

IN THE SUPREME COURT OF THE STATE OF NEVADA

KIM BLANDINO

Petitioner/Amicus Curiae

-VS

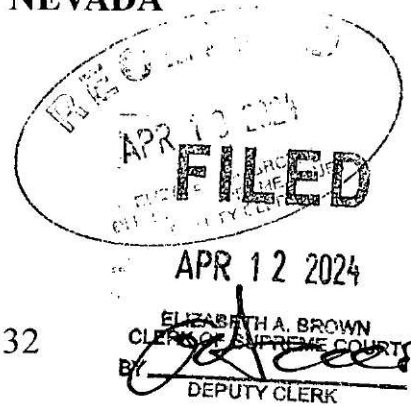
Supreme Court Justices Stiglich, Bell, Cadish,
Herndon, Lee, Parraguirre and Pickering and
Court of Appeals Judges Gibbons, Bulla and
Westbrook

Respondents

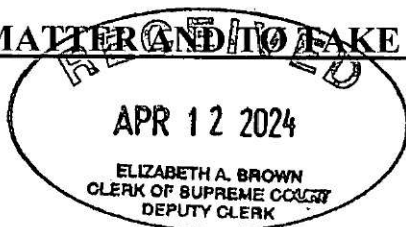
and The State of Nevada Division of
Parole and Probation (P&P) and Aaron Ford
Attorney General Real parties in Interest

Case No. 88332

Case below C-19-341767-1
Pending appeal case 84433



URGENT MOTION FOR KIM AND ALL PARTIES TO THIS CASE TO BE
GIVEN IMMEDIATE NOTICE OF WHO THE ASSIGNED REPLACEMENT
JUSTICES OR JUDGES ARE IN THIS CASE SO THAT KIM OR ANY
OTHER PARTY INCLUDING RESPONDENTS COULD KNOW WHETHER
A MOTION TO DISQUALIFY WOULD NEED TO BE FILED IN THIS
MATTER AND TO TAKE JUDICIAL NOTICE



24-12853

COMES NOW, Petitioner and true amicus curiae (friend of the court)
Kim Blandino ("Kim") representing himself pro se and files this above
named Supplemental and update filing against the above named parties.

This court must take judicial notice:

“NRS 47.150 Discretionary and mandatory notice.

1. A judge or court may take judicial notice, whether requested or not.

2. **A judge or court shall take judicial notice if requested by a party and supplied with the necessary information.**

(Added to NRS by 1971, 777)”(emphasis added)

Kim demands this court take judicial notice of NRS 1.225 which reads:

NRS 1.225 Grounds and procedure for disqualifying Supreme Court justices and judges of the Court of Appeals.

1. A justice of the Supreme Court or a judge of the Court of Appeals shall not act as such in an action or proceeding when the justice or the judge entertains actual bias or prejudice for or against one of the parties to the action.

2. A justice of the Supreme Court or a judge of the Court of Appeals shall not act as such in an action or proceeding when implied bias exists in any of the following respects:

(a) When the justice or the judge is a party to or interested in the action or proceeding.

(b) When the justice or the judge is related to either party by consanguinity or affinity within the third degree.

(c) When the justice or the judge has been attorney or counsel for either of the parties in the particular action or proceeding before the court.

(d) When the justice or the judge is related to an attorney or counselor for either of the parties by consanguinity or affinity within the third degree.

3. A justice of the Supreme Court or a judge of the Court of Appeals, upon his or her own motion, may disqualify himself or

herself from acting in any matter upon the ground of actual or implied bias.

4. Any party to an action or proceeding seeking to disqualify a justice of the Supreme Court or a judge of the Court of Appeals for actual or implied bias shall file a charge in writing, specifying the facts upon which such disqualification is sought. Hearing on such charge shall be had before the other justices of the Supreme Court or, if the charge concerns a judge of the Court of Appeals, the justices of the Supreme Court.

5. Upon the disqualification of:

(a) A justice of the Supreme Court pursuant to this section, a judge of the Court of Appeals or a district judge shall be designated to sit in place of the justice as provided in Section 4 of Article 6 of the Constitution of the State of Nevada.

(b) A judge of the Court of Appeals pursuant to this section, a district judge shall be designated to sit in place of the judge as provided in Section 4 of Article 6 of the Nevada Constitution.

6. No person shall be punished for contempt for making, filing or presenting a charge for disqualification pursuant to subsection 4.

(Added to NRS by 1957, 521; A 2013, 1710)

Further, **RIPPO V BAKER 137 S.CT. 905 (2017)** demands disqualification or recusal if there is an intolerable risk of bias. Also **Echavarria v. Filson**, 896 F.3d 1118 (2018) stands for the same thing.

There is not just actual or implied bias or prejudice for which recusal or disqualification is required. In the case of **Echavarria** the Ninth Circuit in granting federal habeas relief ruled that the intolerable risk of judicial bias that might lead the “average man as judge” to be biased under **Turney v. Ohio**, 273 U.S. 510,532 (1927).

So, under 1.225 which is not just grounds it is a procedure and therefore the intolerable risk standard must also be considered by the court. Kim nor the

respondents can file a motion to disqualify without knowing who the assigned jurists are.

Exhibit 1 attached is the Case information from #88332 and two things can be shown. One, that Senior Justice Mark Gibbons is disqualified from this case and two, that there is no information on what jurists are assigned to this case.

Kim demands that the court take judicial notice that Kim has called repeatedly the clerk of the court and no one in the clerk's office even knows when a panel will be assigned nor even if Kim or the other parties will have advance notice of who is on the panel before a decision will be made.

Therefore Kim has no choice but to file this instant motion and request identification of the panel of jurists before anything is ruled on in this case so that if necessary a motion to disqualify can be filed.

CONCLUSION

For all of the reasons above the court must give notice as soon as any or all of the jurists are assigned in this case so that a motion to disqualify may be filed if necessary.

In the alternative to grant such other relief as is proper and just and speedy.

DATED this 10th day of April, 2024




Kim Blandino#363075
C/O 441 N 16th St
Las Vegas, Nevada 89101
(702) 219-5657
No Fax
Kim43792@earthlink.net

ASSEVERATION IN SUPPORT OF EMERGENCY PETITION

I Kim Blandino state under penalty of perjury that I am over 68 years of age
(outside the womb) and have read the foregoing and the same is true and
correct except as to those matters of belief and belief and as to those matters
Kim believes them to be true. And that:

1. That any exhibits attached are true and correct copies and are authentic
under FRE 901.
2. That this filing is not meant to vex or harass or for any improper purpose.

DATED this 10th day of April , 2024



Kim Blandino#363075
C/O 441 N 16th St
Las Vegas, Nevada 89101
(702) 219-5657
No Fax
Kim43792@earthlink.net

CERTIFICATE OF SERVICE

I HEREBY certify that service of the foregoing was accomplished by sending a copy via email to on April 1, 2024

Justices of the NSC and Judges of the COA
201 S Carson Suite 201 .
Carson City, Nev 89701 (775) 684-1600

Attorney General /Carson City Aaron Ford
AgInfo@ag.nv.gov

Joe Gersten (forced counsel) in case 84433



Kim Blandino

EXHIBIT 1

Case Information: 88332			
Short Caption:	BLANDINO (KIM) VS. SUP. CT. JUSTICES (STATE)	Court:	Supreme Court
		Related Case(s):	79191, 79191-COA, 79524, 79524-COA, 80363, 80363-COA, 8 COA, 80605, 80606-COA , 81327, 81327-COA, 81431, 81785, 8 COA, 82034, 82034-COA, 82502, 82641, 83259, 83472, 83618, 83956, 84073, 8427 COA, 85016, 85016-COA, 85072, 85461, 85765, 88367
Lower Court Case(s):	Clark Co. - Eighth Judicial District - C341767	Classification:	Original Proceeding - Criminal - Proper Person Writ Petition
Disqualifications:	Gibbons	Case Status:	Petition Filed
Replacement:		Panel Assigned:	Panel
To SP/Judge:		SP Status:	
Oral Argument:		Oral Argument Location:	
Submission Date:		How Submitted:	

+ Party Information

Docket Entries			
Date	Type	Description	Pe
03/20/2024	Filing Fee	Petition Filing Fee Waived, Criminal, (SC)	
03/20/2024	Petition/Writ	Filed Proper Person Emergency Petition for Writ of Mandamus and/or Prohibition and/or Certiorari and/or Habeas and to take Judicial Notice and to Suspend Rules Pursuant to NRAP 2, (SC)	
03/20/2024	Other	Senior Justice Mark Gibbons disqualified from participation in this matter. Disqualification Reason: Parties	
04/02/2024	Other Incoming Document	Filed Proper Person Document(Emergency Brief and Supplement and Update to the Emergency Petition for Mandamus and/or Prohibition and/or Certiorari and/or Habeas and to Take Judicial Notice and to Suspend Rules Pursuant to NRAP 2, (SC)	
04/05/2024	Other Incoming Document	Filed Proper Person Brief and Supplement to the Emergency Petition for Mandamus and/or Prohibition and/or Certiorari and/or Habeas and to Take Judicial Notice and to Suspend Rules Pursuant to NRAP 2, (TRANSFERRED FROM DOCKET 88367 PER ORDER FILED ON 4/5/24) (SC)	

Combined Case View

Recalled 4/5/24
Per Order

IN THE SUPREME COURT OF THE STATE OF NEVADA

KIM DENNIS BLANDINO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Supreme Court No. 84433
District Court Case No. C341767

REMITTITUR

FILED

APR 05 2024

TO: Steven D. Grierson, Eighth District Court Clerk

Pursuant to the rules of this court, enclosed are the following:

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *Elizabeth A. Brown*
DEPUTY CLERK

Certified copy of Judgment and Opinion/Order.
Receipt for Remittitur.

DATE: March 25, 2024

Elizabeth A. Brown, Clerk of Court

By: Elyse Hooper
Administrative Assistant

cc (without enclosures):

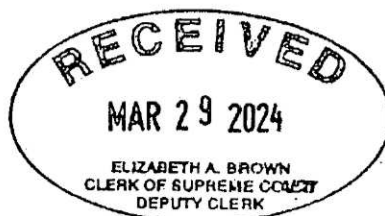
Hon. Michelle Leavitt, District Judge
Clark County District Attorney \ Alexander G. Chen, Chief Deputy District
Attorney
The Gersten Law Firm PLLC \ Joseph Z. Gersten

RECEIPT FOR REMITTITUR

Received of Elizabeth A. Brown, Clerk of the Supreme Court of the State of Nevada, the
REMITTITUR issued in the above-entitled cause, on MAR 26, 2024

Heather Engress
Deputy District Court Clerk

RECEIVED
APPEALS
Mar 26, 2024
CLERK OF THE COURT



IN THE SUPREME COURT OF THE STATE OF NEVADA

KIM DENNIS BLANDINO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Supreme Court No. 84433
District Court Case No. C341767

CLERK'S CERTIFICATE

STATE OF NEVADA, ss.

I, Elizabeth A. Brown, the duly appointed and qualified Clerk of the Supreme Court of the State of Nevada, do hereby certify that the following is a full, true and correct copy of the Judgment in this matter.

JUDGMENT

The court being fully advised in the premises and the law, it is now ordered, adjudged and decreed, as follows:

""ORDER the judgment of conviction AFFIRMED.""

Judgment, as quoted above, entered this 20th day of December, 2023.

JUDGMENT

The court being fully advised in the premises and the law, it is now ordered, adjudged and decreed, as follows:

""Rehearing Denied.""

Judgment, as quoted above, entered this 22nd day of February, 2024.

JUDGMENT

The court being fully advised in the premises and the law, it is now ordered, adjudged and decreed, as follows:

""Review denied.""

Judgment, as quoted above, entered this 25th day of March, 2024.

IN WITNESS WHEREOF, I have subscribed
my name and affixed the seal of the Supreme
Court at my Office in Carson City, Nevada this
March 25, 2024.

Elizabeth A. Brown, Supreme Court Clerk

By: Rory Wunsch
Deputy Clerk