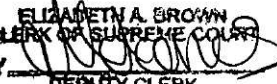


1 Todd Robben
2 In Pro Se
3 P.O. Box 4251
4 Sonora, CA 95370
5 (209)540-7713

FILED

SEP 28 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

7 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

10 TODD ROB BEN,

13 Appellant,

15 vs.

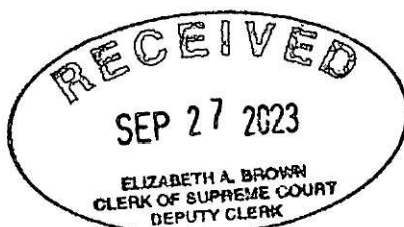
16 THE ESTATE OF THOMAS JOSEPH
17 HARRIS; AND THOMAS J. HARRIS
18 TRUST,
19

21 Respondents.

Supreme Court Case No.: 86096

11 **APPELLANT'S REPLY IN SUPPORT OF**
12 **MOTION FOR RECONSIDERATION OF**
13 **THE LAST REMAINING NON-VIOLENT**
14 **RESOLUTION(S) AS RESPONDENT**
15 **ESCALATES THE HARASSMENT AND**
16 **ABUSE OF PROCESS USING**
17 **UNDERCOVER AGENTS TO STALK,**
18 **HARASS AND TRESPASS TO THREATEN**
19 **THE APPELLANT**

EMERGENCY MOTION



1 Appellant, Todd Robben, *in pro se* replies in support of his
2 motion. The Respondent's counsel Fred W. McClure has used
3 inapposite case law because this matter requested reconsideration
4 not a "rehearing".
5

6
7 Mr. McClure also conceded to conspiracy, embezzlement,
8 aiding and abetting by only denying that he did not rob or steal from
9 the trust on page 4 and 5 of the opposition to reconsideration "Judge
10 Flanagan and Respondents' Counsel have done nothing but diligently
11 represented the Respondents at all times, and have never
12 inappropriately *taken or stolen* any asset of the Estate or Trust."
13

14 Appellant asserts Judge Flanagan and Respondents' Counsel have
15 worked to cover-up the stolen assets the previous administrator Scott
16 Barton and have failed to pursue and/or recover any missing assets
17 and thus aiding and abetting and conspiring to defraud the Trust and
18 Appellant.
19
20
21

22 "Silence is equated with fraud if there is a moral duty to speak."
23
24 United States v. Prudden, 424 F.2d 1021. "Silence can only be equated
25 with fraud where there is a legal or moral duty to speak or when an inquiry
26 left unanswered would be intentionally misleading." — Supreme Court in
27
28

1 U.S. V. Tweel, 550 F.2d 297, citing U.S. v. Prudden. He who does not
2 freely speak the truth is a betrayer of truth.

3
4 Allegations in affidavit in support of motion must be considered as
5 true in absence of counter-affidavit." [Group v Finletter, 108 F. Supp. 327
6
7 "Indeed, no more than affidavits is necessary to make the prima facie
8 case." United States v. Kis, 658 F.2d 526, 536 (7th Cir. 1981); *Cert.*
9 *Denied*, 50 U.S. L. W. 2169; S. Ct. March 22, 1982 "Uncontested
10 Affidavit taken as true in Opposition of Summary Judgment." – Melovich
11 Builders v. The SUPERIOR COURT of San Bernardino County (Serbia)
12 207 Cal.Rptr. 47 (Cal.App.4 Dist. 1984).

13
14
15 Fred W. McClure uses the courts to harass this Appellant with a
16 protective order after this court issues an order. Any attempt to get
17 another order is *res judata* (claim preclusion). Fred W. McClure is
18 vexatious to undermine the Chief Justice to get his way in Washoe
19 County Justice Case No. RCP2023-000565 Wallace & Millsap LLC vs.
20 Todd Robben. Indeed Fred W. McClure want to push the issue once
21 again.
22
23
24

25	08/25/2023	Application for Protection in the Workplace Filed
26	08/29/2023	Order Granting Application for Protection Order Filed
27		<i>in the Workplace</i>
28	08/30/2023	Temporary Order of Protection Against Stalking Work Issued
		<i>\$250 to be posted when they pick up the Orders</i>
	08/30/2023	Protection Order submitted to the State Repository

1 08/31/2023 **Amended Order Requested**
2 *Amended Temporary Protection Order Against Harrassment*
3 09/01/2023 **Amended Order Filed**
4 *Amended Order Granting Application for Protection Order Filed*
5 09/21/2023 **Motion Filed**
6 *Ex Parte Motion to Continue Hearing to Extend TPO*
7 09/25/2023 **Temporary Order of Protection Against Stalking Work Issued**
8 *Second with new hearing date*
9 09/25/2023 **Order Filed**
10 *Granting Applicant continuance for servce*
11 09/26/2023 **CANCELED Extended Protective Order Hearing (8:30 AM)**
12 *(Judicial Officer Hascheff, Pierre)*
13 *Vacated*
14 10/23/2023 **Extended Protective Order Hearing (8:30 AM) (Judicial**
15 **Officer Hascheff, Pierre)**

16 Respectfully signed under penalty of perjury,

17 

18 /s/ Todd Robben

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20 September 25, 2023
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September 25, 2023

/s/John Flynn

John Flynn

180 Upper Sunset

Sonora, CA 95370