

For the State:

MICHAEL DICKERSON  
Chief Deputy District Attorney  
*via teleconference*

For the Defendant:

BENNAIR R. BATEMAN, ESQ.  
Standby Counsel  
*via teleconference*

RECORDED BY: GAIL REIGER, COURT RECORDER

1 LAS VEGAS, NEVADA, TUESDAY, DECEMBER 1, 2020, 10:38 A.M.

2 \* \* \* \* \*

3 THE COURT: Blandino, case C341767. Go ahead.

4 MR. DICKERSON: Mike Dickerson on behalf of the State.

5 MR. BATEMAN: Good morning, Your Honor. Ben Bateman, standby counsel  
6 for Mr. Blandino.

7 THE COURT: Is Mr. Blandino present?

8 MR. BATEMAN: I received notice, I believe he contacted my office, he's been  
9 at the R.J.C. since about 10 -- 10 after 10:00 this morning. I don't know, I believe  
10 he's down there at the R.J.C.

11 THE COURT: Okay. And he knows that the R.J.C. is basically shut down,  
12 right?

13 MR. BATEMAN: I believe so.

14 THE COURT: He does or you believe so? I mean --

15 THE MARSHAL: He was informed at the gate, Judge. .

16 MR. BATEMAN: Well --

17 THE COURT: Who's that?

18 THE CLERK: That's Randy.

19 THE COURT: Okay. He was -- I'm sorry, Randy, he was informed of what?

20 THE MARSHAL: He showed up downstairs at the front entrance and he was  
21 informed that the courthouse was closed down and that if he wasn't wearing a mask,  
22 you know, the usual stuff and that he would have to appear by BlueJeans because  
23 there was no in-person court.

24 THE COURT: Okay.

25 MR. DICKERSON: And, Your Honor, I think that -- Mike Dickerson on behalf

1 of the State, Your Honor. I think it's going to be a good idea for us to find out who it  
2 was that advised him downstairs and if --

3 THE COURT: Right.

4 MR. DICKERSON: -- we can possibly just have them appear on the record  
5 today and be sworn in to say that.

6 THE COURT: Okay. You know what I -- this is what I'd rather do, I'm going  
7 to put it on for two weeks, I want standby counsel to advise him the R.J.C. is closed  
8 down to in-person appearances. So the only way he can appear is via video. I  
9 mean, he's welcome -- I don't know, can he come to your office and appear with  
10 you, counsel?

11 MR. BATEMAN: He's more than welcome to come to my office and appear  
12 with me.

13 THE COURT: Okay. So will you make sure that he knows he has that  
14 option? And we'll put it on for two weeks.

15 MR. BATEMAN: Understood.

16 MR. DICKERSON: Thank you, Your Honor.

17 THE CLERK: Two week continuance is going to be December 17<sup>th</sup>,  
18 10:15 a.m.

19 MR. DICKERSON: Thank you.

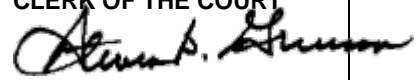
20 MR. BATEMAN: Thank you.

21 PROCEEDING CONCLUDED AT 10:41 A.M.

22 ATTEST: I do hereby certify that I have truly and correctly transcribed the audio-  
23 video recording of this proceeding in the above-entitled case.

24 

25 SARA RICHARDSON  
Court Recorder/Transcriber



DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

KIM DENNIS BLANDINO,

Defendant.

CASE NO. C-19-341767-1

DEPT. NO. XII

BEFORE THE HONORABLE MICHELLE LEAVITT, DISTRICT COURT JUDGE

*Appearing Via Teleconference*

THURSDAY, DECEMBER 17, 2020

**RECORDER'S TRANSCRIPT OF PROCEEDINGS**  
**MOTION**

APPEARANCES:

For the State:

MICHAEL DICKERSON  
Chief Deputy District Attorney  
*via teleconference*

For the Defendant:

BENNAIR R. BATEMAN, ESQ.  
Standby Counsel  
*via teleconference*

RECORDED BY: SARA RICHARDSON, COURT RECORDER



1 LAS VEGAS, NEVADA, THURSDAY, DECEMBER 17, 2020, 10:16 A.M.

2 \* \* \* \* \*

3 THE CLERK: Judge, we can start with Page 9, Blandino.

4 THE COURT: State of Nevada versus Blandino, case C341767.

5 THE MARSHAL: Judge --

6 MR. DICKERSON: Good morning, Your Honor. Mike Dickerson on behalf of  
7 the State.

8 MR. BATEMAN: Good morning, Your Honor. Ben Bateman standby counsel  
9 for Mr. Blandino.

10 THE MARSHAL: And, Judge --

11 THE COURT: Okay. Is Mr. Blandino with you?

12 THE MARSHAL: Judge, this is --

13 MR. BATEMAN: He is not, Judge.

14 THE COURT: Okay.

15 THE MARSHAL: Judge, it's Randy in the courtroom.

16 THE COURT: Okay.

17 THE MARSHAL: Mr. Blandino is downstairs, said he was not going to appear  
18 by BlueJeans and refuses to wear a mask. So the sergeant is not going to let him in  
19 the building.

20 THE COURT: Okay.

21 MR. DICKERSON: Your Honor, my request at this point in time would be,  
22 first, that you address this motion and then I'm making a request for a bench warrant  
23 to be issued for Mr. Blandino and for -- to be found that he's just not been in  
24 compliance with the conditions of his release, the main one being for all conditions  
25 of release for all defendants just appearing in court. And so I think that at this point

1 in time it's absolutely warranted to put him into custody as that seems to be the only  
2 way that we're actually going to secure his appearance in court.

3 THE COURT: Okay. Anything from standby counsel?

4 MR. BATEMAN: No, Your Honor. I --

5 THE COURT: I mean, it just appears as though he just refuses to appear. He  
6 keeps saying he wants an accommodation, but that's not true. I mean, every  
7 accommodation we've made, appear in person at the courthouse, wear a mask. He  
8 won't do that. Okay, if you don't want to wear a mask, you can appear via  
9 BlueJeans and you can go to your standby counsel's office, he refuses to do that. I  
10 literally don't understand what accommodation he wants except no accommodation,  
11 do whatever he wants, and appear in open court without a mask on and jeopardize  
12 the public health of everyone. I don't understand.

13 Does the defense want to say anything? I can assume that he doesn't  
14 want his trial set before this pandemic is over. I mean, that's pretty obvious, I'm  
15 assuming we can continue the trial out indefinitely until the pandemic's over  
16 because he's literally refusing to comply with the public health directives. I'm a  
17 State employee, this is a public building, I don't have a choice, I am required to  
18 comply with the public health directives. I have no choice.

19 MR. BATEMAN: I understand, Your Honor. I -- I, you know, I can't really, I  
20 don't know it's appropriate as standby counsel to make representations when he's  
21 the attorney in this matter. I will say I know he is not waiving his right to a speedy  
22 trial.

23 THE COURT: Sure he is by not appearing.

24 MR. BATEMAN: Well, I mean --

25 THE COURT: I apologize, counsel.

1 MR. BATEMAN: I understand. You know, I'm just stating that. So, you know,  
2 obviously I think with that's it's about as much as I ought to say. I can say he's his  
3 own attorney, so I, again, I don't think it's proper for me to make arguments.

4 THE COURT: Okay. And I apologize for interrupting you and I do appreciate  
5 that. But there's only one conclusion I can reach when you won't comply with public  
6 health directives when coming into a public building and so I'm going to make a  
7 finding that he's waived his right to a speedy trial. I can only assume since he  
8 refuses to comply with the public health directives that we can just set his trial date  
9 out closer to the end of next year when I believe we will be through this pandemic  
10 because it's pretty clear he is refusing to comply with reasonable public health  
11 directives in coming into a public building.

12 I'm not inclined to issue the bench warrant now because I'm concerned  
13 about him going into the Clark County Detention Center when he hasn't been  
14 complying with public health directives. So I'm not going to issue the bench warrant.  
15 I would encourage standby counsel to get prepared to take over the defense in this  
16 matter because it appears very likely that that's the direction we're heading if he  
17 continues to refuse to comply with the court directives, the public health directives, it  
18 appears as though you're going to have to take over his defense. I'm not going to  
19 grant that at this time. But I want Mr. Blandino to know that if he continues to refuse  
20 that you're going to be taking over his defense because I can't allow him to continue  
21 to impede and obstruct the proceedings because he won't comply with very  
22 reasonable directives.

23 So, Haly, let's set the trial out, and we can set it towards the latter part  
24 of next year.

25 THE CLERK: Okay. Calendar call is going to be August 24<sup>th</sup>, 8:30 a.m.; jury

1 trial, August 30<sup>th</sup>, 10 -- excuse me -- 10:30.

2 MR. DICKERSON: So you're denying the State's motion to revoke his right to  
3 self-representation, Your Honor?

4 THE COURT: At this point, but I'm strongly encouraging standby counsel to  
5 get prepared to take over because it really looks like we're headed in that direction  
6 because I'm not going to allow him to continue to impede and obstruct these  
7 proceedings with his willful noncompliance.

8 Haly, why don't we set it out for 120 days for a status check regarding  
9 how we are on the pandemic.

10 THE CLERK: Court's indulgence.

11 MR. DICKERSON: So would you like me -- would I -- would you like me to  
12 renew that motion in the future depending on his behavior? Or do you want to also  
13 continue out that motion for some time to see how his behavior is?

14 THE COURT: I don't think you're going to have to renew this motion. I think  
15 that my directive is pretty clear. If he continues to obstruct and impede, his standby  
16 counsel is going to take over.

17 MR. DICKERSON: Okay.

18 THE COURT: So we can leave the motion pending, that's probably a good  
19 idea.

20 MR. DICKERSON: Okay. So it's not denied at this time, motion's just  
21 pending and it's open based upon his behavior moving forward? Got it. Thank you,  
22 Your Honor.

23 THE COURT: Correct.

24 THE CLERK: Continued motion and status check regarding trial readiness is  
25 going to be April 13<sup>th</sup> at 8:30, if we're still on pandemic schedule that'll be at

1 10:15 a.m.

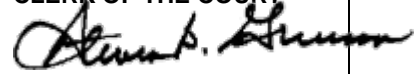
2 PROCEEDING CONCLUDED AT 10:23 A.M.

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22 ATTEST: I do hereby certify that I have truly and correctly transcribed the audio-  
23 video recording of this proceeding in the above-entitled case.

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25 SARA RICHARDSON  
Court Recorder/Transcriber



DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

KIM DENNIS BLANDINO,

Defendant.

CASE NO. C-19-341767-1

DEPT. NO. XII

BEFORE THE HONORABLE MICHELLE LEAVITT, DISTRICT COURT JUDGE

TUESDAY, SEPTEMBER 17, 2019

**RECORDER'S TRANSCRIPT OF PROCEEDINGS  
STATE'S NOTICE OF MOTION AND MOTION TO REMAND DEFENDANT FOR  
COMPETENCY PROCEEDINGS AND STATUS CHECK: CONFIRMATION OF  
COUNSEL (STAND BY COUNSEL)**

APPEARANCES:

For the State:

MICHAEL DICKERSON  
MELANIE H. MARLAND  
Deputy District Attorneys

For the Defendant:

Pro Se

BENNAIR R. BATEMAN, ESQ.  
Standby Counsel

ALSO PRESENT: STEVEN M. ALTIG, ESQ.

RECORDED BY: KRISTINE SANTI, COURT RECORDER

1 LAS VEGAS, NEVADA, TUESDAY, SEPTEMBER 17, 2019, 8:57 A.M.

2 \* \* \* \* \*

3 THE COURT: Kim Blandino, C341767 --

4 THE DEFENDANT: Kim Blandino appearing pro se for Kim Blandino.

5 THE COURT: Can I -- can I get the record --

6 THE DEFENDANT: I'm sorry.

7 THE COURT: -- done before you interrupt me, please?

8 THE DEFENDANT: I'm sorry.

9 THE COURT: Case C341767. Mr. Blandino is present in the courtroom  
10 today. And you can make your appearances.

11 MR. DICKERSON: Good morning, Your Honor. Mike Dickerson and  
12 Melanie Marland on behalf of the State.

13 THE COURT: Good morning.

14 THE DEFENDANT: Kim Blandino, pro se, for Kim Blandino with purported  
15 standby counsel. I think he has a conflict, Your Honor.

16 THE COURT: Thank you.

17 MR. ALTIG: Your Honor, Steve Altig, I was here last week when Your Honor  
18 wasn't here and Mr. Bateman.

19 MR. BATEMAN: Yes. Good morning, Your Honor. Ben Bateman, bar  
20 number 9338. I've been appointed by the --

21 THE COURT: Okay.

22 MR. BATEMAN: -- Office of Appointed Counsel to be standby counsel.

23 MR. ALTIG: After last week, Your Honor, I did -- I spoke with Mr. Blandino.  
24 The Court passed the matter for one week for me to confirm. I, after reviewing  
25 everything, determined that I have a conflict. I have two of them.

1 THE COURT: Okay.

2 MR. ALTIG: So I called Mr. Blandino and advised him of such and I called  
3 Mr. Christensen. Mr. Christensen had Mr. Bateman arrive, I cannot take the  
4 appointment because I have a conflict.

5 THE COURT: Okay. Thank you.

6 MR. ALTIG: I believe that Mr. Blandino wanted me to put the conflicts on the  
7 record. I don't know if I need to or not.

8 THE COURT: No.

9 MR. ALTIG: But if you Your Honor wants me to I can.

10 THE COURT: You have a conflict, I trust you. You're an officer of the court.  
11 Thank you very much. And thank you for your willingness to --

12 THE DEFENDANT: For the record I was willing to waive the one conflict.

13 THE COURT: -- to be here.

14 THE DEFENDANT: I didn't have a problem with it.

15 THE COURT: Okay.

16 THE DEFENDANT: But the second conflict, I agree that he would have to --

17 MR. ALTIG: There's --

18 THE COURT: Okay.

19 MR. ALTIG: There's two conflicts --

20 THE DEFENDANT: Right.

21 MR. ALTIG: -- one would be mine and I can't waive it, so.

22 THE DEFENDANT: Right.

23 THE COURT: Okay.

24 MR. ALTIG: All right.

25 THE COURT: Thank you.



1 MR. ALTIG: Thank you.

2 THE COURT: Thank you, Mr. Altig.

3 And, Mr. Bateman --

4 MR. BATEMAN: Yes.

5 THE COURT: -- you've agreed to take this appointment?

6 MR. BATEMAN: Yes, I have, Judge.

7 THE DEFENDANT: But I --

8 THE COURT: Okay. So at this time --

9 THE DEFENDANT: Now I have an objection. I need to --

10 THE COURT: Okay. Just a minute.

11 THE DEFENDANT: Yes.

12 THE COURT: Just a minute. Let me tell you how this is going to work. You  
13 do not get to decide who standby counsel is. The court's going to decide. So I'm  
14 going to appoint Mr. Bateman. Okay. You don't get the standby counsel of your  
15 choice. It -- let me -- I'm going to tell you, if you want to hire the attorney of your  
16 choice, go at it. Go out, pay an attorney, get whoever you want. But if the court is  
17 going to appoint the attorney, it's going to be the court that decides, not you. So at  
18 this time Mr. Bateman will be appointed to be standby counsel. Your objection is  
19 noted. It's overruled.

20 THE DEFENDANT: I'm -- but I need to flesh out that objection. The  
21 objection, if Bixler would have let me interview the -- Altig beforehand, we could  
22 have avoided this by knowing what conflict has. He may very well have a conflict,  
23 so it makes no sense to confirm and then to unconfirm if in fact there's some  
24 conflicts.

25 THE COURT: Okay. Thank you.

1 THE DEFENDANT: That Altig didn't know about.

2 THE COURT: Thank you. So your objection is noted. Mr. Altig is gone. I  
3 mean, he's got a conflict, he can't represent you. I'm going to appoint Mr. Bateman.  
4 So --

5 THE DEFENDANT: I have a right to interview him, I believe, before --

6 THE COURT: No, you don't. I hate to tell you, you do not. You do not have  
7 the right to interview appointed counsel before the court appoints.

8 THE DEFENDANT: Well, I -- there has to be some investigation --

9 THE COURT: Okay. Thank you very much.

10 THE DEFENDANT: -- to see if there's any possible conflict, Judge.

11 THE COURT: Thank you very much. The next --

12 THE DEFENDANT: I have to disagree in the strongest.

13 THE COURT: -- issue is going to be -- your objection and your disagreement  
14 is noted.

15 The next issue is the issue regarding referring the defendant to  
16 competency court.

17 MS. MARLAND: Yes, Your Honor. And for the record, there was an error in  
18 the -- and that was my error -- in the title it would be to refer defendant to  
19 competency and obviously not remand the defendant to competency court.

20 THE COURT: Sure. Sure. I --

21 THE DEFENDANT: I'm sorry, I didn't catch what she just said.

22 THE COURT: Nobody's asking to remand you into custody. And she's just  
23 made that pretty clear.

24 THE DEFENDANT: So -- so what was the word she said that should have  
25 been in there?

1 THE COURT: Refer.

2 THE DEFENDANT: Oh, refer rather than remand.

3 THE COURT: Refer. Correct.

4 THE DEFENDANT: Okay.

5 THE COURT: Okay?

6 THE DEFENDANT: I left my box over there. Can I go grab it?

7 THE COURT: You don't need your box for this.

8 THE DEFENDANT: Well, I have a number of things I need to put on the  
9 record here. As you know --

10 THE COURT: We're here for a couple things, appointment of counsel and  
11 whether you should be referred to competency court. Anything else, you file the  
12 appropriate motion.

13 THE DEFENDANT: I can't.

14 THE COURT: Let me just tell you, you're not here --

15 THE DEFENDANT: The vexatious litigant --

16 THE COURT: -- to determine -- you are not here to determine how these  
17 hearings are going to go. I understand you want to be here all day and all night and  
18 take up all this time.

19 THE DEFENDANT: I object to that.

20 THE COURT: But that's -- that's --

21 THE DEFENDANT: Characterization.

22 THE COURT: -- not what we're not going to do. Okay. That's not what we're  
23 going to do. I can't have this every time that you're here. Okay.

24 THE DEFENDANT: I am not permitted to file any motions under threat of  
25 contempt. I have the vexatious litigant order here. Although it's on appeal, it's still

1 an order of that I'm bound to.

2 THE COURT: Okay. What motion do you think you need to file?

3 THE DEFENDANT: Well --

4 THE COURT: Tell me what motion you want to file.

5 THE DEFENDANT: You have no authority. You're impersonating --

6 THE COURT: All right.

7 THE DEFENDANT: -- a chief judge by issuing any motion to -- order to  
8 disqualify.

9 MR. DICKERSON: Based upon everything that we've seen in court,  
10 Your Honor, and --

11 THE COURT: Okay. So, listen --

12 THE DEFENDANT: They know that I --

13 THE COURT: Right. I mean, at this point --

14 THE DEFENDANT: -- I have to have chief judge permission.

15 THE COURT: I understand. I mean, I gave you permission and signed an  
16 order for you to file any motion to disqualify.

17 THE DEFENDANT: Right.

18 THE COURT: If you want to file a motion in this court, you can ask this court  
19 for permission.

20 THE DEFENDANT: You do not have authority.

21 THE COURT: I will give you that permission and that --

22 THE DEFENDANT: You do have --

23 THE COURT: I mean, this is crazy to me.

24 THE DEFENDANT: You have no authority to --

25 THE COURT: I'm telling -- stop.

1 THE DEFENDANT: -- countermand a chief judge.

2 THE COURT: I mean this is crazy to me. I'm telling you I'm going to grant an  
3 order allowing you to file it and you're objecting to me telling you you can do what  
4 you want to do. That is not normal.

5 THE DEFENDANT: No. You don't have the authority to --

6 THE COURT: Okay.

7 THE DEFENDANT: -- countermand a chief judge's order.

8 THE COURT: Okay. All right.

9 THE DEFENDANT: A chief judge's order that if I --

10 THE COURT: Thank you.

11 THE DEFENDANT: -- try to file anything --

12 THE COURT: Thank you.

13 THE DEFENDANT: -- I can be found in contempt --

14 THE COURT: Thank you.

15 THE DEFENDANT: -- and thrown in jail for 25 days.

16 THE COURT: Okay. Thank you. Thank you very much.

17 So at this point based on the entirety of the record and everything that  
18 I've seen so far, out of an abundance of caution, I am going to refer this matter to  
19 the competency court.

20 THE CLERK: That's going to be October 4<sup>th</sup>, 10:00 a.m., in Department 7.

21 MR. DICKERSON: Given that, Your Honor, that everything would be stayed  
22 in this matter, are we going to be vacating the future dates in this department?

23 THE COURT: I mean, I don't know if it's -- if it's going to come back that  
24 quickly.

25 MR. DICKERSON: Okay. Can we do a status check then at some point in

1 time?

2 THE COURT: Sure.

3 THE DEFENDANT: Well, the record needs to reflect I'm on house arrest. Is  
4 this house arrest bracelet and the conditions therein still apply?

5 THE COURT: Okay. I mean, the record will reflect that you are on house  
6 arrest. I understand you're on house arrest.

7 THE DEFENDANT: And \$50,000.00 bail.

8 THE COURT: And I understand that you have a bracelet on.

9 THE DEFENDANT: Yes.

10 THE COURT: I understand that.

11 THE DEFENDANT: Okay.

12 THE COURT: That record's already clear. You don't have to say that every  
13 time you're here. Okay.

14 THE DEFENDANT: But my understanding is in the competency proceedings  
15 is that if there's competency proceedings going on, then everything's stayed here.  
16 So they're asking for a stay --

17 THE COURT: Okay.

18 THE DEFENDANT: -- of proceedings.

19 THE COURT: Okay. Generally, yes, that's what will happen. The  
20 proceedings here will be stayed until I get a decision back from competency court.  
21 So you'll appear in competency court --

22 THE DEFENDANT: So if the proceedings are stayed, why isn't this ankle  
23 bracelet coming off?

24 THE COURT: You will be -- appear in competency court on October 4<sup>th</sup> at  
25 10:00 a.m. Thank you very much. We're done.

1 THE DEFENDANT: What judge is that?

2 THE CLERK: State, can I please have you fill out this request?

3 MR. DICKERSON: Absolutely.

4 THE DEFENDANT: There's one more other thing.

5 THE COURT: Okay.

6 THE DEFENDANT: They put a judge's -- in that -- in that motion, they put a  
7 judge's address in that thing in exhibit. A letter I had sent to you, Telia Williams, and  
8 Michael Dickerson, and they put a judge's address. I would ask that that be stricken  
9 from that motion. They shouldn't be putting a judge's address in the record.

10 THE COURT: Thank you. Thank you.

11 THE DEFENDANT: That would Judge -- temporary judge, Michael Federico.

12 THE COURT: Okay. Thank you.

13 THE DEFENDANT: Yeah.

14 THE COURT: Thank you for --

15 THE DEFENDANT: Can you order that stricken?

16 THE COURT: No, I'm not.

17 THE DEFENDANT: Okay. I'll make a record of that.

18 MR. DICKERSON: And, Your Honor, as far as the competency referral, what  
19 we've asked and what's been done by the court today is that the court did look at  
20 the record, look at the defendant's filings, and what he's sent to the court and  
21 determine whether competency is something that is in question. So we would just  
22 ask that the referral to competency come from the court and not the State of  
23 Nevada.

24 THE COURT: The referral's coming from the court. The referral is coming  
25 from the court.

1 MR. DICKERSON: Thank you, Your Honor.

2 MS. MARLAND: Thank you, Your Honor.

3 THE COURT: Thank you.

4 THE DEFENDANT: And I object.

5 THE COURT: Okay. Thank you.

6 THE DEFENDANT: I will be interviewing my standby counsel for the record.

7 THE COURT: He's appointed. You can talk to him, that's fine and you  
8 probably should talk to him.

9 THE DEFENDANT: We'll see if there's any conflict.

10 THE COURT: Okay. Thank you very much. Thank you for being here.

11 PROCEEDING CONCLUDED AT 9:04 A.M.

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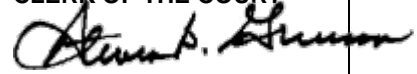
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22 ATTEST: I do hereby certify that I have truly and correctly transcribed the audio-  
23 video recording of this proceeding in the above-entitled case.

24 

25 SARA RICHARDSON  
Court Recorder/Transcriber





DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

KIM DENNIS BLANDINO,

Defendant.

CASE NO. C-19-341767-1

DEPT. NO. XII

BEFORE THE HONORABLE MICHELLE LEAVITT, DISTRICT COURT JUDGE

TUESDAY, AUGUST 18, 2020

**RECORDER'S TRANSCRIPT OF PROCEEDINGS**  
**STATUS CHECK: TRIAL SETTING**

APPEARANCES:

For the State:

MELANIE H. MARLAND  
Deputy District Attorney  
*via teleconference*

For the Defendant:

Pro Se

BENNAIR R. BATEMAN, ESQ.  
Standby Counsel  
*via teleconference*

RECORDED BY: SARA RICHARDSON, COURT RECORDER

1 LAS VEGAS, NEVADA, TUESDAY, AUGUST 18, 2020, 10:58 A.M.

2 \* \* \* \* \*

3 THE COURT: Okay. State of Nevada versus Kim Blandino, case C341767.  
4 Will standby counsel --

5 MS. MARLAND: Good morning, Melanie --

6 MR. BATEMAN: Yes.

7 MS. MARLAND: -- Melanie Marland for the State.

8 THE COURT: Okay.

9 MR. BATEMAN: Ben Bateman, standby counsel for Blandino.

10 THE COURT: Is standby counsel present on the BlueJeans?

11 THE DEFENDANT: Yes, can you hear me?

12 THE COURT: Yeah, yeah, that's better.

13 Okay. It's my understanding that Mr. Blandino presented again this  
14 morning, he refused to wear a mask. He's been given an opportunity to appear by  
15 BlueJeans. I don't know why he won't appear by BlueJeans, so.

16 MS. MARLAND: And --

17 THE COURT: Go ahead.

18 MS. MARLAND: And for the record, I did have a telephone -- telephonic  
19 conversation with Mr. Blandino this morning, informed him that he did need to wear  
20 a mask. He declined to do so for religious reasons.

21 THE COURT: Okay.

22 MS. MARLAND: So that's where we are today. I've talked to Mr. Bateman,  
23 informed him that we need get a USB drive from Mr. Blandino. We have additional  
24 discovery. I just wanted to make a record of that.

25 THE COURT: Okay. And also he dropped off some documentation, so I will

1 be marking this and making it part of the record and we will set for trial.

2 And he's in invoked status.

3 THE CLERK: Calendar call --

4 MR. BATEMAN: Yes. And, Judge, if I may, Mr. Blandino did speak to me  
5 prior to the hearing today and he did want to remind you there are two outstanding  
6 motions he has pending as well as the outstanding discovery, so if I can just make  
7 those representations.

8 THE COURT: Okay. What motions does he think are outstanding? There's  
9 one, he's filed another emergency motion to disqualify Judge Bell, that's pending. I  
10 don't know what else he thinks is pending.

11 MR. BATEMAN: I -- yes, the motions to disqualify.

12 THE COURT: Okay. And what else?

13 MS. MARLAND: And I believe he also has a motion in federal district court to  
14 address the mask mandate is what he mentioned this morning.

15 THE COURT: Okay. All right.

16 MR. BATEMAN: So --

17 THE COURT: So we will set it for trial.

18 THE CLERK: Calendar call is going to be October 6<sup>th</sup> at either 8:30 a.m. or  
19 10:15 a.m. depending on the pandemic; jury trial, October 12<sup>th</sup>, 10:30. And I'll e-mail  
20 him the minute order.

21 THE COURT: Okay. And Mr. Blandino has been given an opportunity like  
22 everybody else to appear by BlueJeans. There are several parties, attorneys, and

23 ///

24 ///

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1 district attorneys appearing by BlueJeans. But apparently he does not want to take  
2 that option.

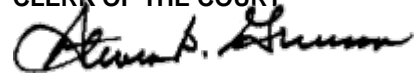
3 PROCEEDING CONCLUDED AT 11:01 A.M.

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22 ATTEST: I do hereby certify that I have truly and correctly transcribed the audio-  
23 video recording of this proceeding in the above-entitled case.

24 

25 SARA RICHARDSON  
Court Recorder/Transcriber



KIM BLANDINO PRO SE  
C/O 441 N. 16<sup>th</sup> St  
Las Vegas, Nevada 89101  
(702) 219-5657  
No Fax  
Kim43792@earthlink.net

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA

CASE NO. C-19-341767-1

Plaintiff

-vs

KIM BLANDINO

Defendant

\_\_\_\_\_/

**EMERGENCY ENTRY OF PLEA OF NOT GUILTY TO  
AMENDED INDICTMENT**

COMES NOW Defendant Kim Blandino ("Kim") representing himself pro se and files this **EMERGENCY ENTRY OF PLEA OF NOT GUILTY TO AMENDED INDICTMENT** . NRS 174.075 provides:

**" NRS 174.075 Pleadings and motions.**

1. Pleadings in criminal proceedings are the **indictment**, the **in-**  
**formation** and, in justice court, the complaint, and the **pleas** of guilty,

guilty but mentally ill, **not guilty**, not guilty by reason of insanity and nolo contendere.

Kim hereby enters a plea of not guilty to the amended indictment filed on November 18, 2021 at 11:34 a.m. and does not waive any of his rights whatsoever.

This is filed just in advance of another Emergency Motion to Disqualify Judge Leavitt which Kim which shall be filed at the earliest possible moment which will probably be on Monday Nov 22, 2021 God willing.

DATED this 19th day of November, 2021



---

Kim Blandino  
C/O 441 N 16<sup>th</sup>  
Las Vegas Nevada 89101  
702 219-5657  
Kim 43792@earthlink.net

**ASSEVERATION IN SUPPORT OF THIS FILING**

I Kim Blandino state under penalty of perjury that I am 66 years of age (outside the womb) and have read the foregoing and the same is true and correct except as to those matters of belief and belief and as to those matters Kim believes them to be true. And that:

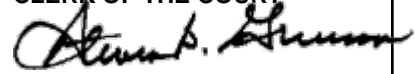
1. That Kim signature affixed to this document is the true and correct signature

and that Kim was wrongfully prevented from coming into open court on Nov. 18 even though Kim had two prior negative tests Covid tests by the Southern Nevada Health Department ("SNHD") and the written original results of Nov. 17 and 16 and these were supplied to the chief judge and to judge Leavitt DATED this November 19, 2021.



---

KIM BLANDINO PRO SE #363075  
CCDC In Custody House Arrest Module  
330 S Casino Center Blvd.  
Las Vegas, Nevada 89101  
(702) 219-5657  
No Fax  
Kim43792@earthlink.net



**MOT**  
STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
MICHAEL R. DICKERSON  
Chief Deputy District Attorney  
Nevada Bar #013476  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,  
  
Plaintiff,

-vs-

KIM DENNIS BLANDINO,  
#363075  
  
Defendant.

CASE NO: C-19-341767-1

DEPT NO: XII

**STATE'S NOTICE OF MOTION AND MOTION TO STRIKE DEFENDANT'S  
MOTION<sup>1</sup> AND MOTION TO REVOKE DEFENDANT'S SELF-  
REPRESENTATION**

DATE OF HEARING: November 30, 2021

TIME OF HEARING: 11:00 AM

**HEARING REQUESTED**

ok PO

COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through MICHAEL R. DICKERSON, Chief Deputy District Attorney, and files this Notice Of Motion And Motion To Strike Defendant's Motion And Motion To Revoke Defendant's Self-Representation.

This Motion is made and based upon all the papers and pleadings on file herein, the attached points and authorities in support hereof, and oral argument at the time of hearing, if deemed necessary by this Honorable Court.

<sup>1</sup> EMERGENCY CURRENT COVID-19 HYSTERIA NOVEMBER 22 2021 MOTION TO DISQUALIFY JUDGE MICHELLE LEAVTTT ("LEAVTTT") AND ALL OF THE JUDGES OF THE EJDC PURSUANT TO THE DUE PROCESS CLAUSE OF THE 5<sup>TH</sup> AND 14<sup>TH</sup> AMENDMENT AS APPLIED TO THE STATES OF THE U.S. CONSTITUTION, NRS 1.230 AND 1.235 AND RULE 2.11 OF THE REVISED NEVADA CODE OF JUDICIAL CONDUCT ("CODE") AND IN ACCORD WITH RTPPO V BAKER 137 S.CT. 905 (2017) AND ECHAVARRIA V FILSON 896 F.3D 1118 (9th CIR.2018) AND DEMAND TO TAKE JUDICIAL NOTICE



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DATED this 22nd day of November, 2021.

BY /s/ MICHAEL R. DICKERSON  
MICHAEL R. DICKERSON  
Chief Deputy District Attorney  
Nevada Bar #013476

## POINTS AND AUTHORITIES

This criminal case is currently scheduled to proceed to trial beginning on December 6, 2021.

On November 22, 2021, Defendant filed another Motion to Disqualify<sup>2</sup>, which is his fifteenth Motion to Disqualify filed in this case.<sup>3</sup> Defendant yet again moves to disqualify Judge Leavitt and all judges of the Eighth Judicial District Court. The Courts have repeatedly reviewed Defendant's frivolous motions to disqualify and found they were without merit.<sup>4</sup> The Courts' finding also include that of Judge Wilson concluding that "Mr. Blandino's disqualification claims are not legitimate, that they were made to gain tactical advantages in his criminal case before Judge Leavitt." (See Order Denying Motion to Disqualify Judge Michelle Leavitt, C-19-341767-1, filed August 10, 2021, at 13:5-6).

The State hereby incorporates by reference the content, law and argument of State's prior moving papers related to this issue, as contained in State's Notice of Motion and Motion to Revoke Defendant's Self-Representation and Appoint Counsel (Doc ID# 59, filed

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<sup>2</sup> Defendant's Fifteenth Motion to Disqualify entitled: EMERGENCY CURRENT COVID-19 HYSTERIA NOVEMBER 22 2021 MOTION TO DISQUALIFY JUDGE MICHELLE LEAVTTT ("LEAVTTT") AND ALL OF THE JUDGES OF THE EJDC PURSUANT TO THE DUE PROCESS CLAUSE OF THE 5<sup>TH</sup> AND 14<sup>TH</sup> AMENDMENT AS APPLIED TO THE STATES OF THE U.S. CONSTITUTION, NRS 1.230 AND 1.235 AND RULE 2.11 OF THE REVISED NEVADA CODE OF JUDICIAL CONDUCT ("CODE") AND IN ACCORD WITH RTPPO V BAKER 137 S.CT. 905 (2017) AND ECHAVARRIA V FILSON 896 F.3D 1118 (9th CIR.2018) AND DEMAND TO TAKE JUDICIAL NOTICE.

<sup>3</sup> First Motion to Disqualify, Doc ID# 28, filed December 13, 2019 (seeking to disqualify Judges Leavitt, Bell and Marquis and all Judges of the Eighth Judicial District Court; Second Motion to Disqualify, Doc ID# 43, filed May 7, 2020 (seeking to disqualify Judges Leavitt, Bell, Silva, Villani, Hardy and Marquis and Judges of the Eighth Judicial District Court); Third Motion to Disqualify, Doc ID# 46, filed July 10, 2020 (seeking to disqualify Sr. Judge Barker); Fourth Motion to Disqualify, Doc ID# 54, filed August 11, 2020 (seeking to disqualify Judge Bell; Fifth Motion to Disqualify, Doc ID# 70, filed March 8, 2021 (seeking to disqualify Judge Leavitt); Sixth Motion to Disqualify, Doc ID# 76, filed April 14, 2021 (seeking to disqualify Judges Leavitt and Bell); Seventh Motion to Disqualify, Doc ID# 79, filed April 22, 2021 (seeking to disqualify Judge Tierra Jones); Eighth Motion to Disqualify, Doc ID# 81, filed May 6, 2021 (seeking to disqualify Judge Allf); Ninth Motion to Disqualify, Doc ID# 105, filed August 18, 2021 (seeking to disqualify Judge Leavitt and all judges of the Eighth Judicial District Court); Tenth Motion to Disqualify, Doc ID# 114, filed August 23, 2021 (seeking to disqualify Judge Leavitt); Eleventh Motion to Disqualify, Doc ID# 117, filed September 20, 2021 (seeking to disqualify Judge Leavitt); Twelfth Motion to Disqualify, Doc ID# 118, filed September 29, 2021 (seeking to disqualify Judge Leavitt); Thirteenth Motion to Disqualify, Doc ID# 120, filed September 29, 2021 (seeking to disqualify Judge Tierra Jones); Fourteenth Motion to Disqualify, Doc ID# 123, filed October 11, 2021 (seeking to disqualify Judge Allf and All the Judges of the Eighth Judicial District Court).

<sup>4</sup> Decision and Order Denying the May 7, 2020, and July 10, 2020, Motions To Disqualify Judge, Doc ID# 51, filed August 3, 2020; Decision and Order Denying the Motions for Reconsideration And Disqualification C341767, Doc ID# 56, filed August 19, 2020; Order Denying Motion to Disqualify Judge Michelle Leavitt, Doc ID# 103, filed August 10, 2021; Order Denying Motion to Disqualify Judge Nancy Allf, Doc ID# 132, filed October 14, 2021; Order Denying Motion To Disqualify Judge Tierra Jones And Judge Michelle Leavitt, Doc ID# 133, filed October 15, 2021.

November 6, 2020), State’s Supplement to Motion to Revoke Defendant’s Self-Representation and Appoint Counsel (Doc ID# 62, filed November 25, 2020), State's Second Supplement to Motion to Revoke Defendant's Self-Representation and Appoint Counsel (Doc ID# 86, filed May 19, 2021), State's Third Supplement to Motion to Revoke Defendant's Self-Representation and Appoint Counsel (Doc ID# 104, filed August 13, 2021).

**1. DEFENDANT’S MOTION IS PROCEDURALLY BARRED AND SHOULD BE STRICKEN.**

NRS 1.235 provides the statutory procedure for disqualifying judges. Defendant’s Motion must be supported by an “affidavit specifying the facts upon which the disqualification is sought” and that “affidavit must be filed: (a) Not less than 20 days before the date set for trial or hearing of the case; or (b) Not less than 3 days before the date set for the hearing of any pretrial matter.” NRS 1.235(1).

Here, jury trial is scheduled to begin in 14 days. As such, Defendant’s motion and affidavit attached thereto is untimely and, thus, procedurally barred.” Moreover, Defendant’s affidavit attached to his Motion (entitled “Asseveration In Support Of Motion”) does not specify the facts upon which the disqualification is sought. Thus, Defendant’s Motion is without support or merit.

Based upon the foregoing, this Honorable Court should strike Defendant’s fifteenth Motion to Disqualify<sup>5</sup>. Furthermore, given the abuse of process that has occurred throughout Defendant’s fifteen motions to disqualify, this Court should rescind its Order Granting Defendant Leave to File a Motion to Disqualify Department XII (Doc ID# 6, filed August 8, 2019).

**2. DEFENDANT’S SELF-REPRESENTATION SHOULD BE REVOKED.**

“[T]he right of self-representation is not absolute.” See Indiana v. Edwards, 554 U.S. 164, 171, 128 S. Ct. 2379, 2384, 171 L. Ed. 2d 345 (2008) (citing in part Faretta v. California, 422 U.S. 806, at 835, n. 46, 95 S. Ct. 2525, 45 L. Ed. 2d 562 (1975); McKaskle v. Wiggins, 465 U.S. 168, 178–179, 104 S.Ct. 944, 79 L.Ed.2d 122 (1984). ). “Even at the trial level ...

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<sup>5</sup> See fn. 2, *supra*.

1 the government's interest in ensuring the integrity and efficiency of the trial at times outweighs  
2 the defendant's interest in acting as his own lawyer.” Edwards, 554 U.S. at 177 (quoting  
3 Martinez v. Ct. of Appeal of California, Fourth App. Dist., 528 U.S. 152, 162, 120 S. Ct. 684,  
4 145 L. Ed. 2d 597 (2000)). “Further, proceedings must not only be fair, they must ‘appear fair  
5 to all who observe them.” Edwards, 554 U.S. at 177.

6 In Tanksley v. State, 113 Nev. 997, 1000, 946 P.2d 148, 150 (1997), the Nevada  
7 Supreme Court upheld the trial court’s denial of self-representation due to Tanksley’s prior  
8 self-representation being “to say the least it was pathetic and it was disruptive,” which included  
9 the Court’s witnessing of Tanksley’s courtroom incidents of extremely disruptive behavior.

10 In this case, Defendant’s behavior throughout this case has proved extremely  
11 disruptive. Defendant’s filing of fifteen motions to disqualify to tactically delay trial in this  
12 case has been disruptive and obstructionist misconduct. Defendant’s refusal to appear in court  
13 in accordance with the Court rules and his refusal at times to appear via video, evidence  
14 another part of his disruptive behavior. Defendant’s continued interruption of the Court during  
15 proceedings where he does appear further evidence his disruptive behavior. Defendant’s  
16 inappropriate emails and communications sent to the Court and its staff further evidence his  
17 misconduct and repeated intentional refusal to follow the rules.

18 This Court has already found that Defendant is engaging in obstructionist misconduct.  
19 (See Court Minutes 8/24/21 (“COURT STATED it is clear that the Defendant does not want  
20 to follow the rules; the Defendant continues to conduct obstructionist behavior and is impeding  
21 the State from moving forward. COURT ADMONISHED and reminded the Defendant that if  
22 the Defendant does not want to comply with the rules, the Court will revoke the Defendant's  
23 self-representation ... Further, Court stated if the Defendant wants to appear in the Regional  
24 Justice Center, then the Defendant will be required to follow the rules and wear a mask and if  
25 not, then the Defendant will need to appear via blue jeans”)).

26 Based upon the totality of Defendant’s conduct in this case while representing himself,  
27 including his successive, meritless and obstructionist filings of motions to disqualify, the Court  
28 needs to revoke Defendant’s self-representation before trial. See Faretta v. California, 422

1 U.S. 806, at 835, n. 46, 95 S. Ct. 2525, 45 L. Ed. 2d 562 (1975) (self-representation is no right  
2 “to abuse the dignity of the courtroom”); ibid. (no right to avoid compliance with “relevant  
3 rules of procedural and substantive law”); id., at 834, n. 46 (no right to “engag[e] in serious  
4 and obstructionist misconduct.”). Revocation of Defendant’s self-representation before trial  
5 is necessary due to Defendant time and time again showing this Court that he will continue to  
6 engage in obstructionist misconduct and willfully refuse to follow the rules of the Court.  
7 Defendant’s disruptive and obstructionist misconduct will make it impossible to complete a  
8 jury trial without Defendant causing a mistrial and will also continue to obstruct this case  
9 moving forward toward trial.

10 **3. PSYCHOLOGICAL RESEARCH: DEFENDANT’S DISRUPTIVE AND**  
11 **OBSTRUCTIONIST MISCONDUCT WILL CONTINUE UNTIL THIS**  
12 **COURT REVOKES HIS SELF-REPRESENTATION**

13 As noted in a previous filing, Dr. Hanson diagnosed Defendant with “Personality  
14 Disorder NOS with Obsessive, Schizotypal and prominent Narcissistic traits.” That diagnosis  
15 defines Defendant’s rigid and unhealthy pattern of thinking, functioning and behaving, his  
16 desire to be in control of people, tasks and situations, his inflexibility, his peculiar dress,  
17 thinking, beliefs, and behavior, his magical thinking (i.e. believing he can influence people  
18 and events with thoughts and that certain casual incidents or events have hidden), his belief  
19 that he is special and more important than others, as well as his arrogance and unreasonable  
20 expectations of favors and advantages. See Mayo Clinic, Personality disorders,  
21 [https://www.mayoclinic.org/diseases-conditions/personality-disorders/symptoms-causes/syc-](https://www.mayoclinic.org/diseases-conditions/personality-disorders/symptoms-causes/syc-20354463)  
22 [20354463](https://www.mayoclinic.org/diseases-conditions/personality-disorders/symptoms-causes/syc-20354463) (accessed 8/12/21).

23 Also, notable to this issue, Defendant was previously deemed a vexatious litigant by  
24 order of the Eighth Judicial District Court in another proceeding. (See Order Declaring Kim  
25 Blandino A Vexatious Litigant, 18-A775478-J, filed July 2, 2018).

26 Research on the issue of vexatious litigants has been done and appears to perfectly  
27 define Defendant as he presents to this Court. (See Exhibit 1 - P. Mullen and G. Lester,  
28 Vexatious Litigants and Unusually Persistent Complainants and Petitioners: From Querulous  
Paranoia to Querulous Behavior, Behavior of Science and Law, (16 May 2006)). Querulous

1 behavior “describe a pattern of behaviour involving the unusually persistent pursuit of a  
2 personal grievance in a manner seriously damaging to the individual's economic, social, and  
3 personal interests, and disruptive to the functioning of the courts and/or other agencies  
4 attempting to resolve the claims.” (Id. at 334). “The central feature clinically is their complete  
5 focus on their quest for a personal vision of justice to which all else is subordinated.” (Id. at  
6 338). “Not infrequently they will arrive dragging suitcases full of documents which they will  
7 attempt to have you peruse.” (Id. at 339). “The enthusiasm and passionate engagement in  
8 their quest for supposed justice can obscure the essential absurdity of [their] expectations and  
9 distract attention from the chaos the pursuit has created for themselves and those around  
10 them.” (Id. at 340). “[A]s time passes the individual becomes more fixated, more socially  
11 isolated, more certain of the malevolence of all opposition, and more convinced of the wider  
12 significance of the quest.” (Id. at 340 (emphasis added)). “Querulousness is destructive to the  
13 afflicted individuals and their families as well as disruptive to agencies of accountability and  
14 the courts. (Id. at 343). “Querulous behaviour imposes significant burdens on the courts,  
15 agencies of accountability and those charged with the protection of public figures.” (Id. at  
16 348).

17 “The [Edwards] Court [and the] the American Psychiatric Association [agreed] that  
18 ‘[d]isorganized thinking, deficits in sustaining attention and concentration ... anxiety, and  
19 other common symptoms of severe mental illnesses can impair the defendant's ability to play  
20 the significantly expanded role required for self-representation even if he can play the lesser  
21 role of represented defendant.’” See Christina L. Patton et. al., Legal and Clinical Issues  
22 Regarding the Pro Se Defendant: Guidance for Practitioners and Policy Makers, 25 Psychol.  
23 Pub. Pol'y & L. 196, 199–200 (2019) (quoting Edwards, 554 U.S. at 176, 128 S. Ct. at 2387,  
24 171 L. Ed. 2d 345). For example, “Edwards' rambling and nonsensical motions, “for instance,  
25 revealed his “impaired expressive abilities” and “disordered thinking.” Id., 25 Psychol. Pub.  
26 Pol'y & L. at 200.

27 Here, Defendant’s querulous behavior, disruptiveness and obstructionist misconduct  
28 has continued despite multiple orders from the Courts and specific admonishment by this

1 Court. Defendant's disruptive and obstructionist misconduct is in all likelihood a product of  
2 his mental health disorder and, as such, research indicates that Defendant's disruptive and  
3 obstructionist misconduct will continue so long as this Court continues to allow him to  
4 represent himself. This Court has given Defendant ample opportunity to end his disruptive  
5 and obstructionist misconduct and to follow the rules of the Court. Defendant has nonetheless  
6 continued with his campaign of disruptive and obstructionist misconduct. This Court must  
7 revoke Defendant's self-representation given that Defendant has intentionally overstepped the  
8 bounds of self-representation as contemplated by Faretta by obstructing and disrupting these  
9 proceedings. Revoking Defendant's self-representation is well supported by law and the only  
10 way this Court can ensure the integrity and efficiency of the trial.

### 11 CONCLUSION

12 Based upon the foregoing, the State respectfully requests this Honorable Court strike  
13 Defendant's fifteenth Motion to Disqualify<sup>6</sup> and revoke Defendant's self-representation.

14 DATED this 22nd day of November, 2021.

15 STEVEN B. WOLFSON  
16 Clark County District Attorney  
Nevada Bar #001565

17 BY /s/ MICHAEL R. DICKERSON  
18 MICHAEL R. DICKERSON  
19 Chief Deputy District Attorney  
Nevada Bar #013476

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<sup>6</sup> See fn. 2, *supra*.

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CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that service of the above and foregoing was made this 22nd day of November, 2021, by electronic transmission to:

KIM DENNIS BLANDINO  
Kim43792@earthlink.net  
  
BENNAIR BATEMAN, ESQ.  
brb@brblv.com

BY /s/ Laura Mullinax  
Secretary for the District Attorney's Office

19F09876X/MRD/lm/GU



# Exhibit 1

## **Vexatious Litigants and Unusually Persistent Complainants and Petitioners: From Querulous Paranoia to Querulous Behaviour**

Paul E. Mullen, M.B.B.S., D.Sc.\*  
and Grant Lester M.B.B.S., M.M.E.D.†

Querulous paranoia was once of considerable clinical and academic interest in psychiatry. Over the last 40 years, however, it has virtually disappeared from the professional landscape. This decline occurred at the very time that a proliferation of complaint organizations and agencies of accountability were drawing more and more people into asserting their individual rights through the pursuit of claims and grievances. Querulous behaviour, as a result, far from declining, is on the increase, bringing with it suffering for the querulous and disruption to the organizations through which they seek their vision of justice.

This article examines querulous behaviour in the vexatious litigant and in abnormally persistent complainants and petitioners. The phenomenological and nosological issues are outlined and the risks of the emergence of threatening and violent behaviour is emphasized. Threats should not be ignored, for a variety of reasons. Approaches to managing querulous behaviour in the courts and the complaint organizations are discussed, together with the utility of individual therapy. Querulous behaviour should once more take its place among the legitimate concerns of mental health professionals. Those caught up in a querulous pursuit of their notion of justice are amenable to management that can ameliorate their suffering and reduce the disruption they create. Copyright © 2006 John Wiley & Sons, Ltd.

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†Victorian Institute of Forensic Mental Health.

Querulous (from the Latin for plaintive murmuring) is used in this article to describe a pattern of behaviour involving the unusually persistent pursuit of a personal grievance in a manner seriously damaging to the individual's economic, social, and personal interests, and disruptive to the functioning of the courts and/or other agencies attempting to resolve the claims. Potentially included among the querulous are three broad types, unusually persistent complainants, vexatious litigants, and those who in pursuit of idiosyncratic quests harass the powerful and prominent with petitions and pleas. Excluded from this category are social reformers and campaigners who use litigation and complaint to advance agendas of potential public interest, even if they are pursuing unpopular causes in a disruptive manner.

The psychiatric literature has tended to focus almost exclusively on querulous behaviour as it manifests as part of paranoid or delusional disorders (Astrup, 1984; Johanson, 1964; Kolle, 1931; Munro, 1999; Pang, Ungvari, Lum, Lai, Leung, 1996; Refsum, 1983; Ungvari, 1995; Winokur, 1977). Though classical psychiatry recognized that the querulous were not necessarily psychotic, and that the condition could represent a psychogenic reaction (Jaspers, 1923; Kraepelin, 1904) the terminology betrays the centrality of delusion with labels such as querulant paranoia (Kraepelin, 1904), paranoia querulanium (von Krafft-Ebbing, 1879), and litigious paranoia (Goldstein, 1995). Similarly in today's classificatory systems, querulous behaviour finds its place primarily in paranoia querulants of the ICD 10 and delusional disorder persecutory type of the DSM IV-TR (Kendler, 1981). Even Rowlands (1988) and d'Orban (1985), who studied vexatious litigants and contemnors respectively, gave primacy to the supposed underlying psychopathology.

This article will examine querulousness as a constellation of behaviours and attitudes, which may, or may not, arise secondary to a major mental disorder, such as schizophrenia, and may, or may not, be characterized by delusional phenomena. What primarily defines the concept, we believe, is a disorder of behaviour, and, like any pattern of behaviour, the routes to its emergence and the factors that enable and sustain it can be many and varied. Pathology in this conceptualization does not lie exclusively in the subjects' mental state but in their behaviour and its impact on themselves and others. This runs counter to a continuing tradition in psychiatry, but not in psychology, to source pathology primarily in abnormal states of mind and to avoid judgements about pathology based on behaviour alone (Clare, 1997; Lewis, 1955).

## THE DECLINE AND FALL OF QUERULOUS PARANOIA

The unusually persistent complainers and the indefatigable litigators once attracted considerable interest. The law attempted to protect its courts through legislation aimed at excluding the vexatious litigant, the earliest example being a Prussian Law from 1793 (Caduff, 1995). Such laws still exist but are increasingly ineffective, judging from the escalating problems with such persons in today's courts. Criminal laws once existed in England and Wales to protect the wider community from

barrators, who were those persistent complainers fomenting quarrels and discord among their neighbours, but such laws have fallen into disuse (Freckleton, 1988). In nineteenth century psychiatric texts querulousness became intertwined with the monomanias and paranoia (Munro, 1982; von Krafft-Ebbing, 1879). The behaviours by which querulousness is defined became, in this discourse, totally subordinated to the putative mental disorders supposed to give rise to these behaviours.

In the latter half of the twentieth century interest in the querulous has waned and they have ceased to attract professional attention either clinically or academically. Caduff (1995), for example, documented a threefold decrease in the use of the diagnosis of querulous paranoia in Switzerland's mental health services over the last 80 years. In part the decline in interest was because of the distrust of the concept of paranoia (Post, 1982), in part the rejection of the overtly judgemental labels, which reified those who evinced unusually persistent complaining as neurotic quarrellers or querulous psychopaths (Kolle, 1931; Schneider, 1958; Stalstrom, 1980). In part it may have been a recognition that the labels were obscuring more than they revealed about this complex and multifaceted behaviour.

The virtual disappearance of the querulous from the professional landscape corresponded to a period when complaints and grievance procedures were emerging as a central mechanism for resolving conflict in social systems which increasingly based their legitimacy on an ideology of individual rights. Ordinary citizens' capacity to contest issues, to seek justice, and even to claim redress has come to depend not primarily on the courts but mainly on complaint departments, agencies of accountability, such as ombudsmen's offices, and commissions of, for example, equal opportunity. A privileged few can afford to go directly to the courts, but for most complaint resolution procedures are their bulwark against the power of private and public agencies. Not surprisingly it became problematic to discuss the pathologies of complaints, which could potentially strip an individual of legitimacy in the new fora where so much of vital concern could be decided. Paradoxically then, at the very moment when vast numbers of people were being drawn, for the first time, into a multiplicity of new complaint resolution procedures, there was an exclusion of knowledge of the problems such systems could create for a small, vulnerable, but increasingly salient group.

## UNUSUALLY PERSISTENT COMPLAINANTS

Agencies of accountability are aware of a small group of unusually persistent complainants who consume an inordinate amount of time and organizational resources in the pursuit of grievances that, in and of themselves, seem, if not trivial, at least lacking in the complexity and import that might justify such lengthy and concentrated campaigns (Lester, Wilson, Griffin, & Mullen, 2004). The various agencies of accountability contacted in Australia estimated that such unusually persistent complainants only made up a fraction of one per cent of those who pursued grievances but consumed between 15 and 30% of all resources. Those who struggle to assist these complainants are keenly aware of the price being paid for such persistence by the complainants themselves in terms of time, money, and personal and social functioning. All too many lose jobs, friends, and partners as their lives are taken over by the pursuit of their vision of justice. The professionals who manage

Table 1. Anomalies found frequently in written communications from the querulous

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Form
<ul style="list-style-type: none"> <li>• Curious formatting.</li> <li>• Many, many pages.</li> <li>• Odd or irrelevant attachments—e.g., copies of letters from others and legal decisions, UN Charter on Human Rights etc., all usually, extensively annotated.</li> <li>• Multiple methods of emphasis including               <ul style="list-style-type: none"> <li>highlighting (various colours)</li> <li>underlining</li> <li>capitalization.</li> </ul> </li> <li>• Repeated use of “”, ???, !!!.</li> <li>• Numerous foot and marginal notes.</li> </ul>
Content
<ul style="list-style-type: none"> <li>• Rambling discourse characterized by repetition and a pedantic failure to clarify.</li> <li>• Rhetorical questions.</li> <li>• Repeated misuse of legal, medical and other technical terms.</li> <li>• Referring to self in the third person.</li> <li>• Inappropriately ingratiating statements.</li> <li>• Ultimatums.</li> <li>• Threats of violence to self or others.</li> <li>• Threats of violence directed at individuals or organizations.</li> </ul>

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complaints also suffer in having their sense of competence repeatedly undermined and by, on occasion, having their personal safety threatened. Most distressing for many of the professionals is sensing that they have become party to damaging those they sought to assist.

A study of 52 unusually persistent complainants suggested that compared to a matched control group they pursued their complaints far longer, produced far greater volumes of material in support of their cases, and when their cases were closed there had been nothing approaching a mutually acceptable resolution (Lester et al., 2004). There were often characteristic anomalies in the form and content of written statements of complaint (See Table 1). It became clear that both the unusually persistent complainants and controls shared the desires for reparation and compensation. They differed from most controls in pursuing retribution against not only those they believed had injured them initially, but often a range of people who they believed had obstructed their pursuit of justice. Typically they wanted specific individuals dismissed or criminally prosecuted and organizations closed down or made to pay punitive damages. Virtually confined to the unusually persistent was the demand for public recognition not only of the justice of their claims but of their struggle on behalf of the rights of all. They seemed often to see themselves as champions of the common man, whose grievances had transcended the personal to become of national, or even international, import. In short, the unusually persistent were seeking retribution and personal vindication; aims that are incompatible with the objectives, and the powers, of the agencies of accountability to which they brought their complaints.

## VEXATIOUS LITIGANTS

Chronic litigators in the civil and family court have long been recognized as a problem (Freckleton, 1988; Goldstein, 1995; Rowlands, 1988). These vexatious

litigants are distinguished from the unusually persistent complainants largely by pursuing their grievance predominantly within the courts, though they usually access agencies of accountability to some extent. Those who use the courts extensively will often appear as unrepresented litigants, sometimes because they have exhausted their funds or the patience of lawyers, sometimes because they believe that nobody else can be trusted to adequately present their case. As unrepresented litigants they can be particularly challenging to the smooth functioning of the courts. This group also tend to find themselves charged with contempt of court when their passionate involvement in their case results in intemperate remarks to the judge. Attempts to exclude these dedicated litigators from the courts often fail. Internet sites now provide information on how to circumvent orders declaring them vexatious as well as mutual support from likeminded litigators.

### UNUSUALLY PERSISTENT PETITIONERS

A third type of querulous behaviour involves pursuing a quest for justice primarily through petitioning prominent people such as politicians and heads of state. This group typically send voluminous and repeated communications setting out their case and pleading for, or demanding, help. Like other querulous individuals they may gradually shift from requests to demands, from demands to recriminations, and from recriminations to threats. Occasionally such individuals attempt to make direct contact with the public figure on whom they have become fixated. They come to regard the public figure either as their saviour or as the central impediment to their quest. In rare incidences they may attempt to attack the object of their fixation. Though rare, it is this group who have been responsible for many of the attacks on senior politicians in the Western world over the last 20 years. Our impression of this group of the querulous is that it contains a higher proportion of individuals with severe and obvious psychosis, which almost certainly preceded, and drives, their complaining and claiming. There is an overlap with the vexatious litigants and the unusually persistent complainants in that they also make complaints to various agencies and occasionally attempt to initiate litigation or criminal prosecutions. Many of the litigants and complainers also attempt on occasion to exhort support from public figures. Senior politicians and heads of state often have services for dealing with their mountains of correspondence, which are skilled at recognizing the obviously disordered and potentially querulous. They tend to respond with bland and standard expression of interest and general good will under the signature of the principal. Their responses are often treasured by their recipients as clear expressions of support for their cause, or worse still encourage expectations of the principal, which, when inevitably disappointed, may provoke campaigns of harassment. Those who deal with the querulous become used to having these standard letters from ministers or members of the royal family waved under their noses as the ultimate proof of the justice of the cause.

### CLINICAL FEATURES

Vexatious litigants and the unusually persistent complainants and petitioners are usually seen in our clinic on court orders following acts of violence or threats.

Typically such individuals have been pursuing their campaigns for a number of years and have resorted to violence in a calculated attempt to further their causes. Examples include an individual who arrived at an ombudsman office with dynamite strapped to himself, and several who were impolitic enough to make threats to judges. All, by the time they reached our clinic, were living alone and destitute but still totally focussed on their quest for justice. Our clinical cases were all men and in the sample from ombudsmen's offices over 70% were male, which accords with the male preponderance in other case series (Caduff, 1995; Kolle, 1931; Kraepelin, 1904; van der Heydt, 1952).

In assessing those showing querulous behaviour, we have found it useful to assess changes that occur over time in five domains: the claims process, the nature of the grievance, the supposed agents of injustice, the state of mind, and finally the social circumstances. As an example, a man in his late 40s made a complaint to the local bank manager over the manner in which mortgage documents had been prepared. There were grounds for legitimate concern as irregularities had occurred, though of a minor nature and of a kind which might have been expected to be to his advantage. This occurred at a time when he was in considerable financial difficulties and was experiencing marital problems. When his complaint was rejected, he took the matter to the banking ombudsman, stopped paying the mortgage and initiated civil action. When, over the next year, he failed to obtain a satisfactory resolution, he took up complaints with the human rights commissioner, complained to the securities exchange commissioner, took a case through the consumer rights organization and commenced further civil litigation. The foreclosure on the mortgage initiated a further round of complaint and litigation. Some four years after the initial complaint a series of bomb threats to courts and banks led to his prosecution and referral. When assessed he was righteously indignant, believing he had no choice but to have taken extreme action to bring attention to an injustice that had destroyed him and his family and threatened the very economic fabric of the nation. He firmly believed he was owed millions in punitive damages, and that when he inevitably prevailed this would bring down the transnational banking corporation that owned his particular branch office. He regarded himself as a whistle blower, who would be publicly recognized as one of the major social reformers of his generation. The changes over time in the grievance, the agents, his state of mind, and social situation are presented schematically in Table 2.

This case, though dramatic, is typical in many respects. It illustrates the gradual but ultimately devastating social decline, the manner in which the grievance spread out to incorporate wider and wider issues, together with the accretion of more and more agents supposedly responsible. The mental state of such individuals by the time we see them is dominated by apparently unshakeable beliefs around the justice of their grievances, the wide social import of their pursuit of justice, and the organized and malevolent opposition they face. They usually retain a certainty of total victory. Many of these individuals have a plausibility and even an infectious enthusiasm. They present their grievances in pedantic detail and with superficial rationality. This can distract the inexperienced from the extraordinary nature of their actual claims in which the manifestly minor has come to support a grand edifice of conjecture and accusation.

The central feature clinically is their complete focus on their quest for a personal vision of justice to which all else is subordinated. By the time they reach our clinic

Table 2. A case of querulous behaviour: the changes over a five year period in the nature of the grievance, the agents held responsible, his state of mind, and his social situation

Grievance	Agents
<ul style="list-style-type: none"> <li>• Errors in mortgage documents</li> <li>• Potential financial loss</li> <li>• Actual financial loss</li> <li>• Victim of major fraud and theft</li> <li>• System wide corruption</li> <li>• A campaign of financial corruption threatening the nation's economic stability</li> </ul>	<ul style="list-style-type: none"> <li>• Bank's accountant</li> <li>• Plus manager</li> <li>• Plus senior management</li> <li>• Plus banking ombudsman</li> <li>• Plus lawyers and judges</li> <li>• Plus wife</li> <li>• Plus various public agencies</li> <li>• Plus police</li> <li>• Plus prime minister</li> <li>• Plus secret services</li> </ul>
State of mind <ul style="list-style-type: none"> <li>• Rigid, discontented man, obsessional traits but articulate and ambitious</li> <li>• Increasingly fixated on grievance</li> <li>• Pursuit of justice subordinates all other concerns</li> <li>• Increasingly convinced he is being persecuted and spied upon</li> <li>• He is a man of destiny fighting forces of national and international corruption</li> </ul>	Social situation <ul style="list-style-type: none"> <li>• Moderately successful small businessman, married, two children, but experiencing financial pressures and marital problems</li> <li>• Business begins to fail as all his attention moves to grievance</li> <li>• Marriage breaks down</li> <li>• Alienates few friends he had</li> <li>• Bankruptcy</li> <li>• Living alone</li> <li>• Destitute</li> </ul>

they have usually laid waste to the financial and social fabric of their lives. They are like gamblers with no way out of the devastation they have wrought but through a really big win. At issue is no longer just money and esteem but their very existence. They may initially present as either suspicious and dismissive, or as ingratiating and appealing for understanding and support. Not infrequently they will arrive dragging suitcases full of documents which they will attempt to have you peruse. These papers often appear, at first glance, neatly ordered. The documents are frequently graced with multiple marginalia and with words and phrases emphasized by underlining or highlighter pens, often in several different hues (see Table 1). On closer examination they are usually found to consist of a confusing mixture of copies of letters, photocopies of legal decisions, legislation and even international declarations on human rights, together with documents such as certificates of educational and other attainments. It is not infrequent for such patients to insist on making notes of any interview or recording the interview, usually on audio tape but just occasionally on video. Inevitably they will request copies of your notes and, equally inevitably, one way or another they will eventually obtain them. Their speech may be marked by what Kraepelin (1904) referred to as "a wearisome diffuseness of conversation" and often by the use of a multiplicity of technical terms, particularly from the legal discourse, employed idiosyncratically. Sensitivity and self-reference is frequent, with about a third expressing beliefs that they are the victim of a conspiracy that spies upon them and frustrates them at every turn.

Phenomenologically, the querulous present a challenge. Are they to be regarded as deluded? They can usually advance their ideas plausibly, making apparently



rational connections between the underlying grievance, which is almost always based on some actual injustice, and their current claims and complaints. Unlike many deluded patients their beliefs do not usually seem to arise either on the basis of some difficult to understand interpretation of an event, or from an idiosyncratic insight into reality. On the contrary, the querulous provide a detailed and apparently logical account of the emergence of their grievances and the progress of their quest for justice. This would seem reasonable enough were it not for the gross discrepancies between the supposed initiating cause and the current level of commitment, and expectations for compensation, reparation, retribution and recognition. The enthusiasm and passionate engagement in their quest for supposed justice can obscure the essential absurdity of these expectations and distract attention from the chaos the pursuit has created for themselves and those around them. The temptation for those assessing such patients is to normalize the clinical presentation in terms of misplaced enthusiasm, over-inflated hopes, and understandable error, formulations that ignore both the peculiarity of these beliefs and the devastation they have wrought. Sometimes the querulous are obviously deluded; sometimes they appear to inhabit that borderline that is captured in such terms as overvalued ideas and delusion-like ideas. Debates over the phenomenological niceties should not, however, in our view, distract from recognizing the pathological nature of such querulousness.

Another phenomenological question is whether the querulous can be regarded as having an obsession. The level of preoccupation, the ruminative quality of their thinking, and the pedantic attention to the minutiae of their case all suggest obsession. Certainly most, if not all, querulants have obsessional personality traits, but the querulants do not regard their core beliefs and the behaviour as absurd or absurdly insistent. Quite the reverse, they know they are right and are totally identified with their ideas. The querulous therefore may be regarded as obsessive or fixated but not as obsessional. The querulous on occasion present with such enthusiasm, energetic engagement, and unbridled optimism that they can raise the question of an underlying affective disorder. Querulousness is a state of mind that may be associated with wide fluctuations in mood. Though the querulous can become depressed, and can on occasion appear in states of manic excitement, in our view the querulousness is rarely, if ever, a state ushered in and sustained by an underlying mood disorder.

### **DIFFICULT COMPLAINANTS, SOCIAL CAMPAIGNERS, AND WHISTLE BLOWERS**

Querulous behaviour has to be separated from the over-enthusiastic, and even disruptive, pursuit of justice that remains within normal limits, or is legitimized by the social agenda being pursued.

Individuals can invest inordinate amounts of time in the pursuit of claims because of the inherent complexity and manifest importance of the complaint. These we would not regard as querulous. There are difficult people who pursue claims filled with a sense of being victimized and distrustful of all except their own construction of the case, but who will ultimately settle for the best deal they can extract. This is difficult but not querulous behaviour. Querulousness in our opinion involves not

just persistence but a totally disproportionate investment of time and resources in grievances that grow steadily from the mundane to the grandiose, and whose settlement requires not just apology, reparation, and/or compensation but retribution and personal vindication.

Querulous behaviour is almost always associated with claims of wide social significance for the quest for personal justice. Distinguishing those individuals from social reformers who are using the complaints procedures or the civil courts to pursue their campaigns is therefore of importance.

Social reformers are pursuing issues of concern to groups of their fellow citizens and they use personal experience, if they use it at all, to inform their campaigns. The socially relevant and the personally relevant may, on occasion, be elided, but never in a manner in which the idiosyncratic overwhelms the wider public interest. Social campaigners typically work with and through others. Their objectives are circumscribed and obviously related to the core issues driving the campaign. In most cases they will work for negotiated resolutions even if these involve a degree of compromise and face saving for authorities.

Querulous behaviour, in contrast, involves claiming wide social significance for idiosyncratic concerns. There is a conflation of the personal with the supposed public import to leave the personal dominant. Those showing querulous behaviour usually have problems working with others, typically dismissing a series of lawyers, advocates, and/or claims professionals, who, not infrequently, find themselves the subject of subsequent complaints. Querulous behaviour often revolves around stated objectives that are difficult to relate to any of the claimed core issues of social relevance, and despite, or possibly because of, the diffuse nature of the demands, negotiation and compromise have no place in their quest for justice.

The clear theoretical dichotomy between social campaigning and querulous behaviour is not always so obvious in practice. Those whose behaviour is querulous can occasionally gather around them small groups of like minded supporters, a process now assisted by the internet. They can join social campaigns where their energies compensate for a time for their personalization of issues. In some social movements such personalization may even be encouraged, though usually the querulous by constant self-reference eventually alienate themselves from the group. Those who have shown querulous behaviour in the past may take on a role of lay advocate and use others to advance their own view of justice. Such individuals are recognized as a major problem for agencies of accountability. On occasion, campaigns emerge around issues that have immense personal import for all those involved, and in these situations the risks of querulous behaviour suborning aspects of the group's function may be considerable. If there are doubts then the benefit of these doubts should go to the assumption of legitimate campaigning, not to the presence of querulous behaviour.

Whistle blowers, who usually claim to be exposing nefarious and corrupt practices in their place of work, are a particularly difficult group in which to separate altruistic from querulous behaviour. There is no doubt that errors occur. In 1977 in Finland a television salesman contacted the police and tax authorities, claiming that the company he worked for, along with a major television manufacturer, were involved in large scale tax evasion and black market sales. When greeted with disbelief he attempted to publicize his revelations, eventually being detained and

committed for compulsory treatment with a diagnosis of querulous paranoia. Subsequently his allegations were fully substantiated (Stalstrom, 1980). Whistle blowers tend to be somewhat isolated individuals, who are forced to pursue a lonely road, often at great cost to themselves. The accusations often turn on an interpretation of events that may seem questionable, or even implausible, to those without their inside knowledge. This group also tend to gather further grievances and make supplementary accusations, as with the querulous, but here often because they have in fact become the object of conspiracies and orchestrated litanies of lies, central among which is usually the claim that they are motivated by personal resentment at some failure of promotion or job loss. Whistle blowers may even share some of the personality traits of the querulous in terms of obsessiveness and righteous self-assurance. It is only by examining carefully the behaviour in relation to the claim and applying the criteria used for social reformers that there is any chance of making a distinction. It has been our experience that one can identify a group who, though mistaken, are pursuing a coherent campaign related to an understandable and objectively important set of issues. What remains are those in whom, unless frankly mentally ill on other criteria, it is difficult to distinguish the misguided and over-involved from the querulous.

## COGNITIVE STYLES AND DISTORTIONS

The cognitive style of the querulous is that of seeking confirmation of their viewpoint, seizing on supposed support, and rejecting or minimizing all counter-examples. This unfortunately is a common enough approach to the world, but in the querulous it is combined with a pedantic attention to selected details, which ignores broader patterns of meaning, and with a suspiciousness of the motives of any who question their interpretations. Those who become querulous are usually either social isolates or individuals who have cloaked themselves in an intellectual superiority that negates the potentially moderating influence of the opinions of family and friends. They drift into extreme and unrealistic attitudes and beliefs in part because they lack, or ignore, the corrective of the commonsense and knowledge of others. Rescuing them is in part about substituting for this missing normalizing influence. Attempts to directly confront their misconceptions are usually a mistake, productive of either intense suspicion or of lengthy self-justification, both of which tend to further entrench their position. It is potentially more productive to clarify the limitations inherent in the courts and complaints procedures that cannot provide the types of retribution and vindication sought, however justified the cause. Managing the querulous is about helping them construct face saving exits.

Cognitive distortions in the querulous include the following.

- Those who do not fully support their cause are enemies.
- Any lack of progress is the product of malevolent interference from someone.
- Any compromise is humiliating defeat.
- The grievance is the defining moment of their lives.
- Because they are in the right the outcomes they seek must be not only possible but necessary.

The last of these distortions, when combined with their focus on retribution and vindication, is particularly toxic. The management of the querulous is assisted by repeatedly clarifying, confronting, and gently challenging these distortions.

## NOSOLOGY

Querulousness describes behaviours involving the persistent pursuit of a personal view of justice. Querulous behaviour commonly reflects broadly similar sets of attitudes and beliefs, but in our opinion the search for a single overarching explanation in terms of delusional disorder (paranoia) or of a specific abnormal phenomena on, such a overvalued ideas, will at best be only partially successful. Kraepelin (1904) favoured the pragmatic approach of classifying the behaviour according to a range of potential underlying psychopathologies from personality disorders through querulous paranoia to dementia praecox, with normality an ill defined possibility. Jaspers (1923) regarded querulousness as similar to jealousy, being potentially the product of pathological reactions, developments, or processes, with again normality being a further option. De Clérambault (1942) placed querulousness among his disorders of passion but, unlike jealousy and love, we are dealing not with an emotion that drives behaviour but behaviours that reflect a passionate commitment to specific goals, the pursuit of which evokes strong emotions. Van der Heydt (1952) attempted a typology of querulants, incorporating the opportunistic who were individuals with antisocial traits pursuing personal advantage, the paranoid justice seeker driven by delusional convictions specific to the particular grievances, the conjugal caught up in the passionate pursuit of property or parental rights following marital breakdown, the quarrelsome, who had personality traits conducive to protracted conflict with any and all, those whose conditions are secondary to psychotic disorders, notably the schizophrenias, and finally a normal group, the nature of which was left somewhat vague. This approach has appeal, despite combining potentially overlapping types based on context (conjugal), psychopathology (secondary and paranoid), and motivation (opportunistic).

Querulousness is destructive to the afflicted individuals and their families as well as disruptive to agencies of accountability and the courts. Querulousness so defined can never be normal in an ideal or statistical sense. Querulousness may not be normal behaviour but is it necessarily reflective of psychopathology? To put the question the other way round, could a relatively normal individual be driven to querulousness by the courts, or by the various complaint resolution procedures? This was the view articulated by Charles Dickens, who wrote in *Bleak House* "The Court of Chancery gives to monied might the means abundantly of wearying out the right... so over throwing the brain and breaking the heart to leave its worn out lunatic in every mad house."

The cases we encounter clinically were, prior to having become enmeshed in the pursuit of grievances, often functional individuals, with families and friends and without obvious antisocial traits. With the benefit of hindsight certain vulnerabilities can often be recognized. Their personalities seemed more frequently than might be expected to have been marked by obsessional traits, self-absorption, and more than the usual levels of sensitivity and self-reference. Again with hindsight, there was

often a suggestion that these individuals had limited social networks, were in marriages perhaps lacking intimacy, and were people who felt their true abilities had never been adequately recognized: in short, rigid, disappointed people short on trust, and long on self-importance. Plausibly, such individuals could react with a querulous pursuit of justice if their initial grievances were greeted with inadequate, antagonistic, or potentially humiliating responses. Unfortunately for this hypothesis our attempts to document differences in the initial handling of complaints revealed no difference between querulants and controls (Lester *et al.*, 2004). Similarly against this hypothesis, in its simple form, is the finding that the written materials setting out the initial grievance were often characterized by the features characteristic of the querulous (see Table 1). These findings are compatible with a modified model of reaction in which the querulousness was imminent in the vulnerable individuals and revealed by the provocation of a perceived injury, an imminence that reflected not just the prior personality and social context but contemporary disturbances, such as losses, lowered mood, or social stress, which accentuated those vulnerabilities. A spectrum can be postulated from individuals with relatively low pre-existing vulnerabilities who because of contemporary conflicts and the severity of the provocation are precipitated into querulousness to, at the other extreme, those where querulousness is imminent and requires only a modest stimulus to initiate. The latter end of the spectrum would contain those whose querulousness was the product primarily of a pre-existing psychotic disorder.

Pre-existing mental disorder is not an essential prerequisite for querulous behaviour but querulousness can form part of the symptomatology of a range of psychotic processes in much the same way as pathologies of jealousy and love (Jaspers, 1923; Mullen, 1991). In such cases there are usually psychotic experiences driving the complaints from the outset.

In our view querulous reactions can come to involve delusional convictions without retrospectively establishing that the individuals were psychotic at the outset. It is part of the natural history of querulous behaviour that as time passes the individual becomes more fixated, more socially isolated, more certain of the malevolence of all opposition, and more convinced of the wider significance of the quest. In this context some, but by no means all, will begin to construct notions of organized persecution and of grandiose destiny. Any tendencies to be self-referential are likely to increase and feed any persecutory or grandiose beliefs. One of the fascinations of querulous paranoia for classical psychiatry was as a model for the development of delusions. Querulousness remains a corrective for those who would have delusions and ideas of reference as always the product of pre-existing psychotic disorders arising from brain diseases.

Whether a querulous individual is, or is not, deluded at a particular moment often generates debate. This distinction can be critical as it determines whether or not the individual will be subjected to compulsory treatment. Given that few will accept treatment voluntarily, at least initially, what is at issue is, in effect, whether to treat. The querulous individual can present with plausibility, and apparent reasonableness. It can be a daunting task to try to concentrate on an unending stream of speech and of proffered documents, both of which can combine apparent pedantic precision with rambling obscurantism. These factors can tempt the clinician to opt for some vague formulation in terms of overvalued ideas or paranoid personality disorder, and with that dismiss compulsory treatment and in effect remove a mental

health treatment option. To evaluate the ideas driving the querulous behaviour a careful history is needed, a dispassionate examination of the documents, and an active attempt to engage with their ideas and claims. It is tempting but inadequate to just let the torrent of words flow over you. The extent to which they, and those around them, are suffering as a result of their querulousness should also have some weight in making a decision about whether to compel treatment.

We continue to be amazed at how broad our colleagues' notions of non-delusional eccentricity seem to become when confronted with those exhibiting querulous behaviour. Among the examples of the convictions that colleagues have fitted into the non-delusional are the absolute conviction that one is owed millions of dollars for an act of trespass, that governments will fall when the truth of one's dental mismanagement is finally acknowledged, that the UN is keenly awaiting the results of one's complaint against a local lawyer, and that the Queen has joined herself to one's quest for compensation from an insurance company. Each and every assertion is backed up with documents in which even the most imaginative would be pressed to find a connection to what they are claimed to prove. Part of the problem for clinicians, we suspect, is confusing issues of aetiology, i.e. psychogenesis, with questions of diagnosis, i.e. psychosis. This confusion is compounded by the notion of a paranoid personality, which is often evoked in this context. Paranoid means not suspiciousness but suffering from paranoia, and implies the presence of delusion(s). It is not surprising that ambiguity has arisen over a label often attached to those who are chronically suspicious but not believed to be deluded. Attempts to avoid conferring legitimacy as patients on the querulous are also fed by the widespread, but we believe incorrect, view of the untreatability of both delusional disorders and personality disorders.

## RISK OF VIOLENCE

Attacks by the querulous on court officials, claims officials and politicians are by no means uncommon. In such cases there has often been a course of conduct characterized by increasingly threatening and intrusive activities, usually over many months, which, with the benefit of hindsight, takes on a sinister import. In a number of cases of serious or fatal violence, of which we have knowledge, clear and specific threats had been issued.

Those we see clinically constitute a highly selected sample of people, almost all referred from the courts following convictions for threatening behaviour or assault. This potentially provides a skewed perspective on the violence associated with querulous behaviour. In the study of the unusually persistent seen in agencies of accountability, however, an unexpected finding was the frequency with which overt and covert threats of violence were made to claims professionals (Lester et al., 2004). These threats were often, in effect, ignored, and the professionals, though sometimes frightened and stressed, rarely took any active steps to respond to written or verbal threats. None of those who threatened officials had been prosecuted. No threats were made by the control group in the study. One of the characteristics of the threats by the unusually persistent was that they were rarely simply expressive of intense emotion but appeared to be calculated attempts to advance their cause by making conditional threats, 'If you do not then ...', or 'If by next month then ...'. Threats of suicide, which were also relatively frequent, tended to share this structure.



It would appear that threats are a frequent accompaniment of querulous behaviour. Serious violence may be uncommon but when it occurs it is often preceded by a period of threatening. Threats are, in and of themselves, acts of violence intended to distress and coerce. They should not, in our view, ever be ignored. They should be labelled for what they are, brushing aside the quibbling claims of not really having threatened that so commonly follow confronting threateners. Many when confronted respond with denying or minimizing defences such as "What I actually said was," or "I only meant". "What I actually said was", or "I only meant". To ignore a threat is a potential insult and provocation to the threatener as it indicates that they are of so little import that even their threats are of no concern: not the right message. Threats are unacceptable and organizations dealing with querulous behaviour require clear policies that support threatened workers and define the range of institutional and individual responses.

Following the murder of a staff member, the New Zealand Accident Compensation Commission set in place a process for managing persistently threatening and aggressive clients in special facilities where security staff or police are present and where the identity of the staff dealing with the claim are hidden from the complainant. Though this is an option open to only a few agencies of accountability, it certainly sends the right message to threateners and staff. When threats are made there should, we believe, always be consideration of a criminal prosecution. This not only emphasizes how seriously threats are taken but also opens up the opportunity of having the querulous individuals assessed and potentially treated by mental health professionals.

## MANAGEMENT

There are three broad approaches and contexts for managing querulousness. The first two relate to the practices and procedures of courts and complaint organizations and the third involves mental health professionals providing therapy to affected individuals.

If we accept that individuals drawn into complaints resolution or litigation have varying propensities to become querulous, then efforts should be made to avoid any potential provocations or encouragement to such behaviour. Some initial attempt should be made at the outset to clarify the limitations of complaint and claim resolution systems. Our courts and agencies of accountability are about conciliation, reparation, and compensation, not about retribution and personal vindication. Those with querulous behaviour are almost always pursuing goals that include retribution and vindication, so from the outset they are on a course likely to be marked by misunderstanding and frustration. Those organizations that deal with claims and complaints are usually excellent at providing information on what the organization can do and how best to make use of the facilities available. Today even courts are adept at informing and inducting potential litigants into their system, particularly in the case of the unrepresented. What is almost never done is to make clear what cannot occur particularly in the all important areas for the querulous of retribution and vindication. A far clearer emphasis on the limitations on the power of courts and agencies at the outset might be worth trying.

Those who are querulous, or are likely to become querulous, may be obvious from the outset given the characteristic manner in which they often advance their case. Obvious that is if you know what to look for. This offers an opportunity for instituting a harm minimization program from the outset. Given that any screening process has false positives, it is essential that any different method of dealing with the potentially querulant should not disadvantage a non-querulous individual. Courts and agencies of accountability are adept at managing the difficult, the over-emotional, and the plain awkward. A typical strategy is to assign such individuals to an experienced staff member in the hope of minimising cross communications, splitting, and conflict. This works with the difficult but not with those inclined to querulousness who cannot be effectively contained in this way, except potentially by the agency's most senior figure. The querulous place unreasonable demands and strains on any single case manager. More effective is likely to be a group who have been trained, who take a special interest in this area, and who in combination manage the potentially querulous. Most of those inclined to querulousness will not be surprised to learn their claim is so important and complex a group of experts is required to manage the issues. The objective is to assist in resolving what can be resolved with repeated and clear emphasis on which aspects of the claim are outside of the organization's jurisdiction and powers. When what can be done has been done the case needs to be sympathetically but firmly closed, albeit ideally with the opportunity for the claimant, who if querulous will remain dissatisfied, to come back occasionally to discuss outstanding issues. This system should avoid allowing the querulous to focus their hopes and frustrations on any single staff member. It should remain sympathetic but clear about the limits of the organization. Any threats should be taken seriously. Such a group would hopefully through experience develop the knowledge to improve the management of querulous behaviour, which currently is encountered only as a troublesome rarity by most individuals working in the complaints industry.

The literature on the therapeutic management of the querulous is both small and predominantly discouraging. Von Dietrich (1968) refers to treatment as a thankless task and van der Heydt (1952) even warns that attempts at therapy may ignite bushfires of querulousness. Winokur (1977) and Astrup (1984) suggest that the majority of the querulants in their studies did not receive any specific therapy and the minority given pharmacotherapy showed no great response. In contrast, Ungvari (1993) reported successful treatment using pimozide. Our own experience is that relatively low doses of atypical antipsychotics are helpful though the response is slow in coming, often taking months before there is obvious improvement. The first problem is attaining some semblance of a therapeutic alliance with the patient. This requires avoiding being caught up in discussions of the rights and wrongs of their quest. The focus should be on the price they and their family are paying for the pursuit. Interestingly, some of those who come on orders from the court which mandate treatment will accept medication and other therapeutic interventions as they wish to make clear they abide by the law. Paradoxically, they can be ultra-compliant patients. A number have continued voluntarily in treatment after the end of the order, though they never acknowledge either that they were in error or in need of treatment because of their querulousness. What changes is the involvement in the querulous ideas, the degree of preoccupation, and the behaviour, but the core belief that they were right never wavers. Querulous behaviour appears to be sustained by a



range of cognitive distortions so it is no surprise that behavioural and cognitive therapies have been advocated (Caduff, 1995). In theory the cognitive therapy approaches advocated for the delusions should be of value (Birchwood & Trower, 1996; Chadwick, Bental, & Kinderman, 1994). The problem with the therapeutic management of querulous behaviour is that we have no trial of treatment or even much beyond case reports. This reflects widespread prejudice that the querulous are not the business of mental health, and even if they are they are untreatable. Hopefully, if this neglect is overcome and querulous behaviour is once more recognized as a legitimate concern for mental health professionals, then systematic studies of therapy will follow.

## CONCLUSIONS

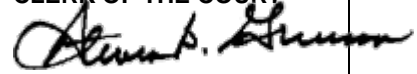
This article argues that querulousness is a disorder of behaviour to which there may be a contribution from varying mixtures of mental disorder, vulnerabilities arising from both personality traits and social situation, contemporary sources of distress and disturbance, and last, but not least, by the nature of the systems for resolving grievances. The disorder, we believe, and therefore the pathology, lies first and foremost in the behaviour and its consequences, and only secondarily in any abnormality of mental function postulated to drive the behaviour.

Querulous behaviour imposes significant burdens on the courts, agencies of accountability and those charged with the protection of public figures. The querulous themselves suffer enormous damage to their personal, social, and psychological functioning. Querulousness should, in our opinion, once more take its place among the legitimate concerns of mental health professionals. Querulousness is a behaviour into which mental health professionals can provide insights conducive to its better management in courts and complaint organizations. Those caught up in a querulous pursuit of their notion of justice are amenable to treatment that can at least ameliorate their distress and reduce the disruption they create for others.

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DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

KIM DENNIS BLANDINO,

Defendant.

CASE NO. C-19-341767-1

DEPT. NO. XII

BEFORE THE HONORABLE MICHELLE LEAVITT, DISTRICT COURT JUDGE

TUESDAY, NOVEMBER 17, 2020

**RECORDER'S TRANSCRIPT OF PROCEEDINGS  
MOTION**

APPEARANCES:

For the State:

ERCAN ISCAN  
Chief Deputy District Attorney

MICHAEL DICKERSON  
Chief Deputy District Attorney  
*via teleconference*

For the Defendant:

BENNAIR R. BATEMAN, ESQ.  
Standby Counsel  
*via teleconference*

RECORDED BY: SARA RICHARDSON, COURT RECORDER

1 LAS VEGAS, NEVADA, TUESDAY, NOVEMBER 17, 2020, 10:36 A.M.

2 \* \* \* \* \*

3 THE COURT: State of Nevada versus Kim Blandino, C341767. It appears as  
4 though Mr. Blandino is not present again. Is --

5 MR. BATEMAN: And good morning, Your Honor, Ben Bateman as standby  
6 counsel for Mr. Blandino.

7 MR. ISCAN: And this is Mr. Dickerson and Ms. Marland's case for the State,  
8 Your Honor. I don't believe they're online currently. I can certainly send them a  
9 text.

10 THE COURT: Okay. So is it -- Mr. Blandino is not going to wear a mask?

11 MR. BATEMAN: I spoke to him downstairs. He's down at the front gate. I  
12 don't know what his plan is. But, yes, he's --

13 THE COURT: And he's -- he's still refusing to wear a mask?

14 MR. BATEMAN: Still refusing to wear a mask and not wanting to appear via  
15 BlueJeans is what I can report.

16 THE COURT: I'm sorry. He's refusing to wear a mask and he doesn't want to  
17 appear via BlueJeans?

18 MR. BATEMAN: That's my understanding, yeah.

19 THE COURT: Okay.

20 MR. BATEMAN: So I don't know.

21 THE COURT: Okay. We'll wait -- we'll wait for the State.

22 MR. DICKERSON: And, Your Honor, this is Mike Dickerson on behalf of the  
23 State.

24 THE COURT: Okay.

25 MR. BATEMAN: Perfect.

1 THE COURT: Mr. Dickerson is present.

2 MR. DICKERSON: And so --

3 THE COURT: And it appears as though Mr. Blandino, from what I understand  
4 is here, he's down at the front gate, and he, I guess, is still refusing to wear a mask.

5 MR. DICKERSON: Right. And as you've seen in our motion, that's, part of  
6 the basis is his refusal, outright refusal to follow the court rules. And I think it,  
7 essentially, the law is clear that he, sure, he has right to represent himself, but he  
8 definitely does not -- this does not give him a license to abuse the process or to  
9 violate the court rules or just refuse to follow them. He's been given multiple  
10 opportunities to just show up to court or show up on BlueJeans. He's not doing that.

11 I think that it's also clear by the motion work that we've seen in this  
12 case as well as his actions in court that he over and over is violating the rules of the  
13 court and this is something that would not be stood for with any practicing lawyer  
14 that's licensed in the State of Nevada and it shouldn't be stood for with the  
15 defendant.

16 THE COURT: Okay. I don't know if, counsel, if you want to make -- I don't  
17 know if he asked you to make any representations. Because I just don't understand,  
18 he repeatedly asks for an accommodation, we give him an accommodation. If he  
19 doesn't want to wear a mask, that's up to him, you know, but this is a public building.  
20 We need to comply with the governor's directives and we're going to comply with the  
21 governor's directives. He's free to appear via BlueJeans, but it appears to me as  
22 though he's just refusing to appear via BlueJeans. He doesn't want an  
23 accommodation. He wants to force the court to do what he wants to do.

24 MR. BATEMAN: Obviously, I can't speak to what's, you know, the subjective  
25 thoughts in his --

1 THE COURT: Sure. I understand.

2 MR. BATEMAN: -- you know, the objective, you know, I don't have that  
3 ability. He did mention to me, I guess, the outstanding discovery still that's his  
4 computer hard drives was what he wanted to mention to me. Yeah, I know, I mean,  
5 he does have his religious objection, that's what he's conveyed to me as to why he  
6 doesn't want to -- to wear the mask. So, you know, I'm, obviously, I'm just standby  
7 counsel, I'm -- he is his own attorney. I don't know that it's proper really for me to  
8 make arguments on his behalf as standby counsel. But --

9 THE COURT: Well, obviously, I just wanted to make sure because --

10 MR. BATEMAN: But I'm just, I guess, conveying, you know, I think his  
11 position and what I believe his position is, it's the religious exemption. He doesn't --

12 THE COURT: Which --

13 MR. BATEMAN: -- feel -- feels it violates his religious beliefs.

14 THE COURT: Does BlueJeans violate some religious belief too?

15 MR. BATEMAN: Well, that, you'd have to ask him, I don't --

16 THE COURT: Yeah, because I don't understand his refusal to appear via  
17 BlueJeans. And, again, I mean, since this case began, it is pretty clear to me that  
18 he just doesn't want to follow the rules of the court. I mean, a review of the record  
19 would, I mean, from the very beginning, he wants to file a motion to disqualify. You  
20 give him time to file the motion to disqualify, then he doesn't file the motion to  
21 disqualify. Then when he finally files the motion to disqualify and it gets denied, he's  
22 not happy with that. Then he appeals. When the Supreme Court hears the case, he  
23 tells the Supreme Court that they all need to be disqualified and then they need to  
24 sit a new Supreme Court and a new Court of Appeals. Of course, they don't do that,  
25 and when his motions are denied up there, he simply files motions for rehearing

1 then goes to federal court.

2 I couldn't figure out this last motion, I thought he said he had a writ to  
3 the U.S. Supreme Court, but upon further review, it seems he has filed another, I  
4 don't even know what it is, another motion or writ or something in front of the  
5 Nevada Supreme Court seeking to delay these proceedings again.

6 But, I mean, Mr. Blandino is going to force my hand.

7 MR. BATEMAN: Okay.

8 THE COURT: He's -- we can't go forward if he's not willing to follow the rules.  
9 And he doesn't get to dictate the rules. His -- you know, he just doesn't get to  
10 dictate the rules. And so I don't know what else the court's going to be able to do if  
11 he just continues to refuse to comply with the rules. I'm happy to allow him to  
12 represent himself. He does have that right. But he doesn't have the right to obstruct  
13 and impede the court's ability to proceed and get this matter to trial.

14 MR. BATEMAN: Understood.

15 THE COURT: I mean, he's literally preventing us from holding even a status  
16 hearing.

17 MR. BATEMAN: I understand Your Honor's --

18 THE COURT: Because he refuses to appear because he doesn't want to  
19 wear the mask, then we give him an accommodation, the same accommodation that  
20 we give everybody else, and then he says, no, I'm not going to appear by  
21 BlueJeans, I can't figure that out, I want to appear in the courtroom. Now apparently  
22 he's, I guess his resolution is we should somehow retrofit this courtroom so that he  
23 can come in without a mask.

24 I mean, it's -- it's -- it's nonsensical. I mean, even if you give him what  
25 he wants, he's still not happy. I literally don't know what else I can do except revoke

1 his self-representation and have an attorney represent him and he'll have no choice.  
2 I mean, he will have to go forward with you representing him so that we can get this  
3 case to trial and get it resolved. I can't even hold a status hearing because he  
4 refuses to comply with the rules that everybody else has to comply with.

5 So here's what I'm going to do, I'm going to give you an opportunity to  
6 convey to him.

7 MR. BATEMAN: Okay.

8 THE COURT: You can give him a copy of the JAVS of this hearing so that he  
9 understands his refusal to comply with the rules and his obstructive behavior, I'm  
10 going to revoke his self-representation. I can. The law is clear that he can't -- he  
11 can't use self-representation to interfere with the court's ability to move this case  
12 along and it appears as though that's exactly what he is trying to do. He's trying to  
13 interfere with the administration of justice and impede and obstruct in any way  
14 possible.

15 So what I'm going to do, I don't believe -- we're obviously not going to  
16 be able to go forward with trial on November 30<sup>th</sup>, so I'm going to vacate that trial  
17 date. I'll reset the trial date. I'm going to set it again in two weeks so you can  
18 convey to him how important it is and that if he continues to impede and obstruct  
19 then the self-representation, I will revoke it and I'll appoint an attorney and we will  
20 proceed.

21 MR. BATEMAN: Understood, Your Honor.

22 MR. DICKERSON: And, Your Honor, the State request would be that in the  
23 interim that you do appoint counsel on this and then give Mr. Blandino an  
24 opportunity, I guess, if he wants to have a motion to reconsider on the issue that  
25 he's now changed his ways that he approach it that way. But at this point in time,



1 especially him not showing up today just further shows exactly what's going on here,  
2 and I believe that he's essentially waived his right to object to the State's motion by  
3 not showing up today.

4 THE COURT: Let me tell you, I think the State makes some very valid points,  
5 but I'm going to give him two weeks.

6 MR. BATEMAN: Thank you, Judge.

7 THE COURT: I will rule on that motion regarding self-representation.

8 MR. BATEMAN: Okay.

9 THE COURT: I am leaning towards revoking it because I don't know any  
10 other way that we can get this case to proceed other than to do that because he just  
11 flat out -- he refuses to follow the rules and he refuses to accept the rulings from the  
12 court once those rulings are made. So I'm going pass it for two weeks. We're going  
13 to reset the trial. He is -- he's still in an invoked status; is that correct?

14 MR. BATEMAN: Yes, that's -- yes, he is still invoked.

15 THE COURT: Okay. All right. So we need --

16 MR. DICKERSON: That's correct. And if I could make one more record,  
17 Your Honor?

18 THE COURT: Sure. Go ahead.

19 MR. DICKERSON: Standby counsel had made a record about their being  
20 some outstanding discovery.

21 THE COURT: That's right. Sorry.

22 MR. DICKERSON: Specifically, the digital evidence that was located on  
23 Mr. Blandino's hard drives that he sees as an issue that he doesn't have. It has  
24 been months upon months upon months of the State making that available to  
25 Mr. Blandino, telling him, yes, we have these digital files here, all you need to do is

1 drop us a USB drive so that we can transfer them over to you. They are too large  
2 for us to place on a standard DVD disk and so we have to have a USB drive to do  
3 that. He has refused to provide us a USB drive. He says that that's not how it  
4 works apparently in his mind, that he believes that our obligation is that we need to  
5 make every single effort we can to provide him discovery in the way that he sees fit.

6 THE COURT: Well, again, that's another example. What's the way that he  
7 sees fit? I mean, what is his suggestion on how he gets it? I mean, I don't know  
8 how else you could give it to him if it's -- if it's so voluminous.

9 MR. DICKERSON: Yeah, right. I think that at the end of the day, Your Honor,  
10 my assessment of the situation is it's just another step of him trying to obstruct this  
11 case.

12 THE COURT: Right, and then come in here and say --

13 MR. BATEMAN: All I can say --

14 THE COURT: -- the State's not giving him his discovery even though they've  
15 made it available but he doesn't want to give them the --

16 MR. BATEMAN: The USB drive. I think what --

17 THE COURT: Right.

18 MR. BATEMAN: -- he told me is he doesn't feel, I guess, that they should just  
19 provide them, he shouldn't have to provide them with the USB drive. I believe so is  
20 what he indicated to me.

21 THE COURT: I mean --

22 MR. BATEMAN: Yeah, I --

23 THE COURT: -- it's just, it's nonsensical.

24 MR. BATEMAN: I don't --

25 THE COURT: It's like being in a hamster wheel, you know, and you can't get

1 out.

2 MR. BATEMAN: So --

3 THE COURT: So, again, the discovery is made available to him if he wants to  
4 provide that, he'll have it instantly. You know, we'll have someone bring it out to  
5 him, he doesn't even have to come in the courthouse without his mask on and that  
6 discovery will be provided to him.

7 MR. BATEMAN: Perfect.

8 THE COURT: So we'll put it on, we're going to reset the trial and then put it  
9 on for two weeks --

10 MR. BATEMAN: Okay.

11 THE COURT: -- for the issue regarding self-representation.

12 THE CLERK: Two weeks, December 1<sup>st</sup> at 10:15.

13 And how far out do you want trial dates out?

14 THE COURT: It's on -- he's invoked. So it should be in December.

15 THE CLERK: We'll do calendar call December -- sorry.

16 THE COURT: That's okay.

17 THE CLERK: We'll do calendar call December 8<sup>th</sup>, at 10:15?

18 THE COURT: I mean, that's, like, a couple weeks. I mean, can we do --

19 THE CLERK: The week after that would be Christmas -- it would put it into  
20 the week of Christmas.

21 THE COURT: Okay. Why don't you go first of January?

22 MR. DICKERSON: Can we -- just based upon everything that's going on at  
23 this point in time and the possibility that counsel is going to need to be prepared for  
24 this trial and we may need to coordinate scheduling with counsel in this case, is it  
25 possible that we do the resetting of the trial date on the 1<sup>st</sup>?

1 THE COURT: Sure. Right. On --

2 MR. BATEMAN: That's fine.

3 THE COURT: Yeah, that's fine. On the 1<sup>st</sup> we can reset -- we can re -- yeah,  
4 that's okay. So December 1<sup>st</sup> at 10:15 and we will -- I'll rule on the motion whether  
5 he's here or not, but he's obviously welcome to appear and make any  
6 representations he wants to make to the court or he can appear via BlueJeans,  
7 we're happy to give him that link.

8 MR. BATEMAN: All right. Thank you, Your Honor.

9 THE COURT: At 10:15.

10 MR. DICKERSON: Thank you, Your Honor.

11 THE COURT: Thank you. Thank you for appearing, counsel.

12 MR. BATEMAN: Thank you, Your Honor.

13 MR. DICKERSON: Thank you.

14 PROCEEDING CONCLUDED AT 10:49 A.M.

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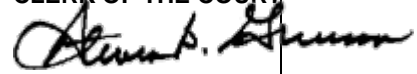
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22 ATTEST: I do hereby certify that I have truly and correctly transcribed the audio-  
23 video recording of this proceeding in the above-entitled case.

24 

25 SARA RICHARDSON  
Court Recorder/Transcriber



1 RTRAN

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4  
5 DISTRICT COURT  
6 CLARK COUNTY, NEVADA

7  
8 THE STATE OF NEVADA,  
9 Plaintiff,  
10 vs.  
11 KIM DENNIS BLANDINO,  
12 Defendant.

CASE#: C-19-341767-1  
DEPT. XII

13  
14 BEFORE THE HONORABLE MICHELLE LEAVITT,  
15 DISTRICT COURT JUDGE  
16 THURSDAY, DECEMBER 2, 2021

17 RECORDER'S TRANSCRIPT OF HEARING:  
18 **ALL PENDING MOTIONS**

19 APPEARANCES:

20 For the State:

MICHAEL DICKERSON, ESQ.  
Chief Deputy District Attorney  
MELANIE H. MARLAND, ESQ.  
Deputy District Attorney

21 For the Defendant:

22 PRO SE  
23 BENNAIR R. BATEMAN, ESQ.  
24 Standby Counsel  
[Both via videoconference]

25 RECORDED BY: SARA RICHARDSON, COURT RECORDER

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Las Vegas, Nevada, Thursday, December 2, 2021

[Case called at 1:20 p.m.]

THE COURT: Okay. State of Nevada versus Blandino, case C341767. Will the State make their appearance?

MR. DICKERSON: Mike Dickerson and Melanie Marland on behalf of the State, Your Honor.

THE COURT: Okay. And it appears as though Mr. Blandino is appearing via BlueJeans.

Mr. Bateman, do you want to make your appearance?

MR. BATEMAN: There we go. Yes, Ben Bateman, --

THE COURT: Okay.

MR. BATEMAN: -- bar number 9338, standby counsel.

THE COURT: Okay.

THE DEFENDANT: Kim Blandino appearing pro se for Kim Blandino, again entering a continuing objection to this BlueJeans. I can't see people, can't hear people. I'm going to be interrupting, because I can't see faces and tell body language. This is ridiculous.

THE COURT: Okay.

THE DEFENDANT: I need to the Court to know immediately though that I filed another motion to disqualify Leavitt and Jones --

THE COURT: Okay.

THE DEFENDANT: -- filed 12:39.

THE COURT: Okay. I got it.

THE DEFENDANT: So you --

1 THE COURT: Okay. All right. So the first thing up --  
2 THE DEFENDANT: Every -- and so you can't do anything  
3 forward, going forward.  
4 THE COURT: Okay. And it appears as though he filed it right  
5 after the other one was denied.  
6 MR. DICKERSON: Right, and it's similar --  
7 THE COURT: So kind of making my point for me, so.  
8 MR. DICKERSON: Yeah, and it's similarly deficient, Your  
9 Honor.  
10 THE COURT: Okay. And so the first thing we're going to deal  
11 with is the State's motion requesting that the Court revoke Mr.  
12 Blandino's pro per status.  
13 THE DEFENDANT: That I didn't understand. What happened  
14 with this motion to disqualify? Are you denying your own --  
15 THE COURT: No.  
16 THE DEFENDANT: -- [audio cut out] qualify you?  
17 THE COURT: No. I'm not. I'm not.  
18 THE DEFENDANT: But you can't --  
19 THE COURT: I'll get to it.  
20 THE DEFENDANT: You cannot --  
21 THE COURT: I think that you -- it's been filed in bad faith. It's  
22 filed in violation of the rules. I mean, you can't --  
23 THE DEFENDANT: It's not your call --  
24 THE COURT: Here's the thing. You can't just wait for the  
25 Court to issue an order and then file a new motion. The last 48 hours, I

1 think he's filed three.

2 MR. DICKERSON: Yeah.

3 THE COURT: So --

4 MR. DICKERSON: And this one like the others is untimely. It  
5 falls outside the rules on timeliness, as well as it's not supported by an  
6 affidavit which indicates the specific reasons for disqualification.

7 THE DEFENDANT: So they --

8 THE COURT: And it's probably about the eighteenth one.

9 MR. DICKERSON: And it's the same reiteration of everything  
10 that he's been -- I think this may actually be, it's the 18<sup>th</sup> or 19<sup>th</sup>, Your  
11 Honor, or somewhere around there. And he keeps making the point for  
12 himself, right?

13 THE COURT: Uh-huh.

14 MR. DICKERSON: We brought this motion over and over.  
15 We supplemented our prior motion. Your Honor has put the defendant  
16 on notice of his obstructionist behavior. Your Honor found two days ago  
17 that he was continuing to obstruct. His failure to appear in court was  
18 obstructing. Everything that Mr. Blandino has done in this case has  
19 been antithetical to the right of self-representation as contained within  
20 the United Supreme Court case *Faretta*. He is absolutely using his self-  
21 representation as what he believes he has a license to obstruct these  
22 proceedings and to commit egregious misconduct. He's doing it over  
23 and over and over again.

24 And I think that you take a look at the case law on self-  
25 representation and you can go right to the Nevada Supreme Court



1 cases, *Tanksley*.

2 THE COURT: Uh-huh.

3 MR. DICKERSON: In *Tanksley*, Tanksley was denied the  
4 right to self-representation based upon the trial court judge having seen  
5 Tanksley's performance previously representing himself and finding that  
6 it was undoubtedly obstructionist. Here, Your Honor, has the benefit of  
7 also seeing Mr. Blandino's self-representation, his conduct before this  
8 Court in this case. Mr. Blandino has been given chance after chance to  
9 conform his behavior to the rules, to stop obstructing these proceedings  
10 and to quit with this misconduct that he continues.

11 I think that it's been made clear through my moving papers  
12 that based upon the mental health diagnoses that we have seen Mr.  
13 Blandino diagnosed with by Dr. Hansen in this case, the personality  
14 disorder with narcissistic schizotypal and obsessive traits, and seeing  
15 what the means, it becomes clear that Mr. Blandino is never going to get  
16 off this path. And it's become even more clear, because he's been given  
17 that opportunity.

18 At this point in time, Mr. Blandino has left this Court with no  
19 other option. He is essentially asking this Court every time he responds  
20 to a motion that has merit by the State that says hey, Your Honor, you  
21 need to take a look at his self-representation and he does it by  
22 responding with yet another meritless motion to disqualify, it's Mr.  
23 Blandino essentially telling this Court yes, Your Honor, there's no other  
24 option, you have to take away self-representation.

25 THE COURT: Mr. Blandino, do you want to be heard?

1 THE DEFENDANT: I absolutely want to be heard.

2 THE COURT: Okay.

3 THE DEFENDANT: All of what he said --

4 THE COURT: Okay. Go ahead.

5 THE DEFENDANT: All of what he said is nonsense. I got to  
6 reiterate under the statute a motion to disqualify is filed, you cannot rule.  
7 It's Black letter law.

8 THE COURT: Okay.

9 THE DEFENDANT: You cannot rule [indiscernible].

10 THE COURT: All right. You can move on. You can move on,  
11 because I'm not going to go through it, so move on.

12 THE DEFENDANT: That's fine.

13 THE COURT: You've made your record.

14 THE DEFENDANT: Okay. Here we go. It's irrelevant  
15 whether it's the 18<sup>th</sup> or 19<sup>th</sup>. Thomas Edison was asked when he had  
16 5,000 failures to the do the lightbulb, he said well what did you -- I mean,  
17 it looks like you failed. He says I just know 5,000 ways that don't work.

18 But the point is here is that it took me multiple applications  
19 until I finally got Judge Wilson, which is a judge outside the district,  
20 which I was asking for in part. So you cannot even include those up until  
21 that, because I achieved success in-part because I got a judge to finally  
22 rule on it from outside this district.

23 Now what makes it different between then and now? And  
24 here, this is ridiculous. It's says 3 a.m. on this minute order where you  
25 denied the motion to disqualify yourself at 11:20 today. I didn't get it,

1 because I didn't check my email until later. But you filed this at 11:20  
2 today and the very same motion is 11:42 denied by Tierra Jones. What  
3 are you playing tag team or are you some kind of appellate district  
4 court? I mean, this is bizarre.

5 And moreover these are minute orders. You have been told  
6 over and over and over again by the Nevada Supreme Court a minute  
7 order is ineffective for any purpose, Black letter law, *Rust versus Clark*  
8 *County School District*, because you could change your mind.

9 And as to minute orders and transcripts and doing filed orders,  
10 three months ago you directed the District Attorney to file a written order,  
11 prepare the order keeping me away from Nordstrom and Federico. That  
12 hasn't been done. But your job is to supervise what they do, so the  
13 wrongfulness for that lies at your doorstep.

14 What you have is with yourself is incompetence, corruption  
15 and I think there is some mental illness or something going on in your  
16 head. My wife's the same age as you had a tumor removed. It was  
17 growing there for 20 or 30 years. It wasn't until she lost her little ability  
18 to speak that they found it and it was about the size of a baseball. She  
19 hasn't sent me the pictures yet. But she's exactly the same age of you,  
20 depending on the month you were born, 1965 was her birth year.

21 So, you know, with this thing to actually run over there and say  
22 that these motions are meritless, no. *Rippo*, *Echavarria* and those two  
23 cases that came out of here where Judge Lehman and Judge  
24 Bongiovanni, knew they should have disqualified themselves and they  
25 didn't. These men, now by all accounts they're not good men. But bad

1 men can make good law. Look at *Miranda v. Arizona*. The thing is that  
2 they waited 30 years. And if there's a co-defendant in there Carlos  
3 Gurry.

4 So really Lehman and Bongiovanni should have been charged  
5 -- investigated, charged, and prosecuted for the same thing I'm going  
6 after you and Tierra Jones for. That's oppression under color of office,  
7 which is NRS 197.200. You keep running over my rights and I'm  
8 supposed to just say thank you, ma'am, can I have another. It doesn't  
9 work that way.

10 The fact is that I have to resist this violence upon my rights  
11 with every fiber of my being and every lawful tool. And this motion to  
12 disqualify is it. You won't even follow that. When it says -- is filed it has  
13 to be heard by a judge agreed upon by the parties, and if they're unable  
14 to agree, by a judge appointed. That did happen in-part when Judge  
15 Wilson was appointed. But then what happens when he shows a few  
16 flaws which I filed amended, then Tierra Jones jumps back in.

17 Now neither one of you have been filing even any affidavits in  
18 response. Your duty is when you get the motion to disqualify, either  
19 transfer it immediately or file a challenge within 5 judicial days. And it  
20 used to be 2 before then Chief Judge Gonzalez --

21 THE COURT: Do you want to the State's motion to have your  
22 self-representation revoked?

23 THE DEFENDANT: Well, I --

24 THE COURT: I understand your position completely on the  
25 motion to disqualify. I'd like to hear --

1 THE DEFENDANT: He's --

2 THE COURT: -- your position on the State's motion to revoke  
3 your pro per status and appoint an attorney to represent you.

4 THE DEFENDANT: Pro se not pro per. I absolutely reject  
5 that. I can walk, talk, and chew bubble gum, as long as I'm given  
6 permission to chew bubble gum in a courtroom, at one time. And there's  
7 no attorney there as capable as I am and that can marshal the facts, the  
8 knowledge, and everything I need to defend against these charges.

9 These charges are all going to depend on was my specific  
10 intent to extort or to impersonate an officer or witnesses that I have,  
11 even my own testimony will show. And in that regard, the DA is  
12 withholding exculpatory evidence under *Brady v. Maryland*.

13 And so, I know the case law. I know the procedures. I know  
14 how it's supposed to do. And your -- if you take away my self-  
15 representation it will just be the most -- another egregious miscarriage of  
16 justice that there is. I mean, there's just -- they don't have the basis for  
17 it. I mean, I know the rules. I know how to follow the rules. You're the  
18 ones that don't know how to follow the rules. You don't know how to  
19 follow the statutes. You want to do just whatever the heck you want.  
20 You want to be the legislature. You want to tell the legislature what the  
21 law is, well obey this one, like cafeteria Christianity. I'll take this one and  
22 that one and that one, but I'm not going to do that one because that's too  
23 tough on me.

24 So the whole thing is about motion to revoke. The standard is  
25 do I understand the nature of the charges. Do I understand the process

1 or the procedure, the judicial procedure, and can I assist my counsel,  
2 which is me, in the defense. It's yes to all three questions. Now I've  
3 leveled my objections here against you, --

4 THE COURT: Okay.

5 THE DEFENDANT: -- disqualify. You said to move on.  
6 Okay, I'm moving on.

7 THE COURT: Thank you.

8 THE DEFENDANT: I still maintain that objection. I intend to  
9 go to the Nevada Supreme Court one more time --

10 THE COURT: Okay.

11 THE DEFENDANT: -- because I'm entitled to due process  
12 here and an impartial judge even in pretrial. I have not filed even to get  
13 a motion to see my son Andrew. He's going to be a PhD.  
14 Commencement starts on December 9<sup>th</sup>, because that would waive my  
15 objection to you because you're not impartial.

16 So the discovery issues, the impartiality. I have all these  
17 things, you know, under -- in-hand, but you know, I've just been hoping  
18 that you, Judge Jones and the other Eighth Judicial District Court judges  
19 would come to your sense, see my resolve and do the right thing here.  
20 And I don't think that's wrong, because you're not God and you're not  
21 the Nevada -- or US Supreme Court, you're not the Federal Court.

22 Because I can -- I've read enough cases. The Federal Court  
23 will say what the heck were you doing down there. Why didn't you just  
24 err on the side of caution and let Blandino have a judge in another  
25 district? This just makes absolutely no sense. But if I go to the feds

1 exhausting all my remedies, take me 20 or 30 years. You'll be on the  
2 bench. You'll be in the Bahamas sucking down mai tias or whatever on  
3 the beach, Judge. Hopefully that you live that long.

4 And the thing is that you know that I can argue that case.  
5 You know that I know the facts. And the thing is if you revoke my self-  
6 representation I have to take that one immediately to the Nevada  
7 Supreme Court on extraordinary writ. Now I don't know what they're  
8 going to do, but I'll do a simultaneous petition to the Federal District  
9 Court on a habeas pending the exhaustion with the Nevada Supreme  
10 Court.

11 Because you know, and that's why you haven't done it so far,  
12 all the people on the web said why doesn't she just revoke it a year ago.  
13 Because you know what a severe sanction that is to take away my self-  
14 representation, especially when, and I'm not bragging here, God has  
15 given me certain abilities that I haven't seen in very many pro se  
16 litigants. I just have those. He's given me this.

17 And so to give me substandard counsel and I don't care how  
18 many bar degrees he might have from -- he could have them from all 50  
19 states. He couldn't do anywhere near the job in defense that I can do  
20 with one arm tied behind my back. As Rush Limbaugh said, with half my  
21 brain tied behind my back. They couldn't -- God rest his soul actually,  
22 he's passed away now.

23 But the whole thing is that they don't have the basis for  
24 revoking counsel. And they want to talk out of both sides of their mouth.  
25 Well he's incompetent, but then that we want to revoke counsel. And

1 that was another mistake there. You took away my competency and  
2 then you didn't revoke my counsel then. Because if I was incompetent  
3 to proceed forward there's a lot of case law that says well then you got  
4 to appoint counsel, because how can he represent him -- if you said he's  
5 incompetent or it's -- he's competency's endowed, then you got to  
6 appoint counsel for me, but you didn't do that. So the DA actually had a  
7 point when they raised that early on this case.

8 But, you know, I've never waived my rights, my speedy trial  
9 rights. You struck an amended indictment while a motion to disqualify  
10 was pending. Do you know egregious that is? And this was an  
11 amended indictment that I entered a plea to. And so there's a heck of a  
12 constitutional issues there. How many --

13 THE COURT: He's talking about the amended indictment the  
14 State filed in preparation for him to enter his guilty plea --

15 MR. DICKERSON: Yeah.

16 THE COURT: -- that he never entered.

17 MR. DICKERSON: Right that he indicated in a letter to me  
18 that he had the intent to enter. And he never entered any plea on that  
19 amended indictment.

20 THE COURT: Right.

21 THE DEFENDANT: Well then the DA should have  
22 [indiscernible] open court and filed it in open court after I had said yeah  
23 I'm willing to enter a plea. He's done stuff in open court. That's no  
24 excuse.

25 He knows in his heart -- he knows in his heart that they're over



1 charging with extortion and gross misdemeanor, not that they're not  
2 overcharging the gross misdemeanor both, but they're way  
3 overcharging. He knows. He knows me now for 2 ½ years, just about.  
4 And he knows that he's not going to be able to bridge that gap of specific  
5 intent. There's no way they can prove I intended to extort. There's no  
6 way they can prove I intended to impersonate an officer. I said I was a  
7 volunteer --

8 THE COURT: Okay.

9 THE DEFENDANT: -- an unpaid investigator working with the  
10 Commission on Judicial Discipline. And no one that I represented that  
11 to, Linda Bell, all the other judges said exactly the same thing, said oh  
12 wait a minute, we need to refer for charges. They didn't do it.

13 This is because some -- Federico, the complaining witness  
14 and alleged victim in this case, has some juice. And so he's trying to  
15 protect his career. He's a temporary judge and he knows that I can go  
16 to the County Commission and the City of Las Vegas and have his ticket  
17 pulled to be a temporary judge based on what he's done. He lied with a  
18 temporary protective order and he was denied that application before  
19 Judge Jansen. So, I mean, there's somebody that has some juice and  
20 they're just --so if you keep Blandino busy it will protect his career.

21 So this is just a bad faith prosecution. It's vindictive  
22 prosecution. And if you're going to go ahead as judge in this case,  
23 maintain my right to self-representation, then I demand immediately to  
24 have evidentiary hearings on the vindictiveness of the prosecution and  
25 to have shown that I have already been punished for this, double

1 jeopardy, both in the competency proceedings and the ankle bracelet  
2 when I was on high level.

3 That statute is not going to pass constitutional muster where it  
4 says that you -- a judge -- with approval of a judge a person can be put  
5 on TPS as though he were a convicted person. And that's what my  
6 house arrest officer told me. I'm being punished in the same way that a  
7 convicted person would be punished. And therefore under *Desimone v.*  
8 *State* you can't punish me again. So these issues are just dynamic and  
9 they're not anything. *Desimone v. State* 116, Nev 195; that's a 2000, so  
10 it's technically *Desimone II*.

11 And that was a civil. He was a drug dealer. The civil -- in the  
12 civil case they executed at an amount greater than what he should have  
13 paid in taxes on the drugs. He was convicted and they reversed the  
14 conviction after going to the US Supreme Court and said wait a minute  
15 you punished him with that raising more than -- taking more than the  
16 taxes were. So therefore the conviction had to be reversed.

17 THE COURT: Okay.

18 THE DEFENDANT: Now I was -- when I was at Lakes  
19 Crossing --

20 THE COURT: All right. Anything else regarding the self-  
21 representation?

22 THE DEFENDANT: Well, Judge, if --

23 THE COURT: I understand you object.

24 THE DEFENDANT: But okay, I demand -- I demand as a  
25 matter of law that if you do revoke, you need to do a findings of fact and

1 conclusions of law so that I have an appealable or reviewable order.

2 THE COURT: I'm ready.

3 THE DEFENDANT: Huh?

4 THE COURT: I'm ready to do that. So do you have --

5 THE DEFENDANT: Well that's what I'm --

6 THE COURT: -- anything else you want to say?

7 THE DEFENDANT: Well I just say I object to the fact that  
8 these minute order, again they weren't findings of fact and conclusions  
9 of law. So are you -- Judge, are you going to issue that order? Because  
10 my -- I got a civil suit against Federico and he -- I can't contact him to  
11 serve process. I had to put an extension of time in my federal case. So  
12 until I get a written order, I can't ask for an exception so I can do civil  
13 process in that federal case. So you've been negligent in your duty. If  
14 you can't do the job, Judge, resign from the bench please.

15 THE COURT: Okay. I appreciate that. Okay, so at this time  
16 have you said everything you want to say?

17 THE DEFENDANT: Me?

18 THE COURT: Yes.

19 THE DEFENDANT: No, I could go on for another couple  
20 hours.

21 THE COURT: All right. Okay. So the right to self-  
22 representation is not an absolute right. The problem in this case is that  
23 the defendant refuses to accept the jurisdiction of the Court which is  
24 basic to the rule of law. He's filed multiple --

25 THE DEFENDANT: I object to that.

1 THE COURT: Please do not interrupt. You can wait until the  
2 end and then you can make your objection.

3 THE DEFENDANT: Okay. Thank you.

4 THE COURT: He's filed numerous, 15 plus motions to  
5 disqualify. Every time one gets denied he simply files another one. In  
6 the last 48 hours he has filed at least three. In fact today after a minute  
7 order was issued denying one of his motions to disqualify, within minutes  
8 he filed another motion to disqualify.

9 The motions to disqualify are all meant to obstruct, impede,  
10 and manipulate the court procedures and prevent the Court from  
11 proceeding forward against the defendant and setting the matter for trial.  
12 The matter was actually heard by Judge Wilson that I don't even know  
13 how many motions to disqualify in. Because every time it transferred to  
14 a different judge in the Eighth to rule on the motion he would file a  
15 motion to disqualify that judge. There's no other explanation than he  
16 meant to obstruct, impede, and manipulate the legal proceedings.

17 Judge Wilson was appointed by the Nevada Supreme Court  
18 who is from another jurisdiction said the case was delayed more than a  
19 year based on these motions, that he failed to allege legally cognizable  
20 grounds supporting a reasonable inference of bias or prejudice and that  
21 summary dismissal was appropriate. He recognized that the facts raised  
22 concern defendant has sought delay to manipulate his court  
23 proceedings.

24 Judge Wilson found that the allegations were baseless attacks  
25 on the Court. He provided no facts to support his opinion that all the

1 judges in the Eighth were guilty of misconduct and corruption, again  
2 called them baseless attacks. And he called most of the allegations  
3 pure speculation and innuendo. The allegations are not legally  
4 cognizable grounds supporting a reasonable inference of bias. His  
5 claims are not legitimate. They are not made in good faith. They're  
6 made to gain a tactical advantage in his criminal case.

7 He has not only filed these types of motions in Department 12,  
8 he tried to do -- when Judge Jones tried to do an order to show cause  
9 deeming him a vexatious litigate, what did he do? He filed a motion to  
10 disqualify Judge Jones, even though a recent motion to disqualify Judge  
11 Jones had just been denied. He ignores the orders. He ignores the  
12 rulings and just continues on with the motions to disqualify. They're  
13 made in bad faith. They have no legally cognizable grounds in them and  
14 they're not appropriate. He's doing it for purposes of tactical gain.

15 Based on the record, there is absolutely no question in my  
16 mind. He's using this to manipulate the court proceedings and prevent  
17 the State from proceeding against him. He refused to follow the rules.  
18 He refused to follow the mask mandate that were put in place and public  
19 health. He stands at the courthouse and demands to be let in the court  
20 house without a mask. When he's given an opportunity to appear via  
21 BlueaJeans, I mean, I'm grateful he appeared today. But on Tuesday he  
22 refused to appear via BlueJeans and he refused to put on a mask and  
23 comply with all the rules that every person that comes into the RJC is  
24 required to follow based on public health policy. Okay. But now that the  
25 Court is proceeding against him and indicated a bench warrant would be

1 issued for his arrest, now he appears via BlueJeans.

2 Also in his attempt to prevent the Court from proceeding came  
3 to my attention filed an application for a TPO in Justice Court against  
4 this Court contending I had committed aggravated stalking against him.

5 THE DEFENDANT: [Indiscernible] you.

6 THE COURT: Again, it is not in good faith. It's bad faith on its  
7 face, and again it's a desperate attempt to obstruct, impede, and  
8 manipulate. And he only filed that after it appeared that he was not  
9 going to be able to continue to file these motions to disqualify.

10 Again, the right to self-representation is not absolute. The  
11 Court may revoke a defendant's right to self-representation. A  
12 defendant can be competent to stand trial and still not competent to  
13 represent himself based on being completely disruptive, an  
14 obstructionist, and manipulating the court proceedings. He has abused  
15 his right as self-representation by being disruptive, refusing to comply  
16 with the rules, refusing to accept the orders of the Court, refusing to  
17 accept that the Court does have jurisdiction, and ignoring the rule of law.

18 His conduct has become some disruptive, manipulative that I  
19 have no confidence that we would be able to proceed in a manner if he  
20 was permitted to continue to represent himself. He's abused his right by  
21 disrupting the judicial process. He is entitled to a fair trial. He's not  
22 entitled to abuse the system and make a mockery of the criminal justice  
23 system along the way.

24 He's unwilling to abide by the rules and so therefore the Court  
25 is going to revoke his self-representation based on all the conduct up to

1 this date. And I was hoping that Mr. Blandino would at some point come  
2 around, especially after I warned him that I would do this and that he  
3 would start to comply. But I have absolutely no faith whatsoever that he  
4 would comply. There's a strong indication that if he was permitted to  
5 continue, he will continue to be disruptive and continue with his  
6 obstructionist behavior. And therefore, I'm not going to allow him to  
7 represent himself. His conduct is deliberate and it's meant to obstruct  
8 the proceedings. So at this time I am going to order that Mr. Bateman  
9 be appointed to represent Mr. Blandino.

10 THE DEFENDANT: You said I could enter my objections after  
11 you got done speaking though first.

12 THE COURT: Yeah, go ahead.

13 THE DEFENDANT: Before so the revocation is pending  
14 [audio distortion] objections then, correct?

15 THE COURT: I'm sorry. I didn't hear that. Say that again.

16 THE DEFENDANT: I'm saying that you're going to -- you're  
17 pending my objections which you're allowing me to do. Then you'll  
18 revoke after my objections, right?

19 THE COURT: Go ahead.

20 THE DEFENDANT: Because otherwise [audio cut out] --

21 THE COURT: Go ahead.

22 THE DEFENDANT: Huh?

23 THE COURT: Go ahead.

24 THE DEFENDANT: Okay. I just want -- I didn't want to be  
25 cited with contempt. Okay, you mentioned the rules probably about 20

1 times in that dialogue, but you won't point exactly to what rules I  
2 violated. You know, this -- the obstructionists and the persons violating  
3 the statutes and I pointed exactly to those statutes that you --

4 THE COURT: Okay. All right. You're objection is noted. It  
5 appears again he doesn't want to address the issue. Based on your  
6 repeated -- you have repeatedly used your right to self-representation to  
7 abuse the dignity of these court proceedings. Therefore, the Court is  
8 going to revoke your ability to represent yourself. You're going to be  
9 appointed counsel. Mr. Bateman will be appointed counsel to represent  
10 you in this matter. Since you are represented by counsel, you are not  
11 permitted to file any pleadings. They will not be accepted by the Clerk.  
12 Okay.

13 So, Mr. Bateman, I know --

14 THE DEFENDANT: I'm willing to change [audio cut out] -- tell  
15 her I'm will to change my --

16 THE COURT: Mr. Bateman, --

17 MR. BATEMAN: Yes, Your Honor.

18 So what -- obviously do I need to be sworn in. Is the  
19 December 6<sup>th</sup> trial date still?

20 THE COURT: Okay. Well that's what I was going to ask you.  
21 Can you be prepared --

22 MR. BATEMAN: Okay.

23 THE COURT: -- to go forward on December 6<sup>th</sup>?

24 MR. BATEMAN: No, Judge. I would need -- for a motion to  
25 continue, do I need to be sworn in, either way. But there haven't been



1 any subpoenas issued or anything like that.

2 THE COURT: How much time do you think you'd need to get  
3 ready?

4 MR. BATEMAN: What is the ordinary course for your  
5 department?

6 THE COURT: Well I'd like to do it within the next 30 days if  
7 you can be ready.

8 MR. BATEMAN: I've been on this case and Your Honor did  
9 tell me to expect me to expect this, so you know, forewarned is  
10 forearmed. 30 days, I would say 60 days would be more realistic given  
11 my caseload currently, 90 days would be better. But the 30 days, just  
12 with the holidays and my own court calendar, 30 days I don't think is  
13 realistic.

14 MR. DICKERSON: And, Your Honor, we have pretty  
15 significant trial schedules on our ends as well. I don't know if Your  
16 Honor would entertain possibly setting a short status check so Mr.  
17 Bateman and I can get together and take a look at our calendars with  
18 the Court.

19 THE COURT: I would have -- probably be a good idea. So I  
20 want to give Mr. Bateman an opportunity to review the motions that have  
21 been filed by the State as well.

22 So, Mr. Bateman, why don't I put it on in one week for a status  
23 check.

24 MR. BATEMAN: Okay.

25 THE COURT: And then the parties can represent when you

1 want me to set it for trial.

2 MR. BATEMAN: That's fine. [Indiscernible]. And what  
3 exactly is Mr. Blandino's custody status? Is he on electronic monitoring?  
4 Is it high level?

5 THE COURT: He is on electronic monitoring. Oh, I was going  
6 to say, if Mr. Blandino wants to be released to go see his son, I have  
7 said several times that I would be inclined to do that. So if the defense  
8 wants to present an order.

9 MR. BATEMAN: Yes.

10 THE COURT: Okay.

11 MR. BATEMAN: But I think he indicated -- when is it? Is it on  
12 the 9<sup>th</sup>?

13 THE DEFENDANT: Well his PhD thing is on the 9<sup>th</sup>, his  
14 commencement for a PhD.

15 MR. BATEMAN: Okay. That would be -- okay, I'll submit an  
16 order, Your Honor, if Your Honor --

17 THE COURT: Okay. You're just going to need to indicate the  
18 days he would be gone.

19 MR. BATEMAN: Correct.

20 THE COURT: Because he's going to have to go to House  
21 Arrest, have the bracelet taken off, and then come back and have it put  
22 back on.

23 THE DEFENDANT: Understood.

24 THE CLERK: So if that's next week, do you want me to set  
25 this hearing in two weeks?

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THE COURT: No, let's set in one week.

THE CLERK: He's just said he's -- that thing is on the 9<sup>th</sup>.

THE COURT: I know.

THE CLERK: In one week.

THE COURT: What's Tuesday?

THE CLERK: That's Wednesday December 7<sup>th</sup>.

THE COURT: Perfect.

THE CLERK: At 12 p.m. for status check on trial setting and  
the motion -- state's motion.

THE COURT: Okay. And the State can prepare the order  
revoking -- granting your motion and revoking his self-representation.

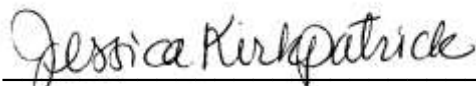
MR. DICKERSON: Will do, Your Honor.

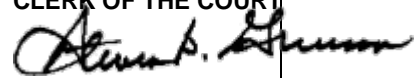
THE COURT: Okay. Thank you very much.

[Hearing concluded at 1:53 p.m.]

\* \* \* \* \*

ATTEST: I do hereby certify that I have truly and correctly transcribed the  
audio/video proceedings in the above-entitled case to the best of my ability.

  
\_\_\_\_\_  
Jessica Kirkpatrick  
Court Recorder/Transcriber



RTRAN

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

STATE OF NEVADA,

Plaintiff,

CASE#: C-19-341767-1

DEPT. XXVIII

vs.

KIM DENNIS BLANDINO,

Defendant.

BEFORE THE HONORABLE RONALD J. ISRAEL, DISTRICT COURT JUDGE  
TUESDAY, FEBRUARY 22, 2022

***RECORDER'S TRANSCRIPT OF HEARING  
CALENDAR CALL***

**APPEARANCES:**

For the State:

MICHAEL DICKERSON, ESQ.  
Chief Deputy District Attorney  
(via BlueJeans)

For the Defendant:

BENNAIR R. BATEMAN ESQ.

RECORDED BY: JUDY CHAPPELL, COURT RECORDER

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Las Vegas, Nevada, Tuesday, February 22, 2022

[Case called at 12:10 p.m.]

THE COURT: Blandino. Mr. Bateman here with the defendant. This is the calendar call. You ready to go?

MR. BATEMAN: Judge, I don't think that I am. There is a -- well, the defendant has a motion to dismiss me as counsel has not been heard. I indicated to Mr. Dickerson that I would be announcing not ready, but, you know, and really nothing's changed since I had a motion to withdraw. It was heard a little over a month ago that he has not been cooperative with me in getting prepared. He still is insistent on trying this or representing himself and not having me do that.

And so, you know, in that -- part of that and part of my motion, Judge, was that he was insisting on testifying or putting on testimony, in other words, that would have me violate the Rules of Professional Conduct. Since then, Judge Leavitt said that he would be allowed to testify in narrative form. So, you know, I have not really been able to go over, really prep with Mr. Blandino.

So, you know, with those recommend -- or those representations, Judge, and his motion to dismiss me as counsel, I am not ready. I don't feel that I'm ready to proceed to trial. And those are representations that I --

THE COURT: This is the eighth trial setting. Did Judge Leavitt, it says Judge Leavitt revoked his pro per status in December --

1 MR. BATEMAN: Correct.

2 THE COURT: -- and denied Mr. Bateman's motion to withdraw  
3 in January.

4 MR. BATEMAN: That's correct. Those are my --

5 THE COURT: So --

6 MR. BATEMAN: -- representations, yes.

7 THE COURT: So if he is choosing voluntarily not to cooperate,  
8 that's his choice.

9 MR. BATEMAN: And I just -- and, Your Honor, I just want to,  
10 but I do want a clear record made of --

11 THE COURT: I --

12 MR. BATEMAN: -- of that.

13 THE COURT: I think you made your record just now.

14 MR. BATEMAN: Well, then that's --

15 THE COURT: I understand but if he, if an individual chooses  
16 not to speak ever, let's say on a case, and chooses -- then what is it  
17 anybody can do? I mean, he's going to go to trial.

18 Mr. Blandino, you want to say something? You sure you need  
19 to -- you want to do that?

20 THE DEFENDANT: I have to, Judge.

21 THE COURT: Go ahead.

22 THE DEFENDANT: That the representation spins me because  
23 not quite accurate. I call every day. I have tremendous amount of  
24 materials, exculpatory information. We met for about an hour and a half  
25 yesterday and, you know, Ben had his family day and everything with

1 President's Day and everything. I understand that. So he wanted to get  
2 back to family so we met for only about an hour and a half. I could have  
3 met for six hours.

4 I've got tremendous amounts of exculpatory evidence and stuff  
5 that he just doesn't think that is necessary. I have absolutely no trust.  
6 Under *Young versus State*, which I put in my notice in demand which the  
7 Court can consider as a motion to dismiss counsel, let me go back to  
8 representing myself or give me a chance with another counsel. I have  
9 nonfrivolous pretrial motions to dismiss and everything to present that I  
10 couldn't present as myself, when I was representing myself, because I'm  
11 presenting it to a judge that should and will be disqualified at some point,  
12 if I go to Federal Court or this thing isn't disposed of otherwise because  
13 there's no way that any judge from the Eighth Judicial District Court  
14 should be hearing this case.

15 And so there's discovery issues I went over. We went over the  
16 hard drive, the copy, the mirror-imaged copy drive that Mr. Dickerson  
17 gave us, and he said that -- I told him we couldn't find one of the initiating  
18 documents. This is extremely exculpatory because I'm being charged  
19 with extortion, Category B. So -- and this is at the behest of the  
20 complaining witness victim, alleged victim. He said well send me  
21 something that will resolve the matter and send it in email. So I went on  
22 the internet and I pulled up a settlement agreement that is authorized and  
23 accepted in Nevada and did a cut, copy, and paste. And nowhere in that  
24 hard drive could we find copy of it, is that original document. Because I  
25 didn't go look up an extortion document, I looked up --

1 THE COURT: Well, we're not trying your case --  
2 THE DEFENDANT: No, I understand that. But what --  
3 THE COURT: -- here today, et cetera. You're --  
4 THE DEFENDANT: -- I'm saying is, --  
5 THE COURT: -- going to trial --  
6 THE DEFENDANT: -- under *Young versus* --  
7 THE COURT: -- on the 28<sup>th</sup>. You need to go to the Central  
8 Trial Readiness tomorrow -- and that's at 1?  
9 THE CLERK: 2.  
10 THE COURT: 2 o'clock in Judge Jones, Tierra Jones,  
11 correct? She's doing, yeah.  
12 MR. BATEMAN: Yes.  
13 THE DEFENDANT: This is what? What is it called?  
14 THE COURT: That's the Central Trial Readiness.  
15 THE DEFENDANT: Central Trial Readiness.  
16 THE COURT: You will, whether it's a case goes in front of  
17 Judge Leavitt or another judge, probably it will be, I believe she's in trial  
18 which is why I'm doing it, it'll be sent to another judge. But this is the  
19 eighth trial setting. The case is over two years old.  
20 I didn't ask, but Mr. Dickerson, are you ready to go?  
21 MR. DICKERSON: Yes, Your Honor, we're ready proceed  
22 forward. We will have some scheduling that we'll have to address with  
23 the Court, but we would expect the trial to be able to conclude by  
24 Thursday or Friday, at least our case-in-chief. We'll have between five  
25 and six witnesses probably.



1 THE DEFENDANT: Thursday and Friday of what, if I may ask  
2 for clarification.

3 THE COURT: Well the trial is scheduled to start on --

4 MR. BATEMAN: Monday.

5 THE COURT: -- the 28<sup>th</sup> which I assume, let me check, is a  
6 Monday, and so he's saying his case, the witnesses he'll be putting on,  
7 will be done by Thursday. But you can discuss all of that with  
8 Judge Jones tomorrow at 2:00.

9 I understand that Mr. Bateman, you have to do what you have  
10 to do, and as I said, the eighth trial setting so this case needs to go.  
11 And --

12 THE DEFENDANT: But if I may, Judge, respectfully, *Young*  
13 *versus State* is clear. If I've lost all trust in Ben Bateman, then --

14 THE COURT: Then take it to the --

15 THE DEFENDANT: -- then I have no counsel --

16 THE COURT: -- you have your rights to --

17 THE DEFENDANT: -- whatsoever. It's the same as --

18 THE COURT: -- appeal. Yes, you have --

19 THE DEFENDANT: -- no counsel.

20 THE COURT: -- your rights to appeal. Judge Leavitt has  
21 already ruled on those. There's no motion in front of me. So you'll be  
22 going to the Central Trial tomorrow.

23 MR. DICKERSON: Your Honor, may we request a transcript  
24 of this hearing?

25 THE COURT: Sure.

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MR. DICKERSON: Thank you.

THE COURT: All right. That's it.

THE DEFENDANT: Thanks, Judge.

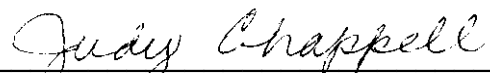
MR. BATEMAN: Thank you.

THE DEFENDANT: Thanks for letting me speak.

[Hearing concluded at 12:17 p.m.]

\* \* \* \* \*

ATTEST: I do hereby certify that I have truly and correctly transcribed the audio/video proceedings in the above-entitled case to the best of my ability.

  
\_\_\_\_\_  
Judy Chappell  
Court Recorder/Transcriber

ORIGINAL

FILED IN OPEN COURT  
STEVEN D. GRIERSON  
CLERK OF THE COURT

MAR 02 2022

BY, HALY PANNULLO, DEPUTY

1 IND  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 MICHAEL R. DICKERSON  
6 Chief Deputy District Attorney  
7 Nevada Bar #013476  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

C-19-341767-1  
AIND  
Amended Indictment  
4985326



DISTRICT COURT  
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,  
10 Plaintiff,

CASE NO: C-19-341767-1

11 -vs-

DEPT NO: XII

12 KIM DENNIS BLANDINO,  
13 #363075  
14 Defendant.

AMENDED  
INDICTMENT

15 STATE OF NEVADA }  
16 COUNTY OF CLARK } ss.

17 The Defendant above named, KIM DENNIS BLANDINO, accused by the Clark  
18 County Grand Jury of the crime(s) of EXTORTION (Category B Felony - NRS 205.320 -  
19 NOC 50619) and IMPERSONATION OF AN OFFICER (Gross Misdemeanor - NRS 199.430  
20 - NOC 53013), committed at and within the County of Clark, State of Nevada, on or between  
21 April 8, 2019 and May 21, 2019, as follows:

22 COUNT 1 - EXTORTION

23 did then and there, willfully, unlawfully, feloniously and with the intent to extort or  
24 gain any money or other property and/or to influence the action of any public officer, whether  
25 or not the purpose is accomplished, threaten directly or indirectly to accuse any person of a  
26 crime and/or to expose or impute to any person any deformity or disgrace, to wit: by making  
27 a demand to MICHAEL FEDERICO, a Las Vegas Municipal Court Judge Pro Tem, for  
28 \$25.00, and/or enrollment in the "Ethics, Fairness and Security in Your Courtroom and

Community" class or in the alternative pay \$500.00 to the Clark County Law Library, and/or provide Defendant an apology, including in writing and/or in public, and if MICHAEL FEDERICO did not complete this class, pay this money and/or provide said apology, Defendant would file complaint(s) and/or allegation(s) against MICHAEL FEDERICO with the Commission on Judicial Discipline, and/or would file a criminal complaint with the FBI accusing MICHAEL FEDERICO with a Misdemeanor crime under 18 USC 242, and/or would send documentation of MICHAEL FEDERICO'S alleged misconduct to the law firm of Olson Cannon Gormley Angulo and Stoberski, where MICHAEL FEDERICO was employed.

COUNT 2 - IMPERSONATION OF AN OFFICER

did willfully, unlawfully and falsely personate a public officer, civil or military, or a police officer, or a private individual having special authority by law to perform an act affecting the rights or interests of another, to wit: an investigator for the State of Nevada Commission on Judicial Discipline, and in such assumed character did an act purporting to be official, whereby another is injured or defrauded, by identifying himself verbally and/or in writing to one or more persons, including MICHAEL FEDERICO and/or P. MARWITZ, as an unpaid and/or volunteer investigator for the State of Nevada Commission on Judicial Discipline.

DATED this 2nd day of March, 2022.

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565

BY /s/ Michael R. Dickerson  
MICHAEL R. DICKERSON  
Chief Deputy District Attorney  
Nevada Bar #013476

18CGJ080X/19F09876X/ed-GJ  
LVMPD EV# 190400041871  
(TK12)

ORIGINAL

FILED IN OPEN COURT  
STEVEN D. GRIERSON  
CLERK OF THE COURT

MAR 08 2022

BY, HALY PANNULLO, DEPUTY

DISTRICT COURT  
CLARK COUNTY, NEVADA

C-19-341767-1  
INST  
Instructions to the Jury  
4985323



THE STATE OF NEVADA,

Plaintiff,

-vs-

CASE NO: C-19-341767-1

DEPT NO: XII

KIM DENNIS BLANDINO,

Defendant.

INSTRUCTIONS TO THE JURY (INSTRUCTION NO. I)

MEMBERS OF THE JURY:

It is now my duty as judge to instruct you in the law that applies to this case. It is your duty as jurors to follow these instructions and to apply the rules of law to the facts as you find them from the evidence.

You must not be concerned with the wisdom of any rule of law stated in these instructions. Regardless of any opinion you may have as to what the law ought to be, it would be a violation of your oath to base a verdict upon any other view of the law than that given in the instructions of the Court.

If, in these instructions, any rule, direction or idea is repeated or stated in different ways, no emphasis thereon is intended by me and none may be inferred by you. For that reason, you are not to single out any certain sentence or any individual point or instruction and ignore the others, but you are to consider all the instructions as a whole and regard each in the light of all the others.

The order in which the instructions are given has no significance as to their relative importance.

An indictment is but a formal method of accusing a person of a crime and is not of itself any evidence of his guilt.

In this case, it is charged in an Amended Indictment that on or between April 8, 2019, and May 21, 2019, the Defendant committed the offenses of EXTORTION and IMPERSONATION OF AN OFFICER.

COUNT 1 - EXTORTION

did then and there, willfully, unlawfully, feloniously and with the intent to extort or gain any money or other property and/or to influence the action of any public officer, whether or not the purpose is accomplished, threaten directly or indirectly to accuse any person of a crime and/or to expose or impute to any person any deformity or disgrace, to wit: by making a demand to MICHAEL FEDERICO, a Las Vegas Municipal Court Judge Pro Tem, for \$25.00, and/or enrollment in the "Ethics, Fairness and Security in Your Courtroom and Community" class or in the alternative pay \$500.00 to the Clark County Law Library, and/or provide Defendant an apology, including in writing and/or in public, and if MICHAEL FEDERICO did not complete this class, pay this money and/or provide said apology, Defendant would file complaint(s) and/or allegation(s) against MICHAEL FEDERICO with the Commission on Judicial Discipline, and/or would file a criminal complaint with the FBI accusing MICHAEL FEDERICO with a Misdemeanor crime under 18 USC 242, and/or would send documentation of MICHAEL FEDERICO'S alleged misconduct to the law firm of Olson Cannon Gormley Angulo and Stoberski, where MICHAEL FEDERICO was employed.

COUNT 2 - IMPERSONATION OF AN OFFICER

did willfully, unlawfully and falsely personate a public officer, civil or military, or a police officer, or a private individual having special authority by law to perform an act affecting the rights or interests of another, to wit: an investigator for the State of Nevada Commission on Judicial Discipline, and in such assumed character did an act purporting to be official, whereby another is injured or defrauded, by identifying himself verbally and/or

1 in writing to one or more persons, including MICHAEL FEDERICO and/or P. MARWITZ,  
2 as an unpaid and/or volunteer investigator for the State of Nevada Commission on Judicial  
3 Discipline.

4 It is the duty of the jury to apply the rules of law contained in these instructions to the  
5 facts of the case and determine whether or not the Defendant is guilty of one or more of the  
6 offenses charged.

7 Each charge and the evidence pertaining to it should be considered separately. The  
8 fact you may find a defendant guilty or not guilty as to one of the offenses charged should  
9 not control your verdict as to any other offense charged.



To constitute the crime charged, there must exist a union or joint operation of an act forbidden by law and an intent to do the act.

The intent with which an act is done is shown by the facts and circumstances surrounding the case.

Do not confuse intent with motive. Motive is what prompts a person to act. Intent refers only to the state of mind with which the act is done.

Motive is not an element of the crime charged and the State is not required to prove a motive on the part of the Defendant in order to convict. However, you may consider evidence of motive or lack of motive as a circumstance in the case.

The Defendant is presumed innocent until the contrary is proved. This presumption places upon the State of Nevada the burden of proving beyond a reasonable doubt every element of the crime charged and that the Defendant is the person who committed the offense.

A reasonable doubt is one based on reason. It is not mere possible doubt but is such a doubt as would govern or control a person in the more weighty affairs of life. If the minds of the jurors, after the entire comparison and consideration of all the evidence, are in such a condition that they can say they feel an abiding conviction of the truth of the charge, there is not a reasonable doubt. Doubt to be reasonable must be actual, not mere possibility or speculation.

If you have a reasonable doubt as to the guilt of the Defendant, he is entitled to a verdict of not guilty.

You are here to determine whether the State of Nevada has met its burden of proof from the evidence in the case. You are not called upon to return a verdict as to any other person. So, if the evidence in the case convinces you beyond a reasonable doubt of the guilt of the Defendant, you should so find, even though you may believe one or more persons are also guilty.

The evidence which you are to consider in this case consists of the testimony of the witnesses, the exhibits, and any facts admitted or agreed to by counsel.

There are two types of evidence; direct and circumstantial. Direct evidence is the testimony of a person who claims to have personal knowledge of the commission of the crime which has been charged, such as an eyewitness. Circumstantial evidence is the proof of a chain of facts and circumstances which tend to show whether the Defendant is guilty or not guilty. The law makes no distinction between the weight to be given either direct or circumstantial evidence. Therefore, all of the evidence in the case, including the circumstantial evidence, should be considered by you in arriving at your verdict.

Statements, arguments and opinions of counsel are not evidence in the case. However, if the attorneys stipulate to the existence of a fact, you must accept the stipulation as evidence and regard that fact as proved.

You must not speculate to be true any insinuations suggested by a question asked a witness. A question is not evidence and may be considered only as it supplies meaning to the answer.

You must disregard any evidence to which an objection was sustained by the court and any evidence ordered stricken by the court.

Anything you may have seen or heard outside the courtroom is not evidence and must also be disregarded.

INSTRUCTION NO. 8

The credibility or believability of a witness should be determined by his manner upon the stand, his relationship to the parties, his fears, motives, interests or feelings, his opportunity to have observed the matter to which he testified, the reasonableness of his statements and the strength or weakness of his recollections.

If you believe a witness has lied about any material fact in the case, you may disregard the entire testimony of that witness or any portion of his testimony which is not proved by other evidence.

A defendant's testimony in court is to be treated the same as the testimony of any other witness and may be considered for all purposes.

It is not necessary to call as witnesses all persons who may have been present at any of the events disclosed by the evidence or who may appear to have some knowledge of these events, or to produce all objects or documents mentioned or suggested by the evidence.

A witness who has special knowledge, skill, experience, training or education in a particular science, profession or occupation is an expert witness. An expert witness may give his opinion as to any matter in which he is skilled.

You should consider such expert opinion and weigh the reasons, if any, given for it. You are not bound, however, by such an opinion. Give it the weight to which you deem it entitled, whether that be great or slight, and you may reject it, if, in your judgment, the reasons given for it are unsound.



A person who,

(1) with the intent to:

(a) extort or gain any money or other property; or

(b) influence the action of any public officer,

(2) whether or not the purpose is accomplished,

(3) threatens directly or indirectly:

(a) To accuse any person of a crime; or

(b) To expose or impute to any person any deformity or disgrace,

is guilty of EXTORTION.

A specific intent, as the term implies, means more than the general intent to commit the act. To establish specific intent, the State must prove that the defendant knowingly did the act which the law forbids.

An act is "knowingly" done if done voluntarily and intentionally, and not because of mistake or accident or other innocent reason. The intention may be inferred from the defendant's conduct and all other circumstances.

You are instructed that Extortion is a specific intent crime.

Every person who shall falsely personate a public officer, civil or military, or a police officer, or a private individual having special authority by law to perform an act affecting the rights or interests of another, and in such assumed character shall do any act purporting to be official, whereby another is injured or defrauded, shall be guilty of IMPERSONATION OF AN OFFICER.

“Officer” and “public officer” includes:

(1) All officers, members and employees of:

- a. The State of Nevada;
- b. Any political subdivision of the State of Nevada;
- c. Any other special district, public corporation or quasi-public corporation of the State of Nevada; and
- d. Any agency, board or commission established by this State or any of its political subdivisions.

(2) All persons exercising or assuming to exercise any of the powers or functions of a public officer.

Nevada law provides for the appointment of alternate municipal judges, which are known as municipal judges pro tempore or municipal judges pro tem. Municipal judges pro tem possess the same authority as elected municipal judges during their appointment, including jurisdiction over misdemeanor criminal cases in the City of Las Vegas. The City of Las Vegas is a political subdivision of the State of Nevada.

Municipal judges pro tem have the power to preserve and enforce order in their immediate presence and in the proceedings before it, as well as to compel obedience to their lawful orders and to the lawful orders of another judge out of court in an action or proceeding pending therein.

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2 The State of Nevada Commission on Judicial Discipline was established by the  
3 Constitution of the State of Nevada. The Constitution of the State of Nevada provides the  
4 Commission on Judicial Discipline the authority to censure, retire, remove and discipline any  
5 Nevada judge, including any municipal judge. The Constitution of the State of Nevada  
6 further provides the Commission on Judicial Discipline authority to hold hearings, summon  
7 witnesses to appear and testify under oath, compel the production of evidence, and grant  
8 immunity from prosecution or punishment in order to compel the giving of testimony under  
9 oath and the production of evidence.

10 Nevada law provides the Commission on Judicial Discipline authority to employ  
11 and/or contract with investigators. Nevada law requires the Commission on Judicial  
12 Discipline to assign or appoint an investigator to conduct an investigation when it finds a  
13 complaint alleges objectively verifiable evidence from which a reasonable inference could  
14 be drawn that a judge committed misconduct or is incapacitated. Such an investigation must  
15 be conducted in accordance with the Commission on Judicial Discipline procedural rules.  
16 Commission on Judicial Discipline investigators have legal authority to compel by subpoena  
17 the attendance of witnesses and the production of evidence. At the conclusion of the  
18 investigation, the investigator is required to prepare a written report of the investigation for  
19 review by the Commission on Judicial Discipline.  
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2 A threat, or to "threaten" another person, is a serious expression of the speaker's  
3 purpose or intention to harm the person, property, or rights of another, by commission of an  
4 unlawful act. A threat can include almost any kind of an expression of intent by the speaker  
5 to do an act against another person, including through oral and/or written word(s). The  
6 speaker need not actually intend to carry out the threat.  
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A crime is an act or omission forbidden by law and punishable upon conviction by death, imprisonment, fine or other penal discipline.

Title 18 Section 242 of the United States Code (18 USC 242) is a federal criminal statute that provides for a misdemeanor criminal punishment, including imprisonment for not more than a year and a fine.



“Extort” means influencing another person’s action through withholding a disclosure of information.

“Disgrace” means to humiliate or cause loss of favor or standing.

A person can be injured physically, mentally, or financially, which includes suffering damage to their property.

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2 Ignorance of the law is no excuse. Everyone is conclusively presumed to know the  
3 law, and one accused of a crime is precluded from using as a defense his ignorance of the  
4 law. Thus, when the evidence shows that a person voluntarily did that which the law  
5 declares to be a crime, it is no defense that he did not know that his act was unlawful or that  
6 he believed it to be lawful.  
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2 A defendant's religious beliefs are neither a defense nor an excuse to the crimes of  
3 Extortion or Impersonation of a Public Officer. The right to engage in actions or conduct  
4 prompted by religious beliefs or principles remains subject to criminal laws enacted by the  
5 State of Nevada.  
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Entrapment is an affirmative defense. The Defendant bears the burden of producing evidence of governmental instigation. Once the defendant puts forth evidence of governmental instigation, the State bears the burden of proving beyond a reasonable doubt that the Defendant was predisposed to commit the crime.

The basic question in determining if Defendant was predisposed to commit the crime is whether the Defendant was ready and willing to commit the crime if an opportunity should be presented. Five factors that are helpful in determining the defendant's predisposition:

- (1) the character of the Defendant;
- (2) who first suggested the criminal activity;
- (3) whether the Defendant engaged in the activity for profit;
- (4) whether the Defendant demonstrated reluctance; and
- (5) the nature of the government's inducement.

While these factors are not exhaustive, it is worth noting that the most important factor is whether the defendant demonstrated reluctance which was overcome by the government's inducement.

Raising an entrapment defense places the Defendant's character directly in issue.

Although you are to consider only the evidence in the case in reaching a verdict, you must bring to the consideration of the evidence your everyday common sense and judgment as reasonable men and women. Thus, you are not limited solely to what you see and hear as the witnesses testify. You may draw reasonable inferences from the evidence which you feel are justified in the light of common experience, keeping in mind such inferences should not be based on speculation or guess.

A verdict may never be influenced by sympathy, prejudice or public opinion. Your decision should be the product of sincere judgment and sound discretion in accordance with these rules of law.

While a guilty verdict must be unanimous, you need not be unanimous on the means or the theory of liability in arriving at your verdict.



In your deliberation you may not discuss or consider the subject of punishment, as that is a matter which lies solely with the court. Your duty is confined to the determination of whether the State of Nevada has met its burden of proof as to the Defendant.

During your deliberations you are not to communicate with anyone, in any manner regarding the facts and circumstances of this case or its merits, either by phone, email, text messaging, internet, or other means.

You are admonished not to read, watch, or listen to any news or media accounts or commentary about the case. You are not permitted to do any independent research, such as consulting dictionaries, using the internet, or any other reference materials.

You are further admonished not to conduct any investigation, test a theory of the case, re-create any aspect of the case, or in any other manner investigate or learn about the case on your own.

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2 When you retire to consider your verdict, you must first select one of your member to  
3 act as foreperson who will preside over your deliberation, and will be your spokesperson in  
4 court.

5 During your deliberation, you will have all the exhibits admitted into evidence, these  
6 written instructions, and forms of verdict prepared for your convenience.

7 Your verdict must be unanimous. As soon as you agree upon a verdict, the  
8 foreperson shall sign and date the verdict form and return with it to this room.  
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Now you will listen to the arguments of counsel who will endeavor to aid you to reach a proper verdict by refreshing in your minds the evidence and by showing the application thereof to the law; but, whatever counsel may say, you will bear in mind it is your duty to be governed in your deliberation by the evidence as you understand it and remember it to be and by the law as given to you in these instructions, with the sole, fixed and steadfast purpose of doing equal and exact justice between the Defendant and the State of Nevada.

GIVEN:

  
DISTRICT JUDGE

DISTRICT COURT  
CLARK COUNTY, NEVADA

FILED IN OPEN COURT  
STEVEN D. GRIERSON  
CLERK OF THE COURT

MAR 09 2022

THE STATE OF NEVADA,

Plaintiff,

-VS-

KIM DENNIS BLANDINO,

Defendant.

CASE NO. C-19-341767-1  
BY HALY PANNULLO, DEPUTY

DEPT NO: XII

VERDICT

We, the jury in the above-entitled case, find the Defendant KIM DENNIS BLANDINO, as follows:

COUNT 1 – EXTORTION

*(Please check the appropriate boxes)*

☒ Guilty of EXTORTION

☐ Not Guilty

C-19-341767-1  
VER  
Verdict  
4985321



COUNT 2 – IMPERSONATION OF AN OFFICER

*(Please check the appropriate box, select only one)*

☒ Guilty of IMPERSONATION OF AN OFFICER

☐ Not Guilty

DATED this 9<sup>th</sup> day of March, 2022

FOREPERSON

## CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing **APPELANT'S APPENDIX III** with the Clerk of the Court by using the electronic filing system on the 27<sup>th</sup> day of March 2023.

The following participants in this case are registered electronic filing system users and will be served electronically:

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By \_\_\_\_\_  
Joseph Z. Gersten  
An Employee of The Gersten Law Firm PLLC