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ELIZABETH A. BROWN
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DEPUTY CLERK

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT BEADLES,
Appellant,

No. 87683

vs.

JAIME RODRIGUEZ; WASHOE COUNTY
REGISTRAR OF VOTERS; ERIC BROWN;
ALEXIS HILL; WASHOE COUNTY,
Respondents.

RECORD ON APPEAL

VOL V

ROBERT BEADLES
10580 N. MCCARRAN BLVD.
#115, APT. 386
RENO, NEVADA 89503

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ATTORNEYS FOR RESPONDENT

24-00489

THE SUPREME COURT OF THE STATE OF NEVADA

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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that on August 16th 2023, I electronically filed the foregoing with the Clerk of the Court by using the e-flex filing system which served all parties of record electronically.



Robert Beadles, Plaintiff



Robert Beadles <beadlesmail@gmail.com>

Re: Conflicts-CV23-01341

1 message

Robert Beadles <beadlesmail@gmail.com>
To: Brianne.Ward@washoecourts.us

Mon, Aug 14, 2023 at 6:06 PM

Good evening,

I haven't heard back from you on any emails I have sent you. Additionally, I left a message on your voicemail today. The court was required to issue the citations today, but that appears not to have happened. Can you tell me when this will be done? If the court did not send out the citations today, the court appears to potentially be in violation of its responsibilities under NRS 283.440 and potentially my due process rights as well. Please speak with the Honorable Judge and advise as soon as possible.

Thank you. Have a good evening.

Robert Beadles

On Sun, Aug 13, 2023 at 7:48AM Robert Beadles <beadlesmail@gmail.com> wrote:

Good morning Brianne,

Pursuant to NRS 283.440, the Honorable Court has until Monday, 8/14/23, to issue citations to the defendants. I would appreciate it if you could inform me whether the Honorable Judge intends to proceed with the case, as time is pressing.

To facilitate the process, I have drafted the citations on behalf of the Honorable Court. However, as there are no dates or times currently set, I'm unable to file them in Eflex. I have attached them to this email for your convenience.

Should the Honorable Judge consider recusal, please ensure these documents are forwarded to the successor judge promptly tomorrow.

Kindly keep me informed.

Thank you,

Robert Beadles

On Fri, Aug 11, 2023 at 10:34AM Robert Beadles <beadlesmail@gmail.com> wrote:

Good morning Brianne,

I was recently informed that the Honorable Judge Freeman was assigned to my case, CV23-01341. I realize this was done randomly; therefore, I'd like to mention that there are obvious and severe conflicts with the Honorable Judge overseeing this case. I would like to give him the opportunity to recuse himself so this innocent assignment does not become a significant issue.

Due to the nature of this expedited case, the court must issue citations to the defendants by 8-14-23 at the latest. Knowing the timelines, time is of the essence. Please keep me posted on how the Honorable Judge would like to proceed today.

Thank you so much, and have a great day.

Kind Regards,

Robert Beadles

8/15/23, 4:32 PM

Gmail - Re: Conflicts-CV23-01

--

Kind Regards,

Robert Beadles

--

Kind Regards,

Robert Beadles

1
2 SECOND JUDICIAL DISTRICT COURT
3 COUNTY OF WASHOE, STATE OF NEVADA

4 AFFIRMATION
5 Pursuant to NRS 239B.030 and 603A.040

6 The undersigned does hereby affirm that the preceding document, *(title of document)*

7 Motion To Recuse Judge

8 file in case number: CV23-01341

9
10 (☒ mark one)

11 ☒ Document does not contain the personal information of any person.

12
13 ☐ Document contains the personal information of a person as required by: (☒ mark one)

14 ☐ A specific state or federal law, to wit: *(write the specific state or federal law)*

15 _____
16 ☐ For the administration of a public program

17 ☐ For the administration for a federal or state grant

18 ☐ Confidential Family Court Information Sheet (NRS 125.130, NRS 125.230, and
19 NRS 125B.055)

20
21
22 DATED this (day) 16th day of (month) August, 2023.

23
24 Submitted By: (Your signature) _____

25 (Print your name) Robert Beadles

26 (Attorney for) N/A
27
28

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ATTORNEYS FOR DEFENDANTS

8
9 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

10 IN AND FOR THE COUNTY OF WASHOE

11
12 * * *

13 ROBERT BEADLES, an individual,

14 Plaintiff,

Case No. CV23-01341

15 vs.

Dept No. D9

16 JAMIE RODRIGUEZ, in her official
capacity as Registrar of Voters and in her
17 personal capacity; the WASHOE COUNTY
REGISTRAR OF VOTERS, a government /
18 agency; ERIC BROWN in his official
capacity as WASHOE COUNTY
19 MANAGER and in his personal capacity,
ALEXIS HILL in her official capacity as
20 CHAIRWOMAN OF WASHOE
COUNTY BOARD OF
21 COMMISSIONERS and in her personal
capacity; WASHOE COUNTY, a political
22 subdivision of the State of Nevada, and
DOES I-X; and ROE CORPORATIONS I-
23 X.

24 Defendants.

25 MOTION TO DISMISS

26 //

1 Defendants, by and through counsel, Deputy District Attorney Lindsay Liddell,
2 hereby move to dismiss the Complaint. This Motion is based on NRCp 12(b)(5) and the
3 following Memorandum of Points and Authorities.

4 **MEMORANDUM OF POINTS AND AUTHORITIES**

5 **I. INTRODUCTION**

6 Through this lawsuit, Plaintiff Robert Beadles ("Beadles") is attempting to
7 weaponize the Nevada Constitution and Nevada Election Law to seek the removal of
8 Washoe County representatives who have not dogmatically adhered to his personal
9 interpretation of election law. While long on conjecture, his Complaint fails state a claim
10 upon which relief can be granted.

11 Beadles seeks to oust Washoe County Commissioner Alexis Hill ("Commissioner
12 Hill"), Washoe County Manager Eric Brown ("Manager Brown"), and Washoe County
13 Registrar of Voters Jamie Rodriguez ("Ms. Rodriguez") from their respective positions
14 serving Washoe County. Beadle's allegations that County representatives failed to fulfill the
15 duties of their respective offices is nothing more than Beadle's objections to the lawful
16 discretionary choices the County made to run an election, which differs from Beadle's
17 personal and politically charged preferences regarding how an election should be
18 conducted. Using state law and the Nevada Constitution, he attempts to state a claim based
19 on three "petitions" Defendants allegedly ignored. He also seeks various relief detached
20 from any cause of action.

21 Beadles's First Cause of Action regarding unanswered "petitions" fails as a matter
22 of law. Beadles alleges his rights under the Nevada Constitution and Nevada Voters' Bill of
23 Rights were violated when the Defendants did not respond to his November 23, 2022
24 Statement of Contest. *Compl.* at 6-7, Ex. 2. However, Nevada law requires a Statement of
25 Contest to be submitted to the clerk of the district court; there is no legal duty for any of
26 the named Defendants to respond. *See* NRS 293.413. Beadles alleges the same rights were

1 violated when Defendants did not respond to complaints regarding the elections process
2 that he allegedly provided on November 18, 2022,¹ and December 1, 2022. *Compl.* at 6–7,
3 Ex. 1, Ex. 3. However, Nevada law requires those complaints to be submitted to the
4 Nevada Secretary of State, not a county representative. NRS 293.2546(11); NAC 293.025.
5 Beadles cannot state a claim regarding Defendants’ failure to respond to his “petitions”
6 because Defendants had no legal obligation to respond.

7 Second, Beadles’s claim to remove Commissioner Hill, Manager Brown, and Ms.
8 Rodriguez from their positions is fatally flawed. He relies in part on NRS 266.430, a statute
9 wholly inapplicable to counties. He also fails to articulate a legally sufficient claim on
10 which relief can be granted under NRS 283.440. He fails to identify any malfeasance or
11 nonfeasance of a legal duty sufficient to implicate the quasi-penal and extraordinary
12 remedy of removal. Additionally, NRS 283.440 should be applied only to elected officials,
13 with no claim against Manager Brown nor Ms. Rodriguez arising thereunder. As such, no
14 citation to appear is necessary, and the claim should be dismissed with prejudice.

15 Beadles fails to sufficiently allege any set of facts that support a viable legal theory on
16 which the requested relief could be granted and, accordingly, the Complaint should be
17 dismissed with prejudice in its entirety. This lawsuit is nothing more than Beadles’s quest to
18 condemn the guiltless.

19 II. STANDARD OF REVIEW

20 A claim may be dismissed for “failure to state a claim upon which relief can be
21 granted.” NRCP 12(b)(5). On a Rule 12(b)(5) dismissal, the Court must liberally construe
22 the pleadings and accept all allegations as true. *Buzz Stew, LLC v. City of N. Las Vegas*, 124
23 Nev. 22, 227–28, 181 P.3d 670, 672 (2008). Dismissal is appropriate if the allegations fail
24

25 ¹ Exhibit 1 is dated November 17, 2022, but Beadles inadvertently references a November 18, 2022 date.
26 For clarity, it will be referred to herein as the November 18, 2022 Petition to remain consistent with Beadles’s
Complaint.

1 to state a cognizable claim of relief when taken at “face value” and construed favorably on
2 behalf of the non-moving party. *Morris v. Bank of Am.*, 110 Nev. 1274, 1276, 886 P.2d 454,
3 456 (1994)(quoting *Edgar v. Wagner*, 101 Nev. 226, 227–28, 699 P.2d 110, 111–12 (1985)).

4 **III. BEADLES’ FIRST CAUSE OF ACTION FAILS TO STATE A**
5 **CLAIM UPON WHICH RELIEF CAN BE GRANTED.**

6 Beadles first cause of action alleges that Defendants’ failure to respond to his
7 “petitions” amounts to a constitutional violation under the Nevada Constitution Article 1
8 Section 10, Article 2 Section 1A(11), Article 15 Section 2 and NRS 293.2546(11). *Compl.* at
9 ¶¶67–87. The “petitions” are comprised of two complaints about elections processes and
10 one Statement of Contest for the 2022 election. *Compl.* at ¶73; Exs. 1–3 to *Compl.*

11 As set forth below, Beadles fails to state a claim on which relief can be granted.
12 There is no legal obligation for any of the Defendants (Washoe County, Commissioner
13 Hill, Manager Brown, and Ms. Rodriguez) to respond to Beadles’s “petitions.” There is
14 likewise no obligation to “rectify” Beadles’s disapproval of County business.

15 **A. BEADLES FAILS TO STATE A CLAIM UNDER ARTICLE 1 SECTION**
16 **10 OF THE NEVADA CONSTITUTION.**

17 Beadles alleges that by not acknowledging and responding to the three documents
18 he and others allegedly submitted to Defendants, Defendants “deprived Plaintiff to have his
19 grievances heard as enshrined in Nev. Const. Art. 1 § 10.” *Compl.* at ¶75, ¶71.

20 Article One, Section Ten of the Nevada Constitution, titled “Right to assemble and
21 to petition,” provides: “The people shall have the right freely to assemble together to
22 consult for the common good, to instruct their representatives and to **petition the**
23 **Legislature** for redress of Grievances.” NEV. CONST. ART. 1 SEC. 10 (emph. added).

24 Beadles’s claim, specifically that Washoe County, Manager Brown, Commissioner
25 Hill, and Ms. Rodriguez did not respond to his complaints, does not give rise to a claim
26 under Article 1 Section 10 of the Nevada Constitution. Construing the Complaint broadly,

1 there are no facts alleged that, if true, demonstrate that Defendants impeded Plaintiff's
2 right to assemble, to instruct his representatives, or to petition the Legislature. This claim
3 should be dismissed with prejudice.

4 **B. BEADLES FAILS TO STATE A CLAIM UNDER ARTICLE 2 SECTION**
5 **1A SUBSECTION 11 OF THE NEVADA CONSTITUTION OR UNDER**
6 **THE NEVADA VOTERS' BILL OF RIGHTS.**

7 Beadles also alleges Defendants violated his rights under Article 2 Section 1A
8 Subsection 11 of the Nevada Constitution. *Compl.* at ¶72. Beadles claims he has a
9 "constitutional right to pose grievances" and have them resolved "fairly, accurately and
10 efficiently," but Defendants ignored his complaints. *Compl.* at ¶45, ¶72, ¶75.

11 Article 2 Section 1A Subsection 11 provides that each registered voter in the State of
12 Nevada has the right "to have complaints about elections and election contests resolved
13 fairly, accurately and efficiently as provided by law." This is codified in NRS 293.2546(11),
14 the Nevada Voters' Bill of Rights.

15 The Nevada Secretary of State is the Chief Officer for Elections in the State. NRS
16 293.124. As Chief Officer for Elections, the Secretary of State is responsible for the
17 execution and enforcement of all provisions of NRS Title 24 (NRS Chapters 293–306), and
18 all other provisions of State and Federal law relating to elections in this State. *Id.*

19 Consistent with this framework, the Nevada Administrative Code provides that "[a]
20 person who wishes to file a complaint concerning an alleged violation of any provision of
21 Title 24 of NRS [NRS Chapters 293–306], must: 1. **Submit the complaint in writing to the**
22 **Secretary of State**; and 2. Sign the complaint." NAC 293.025 (emph. added). The
23 obligation is on the Secretary of State to "resolve [the complaints] fairly, accurately and
24 efficiently as provided by law." NRS 293.2546(11); NAC 293.025.

25 In addition to submitting complaints to the Secretary of State concerning any
26 alleged violation of NRS Title 24, any registered voter may contest the election of a
candidate by filing a Statement of Contest with the clerk of the district court. NRS

1 293.407. Again, this statute imposes no duty on a County, a County Commissioner, a
2 County Manager, or a Registrar of Voters.

3 Nothing in Nevada law required Defendants to respond to documents that, by law,
4 were required to be submitted to the Nevada Secretary of State or the district court. Even
5 if there was a duty, that duty would only be to resolve the complaint—not to respond or
6 “rectify” the alleged issue in the manner that the complainant prefers. The Complaint,
7 construed liberally and in favor of Beadles, fails to state a claim under Article 2 Section
8 1A(11) of the Nevada Constitution or NRS 293.2546(11). Accordingly, Beadles’s claim
9 under Article 2 Section 1A(11) should be dismissed with prejudice.

10 **C. BEADLES FAILS TO STATE A CLAIM UNDER ARTICLE 15 SECTION**
11 **2 OF THE NEVADA CONSTITUTION.**

12 Article 15 Section 2 of the Nevada Constitution requires all members of the
13 legislature, and all officers, executive, judicial and ministerial, to take an oath before
14 performing the duties of their respective offices. The oath provides, in relevant part, that
15 the public officer will support, protect, and defend the Constitutions of the United States
16 and Nevada, and “will well and faithfully perform all duties of [their] office...” NEV.
17 CONST. ART. 15 SEC. 2.

18 Beadles alleges Defendants breached their duty under their oath because “[a]s of the
19 filing of this complaint, there has been no acknowledgement or response from the
20 Defendants regarding the underlying Petitions filed by Plaintiff.” *Compl.* at ¶75. As
21 previously demonstrated, responding to Beadles’s allegations of violations of elections laws
22 or elections challenges are not within the duties of Defendants’ offices. Plaintiff’s
23 assertions that “Defendants have thus perjured their oath of office” by not responding to
24 his complaints does not state a claim under Article 15 of the Nevada Constitution. This
25 claim should be dismissed with prejudice.

26 //

1 D. MANDAMUS AND EQUITABLE RELIEF ARE UNATTAINABLE.

2 Within his first cause of action, Beadles alternatively pleads that mandamus relief
3 should issue to compel Defendants to respond to his grievances, and to “rectify” the issues
4 alleged in those grievances. *Compl.* at ¶86.

5 A Court may issue a writ “to compel the performance of an act which the law
6 especially enjoins as a duty resulting from an office, trust or station...” NRS 34.160.
7 “Mandamus is an extraordinary remedy which will not lie to control discretionary action,
8 unless discretion is manifestly abused or is exercised arbitrarily or capriciously.” *Mineral*
9 *Cnty. v. State, Dep’t of Conserv.*, 117 Nev. 235, 243, 20 P.3d 800, 805 (2001)(internal citations
10 and quotations omitted). “A manifest abuse of discretion is a clearly erroneous
11 interpretation of the law or a clearly erroneous application of a law or rule. *State Office of*
12 *the Atty. Gen. v. Justice Ct. of Las Vegas Twp.*, 133 Nev. 78, 80–81, 392 P.3d 170, 172
13 (2017)(internal citations and quotation marks omitted).

14 Writ relief is an extraordinary remedy that will only issue at the discretion of the
15 court. *State v. Eighth Jud. Dist. Ct. ex rel. Cnty. of Clark*, 118 Nev. 140, 146, 42 P.3d 233, 237
16 (2002). “[M]andamus will never issue, unless a clear, legal right to the relief sought is
17 shown.” *State v. Daugherty*, 48 Nev. 299, 231 P. 384, 385 (1924). Additionally, there is no
18 authority to grant equitable relief where the party has an adequate remedy at law. *Las Vegas*
19 *Valley Water Dist. v. Curtis Park Manor Water Users Ass’n*, 98 Nev. 275, 277, 646 P.2d 549, 550
20 (1982).

21 Here, there is no duty in law requiring any of the Defendants to respond to
22 Beadles’s petitions. NRS 293.2546(11); NAC 293.025. As such, there is no legal basis to
23 issue a writ to compel such a response, or to compel Defendants to “rectify” Beadles’s
24 perceived grievances. Moreover, Beadles ignored his available legal remedies to submit his
25 petitions to the Nevada Secretary of State and the clerk of the district court as provided
26 under Nevada’s election laws. NAC 293.025

1 Accordingly, Beadles's request for a writ of mandamus and equitable relief in his
2 first cause of action should be dismissed with prejudice.

3 E. DISCRETIONARY ACT IMMUNITY OTHERWISE PROHIBITS THE
4 FIRST CAUSE OF ACTION.

5 Plaintiff allegedly submitted two complaints challenging the elections process and a
6 Statement of Contest to Defendants in 2022, and he has initiated this civil action because
7 Defendants did not respond to his allegations. Assuming arguendo that Plaintiff was able
8 to state a claim for relief, discretionary-function immunity serves as a bar to the cause of
9 action.

10 In relevant part, NRS 41.032 states that:

11 [N]o action may be brought under NRS 41.031 or against ... an officer
12 or employee of the State or any of its agencies or political subdivisions
13 which is:....

14 2. Based upon the exercise or performance or the failure to exercise or
perform a discretionary function or duty ... whether or not the
discretion involved is abused.

15 A two-part test is used to determine whether discretionary-function immunity under
16 NRS 41.032 applies to shield a defendant from liability." *Clark Cnty. Sch. Dist. v. Payo*, 133
17 Nev. 626, 631 (2017). Under the two-part test, a government defendant is not liable if the
18 decision (1) involves an 'element of individual judgment or choice,' and (2) is 'based on
19 considerations of social, economic, or political policy.'" *Id.* at 631-32 (citations omitted).

20 In this case, Defendants are being sued because they chose not to respond to
21 Plaintiff's allegations of impropriety in the elections process following the 2022 election.
22 As detailed above, Defendants did not have a legal duty to respond to Plaintiff's allegations
23 as State law requires allegations relating to the elections process to be submitted to the
24 Secretary of State and any challenge to the election is to be filed as a Statement of Contest
25 with the district court. NRS 293.2546(11); NRS 293.413; NAC 293.025. Because the
26 decision whether to respond to Beadles's "petitions" was based the alleged failure to

1 perform a discretionary function, Defendants are entitled to discretionary act immunity.

2 **IV. THE COMPLAINT FAILS TO STATE A CLAIM FOR**
3 **REMOVAL UNDER NRS 266.430.**

4 Beadles's Second Cause of Action demands Defendant Rodriguez's removal from
5 her appointed position as Registrar of Voters, Defendant Brown's removal from his
6 appointed position as Washoe County Manager, and Defendant Hill's removal from her
7 elected position as Chair of the Washoe County Board of County Commissioners. The
8 Complaint cites NRS 283.440 and NRS 266.430 as a basis for removal.

9 As an initial matter, NRS 266.430 is a criminal statute that provides for the removal
10 of the mayor or any municipal officer of an incorporated city or town who is adjudged
11 guilty of nonfeasance, misfeasance or malfeasance. No private citizen "may institute
12 criminal proceedings independently." *People for Ethical Operation of Prosecutors & Law Enft v.*
13 *Spitzer*, 267 Cal. Rptr. 3d 585 (2020), as modified (Sept. 8, 2020). "[I]n American
14 jurisprudence ... a private citizen lacks a judicially cognizable interest in the prosecution or
15 nonprosecution of another." *Linda R.S. v. Richard D.*, 410 U.S. 614, 619 (1973).

16 Here, Beadles has no standing to pursue any criminal penalty, and NRS 266.430 is
17 otherwise inapplicable to Defendants. Defendants are employed by Washoe County, not an
18 incorporated city or town, and this is a civil action. As such, NRS 266.430 is inapplicable
19 as a matter of law.

20 Beadles's claim for removal under NRS 266.430 should be dismissed with prejudice.

21 **V. THE COMPLAINT FAILS TO STATE A CLAIM FOR REMOVAL**
22 **UNDER NRS 283.440.**

23 Removal "is an extreme and extraordinary measure, intended only for extreme and
24 extraordinary occasions." *Jones v. Eighth Jud. Dist. Ct. of State*, 67 Nev. 404, 418, 219 P.2d
25 1055, 1062 (1950). "It is fraught with seriousness and a demand for extreme caution both

26 //

1 from the standpoint of him who prefers the charge and him who listens and pronounces
2 judgment." *Id.*

3 Nevada law provides a procedure for removal of certain public officers. NRS
4 238.440. A public officer "who refuses or neglects to perform any official act in the manner
5 and form prescribed by law, or who is guilty of any malpractice or malfeasance in office,
6 may be removed therefrom..." NRS 283.440(1). The burden of proof is beyond a
7 reasonable doubt. *Jones*, 67 Nev. at 418, 219 P.2d at 1062. Removals are summary
8 proceedings with no right to a jury trial. *Jones*, 67 Nev. at 418, 219 P.2d at 1062.

9 Beadles fails to state a cognizable claim for Defendants' removal under NRS
10 283.440. Even applying NRS 283.440 to all Defendants, which it should not, Beadles fails
11 to identify a specific act of malfeasance or nonfeasance directly connected to a specific
12 legal duty tied to each Defendant. Notwithstanding, NRS 283.440 should be applied only
13 to elected officials as set forth below.

14 **A. BEADLES FAILS TO STATE A CLAIM FOR DEFENDANTS'**
15 **REMOVAL.**

16 To state a claim for removal, a person must verify under oath that the public officer:

- 17 (a) Has been guilty of charging and collecting illegal fees for
18 services rendered or to be rendered in the officer's office;
19 (b) Has refused or neglected to perform the official duties
20 pertaining to the officer's office as prescribed by law; or
(c) Has been guilty of any malpractice or malfeasance in office.

21 NRS 283.440(2). Only when the complaint sets forth one of the above circumstances, the
22 court is required to cite the party charged to appear. *Id.* As set forth below, Beadles's
23 Complaint falls short of allegations that warrant removal under NRS 283.440.

24 For malfeasance to warrant removal from office, "the act of malfeasance must have
25 a direct relation to and be connected with the performance of official duties." *Jones*, 67 Nev.
26 at 408, 219 P.2d at 1057. "Malfeasance" is synonymous with "malpractice." *Buckingham v.*

1 *Fifth Jud. Dist. Ct. in and for Mineral Cnty.*, 60 Nev. 129, 102 P.2d 632, 635 (1940).
2 “Malfeasance requires, at the very least, an allegation of knowledge that the act was
3 wrongful, if not a greater level of intent.” *Law v. Whitmer*, 136 Nev. 840, 2020 WL 7240299
4 at *19 (Nev. Dec. 8, 2020)(unpublished disposition).

5 The Supreme Court of Utah analyzed a statute allowing removal for malfeasance in
6 office. *Madsen v. Brown*, 701 P.2d 1086, 1093 (Utah 1985). In a dissent, one Utah Supreme
7 Court Justice disagreed with the malfeasance finding, stating:

8 Removal is intended for those rare occasions when an official, because
9 he has committed an act so morally reprehensible or offensive to
10 accepted standards of honesty and integrity, shows himself to be an
11 unfit steward of the public trust... The purpose of the removal statutes
12 is not to authorize judicial removal of unpopular, disliked, or
13 thoughtless public officials. The election process is a sufficient remedy
14 in such cases. If the rule were otherwise, disgruntled citizens could use
the courts to nullify the results of an election, interfere in the
administration of governmental affairs to an intolerable extent, and
otherwise interfere with the political process. Vigorous, effective
municipal government can hardly thrive in such an environment.
Furthermore, reputable, civic-minded persons will be deterred from
agreeing to serve the public if their names can be so easily blackened.

15 *Id.* at 1094(citations omitted).

16 The other basis for removal is nonfeasance. NRS 283.440(2). “Omissions to act are
17 not acts of malfeasance...” *Buckingham*, 60 Nev. 129, 102 P.2d at 635. Acts of omission are
18 to be analyzed under the section: “refuse or neglect to perform any official act in the
19 manner and form as now prescribed by law...” *Id.* “Nonfeasance is the substantial failure to
20 perform a required legal duty. Misfeasance is the doing in a wrongful manner of that which
21 the law authorizes or requires him to do.” *Schumacher v. State ex rel. Furlong*, 78 Nev. 167,
22 172, 370 P.2d 209, 211 (1962). Only nonfeasance can establish that an officer “refused or
23 neglected” to perform an official act. *See id.*

24 In sum, the two relevant bases for removal are if an officer (1) “refused or neglected
25 to perform **official duties... as prescribed by law;**” or (2) is guilty of malfeasance. NRS
26 283.440(2)(emph. added). The officer must have substantially failed to perform their legal

1 duties or intentionally committed a wrongful act directly related to their duties. *Id.*; *Jones*,
2 67 Nev. at 408, 219 P.2d at 1057; *Schumacher*, 78 Nev. at 172, 370 P.2d at 211.

3 Where there is no official duty to act prescribed by law, there can be no removal. *See*
4 NRS 283.440(2); *Schumacher*, 78 Nev. at 172, 370 P.2d at 211, *citing Buckingham*, 60 Nev.
5 129, 102 P.2d at 635. In *Buckingham*, “the particular acts of omission were not required of
6 Buckingham as part of his duties as county treasurer and, thus, Buckingham did not refuse
7 or neglect to perform any official act in the manner and form prescribed by law.”
8 *Schumacher*, 78 Nev. at 172, 370 P.2d at 211 (citations omitted).

9 Beadles states generally, “Defendants... failed to fulfill the duties of their respective
10 offices as alleged herein.” *Compl.* at ¶91. Beadles identifies no specific duty for which
11 Defendants individually committed malpractice nor neglect. Beadles alleges that, “By
12 failing to address the Petitions, Defendants have each violated their oath to office, Nevada
13 Revised Statutes and Administrative Codes, and violated the Plaintiff’s constitutional
14 rights.” *Compl.* at ¶46. As set forth above, there is no specific duty requiring Defendants to
15 respond or address any of Beadles’s “petitions.” NRS 293.2546(11); NAC 293.025.

16 Beadles also states, “Defendants have additionally failed to address, correct, or
17 rectify the issues raised in the underlying Petitions, including but not limited to, (1)
18 updating and resolving the voter registration lists; (2) providing proper vote counting
19 mechanisms; (3) counting votes in secret; (4) inadequate signature verification; (5) illegal
20 function within the election system; (6) violations of election procedures as required under
21 Nevada law [Exhibit 109].” *Compl.* at ¶91; *see also Compl.* at ¶¶46–51.

22 The Complaint does not state a claim for removal under NRS 283.440. Beadles does
23 not identify a specific legal duty for each of Commissioner Hill, Manager Brown, and Ms.
24 Rodriguez. Beadles’s disagreement with Washoe County’s election procedures does not rise
25 to the level of malfeasance or nonfeasance. Removals are limited to “extreme and
26 extraordinary occasions.” *Jones*, 67 Nev. at 418, 219 P.2d at 1062.

1 Beadles does not and cannot identify any specific legal duty for Commissioner Hill.
2 *Jones*, 67 Nev. at 408, 219 P.2d at 1057 (requiring a specific official duty for malfeasance);
3 *Buckingham*, 60 Nev. 129, 102 P.2d at 635 (requiring a specific official duty for
4 nonfeasance). Commissioner Hill was elected to the Washoe County Board of County
5 Commissioners. The Board of County Commissioners has various powers to act on behalf
6 of their county, with certain limitations. *See* NRS 244.146. The Board may act in a meeting
7 with a quorum present. NRS 244.060(1). Commissioner Hill cannot act on her own; there
8 must be a majority vote of all county commissioners. *See* NRS 241.015(1). More
9 importantly, there are no specific official duties requiring an individual county
10 commissioner to act regarding elections. *See* NRS Chapter 244; NRS Chapter 293.
11 Commissioner Hill has neither committed malfeasance nor nonfeasance because there is no
12 official duty to act. Beadles's claim against Commissioner Hill is baseless and should be
13 dismissed with prejudice.

14 Beadles does not and cannot identify any specific legal duty for Manager Brown. A
15 county manager serves at the pleasure of the board of county commissioners. NRS
16 244.125(2). A county manager has no specific duty regarding elections procedures. *See*
17 NRS 244.135. Manager Brown has neither committed malfeasance nor nonfeasance
18 because there is no official duty to act. The removal claim against Manager Brown should
19 be dismissed with prejudice.

20 Beadles does not and cannot identify any specific act of malfeasance or nonfeasance
21 for Ms. Rodriguez. Although Beadles makes conclusory allegations about the quality of
22 the list of registered voters, the manner and mechanisms used to county votes, and vague
23 overarching dissatisfaction with the elections process, he has never substantiated his claims
24 using the proper remedy, which is for submitting these complaints to the Secretary of State
25 for investigation, a hearing if appropriate, and resolution by the Chief Officer for Elections
26 in the State. *See* NAC 293.025; NAC 293.500–55. To circumvent that process, and instead

1 attempt to terminate a public employee using a summary proceeding, would result in a
2 miscarriage of justice. Beadles fails to allege the type of “extreme and extraordinary
3 occasions” that may warrant removal. *Jones*, 67 Nev. at 418, 219 P.2d at 1062. The removal
4 claim against Ms. Rodriguez should be dismissed with prejudice.

5 Having failed to state even one legally cognizable theory on which relief can be
6 granted, Beadles’s Complaint should be dismissed. No citation to appear is appropriate
7 because Beadles did not submit a complaint alleging malfeasance or nonfeasance. The
8 Court should dismiss the removal claim entirely with prejudice based on Beadles’s failure
9 to state a claim upon which relief can be granted.

10 **B. MANAGER BROWN AND MS. RODRIGUEZ ARE NOT “PUBLIC**
11 **OFFICERS” SUBJECT TO REMOVAL UNDER NRS 283.440.**

12 Nevada’s removal statute, NRS 283.440, should be interpreted to apply only to
13 elected officials. Because Manager Brown and Ms. Rodriguez are not elected officials,
14 Beadles cannot pursue their removal.

15 The title of NRS 283.440 states the section addresses “Removal of certain public
16 officers for malfeasance or nonfeasance; Procedure; appeal.” In Section 1, it states “Any
17 person who is now **holding** or who shall hereafter **hold any office...**” NRS
18 283.440(1)(emph. added). NRS Chapter 283 does not define “public officer” nor “hold any
19 office.” *See id.*

20 The language of NRS 283.440 is ambiguous as to whether it applies only to local
21 elected officials, or whether it includes public employees. *See Zohar v. Zbiegien*, 130 Nev.
22 733, 737, 334 P.3d 402, 405 (2014)(“when a statute is susceptible to more than one
23 reasonable interpretation, it is ambiguous...”). Ambiguity is resolved “by looking at the
24 statute’s legislative history and construing the statute in a manner that conforms to reason
25 and public policy.” *Id.* A statute should not be read “so as to produce absurd or
26 unreasonable results.” *Orion Portfolio Servs. 2, LLC v. Cnty. of Clark ex rel. Univ. Med. Ctr. of S.*

1 Nev., 126 Nev. 397, 403, 245 P.3d 527, 531 (2010).

2 Legislative history for NRS 283.440 confirms that the removal provisions apply only
3 to elected officials. *See Exhibit 1, Min. of the Meeting of the Assembly Comm. on Gov. Affairs*, at
4 13–20, 80th Leg. (Nev. April 1, 2019); *Exhibit 2, Min. of the Meeting of the Senate Comm. on*
5 *Gov. Affairs*, at 13–24, 80th Leg. (Nev. May 3, 2019). NRS 283.440 was recently amended
6 by Assembly Bill 397 in 2019, to allow for removal based on Title VII violations. *See id.*

7 When first introducing Assembly Bill 397, Assemblywoman Teresa Benitez-
8 Thompson explained that the bill would allow for removal of “a local elected official” for
9 sexual harassment or discrimination. Ex. 1 at 13. “This bill seeks to establish accountability
10 **for elected officials** by giving the Nevada Equal Rights Commission the ability to make a
11 recommendation to impeach an **elected official** when he or she has demonstrated
12 egregious behavior. *Id.* at 14 (emph. added). Answering a question, she explained, “The
13 intent of the legislation, Assemblyman Elison, is to allow NERC to flow through their
14 normal process: bring in **the elected official**, and as she said, give them an additional tool
15 of recommendation up to impeachment.” *Id.* at 19 (emph. added).

16 AB 397 addressed the deficit in remedies for an employee who is a victim of
17 harassment perpetrated by an elected official “because there is no way to remove **the**
18 **elected person**.” Ex. 2 at 13 (emph. added). Assemblywoman Teresa Benitez-Thompson’s
19 intern explained “The intent of A.B. 397 is to ensure elected officials are abiding by the
20 virtue of their office and maintaining the public trust...” *Id.* at 16.

21 Nevada courts have never applied NRS 283.440 to a public employee, even an
22 appointed high-level employee. *See Jones*, 67 Nev. 404, 219 P.2d 1055 (involving an elected
23 District Attorney); *Mason v. Gammick*, 133 Nev. 1047, 2017 WL 2945616 (June 26,
24 2017)(unpublished disposition)(involving an elected District Attorney); *Buckingham*, 60
25 Nev. 129, 102 P.2d 632 (involving elected County Clerk and County Treasurer);
26 *Schumacher*, 78 Nev. 167, 370 P.2d 209 (involving an elected County Assessor); *Gay v. Dist.*

1 *Ct. of Tenth Jud. Dist.in and for Clark Cnty.*, 41 Nev. 330, 171 P. 156 (1918)(involving an
2 elected Sheriff); *Adler v. Sheriff, Clark Cnty.*, 92 Nev. 436, 552 P.2d 334 (1976)(involving an
3 elected Sheriff); *Hawkins v. Eighth Jud. Dist. Ct., Clark Cnty.*, 67 Nev. 248, 216 P.2d 601, 605
4 (1950)(involving an elected District Attorney); *State of Nevada v. Culverwell*, 890 F.Supp. 933
5 (D. Nev. 1995)(involving elected County Commissioners and City Councilmembers).

6 The limited application to elected officials is logical. An appointed position, or
7 general public employee, may be removed or terminated by their employer. Public
8 employees also often have various collective bargaining rights and agreements. *See* NRS
9 Chapter 288. A citizen who disapproves of an employee cannot and should not be able to
10 unilaterally seek removal of that public employee. This would be absurd and unreasonable.
11 It was reasonable, however, for the Nevada Legislature to create a procedure for an elected
12 official's removal, and it did so in enacting NRS 283.440. Consistent with the legislative
13 intent, NRS 283.440 should not be permitted to be used as a mechanism for a member of
14 the public to remove a public employee with whom they are dissatisfied.

15 Here, neither Manager Brown nor Ms. Rodriguez are elected officers, and thus
16 neither are subject to removal proceedings under NRS 283.440. *See* NRS 244.135(1). The
17 County Manager, Manager Brown, is appointed by the Board of County Commissioners.
18 NRS 244.125(1). The Registrar of Voters, Ms. Rodriguez, is appointed by the Board of
19 County Commissioners. NRS 244.164(1). Manager Brown and Ms. Rodriguez serve at the
20 pleasure of the Washoe County Board of County Commissioners. *Id.*; NRS 244.125(2).

21 The Court should dismiss the removal claim against Manager Brown and Ms.
22 Rodriguez with prejudice. They are employees of Washoe County, not elected officials.
23 There is no basis to issue a citation to appear or otherwise hold a removal summary
24 proceeding. *See* NRS 283.440. Manager Brown and Ms. Rodriguez are not elected officials
25 and cannot be removed pursuant to NRS 283.440.

26 //

1 **VI. THE OFFICE OF THE REGISTRAR OF VOTERS IS NOT A**
2 **SUABLE ENTITY.**

3 Beadles improperly names as a Defendant, "Washoe County Registrar of Voters, a
4 government agency." The Washoe County Registrar of Voters is not a political subdivision
5 of the State. It is a department of Washoe County. The Office of the Registrar of Voters is
6 immune from suit and should be dismissed with prejudice.

7 The State of Nevada waived immunity from civil actions on behalf of itself and the
8 political subdivisions of the State, subject to certain limitations. NRS 41.031. However,
9 "In the absence of statutory authorization, a department of the municipal government may
10 not, in the department name, sue or be sued." *Wayment v. Holmes*, 112 Nev. 232, 237-38,
11 912 P.2d 816, 819 (1996). A department of a county is not a suable entity because it is not
12 political subdivision of the State of Nevada. *Id.*; see also *Schneider v. Elko Cnty. Sheriff's*
13 *Dep't*, 17 F. Supp. 2d 1162, 1165 (D. Nev. 1998)(dismissing suit against a county sheriff's
14 department for lack of capacity to be sued). A county department is "immune from suit"
15 because it is not a suable entity. *Wayment*, 112 Nev. at 239, 912 P.2d at 820.

16 Accordingly, the claims against the Washoe County Registrar of Voters office
17 should be dismissed with prejudice.

18 **VII. THE RELIEF REQUESTED IS OTHERWISE**
19 **UNOBTAINABLE.**

20 **A. PUNITIVE DAMAGES ARE UNAVAILABLE.**

21 Nevada law prohibits awards of punitive damages against government entities and
22 employees. NRS 41.035(1). "An award may not include any amount as exemplary or
23 punitive damages." *Id.*

24 In the present case, Beadles alleges he is entitled to punitive damages. As a matter of
25 law, he is not. Accordingly, this Court should dismiss with prejudice his request for punitive
26 damages.

1 B. MONETARY DAMAGES AND EQUITABLE RELIEF ARE
2 UNAVAILABLE FOR REMOVAL ACTIONS.

3 In a removal action under NRS 283.440, “[t]he remedy is removal from office
4 Nothing in the statutes allows for recovery of damages by the complainant against the
5 officer.” *Armstrong v. Reynolds*, 2:17-cv-02528-APG-CWH, 2019 WL 1062364 at *8 (D. Nev.
6 Mar. 6, 2019), *aff’d in part, rev’d in part and remanded*, 22 F.4th 1058 (9th Cir. 2022). There is
7 no private claim for malfeasance. *Id.*

8 Here, Beadles improperly seeks injunctive relief regarding elections procedures in
9 his removal claim. Even if the claim were viable, injunctive relief is unavailable. Removal is
10 the only available remedy. If any removal claims survive the instant Motion, the Court
11 should dismiss with prejudice Beadles’s request for injunctive relief on that claim.

12 C. BEADLES’S MISCELLANEOUS RELIEF IS INAPPROPRIATE AND
13 UNOBTAINABLE.

14 In his “Demand for Relief,” Beadles asks the Court to “strike down NRS
15 293.269935(2) and 293.3606(4) to allow public inspection of ballots.” *Compl.* at p. 16. He
16 asks that the Court prohibit Defendants from “using any voting and tabulation machines
17 for elections,” and asks for general monetary damages in excess of \$15,000. *Id.* He asks that
18 the Court require Defendants to use paper ballots, “[e]njoin the Defendants and make the
19 digitized vote tally database (Microsoft SQL) open for public inspection,” require
20 Defendants disclose applicant name and credentials, prohibit Defendants from using QR
21 codes, “halt” Defendants’ expenditure of “unapproved and unsafe equipment and
22 software.” *Id.* He also requests that the Court require Defendants “take into account and
23 redress all elections issues that Plaintiff puts on the table, no shying away.” *Id.* at p. 15.

24 The Court “cannot recognize a remedy absent an underlying cause of action.”
25 *Badillo v. American Brands, Inc.*, 117 Nev. 34, 41, 16 P.3d 435, 440 (2001). “Altering common
26 law rights, creating new causes of action, and providing new remedies for wrongs is

1 generally a legislative, not a judicial, function.” *Id.* 117 Nev. at 42, 16 P.3d at 440.

2 Here, Beadles asks this Court to award him various relief that is not connected to
3 any cause of action. This is inappropriate, but the requested relief also highlights the fact
4 that Beadles’s complaint is not based on violations of law but rather his disagreement
5 regarding what elections laws and procedures should be. Beadles cannot commandeer
6 Washoe County’s elections procedures. There is no legally tenable avenue for Beadles to
7 obtain the relief requested above. The Court should dismiss Beadles’s miscellaneous
8 requests for relief.

9 VIII. CONCLUSION

10 Based on the foregoing, Defendants respectfully request an order dismissing
11 Beadles’s Complaint in its entirety with prejudice. There is no viable claim regarding
12 Defendant’s failure to respond to Beadles’s “petitions,” because Defendants have no legal
13 obligation to respond. He likewise cannot unilaterally remove an elected County
14 Commissioner and two employees with whom he disagrees. Beadles fails to identify a
15 specific official duty to set forth a viable claim of malfeasance or nonfeasance that would
16 warrant removal. The Complaint is no more than a conspiracy theorist’s wishlist—Beadles
17 seeks to remove those who do not agree with him, to control the County’s election
18 procedures, to “strike down” election laws, and use this court to legitimize his unfounded
19 claims. That is not how the judicial system nor elections systems operate in the State of
20 Nevada. Dismissal with prejudice is appropriate.

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AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

Dated this 15th day of August 2023.

CHRISTOPHER J. HICKS
District Attorney

By /s/ Lindsay L. Liddell
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ATTORNEY FOR DEFENDANTS

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ROBERT BEADLES

/s/ S. Haldeman
S. Haldeman

INDEX OF EXHIBITS

Exhibit 1	Min. of the Meeting of the Assembly Comm. on Gov. Affairs 80th Leg. (Nev. April 1, 2019);.....	10 pages
Exhibit 2	Min. of the Meeting of the Senate Comm. on Gov. Affairs 80th Leg. (Nev. May 3, 2019).....	14 pages

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EXHIBIT 1

EXHIBIT 1

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS**

**Eightieth Session
April 1, 2019**

The Committee on Government Affairs was called to order by Chair Edgar Flores at 9:05 a.m. on Monday, April 1, 2019, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda (Exhibit A), the Attendance Roster (Exhibit B), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/80th2019.

COMMITTEE MEMBERS PRESENT:

Assemblyman Edgar Flores, Chair
Assemblyman William McCurdy II, Vice Chair
Assemblyman Alex Assefa
Assemblywoman Shannon Bilbray-Axelrod
Assemblyman Richard Carrillo
Assemblywoman Bea Duran
Assemblyman John Ellison
Assemblywoman Michelle Gorelow
Assemblyman Gregory T. Hafen II
Assemblywoman Melissa Hardy
Assemblyman Glen Leavitt
Assemblywoman Susie Martinez
Assemblywoman Connie Munk
Assemblyman Greg Smith

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblywoman Brittney Miller, Assembly District No. 5
Assemblywoman Teresa Benitez-Thompson, Assembly District No. 27
Assemblywoman Dina Neal, Assembly District No. 7



STAFF MEMBERS PRESENT:

Jered McDonald, Committee Policy Analyst
Asher Killian, Committee Counsel
Kirsten Oleson, Committee Secretary
Trinity Thom, Committee Assistant

OTHERS PRESENT:

Barbara A. Rodgick, Private Citizen, Las Vegas, Nevada
Mitchell "Mitch" Roach, representing American Legion; and United Veterans
Legislative Council
Tony Yarbrough, Nevada State Senior Vice Commander, Veterans of Foreign Wars
Gabrielle d'Ayr, Private Citizen, Las Vegas, Nevada
Octavio Posada, Executive Director, Nevada Minority Health and Equity Coalition
Mike Dyer, Director, Nevada Catholic Conference
Catherine M. O'Mara, Executive Director, Nevada State Medical Association
Richard P. McCann, Executive Director, Nevada Association of Public Safety
Officers
Katherine Miller, U.S. Army Colonel (Ret.), Director, Department of Veterans
Services
Marlene Lockard, representing Nevada Women's Lobby
Jamie Rodriguez, Government Affairs Manager, Office of the County Manager,
Washoe County
Pamela Roberts, Private Citizen, Reno, Nevada
Cecilia Colling, Co-Chair, Nevada Women's Lobby
Bonnie Barber, Chair, Nevada Coalition for Women's Equity
Wendy Boszak, Private Citizen, Reno, Nevada
Danny L. Thompson, Private Citizen, Las Vegas, Nevada
Kara M. Jenkins, Administrator, Nevada Equal Rights Commission, Department of
Employment, Training and Rehabilitation
Amber Stidham, Director of Government Affairs, Henderson Chamber of Commerce
Peter Guzman, President, Latin Chamber of Commerce
Mariana Kihuen, Interim Director of Government Affairs, College of Southern
Nevada
Evan Louie, Chair, One APIA Nevada
Vida Chan Lin, President and Founder, Asian Community Development Council
Kimberly Perondi, Deputy Secretary for Commercial Recordings, Office of the
Secretary of State

Chair Flores:

[The roll was called. Committee rules and protocols were explained.] We will start with the
hearing on Assembly Bill 300.

Chair Flores:

With that we will close the hearing on A.B. 300. I see our majority leader, so we will proceed with Assembly Bill 397.

Assembly Bill 397: Revises provisions governing misconduct by certain public officials.
(BDR 18-1038)

Assemblywoman Teresa Benitez-Thompson, Assembly District No. 27:

For too long we have allowed discrimination and abuse to occur in the workplace. As a nation we made a public policy declaration on July 2, 1964—when President Johnson signed the Civil Rights Act into law. Title VII of the Civil Rights Act prevented public policy from tolerating discrimination, harassment, racism, discrimination, sexism, or harassment.

We citizens need a clear path in Nevada by which public officials can be held to a higher standard. The people who are elected are not above the law. We will no longer tolerate harassment in the workplace by elected officials. Public figures are expected to be worthy of public trust, and when this trust is violated by acts of sexual harassment and discrimination, the level of accountability has to be equally higher.

I believe we, as elected officials in Nevada, are falling desperately short of this expectation, because there is not a way for required accountability to happen. Think about it, when a complaint is made against a local elected official such as a county commissioner, city council person or a sheriff, the local entities' human resources department is conflicted because that elected person is essentially their boss. A county manager or city manager serves as an at-will subordinate of the elected person. There can never be a remedy for the employee because there is no way to remove that elected person from office. The public and the employee must wait for an election cycle—which may be years away.

What is the status quo? We know an elected official can have findings against them of sexual harassment or discrimination, but nothing happens because there are too many conflicts within that local government to allow for sufficient remedy. There is no "boss," if you will, in that workplace to reprimand the elected official. There is no immediate workplace remedy for the person who filed the complaint. Oftentimes the only option that is left to a city, county, or entity is to move that employee—which is retaliation. Even if the public retains this bad actor through reelection, that vote should not mean that employees in the workplace should have to labor under a bad actor, nor work in an environment where the elected official continues in his or her bad behavior.

Article 7 of the *Nevada Constitution* grants to the Assembly the sole authority to impeach. Presently, the ability to recommend impeachment lies with the Nevada Commission on Ethics. If an elected official has three or more willful ethics violations, *Nevada Revised Statutes* (NRS) compels the Nevada Commission on Ethics to seek expulsion through the courts. Up until the third violation, they may seek it. Now think about this: Where is justice when an elected official can be removed for using a government copier to make copies of

campaign material, but cannot be removed if they are found to have sexually harassed a person?

This bill seeks to establish accountability for elected officials by giving the Nevada Equal Rights Commission the ability to make a recommendation to impeach an elected official when he or she has demonstrated egregious behavior. Also, this bill establishes a requirement that the elected person must pay the fines that are levied out of their personal accounts—it cannot come from a campaign account or a local entity that is using taxpayer dollars to pay for this person's bad behavior.

I will walk you through the bill so you understand the mechanics. Section 1, subsection 1, is where we are giving the commission the ability to make a recommendation to the Assembly. Section 1, subsection 2, says that the commission may present the accusation to a grand jury of a county pursuant to NRS Chapter 283. If the commission determines that the hearing will meet the requirement of the next subsection—which is district, county, township, or municipal officer—what we are looking at is that the Assembly has a way to expel a member, but local governments and elected positions do not. We are looking for an expulsion method by those other local governments that are listed. Subsection 3 is where the damages assessed must be paid by the person—the money cannot come from campaign funds or tax dollars. We just want to make sure that the individual responsible pays for their own behavior. This is a relatively short bill, but it holds a lot of weight. If I may, I would like Marlene Lockard to give a short testimony.

Marlene Lockard, representing Nevada Women's Lobby:

We are in strong support of A.B. 397. Unfortunately we have been made aware that, despite normal safeguards and processes in place to remove an elected official for egregious violations of his or her oath of office, there are still opportunities for bad actors to escape the consequences of their actions. To add insult to injury, as has been demonstrated in some very high profile cases, the perpetrators are allowed to fight removal from office and their victims by using taxpayer dollars to defend themselves from repeated acts of sexual harassment and vile behavior in office. All too often we find that a harasser's life carries on and is even elevated. Meanwhile, his victim's life is forever shattered. Their professional reputation is ruined and stunted. This is not acceptable. The public must have a way to remove an individual who has violated and abused his office. This is especially the case when an elected official holds a position of trust—such as a chief law enforcement official. Allowing such an individual to remain in the position that has enormous power over our citizenry and our visiting, unsuspecting tourists is unconscionable. This bill is a bill of last resort. It allows our objective regulatory agencies and the courts to protect the citizens of this state from predatory individuals who have been able to successfully manipulate the system. We urge a favorable consideration of this bill.

Chair Flores:

We will now proceed with questions.

Assemblyman Carrillo:

My question is in section 1 and section 2 regarding the wording "sufficiently severe." Could you explain what actions would be sufficiently severe?

Assemblywoman Benitez-Thompson

The Nevada Equal Rights Commission (NERC) has a fact-finding process in place. The standard that NERC has is probable cause. In discussions with NERC, my intent is not to disrupt the current process they have in place. Rather, the intent is to allow local elected officials to flow through into this process in addition to the other remedies they have—especially for local elected officials—to have the recommendation of impeachment.

Sufficiently severe would be that, with the standard of probable cause, NERC would have the discretion to consider the facts. If something were a lighter offense, but an offense, they could levy a \$500 civil fine.

The elected official would still pay that, but it might not rise to the level of impeachment. If it did, and their commissioners thought that it would, there would be a public hearing where those commissioners would vote to decide whether or not to move forward in the impeachment process.

We are looking at people with multiple violations; people whose behavior is especially egregious, people who might have long-standing violations as a public elected official.

Assemblyman Hafen:

In section 1, subsection 1, why are we limiting the ability to prosecute to the Assembly? Why is the Senate not included? Personally, I think that if there is sexual harassment, it is egregious and both bodies should be included.

Assemblywoman Benitez-Thompson:

Article 7 of the *Constitution of the State of Nevada*, section 1 says that the Assembly shall have the sole power of impeaching. We have written this to remain in compliance with the *Constitution of Nevada*. In order to add the Senate we would have to go into the *Constitution of Nevada*. As it stands right now it is just the Assembly—"the People's House"—upon which this power is conferred.

Assemblyman Leavitt:

Is there a statute of limitations on harassment? Does the claim have to be filed in the office they currently hold or does it transfer as the individual transfers positions? If they remove themselves from one office and then are reelected to another office, does that omit them from investigation from the commission? Does the investigation and the possibility of removal from office continue?

Assemblywoman Benitez-Thompson:

We are not changing the process that is now in place with NERC—which is largely dictated by the federal Equal Employment Opportunity Act. Right now with status quo, a person has 300 days to bring the complaint.

Assemblywoman Assefa:

I know this is a constitutional issue that this bill does not cover the Senate, but is there a mechanism for the Senate to handle sexual harassment claims?

Assemblywoman Benitez-Thompson:

During the last session at the Nevada State Legislature we did a lot of good work to put a process in place by which we could create a safe place at the Legislature. It has been a long time coming. I really believe that the trend of having more women elected and the fact we are the first female majority gives us a certain comfort level to talk about this stuff. I honestly do not know if I previously would have had a comfort level in bringing this kind of legislation forward, but I feel like I am in a workplace where I can have this conversation. It is a hard conversation to have. We have had bad behavior in politics for a long time and we know that the State of Nevada did not invent bad behavior in politics. I think it is on us to say that it is a new era, it is time for a change, and all elected officials have to be held to a higher state of accountability.

In the Nevada State Legislature we have the ability to remove members—both the Assembly and Senate have that power. We have the ability to expel a member—it has only been used once. I was a member when that happened, and it was a hard and emotional process. This is not easy, just like how we have seen resignations this session. We did not come here to do easy things. We came here to have hard conversations. My goal in this is to take away the discretionary ability to make a decision about a complaint. We have handed it over to a third party. In this same way, I want to take a third party—which would be NERC—and give them the ability to hear what is happening at local levels and then make a decision from there.

Chair Flores:

Would those wishing to speak in support of A.B. 397 please come forward.

**Jamie Rodriguez, Government Affairs Manager, Office of the County Manager,
Washoe County:**

Most of the bill follows what our current policy is in Washoe County. Bringing the investigation authority to the Ethics Commission is important. We understand the importance of having a third party do that, which would take us out of the equation. It is difficult for our employees to have to investigate their bosses. We are in support of this legislation.

Pamela Roberts, Private Citizen, Reno, Nevada:

I am a member of Nevada Women's Lobby. I am testifying because I was an at-will employee at the Attorney General's office for ten years. I was also an at-will employee for

the Reno City Attorney's Office for 12 years before I retired. This bill is really important because, even though none of my bosses would fall into this category, I know that there is a risk that a future or current boss will commit egregious behavior. I know what it is like to be employed by someone who has the ability to terminate me at any time because I was an at-will employee. The boss expects a certain amount of loyalty. Working in the criminal division of both the previously mentioned agencies, I had a lot of opportunity to work with law enforcement officers at all levels. To have a law enforcement officer who is the boss—has a badge, carries a gun, and is able to commit sexual harassment in the workplace—is a danger, not only to the people who work there, but it sends a message to the residents and community. There needs to be accountability. The Assembly and Senate can remove a member even if they are elected by their local constituents. Even if a sheriff or district attorney was elected by their local constituents, there needs to be accountability. There needs to be an objective body who can review this type of egregious behavior and decide on behalf of the residents of the community, and even the ones who do not live there—like the tourists. For example, my son worked in one of the locations where there was a high profile case. I love to go to the city in that county. I am concerned about the welfare of our tourists and people who want to go into that location. I want to make sure they feel safe.

Cecilia Colling, Co-Chair, Nevada Women's Lobby:

I think it is not acceptable for an individual to abuse their power and sexually harass people that are under their supervision. When that happens it is not only terribly unfair for the victim, but it is unfair for the community as a whole. This bill gives us a method to address this. It has a clear process and will give due process to both sides of the investigation.

Bonnie Barber, Chair, Nevada Coalition for Women's Equity:

We feel very strongly that this legislation is needed, and we urge you to support this bill.

Wendy Boszak, Private Citizen, Reno, Nevada:

My understanding of your role as a Committee is that you solve problems—problems that affect citizenry. This bill solves a problem, and if the problem does not occur, it does not affect anybody. We hope that this will help prevent the problem from occurring.

Richard P. McCann, Executive Director, Nevada Association of Public Safety Officers:

We are here in support of A.B. 397. I represent law enforcement officers around this state. I also deal with a lot of elected officials—most of them are sheriffs. Who am I kidding? I deal with one elected official up north that is a problem. We all know about it and we all know what we are here to talk about. I have had a problem for two years with an elected official who was able to "middle finger" the system. When elected officials get elected, the county or city pays. There is no personal exposure of the elected official. We have seen a lot of that in this building over the last six years, but it happens to some of the counties too. It affects my law enforcement and it is going to stop. The cities and counties cry out about how he is an elected official so they cannot do anything about it. With this bill, NERC, and this body we can start to do something about it. Let us do it. On behalf of my constituency, I encourage you to support the bill.

Danny L. Thompson, Private Citizen, Las Vegas, Nevada:

I am speaking as a private citizen. I would urge you to pass this bill. In some of these high profile cases—one in particular—an elected official is literally on the job today; meanwhile, the victim lost her job and is basically through in the career she chose. There needs to be a mechanism to solve these kinds of problems. This bill provides one way we can solve some of those problems.

Chair Flores:

Is there anyone wishing to speak in opposition of A.B. 397? [There was no one.] Is there anyone wishing to speak in the neutral position?

Kara M. Jenkins, Administrator, Nevada Equal Rights Commission, Department of Employment, Training and Rehabilitation:

Nevada Equal Rights Commission is neutral. Assemblywoman Benitez-Thompson reached out to the commission prior. I just wanted to clarify some of the previous questions about "sufficiently severe." I would only make the strong, friendly amendment to put "severe or pervasive"—which is the standard for sexual harassment as issued by the Ninth Circuit Court of Appeals. Having also heard a question about statute of limitations, the sponsor is correct. It is 300 days from the date of harm. Nevada Equal Rights Commission has public hearings for particular egregious behaviors. The most recent one, you can look up online. It was against Fat Tuesday. It resulted in a settlement pertaining to sexual harassment. We had video surveillance of such harassment, so it was fairly easy to move on that. That is an example of what we are talking about when we say severe. We are in neutral. There is no fiscal note.

Assemblyman Ellison:

In section 2 does it eliminate due process for trials?

Kara Jenkins:

I do not see a due process denial here, although I would want my deputy attorney general to look at it. There would be a public hearing with the five members appointed by the Governor. When we talk about the NERC commission, there is the Equal Rights Commission, which is the agency that I oversee, and we process cases to close. But we also have five members that are appointed as a commission. We would present, for example, an egregious case to the five members, then they would make a decision in the public hearing as to whether it constituted an egregious act that was a severe or pervasive violation of someone's sexual harassment rights under Title VII. We would then have our attorney general present options to the five members about what we could do with this finding. If they find there was sexual harassment, one of the options is impeachment. It would not be a decision from the administrator; rather, it would be a decision from the five members. They would probably take a vote in which the majority would rule. The decision would then be on the record; however, it would probably be appealed by the defendant and the process would move on. The commission or my deputy attorney general might present the finding to a jury, county, or take a legal route. You might want to ask the sponsor on her intent, but

I do not, on its face, see a due process violation. I would be happy to have my deputy attorney general take a look at it.

Assemblyman Ellison:

Is this regarding any elected office?

Kara Jenkins:

I would invite the sponsor to respond to that. It looks like it is local, elected officials. In section 1, subsection 4(b), it clarifies that an elected official is a person who was elected to an office which is pursuant to section 2 of Article 7 which relates to local elected officials.

Chair Flores:

I would like to acknowledge a special member who is in the audience—Assemblywoman Bilbray-Axelrod's mother. We will continue with closing remarks from Assemblywoman Benitez-Thompson.

Assemblywoman Benitez-Thompson:

The intent is for local, elected officials so we have both state and local officials covered. The intent is that it is nonlegislative and local. The amendment presented by NERC to add the "or pervasive" language is absolutely friendly. The other thing we had discussed is amending to add all of Title VII—which would include sexual harassment and discrimination. The intent of the legislation, Assemblyman Ellison, is to allow NERC to flow through their normal process: bring in the elected official and, as she said, give them an additional tool of recommendation up to impeachment. I know that you, as elected officials, are kind, thoughtful, and you deliberate a lot. When you have opposition, it is always presented in a nice manner. I know that there are members of the public who might hear this bill and think that the Legislature will act too fast and have knee-jerk reactions. My intent is not that. As you listen to NERC's process, it is still arduous. There is fact finding and conversation involved in the process. The point of this would be to have a more durable process to be able to sort these things out and to have a process that is indeed resilient and fair. That is the goal.

Thank you, members, for hearing this bill. I know that some of the testimony you heard today was fairly strong, but I think, overall, the premise is fairness. It is about holding elected positions to higher accountability.

Chair Flores:

There is one more point of clarification.

Assemblyman Leavitt:

In the scenario where someone is being investigated by NERC and is currently in office, but then resigns from office, does that end the investigation seeing that there will be no impeachment if they resign? At what point does the investigation stop?

Assemblywoman Benitez-Thompson:

This was a topic of conversation in order to make sure that I had my process and thinking clear in how NERC proceeds. If the person resigns, the impeachment option would come off the table, but the rest of the process still moves forward—including that person having to pay a personal fine.

Chair Flores:

We are going to close the hearing on A.B. 397 and open the hearing on Assembly Bill 347.

Assembly Bill 347: Revises provisions governing business associations. (BDR 7-554)

Assemblywoman Dina Neal, Assembly District No. 7:

I hope you have the amendment (Exhibit D) in front of you because it will be the bill. I am here to present Assembly Bill 347. I want to give you some statistics around small businesses and why this bill even came forward. According to the U.S. Bureau of Labor Statistics, 75 percent of new businesses survive the first year. Sixty-nine percent survive the first two years. Fifty percent make it to five years. Typically, owners continue working so they have the stability of a paycheck, while also trying to be an entrepreneur. Those start-up costs can be overwhelming. Sometimes in the process of being a dreamer and wanting to get your business organized, you run into falling behind on your renewal and late fees.

The reason why this came up is because I had a constituent that contacted me during the interim. They were an entity that filed in May of 2016 and then had a renewal due in June of 2017. They were not able to pay and they ended up with a reinstatement fee of \$1,350 in July. When I talked to the individual, I asked what the deal was. He was trying to get a patent, trademarks, and some other things that cost money. The lawyer costs money. If you have ever tried to do a patent, it is not cheap. You typically need a patent attorney to go along with you for the process and the paperwork. As much as he wanted and believed in his business, he fell behind. The \$1,350 kept building and he was not able to pay. This is not one person, but it is potentially several individuals who fall into this situation.

I brought this bill because I wanted to figure out how to help start-up businesses—under five years in business—that could benefit from a payment plan. I worked with the Secretary of State—which is why you have the conceptual amendment. I am very grateful they came to the table, and we were able to work out a solution. The original bill did not meet my needs and it did not meet the Secretary of State's needs. If you read the original bill, I was giving payment plans to foreign trust companies—which was not my intent.

The conceptual amendment now allows for the local, small, emerging business as defined in statute, who is in a revoked status for five years or less, to petition the Secretary of State for reinstatement. The emerging small business pays the Secretary of State at least 25 percent of the total amount due and can enter into a one-time payment plan option for the remaining balance during a period of not more than 12 months. The filing requirement, fees, and penalties shall be consistent with those established in *Nevada Revised Statutes* Chapter 76. I want to make note that there will not be any interest charged during those 12 months. The

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EXHIBIT 2

EXHIBIT 2

**MINUTES OF THE
SENATE COMMITTEE ON GOVERNMENT AFFAIRS**

**Eightieth Session
May 3, 2019**

The Senate Committee on Government Affairs was called to order by Chair David R. Parks at 1:11 p.m. on Friday, May 3, 2019, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4404B of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Exhibit A is the Agenda. Exhibit B is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator David R. Parks, Chair
Senator Melanie Scheible, Vice Chair
Senator James Ohrenschall
Senator Ben Kieckhefer
Senator Pete Goicoechea

GUEST LEGISLATORS PRESENT:

Assemblywoman Teresa Benitez-Thompson, Assembly District No. 27
Assemblyman Edgar Flores, Assembly District No. 28
Assemblyman Al Kramer, Assembly District No. 40
Assemblywoman Sarah Peters, Assembly District No. 24

STAFF MEMBERS PRESENT:

Jennifer Ruedy, Committee Policy Analyst
Heidi Chlarson, Committee Counsel
Becky Archer, Committee Secretary
Valeria Becerra, Intern to Assemblywoman Benitez-Thompson
Madison Johnson, Intern to Assemblywoman Benitez-Thompson

OTHERS PRESENT:

Gail Anderson, Deputy for Southern Nevada, Office of the Secretary of State
Edith Duarte, Nevada Society of Enrolled Agents
Carrie Corcoran, National Association of Enrolled Agents

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Steve Tackes, Carson City Airport Authority

Kenneth Moen, Carson City Airport Authority

Nancy Paulson, City Manager, Carson City

Michael Hillerby, Regional Transportation Commission of Washoe County

Amy Cummings, Regional Transportation Commission of Washoe County

Kara Jenkins, Administrator, Nevada Equal Rights Commission

Izzy Youngs, Nevada Women's Lobby

Jamie Rodriguez, Washoe County

Caroline Mello Roberson, NARAL Pro-Choice Nevada

Alex Ortiz, Clark County

CHAIR PARKS:

We will open the hearing on Assembly Bill (A.B.) 280.

ASSEMBLY BILL 280 (1st Reprint): Revises provisions governing document preparation services. (BDR 19-254)

ASSEMBLYMAN EDGAR FLORES (Assembly District No. 28):

I am honored to present A.B. 280.

I have worked on the issue of the unauthorized practice of law, specifically notario fraud, since prior to being elected the first time in 2015. I published a study of the unauthorized practice of law with the University of Texas law program in 2013. That was my first interaction with the process in this building when then-Assemblywoman Lucy Flores sponsored A.B. No. 74 of the 77th Session creating the document preparation statute. In 2015, then-Senator Ruben J. Kihuen sponsored S.B. No. 401 of the 78th Session which I cosponsored. In 2017, I sponsored A.B. No. 324 of the 79th Session. I state the history to make it clear that I have been working on this issue for a long time. The unauthorized practice of law is a problem in Nevada, and I have been fighting against these predatory businesses. These businesses are in the minority. Simply because a business is a document preparation service does not imply it is bad. It is the minority—the bad actors—I have consistently gone after.

In 2017, many document preparation services were avoiding having to register with the Secretary of State's Office and therefore avoiding the protections in place. The businesses did not identify themselves as document preparation services but as tax preparation services. That was a problem because we were

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conversations among elected officials, the RTC Board and others before that might happen.

CHAIR PARKS:

We will close the hearing on A.B. 270 and open the hearing on A.B. 397.

ASSEMBLY BILL 397 (1st Reprint): Revises provisions governing misconduct by certain public officials. (BDR 18-1038)

ASSEMBLYWOMAN TERESA BENITEZ-THOMPSON (Assembly District No. 27):

For too long, we have allowed discrimination and abuse to occur in the workplace. As a Nation, we made a public policy declaration on July 2, 1964, when then-President Lyndon B. Johnson signed the Civil Rights Act into law. Title VII of the Civil Rights Act prevents public policy from engaging in racism, discrimination, sexism and harassment.

We citizens need a clear path in Nevada by which public officials can be held to a higher standard. We elected officials are not above the law, and we will no longer tolerate harassment and discrimination in the workplace by elected officials.

Public figures are expected to be worthy of the public trust. When this trust is violated by acts of sexual harassment discrimination, the level of accountability has to be equivalently higher. We, as elected officials of Nevada, are falling desperately short of this expectation because, practically, there is not a way for required accountability to happen.

When a complaint is made against a local elected official, the local entity's human resource department is conflicted because that elected official is essentially and effectively its boss. A county or city manager serves as a subordinate to the elected. There cannot be a remedy for the employee because there is no way to remove the elected person. The public and the employee must wait for an election cycle, which might be years away.

What is the status quo? An elected official can have findings against them of sexual harassment discrimination or any other Title VII provisions, and nothing happens because nothing can happen. There is no immediate workplace remedy for the person who filed the complaint. The local entity does not have to take, and in the past has not taken, action against the local elected official.

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Even if the public retains this bad actor through reelection, that vote should not mean employees in the workplace should have to labor under a bad actor nor work in an environment where the elected official continues bad behavior.

Article 7 of the *Constitution of the State of Nevada* grants to the Assembly of the Nevada Legislature the sole authority to impeach. The ability to recommend impeachment lies with the Nevada Commission on Ethics. If an elected official has three or more willful ethics violations, NRS compels the Nevada Commission on Ethics to seek expulsion through the courts.

Where is justice when an elected official can be removed for using a government copier to make copies of campaign materials but cannot be removed if found to have sexually harassed a person or engaged in acts of discrimination?

This bill seeks to establish accountability for elected officials by giving the Nevada Equal Rights Commission (NERC) the ability to make a recommendation to remove a local elected official whose behavior is severe or pervasive.

Also, we create the requirement that the elected person, not their local entity or government, must pay the fines levied out of his or her personal accounts.

I have two interns serving in my office this Session, both from the University of Nevada, Reno (UNR). One is studying social work, the other public policy. They have been doing research on and helping with this bill. The interns are going to make their first legislative appearance and provide testimony on this bill.

Valeria Becerra, who is a social work intern, will be talking about this issue through that lens. Madison Johnson will talk on this issue through the public policy lens.

VALERIA BECERRA (Intern to Assemblywoman Benitez-Thompson):

I am earning a master of social work degree as a student at UNR. Social workers value the dignity and worth of a person while advocating for social justice. Sexual harassment is a form of discrimination, a crime that violates both U.S. and State law. Title VII of the Civil Rights Act of 1964, is the federal law that prohibits employers from discriminating against employees on the basis of sex, race, color, national origin and religion. Assembly Bill 397 references the Act as well as the State's unlawful employment practices in NRS 613.330,

which includes the above criteria for discrimination as well as sexual orientation, gender identity or expression and interference with aid or appliance for disability.

The Nevada Equal Rights Commission defines sexual harassment as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature that explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

Sexual harassment can occur in a variety of circumstances, including but not limited to: the harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a coworker or a nonemployee. Unlawful sexual harassment may occur without economic injury to or discharge of the victim. The harasser's conduct must be unwelcomed.

Last year, Nevada had 784 filed cases due to discrimination. Of those, 264 were sexual harassment. Victims face many consequences with sexual harassment. Victims of sexual harassment often experience serious mental and physical health issues. Ninety to 95 percent of sexually harassed victims suffer from debilitating stress reaction, including anxiety and depression.

Additionally, victims of sexual harassment lose \$4.4 million in wages and 973 hours in unpaid leave each year in the U.S. Clearly, victims lose much more than their perpetrators. Not only does this speak volumes for our employees, it speaks volumes for the morale of our State and communities.

Elected officials must be held to a higher standard. They are the face of our community. Our community does not stand for these offensive behaviors. These behaviors should be faced with serious consequences, otherwise the State is misleading and breaking the trust of our community and its members.

As a State, we do not have a clear process for victims to make a complaint against a local elected official. Thus, the victims' experiences and words continue to fall on deaf ears. What picture are we giving to these victims? That we do not care? That we no longer have the power over the elected officials?

This bill seeks to establish accountability for elected officials by giving NERC the power to make a recommendation to remove a local elected official who

demonstrates bad behavior. We need to place a requirement on these perpetrators to be held responsible.

SENATOR KIECKHEFER:

This legislation allows the impeachment process to take place if a violation of the federal Civil Rights Act is found, is that correct?

ASSEMBLYWOMAN BENITEZ-THOMPSON:

Yes. There are some changes to Proposed Amendment 5841 as well (Exhibit D). I will walk through the amendment shortly. The intent is to capture both our States' references to unlawful employment acts as well as the Civil Rights protections.

SENATOR KIECKHEFER:

That was my question because our State's provisions are better than the federal provisions.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

That is correct.

MADISON JOHNSON (Intern to Assemblywoman Benitez-Thompson):

I am a UNR student studying political science and public policy.

The intent of A.B. 397 is to ensure elected officials are abiding by the virtue of their office and maintaining the public trust that is intrinsic to the holding of such an office.

Though this legislation is relatively short, it carries quite a bit of weight—its intentions are congruent with the values and interests of this State. The bill's intent is to provide a process that ensures civil protections are in place for the employee or victims of unlawful behavior enacted by such officials.

This legislation seeks to create a mechanism for the State to remove elected officials who are found to have demonstrated egregious behavior or to have engaged in unlawful discriminatory practices, as previously stated by my colleague Ms. Becerra.

This bill also stipulates the damages or fines incurred by such actions of an elected official are assessed from his or her own personal capacity, not from

campaign, taxpayer or public monies. This provision ensures the public is not paying for the bad behavior of such official.

I will briefly address the NRS Titles and chapters which we are utilizing in this bill. *Nevada Revised Statutes* 233 establishes the Nevada Equal Rights Commission and delineates the processes by which discriminatory accusations are assessed. *Nevada Revised Statutes* 613 covers employment practices; NRS 613.330 covers unlawful employment practices, the discriminatory basis Ms. Becerra described earlier. *Nevada Revised Statutes* 613 has more of an expansive framework of discrimination practices than Title VII of the Civil Rights Act of 1964 and is more inclusive in achieving the intent of this bill. *Nevada Revised Statutes* 283 covers resignations, vacancies and removals of public officials. *Nevada Revised Statutes* 283.440 pertains to the removal of certain public officers for malfeasance or nonfeasance. We are looking to mirror these three NRS chapters to create a comprehensive framework for the State through which the removal of these officials can be done in a proper manner.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

We have two changes to the proposed amendment to put on the record. In section 1, line 14, the word "significantly" is paired with "severe." We need to strike the word "significantly" so the standard is just severe or pervasive. That change keeps with the standard for all other complaints filed with the NERC. We did not want to inadvertently create a higher standard. Any other place that definition falls will be a conforming change.

We will also keep the reference to Title VII of the Civil Rights Act. While State law enumerates more protections than Title VII, we want to make sure we are not only talking about the direct relationship with an employee but the workplace as well.

We discussed this language with local entities. The local entities said we are capturing everything with this change. Some say the language is duplicative and other people say we got it just right. Either way, we are safe.

CHAIR PARKS:

How does it all start? The Nevada Equal Rights Commission does the investigation, but NERC normally makes an investigation based upon somebody filing a complaint. What is the mechanism for the complaint to come to NERC?

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ASSEMBLYWOMAN BENITEZ-THOMPSON:

Section 1 of the proposed amendment starts with "the Commission shall accept a complaint." The complaint can be against a local elected official. In the paradigm, we are fitting the local elected official as a person in a workplace and not just a stand-alone elected person. The point of pulling the local elected official into the NERC process is to acknowledge the official as a person in a workplace, not just an elected official up in a shiny ivory tower. The local elected official affects the environment around them.

The complaint goes to NERC and then goes through the process by which NERC makes a determination of whether an unlawful employment practice has happened. The process is in NRS 233.170. The finding goes to a district court, and a person will have due process. The district court will direct the local governing body, such as a county commissioner, to remove the offender from office.

CHAIR PARKS:

I am still at a loss. Who files the complaint with the Commission?

ASSEMBLYWOMAN BENITEZ-THOMPSON:

My legislative intent is that the complaint is filed by a person in the workplace who is a victim.

CHAIR PARKS:

The complaint is filed by the victim.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

This is the normal course of the process.

KARA JENKINS (Administrator, Nevada Equal Rights Commission):

The Commission takes the complaint from the victim if the harm happened within the past 300 days. The Commission investigates the findings. The process involves the investigative team. I, as Administrator, and my deputy are removed from the process. On a finding of cause, the Administrator makes a recommendation to the five Governor-appointed NERC Commissioners to hold a hearing on the matter. The court will make the determination of whether to impeach.

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SENATOR KIECKHEFER:

Are the hearing and complaints confidential or public?

Ms. JENKINS:

They are public hearings.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

Nevada Revised Statutes 233.170 lays out the process for how NERC comes about a finding, how the meetings are conducted and how the attempt to settle is completed. This section contains quite a few provisions. We are including a local elected official into the well-established NERC process.

SENATOR OHRENSCHALL:

Under the proposed amendment, if a complaint goes to NERC, what is the burden of proof for a local elected officer in terms of finding the complaint is true or has merit?

Ms. JENKINS:

The standard is probable cause, which is more likely than not.

SENATOR OHRENSCHALL:

Is that the standard NERC uses for complaints against any other employee?

Ms. JENKINS:

Yes, it is. The standard is also used by the Equal Employment Opportunity Commission.

CHAIR PARKS:

Will NERC investigate the complaint before it goes public with the complaint? It will be tough to reverse the possible public sentiment if no finding is made.

Ms. JENKINS:

As mentioned, NERC conducts a full investigation with strong intentions on settling privately before going public. When NERC cannot get parties to agree or the parties have failed attempts to conciliate after another attempt to mediate before investigation, NERC makes a recommendation, with the support of a deputy attorney general, for its Commissioners to go public. It takes about a year to thoroughly complete these investigations before NERC gets to the point

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of going public. The intent is to settle privately at the State level, but if NERC cannot conciliate, a public hearing is held on the matter.

SENATOR GOICOECHEA:

In absence of this legislation, how do you handle it today? Will NERC investigate a complaint against an elected official or otherwise?

ASSEMBLYWOMAN BENITEZ-THOMPSON:

The Commission can investigate and have a finding. However, if an offense is severe or pervasive, NERC does not have the ability to recommend removal of an elected official. The Nevada Commission on Ethics has the authority for ethics violations. We are proposing an extra tool specific to local elected officials for NERC to use when appropriate. The Commission will do the fact-finding and complete its process. If NERC finds an egregious violation, NERC can go to this heavy hammer and recommend removal of the official from public office.

SENATOR GOICOECHEA:

Why would the Nevada Commission on Ethics not pursue a complaint of this nature?

ASSEMBLYWOMAN BENITEZ-THOMPSON:

The Nevada Commission on Ethics does not have jurisdiction over the provisions related to race, discrimination and sexism. The Ethics Commission handles violations. These are separate accusations handled by the different commissions.

SENATOR GOICOECHEA:

Sexual assault or misconduct certainly falls under the purview of the Nevada Commission on Ethics, correct? I am struggling with the separation of duties of the commissions.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

I will have Legal Counsel clarify, but I believe it does not fall under the Nevada Commission on Ethics.

HEIDI CHLARSON (Committee Counsel):

The Nevada Commission on Ethics does not have jurisdiction over the types of complaints which NERC has jurisdiction to hear. This bill will allow NERC to

investigate the same types of complaints it receives now but also give NERC the authority to recommend an elected local government officer be removed from office in findings where discrimination is severe or pervasive wherein removal is an appropriate remedy.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

We are setting forth a path by which victims can bring their allegations and be heard against a local elected official. This issue was brought to light by women's groups that approached me with a concern. The groups expressed frustration that local officials who are engaging in bad behavior or have findings brought against them by NERC cannot be removed for those kinds of offenses. The Nevada Commission on Ethics has the special ability to remove someone for ethics violations, but these two worlds do not cross over. We are contemplating giving NERC the ability to remove someone. We do not take this lightly. Due process is afforded to the accused. The ability and a place for these complaints to be discussed is provided. We Legislators have the ability to expel our own members. Statute does not have a good process for defining malfeasance by local elected officials with these kind of behaviors and these kind of findings. That is what we are seeking to do.

MS. JENKINS:

The Nevada Equal Rights Commission is neutral on this bill. As an Executive Branch agency, we cannot be for or against a bill. We are encouraged by this legislation and thank the sponsor.

IZZY YOUNGS (Nevada Women's Lobby):

I am here to read testimony from Marlene Lockard from the Nevada Women's Lobby. The Nevada Women's Lobby supports A.B. 397 and thanks the bill's sponsors for bringing this important legislation. We are aware that despite the normal safeguards and processes to remove an elected official for egregious violations of the oath of office, opportunities still remain for bad actors in public office to escape the consequences of their actions. To add insult to injury, it has been demonstrated in high-profile cases that the perpetrators are allowed to fight removal from office and fight their victims by using taxpayer dollars to defend themselves from repeated acts of sexual harassment and vile behavior in office.

All too often, we find a harasser's life carries on and is even elevated while the victims' lives are forever shattered and in tatters, their professional reputations ruined and stunted. This is not acceptable.

The public must have a way to remove an individual who has violated and abused his or her office. This is especially the case when an elected official holds a position of trust, such as a chief law enforcement official. Allowing such an individual to remain in a position with enormous power over our citizenry and our visiting unsuspecting tourists is unconscionable.

This bill is a bill of last resort. It allows our objective regulatory agencies and court to protect the citizens of the State from predatory individuals who have been able to successfully manipulate the system. We urge your favorable consideration of this legislation.

JAMIE RODRIGUEZ (Washoe County):

We support this legislation which gives victims an opportunity to not file complaints with Washoe County. Complaints received by the County can result in employees having to potentially investigate their supervisors. This can create an uncomfortable situation for those employees. This legislation allows for an investigation which does not put employee against employee or employee against supervisor within the County.

CAROLINE MELLO ROBERSON (NARAL Pro-Choice Nevada):

I will say ditto to the remarks by the Nevada Women's Lobby. As an organization with 45,000 members across the State, I hear a lot of stories of victims of sexual assault and harassment. Passing a measure like A.B. 397 and taking action on the issue of workplace harassment will give the people of Nevada a good level of comfort that the State is looking out for them and their best interests. Both men and women experience these situations. I urge your support. I shout out to the many members of the audience who came here for this matter. NARAL members have been fighting for this issue since the publicized matter came up not long ago.

As citizens of Nevada, we are glad you are hearing the people. We are asking to be treated fairly and decently and to make sure no woman or man has to experience any undue treatment.

Senate Committee on Government Affairs
May 3, 2019
Page 23

SENATOR KIECKHEFER:

What is the expansion of the relationship in these situations? If a local elected official is not harassing an employee but is harassing someone who works at the office, whether that be a lobbyist or someone else, will that situation fall under this scope? Under this bill, could a local government lobbyist lodge a complaint against a local elected official?

ASSEMBLYWOMAN BENITEZ-THOMPSON:

This is the type of conversation we had through the Interim Session as the Legislature was setting up our own processes by which these kinds of complaints could be handled. Does the definition of a workplace mean everyone inside the workplace, regardless of whether they are employees? The best answer is we want to stay with the precedence of what is being set by record and by caselaw and within the realm of what NERC already considers.

That might not be the most direct answer you are looking for, but from my experience, that is the best answer I can give.

SENATOR KIECKHEFER:

It looks like it hinges back to NRS 613.330. For the purpose of intent, we may want to consider the influence a local elected official can have over people who may not be his or her direct employees and whether those individuals need to be captured in a section like this.

CHAIR PARKS:

I see a number of people with the interested parties in the room. If you would like to raise your hands, we can get a sense of who all is here to support this bill. I see several hands raised in the room.

ALEX ORTIZ (Clark County):

I am here in the neutral, but the purpose of my testimony is to thank the Majority Floor Leader. One of our lobbyists worked with her on this bill, and the Majority Floor Leader addressed our concerns. We wanted to place that on the record.

Senate Committee on Government Affairs
May 3, 2019
Page 24

CHAIR PARKS:

We will close the hearing on A.B. 397. Hearing no further business, this meeting is adjourned at 2:30 p.m.

RESPECTFULLY SUBMITTED:

Becky Archer,
Committee Secretary

APPROVED BY:

Senator David R. Parks, Chair

DATE: _____

AFFIDAVIT OF SERVICE

STATE OF NEVADA)

COUNTY OF WASHOE)

I, Travis M Jack, being duly sworn depose and says:

At all times herein affiant was and is a citizen of the United States, over 18 years of age, and not a party to or interested in the proceeding in which this affidavit is made.

The affiant received copy (ies) of the ORDER OF RECUSAL AND REFERRING CASE TO THE CHIEF JUDGE TO DETERMINE CONSOLIDATION OR RANDOM RE-ASSIGNMENT, 2ND MOTION TO REQUEST JUDGE SIMONS, COMPLAINT FOR EQUITABLE, INJUNCTIVE RELIEF, PETITION FOR REMOVAL OF PUBLIC OFFICIAL FROM OFFICE, AND PUNITIVE DAMAGES, DISCOVERY & EXHIBITS, FLASHDRIVE OF DISCOVERY AND EXHIBITS on the 3rd day of August of 2023, and served the same on the 11th day of August, 2023 at 01:18

Serving the defendant/witness, Washoe County (Eric Brown) by personally delivering a copy with: Lydia, Office Assistant (Employee of Defendant), a person of suitable age and discretion residing at the defendant's/witness's usual place of abode located at 1001 E 9th Street, Reno, NV 89512

Description of person served: Race: White

Gender: F

Approx Age: 37

Height: 5'2"

Weight: 110

Hair: Black

Fee For Service	\$45.00	Mileage	\$0.00	Total Charge	\$45.00
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COURT FILE# - SJDCN-CV23-01341

In accordance with NRS 53.045 I declare under penalty of perjury that the foregoing is true and current.


(signature)

Executed on: 8/11/2023

(date)

Travis M Jack, R-2019-07601

SMART LEGAL DOCUMENT SERVICE

License# 1767

AFFIDAVIT OF SERVICE

STATE OF NEVADA)

COUNTY OF WASHOE)

I Travis M Jack, being duly sworn depose and says:

At all times herein affiant was and is a citizen of the United States, over 18 years of age, and not a party to or interested in the proceeding in which this affidavit is made.

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Serving the defendant/witness, Eric Brown by personally delivering a copy with: Lydia, Office Assistant (Employee of Defendant), a person of suitable age and discretion residing at the defendant's/witness's usual place of abode located at 1001 E 9th Street, Reno, NV 89512

Description of person served: Race: White

Gender: F

Approx Age: 37

Height: 5'2"

Weight: 110

Hair: Black

Fee For Service \$45.00 Mileage \$0.00 Total Charge \$45.00

COURT FILE# - SJDCN-CV23-01341

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Executed on: 8/11/2023

(date)

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SMART LEGAL DOCUMENT SERVICE

License# 1767

AFFIDAVIT OF SERVICE

STATE OF NEVADA)

COUNTY OF WASHOE)

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Serving the defendant/witness, Alexis Hill by personally delivering a copy with: Lydia, Office Assistant (Employee of Defendant), a person of suitable age and discretion residing at the defendant's/witness's usual place of abode located at 1001 E 9th Street, Reno, NV 89512

Description of person served: Race: White
Gender: F
Approx Age: 37
Height: 5'2"
Weight: 110
Hair: Black

Fee For Service	\$45.00	Mileage	\$0.00	Total Charge	\$45.00
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COURT FILE# - SJDCN-CV23-01341

In accordance with NRS 53.045 I declare under penalty of perjury that the foregoing is true and current.


(signature)

Executed on: 8/11/2023

(date)

Travis M Jack, R-2019-07601
SMART LEGAL DOCUMENT SERVICE
License# 1767

AFFIDAVIT OF SERVICE

STATE OF NEVADA)

COUNTY OF WASHOE)

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Serving the defendant/witness, Jamie Rodriguez by personally delivering a copy with: Gwen Sabatini, Elections Specialist (Employee of Defendant), a person of suitable age and discretion residing at the defendant's/witness's usual place of abode located at 1001 E 9th Street, Reno, NV 89512

Description of person served: Race: White

Gender: F

Approx Age: 36

Height: 5'7"

Weight: 215

Hair: Blonde

Fee For Service	\$45.00	Mileage	\$0.00	Total Charge	\$45.00
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COURT FILE# - SJDCN-CV23-01341

In accordance with NRS 53.045 I declare under penalty of perjury that the foregoing is true and current.


(signature)

Executed on: 8/11/2023

(date)

Travis M Jack, R-2019-07601

SMART LEGAL DOCUMENT SERVICE

License# 1767

1
2 SECOND JUDICIAL DISTRICT COURT
3 COUNTY OF WASHOE, STATE OF NEVADA

4 AFFIRMATION
5 Pursuant to NRS 239B.030 and 603A.040

6 The undersigned does hereby affirm that the preceding document, *(title of document)*

7 Proof of service for all exhibits, motions, orders etc filed thru 8/11/23

8 file in case number: CV23-01341

9
10 (☒ mark one)

11 ☒ Document does not contain the personal information of any person.

12
13 ☐ Document contains the personal information of a person as required by: (☒ mark one)

14 ☐ A specific state or federal law, to wit: *(write the specific state or federal law)*

15 _____
16 ☐ For the administration of a public program

17 ☐ For the administration for a federal or state grant

18 ☐ Confidential Family Court Information Sheet (NRS 125.130, NRS 125.230, and
19 NRS 125B.055)

20
21
22 DATED this (day) 14th day of (month) August, 2023.

23
24 Submitted By: *(Your signature)* _____

25 *(Print your name)* Robert Beadles

26 *(Attorney for)* N/A

1 ROBERT BEADLES
2 10580 N. McCarran Blvd. #115, Apt. 386
3 Reno, NV 89503
4 *Plaintiff, Pro Se*

5 **IN THE SECOND JUDICIAL COURT OF THE STATE OF NEVADA IN**
6 **AND FOR THE COUNTY OF WASHOE**

7 MR ROBERT BEADLES, an individual,

Case No.: CV23-01341

8 Plaintiff,

Dept. No.: 9

9 vs.

10 JAMIE RODRIGUEZ, in her official capacity as
11 Registrar of Voters and in her personal capacity;
12 the WASHOE COUNTY REGISTRAR OF
13 VOTERS, a government agency; ERIC BROWN in
14 his official capacity as WASHOE COUNTY
15 MANAGER and in his personal capacity, ALEXIS
16 HILL in her official capacity as CHAIRWOMAN
17 OF WASHOE COUNTY BOARD OF
18 COMMISSIONERS and in her personal capacity;
19 WASHOE COUNTY, Nevada a political
20 subdivision of the State of Nevada, and DOES I-X;
21 and ROE CORPORATIONS I-X.

22 Defendants.

23 **MOTION TO CHANGE VENUE**

24 **TO THE HONORABLE COURT:**

25 COMES NOW, the Plaintiff, Robert Beadles, and pursuant to [Relevant Rule/Statute if
26 applicable], hereby moves this Court for an order changing the venue of the above-captioned
27 case for the reasons stated herein:
28

1 **Introduction:** The present action was filed in Washoe County to address alleged violations of
2 Nevada Constitution Articles 1, 2, 15, the Voter's Bill of Rights, and malfeasance and nonfeasance
3 by the Defendants. The Plaintiff contends that the prevailing local conditions and recent actions of
4 the Defendants severely compromise the prospect of a fair trial in this jurisdiction.

5
6 **Media Bias:** Assisted by local media outlets, the Defendants have advanced an imbalanced and
7 partial narrative concerning the case's merits. This media effort involves revealing non-public
8 records and aiming to portray the Plaintiff's claims as lacking validity, even though substantial
9 corroborative evidence exists. Nowhere has the Plaintiff encountered a scenario in which the
10 District Attorney's office has collaborated with the media as extensively as evident in the attached
11 text messages, issued defamatory, slanderous, or biased materials, or given rise to the perception
12 of a trial by ambush.
13

14
15 **Improper Release of Non-Public Records:** As evidenced by attached media releases and text
16 messages with Mark Robison, an RGJ reporter, the Defendants have inappropriately shared non-
17 public records with the media. This action not only skews the narrative against the Plaintiff but
18 also puts into question the Defendants' commitment to justice and transparency.
19

20 **Conflicts of Interest with Court Officials:** The Plaintiff has valid reasons to assert that certain
21 court officials, inclusive of judges and clerks in Washoe County, share professional and personal
22 affiliations with the Defendants. Such affiliations breed an appearance of impropriety,
23 undermining the Plaintiff's trust in obtaining an impartial trial.
24
25
26
27
28

1 **Request for Change of Venue:** In light of the outlined circumstances, the Plaintiff contends that
2 securing an impartial trial in Washoe County is implausible. Consequently, the Plaintiff seeks to
3 transfer this case to Lyon County. This jurisdiction, being neutral and geographically convenient,
4 is devoid of the aforementioned biases and conflicts. Transferring the case would serve the best
5 interests of the public, benefit all parties involved, and present no prejudice or evidence challenges
6 in relation to Case No. CV23-01341.
7

8 WHEREFORE, the Plaintiff respectfully requests:
9

- 10 a. The Court to grant this Motion to Change Venue and order the transfer of this case to Lyon
11 County.
12
13 b. Any other relief the Court deems just and proper.
14

15 Dated: 8/13/23
16

17 Respectfully submitted,
18

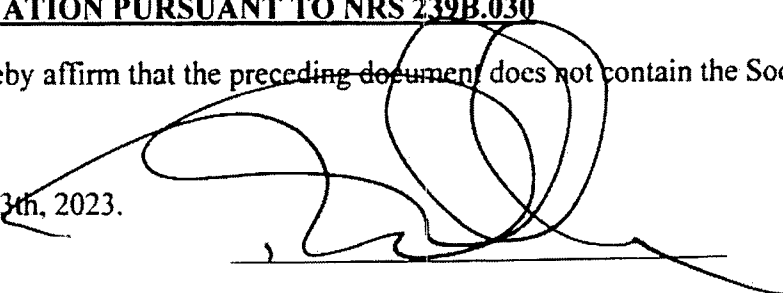
19 By: _____
20

21 ROBERT BEADLES, Plaintiff Pro Se
22
23
24
25
26
27
28

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the Social Security Number of any person.

DATED: August 13th, 2023.

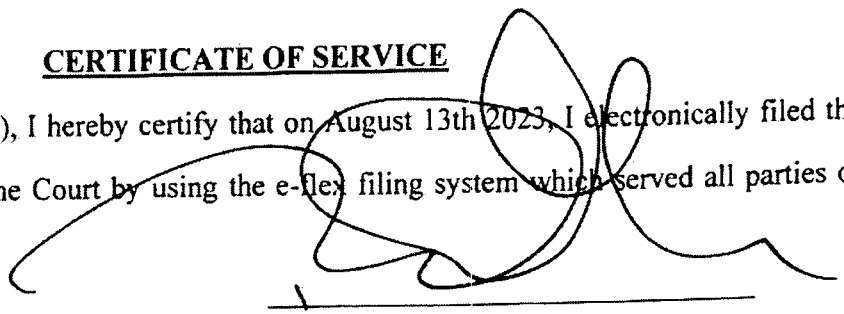


Robert Beadles, Plaintiff

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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that on August 13th 2023, I electronically filed the foregoing with the Clerk of the Court by using the e-flex filing system which served all parties of record electronically.

A large, stylized handwritten signature in black ink, appearing to read 'Robert Beadles', is written over the signature line and extends into the text area.

Robert Beadles, Plaintiff

9:45



Mark Robinson RGJ

Tuesday 7:52 PM

Hey, I'm doing a follow-up story on the district attorney's reply today. I wanted to give you the opportunity to respond regarding what you think of it. And I wanted to check whether you have decided yet on their offer for you to withdraw your complaint. A text reply is fine or feel free to email me or call me on my landline at 775-475-0530.

I find it highly suspicious that a document that has yet to be filed in court I'm hearing about from you. Is the DA's office now using the press to attack me personally as well?

End quote

Got it

Why ask for a quote if you refuse to use it?

I always use your quotes. Thanks for sending it.

It's not in the article you just posted

That story is not about the district



Apple Cash



9:45



Mark Robinson RGJ

That story is not about the district attorneys response. It was written before they sent you the rule 11 letter and the proposed motion. I'm writing a new story about their response. They had no response for the story published this morning beyond saying that they would defend the defendants.

You additionally say I lost the lawsuit for observation yet I received court orders from the court ensuring every Nevadan voter has legal observation. That's a victory.

The court granted nothing new that wasn't already being done.

Curious how you received the rule 11 letter before me. Who sent it to you?

That's again not truthful, as we were kept from observation in 2020 as it wasn't defined, and again in 2022 when they broke the court orders.

The Plaintiffs will be permitted to observe during the processing and in accordance with Nevada law and regulations and Washoe County to the same extent as other eligible observers.

Washoe County is processing and/or counting ballots, observation

Message

Cash

9:45



Mark Robinson, RGJ

Thats again not truthful as we were kept from observation in 2020 as it wasn't defined and again in 2022 when they broke the court orders

The Plaintiffs will be permitted to observe during the processing and counting of ballots in accordance with Nevada law and regulations and Washoe County to the same extent as other eligible observers.

Washoe County is processing and/or counting ballots, observations

this matter shall be dismissed without prejudice.

ORDER FOR DISMISSAL W

Try being truthful

"2- If Washoe County is processing and/or counting ballots, observations shall be allowed."

You had 16 claims for relief, and they were not granted.

You say I lost all we really had to have was, "2- If Washoe County is processing and/or counting ballots, observations shall be allowed" which they again broke



Cash



9:45



Mark Robinson RGJ

2. If Washoe County is processing and/or counting ballots, observations shall be allowed.

You had 16 claims for relief, and they were not granted.

You say I lost, all we really had to have was 2. If Washoe County is processing and/or counting ballots, observations shall be allowed, which they again broke.

Spin it how you want, you always do, nowhere in this order does it say I lost.

Your MSU

I'm happy to go over the judge's conclusions in that case whenever you would like. I've got a transcript of it. Right now, I've got to finish writing this story and we can catch up later.

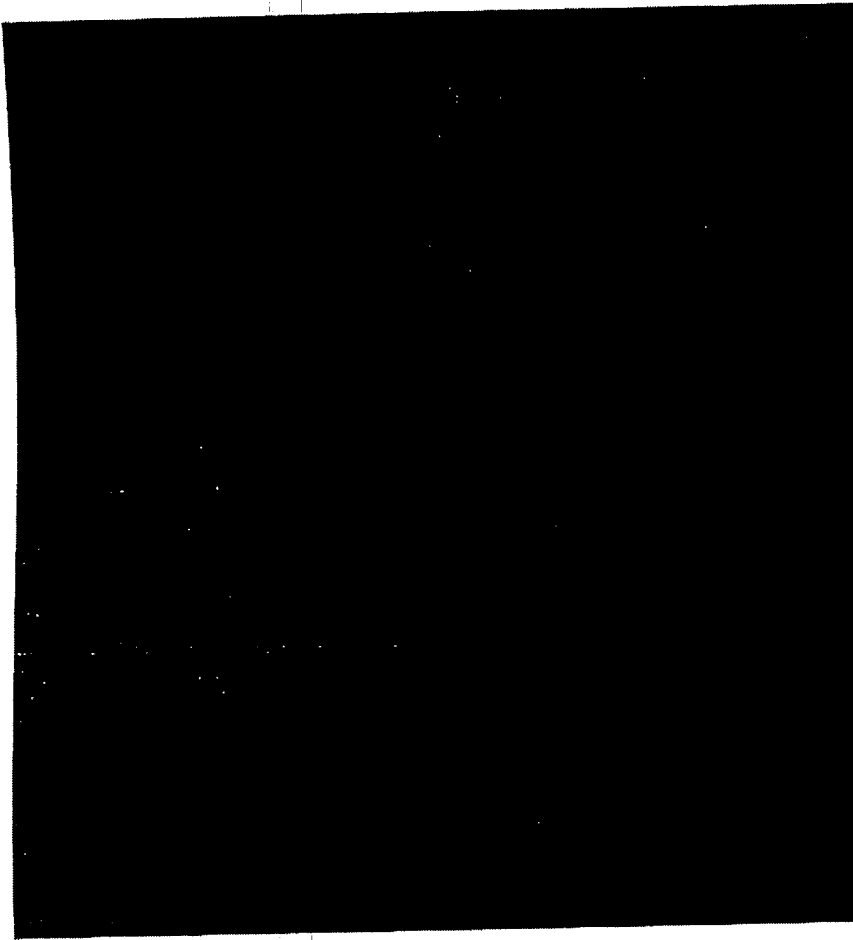
It's in black in white. Nowhere does it say I lost, it's a victory for all Nevadans, even as simple as the order is they again broke the law and court orders.

Delivered

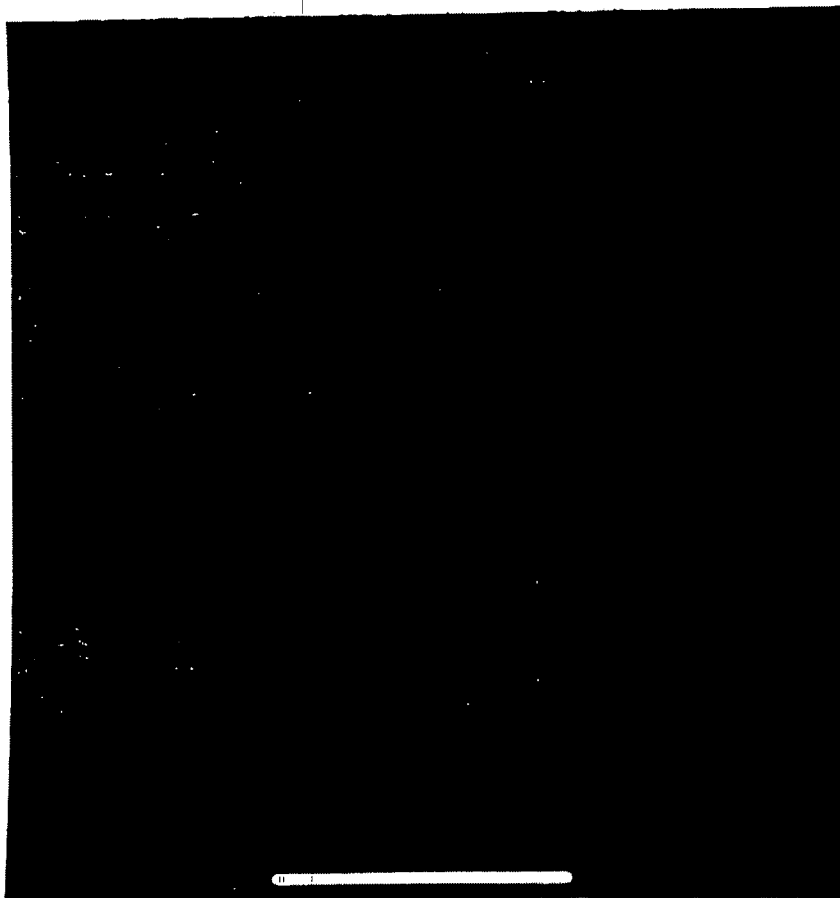


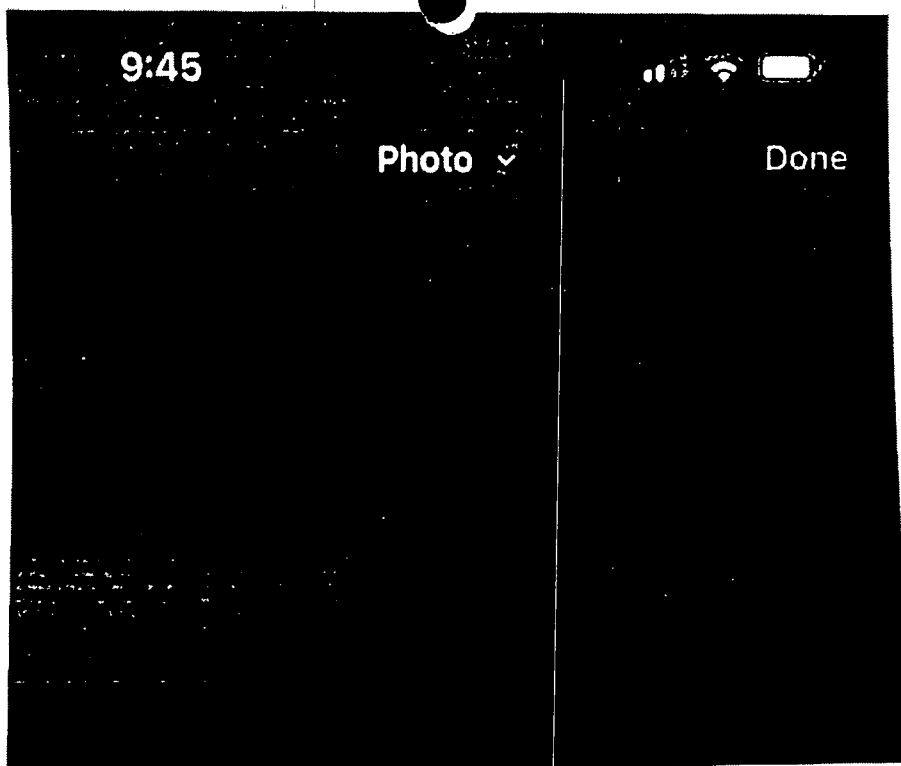
Cash





STIPULATION AND ORDER FOR DISMISSAL WITHOUT PREJUDICE

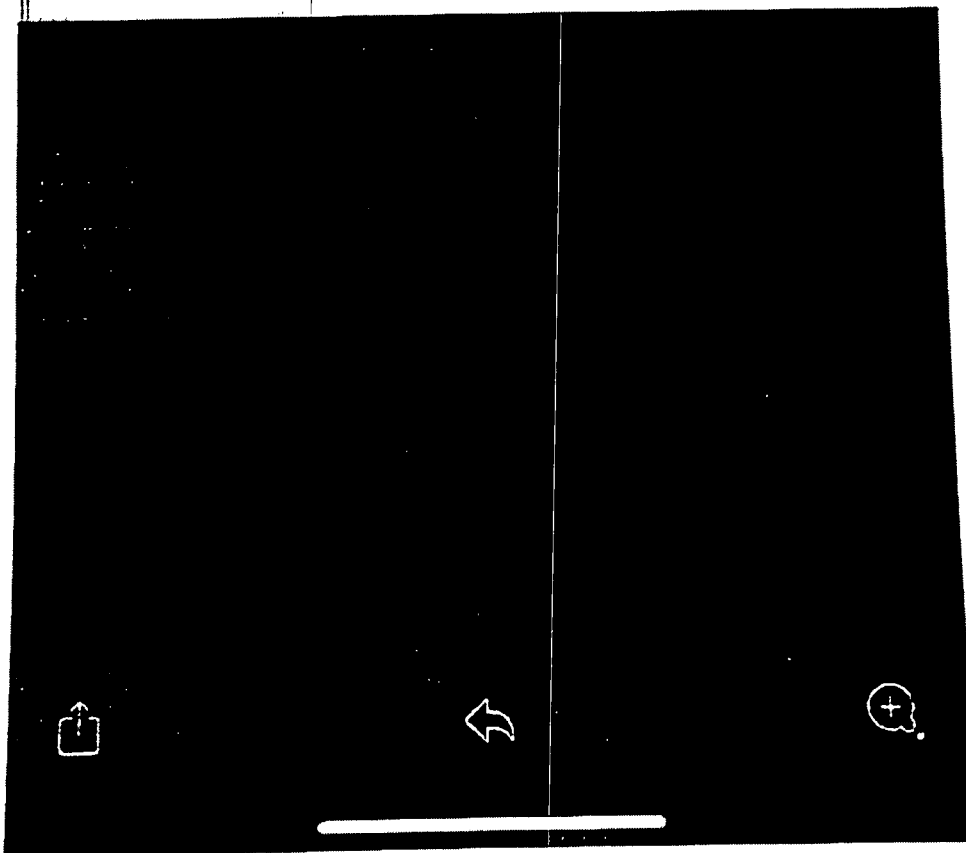




1. The Plaintiffs will be permitted to observe during the processing and counting of ballots and in accordance with Nevada law and regulations and Washoe county's existing procedures, to the same extent as other eligible observers.

2. If Washoe County is processing and/or counting ballots, observations shall be allowed.

3. This matter shall be dismissed without prejudice.



Washoe DA's office calls Beadles lawsuit 'rantings of a conspiracy theorist,' warns of sanctions

Summary by Ground News

Robert Beadles filed a lawsuit against three Washoe County officials last week. He wants to have his election fraud claims heard by a court. The DA's office sent him a letter saying that a motion will be filed after 21 days seeking sanctions for filing a frivolous lawsuit if he doesn't withdraw it.

Published 5 days ago · Reno, United States



Bias

Time Location

Factuality

Ownership

Bias Distribution

100% of the sources lean Left

rgj

1. 100%

All

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Center

Right

rgj Reno Gazette-Journal Lean Left High Factuality

Media Conglomerate: Gannett

Washoe DA's office calls Beadles lawsuit 'rantings of a conspiracy theorist,' warns of sanctions

Political influencer Robert Beadles gets warning that he faces sanctions if he doesn't withdraw his "frivolous" election-fraud lawsuit.

5 days ago · Reno, United States

[Read Full Article](#)

Insights



This report's coverage is more Left.
Share it to spread the word.

rgj Reno Gazette-Journal, Lean Left bias, broke the news in Reno, United States 5 days ago on Tuesday, August 8,

Election-fraud claims resurfaced in Nevada as Robert Beadles revises Washoe County lawsuit

Summary by Ground News



Robert Beadles wants Washoe County officials to remove him from office. He's filed a second, stripped-down version of his complaint in state court. The first case had been moved to federal court. Judge Egan Walker, who previously ruled against Beades in a 2022 election lawsuit, has been assigned the case.

Published 2 days ago · [Reno, United States](#)



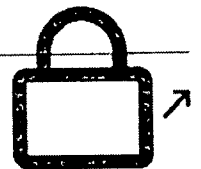
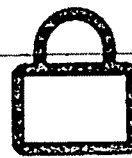
Bias

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100% of the sources lean Left

rgj

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**AM870**
THE ANSWER

Keyword

◀ GO

LISTEN LIVE

Nevada election-fraud crusader drops US lawsuit under threat of sanctions; presses on in state court

Politics & Government News

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Fri, Aug 11, 2023 7:55 PM
By SCOTT SONNER, Associated Press

RENO, Nev. (AP) — An election-fraud crusader in Nevada has withdrawn his latest federal lawsuit in an ongoing feud with county officials in Reno after their lawyers threatened sanctions for filing a frivolous complaint. The Washoe County district attorney says Robert Beadles' baseless lawsuit is filled with the "rantings of a conspiracy theorist." Beadles is a wealthy businessman and right-wing activist who once ran for Congress in California. He dropped his latest federal suit but is continuing his legal battle in state court. He has filed a new suit with similar allegations of election fraud and other wrongdoing. The county says he's using the suit to harass public officials and waste taxpayers' money.

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Nevada election-fraud crusader drops US lawsuit under threat of sanctions; presses on in state court



People wait to vote in-person at Peed High School in Sparks, Nev., prior to polls closing on Nov. 3, 2020. An election-fraud crusader in Nevada has withdrawn his latest federal lawsuit in an ongoing feud with county officials in Reno after their lawyers threatened to seek sanctions for filing a baseless complaint laced with "rantings of a conspiracy theorist." (AP Photo/Scott Sanner. File) (Scott Sanner | AP)

By SCOTT SONNER Associated Press

Published: Aug. 11, 2023 at 8:55 PM PDT



RENO, Nev. (AP) — An election-fraud crusader in Nevada withdrew his latest federal lawsuit in an ongoing feud with county officials in Reno after their lawyers threatened to seek sanctions for filing a baseless complaint laced with "rantings of a conspiracy theorist."

But Robert Beadles, a wealthy ex-California businessman and right-wing activist who has embraced many Republicans' disproven claims of election fraud, is vowing to continue his legal battle in state court. He has filed a new lawsuit in Washoe County District Court with similar allegations of fraud and other wrongdoing.

Beadles, who once briefly ran for Congress in California in 2010, made his money in construction, software, real estate and cryptocurrency investments. Now affiliated with the conservative blog Operation Sunlight, he's helped lead attempts to recall or otherwise oust numerous county officials since he moved to Reno from Lodi, Nevada, in 2019.

He insists, without evidence, that the election system is rife with "flaws and irregularities" that robbed him of his vote in 2020. He lost another lawsuit last year that sought heightened observation of Washoe County's vote-counting process.

The Reno Gazette Journal first reported this week that county lawyers sent Beadles letters warning of potential punitive action unless he dropped his lawsuit, which was moved to U.S. court last week because of related federal jurisdiction.

Washoe County District Attorney Chris Hicks said in the letter to Beadles Tuesday provided to The Associated Press late Thursday that his lawsuit subjects him to sanctions because the sole purpose is to "harass and engage government entities and officials in costly frivolous litigation."

Hicks attached a draft copy of a motion he said they'd file unless he withdrew it. It said that since moving to Reno, Beadles has "engaged in a scheme to disrupt local and state government operations."

Beadles' lawsuit "contains various baseless and delusory allegations disjointed from any viable legal claim," Deputy District Attorney Lindsay Liddell wrote in the draft motion.

She described it as "inaccurate rantings of a conspiracy theorist disconnected from any legitimate claim."

Beadles said in an email to AP Thursday night he never requested his case be moved to federal court so he filed notice of a voluntary dismissal Wednesday. He said he filed the new case in Washoe District Court last Friday before he was threatened with sanctions.

"They put me in Federal Court. I didn't cower, I took us back to State court, where the evidence and truth will speak for itself on an expedited timeline," he wrote.

Like his earlier lawsuit, Beadles' new one in Washoe District Court stated that he was "robbed of his right to suffrage" in the last election. He accuses the county of maintaining inaccurate voter rolls, an unsecure voting system and "counting votes in secret," but hasn't provided any evidence.

He wants the county to ban the use of voting machines and count paper ballots by hand. He's also seeking the removal of a few county officials.

Last year, he accused county commissioners of "treason" when he confronted them with county statistics that he claimed proved there were 40,000 more votes cast than voters registered in 2020. He said the county appears to "have two sets of books."

Election officials have explained that his data is inaccurate.

Beadles has been aligned in the past with another election-fraud crusader, Reno lawyer Joey Gilbert, who lost the 2022 Republican gubernatorial primary to now Gov. Joe Lombardo.

A judge in Carson City ordered Gilbert last year to pay \$88,000 in sanctions for filing a frivolous lawsuit with no admissible evidence pressing his claims he really won the nomination. Gilbert finished second by 26,000 votes in the June primary but argued that he actually won by more than 50,000 votes.

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Last year, he accused county commissioners of "stealing" the election by claiming more votes were cast than voters registered in 2020. He said the county appears to "have two sets of books."

Election officials have explained that his data is inaccurate.

Deedes has been aligned in the past with another election-fraud crusader, Marco lawyer Jerry Gilbert, who led the 2022 Republican gubernatorial primary to now Gov. Joe Lombardo.

A Jackson County, Colo., court last year to pay \$400,000 in back wages for being a divorcee interest with no enforceable evidence previously. He claims he really won the nomination. Gilbert finished second by 20,000 votes in the June primary but argued that he actually won by more than 50,000 votes.

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conspiracy theorist." (AP Photo/Scott Sonner, File)  SCOTT SONNER

RENO, Nev. (AP) — An election-fraud crusader in Nevada withdrew his latest federal lawsuit in an ongoing feud with county officials in Reno after their lawyers threatened to seek sanctions for filing a baseless complaint laced with "ranting of a conspiracy theorist."

But Robert Beadles, a wealthy ex-California businessman and right-wing activist who has embraced many Republicans' disproven claims of election fraud, is vowing to continue his legal battle in state court. He has filed a new lawsuit in Washoe County District Court with similar allegations of fraud and other wrongdoing.

Beadles, who once briefly ran for Congress in California in 2010, made his money in construction, software, real estate and cryptocurrency investments. Now affiliated with the conservative blog Operation Sunlight, he's helped lead attempts to recall or otherwise oust numerous county officials since he moved to Reno from Lodi, Nevada, in 2019.

He insists, without evidence, that the election system is rife with "flaws and irregularities" that robbed him of his vote in 2020. He lost another lawsuit last year that sought heightened observation of Washoe County's vote-counting process.

The Reno Gazette Journal first reported this week that county lawyers sent Beadles letters warning of potential punitive action unless he dropped his lawsuit, which was moved to U.S. court last week because of related federal jurisdiction.

Political Cartoons




Washoe County District Attorney Chris Hicks said in the letter to Beadles Tuesday provided to The Associated Press late Thursday that his lawsuit subjects him to sanctions because the sole purpose is to "harass and engage government entities and officials in costly frivolous litigation."

Hicks attached a draft copy of a motion he said they'd file unless he withdrew it. It said that since moving to Reno, Beadles has "engaged in a scheme to disrupt local and state government operations."

Beadles' lawsuit "contains various baseless and delusory allegations disjointed from any viable legal claim," Deputy District Attorney Lindsay Liddell wrote in the draft motion.

She described it as "inaccurate rantings of a conspiracy theorist disconnected from any legitimate claim."

Beadles said in an email to AP Thursday night he never requested his case be moved to federal court so he filed notice of a voluntary dismissal Wednesday. He said he filed the new case in Washoe District Court last Friday before he was threatened with sanctions.



Like his earlier lawsuit, Beadles' new one in Washoe District Court stated that he was "robbed of his right to suffrage" in the last election. He accuses the county of maintaining inaccurate voter rolls, an unsecure voting system and "counting votes in secret," but hasn't provided any evidence.

He wants the county to ban the use of voting machines and count paper ballots by hand. He's also seeking the removal of a few county officials.

Last year, he accused county commissioners of "treason" when he confronted them with county statistics that he claimed proved there were 40,000 more votes cast than voters registered in 2020. He said the county appears to "have two sets of books."

Election officials have explained that his data is inaccurate.

Beadles has been aligned in the past with another election-fraud crusader, Reno lawyer Joey Gilbert, who lost the 2022 Republican gubernatorial primary to now Gov. Joe Lombardo.

A judge in Carson City ordered Gilbert last year to pay \$88,000 in sanctions for filing a frivolous lawsuit with no admissible evidence pressing his claims he really won the nomination. Gilbert finished second by 26,000 votes in the June primary but argued that he actually won by more than 50,000 votes.

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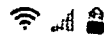
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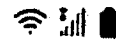
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Washoe County Deputy DA Lindsay Liddell fired back today at Robert Beadles and his lawsuit alleging election fraud. A letter was sent to him warning that he ought to withdraw his "frivolous" lawsuit or else face sanctions. In a proposed Motion for Sanctions, she writes his complaint is "disconnected from the law and from reality." Read her proposed motion at the story link.

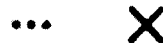
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Robert Beadles, a wealthy ex-California businessman and right-wing activist who has embraced many Republicans' disproven claims of election fraud, is vowing to continue his legal battle in state court.

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withdraws federal lawsuit, vows to c...**

Election-fraud claims resurfaced in Nevada as Robert Beadles revises Washoe County lawsuit



Mark Robison

Reno Gazette Journal

Robert Beadles withdrew a lawsuit that'd been moved to federal court and alleged election fraud against three Washoe County officials.

The revised lawsuit takes out U.S. constitutional matters and focuses on county officials not addressing his election grievances and seeking their removal from office.

Judge Egan Walker, who previously ruled against Beadles in a 2022 election lawsuit, has been assigned the case after Beadles challenged it having been given to Judge David Hardy.

Robert Beadles' attempt to test his election-fraud claims in court got a reset.

On Wednesday, he withdrew a lawsuit against Washoe County officials for not addressing his belief in widespread election integrity issues — and he's filed a second, stripped-down version of his complaint.

The Washoe County DA's office had moved the first case to federal court. Beadles wants the second one to stay in state court. Toward that end, he removed two causes of action alleging violations of the U.S. Constitution's 14th Amendment.

His goal with the second suit remains the same: to have a court address the validity of his election grievances and remove Washoe County Registrar of Voters Jamie Rodriguez, County Manager Eric Brown and Alexis Hill, Washoe County Commission chair.

"It's quite simple; I need to be in state court as the 2 main causes of action I seek are the removal of the ROV (registrar of voters), County manager, and County Commission Chair and to expose our election issues, then correct them," he wrote Wednesday on his Operation Sunlight blog.

Beadles is a member of the Washoe County Republican Party's Central Committee and was a big donor to right-wing causes in the 2022 election cycle.

In response to the first lawsuit, the Washoe County District Attorney's office sent Beadles a letter on Tuesday calling his claims the "inaccurate rantings of a conspiracy theorist" and warning that if he didn't withdraw it, sanctions would be sought against him.

"The Beadles' Complaint is disconnected from the law and from reality," the letter said. "The Complaint and its frivolous and unfounded claims should be dismissed, Beadles should be sanctioned, and Defendants should likewise be awarded attorneys' fees."

In an email Thursday to the RGJ, the DA's office said it "has no additional comments at this time."

Disagreement over how to submit election-fraud claims

The revised lawsuit states that Beadles believes the three Washoe County officials violated their duties as well as his rights under Nevada's Constitution by not resolving his election grievances, and therefore they should be removed from their positions.

He claims they should've addressed his concerns because Nevada law states: "Each voter has the right ... to have complaints about elections and election contests resolved fairly, accurately and efficiently."

The DA's office disagrees. In its proposed "motion for sanctions" emailed Tuesday to Beadles, the DA's office wrote that Rodriguez, Brown and Hill had no duty to respond to him.

It cites Nevada Administrative Code, which says: "A person who wishes to file a complaint concerning an alleged violation of any provision of (Nevada election laws) must submit the complaint in writing to the Secretary of State and sign the complaint."

Claims of election fraud

Beadles' list of grievances cover alleged problems with voter registration lists, vote counting, signature verification, "illegal function within the election system" and violations of state election law.

The DA's office disputes his claims.

"Some of the aforementioned statements are so vague that a pointed response is difficult, but the statements are nonetheless inaccurate rantings of a conspiracy theorist disconnected from any legitimate claim," it wrote in the proposed motion for sanctions.

Fact check: Affidavits do not show Washoe votes were cast without voters' consent, as Beadles claims

To back up his claims, Beadles — who is representing himself — submitted to the court four legal boxes filled with documents and two flash drives of electronic files. The exhibit list shows at least two articles from the Reno Gazette Journal, a “Video Compilation of Prominent Democrats,” a graphic explainer on how to “solve the unsolvable” and numerous county documents on the voting process.

“Beadles knows or should know, based on the information Washoe County has thus far directly or indirectly provided to him, that his delusions are not accurate, yet he presents them in a court of law,” the DA’s office said in its proposed motion.

Beadles asks the court to stop Rodriguez, Brown and Hill from “using any voting and tabulation machines for elections in Washoe County” and instead to use “paper ballots at all polling locations and in every election.”

To bolster this demand, he seeks support from Vice President Kamala Harris, citing her comments on the campaign trail in 2019 saying, “The best way to conduct secure elections (is) paper ballots” because “Russia can’t hack a piece of paper.”

Washoe County and state positions on election fraud

Washoe County spokesperson Bethany Drysdale told the RGJ that the county conducts fair, transparent and accurate elections.

“There is extensive, randomized and thorough testing of machines, processes and tabulation before, during and after every election,” she said by email. “There are numerous redundancies to ensure that a single mistake cannot skew the results.”

Secretary of State Cisco Aguilar said his office had received more than 700 reports of possible 2022 election violations. His office is still investigating some individual concerns, but nothing has been found to put primary or general election results into question.

“We have seen no evidence of widespread voter fraud or voting machine errors in Nevada during the 2022 election cycle,” Aguilar testified at a February joint legislative meeting.

Beadles has a different viewpoint. In his lawsuit, he writes that because Rodriguez, Brown and Hill didn’t respond to his election complaints, they must be true, quoting the Latin legal phrase *Qui non negat, fatetur*, “he who does not deny, admits.”

Which judge will hear election case?

The first Beadles' filing in this matter — July 25 — was originally assigned to District Court Judge David Hardy.

Hardy is overseeing the Hillary Schieve-Vaughn Hartung case against private investigator David McNeely for spying on them with a GPS tracker placed on their vehicles. That case is awaiting a spot on the Nevada Supreme Court's calendar to decide whether the anonymous person who hired McNeely must be revealed.

Beadles submitted a motion asking that Judge Lynne Simons hear the case instead. It was reassigned to Judge Kathleen Sigurdson.

The revised lawsuit was again assigned to Judge Hardy.

Beadles filed a motion saying this seemed to violate a rule that cases be randomly assigned, and he asked again for Judge Simons.

"Judge Simons' experience and expertise make her the ideal judge to preside over this case," his motion reads.

Beadles' case was reassigned Thursday to Judge Egan Walker.

Walker oversaw a previous Beadles' election lawsuit last year, over observation of the vote-counting process. That suit claimed numerous people were prevented from meaningfully observing the vote count of the 2020 election.

Judge Walker rejected this, saying, "I have in front of me, in fact, no competent evidence which supports the claims."

Mark Robison covers local government for the Reno Gazette-Journal. His wages are 100% funded by donations and grants, and his journalism is always free for all to read. If you'd like to see more stories like this one, please consider donating at [RGJ.com/donate](https://www.rgj.com/donate). Email comments to mrobison@rgj.com or comment on Mark's Greater Reno Facebook page.

Washoe DA's office calls Beadles lawsuit 'rantings of a conspiracy theorist,' warns of sanctions



Mark Robison

Reno Gazette Journal

Political influencer Robert Beadles filed a lawsuit against three Washoe County officials in an effort to have his election fraud claims heard by a court.

The Washoe County District Attorney's Office sent him a letter saying that a motion will be filed after 21 days seeking sanctions for filing a frivolous, unfounded lawsuit if he doesn't withdraw it.

His lawsuit's statements are portrayed as "inaccurate rantings of a conspiracy theorist disconnected from any legitimate claim."

The Washoe County District Attorney's office fired back Tuesday against Robert Beadles' election-fraud lawsuit, calling his statements the "inaccurate rantings of a conspiracy theorist."

In a letter from Deputy District Attorney Lindsay Liddell, Beadles is urged to withdraw his "frivolous" court filing or else face sanctions.

"This case is an abuse of the judicial process," Liddell wrote in a proposed motion for sanctions also emailed to Beadles.

"The Beadles' Complaint is disconnected from the law and from reality. The Complaint and its frivolous and unfounded claims should be dismissed, Beadles should be sanctioned, and Defendants should likewise be awarded attorneys' fees."

Beadles — a member of the Washoe County Republican Party's Central Committee and a big political donor — filed a lawsuit July 25 seeking to have the court oversee an examination of election fraud claims he's been raising in public forums and online for the past two years.

Asked for comment on the DA's motion, Beadles responded by text.

"I find it highly suspicious that a document that has yet to be filed in court I'm hearing about from you," he wrote. "Is the DA's office now using the press to attack me personally as well? End quote."

The documents sent to Beadles are public records. They were also sent to the RGJ after requests to the DA's office for any responses to his lawsuit against county officials.

The motion was not immediately filed with the court because the federal rules of civil procedure require it to be served at least 21 days before filing. This delay in filing provides Beadles with a chance to withdraw the complaint before the court is asked to consider sanctions.

Beadles' legal filing — moved last week to federal district court — claims his rights were violated because his election concerns were not appropriately responded to by Registrar of Voters Jamie Rodriguez, County Manager Eric Brown and Commissioner Alexis Hill.

It seeks monetary damages, an end to the use of voting machines, and the removal of Rodriguez, Brown and Hill, among other requests.

Rule 11 letter

The first of two documents emailed Tuesday by the DA's office to Beadles was a Rule 11 letter.

Rule 11 is a federal rule of civil procedure that allows a district court to sanction attorneys and other parties — such as Beadles in this case — for submitting pleadings to the court that are improper or contain frivolous arguments or ones without evidentiary support.

The letter says Beadles' complaint "was filed for improper purposes, filed with claims not warranted by law, and containing statements not well grounded in fact."

It adds that because of this, Beadles may be subject to sanctions if he doesn't withdraw his lawsuit within 21 days.

Proposed motion for sanctions

The second document sent to Beadles is a proposed motion for sanctions stating what the DA would file with the court if Beadles doesn't withdraw his suit. It lays out for a judge why the DA thinks Beadles should have to pay attorneys' fees and costs to Rodriguez, Brown and Hill.

The 46-page motion includes 17 pages of legal arguments and the rest is exhibits, mostly Beadles' writings from his Operation Sunlight blog.

Beadles "frivolously filed the Complaint with claims not warranted by existing law, not supported by facts, and to harass" Hill, Brown and Rodriguez, the proposed motion says.

Its language is harsh, calling his complaint baseless, deluded, disjointed and abusive.

There's even a footnote saying that if attorneys were involved in ghost writing Beadles' lawsuit, they may be open to sanctions, too, for not disclosing their identities.

Claims of faulty legal logic

Beadles is representing himself in the case, and the proposed motion calls many of his legal claims into question.

It says that his suing the Registrar of Voters makes no sense — "A department of a county is not a suable entity because it is not a political subdivision of the State of Nevada."

His lawsuit's main claim involves the lack of responses by Rodriguez, Brown and Hill to his election concerns.

The proposed motion says the law imposes no such duty to respond and that the state has a mechanism for reporting violations — through the Secretary of State's website and report form — that he should use instead to address his grievances.

It also claims he has a specific vendetta against Hill that shows his lawsuit isn't about remedying electoral legal matters but harassment.

"Beadles' choice to name Commissioner Hill as a defendant rather than all commissioners suggests Beadles seeks to harass Commissioner Hill with this action," Liddell writes.

"Beadles is well aware that Commissioner Hill cannot bind Washoe County in action on her own — a majority vote of the Board of County Commissioners is required. Moreover, to the extent Commissioner Hill owed any duty to Beadles as he alleges, all County Commissioners would owe him that duty and would have fallen short according to his unviable legal theory. Yet, Beadles names only Commissioner Hill."

Claims of election fraud

The proposed motion says that Beadles' lawsuit is filled with false statements.

It goes through multiple examples of quotes from the lawsuit that, it says, don't match up with state law, the job duties of the defendants or even where he sent his petitions of

election grievances.

It also tackles head-on what Beadles is hoping to have vetted in court: claims of election fraud around voter rolls, security, signature verification and more.

"Some of the aforementioned statements are so vague that a pointed response is difficult, but the statements are nonetheless inaccurate rantings of a conspiracy theorist disconnected from any legitimate claim," Liddell wrote.

The proposed motion includes an as-yet-unsigned declaration by Rodriguez that Beadles' specific fraud claims are "false."

"Beadles knows or should know, based on the information Washoe County has thus far directly or indirectly provided to him, that his delusions are not accurate, yet he presents them in a court of law," it says.

"Beadles is free to use his website to express himself," Liddell adds. "The Court, however, is not an appropriate venue for such behavior."

Read the proposed Motion for Sanctions

Mark Robison covers local government for the Reno Gazette-Journal. His wages are 100% funded by donations and grants; his journalism is done in the public good and always free for all to read. If you'd like to see more stories like this one, please consider donating at [RGJ.com/donate](https://rgj.com/donate).

Email comments to mrobison@rgj.com or comment on Mark's Greater Reno Facebook page.

Robert Beadles tests Washoe County election fraud claims in court



Mark Robison

Reno Gazette Journal

Lawsuit claims Washoe County didn't respond in a timely way to his election grievances and generally stonewalled him.

Beadles is representing himself, he says, "to save his lawyers from attacks on their livelihoods."

The Nevada Secretary of State's office says it's looked into more than 700 reported violations in the 2022 elections and has found "no evidence of widespread voter fraud."

For a year and a half, Robert Beadles has criticized Washoe County officials in public meetings, blog posts and email over election concerns. He's now filed a lawsuit backing up his claims.

The civil lawsuit – moved to federal district court Thursday – says his election concerns have been ignored in violation of state law.

It seeks the removal of Registrar of Voters Jamie Rodriguez, County Manager Eric Brown and Commission Chair Alexis Hill. All three are named as defendants.

DA's Office response: Beadles lawsuit 'frivolous,' 'disconnected from reality'; warns of sanctions if it's not withdrawn

Beadles, a member of the Washoe County Republican Party's Central Committee, wants his election fraud concerns "put on the table and addressed" by Rodriguez, Brown and Hill – under court supervision.

Unless this is done, the lawsuit says, Rodriguez will be "unprepared to run the 2024 presidential primary safely, securely, and accurately as required by law."

Kendall Holcomb, spokesperson for the Washoe County District Attorney's Office, said it was not appropriate to comment at this time.

"However," she said, "our office is aware of Mr. Beadles' lawsuit, dispute the claims, and will vigorously defend our clients."

Self-representation

Representing himself in the lawsuit, Beadles says that bringing forward legal claims of widespread election fraud opens up attorneys to be targeted.

"Plaintiff hereby represents himself *pro se* to save his lawyers from attacks on their livelihoods," he writes in the lawsuit.

The Washoe County DA's office filed a petition Thursday that moves Beadles' lawsuit from state district court to federal court, citing the fact that Beadles claims his constitutional rights were violated.

According to the Administrative Office of the U.S. Courts, about 1 in 4 federal cases involves a party representing themselves in civil litigation.

Lawsuit details

On Thursday, Beadles had delivered three flash drives and 10 binders of documents to Washoe County District Court that he says back up his complaint.

His chief concern is that county officials have generally not responded to his election grievances and stonewalled his concerns. Claiming this is illegal, he cites a section of Nevada statutes that says each voter has the right "to have complaints about elections and election contests resolved fairly, accurately and efficiently."

The state has an official mechanism for election concerns called the Election Integrity Violation Report. Anyone can report violations of Nevada's election laws through the Secretary of State's website.

Beadles also calls for punitive damages "in excess of \$15,000," the standard phrasing used in Nevada civil suits.

The damages are intended to deter future election abuses and to compensate him because he's "suffered and will continue to suffer emotional distress, reputation damage and irreparable harm" from not having his grievances answered and resolved in a timely manner, his court filing says.

The lawsuit also demands that Rodriguez, Brown and Hill be stopped from:

"Using any voting and tabulation machines for elections in Washoe County."
Upgrading election equipment and software.

And using anything other than "paper ballots at all polling locations and in every election."

Washoe County spokesperson Bethany Drysdale told the RGJ that the county conducts fair, transparent and accurate elections.

"There is extensive, randomized and thorough testing of machines, processes and tabulation before, during and after every election," she said by email. "There are numerous redundancies to ensure that a single mistake cannot skew the results."

"The recent operations audit of our Elections Office and the investment we're making into infrastructure, technology and staffing should show the public that we are dedicated to not only fair elections, but also well-run elections," Drysdale said.

A county audit board meeting last week where Manager Brown was scheduled to go over election-process changes was shut down before he could speak. Public commenters and Washoe County Commissioner Jeanne Herman raised alarms about the agenda and the fact the board has no chair or vice-chair.

Complaints about 2022 election

Beadles' lawsuit may lead to an examination of election concerns beyond what the state has already conducted.

During testimony before the Nevada Assembly in March, Secretary of State Cisco Aguilar said his office had received more than 700 reports of possible election violations in 2022.

"Based on our staff's reviews so far, many of them are baseless and were filed in bad faith," he testified.

"But it is our commitment to the law and to the people of this state that every report is carefully reviewed so that if there is even a single case of potential fraud identified, we conduct an investigation and, if necessary, refer it for criminal prosecution."

The Secretary of State's office is still investigating some individual concerns, but nothing has been found to put primary or general election results into question.

"We have seen no evidence of widespread voter fraud or voting machine errors in Nevada during the 2022 election cycle," Aguilar testified at a February joint legislative meeting.

Previous lawsuits

In 2022, Beadles lost a lawsuit seeking heightened observation of Washoe County's vote-counting process.

It claimed that during vote counting for the 2020 election in Washoe County, "numerous individuals attempting to observe the process were prevented from doing so in any meaningful way."

Washoe County District Judge Egan Walker ruled there was "no competent evidence" to support these claims.

Beadles was also involved in a lawsuit by Reno attorney Joey Gilbert.

It claimed voter fraud in the Republican primary where official results showed Gilbert losing to Joe Lombardo by about 26,000 votes. Gilbert believed he won by 50,000 votes but that he'd been thwarted by a mysterious algorithm that switched votes away from him.

Beadles' new lawsuit makes a similar claim that the 2022 elections in Washoe County were "tainted by allowing and failing to address illegal functions within the election system that alter intended votes."

When Carson City District Judge James Wilson addressed this same issue in the Gilbert lawsuit, he found a "clear absence" of "competent evidence" to support the claim.

Mark Robison covers local government for the Reno Gazette-Journal. His wages are 100% funded by donations and grants; his journalism is done in the public good and always free for all to read. If you'd like to see more stories like this one, please consider donating at [RGJ.com/donate](https://www.rgj.com/donate).

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Washoe meeting adjourned amid election audit outcry; recommendations moving forward



Noel Sims

August 1st, 2023 at 5:01 PM

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Washoe County Registrar of Voters Jamie Rodriguez oversees vote counting on Election Day, Nov. 8, 2022 (David Calvert/The Nevada Independent)

Brown on updates to county election procedures underway as a result of an external audit which found that the county elections office is understaffed and lacks adequate training, communication and security.

Herman told *The Nevada Independent* that she already thought the meeting should not take place before she heard public comments, but denied she was motivated by concerns about potential legal violations.

When the Washoe County Audit Committee convened on Tuesday morning, it was set to discuss one agenda item — an external audit of Washoe County elections.

But the committee never made it to that agenda item.

Instead, after a heated round of public comments alleging that the meeting was taking place illegally on account of vacancies and a lack of appointed chair, Commissioner Jeanne Herman made a motion to adjourn, which was approved unanimously by the three members of the committee — to the delight of many in the audience.

Had the meeting continued as planned, the three-member committee and the public would have heard a presentation from County Manager Eric

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She called the alleged violations “loose ends” to be straightened out before the next committee meeting and attributed them to the committee’s “quiet” and small role.

According to Washoe County Commission Chair Alexis Hill, the presentation, which can be found online, has not been rescheduled.

County staff affirmed to *The Nevada Independent* that the meeting was legally held.

“They wouldn’t have us meet if it wasn’t legal,” Hill said of the county district attorney’s office, which provides legal counsel at committee and board meetings.

Legal violations, 'loose ends' or a misunderstanding?

The audit committee, which is created by a county ordinance, is required to have at least three members — currently County Commissioner Jeanne Herman and two appointed volunteers — Charlene Hart and Barbara Kinnison. Two other members were still on the committee the last time the election audit was discussed, but their terms have since expired. The committee's purpose is to oversee county financial statements, internal and external audits.

One of the allegations made during the meeting's public comment portion was that it could not legally meet until those vacancies were filled. But the board currently meets its three-member minimum and can take action at meetings with a quorum of members — a simple majority as defined by Nevada's Open Meeting Law, which applies to advisory committees.

Another allegation raised was that the meeting was conducted without a chairperson. The committee is required by the county ordinance to designate a chair and vice chair, but it does not specify that the chair must be the person to call meetings to order; county staff assumed that role on Tuesday. The Open Meeting Law does not specify that the committee must appoint a chair.

Finally, many commenters alleged that Hill, who is an alternate member on the committee, had voted inappropriately at prior meetings. Open Meeting Law allows public bodies to designate an alternate member who assumes full responsibilities and powers when sitting in for another member.

Hill was present at Tuesday's meeting, but did not vote or participate in discussion. Hill did participate in the discussion at a June 9 committee meeting, but no votes or actions were taken.

The office of Nevada's attorney general declined to comment on any of the alleged legal violations around Tuesday's meeting, but encouraged anyone with a concern to file a complaint.

Activists take aim at election security, county officials

When the committee discussed the elections audit on June 9, several commenters expressed their distrust of the county's election system and opposed spending public funds on a contract with The Elections Group — an Illinois-based consultancy that opponents have attacked for "leftist" ties — to evaluate and address issues.

Many comments at Tuesday's meeting echoed those from June 9, but from the very first comment by Washoe County GOP Chair Bruce Parks, there was also a new refrain: The committee meeting Tuesday was illegal and should be adjourned.

Several commenters, including Washoe County GOP members, activists, and allies of Robert Beadles, repeated Parks's allegations. The two-hour meeting was taken up almost entirely by public comment and only one commenter, Cindy Martinez, disagreed with Parks.

Beadles, after assuring Herman that none of his remarks were aimed at her, criticized the county's election staff and contract with The Elections Group in his public comment.

He also called the committee's attention to a lawsuit he filed last week against county officials which alleges they have enabled election fraud. Beadles, representing himself, is calling for all three plaintiffs to be fined or removed from their positions.

Beadles donated \$8,000 to Herman's 2022 campaign through Coral Bay, his business, and the Franklin Project, his PAC.

Meeting chaos doesn't affect audit status

Despite the meeting being cut short, Hill said implementation of suggestions from The Elections Group is already underway.

According to a report from the county, the registrar of voters has already put some of the proposed changes into place and others are in progress. For example, a project manager for technological security has already been assigned, and a new deputy registrar will likely be hired by Nov. 1.

The purpose of the meeting was to inform the public about this progress, rather than to take any action on the election audit. Hill said she was "disappointed" that the public missed that opportunity.

She also noted that Herman has proposed a citizen advisory board that will come before the board of county commissioners sometime in August, but said the exact nature of the proposed board and its authority were not yet clear.

8/13/23, 9:57 AM

Washoe meeting adjourned amid election audit outcry; recommendations moving forward – The Nevada Independent

Herman acknowledged that changes from The Elections Group audit were already underway, but argued that county citizens should have a say in how county elections are conducted.

“People don’t believe we need an outside group,” she said. “This is our job.”

1
2 SECOND JUDICIAL DISTRICT COURT
3 COUNTY OF WASHOE, STATE OF NEVADA

4 AFFIRMATION
5 Pursuant to NRS 239B.030 and 603A.040

6 The undersigned does hereby affirm that the preceding document, *(title of document)*

7 Motion To Change Venues

8 file in case number: CV23-01341

9
10 (☒ *mark one*)

11 ☒ Document does not contain the personal information of any person.

12
13 ☐ Document contains the personal information of a person as required by: (☒ *mark one*)

14 ☐ A specific state or federal law, to wit: *(write the specific state or federal law)*

15 _____
16 ☐ For the administration of a public program

17 ☐ For the administration for a federal or state grant

18 ☐ Confidential Family Court Information Sheet (NRS 125.130, NRS 125.230, and
19 NRS 125B.055)

20
21
22 DATED this (day) 13th day of (month) August, 2023.

23
24 Submitted By: *(Your signature)* _____

25 *(Print your name)* Robert Beadles

26 *(Attorney for)* N/A
27
28

1 ROBERT BEADLES
2 10580 N. McCarran Blvd. #115, Apt. 386
3 Reno, NV 89503
4 *Plaintiff, Pro Se*

5 **IN THE SECOND JUDICIAL COURT OF THE STATE OF NEVADA IN**
6 **AND FOR THE COUNTY OF WASHOE**

7 MR ROBERT BEADLES, an individual,
8 Plaintiff,

Case No.: CV23-01341

Dept. No.: 9

9 vs.

10 JAMIE RODRIGUEZ, in her official capacity as
11 Registrar of Voters and in her personal capacity;
12 the WASHOE COUNTY REGISTRAR OF
13 VOTERS, a government agency; ERIC BROWN in
14 his official capacity as WASHOE COUNTY
15 MANAGER and in his personal capacity, ALEXIS
16 HILL in her official capacity as CHAIRWOMAN
17 OF WASHOE COUNTY BOARD OF
18 COMMISSIONERS and in her personal capacity;
19 WASHOE COUNTY, Nevada a political
20 subdivision of the State of Nevada, and DOES I-X;
21 and ROE CORPORATIONS I-X.

22 Defendants.

23 **MOTION TO COMPEL COURT TO ISSUE CITATIONS AGAINST DEFENDANTS**

24 COMES NOW, the Plaintiff, Robert Beadles, and pursuant to NRS 283.440, respectfully moves
25 this Court to compel the issuance of citations against the Defendants, JAMIE RODRIGUEZ, in
26 her official capacity as Registrar of Voters; ERIC BROWN, in his official capacity as WASHOE
27 COUNTY MANAGER; and ALEXIS HILL, in her official capacity as CHAIRWOMAN OF THE
28 WASHOE COUNTY BOARD OF COMMISSIONERS. In support thereof, Plaintiff states the
following:

1 On 8/4/23, Plaintiff filed a complaint alleging acts of malpractice, malfeasance, and nonfeasance
2 by the Defendants pursuant to NRS 283.440.

3 The complaint was properly served upon the Defendants on 8/8/23, as evidenced by the attached
4 affidavit of service.

5 Pursuant to NRS 283.440, upon the proper filing and service of such a complaint, the court is
6 mandated to issue citations against the defendants named therein.

7 As of 8/13/23, the court has not yet issued the requisite citations against the Defendants in
8 compliance with NRS 283.440.

9 The delay in issuing these citations impedes Plaintiff's ability to seek timely redress and the prompt
10 resolution that NRS 283.440 seeks to ensure.

11 In light of the foregoing, Plaintiff respectfully urges this Court to issue citations against the
12 Defendants in accordance with NRS 283.440, and to do so no later than 8/14/23.

13 WHEREFORE, Plaintiff respectfully requests this Court:
14

15 To compel the issuance of citations against the Defendants as mandated by NRS 283.440;
16

17 To grant such other and further relief as the Court may deem just and proper.
18

19 Dated: 8/13/23
20

21 Respectfully submitted,
22

23 By: 
24

25 ROBERT BEADLES, Plaintiff Pro Se
26
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1
2 **AFFIRMATION PURSUANT TO NRS 229B.030**

3 The undersigned does hereby affirm that the preceding document does not contain the Social
4 Security Number of any person.

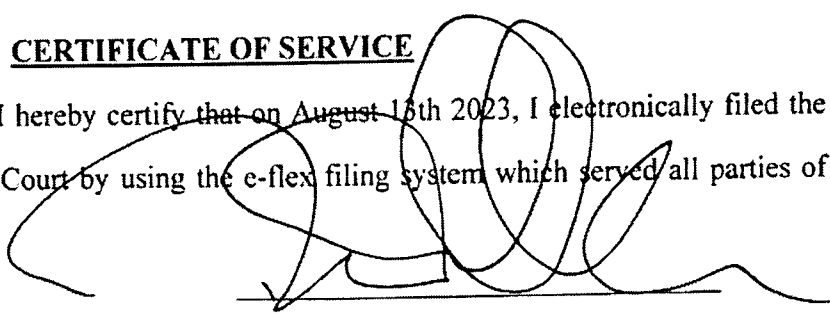
5 DATED: August 13th, 2023.

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7 Robert Beadles, Plaintiff
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that on August 16th 2023, I electronically filed the foregoing with the Clerk of the Court by using the e-flex filing system which served all parties of record electronically.

A large, stylized handwritten signature in black ink, appearing to read 'Robert Beadles', is written over the signature line and extends into the margin.

Robert Beadles, Plaintiff

AFFIDAVIT OF SERVICE

STATE OF NEVADA)

COUNTY OF WASHOE)

I, George Badillo, being duly sworn depose and says:

At all times herein affiant was and is a citizen of the United States, over 18 years of age, and not a party to or interested in the proceeding in which this affidavit is made.

The affiant received 1 copy (ies) of the DISCOVERY, & EXHIBITS on the 7th day of August of 2023, and served the same on the 8th day of August, 2023 at 02:15 PM, by

Serving the defendant/witness, Alexis Hill by personally delivering a copy with: Lydia, Office Assistant (Employee of Defendant), a person of suitable age and discretion residing at the defendant's/witness's usual place of abode located at 1001 E 9th St., Reno, NV 89512

Description of person served: Race: Asian

Gender: F

Approx Age: 37

Height: 5'2"

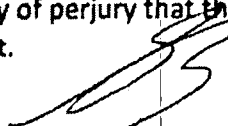
Weight: 110

Hair: Black

Fee For Service	\$45.00	Mileage	\$0.00	Total Charge	\$45.00
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COURT FILE # - SJDCN-CV23-01341

In accordance with NRS 53.045 I declare under penalty of perjury that the foregoing is true and current.



(signature)

Executed on:

8/9/2023

(date)

George Badillo, R-2022-19844

SMART LEGAL DOCUMENT SERVICE

License # 1767

AFFIDAVIT OF SERVICE

STATE OF NEVADA

)

COUNTY OF WASHOE

)

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Serving the defendant/witness, Eric Brown by personally delivering a copy with: Lydia, Office Assistant (Employee of Defendant), a person of suitable age and discretion residing at the defendant's/witness's usual place of abode located at 1001 E 9th St., Reno, NV 89512

Description of person served: Race: Asian

Gender: F

Approx Age: 37

Height: 5'2"

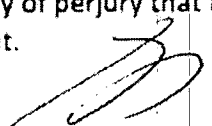
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SMART LEGAL DOCUMENT SERVICE

License # 1767

AFFIDAVIT OF SERVICE

STATE OF NEVADA)

COUNTY OF WASHOE)

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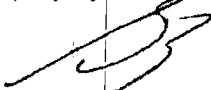
Serving the defendant/witness, Washoe County (Eric Brown) by personally delivering a copy with: Lydia, Office Assistant (Employee of Defendant), a person of suitable age and discretion residing at the defendant's/witness's usual place of abode located at 1001 E 9th St., Reno, NV 89512

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Approx Age: 37
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Hair: Black

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(date)

George Badillo, R-2022-19844

SMART LEGAL DOCUMENT SERVICE

License # 1767

AFFIDAVIT OF SERVICE

STATE OF NEVADA)

COUNTY OF WASHOE)

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Delivering and leaving a copy with the defendant/witness, Jamie Rodriguez at 1001 E 9th St..

Description of person served: Race: Hispanic

Gender: F

Approx Age: 40

Height: 5'10"

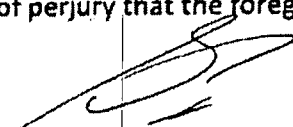
Weight: 130

Hair: Brown

Fee For Service	\$45.00	Mileage	\$0.00	Total Charge	\$45.00
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COURT FILE # - SJDCN-CV23-01341

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(signature)

Executed on:

8/9/2023

George Badillo, R-2022-19844

SMART LEGAL DOCUMENT SERVICE

License # 1767

1104

1
2 SECOND JUDICIAL DISTRICT COURT
3 COUNTY OF WASHOE, STATE OF NEVADA

4 AFFIRMATION
5 Pursuant to NRS 239B.030 and 603A.040

6 The undersigned does hereby affirm that the preceding document, *(title of document)*

7 Motion To Compel Court To Issue Citations against Defendants

8 file in case number: CV23-01341

9
10 (☒ mark one)

11 ☒ Document does not contain the personal information of any person.

12
13 ☐ Document contains the personal information of a person as required by: (☒ mark one)

14 ☐ A specific state or federal law, to wit: *(write the specific state or federal law)*

15 _____
16 ☐ For the administration of a public program

17 ☐ For the administration for a federal or state grant

18 ☐ Confidential Family Court Information Sheet (NRS 125.130, NRS 125.230, and
19 NRS 125B.055)

20
21
22 DATED this (day) 13th day of (month) August, 2023

23
24 Submitted By: *(Your signature)* _____

25 *(Print your name)* Robert Beadles

26 *(Attorney for)* N/A

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STATE OF NEVADA)

COUNTY OF WASHOE)

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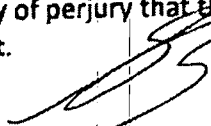
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Hair: Black

Fee For Service	\$45.00	Mileage	\$0.00	Total Charge	\$45.00
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(signature)

Executed on: 8/9/2023
(date)

George Badillo, R-2022-19844
SMART LEGAL DOCUMENT SERVICE
License # 1767

AFFIDAVIT OF SERVICE

STATE OF NEVADA)

COUNTY OF WASHOE)

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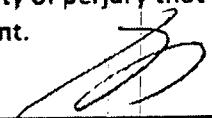
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Hair: Black

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(signature)

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8/9/2023

(date)

George Badillo, R-2022-19844

SMART LEGAL DOCUMENT SERVICE

License # 1767

AFFIDAVIT OF SERVICE

STATE OF NEVADA)

COUNTY OF WASHOE)

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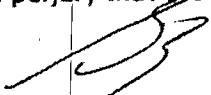
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COURT FILE # - SJDCN-CV23-01341

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(signature)

Executed on:

8/9/2023
(date)

George Badillo, R-2022-19844

SMART LEGAL DOCUMENT SERVICE

License # 1767

AFFIDAVIT OF SERVICE

STATE OF NEVADA)

COUNTY OF WASHOE)

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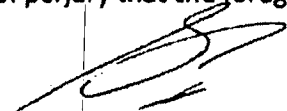
Weight: 130

Hair: Brown

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COURT FILE # - SJDCN-CV23-01341

In accordance with NRS 53.045 I declare under penalty of perjury that the foregoing is true and current.



(signature)

Executed on:

8/9/2023

George Badillo, R-2022-19844

SMART LEGAL DOCUMENT SERVICE

License # 1767

1
2 SECOND JUDICIAL DISTRICT COURT
3 COUNTY OF WASHOE, STATE OF NEVADA

4 AFFIRMATION
5 Pursuant to NRS 239B.030 and 603A.040

6 The undersigned does hereby affirm that the preceding document, *(title of document)*
7 Proof of Service of Complaints to Defendants and all documents filed up to 8/4/23
8 file in case number: CV23-01341

9
10 (☒ mark one)

11 ☒ Document does not contain the personal information of any person.

12
13 ☐ Document contains the personal information of a person as required by: (☒ mark one)

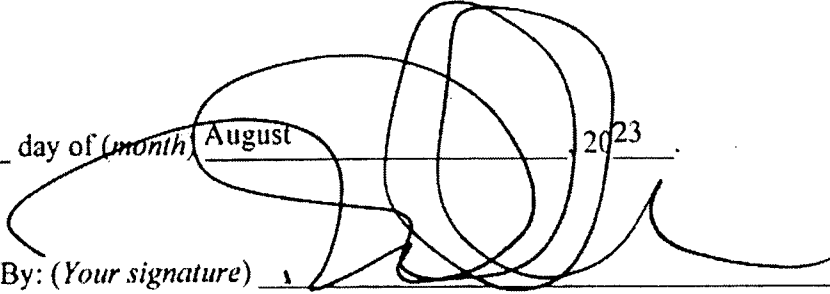
14 ☐ A specific state or federal law, to wit: *(write the specific state or federal law)*
15 _____

16 ☐ For the administration of a public program

17 ☐ For the administration for a federal or state grant

18 ☐ Confidential Family Court Information Sheet (NRS 125.130, NRS 125.230, and
19 NRS 125B.055)

20
21
22 DATED this 11th day of (month) August, 2023.

23
24 Submitted By: *(Your signature)* 

25 *(Print your name)* Robert Beadles

26 *(Attorney for)* N/A
27
28

1 **CODE 1312**

2
3
4
5 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
6 **IN AND FOR THE COUNTY OF WASHOE**
7

8
9 **MR. ROBERT BEADLES,**
10
11 **Plaintiff,**

Case No: CV23-01341
Dept. No: 9

12 **vs.**

13 **JAMIE RODRIGUEZ, ET. AL.,**
14
15 **Defendants.**
16

17 **CASE ASSIGNMENT NOTIFICATION**

18 I hereby certify that the above-entitled matter has been transferred to Department 9,
19 from Department 7.

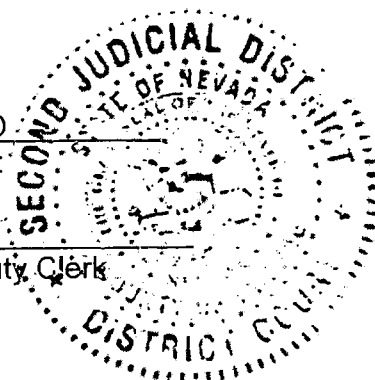
20 Additional information:

21 On August 11, 2023, a **NOTICE OF PEREMPTORY CHALLENGE OF JUDGE**
22 **was filed.**

23 Dated August 11, 2023.

24 ALICIA L. LERUD
25 Clerk of the Court

26 By /s/SColabianchi
27 SColabianchi - Deputy Clerk
28



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CERTIFICATE OF SERVICE

Case No. CV23-01341

I certify that I am an employee of the Second Judicial District Court; that on August 11, 2023, I electronically filed the Case Assignment Notification with the clerk of the Court System which will send a notice of electronic filing to the following:

HONORABLE SCOTT N. FREEMAN

ROBERT BEADLES

Pursuant to NRCP 5 (b), I certify that I am an employee of the Second Judicial District Court, and that on August 11, 2023, I deposited in the Washoe County mailing system for postage and mailing with the U.S. Postal Service in Reno, Nevada, a true copy of the attached document, addressed to: (none)

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

Dated August 11, 2023.

/s/SColabianchi
SColabianchi - Deputy Clerk

CHLG
ROBERT BEADLES
10580 N. McCarran Blvd. #115, Apt. 386
Reno, NV 89503
Plaintiff, Pro Se

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN
AND FOR THE COUNTY OF WASHOE**

MR ROBERT BEADLES, an individual,

Plaintiff.

vs.

CASE NO.: CV23-01341

DEPT. NO.: 7

JAMIE RODRIGUEZ, in her official capacity as Registrar of Voters and in her personal capacity; the WASHOE COUNTY REGISTRAR OF VOTERS, a government agency; ERIC BROWN in his official capacity as WASHOE COUNTY MANAGER and in his personal capacity; ALEXIS HILL in her official capacity as CHAIRWOMAN OF WASHOE COUNTY BOARD OF COMMISSIONERS and in her personal capacity; WASHOE COUNTY, Nevada, a political subdivision of the State of Nevada, and DOES I-X; and ROE CORPORATIONS I-X.

Defendants.

NOTICE OF PEREMPTORY CHALLENGE OF JUDGE

Plaintiff hereby exercise their peremptory challenge of the Honorable Egan Walker pursuant to

Nevada Supreme Court Rule ("SCR") 48.1.

DATED: August 10th, 2023

By: 

ROBERT BEADLES, Plaintiff Pro Se

CERTIFICATE OF SERVICE

Pursuant to N.R.C.P. 5(b), I hereby certify that I am the plaintiff pro se, and that on the 10th day of August 2023, I caused a true and correct copy of the foregoing the foregoing NOTICE OF PEREMPTORY CHALLENGE OF JUDGE, to be served as follows:

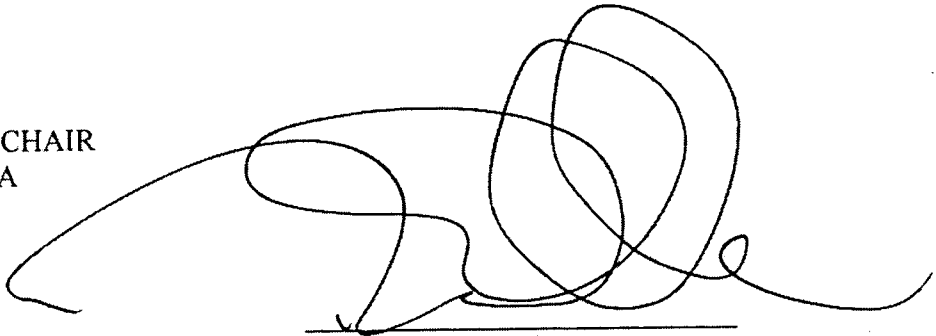
X by electronic service, pursuant to N.E.F.C.R. 9 and Administrative Order 14-2, as indicated below:

WASHOE COUNTY, NEVADA
A political subdivision of the State of Nevada
1001 E Ninth Street, Bldg. A
Reno, Nevada 89512-2845

RODRIGUEZ
REGISTRAR OF VOTERS
1001 E Ninth Street, Bldg. A, suite 135
Reno, Nevada 89512-2845
Defendant

BROWN
COUNTY MANAGER
1001 E Ninth Street, Bldg. A
Reno, Nevada 89512-2845
Defendant

HILL
COUNTY COMMISSION CHAIR
1001 E Ninth Street, Bldg. A
Reno, Nevada 89512-2845
Defendant



Plaintiff, Pro Se

1
2 SECOND JUDICIAL DISTRICT COURT
3 COUNTY OF WASHOE, STATE OF NEVADA

4 AFFIRMATION
5 Pursuant to NRS 239B.030 and 603A.040

6 The undersigned does hereby affirm that the preceding document, *(title of document)*

7 Notice Of Peremptory Challenge Of Judge

8 file in case number: CV23-01341

9
10 (☒ mark one)

11 ☒ Document does not contain the personal information of any person.

12
13 ☐ Document contains the personal information of a person as required by: (☒ mark one)

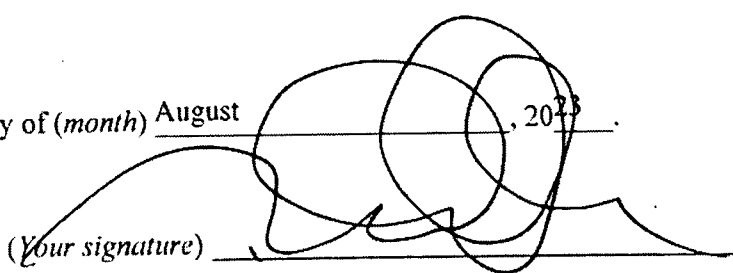
14 ☐ A specific state or federal law, to wit: *(write the specific state or federal law)*

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16 ☐ For the administration of a public program

17 ☐ For the administration for a federal or state grant

18 ☐ Confidential Family Court Information Sheet (NRS 125.130, NRS 125.230, and
19 NRS 125B.055)

20
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22 DATED this (day) 10th day of (month) August, 2023.

23
24 Submitted By: *(Your signature)* 

25 (Print your name) Robert Beadles

26 (Attorney for) N/A

CHLG
ROBERT BEADLES
10580 N. McCarran Blvd. #115, Apt. 386
Reno, NV 89503
Plaintiff, Pro Se

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN
AND FOR THE COUNTY OF WASHOE**

MR ROBERT BEADLES, an individual,

Plaintiff.

vs.

CASE NO.: CV23-01341
DEPT. NO.: 7

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DATED: August 10th, 2023

By: 

ROBERT BEADLES, Plaintiff Pro Se

CERTIFICATE OF SERVICE

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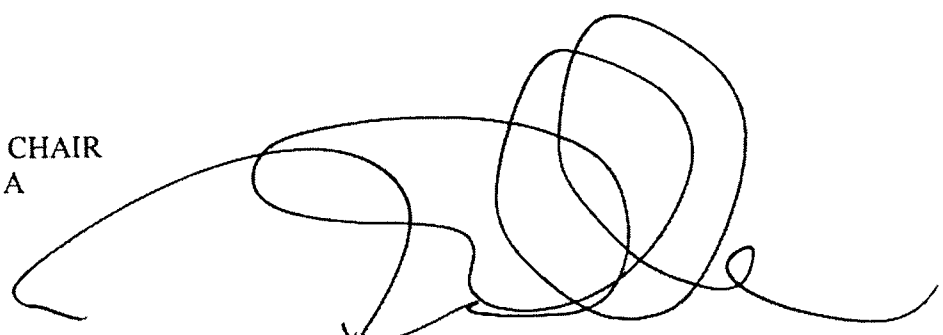
X by electronic service, pursuant to N.E.F.C.R. 9 and Administrative Order 14-2, as indicated below:

WASHOE COUNTY, NEVADA
A political subdivision of the State of Nevada
1001 E Ninth Street, Bldg. A
Reno, Nevada 89512-2845

RODRIGUEZ
REGISTRAR OF VOTERS
1001 E Ninth Street, Bldg. A, suite 135
Reno, Nevada 89512-2845
Defendant

BROWN
COUNTY MANAGER
1001 E Ninth Street, Bldg. A
Reno, Nevada 89512-2845
Defendant

HILL
COUNTY COMMISSION CHAIR
1001 E Ninth Street, Bldg. A
Reno, Nevada 89512-2845
Defendant



Plaintiff, Pro Se

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SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE, STATE OF NEVADA

AFFIRMATION
Pursuant to NRS 239B.030 and 603A.040

The undersigned does hereby affirm that the preceding document, *(title of document)*

Notice Of Peremptory Challenge Of Judge

file in case number: CV23-01341

☒ *mark one*

☒ Document does not contain the personal information of any person.

☐ Document contains the personal information of a person as required by: ☒ *mark one*

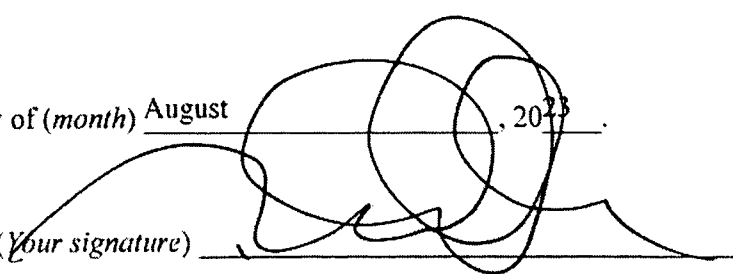
☐ A specific state or federal law, to wit: *(write the specific state or federal law)*

☐ For the administration of a public program

☐ For the administration for a federal or state grant

☐ Confidential Family Court Information Sheet (NRS 125.130, NRS 125.230, and
NRS 125B.055)

DATED this (day) 10th day of (month) August, 2023.

Submitted By: *(Your signature)* 

(Print your name) Robert Beadles

(Attorney for) N/A

ROBERT BEADLES
10580 N. McCarran Blvd. #115, Apt. 386
Reno, NV 89503
Plaintiff, Pro Se

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN
AND FOR THE COUNTY OF WASHOE**

MR ROBERT BEADLES, an individual,

Plaintiff,

vs.

CASE NO.: CV23-01341

DEPT. NO.: 15

JAMIE RODRIGUEZ, in her official capacity as Registrar of Voters and in her personal capacity; the WASHOE COUNTY REGISTRAR OF VOTERS, a government agency; ERIC BROWN in his official capacity as WASHOE COUNTY MANAGER and in his personal capacity, ALEXIS HILL in her official capacity as CHAIRWOMAN OF WASHOE COUNTY BOARD OF COMMISSIONERS and in her personal capacity; WASHOE COUNTY, Nevada, a political subdivision of the State of Nevada, and DOES I-X; and ROE CORPORATIONS I-X.

Defendants.

**COMPLAINT FOR EQUITABLE,
INJUNCTIVE RELIEF, PETITION FOR
REMOVAL OF PUBLIC OFFICIAL
FROM OFFICE,
AND PUNITIVE DAMAGES**

**(Jury Trial Demanded)
Automatically Exempt from Arbitration
NAR 5(a)(1)(G)—Declaratory Relief**

Motion To Assign Judge

The Plaintiff, Robert Beadles, hereby moves the Court for an order assigning a judge to this case.

The Court has not assigned a judge to this case since the original judge recused himself on

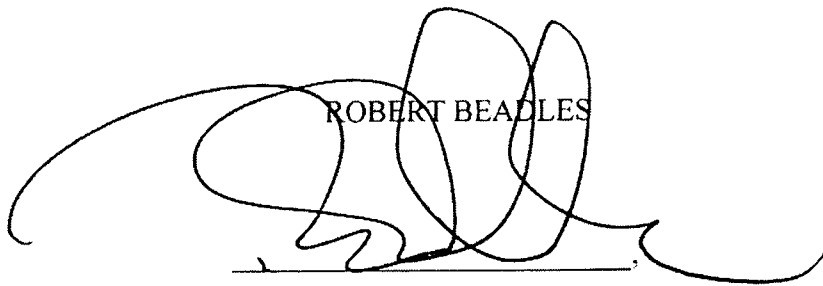
Monday, 8/7/23. This case requires the court to issue citations to the defendants within 5-10 days

from the date of the complaint. The complaint was filed on 8/4/23; the five-day provision has

passed, and 10 days will be on 8/14/23. There is still no judge assigned to this case. I have requested the Honorable Judge Simons via two motions that are currently unanswered by the court.

The Plaintiff respectfully demands that the Court assign Judge Simons who appears to be an unbiased, highly ethical and non-conflicted judge to this case today to ensure my due process rights are not violated.

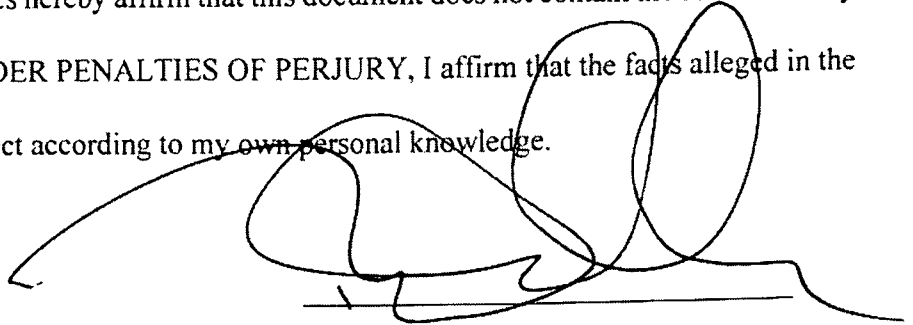
Dated: August 10th, 2023

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Robert Beadles, *pro se*

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that this document does not contain the social security number of any person. UNDER PENALTIES OF PERJURY, I affirm that the facts alleged in the foregoing are true and correct according to my own personal knowledge.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end, positioned over a solid horizontal line.

Robert Beadles, Plaintiff

1
2 SECOND JUDICIAL DISTRICT COURT
3 COUNTY OF WASHOE, STATE OF NEVADA

4 AFFIRMATION
5 Pursuant to NRS 239B.030 and 603A.040

6 The undersigned does hereby affirm that the preceding document, *(title of document)*

7 Motion To Assign Judge

8 file in case number: CV23-01341

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10 (☒ *mark one*)

11 ☒ Document does not contain the personal information of any person.

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13 ☐ Document contains the personal information of a person as required by: (☒ *mark one*)

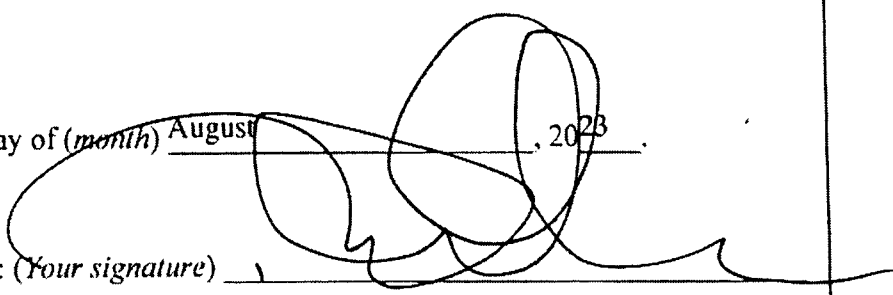
14 ☐ A specific state or federal law, to wit: *(write the specific state or federal law)*

15 _____
16 ☐ For the administration of a public program

17 ☐ For the administration for a federal or state grant

18 ☐ Confidential Family Court Information Sheet (NRS 125.130, NRS 125.230, and
19 NRS 125B.055)

20
21
22 DATED this (day) 10th day of (month) August, 2023

23
24 Submitted By: *(Your signature)* 

25 *(Print your name)* Robert Beadles

26 *(Attorney for)* N/A

1 **CODE 1312**

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5 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
6 **IN AND FOR THE COUNTY OF WASHOE**
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9 **MR. ROBERT BEADLES,**

10 **Plaintiff,**

Case No: CV23-01341

11 **vs.**

Dept. No: 15

12 **JAMIE RODRIGUEZ, ET. AL.,**

13
14 **Defendants.**
15 _____/

16 **CASE ASSIGNMENT NOTIFICATION**

17 I hereby certify that the above-entitled matter has been randomly reassigned
18 to Department 7, from Department 15.

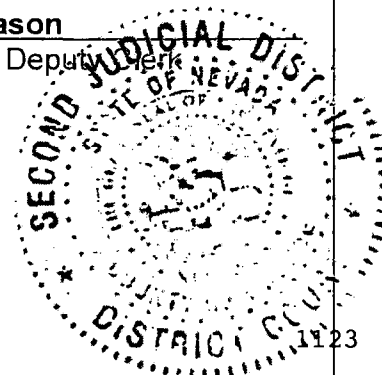
19 Additional information:

20 On August 7, 2023, an **ORDER OF RECUSAL AND REFERRING CASE TO**
21 **CHIEF JUDGE TO DETERMINE CONSOLIDATION OR RANDOM REASSIGNMENT** was
22 filed.

23 Dated August 10, 2023.

24 _____
ALICIA L. LERUD
Clerk of the Court

25
26 By /s/N. Mason
N. Mason- Deputy Clerk



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CERTIFICATE OF SERVICE

Case No. CV23-01341

I certify that I am an employee of the Second Judicial District Court; that on August 10, 2023, I electronically filed the Case Assignment Notification with the clerk of the Court System which will send a notice of electronic filing to the following:

HONORABLE EGAN WALKER

ROBERT BEADLES

Pursuant to NRCP 5 (b), I certify that I am an employee of the Second Judicial District Court, and that on August 10, 2023, I deposited in the Washoe County mailing system for postage and mailing with the U.S. Postal Service in Reno, Nevada, a true copy of the attached document, addressed to:

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

Dated August 10, 2023.

/s/N. Mason

N. Mason
Deputy Clerk

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THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

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ROBERT BEADLES

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Plaintiff.

CASE NO. CV23-01341

11

DEPT. NO. 15

12

v.

13

JAMIE RODRIGUEZ, ET AL

14

Defendant.

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NOTICE OF RECEIPT

17

(MEDIA MAIL)

18

19

TYPE OF MEDIA RECEIVED: 2X THUMB DRIVES

20

DATE RECEIVED: 09 AUGUST 2023

21

RECEIVED FROM: ROBERT BEADLES, PLTF

22

RECEIVED VIA: ☒ Drop Box ☐ Mail

23

DATE APPROVED BY COURT TECH: 8/9/23

CLEAN: ☒

24

IT SIGNATURE: [Signature]

25

DATE SUBMITTED TO DEPARTMENT: _____

26

27

/s/ ADIXON

28

Deputy Clerk

THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

Robert Beaulles
Plaintiff/Petitioner,

CASE NO. CV23-01341

vs Jamie Rodriguez, et al
Defendant/Respondent.

DEPT. NO. 15

MEDIA SUBMISSION FORM

1. Please specify the type of media you are submitting:

☐ Photo ☐ Video ☐ Audio 2 thumbdrives 10 binders

2. ☒ I understand that the media is destroyed after Court review. I further acknowledge that the Court's acceptance of the media does not constitute service of the files submitted, and that I am responsible for serving all media submissions upon the other parties to this case.

3. Title of document on file with the Court associated with your media submission:

Supplemental Exhibits in Support of Plaintiff Case

4. Date document listed in #3 was filed with the Court:

8/4/23 - Complaint 8/9/23 - Supplemental

5. Date media submitted to the Court: 8/9/23

6. Your name: Robert Beaulles

7. Your relationship to the case (Choose One):

☒ Plaintiff/Petitioner ☐ Defendant/Respondent

☐ Atty for Plaintiff/Petitioner ☐ Atty for Defendant/Respondent

The undersigned does hereby affirm that this document does not contain the personal information of any person.

[Signature]
Signature of submitting party

ROBERT BEADLES
10580 N. McCarran Blvd. #115, Apt. 386
Reno, NV 89503
Plaintiff, Pro Se

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN
AND FOR THE COUNTY OF WASHOE**

MR ROBERT BEADLES, an individual,

Plaintiff,
vs.

CASE NO.: CV23-01341
DEPT. NO.: 15

JAMIE RODRIGUEZ, in her official capacity as Registrar of Voters and in her personal capacity; the WASHOE COUNTY REGISTRAR OF VOTERS, a government agency; ERIC BROWN in his official capacity as WASHOE COUNTY MANAGER and in his personal capacity, ALEXIS HILL in her official capacity as CHAIRWOMAN OF WASHOE COUNTY BOARD OF COMMISSIONERS and in her personal capacity; WASHOE COUNTY, Nevada, a political subdivision of the State of Nevada, and DOES I-X; and ROE CORPORATIONS I-X.

Defendants.

**COMPLAINT FOR EQUITABLE,
INJUNCTIVE RELIEF, PETITION FOR
REMOVAL OF PUBLIC OFFICIAL
FROM OFFICE,
AND PUNITIVE DAMAGES**

**(Jury Trial Demanded)
Automatically Exempt from Arbitration
NAR 5(a)(1)(G)—Declaratory Relief**

Supplemental Exhibits In Support of Plaintiff's Complaint

Plaintiff, Robert Beadles hereby files the following supplemental exhibits in support of his Complaint filed on 8/4/23.

Exhibit 1 ROV 11-17-22- Petition. 40 pg.

Exhibit 2 11-23-22 Contest 12 pg.

Exhibit 3 Unanswered Petition served upon defendants 12/1/22. 19 pg.

Exhibit 4 Email exchange between the plaintiff and defendants. 5 pg.

Exhibit 5 Email exchange between the plaintiff and defendants. 5 pg.

Exhibit 6 Email exchange between the plaintiff and defendants. 7 pg.
Exhibit 7 Email exchange between the plaintiff and defendants. 1 pg.
Exhibit 8 Email exchange between the plaintiff and defendants. 2 pg.
Exhibit 9 Email exchange between the plaintiff and defendants. 16 pg.
Exhibit 10 Addresses from tax records appearing in conflict to vote. 6 pg.
Exhibit 11 Addresses from tax records appearing in conflict to vote. 56 pg.
Exhibit 12 Addresses from tax records appearing in conflict to vote. 51 pg.
Exhibit 13 Addresses from tax records appearing in conflict to vote. 22 pg.
Exhibit 14 Addresses from tax records appearing in conflict to vote. 99 pg.
Exhibit 15 Detailed report showing tax record vs voter record concerns. 15 pg.
Exhibit 16 Supplemental statements on election system issues 30 pg.
Exhibit 17 Supplemental statements on counting the votes in secret 3 pg.
Exhibit 18 Supplemental statements on the deficiency of Signature Verification 8 pg.
Exhibit 19 Supplemental statements on Lack of Transparency and Accountability 12 pg.
Exhibit 20 Supplemental statement glossary 1 pg.
Exhibit 21 Supplemental statements on unclean voter rolls 6 pg
Exhibit 22 Supplemental statements on not prepared for 2024 4 pg.
Exhibit 23 ROV blatantly breaking laws and court orders (video)
Exhibit 24 ROV blatantly breaking laws and court orders (transcript) 5 pg.
Exhibit 25 Rowlatt Bill Review 3 pg.
Exhibit 26 Nation Academies Securing the Vote 181 pg.
Exhibit 27 Literacy crisis in Nevada 16 pg.
Exhibit 28 Second least educated state 10 pg.
Exhibit 29 SCOTUS rules Democrats discriminatory 7 pg.
Exhibit 30 General Pre Certification of Voting System 1 pg.
Exhibit 31 Halderman Report 96 pg.
Exhibit 32 Mark Cook Panel Presentation (video)
Exhibit 33 Petition proof 1 pg.
Exhibit 34 Peititon proof 20 pg.
Exhibit 35 Forensic Reports on EVS 21 pg.
Exhibit 36 Nye County halts use of EVS 3 pg.
Exhibit 37 Esmeralda County Ends use EVS 13 pg.
Exhibit 38 Kamala Harris, can't hack a piece of paper 11 pg.
Exhibit 39 Andrew Cuomo using ID and in person the best way to vote 13 pg.
Exhibit 40 ACLU Vote By Mail Report 31 pg.
Exhibit 41 NVease Screen Shot 1 pg.
Exhibit 42 Pollbook and Router Images 1 pg.
Exhibit 43 Election Day Voting Manual 104 pg.
Exhibit 44 Early Voting Manual 106 pg.
Exhibit 45 Konnech Identity Theft RGJ 3 pg.
Exhibit 46 Konnech Theft Of Data 22 pg.
Exhibit 47 Texas Rejected Voting System Software 6 pg.
Exhibit 48 Voting System Nevada Secretary of State 2 pg.
Exhibit 49-Email-ROV-Rebuttal to Mr. Edwards response 2 pg.
Exhibit 50 Certified Voting Systems U.S. Election Assistance Commission 7 pg.
Exhibit 51 Pennsylvania Decertifies Fulton County's Voting System After Audit 6 pg.

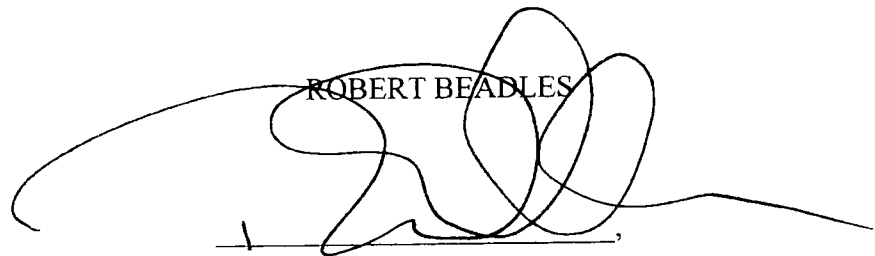
Exhibit 52 PRR 6.06.2023 Oscar Williams 3 pg.
 Exhibit 53 Election system upgrade RGJ 3 pg.
 Exhibit 54 Proof Of 11-18-22 Petition Sent 2 pg.
 Exhibit 55 Testimony of Lisa Detter-Hoskin 93 pg.
 Exhibit 56 County Signature Cure Instructions 2022.pdf 6 pg.
 Exhibit 57 SOS Internal Procedures - Signature Cure.pdf 8 pg.
 Exhibit 58 Video Compilation of Prominent Democrats (video)
 Exhibit 59 Notice of RegisterToVote.NV.gov 1 pg.
 Exhibit 60 Proof all precincts voted nearly same in Washoe County. 1 pg and xls.
 Exhibit 61 Proof all precincts voted nearly same in Washoe & Clark Cnty. 34 pg & XLS.
 Exhibit 62 Presentation showing each precinct voting nearly the same. 10 pg
 Exhibit 63 2022 Washoe General Election by the numbers proof of issues. XLS file.
 Exhibit 64 2022 Clark General Election by the numbers proof of issues. XLS File.
 Exhibit 65 2020 Clark & Washoe General Election, Laymen's Explanation. 14 pg.
 Exhibit 66 Graphic Explainer to solve the unsolvable. 1 pg.
 Exhibit 67 Disjoint Sets, Geometry, Legal Presentation. 151 pg.
 Exhibit 68 Washoe County, NV, 2022 General Election Tabulation Database. XLS file.
 Exhibit 69 Sonny Borrellii AZ Press release. 1 pg.
 Exhibit 70 Neural Networks in voting machines.pdf 20 pg.
 Exhibit 71 Antrim Forensic Report.pdf 23 pg.
 Exhibit 72 Washoe Observation Court Orders 6 pg.
 Exhibit 73 Nvease.gov contact info page 3 pg.
 Exhibit 74 Federal Voting Assistance Program 3 pg.
 Exhibit 75 Stanford Signature Verification Report 118 pg.
 Exhibit 76 Affidavit defendant(s) ignored signature verification laws 2 pg.
 Exhibit 77 2nd Affidavit defendant(s) ignored signature verification laws 1 pg.
 Exhibit 78 Life-of-a-ballot-infographic 1 pg.
 Exhibit 79 PRR Proving dishonesty about why they use voting machines 4 pg.
 Exhibit 80 Logic and Accuracy Test Certification pg 1.
 Exhibit 81 Voting System Agreement 21 pg.
 Exhibit 82 Washoe ROV Mission Statement 5 pg.
 Exhibit 83 EAV Instrument 44 pg.
 Exhibit 84 Williams PRR 107024.pdf 5 pg.
 Exhibit 85 Williams PRR 136712.eml 1 pg.
 Exhibit 86 Williams PRR 137247 2 pg.
 Exhibit 87 Beadles PRR 136694 4 pg.
 Exhibit 88 Election Infrastructure Security 3 pg.
 Exhibit 89 Signatures and voter information provided by ROV. 130 pg.
 Exhibit 90 Washoe voter roll fluctuations 2020-2022 XLSX
 Exhibit 91 Powerpoint on reported ROV voter totals in question. 19 pg.
 Exhibit 92 Public Interest Legal Foundation white paper 3 pg.
 Exhibit 93 Voter-Record-Maintenance.pdf 1 pg
 Exhibit 94 Election issues presented to Washoe County officials from 3/11/22 (video)
 Exhibit 95 Associated Press, October 5, 2022 5 pg.
 Exhibit 96 RGJ Article 4 pg.
 Exhibit 97 The Elections Group Proposal 85 pg.

Exhibit 98 General Pre-LAT Cert 1 pg.
Exhibit 99 Email to defendants 2 pg.
Exhibit 100 12/2/22 Petition covered in RGJ article. 4 pg.
Exhibit 101 Take it down to the studs and start over 6 pg.
Exhibit 102 Commissioner Hermans's affidavit showing chain of custody issues. 3 pg.
Exhibit 103 Williams Affidavit re_Kandaras_7-7-23.pdf 2 pg.
Exhibit 104 Laymans proof 2020 and 2022 were fraudulent 43 pg.
Exhibit 105 Academic proof 2020 and 2022 were fraudulent 122 pg.
Exhibit 106 2022 Washoe EAV Survey v1_workers.xlsx
Exhibit 107 2022 Washoe EAV Survey v1_mail ballot waste.xlsx.
Exhibit 108 NV-2022G-Mail-Ballot-Rejects.xlsx
Exhibit 109 Highlights of Supplemental Statements 4 pg.
Exhibit 110 Election issues presented to Washoe County officials from 3/11/22 (transcript)
30pg.
Exhibit 111 DA Confirming Laws and Abilities 5 pg
Exhibit 112 AI confirming election issues 8 pg, and 4 web transactions
Exhibit 113 Summary of 2022 NEVADA EAV Survey.xlsx
Exhibit 114 2020 EAV Report from Washoe ROV to SOS. 27 pg
Exhibit 115 3/22/22 County Commission Meeting Reading 3 pg.
Exhibit 116 3/22/22 County Commission Meeting Reading (Video)

These supplemental exhibits, delivered in person via 10 binders and 2 flash drives are being provided to further support the allegations and claims set forth in the Plaintiff's initial Complaint. The Plaintiff respectfully demands the Court to add these supplemental exhibits as part of the record in this case.

Dated: August 9th, 2023

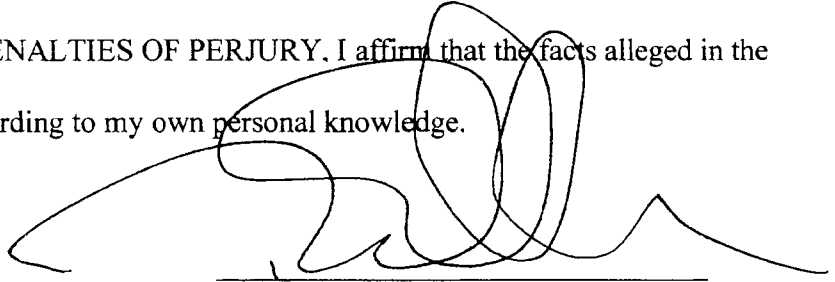
ROBERT BEADLES

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Robert Beadles, *pro se*

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that this document does not contain the social security number of any person. UNDER PENALTIES OF PERJURY, I affirm that the facts alleged in the foregoing are true and correct according to my own personal knowledge.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end, positioned above a solid horizontal line.

Robert Beadles, Plaintiff

ROBERT BEADLES
10580 N. McCarran Blvd. #115, Apt. 386
Reno, NV 89503
Plaintiff, Pro Se

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN
AND FOR THE COUNTY OF WASHOE**

MR ROBERT BEADLES, an individual,

Plaintiff,

vs.

CASE NO.: CV23-01341

DEPT. NO.:

JAMIE RODRIGUEZ, in her official capacity as Registrar of Voters and in her personal capacity; the WASHOE COUNTY REGISTRAR OF VOTERS, a government agency; ERIC BROWN in his official capacity as WASHOE COUNTY MANAGER and in his personal capacity; ALEXIS HILL in her official capacity as CHAIRWOMAN OF WASHOE COUNTY BOARD OF COMMISSIONERS and in her personal capacity; WASHOE COUNTY, Nevada, a political subdivision of the State of Nevada, and DOES I-X; and ROE CORPORATIONS I-X.

Defendants.

**COMPLAINT FOR EQUITABLE,
INJUNCTIVE RELIEF, PETITION FOR
REMOVAL OF PUBLIC OFFICIAL
FROM OFFICE,
AND PUNITIVE DAMAGES**

**(Jury Trial Demanded)
Automatically Exempt from Arbitration
NAR 5(a)(1)(G)—Declaratory Relief**

2ND MOTION TO REQUEST JUDGE SIMONS

Plaintiff, Robert Beadles, hereby moves this Honorable Court to request Judge Lynne K. Simons as the assigned judge for the above-referenced case. Petitioner respectfully requests this Court to consider the following reasons in support of this motion:

Plaintiff now in both cases filed, CV23-01283 and now CV23-01341 has received the same judge. This appears to contradict Rule 21 from the case In Matter of the Adoption of Amendments, Adkt 446 in where the cases are randomly assigned. Plaintiff, since 8/7/23 has been without a judge assigned. The nature of cause 2, NRS 283.440 is an accelerated timetable and requires the court to issue citations today 8/9/23 to 8/14/23 at the latest.

Plaintiff respectfully requests the Honorable Judge Simons take this case as numerous authorities state her ability to. For instance, Sell v. Diehl (In re T.T.H.) cites three authorities (NRS 3.223, NRS 3.025(3), and EDCR 1.30(15)) that discuss the assignment of cases to specific judges or divisions. Similarly, Ferguson v. State discusses the authority of the chief judge to assign cases to specific judges or departments within a district court. Other authorities, such as ADOPTION OF ADD'L RULES LAS VEGAS JUSTICE CRT. and Matter of Amendment of Eighth Jud. Dist. Court, Adkt 418, also contain information about the authority of the chief judge to assign or reassign cases. In both cases, the chief judge is given the authority to reassign cases for convenience or necessity. Additionally, Nev. Rev. Stat. § 3.025, which outlines the duties of the Chief Judge in certain judicial districts, including the authority to assign cases to specific judges.

Plaintiff believes that Judge Simons' experience and expertise make her the ideal judge to preside over this case.

Plaintiff believes that Judge Simons' ethical, fair and impartial approach to the law will ensure that the case is decided on its merits.

Plaintiff believes that Judge Simons' calendar allows for a timely resolution of this case.

Plaintiff has no prior relationship with Judge Simons that would compromise the integrity of the judicial process.

WHEREFORE, Plaintiff respectfully requests this Honorable Court to grant this motion and assign Judge Simons as the presiding judge for this case.

Respectfully submitted,

Robert Beadles

A large, stylized handwritten signature in black ink, appearing to be 'Robert Beadles', is written over the typed name and extends across the middle of the page.

DATED: 8/9/23

1
2 SECOND JUDICIAL DISTRICT COURT
3 COUNTY OF WASHOE, STATE OF NEVADA

4 AFFIRMATION
5 Pursuant to NRS 239B.030 and 603A.040

6 The undersigned does hereby affirm that the preceding document, *(title of document)*

7 2nd Motion For Request of Judge Simons

8 file in case number: CV23-01341

9
10 (☒ *mark one*)

11 ☒ Document does not contain the personal information of any person.

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13 ☐ Document contains the personal information of a person as required by: (☒ *mark one*)

14 ☐ A specific state or federal law, to wit: *(write the specific state or federal law)*

15 _____
16 ☐ For the administration of a public program

17 ☐ For the administration for a federal or state grant

18 ☐ Confidential Family Court Information Sheet (NRS 125.130, NRS 125.230, and
19 NRS 125B.055)

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22 DATED this (day) 9th day of (month) August, 2023.

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24 Submitted By: *(Your signature)* _____

25 *(Print your name)* Robert Beadles

26 *(Attorney for)* N/A
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6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
7 **IN AND FOR THE COUNTY OF WASHOE**

8 MR. ROBERT BEADLES, an individual,

9 Plaintiff,

Case No.: CV23-01341

Dept. No.: 15

10 v.

11 JAMIE RODRIGUEZ, in her official capacity
12 As Registrar of Voters and in her personal
13 Capacity; the WASHOE COUNTY REGISTRAR
14 OF VOTERS, a government agency;
15 ERIC BROWN in his official capacity as
16 WASHOE COUNTY MANAGER and in
17 his personal capacity, ALEXIS HILL in her
18 official capacity as CHAIRWOMAN OF
19 WASHOE COUNTY BOARD OF
20 COMMISSIONERS and in her personal
21 capacity; WASHOE COUNTY, Nevada,
22 a political subdivision of the State of Nevada,
23 and DOES I-X; and ROE CORPORATIONS I-X,

24 Defendants. /

25 **ORDER OF RECUSAL AND REFERRING CASE TO CHIEF JUDGE TO DETERMINE**
26 **CONSOLIDATION OR RANDOM RE-ASSIGNMENT**

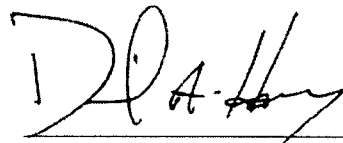
27 This matter was assigned to Department 15 on August 4, 2023. It is thematically
28 related to Case No.: CV23-01283, which is assigned to Department 10 but subject to recent
removal to the U.S. District Court. This Court renews its previous analysis in its recusal

1 order (later rescinded through procedural error) entered on July 31, 2023.¹ Good cause
2 appearing,

3 This Court recuses from future participation in this case. This matter is submitted
4 to the Chief Judge of the Second Judicial District Court to determine if it should be
5 consolidated with CV23-01283, held in abeyance pending removal proceedings, or
6 randomly re-assigned to another department.

7 IT IS SO ORDERED.

8 DATED: 7th August 2023.



DAVID A. HARDY
District Judge

1 This Court does not suggest that its decision to recuse, based upon its longitudinal and administrative history with the county, should be the basis for another judicial colleague's discretionary decision to retain the matter.

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ROBERT BEADLES

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WASHOE COUNTY
Christopher J. Hicks, District Attorney
Washoe County District Attorney
Mills B. Lane Justice Center
1 South Sierra Street, South Tower
4th Floor
Reno, NV 89501

3

MR. ROBERT BEADLES
10580 N. McCarran Blvd. #115, Apt. 386
Reno, NV 89503
RobertBeadles@protonmail.com
916.573.7133
Plaintiff, Pro Se

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN
AND FOR THE COUNTY OF WASHOE**

MR ROBERT BEADLES, an individual,

Plaintiff,

vs.

CASE NO.: CV23-01341
DEPT. NO.: 15

JAMIE RODRIGUEZ, in her official capacity
as Registrar of Voters and in her personal
capacity; the WASHOE COUNTY
REGISTRAR OF VOTERS, a government
agency; ERIC BROWN in his official capacity
as WASHOE COUNTY MANAGER and in
his personal capacity, ALEXIS HILL in her
official capacity as CHAIRWOMAN OF
WASHOE COUNTY BOARD OF
COMMISSIONERS and in her personal
capacity; WASHOE COUNTY, Nevada, a
political subdivision of the State of Nevada,
and DOES I-X; and ROE CORPORATIONS
I-X.

Defendants.

MOTION TO REQUEST JUDGE SIMONS

Plaintiff, Robert Beadles, hereby moves this Honorable Court to request Judge Lynne K. Simons
as the assigned judge for the above-referenced case. Petitioner respectfully requests this Court to
consider the following reasons in support of this motion:

Plaintiff believes that Judge Simons' experience and expertise make her the ideal judge to preside over this case.

Plaintiff believes that Judge Simons' fair and impartial approach to the law will ensure that the case is decided on its merits.

Plaintiff believes that Judge Simons' calendar allows for a timely resolution of this case.

Plaintiff has no prior relationship with Judge Simons that would compromise the integrity of the judicial process.

WHEREFORE, Plaintiff respectfully requests this Honorable Court to grant this motion and assign Judge Simons as the presiding judge for this case.

Respectfully submitted,

Robert Beadles



DATED: 8/4/23

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SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE, STATE OF NEVADA

AFFIRMATION
Pursuant to NRS 239B.030 and 603A.040

The undersigned does hereby affirm that the preceding document, *(title of document)*

Motion To Request Judge Simons

file in case number: _____

☒ *mark one*

☒ Document does not contain the personal information of any person.

☐ Document contains the personal information of a person as required by: ☒ *mark one*

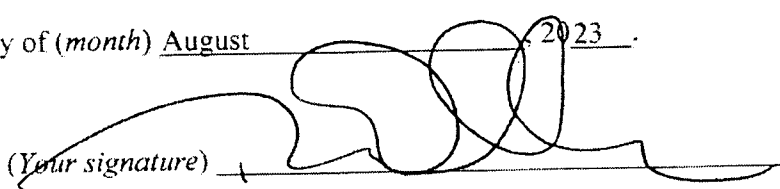
☐ A specific state or federal law, to wit: *(write the specific state or federal law)*

☐ For the administration of a public program

☐ For the administration for a federal or state grant

☐ Confidential Family Court Information Sheet (NRS 125.130, NRS 125.230, and
NRS 125B.055)

DATED this *(day)* 4th day of *(month)* August 2023.

Submitted By: *(Your signature)* 

(Print your name) Robert Beadles

(Attorney for) N/A

COMP
ROBERT BEADLES
10580 N. McCarran Blvd. #115, Apt. 386
Reno, NV 89503
Plaintiff, Pro Se

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN
AND FOR THE COUNTY OF WASHOE**

MR ROBERT BEADLES, an individual,

Plaintiff,

vs.

CASE NO.:
DEPT. NO.:

JAMIE RODRIGUEZ, in her official capacity as Registrar of Voters and in her personal capacity; the WASHOE COUNTY REGISTRAR OF VOTERS, a government agency; ERIC BROWN in his official capacity as WASHOE COUNTY MANAGER and in his personal capacity, ALEXIS HILL in her official capacity as CHAIRWOMAN OF WASHOE COUNTY BOARD OF COMMISSIONERS and in her personal capacity; WASHOE COUNTY, Nevada, a political subdivision of the State of Nevada, and DOES I-X; and ROE CORPORATIONS I-X.

Defendants.

**COMPLAINT FOR EQUITABLE,
INJUNCTIVE RELIEF, PETITION FOR
REMOVAL OF PUBLIC OFFICIAL
FROM OFFICE,
AND PUNITIVE DAMAGES**

**(Jury Trial Demanded)
Automatically Exempt from Arbitration
NAR 5(a)(1)(G)—Declaratory Relief**

Plaintiff ROBERT BEADLES ("Beadles"), in proper person, hereby files this Complaint against JAMIE RODRIGUEZ ("Rodriguez") in her official capacity as Registrar of Voters and in her personal capacity; the WASHOE COUNTY REGISTRAR OF VOTERS, a government agency; ERIC BROWN ("Brown") in his official capacity as WASHOE COUNTY MANAGER and in his personal capacity, ALEXIS HILL ("Hill") in her official capacity as CHAIRWOMAN OF WASHOE COUNTY BOARD OF COMMISSIONERS and in her personal capacity;

WASHOE COUNTY, Nevada, a political subdivision of the State of Nevada, and DOES I-X; and ROE CORPORATIONS I-X. collectively ("Defendants"), allege and petition this Court as follows:

JURISDICTION & VENUE

1. This Court has jurisdiction pursuant to NRS 13.030.
2. Under the doctrine of concurrent jurisdiction, this Court has jurisdiction to resolve claims under Nevada State Constitution and under Nevada State election laws.
3. This Court has jurisdiction to hear this matter, as all events giving rise to this incident took place in Washoe County, Nevada. The harm to be enjoined is threatened in Washoe County.
4. This Court has jurisdiction over this matter pursuant to Nev. Const. Art. 6 § 6, regarding all cases not assigned to the justices' courts.
5. The venue is proper in Washoe County for election complaints pursuant to NRS 293.2546 (11).
6. The venue is proper in Washoe County pursuant to NRS 13.040, where the plaintiff and defendants reside.
7. In *Schumacher v. Furlong*, 78 Nev. 167, 370 P.2d 209 (1962), the Opinion of the Nevada Attorney General, "Under this statutory procedure any complainant can, for specifically enumerated grounds, e.g., malfeasance or nonfeasance, initiate district court proceedings to remove any person holding any nonjudicial office in this state. This statutory procedure has previously been used against a county officer."
8. The Defendant(s), acting individually or in concert in contravention of Plaintiff's right to equal protection are subject to penalties pursuant to NRS 283.440 and/or NRS 266.430.

9. Defendant Washoe County Nevada, is a political subdivision of the State of Nevada under the doctrine of respondent superior. Washoe County is vicariously liable for the actions of its officers and officials when they are acting within the scope of their employment.
10. This Court has jurisdiction over this matter pursuant to NRS 4.370 (1) as the matter in controversy exceeds \$15,000, exclusive of attorney fees, interest, and costs.

PARTIES

11. Plaintiff Robert Beadles resides in Washoe County, Nevada, and is a qualified elector who voted in the 2020 and 2022 elections and who intends to vote again in 2024.
12. Plaintiff comes before the court *pro se* because many BAR-certified attorneys are being targeted, dis-barred, sanctioned, etc. for simply bringing an elections-related lawsuit forward. Plaintiff hereby represents himself *pro se* to save his lawyers from attacks on their livelihoods.
13. Plaintiff's rights to have their legitimate grievances of matters of elections and the officials who conduct them responded to "fairly, accurately, and efficiently as provided by law" have been ignored by the Defendants and DOES and ROES to be determined.
14. The office of the Registrar of Voters was created pursuant to NRS 244.164 and W.C.C. 5.541 (except duties imposed by virtue of NRS 293.393 to make out and deliver certificates of election). In general terms, the defendants handle voter registrations and conduct elections on behalf of the people of Washoe County.
15. Defendant Rodriguez is a resident of Washoe County. Rodriguez is and was at all times relevant hereto, the Washoe County Registrar of Voters and a person acting under the color and authority of law. Rodriguez is named in her official and personal capacities.
16. Rodriguez has not responded to Plaintiff's November 18, 2022 Petition. [EXHIBIT 1]

17. Rodriguez has not responded to Plaintiff's November 23, 2022 Petition. [EXHIBIT 2]
18. Rodriguez has not responded to Plaintiff's December 1, 2022 Petition. [EXHIBIT 3]
19. Defendant Brown is a resident of Washoe County. Brown is and was at all times relevant hereto, the Washoe County Manager and a person acting under the color and authority of law. Brown is named in his official and personal capacities.
20. Brown has not responded to Plaintiff's November 18, 2022 Petition. [EXHIBIT 1]
21. Brown has not responded to Plaintiff's November 23, 2022 Petition. [EXHIBIT 2]
22. Brown has not responded to Plaintiff's December 1, 2022 Petition. [EXHIBIT 3]
23. Defendant Hill is a resident of Washoe County. Hill is and was at all times relevant hereto, the Chairwoman of the Washoe County Board of Commissioners and a person acting under the color and authority of law. Hill is named in her official and personal capacities.
24. Hill has not responded to Plaintiff's November 18, 2022 Petition. [EXHIBIT 1]
25. Hill has not responded to Plaintiff's November 23, 2022 Petition. [EXHIBIT 2]
26. Hill has not responded to Plaintiff's December 1, 2022 Petition. [EXHIBIT 3]
27. Defendant Washoe County, Nevada, is a political subdivision of the State of Nevada under the doctrine of respondent superior. Washoe County is vicariously liable for the actions of its officers and officials when they are acting within the scope of their employment.
28. Defendants Does I through X and Roe Corporations I through X are persons or entities that, at all times material hereto, committed acts, activities, misconduct or omissions which make them jointly and severally liable under the claims for relief set forth herein. The true names and capacities of the Doe Defendants and Roe Corporate Defendants are presently unknown, but when ascertained, Plaintiff requests leave of Court to amend this complaint to substitute their true names and identities.

III. NATURE OF THE CASE

29. Plaintiff is and was at all times relevant hereto a legally registered voter in Washoe County who was affected by the 2020 and 2022 elections overseen by Defendants.
30. Plaintiff brings this complaint against Defendants based on their violations of Plaintiff's state Constitutional rights to due process, equal protection, voter's rights, and the laws and codes of Nevada in the conduct of elections, regarding Defendants' non-response to Plaintiff's grievances and general stonewalling when presented with reports and analysis on voting systems in use in Washoe County and various requests for information.
31. Plaintiff alleges violations of his rights and the laws of Nevada based on the Defendants having never acknowledged or responded to three formal Petitions filed with the county by Plaintiff.
32. Plaintiff will show that Defendants willfully committed acts of malpractice, maladministration, and/or nonfeasance, and perjury in the conduct of their official duties, thus having the appearance of impropriety and damaging the public's trust.
33. Plaintiff hereby introduces Exhibit 109 that is a highlight of several supplemental statements in support of the merits of the underlying Petitions. Individually and as a whole, highlights presented in Exhibit 109 are of such a serious matter that they cannot be ignored—just as the original Petitions should never have been ignored—to cure the problems that are self-evident, including but not limited to: unclean and grossly inaccurate voter rolls, un-approved and unsecure voting systems that Defendant(s) chose of their own volition, the rush toward pioneering new technology that could impact county, state, and national security, failure to train staff and election officials, failure to provide trained election officials, telling staff to not verify signatures, unequal treatment of signatures at

the polls, counting of votes in secret, illegal function within the election system, gross violations of the Nevada Revised Statutes and Administrative Codes regarding election procedures, and the list goes on.

34. Plaintiff wishes to direct the Court's attention to Exhibit 109, point 6 a) "The Washoe ROV's staff has seen: "100% turnover in permanent staff and a loss of institutional knowledge." The Elections Group 6-9-23" The Election Group is the consulting agency initially hired by County Manager Brown.
35. Plaintiff hereby alleges the Registrar of Voters is in violation of Nevada law and, if left uncorrected, is unprepared to run the 2024 presidential primary safely, securely, and accurately as required by law unless all the issues are put on the table and addressed by one or more Defendant(s) under the Court's supervision.
36. Plaintiff hereby alleges Defendant(s) ignored Plaintiff's Petitions as an annoyance and will continue to do so if this Court does not intervene.
37. The Plaintiff demands this complaint and the underlying Petitions be heard by this honorable court.

FACTUAL ALLEGATIONS

38. Plaintiff voted in Washoe County in the 2020 and 2022 elections overseen by Defendants.
39. Plaintiff intends to vote in Washoe County in the upcoming presidential primary to occur in January 2024 and in subsequent elections overseen by Defendants.
40. Plaintiff and others provided each of the Defendants with a Petition addressing certain violations of elections, errors, and anomalies, prior to the Board of Commissioner's canvass of the vote in public meeting held November 18, 2022. This first of three Petitions

was filed at the Washoe County Manager's office (the "November 18, 2022 Petition").
[Exhibit 1]

41. Plaintiff provided Defendants with a second Petition addressing a different set of issues and related violations of elections and other laws enumerated therein on November 23, 2022 Petition (the "November 23rd, 2022 Petition"). [Exhibit 2]
42. Plaintiff provided Defendants with a third Petition addressing a different set of issues and related violations of elections and other laws enumerated therein on December 1, 2022 (the "December 1st, 2022 Petition"). [Exhibit 3]
43. Defendants have a duty and obligation to respond to Petitions of elections pursuant to the Voter's Bill of Rights Nev. Const. Art. 2 Sec. 1A § 11 and NRS 293.2546 (11).
44. Defendants, and each of them, have failed and refused to respond to or address the allegations made in the Petitions and continue to fail and refuse to respond to or address the same since the filing of the Petitions.
45. Plaintiff's rights to have legitimate grievances regarding matters of elections and the officials who conduct them responded to "fairly, accurately, and efficiently as provided by law" have been ignored by the Defendants, and each of them.
46. By failing to address the Petitions, Defendants have each violated their oath to office, Nevada Revised Statutes and Administrative Codes, and violated the Plaintiff's constitutional rights.
47. Defendants have allowed elections in Washoe County to be tainted by allowing and failing to address gross inaccuracies and improper maintenance of voter rolls.
48. Defendants have allowed elections in Washoe County to be tainted by allowing and failing to address illegal functions within the election system that alter intended votes.

49. Defendants have allowed elections in Washoe County to be tainted by allowing and failing to address the counting of votes in secret and without adequate verification.
50. Defendants have allowed elections in Washoe County to be tainted by allowing and failing to address instructions to Washoe County election workers to disregard signature verification, in violation of the law.
51. Defendants have allowed elections in Washoe County to be tainted by allowing and failing to address violations of the election processes required by Nevada statutes, Nevada administrative codes, and the Nevada Constitution.
52. Because of the violations alleged herein, Defendants have not and are not able to conduct elections fairly, accurately, and securely as required by law.
53. Defendants' actions or inaction going forward may impact state and national security because of the critical flaws and vulnerabilities in many of the systems and procedures related to voter registration, handling of signatures and voter data, voting, signature curing, and recording and reporting votes as mentioned in the underlying Petitions and Exhibit 109.
54. Plaintiff respectfully requests the court's indulgence to accept Exhibit 109 in support of a) timeliness of this complaint, b) the severity of problems that underpin the underlying Petitions.
55. Plaintiff has suffered and will continue to suffer emotional distress, reputation damage, and irreparable harm—namely, disenfranchisement through gross violations of one's right to pose grievances of elections and against election officials and have them answered and resolved.

56. Defendants' failure to address the various violations stated within the underlying Petitions has resulted in a loss of confidence in the election system in Washoe County and Nevada. The Defendants' continued failure will result in an irreparable erosion of public confidence in the election system and its results in future elections unless the Court intervenes.
57. The disregard of legal obligations by the Defendants will contribute to a more generalized erosion of the rule of law, encouraging further acts of disobedience by other public servants without the accountability this Court can and must impose.
58. If public officials are not held accountable for their actions, citizens will fear that their freedoms and rights are not adequately protected, leading to a sense of insecurity and potential suppression of those rights.
59. If left unchecked, if there is no accountability, public officials can act with impunity. By this Court not acting affirmatively to correct the ills before it will set a dangerous precedent, paving the way for more widespread infringement of civil liberties.
60. The mission statement of the ROV states in part: "that Washoe County's Elections are operated with the utmost integrity, transparency, and accountability; and that the department is known for excellence in customer service and the administration of elections."¹
61. Plaintiff hereby alleges the Registrar of Voters has failed their mission statement.
62. Plaintiff hereby alleges that the Defendants, individually, have failed their oath of office and in their duties to Plaintiff and all electors who reside in Washoe County.
63. The Court should hold Defendants to a standard of propriety and as stated in Plaintiff's November 18, 2022 Petition, which reads:

¹ <https://www.washoecounty.gov/voters/index.php>

- i. Federal judges are held to a standard known as a semblance of impropriety, to which Nevada's Chief Justice in 1980, Harry E. Claiborne, was accused. Judge Claiborne was the first federal judge to go to jail and the second to be impeached in U.S. history. (<https://www.senate.gov/about/powers-procedures/impeachment/impeachment-claiborne.htm>) Here, the defendants are held to a similar standard because of the nature of elections being a right and the pinnacle of a Constitutional Republic.
 - ii. By failing to address the petitions the Defendants have violated their oath to office, Nevada Revised Statutes and Administrative Codes, and violated the Plaintiff's constitutional rights.
 - iii. The actions of Defendants and/or those acting on behalf of Defendants and referred to herein, depriving Plaintiffs and other Washoe County residents of their rights secured by the Constitution and laws of the United States, were done while acting under color of law.
64. The plaintiff has diligently raised concerns regarding the flaws and irregularities within the Washoe County Nevada election system for the past two years. Despite the plaintiff's genuine efforts to bring these issues to the attention of the defendants, they have remained unresponsive.
65. Defendant Washoe County Nevada, a political subdivision of the State of Nevada under the doctrine of respondent superior, Washoe County is vicariously liable for the actions of its officers and officials when they are acting within the scope of their employment.
66. Plaintiff has no adequate remedy at law and will suffer serious and irreparable harm to his constitutional rights unless this honorable court intervenes to enjoin the Defendants.

FIRST CAUSE OF ACTION

VIOLATION OF NEVADA CONSTITUTION ARTICLES 1, 2, 15 and THE

VOTER'S BILL OF RIGHTS

(EQUITABLE AND INJUNCTIVE RELIEF SOUGHT OR WRIT OF MANDAMUS)

67. Plaintiff repeats and realleges his allegations herein above inclusively, as though set forth herein, and incorporates the same by this reference.
68. "A public office is a public trust and shall be held for the sole benefit of the people." NRS 281A.020.
69. **Duty:** Defendants, and each of them, pledged an oath pursuant to Nev. Const. Art. 15 Sec. 2 that provides in part: "... I will well and faithfully perform all the duties of the office of, on which I am about to enter; (if an oath) so help me God; (if an affirmation) under the pains and penalties of perjury."
70. Defendants, and each of them, have a duty to uphold Plaintiff's constitutional rights.
71. Plaintiff's right to have their grievances heard is enshrined in Nev. Const. Art. 1 § 10: "to petition the Legislature for redress of Grievances."
72. Plaintiff's right to have their Petitions of elections resolved "fairly, accurately and efficiently" is enshrined in Nev. Const. Art. 2 Sec. 1A § 11 and NRS 293.2546 (11).
73. Plaintiff submitted valid Petitions to Defendant(s) as shown in Exhibits 1, 2, and 3 as referenced herein.
74. On information and belief, Defendants received and are aware of the underlying Petitions filed by Plaintiff.
75. **Breach Of Duty:** As of the filing of this complaint, there has been no acknowledgment or response from the Defendants regarding the underlying Petitions filed by Plaintiff.

76. Plaintiff exercised his constitutional right to pose grievances and have them resolved “fairly, accurately and efficiently” but was ignored by the Defendant(s).
77. Defendants have thus deprived Plaintiff to have his grievances heard as enshrined in Nev. Const. Art. 1 § 10.
78. Defendants have thus violated Plaintiff’s right to have his Petitions, individually or as a whole, resolved “fairly, accurately, and efficiently.” Nev. Const. Art. 2 Sec 1A § 11 and NRS 293.2546 (11) when they ignored said Petitions.
79. Defendants have thus perjured their oath of office.
80. In addition, Defendants have failed to address, correct, or rectify the issues raised in the underlying Petitions, including but not limited to, (1) updating and resolving the voter registration lists; (2) providing proper vote counting mechanisms; (3) counting votes in secret; (4) inadequate signature verification; (5) illegal function within the election system; (6) violations of election procedures as required under Nevada law. [Exhibit 109]. Plaintiff seeks an injunction regarding the foregoing.
81. Plaintiff has further been damaged as his vote did not count as he cast it and thus has been robbed of his right to suffrage.
82. *Qui non negat, fatetur* is a Latin maxim of law, meaning “he who does not deny, admits.” As such, Plaintiff’s assertions in the underlying Petitions stand unopposed.
83. Plaintiff has a reasonable likelihood of prevailing on the merits.
84. As a result, Plaintiff suffered and will continue to suffer emotional distress, reputation damage, and irreparable harm—namely, disenfranchisement through gross violations of one’s right to pose grievances of elections and against election officials and have them

answered and resolved. Without Injunctive Relief, Plaintiff will suffer irreparable harm for which monetary damages are inadequate.

85. The Defendant(s)' actions have resulted in harm to Plaintiff and unless admonished for their breach of oath and duty will continue to inflict harm upon Plaintiff.
86. Granting the requested relief will serve public interest in seeing the harm stopped. There is little to no hardship for the Defendants to respond to the Petitions and resolve discrepancies that are identified herein. In the alternative, Plaintiff seeks a writ of Mandamus from the Court as allowed by NRS 34.160; NRS 34.190, ordering the Defendants to respond to the Petitions and rectify those issues raised in Paragraph 80 herein.
87. Plaintiff has no adequate remedy at law and therefore seeks the injunctive and equitable relief as stated in Demand for Relief below.

SECOND CAUSE OF ACTION

PETITION FOR REMOVAL OF OFFICERS FROM OFFICE

88. Plaintiff repeats and realleges its allegations herein above inclusively, as through set forth herein, and incorporates the same by this reference.
89. Plaintiff respectfully demands this honorable court to remove Defendants Jaime Rodriguez, Washoe County Registrar of voters, Eric Brown, Washoe County Manager, Alexis Hill, Washoe County Commissioner from office pursuant to the Court's authority under NRS 283.440 and NRS 266.430.
90. Defendants, and each of them, have failed to fulfill the duties of their respective offices as alleged herein.

91. Defendants have additionally failed to address, correct, or rectify the issues raised in the underlying Petitions, including but not limited to, (1) updating and resolving the voter registration lists; (2) providing proper vote counting mechanisms; (3) counting votes in secret; (4) inadequate signature verification; (5) illegal function within the election system; (6) violations of election procedures as required under Nevada law. [Exhibit 109]. Plaintiff seeks an injunction regarding the foregoing.
92. Defendants through their acts of malpractice, malfeasance, and or nonfeasance have failed to perform their duties and have harmed and will continue to harm plaintiff.
93. Granting the requested relief will serve public interest.

JURY TRIAL DEMANDED

94. Plaintiff demands a jury trial on all claims triable by jury as provided by Nevada State laws.

PUNITIVE DAMAGES

95. The Defendant(s) have acted in their personal and professional capacities.
96. The actions of Defendant(s) constitute a willful disregard for Plaintiff's rights, accuracy in elections, the mission statement of the ROV, and a free and fair Constitutional republic.
97. Plaintiff suffered and will continue to suffer emotional distress, reputation damage, and irreparable harm—namely, disenfranchisement through gross violations of one's right to pose grievances of elections and against election officials and have them answered and resolved timely.
98. The Defendant(s) have no cover of sovereign immunity. *Scheuer v. Rhodes*, 416 U.S. 232, 94 S. Ct. 1683, 1687 (1974).
99. Punitive damages are warranted when gross and willful violations of rights and law occur as is the case here. *Smith v. Wade*, 461 U.S. 30 (1983).

100. Punitive damages, in this case, are meant to punish and deter future abuses of the same sort and must be significant in their application to these Defendant(s) per the Court's discretion.

DEMAND FOR RELIEF

101. WHEREFORE, Plaintiff respectfully demands for a judgment against Defendant(s) for:

- i. An adequate and proper response by Defendant(s) to Plaintiff's petition of November 18, 2022, through the discovery processes, under court supervision and seeks an injunction regarding the same;
- ii. An adequate and proper response by Defendant(s) to Plaintiff's petition of December 1, 2022, through the discovery processes, under court supervision and seeks an injunction regarding the same;
- iii. Defendants must take into account and redress all elections issues that Plaintiff puts on the table, no shying away;
- iv. Award Plaintiff their cost of suit;
- v. Award monetary damages in excess of \$15,000;
- vi. Award punitive damages;
- vii. Defendants that are found in violation of laws shall be fined, fired, and/or removed from office; [NRS 283.440, NRS 266.430]
- viii. Enjoin Defendants from their continued violations of the following NRSs and strictly comply with NRS 293.530, NRS 293.2546(11), NRS 293B.033, NRS 293.269927, NRS 293.740, NRS 293B.063, NRS 293B.104, NRS 293B.1045(1), NAC 293B.110(1)(b), NRS 293.269931(1), NRS 293.3606(1), NRS 293.363(1), NRS 293B.353, NRS 293B.354, NRS 293B.380(2)(a), NAC 293.311(4), NRS 293.423, NRS 293.269927(4)(b), NRS

293.277(3), NRS 293.285(1)(b)(4), NRS 293.3075(4), NRS 293.3585(1)(d), NRS 293.403(2), NRS 293.404(2), Nev. Const. Art. 2 Sec.1A § 1(b);

- ix. Enjoin Defendants from using any voting and tabulation machines for elections in Washoe County; and
- x. Enjoin Defendants to use paper ballots at all polling locations and in every election;
- xi. Enjoin Defendants to disclose ACB applicant's names and credentials publicly prior to appointment;
- xii. Enjoin the defendants and halt the expenditure of \$12.6M of taxpayer dollars for unapproved and unsafe equipment and software;
- xiii. Enjoin the Defendants and make the digitized vote tally database (Microsoft SQL) open for public inspection;
- xiv. Honorable court to strike down NRS 293.269935(2) and 293.3606(4) to allow public inspection of ballots;
- xv. Enjoin the Defendants to prohibit QR codes from use in recounts;
- xvi. Grant or impose any remedy, and further relief at law or equity, that this Court deems just and proper in these circumstances;
- xvii. Removal of Defendants from office; and
- xviii. For such further relief as the Court deems just and necessary in the premises.

Dated: August 4, 2023

ROBERT BEADLES

Robert Beadles, *pro se*

VERIFICATION

I, Robert Beadles have read Plaintiff's Verified Complaint for Removal Of Officers per 283.440 and believe the facts contained therein are true or based upon a good faith belief that the facts stated therein are true, under the penalty of perjury.
DATED: August 4th, 2023


Robert Beadles

AFFIRMATION PURSUANT TO NRS 239B.030

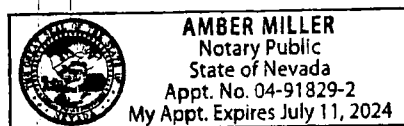
The undersigned does hereby affirm that this document does not contain the social security number of any person. UNDER PENALTIES OF PERJURY, I affirm that the facts alleged in the foregoing are true and correct according to my own personal knowledge.

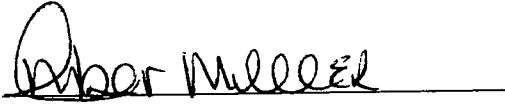

Robert Beadles, Plaintiff

STATE OF NEVADA

COUNTY OF WASHOE

On the 4th day of August, 2023, personally appeared before me Robert Beadles who, being by me first duly sworn, executed the foregoing in my presence and stated to me under penalties of perjury that the facts alleged therein are true and correct according to his own personal knowledge.





Notary Public

My commission expires: 11 July 2024

1
2 SECOND JUDICIAL DISTRICT COURT
3 COUNTY OF WASHOE, STATE OF NEVADA

4 AFFIRMATION
5 Pursuant to NRS 239B.030 and 603A.040

6 The undersigned does hereby affirm that the preceding document, *(title of document)*

7 COMPLAINT FOR RELIEF AND REMOVAL OF OFFICE

8 file in case number: _____

9
10 (☒ mark one)

11 ☒ Document does not contain the personal information of any person.

12
13 ☐ Document contains the personal information of a person as required by: (☒ mark one)

14 ☐ A specific state or federal law, to wit: *(write the specific state or federal law)*

15 _____
16 ☐ For the administration of a public program

17 ☐ For the administration for a federal or state grant

18 ☐ Confidential Family Court Information Sheet (NRS 125.130, NRS 125.230, and
19 NRS 125B.055)

20
21
22 DATED this (day) 4th day of (month) August, 2023

23
24 Submitted By: *(Your signature)* _____

25 *(Print your name)* Robert Beadles

26 *(Attorney for)* N/A
27
28

Exhibit Glossary

Exhibit 1 ROV 11-17-22- Petition. 40 pg.

Exhibit 2 11-23-22 Contest 11 pg.

Exhibit 3 Unanswered Petition served upon defendants 12/1/22. 19 pg.

Exhibit 109 Highlights of Supplemental Statements 4 pg.

FILED
Electronically
CV23-01341
2023-08-04 11:16:01 AM
Alicia L. Lerud
Clerk of the Court
Transaction # 9813859 : csulezic

Exhibit Cover Page

EXHIBIT NUMBER 1

Washoe County Board of Commissioners and
Registrar of Voters Jamie Rodriguez
1001 E. Ninth Street
Reno, Nevada 89512

RE: Complaint of Maladministration and Impropriety

To the Board of Commissioners and Ms. Rodriguez,

We, citizens of Washoe County, hereby submit this complaint of Maladministration and Impropriety against the Registrar of Voters based on the following facts and events leading up to and including the 2022 General Election.

To have complaints about elections and election contests resolved fairly, accurately and efficiently as provided by law.
Nev. Const. Art. 2 Sec.1A § 11

A public office is a public trust and shall be held for the sole benefit of the people.
NRS 281A.020

1. The purpose of this chapter is to foster democratic principles by providing members of the public with prompt access to inspect, copy or receive a copy of public books and records to the extent permitted by law;

2. The provisions of this chapter must be construed liberally to carry out this important purpose;

NRS 239.001

1. Any person who is now holding or who shall hereafter hold any office in this State and who refuses or neglects to perform any official act in the manner and form prescribed by law, or who is guilty of any malpractice or malfeasance in office, may be removed therefrom...

5. As used in this section, "**malfeasance in office**" includes, without limitation:

(a) **Engaging in an unlawful employment practice of discrimination** pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq., or NRS 613.330 that is severe or pervasive such that removal from office is an appropriate remedy.

NRS 283.440

Points of Complaint

1. Extremely slow response time on information requests—February to September in some cases, blanket denials because of phrasing or did not request a specific document, clear ignorance or blatant omissions of information such as “What is an ‘ICX File?’” that is listed in the Pre- and Post-Certification of Voting System, or what is the File Election Computer Program’ which Ms. Rodriguez denies exists when it is stated in NRS 293B.135 and NAC 293B.050; [Exh. A: Williams affidavit, Exh. B: email from ROV of 9/21/22]
2. Unwillingness to provide for meaningful observation of equipment testing. The proprietary codes and logins used by administrators and testers could be shielded from the public, allowing observers to view the face of the equipment, but that was not done; [Exh. A, Exh. C: email from ROV of 10/4/22]
3. Unwillingness to provide evidence of partisan balance of election worker hires (NRS 293.269927 to 293.269937) (Goldman, Sheehan, Seymour et al v. Cegavske, Gloria et al, #A-22-851189-C, Nevada District Court, Dept 11);
4. Some critical equipment is not tested: Pollbooks and software, Sip ‘n Puff voting peripheral, Fluence mail sorter;
5. Use of Konnech spyware in pollbooks
(<https://www.rgj.com/story/news/politics/elections/2022/10/13/washoe-county-nevada-uses-election-worker-pollchief-software-tied-identity-theft-case-konnech/10491086002/>);
6. Tallying and reporting votes too soon in violation of NRS 293.365: Accounting for all paper ballots before counting of votes begins. [Effective January 1, 2022.] Except as otherwise provided in NRS 293.269931, no counting board in any precinct, district or polling place in which paper ballots are used may commence to count the votes until all ballots used or unused are accounted for.
7. Intentionally boxing-in observers in a claustrophobic small enclosure with distant or no visibility of signature verification, ballot box resolution, adjudication, or administrative duties (Exh. D: Image of booth);
8. Providing a limited number of polling locations (19) for early voting, driving voters to vote by mail or to vote on election day (<https://mynews4.com/news/local/where-can-you-early-vote-in-washoe-county-ahead-of-general-election#>);
9. Additionally, available hours of early polls being open was restricted to 10:00 a.m. to 6:00 p.m., which represents a hardship for the average 9-5 worker
(<https://mynews4.com/news/local/where-can-you-early-vote-in-washoe-county-ahead-of-general-election#>);

10. Equipment failures at Depoali Middle School and other locations also added to the inconvenience of voters (mechanized report to be provided);
11. The sixty-six election day polling locations out of 497 precincts (<https://www.washoecounty.gov/voters/files/precinct-districtreports/precinct-count-detail-10-07-2022-.xls>) is a form of deterrence of access to the polls which has been ruled unconstitutional by the U.S. Supreme Court in 2021: *Brnovich v. DNC*, No.19-1257 and *Arizona Republican Party v. DNC*, No. 19-1258;
12. Allowing insecure or unapproved WiFi connectivity of critical voting and pollbook systems at DePoali Middle School (eyewitness statement to be provided);
13. Sample ballot printing errors that resulted in excess waste and delay in mailing of ballots; (<https://www.rgj.com/story/news/politics/elections/2022/10/07/errors-washoe-county-sample-ballots-nevada-voting/8209759001/>)
14. Little to no signature verification training given to election workers (NRS 293.325, 293.877) (eyewitness statement to be provided);
15. An incongruous application of signature verification procedures between lax voting requirements and those stringently applied to ballot initiatives and contests of elections (Exh. E: Election Day manual, pg 57): "Election workers look for reasons to approve voter signatures, not to reject voter signatures.";
16. Presumably, the ROV is still not validating citizenship of voters (NRS 293.485, 293.4855, 293.5235). From the minutes of BOC meeting of 4/13/2021, page 13, para. 4 (Exh. F: BCC2021-04-13RMinutes.pdf): "[Ms. Spikula] stated there was no centralized database to confirm citizenship. The ROV relied on the voter to provide factual information and not commit a crime by voting if they were ineligible."
17. No plan or procedure in place to discover counterfeit ballots and report them to law enforcement;
18. Possibly due to an intentional and nefarious act, live video feeds of counting, adjudicating, etc. went dark at or around 11:24 p.m. of November 9 for about eight hours;
19. Allegedly, a forced error delayed reporting of results on election night, according to county spokesperson Bethany Drysdale: "The live file that was sent to T.S. (Washoe County's technical services team) on Election Night listed the names in a different manner, so the dashboard could not read or populate them correctly," Drysdale said in a follow-up email. "We believe there was an update in the machine's configuration in early May that may have contributed to this error."
(<https://www.rgj.com/story/news/2022/06/16/washoe-county-changes-testing-protocols-after-primary-election-result-delays/7654451001/>)

20. No plan to protect vulnerable voters from bribery, coercion, or ballot or identity theft; (NRS 293.313, 293.775, 293.800, exceptions: NRS 293.329, 293.352)
21. Inability to enforce electioneering laws inside residences, including but not limited to senior independent living, assisted living, and restricted living for Alzheimer's/Dementia, nursing homes, and sanitariums; (NRS 293.361, 293.740)
22. Counties are required to secure chain-of-custody; however, Washoe County cannot prove chain-of-custody through the postal service and between when a voter receives their mail ballot and when that ballot is returned to county; (Chapter 293 of Nevada Administrative Code has been amended pursuant to regulatory amendment R090-21A Sec. 3 (eff. 2/28/22) to read as follows: 3. Each county clerk shall keep records of the chain of custody for all mail ballots, including, without limitation, the mailing of mail ballots, reissued mail ballots, rejected mail ballots, verified mail ballots, duplicated mail ballots and tabulated mail ballots.)
23. Hiring and employment discrimination: 12-hour shifts deter elderly persons and/or pregnant women from election work, no statistics on pregnant women hires, no known statistics on minority or ethnic hires; (NRS 613.330 and 613.4354 to 613.4383, 14th Amendment)
24. Sample ballots, ballots, and instructions printed only in English and Spanish, county voter population of Asian heritage in 2020 was ~10,000 adults (<https://suburbanstats.org/race/nevada/washoe-county/how-many-asian-people-live-in-washoe-county-nevada>) (NRS 293.2699, 52 USC 10503, 14th Amendment);
25. Systemic glitches and errors from 2020 persist in the 2022 primary and general elections, failure to correct known issues:
 - a. Voters who opted-out of mail ballots did not receive a sample ballot (Exh. G: Election violation affidavit of Williams);
 - b. DMV AVR changes party affiliation to nonpartisan without voter's consent or knowledge (Exh. H: NVSOS-memo reAVR_2-15-22.pdf);
 - c. Bloated voter rolls—dead voters, ~30K adult deaths in NV each year (Click 'I Agree' at bottom of page for results: <https://wonder.cdc.gov/ucd-icd10.html>);
 - d. Excess provisional ballots in 2020 (Exh. I: Nic St. John's Cold Springs Provisional Report);
 - e. BallotTrax does not work, or provides useless information (washoe.ballottrax.net/voter) (Exh. J: Williams's screenshot of 11/14/22).

We thus conclude that the Registrar has failed its mission statement:

The Mission of the Washoe County Registrar of Voters Department is to ensure that... Washoe County's Elections are operated with the utmost integrity, transparency, and accountability; and that the

We the People 280 Greg Street, #10 Reno, NV 89502

department is known for excellence in customer service and the administration of elections.

In *Schumacher v. Furlong*, 78 Nev. 167, 370 P.2d 209 (1962), Opinion of the Nevada Attorney General, "Under this statutory procedure any complainant can, for specifically enumerated grounds, e.g. malfeasance or nonfeasance, initiate district court proceedings to remove any person holding any nonjudicial office in this state. This statutory procedure has previously been used against a county officer."

Federal judges are held to a standard known as a semblance of impropriety, to which Nevada's Chief Justice in 1980, Harry E. Claiborne, was accused.
(<https://www.senate.gov/about/powers-procedures/impeachment/impeachment-claiborne.htm>)
Here, the Registrar of Voters is held to a similar standard because of the nature of elections being a right and the pinnacle of a Constitutional Republic.

Wherefore, we, the undersigned, have no confidence in the Washoe County Office of the Registrar of Voters nor the results of the 2022 Primary and General elections under their watch. We believe we are not alone in our concerns among the general voting population. The situation portends to have a chilling effect on participation and representation going forward for if people don't trust the system, they're less likely to engage in it and will thus become disenfranchised.

Jamie Rodriguez, by virtue of her office, is required to uphold the integrity of elections and to perform the duties of her office impartially.

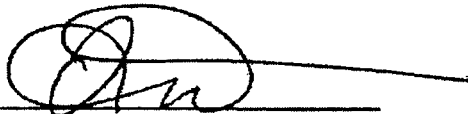
Jamie Rodriguez, by willfully and knowingly engaging in the numerous acts outlined in the Points of Complaint, has betrayed the trust of the people of Nevada and reduced confidence in the integrity and impartiality of the Office of the Registrar of Voters, thereby bringing disrepute on Washoe County and the administration of elections by the county commission.

As such, when individuals who are in the public's trust engage in acts of maladministration, fail to fulfill their mission, and damage the public's trust, they must be held accountable.


The Board of Commissioners appoints and has authority over the office of the ROV. It is thus incumbent upon the Commissioners to exercise their authority to protect voter rights and the true vote cast through removal of Jamie Rodriguez, Heather Carmen, and other staff members to be named. And to then investigate these individuals for their actions that are in contravention of the laws and the mission of the ROV.

We, the undersigned, hereby submit this complaint on this day, November 17, 2022:

Oscar D. Williams
PRINT NAME


SIGNATURE

DAVID CHAMBERLIN
PRINT NAME


SIGNATURE

JANICE HERMSEN
PRINT NAME

SIGNATURE

Cc: District Attorney Chris Hicks

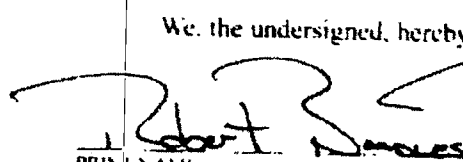
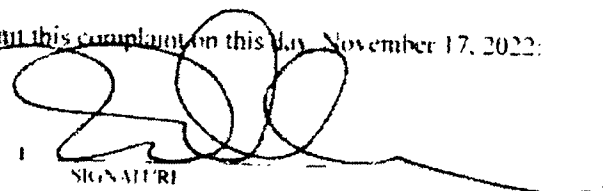
...ions right to free and fair elections is inalienable. But that right is intruded by
lack of transparency and by whatever lies behind that opaque curtain
Wash County CO Forensic report 3 excerpt of introduction

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We, the undersigned, hereby submit this complaint on this day, November 17, 2022:

 
 PRINT NAME SIGNATURE

Olena Alexander
 PRINT NAME


 SIGNATURE

PRINT NAME

SIGNATURE

Cc: District Attorney Chris Hicks

*Americans' right to free and fair elections requires the act that is required by
 act of transparency, and by whatever means that appear correct
 Washoe County, CC 1-10-22, August 3, 2022, 11/17/22*

We the People 2801 Greg Street, #10 Reno, NV 89502

Exhibit A

AFFIDAVIT
(SWORN STATEMENT)

Date: November 17, 2022

My legal name is **Oscar Dey Williams III** ("Affiant") and acknowledge I am:

- a.) Age: 58 years old
- b.) Address: 1540 Whisper Rock Way, Reno, Nevada, 89523
- c.) Residency: 29-years in Nevada
- d.) Citizenship: American

Being duly sworn, hereby swear under oath that:

- a) I submitted an information request to Washoe County in February 2022 and received a reply in September. County was unable to answer 'What is an ICX File?' that was certified by them. County also expressed ignorance of what is the 'File Election Computer Program.' And county failed to attach the historical EAV surveys that they agreed to attach to their email reply.
- b) When I asked at ICX and VVPAT equipment testing on Oct. 1 to be able to see the face of the units being tested, I was denied. The explanation given by Ms. Rodriguez said secret codes could not be viewed by the public.
- c) I opted-out of mail ballots for the 2022 primary and did not receive a sample ballot for the primary or the general until I opted back into mail ballot and then my sample ballot was received.
- d) Screenshot of my BallotTrax created 11/14/22.

Under penalty of perjury, I hereby declare and affirm that the above-mentioned statement is, to the best of my knowledge, true and correct.

Affiant's Signature: _____

Date: _____



11-17-22

NOTARY ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which the certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of Nevada

County of Washoe

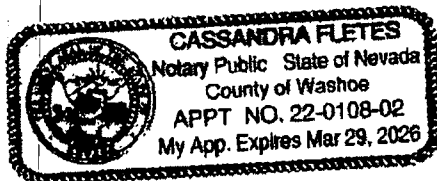
On November 17, 20 22, before me, Cassandra Fletes, personally appeared Oscar Dey Williams III who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Nevada that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

of Notary

Affiant's Signature: Cassandra Fletes



Exhibit

B



**Re: FW: Activity has been posted on Service Request #107024
(Registrar of Voters - Public Records Requests) - Washoe
County, NV**

From: "Oscar Williams" <osc.williams@mail.com>
To: "Washoe 311 Public Records Requests" <washoe311-PRR@washoecounty.gov>
Date: Sep 22, 2022 1:20:03 PM

Hello. Your reply to me is missing the EAV surveys. You asked some questions as well. And I wish to reply to the issue of foreign language ballots for the sake of discussion.

My responses below in BLUE.

Best regards, Oscar Williams

Sent: Wednesday, September 21, 2022 at 3:57 PM
From: "Washoe 311 Public Records Requests" <washoe311-PRR@washoecounty.gov>
To: "osc.williams@mail.com" <osc.williams@mail.com>
Subject: FW: Activity has been posted on Service Request #107024 (Registrar of Voters - Public Records Requests) - Washoe County, NV
Greetings,

Thank you for your patience while staff completed this public records request. Below and attached, please find the requested information.

-How many indefinitely confined voters are there in Washoe County?

Washoe County Registrar of Voters does not track this information so therefore we do not have any information to provide.

-How many temporary confined voters?

Washoe County Registrar of Voters does not track this information so therefore we do not have any information to provide.

-Provide your ADA-compliance report on the 2020 general election

Attached

-Provide EAV Surveys for years 2012, 2014, 2016, and 2018

2014, 2016, 2018 are attached. We do not have a copy of our 2012 report so therefore will not be able to provide.

~~ENCLOSURES NOT ATTACHED PLEASE PROVIDE~~

-Provide a list of all reports generated in regards to elections and the funding and expenditures thereof

The request for a list of all reports generated is vague and would like clarification. Staff may run their own reports to accomplish their specific tasks. The funding and expenditures there of, does this mean in correlation to the reports? Attached is our budget for the 2020 Election.

~~POLOGY FOR MY VAGUENESS. I WILL TRY TO BE MORE SPECIFIC IN THE FUTURE~~

-Provide the File Election Computer Program

Please clarify this request. The terminology is not something we are familiar with.

~~POLOGY FOR MY VAGUENESS. I WILL TRY TO BE MORE SPECIFIC IN THE FUTURE~~

-Provide the Mechanized Report Post Election

Attached

-Provide the Malfunction Report

Same as Mechanized Report

-Provide the Election Process Report

2020 General Election attached

-Provide the 2020 elections budget with line item revenues and expenses

Attached

-Provide post 2020 general election financial audit or summary and/or cost-benefit analysis

Per NRS 354.624 each local government shall provide for an annual audit of all of its financial statements. This audit requirement is a financial audit. It consists of a review and audit of each of the funds for the County as well as an audit of the grant funds that are received by the County. The Registrar of Voters does not conduct its own separate audit.

-How much does the standard ballot, envelope, and return envelope cost to produce?"

Printing of the ballot is \$.280 per card

Assembly & Mailing Services is \$.260 per packet

Secrecy sleeve is \$.069 per sleeve

Return Envelope is \$.101 per envelope

Outbound Envelope is \$.105 per envelope

Instructional Insert is \$.044 per sheet

-What are the mailing costs per unit of ballots/envelope/return envelope?

Outgoing mail = \$.101

Return mail = \$.136

-What languages are ballots printed in?

English and Spanish

-Are any ballots printed in Chinese?

No, Section 203 of the Voting Rights Act does not require us to provide election materials in Chinese.

REGISTRAR OF VOTERS REQUESTING THAT THE STATE REPEAL OR AMEND NRS 293.2699 TO REQUIRE THE REGISTRAR OF VOTERS TO PROVIDE VOTING MATERIALS IN CHINESE AS REQUIRED BY THE VOTING RIGHTS ACT.

NRS 293.2699 Voting systems used by counties and cities: Voting materials to be provided in English and other languages as required by federal law or as authorized by county or city clerk.

1. Each voting system used by a county or city shall provide voting materials in:

(a) English; and

(b) Every language in which voting materials are required to be prepared in the county or city pursuant to 52 U.S.C. § 10503.

2. In addition to the requirements set forth in subsection 1, if a county clerk or city clerk determines that there is a significant and substantial need for voting materials of the county or city, as applicable, to be provided in the language or languages of a minority group, the county clerk or city clerk may prepare voting materials in such language or languages. For the purposes of this subsection, there is a significant and substantial need for voting materials to be provided in the language or languages of a minority group if, without limitation, the minority group has been subject to historical discrimination and unequal educational opportunities, and, as a result, members of the minority group are of limited-English proficiency.

3. As used in this section:

(a) "Limited-English proficiency" means being unable to speak or understand English adequately to participate in the electoral process.

(b) "Significant and substantial need" means a need that is based on the limited-English proficiency of a minority group.

(c) "Voting materials" has the meaning ascribed to it in 52 U.S.C. § 10503.

-Has any voting equipment been replaced or decommissioned since Nov.

3, 20207

We had 56 ICX Primes go out for RMA to the vendor and have since been returned.

-Has any voting equipment been updated or serviced by the vendor since start of early voting in the 2020 general? If so, when and why?

No

Explain a voter with "status unknown".

On the EAV survey the "status unknown" is for voters we had mailed an address confirmation card. If the voter does not respond or the card did not come back undeliverable, then it falls into a category of "status unknown".

-How long does the status hold, or how and when are these unknowns resolved? Did any of these "unknown" vote in the 2020 elections?

When a voter does not respond to a an address confirmation card, or we do not receive an undeliverable notice, the voters status changes from "Active" to "Inactive". The voter remains inactive for 2 federal election cycles, or four years. If they do not update their voter registration, or appear to vote, after four years the voters record is removed from the voting rolls.

-Provide the names and contact info for adjudication board members in the 2020 primary and general elections.

We do not have this documentation so we won't be able to provide you with the information.

-Provide a list of election complaints received in 2020, both formal and informal

We only keep a record when a citizen completes a form and submits it to our office. Received complaints of individuals receiving ballots multiple ballots or ballots to individuals that are deceased or no longer living there. When researched there was no proof in our system that these claims were accurate except for the very few times a ballot was suspended and re-issued to a voter. Received complaints about third party mailers sent to households for individuals that are deceased or no longer living there. Explained to the concerned citizen they are not getting their voter list from us and we cannot control what they send and to whom. Received complaints about organizations texting/calling individuals about the status of their ballot confirming they had voted. Explained to concerned citizens that other organizations do not have the final and accurate information. Advised citizens to contact us directly with any concerns.

-Need clarification as to where these numbers are coming from. Which report or document shows 130,770 ballots counted and 31,951 treated as mail?

Confirm that out of 130,770 ballots counted, 31,951 were treated as mail? (The others were surrendered in-person)

Thank you,

Washoe County Registrar

Communications Division | Office of the County Manager

Washoe County, NV | 1000 E. 2nd Street, Suite 100 | Reno, NV 89501 | Phone: 775.335.2200 | Fax: 775.335.2200

1000 E. 2nd Street, Suite 100, Reno, NV 89501

1000 E. 2nd Street, Suite 100, Reno, NV 89501

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From: Washoe311 <washoe311@washoecounty.gov>

Sent: Thursday, August 18, 2022 10:27 AM

To: Washoe311 <Washoe311@washoecounty.gov>

Subject: Activity has been posted on Service Request #107024 (Registrar of Voters - Public Records Requests) - Washoe County, NV

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Washoe County, NV

Activity was posted on service request ID 107024.

Service Request Details

ID 107024

Date/Time 2/25/2022 11:48 AM

Type Registrar of Voters - Public Records Request

Address 1540 WHISPER ROCK WAY, Reno

Comments Under the Open Records law, I hereby request an expedited response to the following inquiries:
-How many indefinitely confined voters are there in Washoe County?
-How many temporary confined voters?
-Provide your ADA-compliance report on the 2020 general election
-Provide EAV Surveys for years 2012, 2014, 2016, and 2018
-Provide a list of all reports generated in regards to elections and the funding and expenditures thereof
-Provide the File Election Computer Program
-Provide the Mechanized Report Post Election
-Provide the Malfunction Report
-Provide the Election Process Report
-Provide the 2020 elections budget with line item revenues and expenses -Provide post 2020 general election financial audit or summary and/or cost-benefit analysis
-How much does the standard ballot, envelope, and return envelope cost to produce?
-What are the mailing costs per unit of ballots/envelope/return envelope?
-What languages are ballots printed in?
-Are any ballots printed in Chinese?
-Has any voting equipment been replaced or decommissioned since Nov. 3, 2020?
-Has any voting equipment been updated or serviced by the vendor since start of early voting in the 2020 general? If so, when and why?
Explain a voter with "status unknown".
-How long does the status hold, or how and when are these unknowns resolved? Did any of these "unknown" vote in the 2020 elections?
-Provide the names and contact info for adjudication board members in the 2020 primary and general elections.
-Provide a list of election complaints received in 2020, both formal and informal. Confirm that out of 130,770 ballots counted, 31,851 were treated as mail? (The others were surrendered in-person)

Thank you for your interest and cooperation.

Oscar Williams

1540 Whisper Rock Way

Reno NV 89523

775-240-3456

Osc.williams@mail.com

[View in QAles](#)

Washoe County, NV

Attachments

• image-png-attachment

mail.com - Re: FW: Activity has been posted on Service Request #1...

file:///D:/Oscarspace/NVGOP2022/Registrar%20of%20Voters/Compl...

- image-png-attachment
- image-png-attachment
- image-png-attachment
- image-png-attachment

Exhibit C

**RE: My recent attendance of election equipment testing**

From: "Rodriguez, Jamie L" <JARodriguez@washoecounty.gov>
To: "Oscar Williams" <osc.williams@mail.com>
Date: Oct 4, 2022 8:36:14 AM

Good Morning Mr. Williams,

Staff did advise me on Saturday of your objections to the layout of the process. The ATI are tested with each set of ICX Primes at this time. I am not sure what you mean by testing the pollbook. The pollbooks are loaded a couple of days before early voting and then for election day. There is no testing of the pollbooks as part of the Pre-LAT process. As for the schedule it is more of a process, we will test the tabulators when we are completed with the ICX Prime and accompanying equipment portion, it will not be before the week of October 17 as I mentioned in my email to you last week, but the specific day will depend on when we are done with that first step in the process. The equipment that we test for Pre-LAT includes the ICX Primes, ATI, VVPAT, ICC Tabulators and the software that reads the results.

As for the codes, they are entered multiple times throughout the process so there is not an ability to enter the code and then show the rest of the process. I hope you understand that the security of the election is of the utmost priority for this department and we do not create rules or processes for any one individual, so I am not making any statement or judgment of you. We cannot make 1 set of rules for 1 group and a second set of rules for another.

Thank you,

Jamie

From: Oscar Williams <osc.williams@mail.com>
Sent: Monday, October 3, 2022 4:54 PM
To: Rodriguez, Jamie L <JARodriguez@washoecounty.gov>
Subject: My recent attendance of election equipment testing

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Dear Jamie,

On Saturday, October 1, I briefly attended the preparations for the ICX machine testing and was disappointed to learn that I would not be allowed meaningful observation of the face of the voting machines nor the VVPAT. Jason explained that because they have to enter secret codes, the machines have to be turned away from my prying eyes and that of any member of the public.

So, basically you have labeled me a future criminal who would tamper with the machines.

The practice of denying me, the public, of any understanding of how the machines, peripherals, and software are being tested is discriminatory and a violation of my taxpayer rights and my civil rights.

For the record, I merely wish to observe and to learn how our equipment is being tested.

And also for the record, I am nearsighted, which classifies as a disability. I can't read small type five-feet away.

And it seems to me that with the use of blinds and/or privacy screens, the security issues posed by possible observance of

the input of a code could be mitigated.

Will you be testing the Auditory Tactile Interface or the Sip 'n Puff?

I'd like to see what is on the thumb drives for which you are welcome to provide a screen shot image of folders and files.

Are pollbooks being tested at this time? If so, is there a specific date and time scheduled for observation of that testing?

Can you provide a list of all the equipment to be tested because I am confused about what is tested and when?

May I suggest or request that you provide a demonstration for the public on at least one machine so that I and others can better understand the process? Put in your codes first and then allow people to view.

I want to believe our election system works, that my vote counts, and that you are fulfilling the mission of the ROV for "...the utmost integrity, transparency, and accountability; and that the department is known for excellence in customer service and the administration of elections."

Please let me know if a demonstration or change to visibility of the equipment during observation are possible. You are welcome to call me if you want to talk at 775-240-3456.

Thank you for your interest and cooperation.

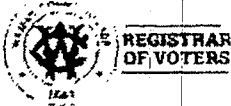
Sincerely,

Oscar Williams
1540 Whisper Rock Way
Reno, NV 89523

Exhibit D



Exhibit E



Signature Verification

Election workers look for reasons to **approve** voter signatures, **not** to reject voter signatures. Signatures evolve as the signatory ages; they also change as the conditions under which the signature was made differ (e.g. electronic signature.)

Focus on the most basic elements of the two signatures being compared:

- Type of writing (e.g. cursive, print)
- Letter size, spacing, and proportion
- Letter slant
- Position of signature on the line

Exhibit F

Ms. Spikula, Chair Lucey, Vice Chair Hartung, County Manager Eric Brown, and the County's legal team for providing the information for this agenda item. She encouraged people to speak to their legislators who could change NRS and Governor Steve Sisolak. She said Mr. Brown, Chair Lucey, Vice Chair Hartung, and the other Commissioners had fielded thousands of phone calls on this issue. She respected everyone's efforts in supporting democracy, stating she believed the playing field had to be kept fair.

Commissioner Hill thanked the ROV and SOS staff for the presentation which showed how well they managed things so people were not taken off of voter rolls unnecessarily. She thought the ROV did a great job, noting this presentation was part of Mr. Brown's efforts to inform the citizenry about what each County department did. She said she had discussions with Mr. Brown about providing classes for citizens to explain what County departments did and provide information about volunteer opportunities.

Vice Chair Hartung expressed a dislike of same-day voter registration. He asked how the ROV verified identity, eligibility to vote in Washoe County, and voters' registration statuses in other states. Ms. Spikula replied same-day voter registration required a Nevada driver's license or identification card. If the identification did not have the voter's current residential address, a secondary proof of residency was required. She said poll workers had access to electronic poll books and they would input the voter's information, which would send a query to the voter database. The query would confirm whether the individual was an active voter and would confirm the residential address. She noted voters who wanted to update their information as part of their same-day registration would also need to provide a Nevada driver's license or identification card. The poll worker would enter the new information and the verification process would occur. She said the voter would sign an affirmation after verification to complete the registration process and sign the roster. She mentioned the County used paper rosters instead of electronic ones, providing greater image quality and a better paper trail.

Vice Chair Hartung asked for a response to a public commenter's allegation that non-citizens could get a Nevada driver's license and not be eligible to vote. Ms. Spikula responded people could get a driver's authorization card and work and live in the country indefinitely without becoming a citizen. She said it was each individual's responsibility to ensure they did not sign the affirmation if they were ineligible to vote. She stated there was no centralized database to confirm citizenship. The ROV relied on the voter to provide factual information and not commit a crime by voting if they were ineligible. Falsifying a voter registration application was a crime. A voter registration application could be sent to the District Attorney or the Attorney General for review. She stated falsifying a voter registration could affect a citizenship application. She mentioned that a non-citizen voter registration should not get through the DMV automatically, but it could happen. The voter could then contact the ROV to indicate they had not intended to register and the ROV would act accordingly.

Mr. Wlaschin confirmed there was no current statute to authorize the SOS to request or pursue any sort of citizenship test to screen out automatic voter registrations. He encouraged anyone with knowledge of an elections process abuse to report it to the

Exhibit G



STATE OF NEVADA
SECRETARY OF STATE
BARBARA K. CEGAVSKE

101 N. Carson St.
Carson City, NV 89701

Phone: 775-684-5705
Fax: 775-684-5718

nvelect@sos.nv.gov
www.nveos.gov

For official use only

Received by: _____

Date Received: _____

Complaint

Type: _____

(signature)

ELECTION INTEGRITY VIOLATION REPORT

The information you report on this form may be used to help us investigate violations of Nevada election laws. When completed, mail, email, or fax your form and supporting documents to the office listed above. Upon receipt, your complaint will be reviewed by a member of our staff. The length of this process can vary depending on the circumstances and information you provide with your complaint. The Office of the Secretary of State may contact you if additional information is needed.

INSTRUCTIONS: Please TYPE/PRINT your complaint in dark ink. You must write LEGIBLY. All fields **MUST** be completed.

SECTION 1.

COMPLAINANT INFORMATION

Salutation: ☒ Mr. ☐ Mrs. ☐ Ms. ☐ Miss

Your Name: Williams Oscar D
Last First MI

Your Organization, if any: _____

Your Address: 1540 Whisper Rock Way Reno NV 89523
Address City State Zip

Your Phone Number: (775) 240-3458
Home Cell Work Fax

Email: osc.williams@att.net Call me between 8am-5pm at: ☐ Home ☒ Cell ☐ Work

SECTION 2.

TYPE OF COMPLAINT

- | | |
|---|---|
| <input type="checkbox"/> Campaign Practices | <input type="checkbox"/> Voter Fraud |
| <input type="checkbox"/> Contributions / Expenses | <input type="checkbox"/> Initiative / Referendum Petition |
| <input type="checkbox"/> Voter Registration | <input type="checkbox"/> Financial Disclosure Statement |
| <input checked="" type="checkbox"/> Other | |

Election law violation

SECTION 3.

COMPLAINT IS AGAINST

Please detail the nature of your complaint. Include the name and contact information (if known) of the individual, candidate, campaign, or group that is the subject of your complaint. Your complaint must also include a clear and concise statement of facts sufficient to establish that the alleged violation occurred. Any relevant documents or other evidence that support your complaint should be listed and attached. You may attach additional sheets if necessary.

The Washoe County Registrar of Voters failed to mail me a sample ballot.

I voted on June 14th at McQueen H.S. in Reno and asked for a sample ballot because I had not received one. My request was denied.

I was told to go online and get it at the ROV's website but I did not have my cell phone with me. However, that is secondary to the laws that state sample ballots must be mailed and hard copies made available at vote centers.

I believe my rights have been violated per:

Counties are required to print a sample ballot upon request inside a vote center (R097-21A (4, 13));

and to have a copy of the sample booklet available (NRS293.3025, 293.325, 293B.205);

and a paper sample ballot must be mailed to each registered voter (NRS293.565, 293C.530, and NAC293.120).

Most people, including me, want fair and accurate elections, and transparency. Thank you for your time and interest.

SECTION 4.

Sign and date this form. The Secretary of State's Office cannot process any unsigned, incomplete, or illegible complaints. In order to resolve your complaint, we may send a copy of this form to the person or group about whom you are complaining.

I am filing this complaint to notify the Office of the Secretary of State of the activities of a particular candidate, campaign, individual or group. I understand that the information contained in this complaint may be used to establish violations of Nevada law in both private and public enforcement actions. I authorize the Office of the Secretary of State to send my complaint and supporting documents to the individual or group identified in this complaint.

By signing my name below, I certify under penalty of perjury that the information provided in this complaint is true and correct to the best of my knowledge.



Signature

Oscar D Williams

Print Name

6/15/22

Date (mm/dd/yyyy)

Exhibit H

BARBARA K. CEGAVSKE
Secretary of State

GAIL J. ANDERSON
Deputy Secretary for Southern Nevada

DEBBIE L. BOWMAN
Deputy Secretary for Operations

STATE OF NEVADA



OFFICE OF THE
SECRETARY OF STATE

SCOTT W. ANDERSON
Chief Deputy Secretary of State

ERIN HOUSTON
Deputy Secretary for Security

KIMBERLEY PERONDI
Deputy Secretary for Communications & Recordings

MARK A. WLASCHIN
Deputy Secretary for Elections

MEMORANDUM

To: Nevada County Clerks & Registrars

From: Mark Wlaschin

Date: February 15, 2022

Subject: Memo 2022-004 - Guidance Regarding Candidates whose Party Affiliations were changed because of AVR

The following guidance is provided to address candidates whose major political party affiliations were changed due to the Automatic Voter Registration (AVR) process.

NRS 293.176 describes the requirements for candidacy of a major political party for partisan office in any election:

- If a candidate of a major political party for partisan office had previously been affiliated with a major party, but then submitted to their Clerk a document or digital request changing their party affiliation from a major party to any other party prior to December 31, 2021, but then attempts changes it back, pursuant to NRS 293.176 they are not eligible to run for office as a representative of that major political party.
- If a candidate of a major political party for partisan office had their party affiliation changed from a major political party to any other party through the AVR process, including by the establishment of a new voter registration in a different county than they had been previously registered, the candidate is eligible to run for office as a representative of that major political party.

It is the intent of the Office of the Secretary of State that this guidance be submitted as a regulation following the conclusion of the 2022 election cycle. To that end, if any Clerk identifies a means to improve this guidance, please notify the Deputy for Elections prior to December 15, 2022.

Respectfully,

Barbara K. Cegavske
Secretary of State

By: Mark Wlaschin
Mark Wlaschin, Deputy Secretary for Elections

Exhibit

I

Provisional Ballots Anomalies 2020 General Election

Statistics:

- 336,518 total number of registered and eligible voters for the 2020 General Election held 11/03/2020
- 308,363 Active
- 28,155 Inactive
- Total voters that voted: 252,566
- Washoe County EAVS
 - Same-day Registrations: 4,139
 - Election day: 1,931
 - 2,950 on Election Day at Cold Springs alone
 - 2,041 counted from Cold Springs on Election Day of the 1,931
 - Early voting: 2,208
- Secretary of State statistics:
 - 5,173 Provisional ballots cast from Washoe County
 - 4,179 PV ballots counted
 - 40 difference between EAVS and SoS records, nearly a 1% error
- PRR 109342 request for all provisional ballots cast sent to the SoS and the returned records of those verified by the SoS
 - Received a CD in MS Excel format containing 5,565 records
 - Accepted: 4,230 vs the 4,179 reported on EAVS
 - Rejected: 995
 - PV Status blank: 80 records
 - Duplicate voters in PV database: 320, 215 with exact same pv number
 - Duplicate voters in PV database with 2 different pv numbers: 106
 - Breakdown by polling place

▪ Nixon:	30
▪ Incline Village:	91
▪ Sun Valley Center:	97
▪ Downtown Library:	116
▪ Reno Town Mall:	143
▪ South Valleys Lib:	158
▪ Dbl Diamond Ath:	166
▪ North Valleys Lib:	183
▪ Northwest Lib:	186
▪ Reno/Spark Conv:	193
▪ RoV Office:	259
▪ Spanish Springs:	279
▪ Lawlor Ctr UNR:	306
▪ Cold Springs:	2,950 <div style="display: inline-block; vertical-align: middle; margin-left: 10px;"> over entire Early Voting period all on Election Day 11/03/2020 </div>
 - Polling books for Cold Springs processed 688 voters, NO provisionals processed on the polling books. That's 1 person every 1 minute and 3 seconds.
 - IF Cold Springs processed 2,950 provisional ballots from Same Day Registrations, that would be an additional 1 person every 14.6 seconds for the entire 12 hour Election Day.
 - If you got there to vote and the wait time was 10 minutes, you'd be 50th in line.
 - 25 electronic voting machines, 10 election workers, this would not even be physically possible

- After receiving training to be a Ballot Intake Clerk, each new Same Day Registration would be manually entered into the polling books in real time.
 - Was told by Heather Carmen that when they (not sure who "they" was) entered the SDR provisional ballots that "they" did not select the correct polling place and that they defaulted to Cold Springs.
 - So if that is true, which I don't believe that is the way it works as outlined in my training and confirmed at Save Mart #155 polling place on Plumb, then by admission of the RoV office, they made approximately 2,900 errors or 52% of the Provisionals were in error.
 - It would also mean that when someone came into any polling place besides Cold Springs to do an SDR, that the Ballot Intake Clerk would have to log out and inadvertently log back in as the Cold Springs Polling Place, then log back out and re-log back in at the proper Polling Place.
 - All of the associated paperwork would also be collected from the wrong Polling Place.
- We have collected about a dozen Affidavits from people in Washoe City, Incline Village and up in Cold Springs.
 - 6 Affidavits from Washoe City testifying that they did NOT vote in Cold Springs, however, we can also not find them on the Poll Books as having voted in Washoe City provisionally.
 - 1 Affidavit from Incline Village testifying that they did NOT vote in Cold Springs, however, we can also not find them on the Poll Books as having voted in Incline Village provisionally.
 - Several from Cold Springs testifying that their wait time in line was not more than a few minutes if any wait time at all.
- Response to PRR by Heather Carmen
 - "I have the list that was provided to the Secretary of State of provisional voters. This list has over 5,000 names and contained on that list is the voters residential address. If you allow me to remove the individuals residential address from the list I can provide the list tomorrow. With some of our voters being "Confidential" I would have to ask a staff member to go through it before I can release it and the timeframe that I would be able to provide it would be 3 months from now.
We do not have a report from the State because there were no provisional to report as a potential double vote." (highlight added)
 - It is NOT the job of the RoV in Washoe County to decide if there was the "potential" for double votes, that is the job of the SoS to certify they had NOT voted in any other county statewide.
 - If they "do not have a report from the State..." then how is it that I have a report from the SoS and that it came from the RoV?
 - I had them remove all the addresses and received the email and CD of the file in MS Excel format
 - About 5 minutes to convert the .xlsx file to a .csv format.
 - Another 3 minutes to import into a database program.
 - Another 3 minutes to pull the addresses from the Voter Registration database, the method by which they voted, last time they voted, and the state voter id, btw, there were no Confidentials for any "Accepted"
 - Why would it have taken an estimated 3 months to do what I was able to do in less than 30 minutes?

- Removed from State Voter Rolls
 - By April 2021 the state's voter registration database shows that 399 of the 2,950 had already been removed from the Voter Rolls.
 - Did any statewide or countywide candidate win by less than 399 votes?
 - By September 2021, 673 of the 2,950 (22.8%) had been removed from the state's voter rolls
- 90 of the Provisional SDRs were processed AFTER 7 pm closing time of the Polling Place in Cold Springs. Does this mean there were 90 people still in line when the Polling Place closed?
- Why aren't any of the provisional voters listed in the polling books?
- According to the Voter History, 2041 of the 2,950 are marked as Polling Place (PP) voting NOT PV, Provisionally Voted

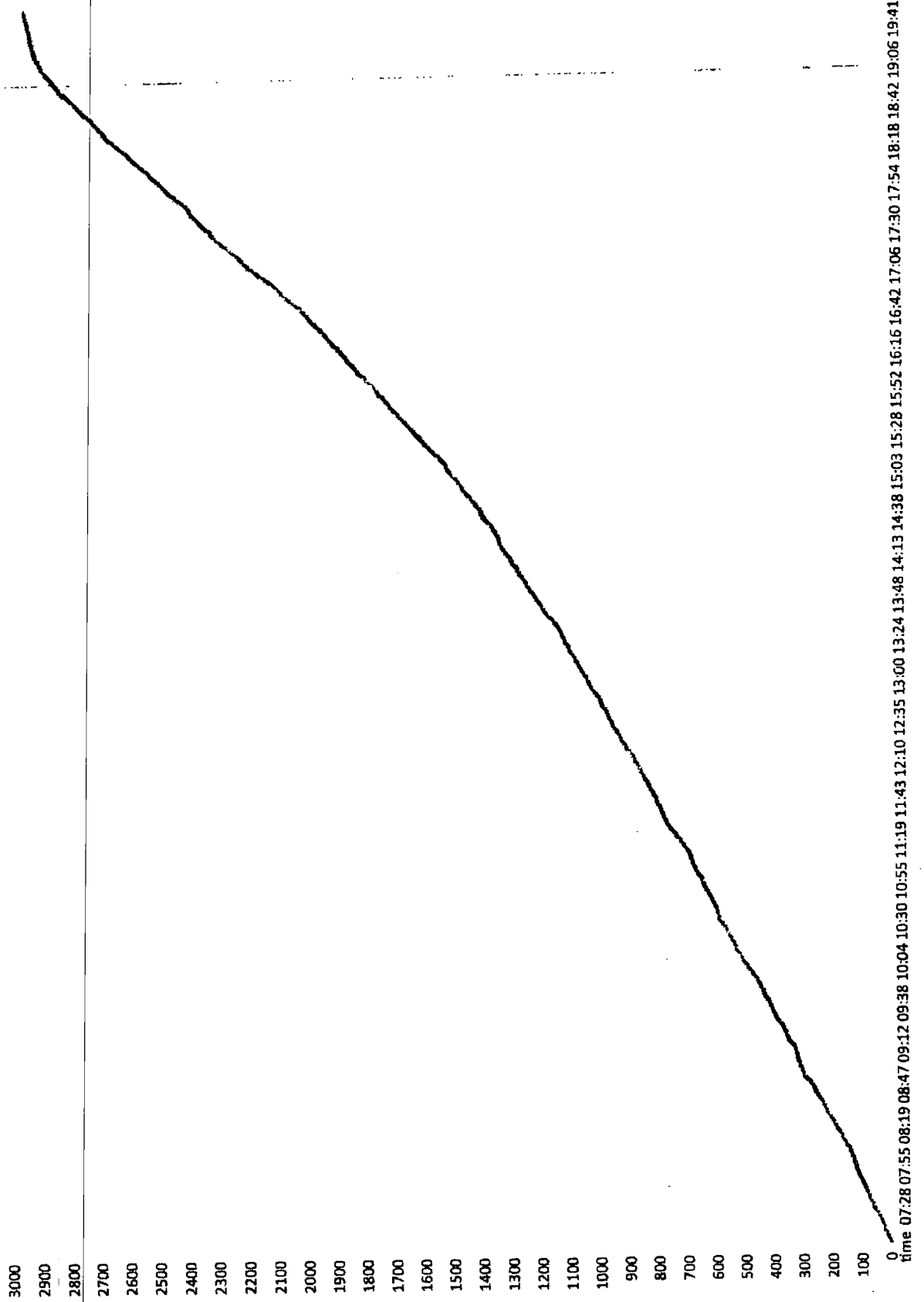
Conclusion: After investigating and doing an analysis of the Provisional Voting Ballots cast and counted in Washoe County, it appears that there are now more questions than answers. Possible 2,900 errors in PV ballots in Cold Springs alone. Why do NONE of the Provisional Ballots show up in any of the Polling Books? Why are ALL of the Provisional Ballots listed in the Voter Rolls database listed as PP rather than PV? Why did Cold Springs have 53% of all Provisional Ballots cast in the county yet no record in the Cold Spring Polling Books or ANY polling books for that matter? Where is all the paperwork associated with Provisional Ballots from the 2020 General Election? Why are so many (over 22%) of PV already removed from the Voter Rolls by Sept 2021?

Demand: An Item be put on the June 21, 2022 Agenda to have a discussion on these findings and to have an investigation be opened looking into all these questions, anomalies, errors and concluded before the 22 months deadline to destroy all election data.

Place a "stay" on the destruction of all vote information in Washoe County to preserve all 2020 General Election data/information/paperwork.

Provisional Ballots Cold Springs, NV November 3, 2020

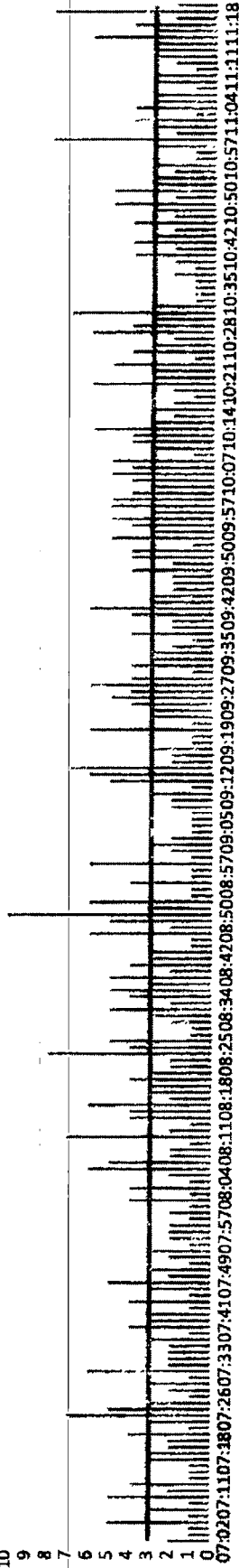
Polls closed



Provisional Ballots Cold Springs, NV 11-03-20 7:02 AM to 11:20 AM

Average 3

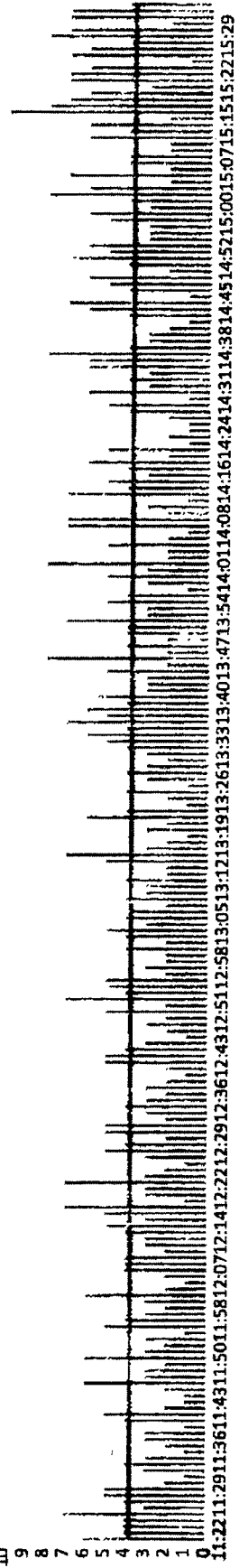
13
12
11
10
9
8
7
6
5
4
3
2
1
0



Provisional Ballots Cold Springs, NV 11-03-20 11:22 AM to 3:31 PM

Average 3.8

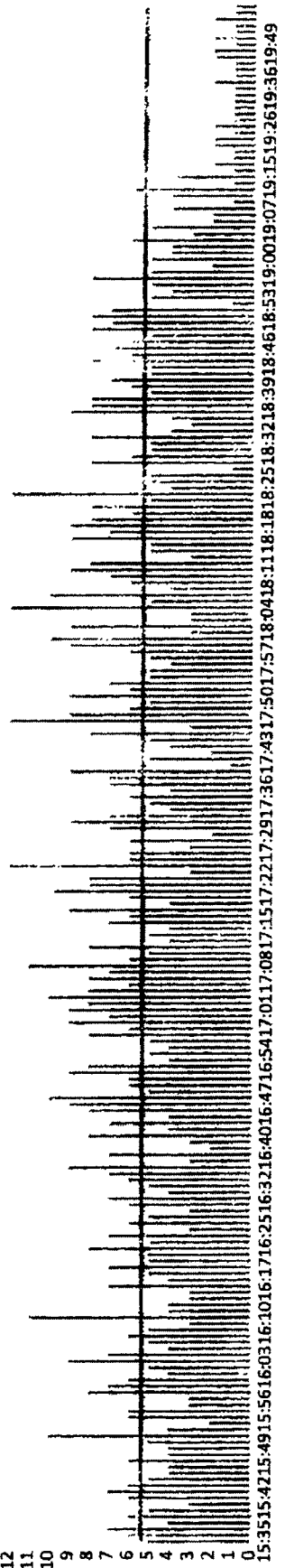
13
12
11
10
9
8
7
6
5
4
3
2
1
0



Provisional Ballots Cold Springs, NV 11-03-20 3:35 PM to 7:53 PM

Average 5.4

13
12
11
10
9
8
7
6
5
4
3
2
1
0



**311**

Registration of Voters - Public Records Request

ID

109342

Location

Reno

Status

Closed

Comment

All written procedures of how the Dominion voting machine data gets entered into the DIMS county database.

All reports of Provisional Votes cast using the Dominion voting machines that went to the Secretary of State's office and the report returned to you on or after the Saturday following the General Election of 2020.

Were there any Provisional votes cast using paper ballots? If so, how many and on what days.

History

+ Created 2 months ago

All written procedures of how the Dominion voting machine data gets entered into the DIMS county database.

All reports of Provisional Votes cast using the Dominion voting machines that went to the Secretary of State's office and the report returned to you on or after the Saturday following the General Election of 2020.

Were there any Provisional votes cast using paper ballots? If so, how many and on what days.



Nicholas St Jon <nicholas.stjon@gmail.com>

Public Records Request

Carmen, Heather <HCarmen@washoecounty.gov>
To: Nicholas St Jon <nicholas.stjon@gmail.com>

Thu, Apr 14, 2022 at 4:09 PM

Mr. St Jon,

The following is an update to your public records request.

There is not a written procedure on how Dominion voting machine data gets entered into the DIMS county database.

I have the list that was provided to the Secretary of State of provisional voters. This list has over 5,000 names and contained on that list is the voters residential address. If you allow me to remove the individuals residential address from the list I can provide the list tomorrow. With some of our voters being "Confidential" I would have to ask a staff member to go through it before I can release it and the timeframe that I would be able to provide it would be 3 months from now.

We do not have a report from the State because there were no provisional to report as a potential double vote.

Please advise.



Heather Carmen

Assistant Registrar | Registrar of Voters

hcarmen@washoecounty.gov | Office: 775.328.3672 Cell: 775.300.3197

1001 E. 9th St., Reno, NV 89512



Exhibit

J



Current Mail Ballot Status

2022 GENERAL

Official Canvass

Nov 2, 2022

Canvass received by the State Election Board on 11/2/2022. The ballot was not returned and is therefore not a valid ballot. Do not use this ballot.

1 / 3

Contact Preferences

☐ Do not contact

☐ Yes

os@atnet

11/2/2022 10:00 AM

11/2/2022 10:00 AM

☐ Do not contact

11/2/2022 10:00 AM

11/2/2022 10:00 AM

☐ Do not contact

FILED
Electronically
CV23-01341
2023-08-04 11:16:01 AM
Alicia L. Lerud
Clerk of the Court
Transaction # 9813859 : csulezic

Exhibit Cover Page

EXHIBIT NUMBER 2

To: Nevada Secretary of State
101 North Carson Street, Suite 3, Carson City, NV 89701

To: Nevada Attorney General
100 North Carson Street Carson City, NV 89701

To: Supreme Court Of Nevada
201 S Carson St #201, Carson City, NV 89701

[NRS 293.410] Statement of Contest

Please take notice that it is my wish as one of the People that the Election of November 8, 2022 be denied certification because of the following:

- (A) There is more than one election worker who has been ordered by officials over the elections to do things outside the form of law which stands as malfeasance.
- (B) I further demand that under the fundamental principles of law, universally accepted, in all civilized nations, that you nullify this election as the will of one of the People, and by necessity, custom, and historical usages of the law:

Maxim: Legal form is essential form.

Maxim: Where form is not observed, nullity of the act is inferred or follows.

Maxim: Where the law prescribes a form, the non-observance of it is fatal to the proceeding, and the whole becomes a nullity.

Please take notice that the act of election workers, acting as trustees of the People, ordering government servants to ignore the form of elections presented in good faith is fatal to the whole proceeding and furthermore, government is without authority to certify anything that was void, null or invalid on its face as shown in the evidence below:

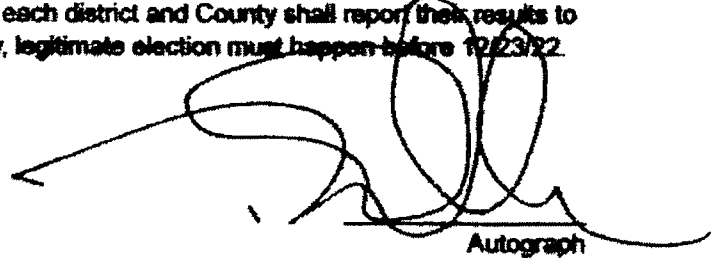
Maxim: Things invalid from the beginning cannot be made valid by subsequent act.

Maxim: Things grounded upon an ill and void beginning cannot have a valid or good perfection.

Please take notice that the People have come together, assembled for the common good, and they realize that our servants swore to be instructed by us in the Nevada State Constitution. I therefore come to you in love to tell you that certifying the 2022 general election after being shown fundamental law, and the fact that workers were instructed to ignore the law and verifications which rendered the proceeding a nullity, will be considered a trespass against the People in the highest degree.



Therefore, our remedy and cure is for a new election and to conduct the new election in such a way that our rights are not being violated. The public will have full transparency into the election process. The new election shall be conducted in one day, with picture voter ID required, using only paper ballots, and counted by hand. The election locations shall be numerous in order to comply with U.S. Supreme Court rulings. Mail ballots shall be opt-in. Indefinitely confined and military officers shall be mailed a paper ballot that must be filled out by the voter and mailed back to the Registrar of Voters or County Clerk in their county to be received by close of polls on election day. Election will be held from 7 am to 7 pm on the day of election. No late ballot arrivals after polls close. Election workers in each district and County shall report their results to the public by 9 PM on election day. This new, legitimate election must happen before 12/23/22

A large, stylized handwritten signature in black ink, featuring a prominent loop and a long horizontal stroke extending to the left.

Autograph

11/23/22
Date

To: Nevada Secretary of State
101 N. Carson Street, Suite 3
Carson City, NV 89701

To: Washoe County Registrar of Voters
1001 E. 9th Street
Reno, NV 89512

AFFIDAVIT

I, Tracey Thomas, one of the People, in this court of record, Sui Juris, do swear to the following claims:

1. The Constitution for the United States of America is the Supreme Law of the land and supersedes all other lesser law, statutes, codes, regulations and the State Constitution. What is written in the referenced national Constitution is valid, authorized and enforceable. What is not written in the national Constitution is prohibited by that Constitution. All provisions of the national and state Constitution are mandatory, and are not to be overlooked or ignored as if they did not exist. Any act committed by you either supports and upholds the Constitution, national and state, or opposes and violates them.
2. You have taken an oath to support and uphold the national and state Constitution and are constitutionally responsible and liable in the performance of your official duties as is further defined, but not limited to, in the state statutes. (Article 15, Section 2)
3. You have no Constitutional authority, or any other form of valid, lawful authority, to oppose and violate the very documents you swore or affirmed your oath and under which you were delegated by the people the limited authority to conduct the duties of your office.
4. No voting results of mail ballots may be released until all polling places are closed and all votes have been cast on the day of the election. Any person who disseminates to the public in any way information pertaining to the count of mail ballots before all polling places are closed and all votes have been cast on the day of the election is guilty of a misdemeanor. (NRS 293.269935)
5. A county clerk shall not post copies of the tabulated voting results for a statewide or multi-county race or ballot question until the county clerk has received notification from the Secretary of State that all polling places are closed and all votes have been cast. (NRS 293.383)

6. No counting board in any precinct, district or polling place in which paper ballots are used may commence to count the votes until all ballots used or unused are accounted for. (NRS 293.365)
7. You released 2022 General Election voting results before all votes had been cast on November 8, 2022. The United States Postal Service was still accepting and postmarking mail ballots on this date up until midnight Pacific Standard Time and Hawaiian Standard Time. This gave a vast amount of voters an unfair advantage that other voters did not have, as is evidenced by the number of ballots received November 8 through November 12. This gross breach of information thereby suppressed and diminished the value of lawfully cast ballots, as well as disenfranchised legal voters.
8. The processing procedures stipulated in NRS 293.269921, section 1(b) and section 2 are in direct violation of the above referenced state statutes and constitutions.
9. The rights of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude. (15th Amendment)
10. The first qualification to vote listed under NRS 293.485 is citizenship and then item 1 proceeds with "Every citizen of the United States."
11. The Secretary of State shall verify the accuracy of the information in an application to register to vote. (NRS 293.675)
12. The first question on the State of Nevada Voter Registration Application is "Are you a citizen of the United States of America?"
13. Staff testified April 13, 2021 at the Washoe County Board of County Commissioners meeting that citizenship is not being verified on persons applying to register to vote.
14. You have not only infringed on the freedoms guaranteed to me as one of the People; but, you are flagrantly and willfully violating your trust indenture. You are practicing discrimination, segregation and intimidation by insisting on depriving me of my rights under color of law. You should be aware that Section 242 of Title 18 makes it a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws within the United States.

JP

15. Licentiousness is to be understood as acting without regard to law, ethics, or the rights of others. Licentiousness, or practices inconsistent with the peace and safety of the state may be construed to have occurred with all trust indenture servants of the state and state agencies and associations mentioned herein who have acted in a licentious and disruptive manner related to the complaints listed herein.


16. Any failure on your part to protect the People's freedom is a breach of your trust indenture and your oath of office, to which you swore. You were given certain responsibilities by the People, and you have acted in malfeasance and maladministration, intentionally attacking the People you serve, as these responsibilities were not fully and faithfully completed.

This Affidavit is lawful notification to you, and is hereby made and delivered to you pursuant to the national Constitution, specifically, the Bill of Rights, and The Bill of Rights of the Nevada Constitution, and requires your written rebuttal to me, in kind, specific to each and every point of the subject matter stated herein, within ten (10) days, via your own sworn and notarized affidavit, using true fact, valid law and evidence to support your rebuttal of the specific subject matter stated in this Affidavit.

You are hereby noticed that your failure to respond, as stipulated, and rebut, with particularity and specificity, anything with which you disagree in this Affidavit, is your lawful, legal and binding tacit agreement with and admission to the fact that everything in this Affidavit is true, correct, legal, lawful, and fully binding upon you in any court in America, without your protest or objection and that of those who represent you.

I hereby declare, certify and state, pursuant to the penalties of perjury under the laws of the United States of America, and by the provisions of 28 USC 1746 that all of the above and forgoing representations are true and correct to the best of my knowledge, information, and belief.

Executed in Sparks, Nevada on this 25 day of November in the Year of Our Lord Two Thousand and Twenty-Two.


Tracey Thomas
1344 Disc Drive #140
Sparks, NV 89436

Notary as JURAT CERTIFICATE


State of Nevada }

Washoe County }

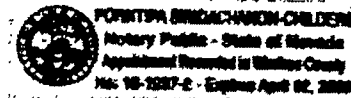
On this 23 day of November, 2022 before me, Forresta Sridachanon-Childers, a Notary Public, personally appeared Tracey Thomas, Name of Affiant, who proved to me on the basis of satisfactory evidence to be the woman whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the woman executed, the instrument.

I certify under PENALTY of PERJURY under the lawful laws of the State of Nevada and that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature of Notary/Jurat



To: The Nevada Secretary of State
101 N Carson Street Suite 3 Carson City, NV 89701

To: Washoe County Registrar of Voters
1001 E. Ninth Street, Reno, NV 89512

Affidavit

Affiant, Renee Lou Rezendes, one of the People, in this Court of Record, Sui Juris,
do swear to the following claims:

1. Most of the time they were not
comparing signatures.
2. Most envelopes were being passed
without checking

Verification

I hereby declare, certify and state, pursuant to the penalties of perjury under the laws of
the United States of America, and by the provisions of 28 USC § 1746 that all of the
above and foregoing representations are true and correct to the best of my knowledge,
information and belief.

Executed in (city) Reno, Nevada on this 22nd day of November
in the Year of Our Lord Two Thousand and Twenty-Two.

Renee Lou Rezendes
Autograph of Affiant:

Notary as JURAT CERTIFICATE

Nevada State)
Washoe County)

On this 22nd day of November, 2022 (date) before me,

Randy Miller, a Notary Public, personally appeared
Renee Lou Rezendes Name of Affiant, who proved to me on the basis of satisfactory
evidence to be the woman whose name is subscribed to the within instrument and
acknowledged to me that she executed the same in her authorized capacity, and that by
her autograph(s) on the instrument the woman executed, the instrument.

I certify under PENALTY OF PERJURY under the lawful laws of Nevada State and that
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary / Jurat Randy Miller
Commission Expires July 1, 2024



To: The Nevada Secretary of State
101 N Carson Street Suite 3 Carson City, NV 89701

To: Clark County Registrar of Voters
500 S. Grand Central PKWY., Las Vegas, NV 89155

Attest:

Affiant: Arlene M. Tenbe one of the People, in this Court of Record, Suo Juris,
do swear to the following claims:

1. In the Clark County Elections Department, in signature verification room I heard Victor, the room supervisor tell election workers the the signatures did not need to match as long as it was "close enough".
2. Victor also told them they did not need to use the second laptop to cross reference all other signatures on record, this is against Nevada Law.

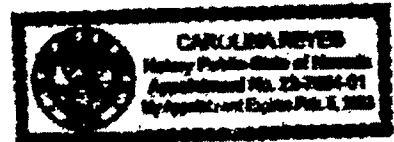
Verification

I hereby declare, certify and state, pursuant to the penalties of perjury under the laws of the United States of America, and by the provisions of 28 USC § 1746 that all of the above and foregoing representations are true and correct to the best of my knowledge, information and belief.

Executed in (city) Las Vegas, Nevada on this 22 day of November
in the Year of Our Lord Two Thousand and Twenty-Two.

Autograph of Affiant:

Nevada State)
Clark County)
Notary as JURAT CERTIFICATE



On this 22 day of November, 2022 (date) before me,
Carla Reyes, a Notary Public, personally appeared
Arlene M. Tenbe. Name of Affiant, who proved to me on the basis of satisfactory
evidence to be the woman whose name is subscribed to the within instrument and
acknowledged to me that she executed the same in her authorized capacity, and that by
her autograph(s) on the instrument the woman executed, the instrument.
I certify under PENALTY OF PERJURY under the lawful laws of Nevada State and that
the foregoing paragraph is true and correct.
WITNESS my hand and official seal.

Signature of Notary / Jurat

Carla Reyes

To: The Nevada Secretary of State
101 N Carson Street Suite 3 Carson City, NV 89701

To: Clark County Registrar of Voters
500 S. Grand Central Pkwy., Las Vegas, NV 89155

Affidavit

Affiant: Micah Jordan one of the People, in this Court of Record, Sui Juris,
do swear to the following claims:

On October 28, 2022 at approximately 11:05 AM while
in the signature verification room, I was seated single-file
1. with other observers. There were on both sides, teams of two
per monitor comparing voter signatures. One team noticed a discrepancy
and had stopped and called for their supervisor. A younger man,
who the team greeted as "Victor" told the team "no the signatures
2. do not need to match, they may vary." I raised my hand, as
instructed, to call for "Dan" who was our contact person and an
ambassador got him. When I asked about this, he said "he
would look into it." He never got back to me. He never clarified

Verification

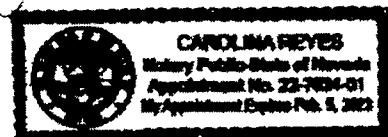
I hereby declare, certify and state, pursuant to the penalties of perjury under the laws of
the United States of America, and by the provisions of 28 USC § 1746 that all of the
above and foregoing representations are true and correct to the best of my knowledge,
information and belief.

Executed in (city) Las Vegas Nevada on this 22 day of November
in the Year of Our Lord Two Thousand and Twenty-Two.

Micah Jordan
Autograph of Affiant

Notary as JURAT CERTIFICATE

Nevada State
Clark County



On this 28 day of November, 2022 (date) before me,

Carolina Reyes a Notary Public, personally appeared

Micah Jordan Name of Affiant, who proved to me on the basis of satisfactory
evidence to be the woman whose name is subscribed to the within instrument and
acknowledged to me that she executed the same in her authorized capacity, and that by
her autograph(s) on the instrument the woman executed, the instrument.

I certify under PENALTY OF PERJURY under the lawful laws of Nevada State and that
the foregoing paragraph is true and correct.

WITNESS my hand and official seal:

Signature of Notary / Jurat

Carolina Reyes

JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of LOS Angeles

Subscribed and sworn to (or affirmed) before me on
this 23 day of November, 20 22
by Cynthia L. Sassenrath

proved to me on the basis of satisfactory evidence to be the person(s) who
appeared before me.

Signature _____



(Seal)

FILED
Electronically
CV23-01341
2023-08-04 11:16:01 AM
Alicia L. Lerud
Clerk of the Court
Transaction # 9813859 : csulezic

Exhibit Cover Page

EXHIBIT NUMBER 3

**To: Nevada Secretary of State
101 North Carson Street, Suite 3, Carson City, NV 89701**

**To: Nevada Attorney General
100 North Carson Street Carson City, NV 89701**

**To: Supreme Court of Nevada
201 S Carson St #201, Carson City, NV 89701**

**We the People's Constitutional Demand to nullify and change the election system based
on fundamental principles of law**

**Please take notice that it is my wish as one of the People that the Election of November 8,
2022 be denied certification because of the following:**

- A. There is more than one election worker who has been ordered by officials over the
elections to do things outside the form of law which stands as malfeasance.**
- B. I further demand that under the fundamental principles of law, universally accepted, in all
civilized nations, that you nullify this election as the will of one of the People, and by
necessity, custom, and historical usages of the law:**

Maxim: Legal form is essential form.

Maxim: Where form is not observed, nullity of the act is inferred or follows.

**Maxim: Where the law prescribes a form, the non-observance of it is fatal to the proceeding,
and the whole becomes a nullity.**

**Please take notice that the acts of election workers, acting as trustees of the People, ordering
government servants to ignore the form of elections, presented in good faith, is fatal to the
whole proceeding. Furthermore, government is without authority to certify anything that was
void, null, or invalid on its face as shown in the evidence below:**

Maxim: Things invalid from the beginning cannot be made valid by subsequent act.

Maxim: Things grounded upon an ill and void beginning cannot have a valid or good perfection.

**Please take notice that the People have come together, assembled for the common good, and
they realize that our servants swore to be instructed by us in the Nevada State Constitution. I,
therefore, come to you in love to tell you that certifying the 2022 general election after being
shown fundamental law, and the fact that workers were instructed to ignore the law and
verifications which rendered the proceeding a nullity, will be considered a trespass against the
People in the highest degree.**

Therefore, our remedy and cure is for a new election and to conduct the new election in such a way that our rights are not being violated. The public will have full transparency in the election process. The new election shall be conducted in one day, with a picture voter ID required, using only paper ballots, and counted by hand. The election locations shall be numerous in order to comply with U.S. Supreme Court rulings. Mail ballots shall be opt-in. Indefinitely confined and military officers shall be mailed a paper ballot that must be filled out by the voter and mailed back to the Registrar of Voters or County Clerk in their county to be received by close of polls on election day. The election will be held from 7 am to 7 pm on the day of the election. No late ballot arrivals after polls close. Election workers in each district and County shall report their results to the public by 9 PM on election day. This new, legitimate election must happen before 12/23/22.

Additionally, the Registrar of Voters furnished a list of voters they have reported as voted. We have found this list to be in error. We have additionally found a function within the election system that changes the voters vote from what they cast. We have found the voter rolls to be in error.

As per the Nevada Constitution Article 1, Section 2 Purpose of government; paramount allegiance to United States.

"All political power is inherent in the people[.] Government is instituted for the protection, security, and benefit of the people; and they have the right to alter or reform the same whenever the public good may require it...."

Therefore we the people demand the following be abolished immediately:

- AB321
- Use of electronic voting machines and counting machines
- The current voter rolls.

Therefore we the people demand the following be enacted upon immediately:

- Legal voters shall be shown how to re-register to a new set of voter rolls by 6/1/23
- Voter rolls shall be independently kept and maintained by each of the 15 county clerks and 2 registrar of voters
- Valid Voter ID will be required to vote or register to vote

We the people demand a full investigation into the following people:

Jamie Rodriguez, Washoe County Registrar of Voters
Eric Brown, Washoe County Manager
Bethany Drysdale, Washoe County communications director

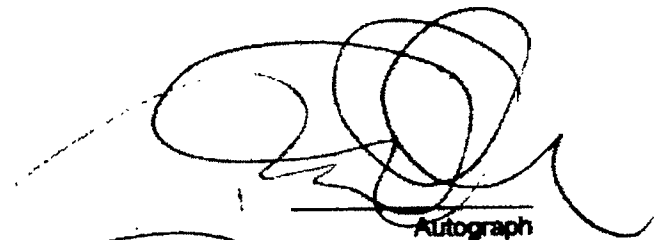
I have given proof of election errors to Eric Brown and Jamie Rodriguez of the Washoe County Registrar of Voters, including but not limited to:

- An algorithm flipping our votes,
- Voter rolls grossly in error,
- Missing votes and voters,
- Election equipment hooked up to the internet,
- Our votes being counted in secret,
- ROV reported voters who voted in 2022 General Election in error,

- Voters votes being cast without the voter's consent.

The errors still exist. After receiving notice of the errors, rather than correcting, the election officials used their communications team and Bethany Drysdale to deceive the public.

If, as Nevada government workers, you believe the People do not have rights as enumerated in the Nevada Constitution Article 1, Section 2: Purpose of Government and you refuse to immediately secure the People's elections and business by immediate investigations and nullifying this past election, that was filled with maladministration and malfeasance, you must present constitutional grants of authority showing you are allowed to do so, sworn under penalty of perjury, by affidavit within 7 days. If you should fail to respond, you agree that you are trespassing against the People, with full knowledge, intent, and malice, and that this notice can be used as evidence against you should you interfere with the People's rights.


Autograph
Robert Seales
Print Name
12/1/22
Date

To: The Nevada Secretary of State
101 N Carson Street Suite 3 Carson City, NV 89701

To: Clark County Registrar of Voters
500 S. Grand Central PKWY., Las Vegas, NV 89155

To: Washoe County Registrar of Voters 1001 E. Ninth Street, Reno, NV 89512

To: Nevada Attorney General
100 North Carson Street Carson City, NV 89701

To: Supreme Court Of Nevada
201 S Carson St #201, Carson City, NV 89701

Affidavit

Affiant, Robert Beadles, one of the People, in this Court of Record, Sui Juris, do swear to the following claims:

I have given the following proof of election errors to Eric Brown and Jamie Rodriguez of the Washoe County Registrar of Voters.

An algorithm flipping our votes.

Voter rolls grossly in error.

Missing votes and voters

Signature verification not adequately done

Election equipment hooked up to the internet

Our votes being counted in secret.

ROV reported voters who did not vote in the 2022 General Election as voted.

Voters votes being cast without the voters consent.

The errors we have shown they then have their communications team discount to the public vs investigate and correct the errors.

Verification

I hereby declare, certify and state, pursuant to the penalties of perjury under the laws of the United States of America, and by the provisions of 28 USC § 1746 that all of the above and foregoing representations are true and correct to the best of my knowledge, information and belief.

Executed in (city) Reno, Nevada on this 1st day of December
in the Year of Our Lord Two Thousand and Twenty-Two.


Autograph of Affiant:

Notary as JURAT CERTIFICATE

Nevada State }

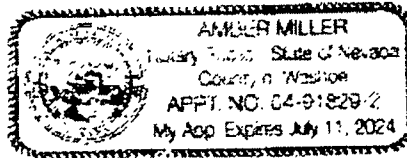
State of Nevada

Washoe County

On this 1st day of Dec 2022 (date) before me,
Amber Miller a Notary Public, personally appeared
Robert D Beadles Name of Affiant, who proved to me on the basis of satisfactory
evidence to be the man whose name is subscribed to the within instrument and
acknowledged to me that he executed the same in his authorized capacity, and that by
his autograph(s) on the instrument the man executed, the instrument.
I certify under PENALTY OF PERJURY under the lawful laws of Nevada State and that
the foregoing paragraph is true and correct.
WITNESS my hand and official seal.

Signature of Notary / Jurat

Amber Miller



To: The Nevada Secretary of State
101 N Carson Street Suite 3 Carson City, NV 89701

To: Clark County Registrar of Voters
800 S. Grand Central Parkway, Las Vegas, NV 89108

To: Washoe County Registrar of Voters 1001 E. Ninth Street, Reno, NV 89512

To: Nevada Attorney General
100 North Carson Street Carson City, NV 89701

To: Supreme Court Of Nevada
201 S Carson St 89201, Carson City, NV 89701

Affiant

Edward Solomon
Affiant, Edward Solomon, one of the People, in this Court of Record, do hereby do swear to the following claims:

1. For each precinct, from the tallied votes published by the Clark County Registrar of Voters, let:

$A = \text{Marchetti's Early Vote}$, $B = \text{Cisero's Marchetti's Vote}$; $x = \frac{A}{A+B}$

2. $C = \text{Marchetti's Marchetti's}$, $D = \text{Cisero's Early}$; $y = \frac{C}{C+D}$

$T = \frac{A+C}{A+B+C+D}$, then there exists an algorithm that calculates T as a function of x and y , a mathematical impossibility in the form

I hereby declare, certify and state, pursuant to the penalties of perjury under the laws of the United States of America, and by the provisions of 28 USC § 1746 that all of the above and foregoing representations are true and correct to the best of my knowledge, information and belief.
Executed in (city) Reno, Nevada on this 26 day of November
in the Year of Our Lord Two Thousand and Twenty-Two

Edward Solomon
Affiant

Notary on JURAT CERTIFICATE

New York State
Suffolk County

On this 26 day of November, 2022 (date) before me,
Robert L. Kahn, a Notary Public, personally appeared
Edward Solomon Name of Affiant, who proved to me on the basis of satisfactory evidence to be the man whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature(s) on the instrument for the man executed, the instrument, I certify under PENALTY OF PERJURY under the laws of Nevada State and that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.

Signature of Notary / Jurat

ROBERT L. KAHN
NOTARY PUBLIC, STATE OF NEVADA
Registration No. 0194260004
Qualified in Clark County
Commission Expires May 15, 2025

$$0.7 = k_0 + k_1 x + k_2 y + k_3 x^2 + k_4 xy + k_5 y^2, R^2 = 0.99$$

Affiant Name: Kimberly Groves
Affiant Address: 3408 Furlong Way, FORT WORTH, TX 76244

To: The Nevada Secretary of State
Address: 101 N Carson Street Suite 3 Carson City, NV 89701

Nevada Affidavit to Deny Voting in Election

Notice to Agent is Notice to Principal and Notice to Principal is Notice to Agent

Affiant, Kimberly Groves, one of the People, in this Court of Record, Sol Juris, do make the following claims in regards to voting in the November 4, 2022 Election;

I did not vote in the NV elections because I moved to Fort Worth, TX at the end of June 2022. I am no longer a resident of NV. I registered to vote in Texas, but did not receive my voter registration card until Nov. 7th 2022; therefore, I was unable to vote in November.

Verification

I hereby declare, certify and state, pursuant to the penalties of perjury under the laws of the United States of America, and by the penalties of 18 USC § 1706 that all of the above and foregoing representations are true and correct to the best of my knowledge, information and belief.

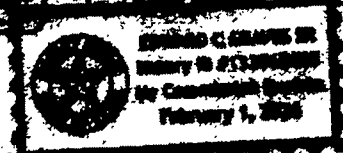
Executed in(city)

Fort Worth, TX on this 30th day of November in the Year of Our Lord Two Thousand and Twenty-Two.

Autograph of Affiant:

Notary as AGENT CERTIFICATE

Texas State)
Fort Worth County)



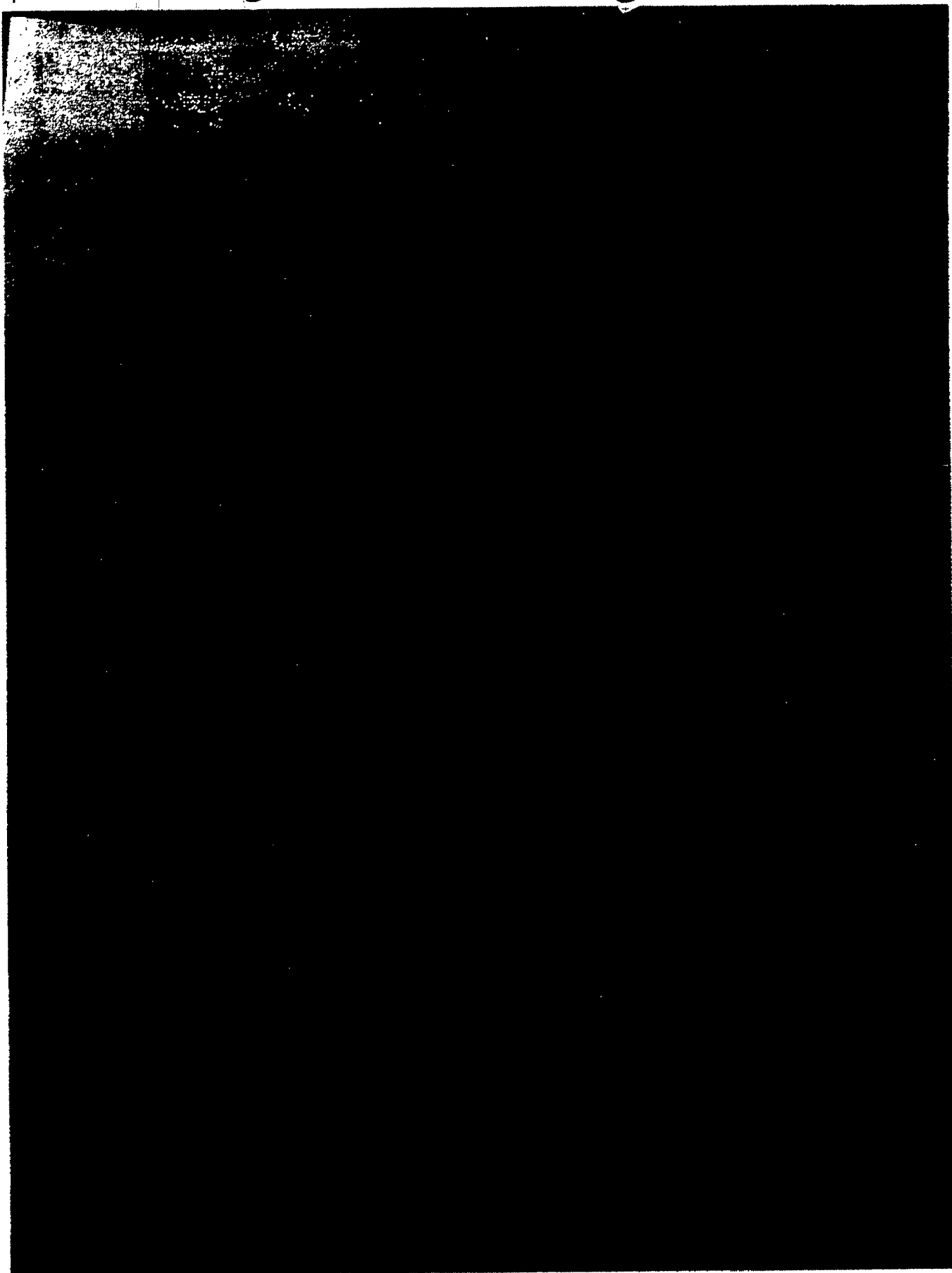
On this 30th day of November, 2022 (date) before me, Edward C. Groves a Notary Public, personally appeared Kimberly Groves Name of Affiant, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature(s) on the instrument the person executed, the instrument.

I certify under PENALTY OF PERJURY under the lawful laws of Nevada State and that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature of Notary / here:

Edward C. Groves exp. 02/01/2026



To: The Nevada Secretary of State
101 N Carson Street Suite 3 Carson City, NV 89701

To: Washoe County Registrar of Voters
1001 E. Ninth Street, Reno, NV 89512

Affidavit

Affiant, Cynthia L. Satterwhite, one of the People, in this Court of Record, Set Jails, do swear to the following facts:

- while working as a voter intake specialist at the library on Gold Blv in Reno, together with the assistant registrar of voters, came in and was showing a new employee the election process. She happened to be behind me looking over my shoulder when a gentleman's signature looked like a bunch of loops. I said "I am sorry sir, that signature does not match. May I see your ID?" He showed me his ID without any problem. Another was watching the exchange and she said "that loop kind of looks like that loop" comparing the two signatures. At that point per page I was saying I had at least over two signatures that did not match.
2. We were given no signature verification training. We were told we would get a list of names in our email. It came after early voting started but I still kept it to go. If election workers verified signatures on mail in ballots the way Heather Carson suggested during early voting, there is no meaningful signature verification.

Verification

I hereby declare, certify and state, pursuant to the penalties of perjury under the laws of the United States of America, and by the provisions of 28 USC § 1740 that all of the above and foregoing representations are true and correct to the best of my knowledge, information and belief.

Executed in (city) Sparks, NV, Nevada on this 23 day of November in the Year of Our Lord Two Thousand and Twenty-Two.

Cynthia L. Satterwhite
Autograph of Affiant

Notary as JURAT CERTIFICATE

California State
Los Angeles County

On this 23 day of November, 2022 (date) before me,

Alicia Bilch, a Notary Public, personally appeared Cynthia L. Satterwhite of the County of Washoe, State of Nevada, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her autograph(s) on the instrument the person executed, the instrument. I certify under PENALTY OF PERJURY under the laws of Nevada State and that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary / Jurat

Alicia Bilch

Please, see attached a correct CA Notary Certificate.

JURAT

A notary public or other officer completing this certificate certifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on
this 23 day of November, 20 22
by Cynthia L. Sassenrath

proved to me on the basis of satisfactory evidence to be the person who
appeared before me.

Signature _____



(Seal)

To: The Nevada Secretary of State
101 N Carson Street Suite 3 Carson City, NV 89701

To: Clark County Registrar of Voters
900 S. Grand Central PKWY., Las Vegas, NV 89155

Affidavit

Affiant, Amie M. Teebe, one of the People, in this Court of Record, Sui Juris,
do swear to the following claims:

1. In the Clark County Elections Department, in signature verification room I heard Victor, the room supervisor tell election workers the the signatures did not need to match as long as it was "close enough".
2. Victor also told them they did not need to use the second laptop to cross reference all other signatures on record, this is against Nevada Law.

Verification

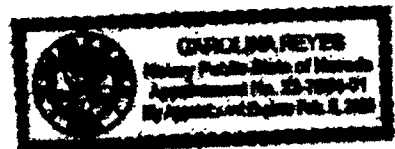
I hereby declare, certify and state, pursuant to the penalties of perjury under the laws of the United States of America, and by the provisions of 28 USC § 1746 that all of the above and foregoing representations are true and correct to the best of my knowledge, information and belief.

Executed in (city) Las Vegas, Nevada on this 22 day of November
in the Year of Our Lord Two Thousand and Twenty-Two.


Autograph of Affiant

Nevada State
Clark County

Notary as JURAT CERTIFICATE



On this 22 day of November, 2022 (date) before me,
Carolina Reyes, a Notary Public, personally appeared
Amie M. Teebe, Name of Affiant, who proved to me on the basis of satisfactory evidence to be the woman whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her autograph(s) on the instrument the woman executed, the instrument.
I certify under PENALTY OF PERJURY under the lawful laws of Nevada State and that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.

Signature of Notary / Jurat



Affiant Name:
Affiant Address:

To: The Nevada Secretary of State
Address: 101 N Carson Street Suite 3 Carson City, NV 89701

Nevada Affidavit to Deny Voting in Election

Notice to Agent is Notice to Principal and Notice to Principal is Notice to Agent

Affiant, BRIAN HOWERY, one of the People, in this Court of Record, *Sui Juris*, do make the following claims in regards to voting in the November 8, 2022 Election;

I BRIAN HOWERY RESIDE AT 7421 VILLAGE ROAD, UNIT 13 IN SYKESVILLE MARYLAND, 21784. I VOTED IN MARYLAND ELECTIONS AND DID NOT VOTE IN REED, NEVADA. I MOVED TO MARYLAND IN JUNE 2022

Verification

I hereby declare, certify and state, pursuant to the penalties of perjury under the laws of the United States of America, and by the provisions of 28 USC § 1746 that all of the above and foregoing representations are true and correct to the best of my knowledge, information and belief.

Executed in (city)

SYKESVILLE, MD on this 25 day of November in the Year of Our Lord Two Thousand and Twenty-Two.

[Signature]
Autograph of Affiant:

Notary as JURAT CERTIFICATE

Maryland State
Carroll County

On this 25th day of November, 2022 (date) before me, [Signature] BARRY H. WILLEN

a Notary Public, personally appeared Brian Howery Name of Affiant, who proved to me on the basis of satisfactory evidence to be the man whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his autograph(s) on the instrument the man executed, the instrument.

I certify under PENALTY OF PERJURY under the lawful laws of Nevada State and that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary / Jurat [Signature]

BARRY H. WILLEN
Notary Public
Baltimore County
Maryland
My Commission Expires July 11, 2025

To: The Nevada Secretary of State
101 N Carson Street Suite 3 Carson City, NV 89701

To: Clark County Registrar of Voters
500 S. Grand Central PKWY., Las Vegas, NV 89155

Affidavit

Micah Jordan
Affiant, Micah Jordan, one of the People, in this Court of Record, Sui Juris,
do swear to the following claims:

On October 28, 2022 at approximately 11:05 AM while
in the signature verification room, I was seated single-file
with other observers. There were on both sides, teams of two
per monitor comparing voter signatures. One team noticed a discrepancy
and had stopped and called for their supervisor. A younger man,
who the team greeted as "Victor" told the team "no the signatures
do not need to match, they may vary." I raised my hand, as
instructed, to call for "Dan" who was our contact person and an
Ambassador got him. When I asked about this, he said "he
would look into it." He never got back to me. He never clarified

Verification

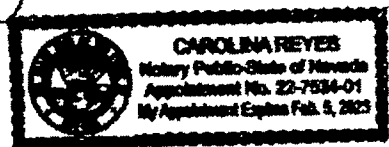
I hereby declare, certify and state, pursuant to the penalties of perjury under the laws of
the United States of America, and by the provisions of 28 USC § 1740 that all of the
above and foregoing representations are true and correct to the best of my knowledge,
information and belief.

Executed in (city) Las Vegas, Nevada on this 22 day of November
in the Year of Our Lord Two Thousand and Twenty-Two.

Micah Jordan
Autograph of Affiant

Notary as JURAT CERTIFICATE

Nevada State)
Clark County)



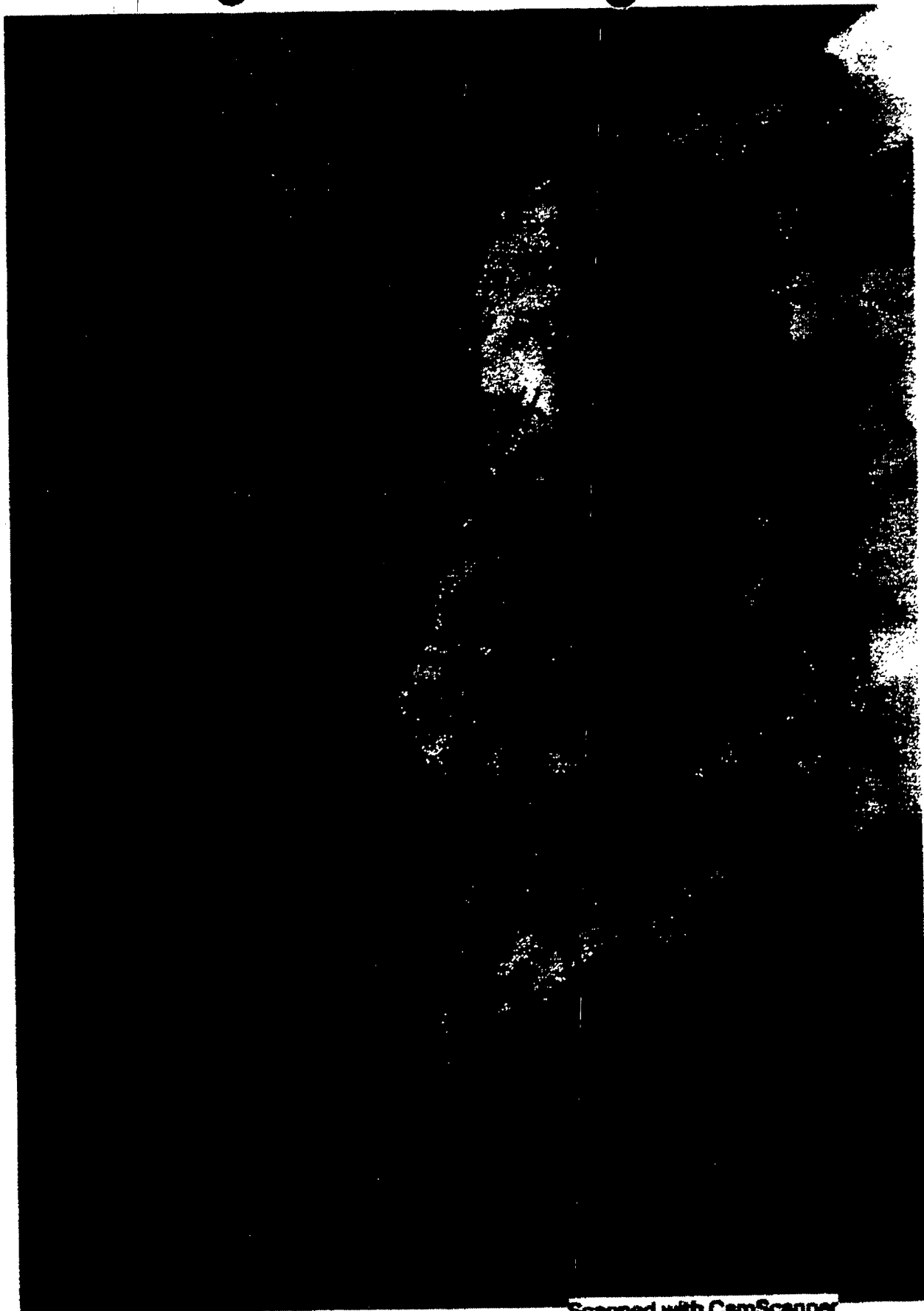
On this 22 day of November, 2022 (date) before me,

Carolina Reyes, a Notary Public, personally appeared
Micah Jordan Name of Affiant, who proved to me on the basis of satisfactory
evidence to be the woman whose name is subscribed to the within instrument and
acknowledged to me that she executed the same in her authorized capacity, and that by
her autograph(s) on the instrument the woman executed, the instrument.

I certify under PENALTY OF PERJURY under the lawful laws of Nevada State and that
the foregoing paragraph is true and correct.
WITNESS my hand and official seal.

Signature of Notary / Jurat

Carolina Reyes



Scanned with CamScanner

To: The Nevada Secretary of State
101 N Carson Street Suite 3 Carson City, NV 89701

To: Washoe County Registrar of Voters
1001 E. Ninth Street, Reno, NV 89512

Affidavit

Affiant, Renee Lou Rezentes, one of the People, in this Court of Record. Sui Juris,
do swear to the following claims:

1. Most of the time they were not
comparing signatures.
2. Most envelopes were being passed
without checking

Verification

I hereby declare, certify and state, pursuant to the penalties of perjury under the laws of
the United States of America, and by the provisions of 28 USC § 1746 that all of the
above and foregoing representations are true and correct to the best of my knowledge,
information and belief.

Executed in (city) Reno, Nevada on this 22nd day of November
in the Year of Our Lord Two Thousand and Twenty-Two.

Renee Lou Rezentes
Autograph of Affiant

Notary as JURAT CERTIFICATE

Nevada State)
Washoe County)

On this 22nd day of November, 2022 (date) before me,

Randy Miller, a Notary Public, personally appeared

Renee Lou Rezentes Name of Affiant, who proved to me on the basis of satisfactory
evidence to be the woman whose name is subscribed to the within instrument and
acknowledged to me that she executed the same in her authorized capacity, and that by
her autograph(s) on the instrument the woman executed, the instrument.

I certify under PENALTY OF PERJURY under the lawful laws of Nevada State and that
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary / Jurat

Randy Miller

Commission Expires July 1, 2024



To: Nevada Secretary of State
101 N. Carson Street, Suite 3
Carson City, NV 89701

To: Washoe County Registrar of Voters
1001 E. 9th Street
Reno, NV 89512

AFFIDAVIT

I, Tracey Thomas, one of the People, in this court of record, Sui Juris, do swear to the following claims:

1. The Constitution for the United States of America is the Supreme Law of the land and supersedes all other lesser law, statutes, codes, regulations and the State Constitution. What is written in the referenced national Constitution is valid, authorized and enforceable. What is not written in the national Constitution is prohibited by that Constitution. All provisions of the national and state Constitution are mandatory, and are not to be overlooked or ignored as if they did not exist. Any act committed by you either supports and upholds the Constitution, national and state, or opposes and violates them.
2. You have taken an oath to support and uphold the national and state Constitution and are constitutionally responsible and liable in the performance of your official duties as is further defined, but not limited to, in the state statutes. (Article 15, Section 2)
3. You have no Constitutional authority, or any other form of valid, lawful authority, to oppose and violate the very documents you swore or affirmed your oath and under which you were delegated by the people the limited authority to conduct the duties of your office.
4. No voting results of mail ballots may be released until all polling places are closed and all votes have been cast on the day of the election. Any person who disseminates to the public in any way information pertaining to the count of mail ballots before all polling places are closed and all votes have been cast on the day of the election is guilty of a misdemeanor. (NRS 293.269935)
5. A county clerk shall not post copies of the tabulated voting results for a statewide or multi-county race or ballot question until the county clerk has received notification from the Secretary of State that all polling places are closed and all votes have been cast. (NRS 293.383)

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6. No counting board in any precinct, district or polling place in which paper ballots are used may commence to count the votes until all ballots used or unused are accounted for. (NRS 293.365)
7. You released 2022 General Election voting results before all votes had been cast on November 8, 2022. The United States Postal Service was still accepting and postmarking mail ballots on this date up until midnight Pacific Standard Time and Hawaiian Standard Time. This gave a vast amount of voters an unfair advantage that other voters did not have, as is evidenced by the number of ballots received November 8 through November 12. This gross breach of information thereby suppressed and diminished the value of lawfully cast ballots, as well as disenfranchised legal voters.
8. The processing procedures stipulated in NRS 293.269921, section 1(b) and section 2 are in direct violation of the above referenced state statutes and constitutions.
9. The rights of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude. (15th Amendment)
10. The first qualification to vote listed under NRS 293.485 is citizenship and then item 1 proceeds with "Every citizen of the United States."
11. The Secretary of State shall verify the accuracy of the information in an application to register to vote. (NRS 293.675)
12. The first question on the State of Nevada Voter Registration Application is "Are you a citizen of the United States of America?"
13. Staff testified April 13, 2021 at the Washoe County Board of County Commissioners meeting that citizenship is not being verified on persons applying to register to vote.
14. You have not only infringed on the freedoms guaranteed to me as one of the People; but, you are flagrantly and willfully violating your trust indenture. You are practicing discrimination, segregation and intimidation by insisting on depriving me of my rights under color of law. You should be aware that Section 242 of Title 18 makes it a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws within the United States.

15. Licentiousness is to to be understood as acting without regard to law, ethics, or the rights of others. Licentiousness, or practices inconsistent with the peace and safety of the state may be construed to have occurred with all trust indenture servants of the state and state agencies and associations mentioned herein who have acted in a licentious and disruptive manner related to the complaints listed herein.

16. Any failure on your part to protect the People's freedom is a breach of your trust indenture and your oath of office, to which you swore. You were given certain responsibilities by the People, and you have acted in malfeasance and maladministration, intentionally attacking the People you serve, as these responsibilities were not fully and faithfully completed.

This Affidavit is lawful notification to you, and is hereby made and delivered to you pursuant to the national Constitution, specifically, the Bill of Rights, and The Bill of Rights of the Nevada Constitution, and requires your written rebuttal to me, in kind, specific to each and every point of the subject matter stated herein, within ten (10) days, via your own sworn and notarized affidavit, using true fact, valid law and evidence to support your rebuttal of the specific subject matter stated in this Affidavit.

You are hereby noticed that your failure to respond, as stipulated, and rebut, with particularity and specificity, anything with which you disagree in this Affidavit, is your lawful, legal and binding tacit agreement with and admission to the fact that everything in this Affidavit is true, correct, legal, lawful, and fully binding upon you in any court in America, without your protest or objection and that of those who represent you.

I hereby declare, certify and state, pursuant to the penalties of perjury under the laws of the United States of America, and by the provisions of 28 USC 1746 that all of the above and forgoing representations are true and correct to the best of my knowledge, information, and belief.

Executed in Sparks, Nevada on this 23 day of November in the Year of Our Lord Two Thousand and Twenty-Two.



Tracey Thomas
1344 Disc Drive #140
Sparks, NV 89436

Notary as JURAT CERTIFICATE

State of Nevada }

}

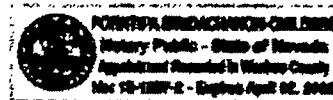
Washoe County }

On this 23 day of November, 2022 before me, Pratima Sridharan-Childers, a Notary Public, personally appeared Tracey Thomas, Name of Affiant, who proved to me on the basis of satisfactory evidence to be the woman whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the woman executed, the instrument.

I certify under PENALTY of PERJURY under the lawful laws of the State of Nevada and that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Signature of Notary/Jurat



FILED
Electronically
CV23-01341
2023-08-04 11:16:01 AM
Alicia L. Lerud
Clerk of the Court
Transaction # 9813859 : csulezic

“Exhibit 109”

Highlights of Supplemental Statements

1. Votes counted in secret

- a. Asst. Registrar of Voters Heather Carmen admitted on video she and the Registrar Jamie Rodriguez counted votes in secret in the 2022 primary and in the Joey Gilbert recount of the gubernatorial Republican primary, excluding the public from observation.

2. Lack of Transparency and Accountability

- a. The Washoe ROV has failed its mission statement for “transparency and accountability” and will continue to do so.
- b. Election systems are not transparent or open to public observation, no public inspection allowed.
- c. Hidden and unaccountable ACB members certify equipment and election results, qualifications unknown.
- d. Laws provide no cure for a stolen cast ballot and ballots were stolen and cast in 2022; persons who attest to have moved away and did not vote in Nevada show a ballot cast in their name.
- e. Laws of secret ballot discriminate, and obfuscate accountability.
- f. Washoe ROV has not provided requested 2022 election statistics.

3. Unclean voter rolls

- a. The Washoe ROV has repeatedly ignored valid challenges to voter registrations.
- b. Voter rolls are unclean.
- c. During election cycles, the numbers of active registered voters are a roller coaster in Washoe County:

-22,696 (7.2%) drop in active registered voters from Jun. to Jul. 2022

16,469 (5.72%) growth of active registered voters from Aug. to Oct. 2022

- a. 15,482 universal mail ballots were undeliverable in the 2022 general in Washoe; Over 95K undeliverable statewide.
- b. Nevada's U.S. Senate race was ultimately called four days late on a margin of 7,928 votes, which determined party control for the chamber.

2. Election System Issues

- a. Certain equipment and/or software is unsafe, unapproved, and is locally tested and certified by the county's appointed Accuracy Certification Board.
- b. "[t]here is no realistic mechanism to fully secure vote casting and tabulation computer systems from cyber threats." (National Academies of Sciences, Engineering, and Medicine)
- c. Nevada has become a proving ground for high-tech companies. We are leading the nation in various respects and as non-paper voting is concerned.
- d. "...malware can alter voters' votes while subverting all of the procedural protections practiced by the State, including acceptance testing, hash validation, logic and accuracy testing, external firmware validation, and risk-limiting audits (RLAs)." Report by J. Alex Halderman
- e. "We conclude that the Dominion Voting System is intentionally and purposefully designed with inherent errors to create systemic fraud and influence election results." Allied Security Operations Group

- f. In the 2020 general election in Washoe County, the percentage of votes across all precincts with over 200 votes in them show a defined ratio of Biden to Trump votes of 64.22%, with a margin of error of 2.15%.
- g. Any election worker has access to voter signatures with impunity; PollChief password printed in election worker manuals.
- h. Pollbooks used to verify signatures are infested with Konnech spyware, actual spying to be discovered.
- i. Washoe County plans to spend a whopping \$12.6 million to upgrade their elections systems; an automated signature verification system may be included.
- j. Agilis or any other automated signature verification system is expensive, unsafe, un-approved, non-transparent, and are prone to maladministration.
- k. 69.7% universal mail ballots wasted in Washoe County in the 2022 general.
- l. 71.5% universal mail ballots wasted statewide in the 2022 general.
- m. Email and self-printed ballots are problematic to safe and secure elections for the systems that support these new ways to vote and transmit a ballot are still being built and are evolving.
- n. The Washoe ROV cannot justify the use of no paper at the polls and electronic voting systems for the disabled because the ROV lacks statistical context to support such practices.

3. Deficiencies in signature verification methods

- a. Heather Carmen instructed poll workers to not verify signatures.
- b. Poll workers were not properly trained in signature verification as required.

- c. Unequal treatment of signatures: loose for voting v. strict for sufficiency of certain petitions.
- d. Unequal treatment of signatures: Mail and PDF ballots allow variations of spelling of one's name v. voter's registration signature and official roster when voting in-person.
- e. Unequal origin of signature: Mail and PDF use signature history in DMV and county agencies v. voter's registration signature and official roster when voting in-person
- f. No state guidance on resolution of signature image such as 300 dpi, best practice for audit
- g. No state guidance on signature verification itself, when and how to accept or reject a signature

4. Unprepared for 2024

- a. The Washoe ROV's staff has seen: "100% turnover in permanent staff and a loss of institutional knowledge." The Elections Group 6-9-23
- b. The Washoe ROV does not have enough skilled workers to conduct the upcoming presidential primary properly and safely and is unlikely to do so.
- c. The hiring of temp labor does not solve the shortage of expertise needed to operate the complex systems and procedures in the conduct of elections.

1 Code: 4085

2 IN THE ^{Civil} ~~FAMILY~~ DIVISION OF THE

3 OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

4 IN AND FOR THE COUNTY OF WASHOE

5 ROBERT BEADLES,

6 Plaintiff / Petitioner / Joint Petitioner,

Case. No. CV23-01341

7 vs.

Dept. No. D15

8 WASHOE COUNTY, NEVADA,

9 Defendant / Respondent / Joint Petitioner.

10
11 SUMMONS

12 **TO THE DEFENDANT: YOU HAVE BEEN SUED. THE COURT MAY DECIDE**
13 **AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND IN**
14 **WRITING WITHIN 21 DAYS. READ THE INFORMATION BELOW VERY**
15 **CAREFULLY.**

16 A civil complaint or petition has been filed by the plaintiff(s) against you for the relief as set forth in that document (see complaint or petition). When service is by publication, add a brief statement of the object of the action.

17 The object of this action is: COMPLAINT FOR RELIEF AND REMOVAL OF OFFICE

- 18 1. If you intend to defend this lawsuit, you must do the following within 21 days after service of this summons, exclusive of the day of service:
- 19 a. File with the Clerk of the Court, whose address is shown below, a **formal written**
- 20 **answer** to the complaint or petition, along with the appropriate filing fees, in
- 21 accordance with the rules of the Court, and;
- 22 b. Serve a copy of your answer upon the attorney or plaintiff(s) whose name and address is shown below.
- 23 2. Unless you respond, a default will be entered upon application of the plaintiff(s) and this Court may enter a judgment against you for the relief demanded in the complaint or petition.

24 Dated this 4th day of August, 2023.

25 Issued on behalf of Plaintiff(s):

ALICIA L. LERUD
CLERK OF THE COURT
By: /s/ C. SULEZICH

26 Name: ROBERT BEADLES

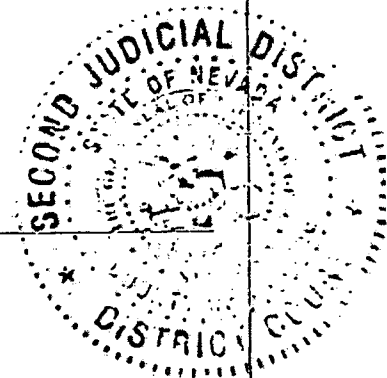
27 Address: 10580 N MCCARRAN #115

BOX #386

28 Phone Number: 916-573-7133

Email: BEADLEMAIL@GMAIL.COM

Deputy Clerk
Second Judicial District Court
75 Court Street
Reno, Nevada 89501



1 Code: 4085

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Dept. No. D15

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24 Dated this 4th day of August, 20 23

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ALICIA L. LERUD
CLERK OF THE COURT
By: /s/ C. SULEZICH

Deputy Clerk

Second Judicial District Court
75 Court Street
Reno, Nevada 89501

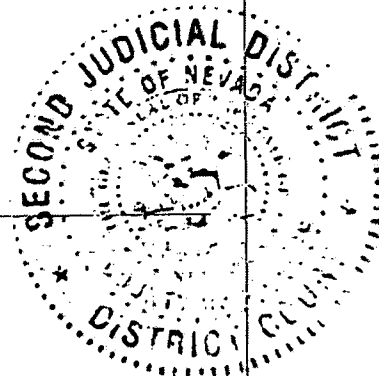
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7 vs.

Dept. No. D15

8 ERIC BROWN,

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ALICIA L. LERUD
CLERK OF THE COURT
By: /s/ C. SULEZICH

26 Name: ROBERT BEADLES

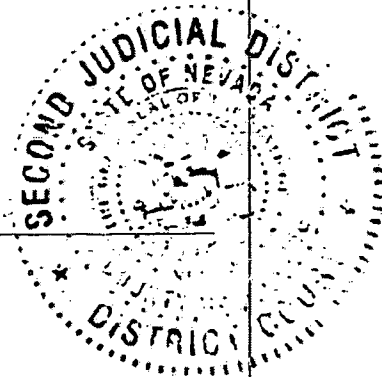
27 Address: 10580 N MCCARRAN #115

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Email: BEADLESMAIL@GMAIL.COM

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4 IN AND FOR THE COUNTY OF WASHOE

5 Robert Beadles

6 Plaintiff / Petitioner / Joint Petitioner,

Case. No. CV23-01341

7 vs.

Dept. No. D15

8 Alexis Hill

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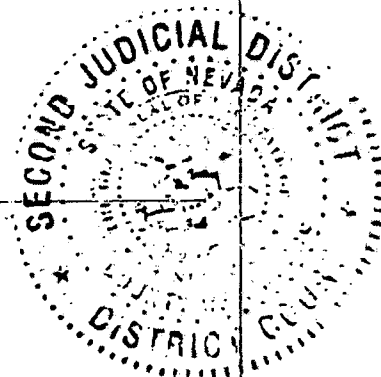
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ALICIA L. LERUD
CLERK OF THE COURT
By: /s/ C. SULEZICH

Deputy Clerk

Second Judicial District Court
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Reno, Nevada 89501

Name: ROBERT BEADLES
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CV23-01431

ROBERT BEADLES V.
JAMIE RODRIGUEZ, ET AL

1 ENV DRW YY

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