

Michael Todd Botelho # 80837

NNCC P.O. BOX 7000
CARSON CITY, NEV. 89702

ABANDONED BY COUNSEL

FILED

MAR 10 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY _____
DEPUTY CLERK

IN THE NEVADA SUPREME COURT

Michael Todd Botelho
REAL PARTY IN INTEREST
PLAINTIFF

CRIMINAL COMPLAINT CASE NO. RCR03-011479
[STILL PENDING]

INDICTMENT CASE NO. CR03-2156

.VS.

JUDICIAL NOTICE
TO THE CHIEF JUSTICE OF
THE NV. SUPREME COURT

STATE OF NEVADA,
SECOND JUDICIAL DIST. COURT
DEFENDANTS

NRS 47.130

NV. SUPREME COURT CASE NO. 83996

COMES NOW, PLAINTIFF, Michael Todd Botelho, BEING THE REAL PARTY IN INTEREST,
AND BEING THE VICTIM OF FRAUD AND FRAUD UPON THE COURT, AS WAS PERPETRATED BY
THE SECOND JUDICIAL DISTRICT COURT CLERK. SEE AS FOLLOWS:

(1) THE LAWFUL APPEAL BEFORE THIS COURT IS INFACT AN [O]RIGINAL ACTION WHEREBY
TITLED AS Michael Todd Botelho .VS. THE STATE OF NEVADA AND THE SECOND JUDICIAL
DISTRICT COURT. AS SUCH I WILL CONTINUE TO BRING IT THROUGH APPEAL AS SUCH. IT
MUST BE THE DUTY OF THIS COURT TO RECOGNIZE THIS ACTION AS SUCH AND TAKE ALL
CORRECTIVE ACTION AS SUCH, AS IS NEEDED. IT IS BOTELHO'S FURTHER DUTY TO INFORM
THIS COURT THAT BOTELHO'S FELONY COMPLAINT CASE NUMBER RCR03-011479 IN
THIS ORIGINAL ACTION AND THIS APPEAL IS NECESSARILY INCLUDED WHEREIN THE
DISTRICT COURT ITSELF "SUA SPONTE" STAYED PROSECUTION BY FELONY COMPLAINT
WITH THE SAME CHARGES. THIS THE SPECIFIC REASON FOR THE ORIGINAL ACTION
AND THE COMPLAINT CASE NO. BEING INCLUDED IN ALL OF BOTELHO'S FILINGS IN
THIS MATTER OF STATEWIDE IMPORTANCE [.] (EMPHASIS ADDED).

(2) THE DIST. COURT CLERK HERSELF TOOK IT UPON HERSELF TO READ AND [ALTER]
STATE OF NEV. V. MICHAEL TODD BOTELHO AND INCLUDED

MAR 10 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

22-07747

1 ONLY THE INDICTMENT CASE NO. THE CLERK, THEN THE NEW DISTRICT JUDGE AND
2 THEREAFTER, THE STATE, ALL TOOK PART IN THE SUBTERFUGE AND FRAUD UPON THE
3 COURT TO FURTHER MUDDY THE WATERS. AFTER BOTELHO'S MOTION FOR APPOINTMENT
4 OF COUNSEL IS REVIEWED (IMPARTIALLY AND WITHOUT BIAS) THESE FACTS WILL SPEAK
5 FOR THEMSELVES.

6 (3) THIS IS [N]OT A POST-CONVICTION ACTION AND THE JUDGE, THE STATE AND CLERK
7 WERE FACTUALLY AWARE AND AGAIN BY JUDICIAL NOTICE ADVISED AGAIN BUT CHOSE
8 TO ACT IN COOPERATION WITH EACH OTHER TO FURTHER THE [R] FRAUD PERPETRATED
9 UPON BOTELHO, THE COURT (BY THE COURT ITSELF) AND THE PEOPLE OF WASHOE CTY.

10 (4) THE CLERK ALSO CHANGED DEPT. 3 TO DEPT. 1, AND NO LAWFUL NOTICE OF CHANGE
11 OF JUDGE AND DEPARTMENT WAS GIVEN REGARDLESS OF COURT RULES OF PROCEDURE,
12 ETC.....

13 (5) ON 3-9-2021 I FILED A 3RD. AFFIDAVIT AND CRIMINAL COMPLAINT CONCERNING
14 CRIMES COMMITTED AGAINST ME, MY WIFE AND TWO BABY BOYS IN 2003. IT
15 CONCERNED W.C.S.O. LT. DENNIS CARRY WHO ALSO COMMITTED CRIMES IN 2018-2019
16 AND TRIED TO COVER THEM UP. (HE MARRIED TWO DIFFERENT WOMEN INCLUDING A U.S.
17 DISTRICT MAGISTRATE JUDGE). THE CLERK TOOK IT UPON HERSELF AFTER READING
18 IT AND [F]ILED IT AS A MOTION TO [MODIFY OR CORRECT ILLEGAL SENTENCE] AND
19 BROKE MORE RULES AND FILED FICTITIOUSLY AS SUCH! BOTELHO WAS THEN
20 OBLIGATED TO FILE ANOTHER JUDICIAL NOTICE ABOUT THE CLERK'S ACTIONS,
21 AND I FURTHER PLAINLY AND VERY CLEARLY INFORMED THE COURT THAT I,
22 Michael T. Botelho HAS [NEVER] FILED ANY MOTION TO CORRECT ILLEGAL
23 SENTENCE, EVER! BUT THE JUDGE AND CLERK PLAINLY IGNORED THE NOTICE
24 AND FURTHER PERPETRATED FRAUD AND FRAUD UPON THE COURT [.]

25 (6) BOTELHO FILED ORIGINAL ACTION MTB V. STATE AND DIST. CT. ON 4-21-2020
26 AND SENT REQUEST FOR SUBMISSION ON 6-20-2020 AND NEVER RECEIVED
27 FILED COPY, NOR DID CLERK ACKNOWLEDGE THE STATES FAILURE TO RESPOND IN
28 45 DAYS. INSTEAD, THE CLERK FURTHER TRANSGRESSED MY 1ST, 5th AND 14th AMMENT.

1 CONSTITUTIONAL RIGHTS WHEREIN AFTER WAITING FOR BOTELHO'S MEMORIALS ORDER
2 FOR 15 [M]ONTHS WITHOUT PROCEDURAL DUE PROCESS OF LAW THE CLERK FILED FICTICIOUS
3 VOID ORDER ON 7-28-2021, WHERE THE "NEW" JUDGE ORDERED THE STATE TO RESPOND TO
4 MOTION FOR APPOINTMENT OF CONFLICT-FREE COUNSEL IN STILL PENDING FELONY COMPLAINT
5 SUA SPONTE STAYED IN 2023 [BY THE DISTRICT COURT ITSELF] AND [D.] TO ALSO RESPOND
6 TO THE FICTICIOUS AND FRAUDULENTLY FILED MOTION TO MODIFY OR CORRECT ILLEGAL
7 SENTENCE WITHIN 45 DAYS (EMPHASIS ADDED). THE STATE HAD PROCEDURALLY DEFAULTED
8 ITS RIGHT TO RESPOND TO MOTION FOR APPT. OF COUNSEL REGARDLESS. SEE NRCP (8)(c) AND
9 FRCP 8(c).

10 (7) ADDITIONALLY THE CLERK REFUSED TO FILE DOCUMENTS THEMSELVES, I.E. 3-9-21
11 AFFIDAVIT AND CRIMINAL COMPLAINT WHICH HAD NOTHING TO DO WITH MY ORIGINAL ACTION
12 AND FRAUDULENTLY FILED AS MOTION TO CORRECT ILLEGAL SENTENCE; 4-2-21 JUDICIAL
13 NOTICE; REQUEST FOR SUBMISSION (N/A) (2 PG) LETTER TO COURT CLERK 11-19-21, THESE
14 WERE NEVER STAMPED "FILED".

15 (8) MOTIONS COULD NOT BE CONSOLIDATED EVEN THOUGH ONE WAS FRAUDULENT,
16 REGARDLESS, AND THERE WAS NO ORDER AS SUCH, BECAUSE THE MOTION TO CORRECT
17 WAS FICTICIOUS ON ITS FACE AND SO WAS ORDER TO RESPOND. FURTHERMORE,
18 THE ORIGINAL ACTION WAS CHANGED TO STATE V. MTB SO EVERY RESPONSE AND
19 ORDER BY THE COURT WERE FRAUDULENT AND VOID!

20 (9) THE CLERK PETRATED THE FRAUD AND FRAUD UPON THE COURT IN THE BEGINNING
21 AND THE NEW JUDGE AND THE STATE ACTED IGNORANTLY AND MAILED IT FORWARD AS
22 SUCH (IN COLLUSION) [.] BOTELHO SOUGHT AND THE CIRCUMSTANCES NECESSITATED
23 AN OPEN COURT "EVIDENTIARY HEARING" BUT WAS DENIED TO PROTECT THE SHAM
24 PERPETRATED BY THOSE ACTORS [.]

25 (10) ON 12-6-2021, THE COURT CLERK ~~DENIED~~ FILED SHAM ORDER DENYING MOTION FOR
26 APPT. OF COUNSEL, STILL CALLING IT A POST-CONVICTION MOTION FILED UNDER STATE V. MTB
27 [FRAUD] AND FURTHER ON 12-6-2021 FILED FICTICIOUS FRAUDULENT SHAM ORDER
28 ALSO DENYING MOTION TO CORRECT ILLEGAL SENTENCE (THAT WAS NEVER PRESENTED TO

THE DISTRICT COURT (EMPHASIS ADDED).

(11) THE CLERK THEN FILED MY N.D.A. WITHOUT PROVIDING BOTELHO FILED COPY; THE CLERK THEN FORWARDED WHATEVER DOCUMENTS SHE ACTUALLY FORWARDED TO THIS NV. SUPREME COURT UNDER THE FICTICIOUS AND FRAUDULENTLY PRESENTED GUISE OF BEING TWO MOTIONS BROUGHT AND DENIED AS POST-CONVICTION MOTIONS IN THE CASE OF STATE V. M.T.B.. NOW THIS COURT IS FALSELY TREATING THIS ALSO AS BEING POST-CONVICTION MOTIONS IN STATE V. M.T.B. CASE NO. CR03-2156.

BOTELHO IS RESPECTFULLY INFORMING THIS COURT THAT NOT ONLY WAS THE ORDER DENYING MOTION FOR CORRECTION OF ILLEGAL SENTENCE FRAUDULENT BUT SO WAS THE ORDER FRAUDULENT ON ITS FACE BECAUSE I NEVER FILED SAID MOTION IN ANY ACTION, PERIOD [D]!

AND, MOTION FOR APPT. OF COUNSEL IN STILL PENDING FELONY COMPLAINT PROSECUTION WITH THE SAME CHARGES WAS FRAUDULENTLY PORTRAYED AS A POST-CONVICTION MOTION IN STATE V. M.T.B. CASE NO. CR03 WHEN IT WAS FACTUALLY AN ORIGINAL ACTION AGAINST THE DISTRICT COURT AND SHAM, FRAUDULENT DENIAL THEREIN TITLED M.T.B. V. SECOND JUDICIAL DIST. COURT WHEREIN BOTELHO'S FELONY COMPLAINT PROSECUTION WITH THE SAME CHARGES HAS STILL REMAINED PENDING 18 YEARS (EMPHASIS ADDED).

THIS APPEAL MUST BE PRESENTED AS MICHAEL TODD BOTELHO V. STATE AND SECOND JUDICIAL DISTRICT COURT [CASE NO. RCRC03-011479] [C.]

THESE ARE NOT BARE AND NAKED ALLEGATIONS BUT ARE LEGAL, [UN] DISPUTED FACTS IN THIS CASE AND WAS NOT PLAIN ERROR. IT WAS CALCULATED FRAUD FRAUD UPON THE COURT BY DESIGN TO FURTHER THIS PERVERTED, MANIFEST GROSS AND FUNDAMENTAL MISCARRIAGE OF JUSTICE AND WILLFUL DENIAL OF BOTELHO PROCEDURAL DUE PROCESS AND EQUAL PROTECTION RIGHTS, THEREIN! THIS NV. SUPREME COURT HAS BEEN DULY INFORMED, HEREIN [C.]

DATED 3-8-2022

Michael Todd Botelho

AFFIRMATION

I, Michael T. Botelho, SWEAR, THE PAINS OF PERJURY THAT THE FACTS "STATED HEREIN" ARE IN FACT TRUE AND CORRECT PURSUANT TO NRS 200.165, 28 USCS 1746 AND 18 USCS 1621. I FURTHER ASSERT THAT THIS NECESSARY JUDICIAL NOTICE DOES NOT CONTAIN THE SOCIAL-SECURITY-NUMBER OF ANY PERSON.

I FURTHER ASSERT THAT BECAUSE ALL THAT I HAVE FACTUALLY STATED HEREIN, I HAVE PREVIOUSLY SHOWN TO THE SECOND JUDICIAL DIST. COURT AND STILL ACTED CORRUPTLY SO AS I AM SENDING THIS JUDICIAL NOTICE TO THIS NV. SUPREME COURT ONLY. AS I HAVE NO QUICK WAY TO MAKE ADDITIONAL COPIES, REGARDLESS!

DATED 3-8-2022

Michael T. Botelho

MICHAEL T. BOTELHO #80837
NINCC P.O. BOX 7000
CARSON CITY, NEV. 89702

STILL ABANDONED BY COUNSEL
SEAN SULLIVAN, W.C. PUBLIC DEFENDER