

IN THE SUPREME COURT OF THE STATE OF NEVADA

INDICATE FULL CAPTION:

Bryan P Bonham
Appellant/Cross-Respondant
VS.
THE STATE OF NEVADA; NEVADA
Department of Corrections;
James Ozurenda, Tim Garrett, and
Carter Potter.

No. 86217

DOCKETING STATEMENT
CIVIL APPEALS

FILED

MAY 08 2023

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

GENERAL INFORMATION

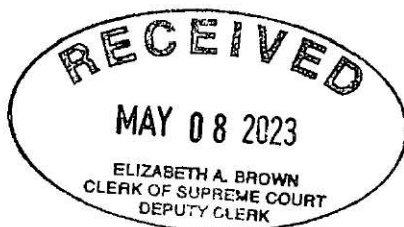
Appellants must complete this docketing statement in compliance with NRAP 14(a). The purpose of the docketing statement is to assist the Supreme Court in screening jurisdiction, identifying issues on appeal, assessing presumptive assignment to the Court of Appeals under NRAP 17, scheduling cases for oral argument and settlement conferences, classifying cases for expedited treatment and assignment to the Court of Appeals, and compiling statistical information.

WARNING

This statement must be completed fully, accurately and on time. NRAP 14(c). The Supreme Court may impose sanctions on counsel or appellant if it appears that the information provided is incomplete or inaccurate. *Id.* Failure to fill out the statement completely or to file it in a timely manner constitutes grounds for the imposition of sanctions, including a fine and/or dismissal of the appeal.

A complete list of the documents that must be attached appears as Question 27 on this docketing statement. Failure to attach all required documents will result in the delay of your appeal and may result in the imposition of sanctions.

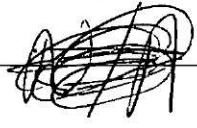
This court has noted that when attorneys do not take seriously their obligations under NRAP 14 to complete the docketing statement properly and conscientiously, they waste the valuable judicial resources of this court, making the imposition of sanctions appropriate. See KDI Sylvan Pools v. Workman, 107 Nev. 340, 344, 810 P.2d 1217, 1220 (1991). Please use tab dividers to separate any attached documents.



23-14534

1. Judicial District ~~Seventh~~ Eighth Judicial Department 29
County Clark Judge David M Jones
District Ct. Case No. A-20-823142-C

2. Attorney filing this docketing statement:

Appellant Attorney  Bryan P Bonham Telephone _____
Firm PRO SE
Address Bryan P Bonham 60575
PO Box 650 HDSB
Indian Springs, Nev 89070

Client(s) PRO SE

If this is a joint statement by multiple appellants, add the names and addresses of other counsel and the names of their clients on an additional sheet accompanied by a certification that they concur in the filing of this statement.

3. Attorney(s) representing respondents(s):

Attorney Samuel Pezone Telephone _____
Firm Aaron D Ford Office of Attorney General
Address Office of Attorney General
555 E Washington Ave Ste 3400
Las Vegas NV 89101

Client(s) ~~PRO SE~~ State of Nevada, Nev Dept of Corrections, James D'Zurena
Tim Garrett, and Carter Potter.

Attorney _____ Telephone _____
Firm _____
Address _____

Client(s) _____

8. Nature of the action. Briefly describe the nature of the action and the result below:

Since 2019 Plaintiff/Appellant has had funds/money deposited into his Account from two members of his family his elderly mom; his son. Between 80% & 90% would be taken, in violation of AR 258.05 as well as NRS 209.246, NRS 205.0824, NRS 205.0823, NRS 147.200 moreover the former NDEC Director amended AR 258 without the approval or knowledge of the Board. The second Amended complaint should also take place of original, first Amended complaint. Plaintiff should be allowed/Permitted to Receive all money taken over 50%, now 25% back, moreover because NRS 209.246 is unconstitutional and void. All funds should be given back to the Appellant; He should be granted an in person evidentiary hearing. His fourth Amended rights were violated; as he was given no proper due process. He should be able to Receive compensation/Damages as well.

9. Issues on appeal. State concisely the principal issue(s) in this appeal (attach separate sheets as necessary): without statutory authority the NDEC violated Appellants Due process rights by siezing, taking, depriving Appellant control of his property/money/funds deposited into his trust account. In violation of Appellants 4th Amended, 14th Amended to U.S. CONST. Appellant should be allowed to argue facts in his 2nd Amended complaint & his supplemental pleading in support of 2nd Amended complaint.

10. Pending proceedings in this court raising the same or similar issues. If you are aware of any proceedings presently pending before this court which raises the same or similar issues raised in this appeal, list the case name and docket numbers and identify the same or similar issue raised: NONE

11. Constitutional issues. If this appeal challenges the constitutionality of a statute, and the state, any state agency, or any officer or employee thereof is not a party to this appeal, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

☐ N/A

☒ Yes

☐ No

If not, explain: ~~8~~ Appellant believes NRS 209.246 is unconstitutional, invalid, void.

12. Other issues. Does this appeal involve any of the following issues?

☐ Reversal of well-settled Nevada precedent (identify the case(s))

☒ An issue arising under the United States and/or Nevada Constitutions

☒ A substantial issue of first impression

☒ An issue of public policy

☐ An issue where en banc consideration is necessary to maintain uniformity of this court's decisions

☒ A ballot question

If so, explain: yes Appellant has not only U.S. constitutional Rights as well as Nev const rights. He has due process, Liberty interest, property interest ~~In~~ Funds/money being unlawfully taken as well as 4th Amend right to be free of illegal search & seizure.

13. Assignment to the Court of Appeals or retention in the Supreme Court. Briefly set forth whether the matter is presumptively retained by the Supreme Court or assigned to the Court of Appeals under NRAP 17, and cite the subparagraph(s) of the Rule under which the matter falls. If appellant believes that the Supreme Court should retain the case despite its presumptive assignment to the Court of Appeals, identify the specific issue(s) or circumstance(s) that warrant retaining the case, and include an explanation of their importance or significance:

Appellant is not sure if Nev. Sup. Ct or Nev. Ct of Appeals should Preside over this appeal. He respectfully Requests if possible, if Rule 17 requires that Nev. Sup. Ct Hear & Decide this issue.

14. Trial. If this action proceeded to trial, how many days did the trial last? _____

Was it a bench or jury trial? _____

15. Judicial Disqualification. Do you intend to file a motion to disqualify or have a justice recuse him/herself from participation in this appeal? If so, which Justice?

Justice Douglas Herndon.

This Justice was involved in an issue regarding Gary W. Watters while a State Dist Ct Judge in Dept 3 Clark County, Nev. The issue was/is similar to this one.

TIMELINESS OF NOTICE OF APPEAL

16. Date of entry of written judgment or order appealed from 02-13-2023

If no written judgment or order was filed in the district court, explain the basis for seeking appellate review:

FACTS Findings, And conclusion of Law.

17. Date written notice of entry of judgment or order was served 02/ /2023

Was service by:

☒ Delivery

☐ Mail/electronic/fax

18. If the time for filing the notice of appeal was tolled by a post-judgment motion (NRCP 50(b), 52(b), or 59)

(a) Specify the type of motion, the date and method of service of the motion, and the date of filing. ~~Not~~ *Timely filed.*

☐ NRCP 50(b) Date of filing _____

☐ NRCP 52(b) Date of filing _____

☐ NRCP 59 Date of filing _____

NOTE: Motions made pursuant to NRCP 60 or motions for rehearing or reconsideration may toll the time for filing a notice of appeal. See AA Primo Builders v. Washington, 126 Nev. ___, 245 P.3d 1190 (2010). *None.*

(b) Date of entry of written order resolving tolling motion _____

(c) Date written notice of entry of order resolving tolling motion was served _____

Was service by:

☐ Delivery

☐ Mail

19. Date notice of appeal filed 02/20/2023

If more than one party has appealed from the judgment or order, list the date each notice of appeal was filed and identify by name the party filing the notice of appeal:

NOTICE OF APPEAL filed 02/20/2023

20. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(a) or other NRAP 4(a)

SUBSTANTIVE APPEALABILITY

21. Specify the statute or other authority granting this court jurisdiction to review the judgment or order appealed from:

(a)

☐ NRAP 3A(b)(1)

☐ NRS 38.205

☐ NRAP 3A(b)(2)

☐ NRS 233B.150

☐ NRAP 3A(b)(3)

☐ NRS 703.376

☒ Other (specify) NRAP 3A et seq Civil Rights Appeal.

(b) Explain how each authority provides a basis for appeal from the judgment or order:

Appellant is pro se & is not able to get access to NRAP Rules at this time. However NOTICE OF APPEAL was timely.

22. List all parties involved in the action or consolidated actions in the district court:

(a) Parties: Steve S. Solak, Barbara K. Cegawski, Aaron D. Ford, Charles Daniels, John Borrowman, Venus Fojota, T. Garrett C. Potters, J. Jones, James D'Zuricka.

(b) If all parties in the district court are not parties to this appeal, explain in detail why those parties are not involved in this appeal, e.g., formally dismissed, not served, or other: not all of Defendants listed in 2nd amend complaint are parties in this Appeal because Dist Ct wrongly dismissed those newly discovered Defendants when 2nd Amend complaint was denied.

23. Give a brief description (3 to 5 words) of each party's separate claims, counterclaims, cross-claims, or third-party claims and the date of formal disposition of each claim. not involved in deprivation.

24. Did the judgment or order appealed from adjudicate ALL the claims alleged below and the rights and liabilities of ALL the parties to the action or consolidated actions below?

☐ Yes

☒ No

25. If you answered "No" to question 24, complete the following:

(a) Specify the claims remaining pending below: 4th Amend search and seizure violation, property interest provided by State Law NRS 209.246 14th Amend right to due process as well as ART I §§ OF NEV CONST.

(b) Specify the parties remaining below:

(c) Did the district court certify the judgment or order appealed from as a final judgment pursuant to NRCP 54(b)?

☒ Yes

☐ No

see Facts Findings, and conclusions of Law prose not sure

(d) Did the district court make an express determination, pursuant to NRCP 54(b), that there is no just reason for delay and an express direction for the entry of judgment?

☒ Yes

☐ No

prose
not sure

26. If you answered "No" to any part of question 25, explain the basis for seeking appellate review (e.g., order is independently appealable under NRAP 3A(b)):

order is independantly appealable. Ashokan v state Dept of INS, 104 Nev 662, 856 P2d 241 (Nev 1993) as well as any other appropriate case law.

27. Attach file-stamped copies of the following documents:

- The latest-filed complaint, counterclaims, cross-claims, and third-party claims
 - Any tolling motion(s) and order(s) resolving tolling motion(s)
 - Orders of NRCP 41(a) dismissals formally resolving each claim, counterclaims, cross-claims and/or third-party claims asserted in the action or consolidated action below, even if not at issue on appeal
 - Any other order challenged on appeal
 - Notices of entry for each attached order
- Appellant Request a waiver to submit any Documents Listed above, as He is indigent; prose. He is well over his limit of copy work with nDoc, would require an order of court to extend copy work in order to send them.

VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement.

Bryan P Bonham
Name of appellant

04/26/2023
Date

Clark County, Nevada
State and county where signed

Bryan P Bonham ⁶⁰⁵⁷⁵ in prose
Name of counsel of record

[Signature]
Signature of counsel of record
Bryan P Bonham 60575
PO Box 650 HDSP
Indian Springs, NEV 89070

CERTIFICATE OF SERVICE

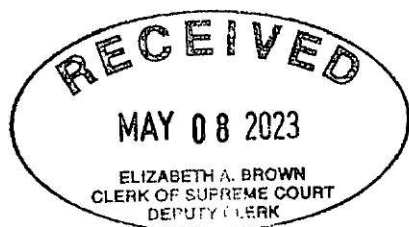
I certify that on the 26th day of April, 2023, I served a copy of this completed docketing statement upon all counsel of record:

☐ By personally serving it upon him/her; or

☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attach a separate sheet with the addresses.)

clerk of the court
NEVADA SUPREME COURT SUIT 201
CARSON CITY NV 89701

Dated this 26th day of April, 2023



[Signature]
Signature