

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRYAN PHILLIP BONHAM,
Appellant(s),

vs.

THE STATE OF NEVADA; NEVADA
DEPARTMENT OF CORRECTIONS;
CHARLES DANIELS; TIM GARRETT;
AND CARTER POTTER,
Respondent(s),

Electronically Filed
Mar 16 2023 01:30 PM
Elizabeth A. Brown
Clerk of Supreme Court

Case No: A-20-823142-C

Docket No: 86217

RECORD ON APPEAL VOLUME 1

ATTORNEY FOR APPELLANT
BRYAN BONHAM #60575,
PROPER PERSON
P.O. BOX 650
INDIAN SPRINGS, NV 89070

ATTORNEY FOR RESPONDENT
AARON D. FORD,
ATTORNEY GENERAL
555 E. WASHINGTON AVE., STE. 3900
LAS VEGAS, NV 89101-1068

A-20-823142-C Bryan Bonham, Plaintiff(s) vs. Nevada State of, Defendant(s)

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Steven D. Grierson

CASE NO: A-20-823142-C
Department 32

1. Bryan P. Benham
2. PO Box 650 HDSP
3. Indian Springs, NEV 89070

4..

5..

8th JUDICIAL DISTRICT COURT

6..

CLARK COUNTY, NEVADA

7..

8. Bryan P. Benham

case no. _____

9..

plaintiff

Dept no. _____

10.. -vs-

11. STATE OF NEVADA EX REL

CIVIL RIGHTS COMPLAINT

12. NEVADA DEPT OF CORRECTIONS

PURSUANT TO 42 U.S.C. § 1983

13. Charles Daniels

BENCH TRIAL DEMANDED

14. T. Garrett

RIGHT TO AMEND RESERVED

15. C. Potter

16.. comes now plaintiff Bryan P. Benham for His cause of action complains

17.. of defendants, and each of them as follows.

18..

ALJURISDICTION

19.. This complaint alleges that the civil rights of this plaintiff Bryan

20.. P. Benham, who presently resides at High Desert State Prison herein

21.. known as HDSP Clark County NEVADA; were violated

22.. by the actions of below named defendants which were directed

23.. against plaintiff on the following dates.

24.. Count one 1/8/20 Count two 1/13/20 Count three 1/31/20

25.. Count four 2/11/20 Count five 2/13/20 Count six 2/21/20

26.. Count seven 2/24/20 Count eight 2/27/20 Count nine 3/10/20

27.. Count ten 3/12/20 Count eleven 3/18/20 Count twelve 3/19/20

28.. Count thirteen 3/26/20 Count fourteen 4/14/20

1056

1

COURTS COPY

CLERK OF THE COURT

OCT 08 2020

RECEIVED

6

1. DEFENDANT STATE OF NEVADA et al. This Defendant is sued
2. in there official capacity. This Defendant is/was Responsible
3. for the actions of All below named Defendants at all
4. relevant times.

5. DEFENDANT NEVADA DEPARTMENT OF CORRECTIONS
6. IS sued in ITS official capacity; and at all relevant
7. times IS/was responsible for the actions of the
8. below named Defendants.

9. DEFENDANT Charles Daniels This Defendant is sued
10. in His Individual and official capacity. At all Relevant
11. times IS/was Responsible for the actions
12. of the below named Defendants & when issue of the
13. violation of plaintiffs civil rights were brought to His
14. attention this Defendant failed to intervene; stop the
15. violation / or rectify it.

16. DEFENDANT T Garrett This Defendant is sued
17. in His Individual & official capacity. At all relevant times
18. This Defendant is/was responsible for the actions
19. of the below named Defendants as the Responder to plaintiffs
20. Level one grievance IS in a supervisory position &
21. when this issue was brought to His Attention this
22. named Defendant failed to intervene

23. DEFENDANT C. Potter This Defendant is sued
24. in His Individual & official capacity. At all Relevant
25. times this Defendant when brought to His Attention
26. failed to intervene in this issue; Help this plaintiff
27. Rectify this issue at the informal level of the
28. Grievance process

1. DEFENDANT C. Potter issued in his individual & official capacity.
2. At all relevant times this defendant is responsible for the continued
3. violation of plaintiff's rights after it was brought to his attention by
4. plaintiff via Doc 544 4/04 ACCOUNTING INQUIRY INMATE SERVICES-
5. CENTRAL ADMINISTRATION FORM on 01/09/2020

6. NATURE OF CASE

7. On or about 01/08/2020 plaintiff's mother /inducement deposited into
8. plaintiff's inmate trust one account \$150.00 with the understanding that
9. 20% would be deducted; paid to U.S. DISTRICT COURT for case no. 3:17-cv-00219;
10. 10% to be put into his savings account; 50% for costs incurred by the Department
11. on behalf of plaintiff per NRS 209.246 for legal copies; legal mail which
12. should have left plaintiff with \$30.00 when in fact he was left with
13. \$14.00 as of 03/26/2020. in violation of Administrative Regulations
14. 258.05 (1)(2)(3); 339.01(4)(1)(4)(5)(7); NRS 209.246

15. CAUSE OF ACTION

16. The following civil rights have been violated 4th Amend; 5th Amend
17. 14th Amend to U.S. Const Art 6 clause 2 (The supremacy clause) 5th Amend
18. does apply to state, state ^{entities} ~~officials~~, state officials as it is enforceable through
19. U.S. Const Art 6 clause 2 which is enforced through the 14th Amendment
20. DEFENDANT STATE OF NEVADA ex rel has allowed plaintiff's civil
21. rights to be violated, allows defendants named in this complaint to
22. also violate NRS 209.246 also violate their own Administrative
23. Regulations here in known as AR's. by deducting over 50% incurred
24. by the NDOC on behalf of plaintiff, even after plaintiff
25. complained through an account inquiry filed on; signed by defendant
26. C. Potter on 01/09/2020 by not ensuring or failing to ensure defendant
27. NEVADA DEPT OF CORRECTIONS followed its own Regulations; The Law which
28. violated plaintiff's civil rights.

1. DEFENDANT NEVADA DEPT OF CORRECTIONS violated plaintiff's civil
 2. rights by deducting ^{over} of the 50% which should have been \$75.00
 3. which was deducted along with 20% to U.S. DIST CT; 10% to HIS
 4. savings, THIS DEFENDANT proceeded to deduct the following amounts
 5. on the following dates: 01/08/2020 through 01/13/2020 7.85; .50¢;
 6. .65¢ 01/31/2020 .50¢; 2.20; .65¢ 02/13/2020 .55¢; 3.30; .55¢
 7. 02/24/2020 .70¢; .70¢ 02/27/2020 1.10; 03/10/2020 .55; 2.80
 8. 03/13/20, .55; 03/18/2020 2.40; 03/19/2020 1.80; 03/26/2020, 2.20
 9. 04/14/2020 1.95
 10. in violation of plaintiff's 4th, 5th, 14th Amend rights along
 11. with A+B clause 2 of U.S. CONST; NRS 209.246
 12. and AR'S 339 & 258 leaving plaintiff with only \$14.00 Roughly
 13. from a total of \$150.00 when it should have been \$30.00
 14. left in plaintiff's trust one account for plaintiff to spend.
 15. "... inmates have a property interest in money received from outside
 16. sources Jensen v Klecker 648 F2d 1179, 1183 (8th Cir 1981) (holding
 17. That inmates have a property interest in their money); Sell v Persett
 18. 548 F2d 753, 757 (8th Cir) same Thus inmates are entitled to
 19. due process before they can be deprived of these monies, The question to
 20. be answered is what process is due before money received from outside
 21. sources can be applied towards an inmates restitution obligations"
 22. Mahers v Halford 76 F3d 951, 954 (8th Cir 1996)
 23. "There is no question that an inmates interest in the funds in his prison
 24. account is a protected property interest See Quick v
 25. Jones 754 F2d 1521, 1523 (9th Cir 1984); Osloff v Dehn 708 F2d
 26. 372, 378 (9th Cir 1983) Haasen v May 502 F2d 728, 730 (9th
 27. Cir 1974); Scott v Angelone 771 F.Supp 1064, 1067 (D. Nev. 1991)
 28. DEFENDANT Charles Daniels;

- 1 Failed to intervene when violation of plaintiffs civil rights were brought
- 2 to their attention through the grievance process.

3 GRIEVANCE RESPONDER

- 4 "A Grievance responder may be held liable for the violation of a prisoners
- 5 constitutional rights if there is an ongoing violation of a constitutional
- 6 right that is brought to the responders attention in the grievance process
- 7 and the Grievance responder fails to intervene to stop the ongoing
- 8 violation of the prisoners constitutional rights." Taylor v List 880 F.2d
- 9 1040, 1045 (9th Cir 1984); Jeffers v Black Bill order doc 54 (2008) U.S.
- 10 DIST/EXIS 67823

11 UNCONSTITUTIONAL STATUTE/LAW

- 12 statutes are presumed to be valid; and the challenger bears
- 13 the burden of showing that a statute is unconstitutional
- 14 Halverson v Secretary of State 121 Nev 484, 487 186 P.3d at
- 15 896 (2008)
- 16 NRS 209.246 which gives Administrative Regulation 258
- 17 herein known as AR 258 The mode of a statute depends
- 18 on constitutional mead v Arnell 791 P.2d 410, 117 Idaho
- 19 960 (1990) and statutory requirements Harris v Shanahan
- 20 387 P.2d 771, 192 Kan 183 (1963) NRS 209.246;
- 21 are alleged to have been passed into Law on May 1, 1951; Are
- 22 in fact constitutionally illegal and void. (see memorandum.)

23 PREVIOUS LAWSUITS

- 24 plaintiff has no other Law suits on this issue in
- 25 State or Federal court.
- 26 this case has been exhausted through Grievance NO
- 27 20063096886;

28

1..

2..

3..

REQUEST FOR RELIEF

4..

5.. (1) Compensatory Damages \$ ~~85~~ 85,000.⁰⁰

6.. (2) punitive Damages \$25,000.⁰⁰ per individual named

7.. Defendant.

8.. (3) Injunctive Relief:

9.. an order that NDOC stop enforcing these illegally ^{enacted} ~~enforced~~

10.. Statutes as they are unconstitutional; void; also an

11.. order to return any funds taken from this plaintiff

12.. in regards to Legal copy work, legal mail, any other departmental

13.. charges.

14.. Declaratory Judgment: An order that the NRS's in question

15.. were created illegally; Are therefore constitutionally void. published

16.. I declare under penalty of perjury under the laws of the United

17.. States of America that the foregoing is true & correct, and is

18.. submitted without benefit of a notary pursuant to 28 U.S.C.A. §

14.. 1746 §18 U.S.C.A. §1621

20..

21.. Dated this 30th day of September 2020

22.. /s/ ~~Bryan P Bonham~~

23.. Bryan P Bonham 60575

24.. PO Box 650 (HOSP)

25.. Indian Springs, NE 689070

26..

27..

28..

THIS SEALED
DOCUMENT,
NUMBERED PAGE(S)
7 - 11
WILL FOLLOW VIA
U.S. MAIL

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DOCUMENT,
NUMBERED PAGE(S)
12 - 13
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U.S. MAIL**

SUMM

DISTRICT COURT
CLARK COUNTY, NEVADA

Bryan p Bonham

Plaintiff(s),

-vs-

T Garrett

Defendant(s).

CASE NO. CASE NO: A-20-823142-C

DEPT. NO. Department 32

SUMMONS - CIVIL

NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.

TO THE DEFENDANT(S): A civil Complaint has been filed by the Plaintiff(s) against you for the relief set forth in the Complaint.

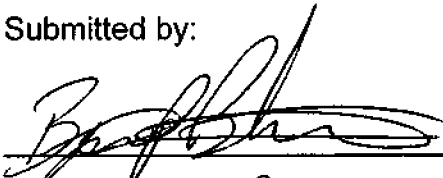
1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you, exclusive of the day of service, you must do the following:
 - (a) File with the Clerk of this Court, whose address is shown below, a formal written response to the Complaint in accordance with the rules of the Court, with the appropriate filing fee.
 - (b) Serve a copy of your response upon the attorney whose name and address is shown below.

SUMM Civil/7/23/2009

7

- 1 2. Unless you respond, your default will be entered upon application of the
2 Plaintiff(s) and failure to so respond will result in a judgment of default
3 against you for the relief demanded in the Complaint, which could result in
4 the taking of money or property or other relief requested in the Complaint.
5 3. If you intend to seek the advice of an attorney in this matter, you should do
6 so promptly so that your response may be filed on time.
7 4. The State of Nevada, its political subdivisions, agencies, officers,
8 employees, board members, commission members and legislators each
9 have 45 days after service of this Summons within which to file an Answer
10 or other responsive pleading to the Complaint.

13 Submitted by:

14 
15 _____
16 Bryan P Bonham 60575
17 plaintiff in pro se

12 STEVEN D. GRIERSON
13 CLERK OF COURT

10/15/2020

14 By:

14 Patricia Azucena
15 Deputy Clerk Date
16 Patricia Azucena-Preza

17 Regional Justice Center
18 200 Lewis Avenue
19 Las Vegas, NV 89155

20 **NOTE: When service is by publication, add a brief statement of the object of the**
21 **action. See Nevada Rules of Civil Procedure 4(b).**

AFFIDAVIT OF SERVICE

STATE OF)
COUNTY OF) ss:

_____, being duly sworn, says: That at all times herein affiant was and is over 18 years of age, not a party to nor interested in the proceeding in which this affidavit is made. That affiant received _____ copy(ies) of the Summons and Complaint, _____ on the _____ day of _____, 20____ and served the same on the _____ day of _____, 20____ by:

(Affiant must complete the appropriate paragraph)

1. Delivering and leaving a copy with the Defendant _____ at (state address) _____
2. Serving the Defendant _____ by personally delivering and leaving a copy with _____, a person of suitable age and discretion residing at the Defendant's usual place of abode located at (state address) _____

[Use paragraph 3 for service upon agent, completing (a) or (b)]

3. Serving the Defendant _____ by personally delivering and leaving a copy at (state address) _____
 - (a) With _____ as _____, an agent lawfully designated by statute to accept service of process;
 - (b) With _____, pursuant to NRS 14.020 as a person of suitable age and discretion at the above address, which address is the address of the resident agent as shown on the current certificate of designation filed with the Secretary of State.
4. Personally depositing a copy in a mail box of the United States Post Office, enclosed in a sealed envelope, postage prepaid (Check appropriate method):
 - ☐ Ordinary mail
 - ☐ Certified mail, return receipt requested
 - ☐ Registered mail, return receipt requested

addressed to the Defendant _____ at Defendant's last known address which is
(state address) _____

I declare under penalty of perjury under the law of the State of Nevada that the
foregoing is true and correct.

EXECUTED this _____ day of _____, 20____.

Signature of person making service



SERVICE INSTRUCTIONS

CLARK COUNTY SHERIFF'S CIVIL PROCESS SECTION
JOSEPH LOMBARDO, SHERIFF



Plaintiff

Defendant

Court Case Number

TYPE OF SERVICE REQUESTED

- ☐ SUMMONS/COMPLAINT ☐ SUMMONS ☐ SUBPOENA ☐ NOTICE ☐ NOTICE OF MOTION
☐ SMALL CLAIMS: COMPLAINT, INSTRUCTIONS TO PLAINTIFF/DEFENDANT, SMALL CLAIMS ANSWER ☐ AMENDED

OTHER: _____

- ☐ FAMILY LAW ☐ SUMMONS/DOMESTIC ☐ JOINT PRELIMINARY INJUNCTION

OTHER _____

- ☐ COMPLAINT/PETITION TO _____

- ☐ OTHER CIVIL PROCESS _____

- ☐ CIVIL RIGHTS COMPLAINT _____

PLEASE COMPLETE THE FOLLOWING INFORMATION ABOUT THE PERSON OR COMPANY WE ARE SERVING

IF WE ARE TO SERVE A COMPANY OR CORPORATION, PROVIDE THE NAME OF THE PERSON TO BE SERVED AND THEIR TITLE
(I.E. - OWNER, H.R. MANAGER, CORPORATE OFFICER, RESIDENT AGENT, ETC.)

PERSON/BUSINESS TO SERVE: _____

ADDRESS (WITH APT. or SUITE# AND ZIP CODE): _____

EMPLOYER NAME/ADDRESS: _____

BEST TIME TO SERVE AT HOME: _____ a.m. /p.m. WORK: _____ a.m. /p.m.

PHONE NUMBER OF PERSON TO BE SERVED - HOME: _____ WORK: _____

DESCRIPTION: RACE: _____ SEX: _____ AGE: _____ HEIGHT: _____ WEIGHT: _____ HAIR: _____ EYES: _____

VEHICLE: YEAR: _____ MAKE: _____ MODEL: _____ COLOR: _____ LIC. PLATE: _____ STATE: _____

OTHER INFORMATION TO HELP US SERVE THE PARTY: _____

PLAINTIFF'S PHONE: _____ EMAIL ADDRESS: _____

PLAINTIFF'S NAME: _____ SIGNATURE: _____

ADDRESS: _____

DEPUTY SERVICE NOTES/COMMENTS/ACTIONS: _____

DEPUTY SERVICE NOTES/COMMENTS/ACTIONS (CONTINUED)

Case Number

Sheriff's Civil File

SERVICE INSTRUCTIONS

—VS—

Plaintiff

Defendant

Type of paper(s) to be served:

Serve:

Serve By:

(Date)

By:

(Signature)

PHONE

Attorney or Litigant

Address:

DEPUTY'S COMMENTS AND/OR ACTIONS (Include dates, times and mileage.)

1 **SUMM**

2
3
4
5 **DISTRICT COURT**
6
7 **CLARK COUNTY, NEVADA**

8
9 Bryan p Bonham

10
11 Plaintiff(s),

12 -vs-

13 C. potter

14 Defendant(s).

CASE NO. CASE NO: A-20-823142-C
DEPT. NO. Department 32

15
16 **SUMMONS - CIVIL**

17 **NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU**
18 **WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS.**
19 **READ THE INFORMATION BELOW.**

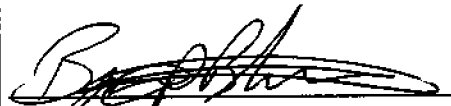
20 **TO THE DEFENDANT(S):** A civil Complaint has been filed by the Plaintiff(s) against
21 you for the relief set forth in the Complaint.

- 22 1. If you intend to defend this lawsuit, within 20 days after this Summons is
23 served on you, exclusive of the day of service, you must do the following:
24 (a) File with the Clerk of this Court, whose address is shown below, a
25 formal written response to the Complaint in accordance with the rules
26 of the Court, with the appropriate filing fee.
27 (b) Serve a copy of your response upon the attorney whose name and
28 address is shown below.

SUMM Civil/7/23/2009

- 1 2. Unless you respond, your default will be entered upon application of the
2 Plaintiff(s) and failure to so respond will result in a judgment of default
3 against you for the relief demanded in the Complaint, which could result in
4 the taking of money or property or other relief requested in the Complaint.
5 3. If you intend to seek the advice of an attorney in this matter, you should do
6 so promptly so that your response may be filed on time.
7 4. The State of Nevada, its political subdivisions, agencies, officers,
8 employees, board members, commission members and legislators each
9 have 45 days after service of this Summons within which to file an Answer
10 or other responsive pleading to the Complaint.

11
12
13 Submitted by:

14 
15 Bryan P Bonham 60575
16 Plaintiff in pro se
17
18
19

STEVEN D. GRIERSON
CLERK OF COURT

10/15/2020

By: Patricia Azucena
Deputy Clerk Date

Patricia Azucena-Preza
Regional Justice Center
200 Lewis Avenue
Las Vegas, NV 89155

20 **NOTE: When service is by publication, add a brief statement of the object of the**
21 **action. See Nevada Rules of Civil Procedure 4(b).**
22
23
24
25
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27
28

AFFIDAVIT OF SERVICE

STATE OF)
) ss:
COUNTY OF)

_____, being duly sworn, says: That at all times herein affiant was and is over 18 years of age, not a party to nor interested in the proceeding in which this affidavit is made. That affiant received _____ copy(ies) of the Summons and Complaint, _____ on the _____ day of _____, 20____ and served the same on the _____ day of _____, 20____ by:

(Affiant must complete the appropriate paragraph)

1. Delivering and leaving a copy with the Defendant _____ at (state address) _____
2. Serving the Defendant _____ by personally delivering and leaving a copy with _____, a person of suitable age and discretion residing at the Defendant's usual place of abode located at (state address) _____

[Use paragraph 3 for service upon agent, completing (a) or (b)]

3. Serving the Defendant _____ by personally delivering and leaving a copy at (state address) _____
 - (a) With _____ as _____, an agent lawfully designated by statute to accept service of process;
 - (b) With _____, pursuant to NRS 14.020 as a person of suitable age and discretion at the above address, which address is the address of the resident agent as shown on the current certificate of designation filed with the Secretary of State.
4. Personally depositing a copy in a mail box of the United States Post Office, enclosed in a sealed envelope, postage prepaid (Check appropriate method):
 - ☐ Ordinary mail
 - ☐ Certified mail, return receipt requested
 - ☐ Registered mail, return receipt requested

addressed to the Defendant _____ at Defendant's last known address which is
(state address) _____

I declare under penalty of perjury under the law of the State of Nevada that the
foregoing is true and correct.

EXECUTED this _____ day of _____, 20____.

Signature of person making service



SERVICE INSTRUCTIONS

CLARK COUNTY SHERIFF'S CIVIL PROCESS SECTION
JOSEPH LOMBARDO, SHERIFF



Plaintiff

Defendant

Court Case Number

TYPE OF SERVICE REQUESTED

- ☐ SUMMONS/COMPLAINT ☐ SUMMONS ☐ SUBPOENA ☐ NOTICE ☐ NOTICE OF MOTION
☐ SMALL CLAIMS: COMPLAINT, INSTRUCTIONS TO PLAINTIFF/DEFENDANT, SMALL CLAIMS ANSWER ☐ AMENDED

OTHER: _____

- ☐ FAMILY LAW ☐ SUMMONS/DOMESTIC ☐ JOINT PRELIMINARY INJUNCTION

OTHER: _____

- ☐ COMPLAINT/PETITION TO _____

- ☐ OTHER CIVIL PROCESS _____

- ☐ CIVIL RIGHTS COMPLAINT

PLEASE COMPLETE THE FOLLOWING INFORMATION ABOUT THE PERSON OR COMPANY WE ARE SERVING

IF WE ARE TO SERVE A COMPANY OR CORPORATION, PROVIDE THE NAME OF THE PERSON TO BE SERVED AND THEIR TITLE
(I.E. - OWNER, H.R. MANAGER, CORPORATE OFFICER, RESIDENT AGENT, ETC.)

PERSON/BUSINESS TO SERVE: _____

ADDRESS (WITH APT. or SUITE# AND ZIP CODE) _____

EMPLOYER NAME/ADDRESS: _____

BEST TIME TO SERVE AT HOME: _____ a.m. /p.m. WORK: _____ a.m. /p.m.

PHONE NUMBER OF PERSON TO BE SERVED - HOME: _____ WORK: _____

DESCRIPTION: RACE: _____ SEX: _____ AGE: _____ HEIGHT: _____ WEIGHT: _____ HAIR: _____ EYES: _____

VEHICLE: YEAR: _____ MAKE: _____ MODEL: _____ COLOR: _____ LIC. PLATE: _____ STATE: _____

OTHER INFORMATION TO HELP US SERVE THE PARTY: _____

PLAINTIFF'S PHONE _____ EMAIL ADDRESS: _____

PLAINTIFF'S NAME: _____ SIGNATURE: _____

ADDRESS: _____

DEPUTY SERVICE NOTES/COMMENTS/ACTIONS: _____

DEPUTY SERVICE NOTES/COMMENTS/ACTIONS (CONTINUED)

Case Number.

Sheriff's Civil File

SERVICE INSTRUCTIONS

—vs—

Plaintiff

Defendant

Type of paper(s) to be served: _____

Serve: _____

Serve By: _____
(Date)

By: _____
(Signature)

PHONE

Attorney or Litigant

Address: _____

DEPUTY'S COMMENTS AND/OR ACTIONS (Include dates, times and mileage.)

SUMM

DISTRICT COURT
CLARK COUNTY, NEVADA

Bryan Bonham

Plaintiff(s),

-vs-

Nevada Dept of Corrections et al.

Defendant(s).

CASE NO. CASE NO: A-20-823142-C
DEPT. NO. Department 32

SUMMONS - CIVIL

NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.

TO THE DEFENDANT(S): A civil Complaint has been filed by the Plaintiff(s) against you for the relief set forth in the Complaint.


1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you, exclusive of the day of service, you must do the following:
 - (a) File with the Clerk of this Court, whose address is shown below, a formal written response to the Complaint in accordance with the rules of the Court, with the appropriate filing fee.
 - (b) Serve a copy of your response upon the attorney whose name and address is shown below.

SUMM Civil/7/23/2009

7

- 1 2. Unless you respond, your default will be entered upon application of the
2 Plaintiff(s) and failure to so respond will result in a judgment of default
3 against you for the relief demanded in the Complaint, which could result in
4 the taking of money or property or other relief requested in the Complaint.
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6 so promptly so that your response may be filed on time.
7 4. The State of Nevada, its political subdivisions, agencies, officers,
8 employees, board members, commission members and legislators each
9 have 45 days after service of this Summons within which to file an Answer
10 or other responsive pleading to the Complaint.
11

12
13 Submitted by:

14 
15 Bryan P Benham 60575
16 Plaintiff in prose.
17

STEVEN D. GRIERSON
CLERK OF COURT

10/15/2020

By:


Deputy Clerk Date

Patricia Azucena-Preza
Regional Justice Center
200 Lewis Avenue
Las Vegas, NV 89155

18
19
20 **NOTE: When service is by publication, add a brief statement of the object of the**
21 **action. See Nevada Rules of Civil Procedure 4(b).**
22
23
24
25
26
27
28

AFFIDAVIT OF SERVICE

STATE OF)
COUNTY OF) ss:

_____, being duly sworn, says: That at all times herein affiant was and is over 18 years of age, not a party to nor interested in the proceeding in which this affidavit is made. That affiant received _____ copy(ies) of the Summons and Complaint, _____ on the _____ day of _____, 20____ and served the same on the _____ day of _____, 20____ by:

(Affiant must complete the appropriate paragraph)

1. Delivering and leaving a copy with the Defendant _____ at (state address) _____
2. Serving the Defendant _____ by personally delivering and leaving a copy with _____, a person of suitable age and discretion residing at the Defendant's usual place of abode located at (state address) _____

[Use paragraph 3 for service upon agent, completing (a) or (b)]

3. Serving the Defendant _____ by personally delivering and leaving a copy at (state address) _____
 - (a) With _____ as _____, an agent lawfully designated by statute to accept service of process;
 - (b) With _____, pursuant to NRS 14.020 as a person of suitable age and discretion at the above address, which address is the address of the resident agent as shown on the current certificate of designation filed with the Secretary of State.
4. Personally depositing a copy in a mail box of the United States Post Office, enclosed in a sealed envelope, postage prepaid (Check appropriate method):
 - ☐ Ordinary mail
 - ☐ Certified mail, return receipt requested
 - ☐ Registered mail, return receipt requested

addressed to the Defendant _____ at Defendant's last known address which is
(state address) _____

I declare under penalty of perjury under the law of the State of Nevada that the
foregoing is true and correct.

EXECUTED this _____ day of _____, 20____.

Signature of person making service



SERVICE INSTRUCTIONS

CLARK COUNTY SHERIFF'S CIVIL PROCESS SECTION
JOSEPH LOMBARDO, SHERIFF



Plaintiff

Defendant

Court Case Number

TYPE OF SERVICE REQUESTED

- ☐ SUMMONS/COMPLAINT ☐ SUMMONS ☐ SUBPOENA ☐ NOTICE ☐ NOTICE OF MOTION
- ☐ SMALL CLAIMS: COMPLAINT, INSTRUCTIONS TO PLAINTIFF/DEFENDANT, SMALL CLAIMS ANSWER ☐ AMENDED
- OTHER: _____
- ☐ FAMILY LAW ☐ SUMMONS/DOMESTIC ☐ JOINT PRELIMINARY INJUNCTION
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- ☐ COMPLAINT/PETITION TO _____
- ☐ OTHER CIVIL PROCESS _____
- ☐ CIVIL RIGHTS COMPLAINT

PLEASE COMPLETE THE FOLLOWING INFORMATION ABOUT THE PERSON OR COMPANY WE ARE SERVING

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(I.E. ~ OWNER, H.R. MANAGER, CORPORATE OFFICER, RESIDENT AGENT, ETC.)

PERSON/BUSINESS TO SERVE: _____

ADDRESS (WITH APT or SUITE# AND ZIP CODE): _____

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BEST TIME TO SERVE AT HOME: _____ a.m. /p.m. WORK: _____ a.m. /p.m.

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DESCRIPTION: RACE: _____ SEX: _____ AGE: _____ HEIGHT: _____ WEIGHT: _____ HAIR: _____ EYES: _____

VEHICLE: YEAR: _____ MAKE: _____ MODEL: _____ COLOR: _____ LIC. PLATE: _____ STATE: _____

OTHER INFORMATION TO HELP US SERVE THE PARTY: _____

PLAINTIFF'S PHONE: _____ EMAIL ADDRESS: _____

PLAINTIFF'S NAME: _____ SIGNATURE: _____

ADDRESS: _____

DEPUTY SERVICE NOTES/COMMENTS/ACTIONS: _____

DEPUTY SERVICE NOTES/COMMENTS/ACTIONS (CONTINUED)

Case Number.

Sheriff's Civil File

SERVICE INSTRUCTIONS

—vs—

Plaintiff

Defendant

Type of paper(s) to be served:

Serve:

Serve By:

(Date)

By:

(Signature)

PHONE

Attorney or Litigant

Address:

DEPUTY'S COMMENTS AND/OR ACTIONS (Include dates, times and mileage.)

1 **SUMM**

2
3
4
5 **DISTRICT COURT**
6
7 **CLARK COUNTY, NEVADA**

8
9 Bryan P Bonham

10
11 **Plaintiff(s),**

CASE NO. CASE NO: A-20-823142-C

12 **-vs-**

DEPT. NO. Department 32

13 State of Nevada ex rel

14 **Defendant(s).**
15

16 **SUMMONS - CIVIL**

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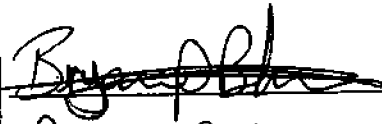
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SUMM Civil/7/23/2009

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11


12
13 Submitted by:

14 
15 Bryan P Bonham 60575
16 plaintiff prose
17
18
19

STEVEN D. GRIERSON
CLERK OF COURT

10/15/2020

By:


Deputy Clerk

Date

Patricia Azucena-Preza
Regional Justice Center
200 Lewis Avenue
Las Vegas, NV 89155

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21 **action. See Nevada Rules of Civil Procedure 4(b).**
22
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COUNTY OF) ss:

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addressed to the Defendant _____ at Defendant's last known address which is
(state address) _____

I declare under penalty of perjury under the law of the State of Nevada that the
foregoing is true and correct.

EXECUTED this _____ day of _____, 20____.

Signature of person making service



SERVICE INSTRUCTIONS

CLARK COUNTY SHERIFF'S CIVIL PROCESS SECTION
JOSEPH LOMBARDO, SHERIFF



Plaintiff

Defendant

Court Case Number

TYPE OF SERVICE REQUESTED

- ☐ SUMMONS/COMPLAINT ☐ SUMMONS ☐ SUBPOENA ☐ NOTICE ☐ NOTICE OF MOTION
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VEHICLE: YEAR: _____ MAKE: _____ MODEL: _____ COLOR: _____ LIC. PLATE: _____ STATE: _____

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PLAINTIFF'S NAME: _____ SIGNATURE: _____

ADDRESS: _____

DEPUTY SERVICE NOTES/COMMENTS/ACTIONS: _____

DEPUTY SERVICE NOTES/COMMENTS/ACTIONS (CONTINUED)

Case Number

Sheriff's Civil File

SERVICE INSTRUCTIONS

—vs—

Plaintiff

Defendant

Type of paper(s) to be served: _____

Serve: _____

Serve By: _____
(Date)

By: _____
(Signature)

PHONE

Attorney or Litigant

Address: _____

DEPUTY'S COMMENTS AND/OR ACTIONS (Include dates, times and mileage.)

SUMM

DISTRICT COURT
CLARK COUNTY, NEVADA

Bryan P Borham

Plaintiff(s),

-vs-

Charles Dantels

Defendant(s).

CASE NO. CASE NO: A-20-823142-C
DEPT. NO. Department 32

SUMMONS - CIVIL

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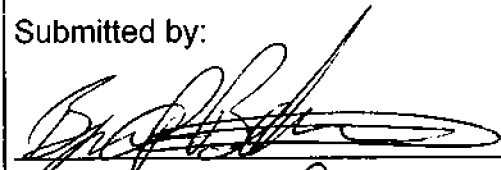
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SUMM Civil/7/23/2009

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9 have 45 days after service of this Summons within which to file an Answer
10 or other responsive pleading to the Complaint.
11


12
13 Submitted by:

14 
15 Bryan P Bonham 60575
16 Plaintiff in prose.
17
18
19

STEVEN D. GRIERSON
CLERK OF COURT

10/15/2020

By:


Deputy Clerk Date

Patricia Azucena-Preza
Regional Justice Center
200 Lewis Avenue
Las Vegas, NV 89155

20 **NOTE: When service is by publication, add a brief statement of the object of the**
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AFFIDAVIT OF SERVICE

STATE OF)
COUNTY OF)

ss:

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addressed to the Defendant _____ at Defendant's last known address which is
(state address) _____

I declare under penalty of perjury under the law of the State of Nevada that the
foregoing is true and correct.

EXECUTED this _____ day of _____, 20_____.

Signature of person making service



SERVICE INSTRUCTIONS

CLARK COUNTY SHERIFF'S CIVIL PROCESS SECTION
JOSEPH LOMBARDO, SHERIFF



Plaintiff

Defendant

Court Case Number

TYPE OF SERVICE REQUESTED

- ☐ SUMMONS/COMPLAINT ☐ SUMMONS ☐ SUBPOENA ☐ NOTICE ☐ NOTICE OF MOTION
☐ **SMALL CLAIMS:** COMPLAINT, INSTRUCTIONS TO PLAINTIFF/DEFENDANT, SMALL CLAIMS ANSWER ☐ AMENDED

OTHER: _____

- ☐ **FAMILY LAW** ☐ SUMMONS/DOMESTIC ☐ JOINT PRELIMINARY INJUNCTION

OTHER _____

- ☐ COMPLAINT/PETITION TO _____
☐ OTHER CIVIL PROCESS _____
☐ CIVIL RIGHTS COMPLAINT

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VEHICLE: YEAR: _____ MAKE: _____ MODEL: _____ COLOR: _____ LIC. PLATE: _____ STATE: _____

OTHER INFORMATION TO HELP US SERVE THE PARTY: _____

PLAINTIFF'S PHONE: _____ EMAIL ADDRESS: _____

PLAINTIFF'S NAME: _____ SIGNATURE: _____

ADDRESS: _____

DEPUTY SERVICE NOTES/COMMENTS/ACTIONS: _____

1 DEPUTY SERVICE NOTES/COMMENTS/ACTIONS (CONTINUED)

Case Number.

Sheriff's Civil File

SERVICE INSTRUCTIONS

—VS—

Plaintiff

Defendant

Type of paper(s) to be served: _____

Serve: _____

Serve By: _____

(Date)

By: _____

(Signature)

PHONE

Attorney or Litigant

Address: _____

DEPUTY'S COMMENTS AND/OR ACTIONS (Include dates, times and mileage.)

**THIS SEALED
DOCUMENT,
NUMBERED PAGE(S)
49 - 50
WILL FOLLOW VIA
U.S. MAIL**

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
11/19/2020 1:54 PM
Steven D. Grierson
CLERK OF THE COURT



Bryan Bonham, Plaintiff(s)

vs.

Nevada State of, Defendant(s)

Case No.: A-20-823142-C

Department 32

NOTICE OF HEARING

Please be advised that the Plaintiffs Motion to Request and Extension of Time to Serve Defendants or in Alternative Request for Order to Proceed in Forma Pauperis in the above-entitled matter is set for hearing as follows:

Date: January 07, 2021

Time: 1:30 PM

Location: RJC Courtroom 03C
Regional Justice Center
200 Lewis Ave.
Las Vegas, NV 89101

NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Michelle McCarthy
Deputy Clerk of the Court

CERTIFICATE OF SERVICE

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Michelle McCarthy
Deputy Clerk of the Court

THIS SEALED
DOCUMENT,
NUMBERED PAGE(S)
52 - 55
WILL FOLLOW VIA
U.S. MAIL

27

FILED

NOV 19 2020

John J. [Signature]
CLERK OF COURT

1 Bryan p Bonham 60575
2 PO Box 650 (HOSP)
3 Indian Springs, NEV 89070
4

5 8TH JUDICIAL DISTRICT COURT
6 CLARK COUNTY, NEVADA
7

8 Bryan p Bonham 60575
9 plaintiff

10 -VS- NOTICE OF MOTION

11 STATE OF NEVADA ex rel
12 NEVADA DEPT OF CORRECTIONS
13 Charles Daniels
14 T. Garrett
15 C. Potter
16 TO:
17 ATTORNEY GENERAL
18 Aaron D Ford.
19 100 N. Carson St
20 Carson City, NEV 89701
21

22 please take notice that the undersigned will bring the above
23 motion for hearing as soon as possible, for a Dec 15/20
24 based on court's docket will allow.

25 *[Signature]*
26 Bryan p Bonham 60575
27 PO Box 650 (HOSP)
28 Indian Springs, NEV 89070

RECEIVED

NOV 16 2020

CLERK OF THE COURT

THIS SEALED
DOCUMENT,
NUMBERED PAGE(S)
57 - 72
WILL FOLLOW VIA
U.S. MAIL

Heather S. Shinn
CLERK OF THE COURT

1 Bryan P Bonham 60575
2 PO Box 650 HDSP
3 Indian Springs, NEV 89070

4
5 8TH JUDICIAL DISTRICT COURT
6 Clark County, NEVADA
7

8 Bryan P Bonham
9 Plaintiff

case no A-20-823142-C
Dept No XXX11

10 -VS-

11 STATE OF NEVADA ex rel

MEMORANDUM IN SUPPORT OF

12 NEVADA DEPT OF CORRECTIONS

PLAINTIFFS 42 U.S.C. § 1983

13 Charles Daniels NDOC Director

CIVIL RIGHTS COMPLAINT

14 Charles Daniels

15 + Garrett

16 C. Potter

17
18 SUPERVISORY LIABILITY

19 plaintiff is sure defendants through legal counsel will try to

20 argue that one or the other should be dismissed from this action,

21 "A person deprives another of a constitutional right

22 within the meaning of sec 1983. IF He does an affirmative act;

23 or participates in another's affirmative acts or omits to perform

24 an act which He is legally required to do that causes the

25 deprivation of which plaintiff complains. Johnson v DUFFY

26 588 F.2d 740, 743 (9th Cir 1978)

27 "A Grievance Responder may be held liable for the violation

28 of a prisoners constitutional rights if there is an on going

CLERK OF THE COURT

DEC 21 2020

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1 violation of a constitutional right that is brought to the respondents
2 attention in the Grievance process, and the Grievance responder
3 fails to intervene to stop the on going violation of the
4 prisoners constitutional rights. Taylor v LIST 880 F.2d 1040,
5 1045 9th Cir 1989; Jeffers v Brack Bill order Doc 54 2008
6 U.S. DIST / exis 67823

8 FIFTH AMENDMENT DUE PROCESS CLAIM

9 U.S. CONSTITUTION AMENDMENT 5 does apply to the
10 state, state officials, state entities as it is
11 enforceable through U.S. Constitution Article 6 clause 2
12 (The supremacy clause) which is enforced through the
13 14th Amendment.

14 FOURTH AMENDMENT CLAIM

15 "The watchword of the FOURTH AMENDMENT is every
16 context is reasonableness. ~~the~~ the court held in
17 Thompson v Souza 111 F.3d 694, 699 (9th Cir 1997)
18 The fourth Amendment right to be secure against
19 unreasonable searches and seizures extends to
20 incarcerated prisoners"

22 FRAUD UPON THE COURT

23 70 Am Jur 2nd Sec 50 VII Civil Liability "Fraud destroys
24 the validity of everything into which it enters." Nudd v Burrows
25 91 U.S. 426 "Fraud vitiates everything" Boyce v Grady '3
26 pet. 210 "Fraud vitiates the most solemn contracts, documents
27 and even judgments.
28 plaintiff in this case at Bar submits that the named

1 defendants in this case will through counsel argue that Administrative
2 Regulation AR258 with NRS 209.246 gives them the
3 Authority to Deduct up to 50% of monies Deposited into this
4 plaintiffs trust one account to be applied to any debt He
5 may have Acquired i.e. Legal copy work; legal mail; Another
6 10% to be placed into a Savings Account.

7 This Argument can not be more further from the truth. This plaintiff
8 would ask this court to Read EXHIBIT 1 Article entitled
9 GREATEST LEGAL DISCOVERY IN THE HISTORY OF THE
10 STATE OF NEVADA; EXHIBIT 2 Facebook by MR GARY
11 WAITERS EXHIBIT 3 Four links to youtube videos
12 posted by MR Walters. on February 9th, 2016 MR Walters
13 in case of STATE OF NEVADA vs. GARY WAITERS case
14 NO. 05C217569 in the 8th Judicial District Court
15 Department 3 in front of Judge Douglas Herndon Argued
16 through his petition for writ of Habeas corpus, to where
17 Walters argued the fact that the (NRS) Nevada Revised Statutes
18 i.e. state laws were in fact created, Passed in a fraudulent manner
19 as the so called Senate Bill No 2 From 1957 was in fact missing
20 the enactment clause; There were other procedural process
21 issues. ultimately MR Walters became one of only 0.05
22 who are granted relief.

23 So this plaintiff would urge Defendants not to Argue
24 that this or that NRS allows this. It simply is not true.

25 SUPREMACY CLAUSE

26 U.S. v. Alaska public utilities comm 23 F 3d 257 (9th Cir 1994)
27 Supremacy clause establishes Federal Law as The supreme Law
28 of The Land.

1 CITY OF Auburn v QUEST CORP 260 F 3d 1160 (9th Cir 2001) The supremacy
2 clause requires state courts to fairly apply Federal Law and
3 fairly adjudicate Federal claims presented to them
4 This being said plaintiff believes he has presented unrefutable
5 evidence to show or present to this Honorable court that
6 the Defendants may not rely upon their own AR's administrative
7 Regulations or NRS 209.246 there for this plaintiff
8 highly doubts there is a federal statute that would allow
9 a state entity such as the NDOC to take over 50% of the monies
10 deposited into plaintiff's trust or account for a debt incurred by the
11 Department on behalf of the plaintiff. on the dates listed on page
12 four (4) of plaintiff's complaint along with amounts. Line 5 through
13 8 indicates just how much over the 50% they went, plaintiff wonders
14 what if any a federal statute would allow to be taken.
15 Should this Honorable court decide not to hear this argument
16 and allow Defendants to argue the legitimacy of the NRS
17 that allows plaintiff's monies to be taken plaintiff would
18 request a reason as to why a % higher than 50% was
19 removed from his inmate trust or account.

20

21

22

23 QUALIFIED IMMUNITY OFFICERS § 61

24 officers who violate constitutional rights enjoy a
25 qualified immunity that protects them from liability for damages
26 unless it is further demonstrated that their conduct was
27 unreasonable. In this case they are not or should not be
28 protected as their conduct was/is unreasonable.

40763

1 "officials are shielded from liability for civil damages in so far
2 as their conduct does not violate clearly established statutory or
3 constitutional rights which a reasonable person would have
4 known Liability for civil damages U.S. v. Throckmorton 98 U.S.
5 61 whereas officials and even judges have no immunity see
6 Owen v. City of Independence 100 S. Ct 1398; Maine v. S.
7 Thiboutot, 100 S. Ct 2502; and Hafer v. Melo 502 U.S. 21
8 officials and judges are deemed to know the law and sworn
9 to uphold the law; officials and judges cannot claim to act in
10 good faith in willful deprivation of the law, they certainly
11 cannot plead ignorance of the law, even the citizen cannot
12 plead ignorance of the law, the courts have ruled there is no
13 such thing as ignorance of the law, it is ludicrous for learned
14 officials and judges to plead ignorance of the law. therefore
15 in this case no defendant may claim immunity in matters
16 of rights secured by the constitution for the united states
17 of America.

18 5th; 14th Amendment

19 Due process

20 "Regardless of whether defendants practices fall short of
21 a clear due process violation, they do violate the directors
22 regulations... along with the which were enacted albeit
23 illegally; supported by fraudulent statute NRS 209.246
24 Federal courts like the 9th circuit have found a violation
25 of due process where STATE OR LOCAL OFFICIALS have
26 failed to enforce or follow their own regulations
27 Slamper v. 231 v. Malcom 406 F Supp 836, 840 (S.D. N.Y. 1975); King
28 v. Higgins 370 F Supp 1023, 1028 (D. Mass. 1974); Lathrop v. Brewer

1 340 F. Supp. 873, 882 (DIA, 1972) Accordingly by rule of Law this
2 court should when time comes, conclude that Defendants failure to
3 follow their own administrative regulations constitutes a
4 violation of due process as guaranteed by the 5th; 14th Amendments
5 of the United States Constitution; violates this plaintiffs procedural
6 and substantive due process under the NEVADA CONSTITUTION
7 ART 1 § 8 "AN Administrative agency has no discretion to
8 make a decision that is contrary to Law" Singh v. Clinton
9 618 F.3d 1085 (9th Cir 2010)

10 SUBJECT MATTER JURISDICTION

11 With the fact that plaintiff has put before this court
12 evidence that leads to the proof that the NRSS are
13 constitutionally illegal; void. see EXHIBITS 1, 2, 3
14 With this evidence plaintiff contends that Defendants
15 through Legal counsel may not argue Authority of
16 any NRSS in this issue or ARS as they get their Authority
17 from said NRSS that being said this plaintiff would ask
18 that this court either send this court to U.S. DISTRICT COURT
19 or order an evidentiary hearing to determine whether what
20 plaintiff claims is valid or not.
21 Jurisdiction and illegality of judgment are never waived
22 Lanareth v. Malik 221 P3d 1265, (2009) ~~110~~ lexis NV LX 78; Recon
23 251 P3d 163 (2011) Galloway v. Trusdell 83 NV 13, 422 P2d 237 (1967);
24 Freitag v. Comm'r 501 U.S. 868, 111 S.Ct 2631, 2648 (1991) and cannot
25 be waived even by, or conferred by consent of parties U.S. v. Mayer
26 235 U.S. 255 (Nov 16, 1914) nor can Jurisdiction be procedurally
27 defaulted. Philbrook v. G/obgett 95 S.Ct 1893, 1902 421 U.S. 707
28 (1975) violation of U.S. CONST Amend 1, 3, 4, 5, 6, 8, 9, 10, 14

1 Further more on 04/29/2020 plaintiffs mon deposited
2 \$200.00 into HIS trust one account. 20% equaling
3 \$40.00 to be paid to U.S. DIST Ct. \$2.66 to be
4 placed into HIS savings account for Release which is set
5 to be \$400.00 50% which should have come to \$100.00
6 to be paid to NOOC/State for debt owed.
7 on 05/01/2020 The NOOC deducted \$74.80 for legal copy
8 work; \$25.56 for legal mail via Brass slips. which comes
9 to \$100.36 ; 36 cents over what they are permitted to
10 deduct, Then on 05/07/2020 The following two amounts
11 we deducted, 85¢; .85¢ then on 05/11/2020 \$2.20 for
12 postage; two more deductions of \$2.00; 6.00 bringing
13 The total NOOC has deducted to \$112.26. in violation
14 of there own Rules & Regulations
15 on 09/04/2020 plaintiffs mon deposited \$20.00 into
16 HIS TRUST one account. on 09/04/2020 The following
17 amounts were deducted, totaling \$16.00 in violation
18 of there own Laws; Rules & Regulations, AS AR 258
19 enforced by NRS 209.246 \$4.00 to US DIST CT FINACIAL
20 certificate, .50¢, \$1.40, \$4.80, \$3.30 all of which
21 is for legal copy work, Then 2.00 to savings, which
22 brings ~~into~~ Amount in HIS savings Account to \$403.00
23 on August, 28, 2020 a memorandum was Drafted by
24 John Burrowman in memorandum it is stated that
25 due to MARCY'S LAW There have been changes
26 made to AR 258 in dealing with amounts taken
27 from an inmates account ie plaintiffs account
28 when money from HIS family is deposited into

1 HIS trust one Account. This memorandum also states
2 That there will no longer be a Gift program being a way
3 money can be deposited so an inmate may be able
4 to get things ~~He~~ or she may need i.e. plaintiff.
5 On The memorandum in question it states
6 That the NOOC has worked diligently to implement The
7 constitutional Amendment That expands The rights
8 guaranteed to victims of crime, commonly known as
9 marcy's law.
10 This verbage possibly brings up another constitutional
11 violation, which plaintiff would assert That an
12 evidentiary Hearing is required. This memorandum
13 (Dated. 08/28/2020 refers to another memorandum
14 dated. 11/28/2020 written, produced by Deputy
15 Director support services John Burrowman)
16 alludes to the act of Amending The Nevada
17 constitution by way of a statute, commonly
18 known as marcy's Law, if true would be a
19 violation of The new const. see EXHIBIT 16, 17
20 as this court, Defendants, their counsel are aware
21 This plaintiffs mother Linda Conry deposited
22 on 06/27/2020 \$200.⁰⁰ through the still in place
23 Gift program That could not be touched for any
24 reason. after purchases of the following amounts
25 \$54.⁴², \$35.⁴⁵, \$6.²⁴, \$19.⁷⁶ pl see Financial
26 certificate attached as EXHIBIT 4 page 2 of 8
27 purchas dates on 07/17/2020, 07/21/2020, 07/31/2020
28 08/14/2020 leaving Him with a balance of \$84.⁰¹

1 as indicated by exhibit 5 certificate of inmates
2 institutional account, dated 08/18/2020 as apposed
3 to page 2058. same line as 19.76 \$20.14
4 why such a Big difference? then on 09/04/2020
5 plaintiffs mom deposited \$20.00 The following
6 amounts were deducted \$4.00 Financial certificate
7 .50¢ Legal copies, \$1.40 Legal copies, \$4.80 legal copies
8 \$3.30 Legal copies, \$2.00 savings, .55¢; .55¢
9 legal mail on 09/18/2020 \$2.20 on 09/18/2020
10 legal ^{mail} ~~copies~~ IF what MR Burrowman states in
11 above referenced memorandum is true, the amounts
12 taken after The deposit of \$20.00 grossly
13 exceeds the amount of 20% TO COURT; 50% to
14 debt owed by plaintiff to NDOC, leaving this
15 plaintiff with .70¢ OF the deposited \$20.00
16 what plaintiff is stumped on on is How He
17 Had a total of \$84.01 still in His trust two account
18 as indicated in exhibit 5 How now His
19 account indicates a total of \$84.71 which tells
20 Him that ~~over~~ ^{way} over 50% was taken for Department
21 charges as indicated in The memorandum dated
22 08/28/2020 on page two (2)

23 The state is not only arbitrarily
24 deciding/choosing to deduct more money than what
25 there own ADMINISTRATIVE REGULATION AR258
26 states they can. pre The memorandum dated 8/28/2020
27 also states same on page 2 50% they do this pursuant
28 to NRS 209.246 which is an illegally created statute.

NO LAW IN NEVADA IN VIOLATION OF

U.S. CONST AMEND V, VI, VII, XIV

The procedural process for the passage of a state Law generally consist of the following flow chart:

- (1) The Law is passed by both Houses;
- (2) The Bill is sent to the Governor, who then signs or doesn't sign it;
- (3) If the Governor signs the Bill, then it goes to the Secretary of state;
- (4) In Nevada, the Secretary of State is the constitutionally mandated keeper of all Legislative records;
- (5) The secretary of state also possesses the official state seal and affixes them to Laws that have passed to certify that it is a true and valid document.

The Laws that are passed by the state legislative are prima facie evidence that it has been passed, but the laws that are issued and published by the Secretary of state are irrefutable proof that the Law exists,

statutes are presumed to be valid, and the challenger bears the burden of showing that a statute is unconstitutional.

Halverson v Secretary of State 124 Nev 484, 487, 186 p3d at 896 (2008) There for this plaintiff proceeds with his challenge to the enforcement of the NRS raised in this case. i.e. NRS 209.246 which enforces Administrative Regulation AR 258 which deals with the reason for the case before this court, fact that NRS 209.246 was alleged to have been legislatively passed by the passage of senate Bill no 2 1957. The mode of a statute depends on constitutional mead v Arnell 791 p2d 410, 117 Idaho 960 (1990) and statutory requirements

1 Harris v Shanahan 387 p 2d 771 192 Kan 183 (1963) The NRS's
2 NRS 209.246; NRS are alleged to have been passed
3 into Law on May 1, 1951 in the form of a copy of an "engrossed
4 Bill" commonly known as Senate Bill no 2 [herein SB-2]
5 This Bill was, in fact not a Bill at all. Further, there were
6 so many constitutional and other mandatory protocols
7 that were violated as to the manner and method of the
8 passage of SB-2, which VOIDED the entire act. The passage
9 of any Law in Nevada must meet certain criteria for
10 its "LAWFUL" passage.

11 The FIRST set of issues are related to "mode, style and
12 identification" of a Bill. The purpose of prescribing an
13 enacting clause "The style of the acts" is to establish it;
14 to give it permanence, uniformity, and certainty; to
15 identify the act of legislation as of the general assembly;
16 to afford evidence of its legislative statutory nature; and
17 to secure uniformity of identification, and thus prevent
18 inadvertence, possibly mistake, and fraud. State v
19 Patterson 4 S.E. 350, 352, 98 N.C. 660 (1887) 82 C.J.S

20 ⁶⁶ Statute ⁹⁹, § 65 p. 104 Joiner v State 15 S.E. 2d 8 233
21 GA 367 (1967)

22 The mode, style and identification issues are as follows;
23 The Nevada Law mandates that each Bill that is passed
24 contains the following language "The people of the state
25 of Nevada, represented in Senate and Assembly do enact
26 as follows" The Joint Resolution used as a Bandaid
27 to pass SB-2 into Law does not contain the
28 enactment clause. Nevada Constitution Article 4 § 17

1 requires that each act embrace only one subject; title;
2 amendment; to wit: each law enacted by the legislature
3 shall embrace but one subject, and matter properly
4 connected therewith, which subject shall be briefly
5 expressed in the title and no law shall be revised or
6 amended by reference to its title only but in such
7 case the act as revised or section as amended, shall
8 be re-enacted and published at length⁹⁹
9 SB-2, which embraced the passage of the NRS's
10 mentioned in this action embraced the subject of
11 more than one law in Nevada SB-2 violated the
12 Nevada constitution, placing more than one subject
13 of the laws of Nevada under the penumbra of the
14 NRS does not meet the requirements that the Bill embrace
15 only one subject, this constitutional provision is mandatory
16 State ex rel. Chase v Rogers 10 Nev 250 (1875); State v
17 Ahsam 15 Nev 27 (1880) compliance with this section is
18 essential to the validity of every law enacted by the
19 legislature. State ex rel Wilson v Stone 24 Nev 308 53 p
20 497 (1898); Bell v First Judicial Dist ct 28 Nev 280, 81 p
21 875 (1905) Any act passed disregard of the letter and
22 spirit of this provision is protanto VOID State v Ahsam
23 15 Nev 27 (1880) Authentication procedures, Senate Bill no 109
24 sponsored by Whitacre, Brown and Seever in chapters
25 385 and again as referenced in the Joint Resolution
26 which states in § 3, all Bills or resolutions shall be
27 introduced in triplicate, one copy of each Bill or resolution
28 shall be marked "original" one shall be marked "Duplicate"⁹⁹

1 and one shall be marked "triplicate" The copy marked
2 "Duplicate" shall be sent to The state printer for the purpose
3 of printing and The copy marked "triplicate" shall be
4 referred to the amendment clerk. In § 3 it states that
5 the printer shall immediately after receipt of the copy of
6 any Bill or Resolution print, in addition to the regular
7 number herein before authorized, one copy thereof upon
8 heavy buff paper, which copy shall be delivered to the
9 Secretary of the senate or chief clerk of the Assembly.
10 the Amendment clerk shall then certify to the correctness
11 of the bound copy. In § 4 it states, that the official and
12 engrossed copy may by resolution be used as the enrolled
13 Bill. SB-2 was passed using a JOINT RESOLUTION The
14 severity of the problem with the Joint Resolution used
15 in connection with the copy of the engrossed Bill [SB-2]
16 is that IT does not contain the mandatory enactment
17 Language! The state senate's committee on Judiciary
18 File No 1 passed senate concurrent Resolution No 1
19 Attached as EXHIBITS 6, 7, 8 which provides that the official
20 engrossed copy of [SB-2] may be used as an enrolled Bill.
21 The enacting clause is mandatory and cannot be cured by
22 a Joint Resolution. The Joint Resolution adopted by both
23 Houses cannot become a valid Law if it does not contain
24 the enacting clause required by this section. AGO 85
25 (07/25/1951) This constitutional provision is mandatory
26 and an act not in proper form is VOID and unenforceable
27 state, ex. rel chase v Rogers 10 Nev 250 (1875) The words
28 "Represented in senate and Assembly" expressive of the

1 Authority which passed the Law, are as necessary as the
2 words "The people" or any of the other words of the
3 enacting clause. State ex. rel Chase v Rogers 10 Nev 250
4 (1875) see also Nevada Highway Patrol Ass'n v State
5 107 Nev 547, 815 P.2d 508 (1991) In state ex rel
6 Chase v Rogers 10 Nev 250 (1875), The court held that
7 where the enacting words were prescribed, it was mandatory
8 they be included in the act. without the words required
9 by the constitution, and without the concurrence of
10 the Senate, the people had no power to enact any Law.
11 The county recorder contended that when the Bill
12 was presented to the legislature the words were in
13 the enacting clause. The court ruled that it could
14 only look at the enrolled Bill in the office of the
15 Secretary of State in order to ascertain the terms of the Law,
16 pursuant to rule 7 of the Joint Resolution can only be
17 used for the purpose set forth therein, as follows:
18 (1) propose an amendment to Nevada constitution;
19 (2) Ratify a proposed amendment to the United States
20 Constitution;
21 (3) Address the President of the United States, Congress,
22 either House or committee or member of Congress, any
23 department or agency of the Federal Government, or any
24 State of the Union.
25 A Concurrent Resolution must be used for:
26 (1) Amendment of these Joint Standing Rules, which require
27 a majority vote of each House for adoption;
28 (2) Request the return from the Governor of an enrolled

- 1 Bill for further consideration;
- 2 (3) Request the return from the Secretary of state an
- 3 enrolled Joint or concurrent Resolution for further
- 4 consideration;
- 5 (4) Resolve the return of a Bill from one House to the
- 6 other House if necessary and appropriate;
- 7 (5) Express facts, principles, opinions and purposes of
- 8 the Senate and Assembly;
- 9 (6) Establish a Joint committee of the two Houses;
- 10 (7) Direct the legislative commission to conduct an
- 11 interim study.
- 12 A concurrent Resolution or a Resolution of one House
- 13 may be used to memorialize a former member of
- 14 the legislature or other notable or distinguished
- 15 person upon his or her death. A Resolution of one
- 16 House may be used to request the return from the
- 17 Secretary of state of an enrolled resolution of the same
- 18 House for further consideration. See Nevada Highway
- 19 Patrol Ass'n v State 107 Nev 547 815 P.2d 608 (1991)
- 20 which states as follows:
- 21 First, by its nature, an assembly concurrent Resolution
- 22 is not intended to have the force and effect of Law,
- 23 pursuant to Rule 7 of the Joint Rules of the Nevada
- 24 Senate and Assembly, the purpose of a concurrent
- 25 resolution is to direct the legislative commission
- 26 to conduct interim studies, to request the return
- 27 of a Bill from the other House, and to request an enrolled
- 28 Bill from the Governor;

1 on occasion a concurrent Resolution is also used to
2 memorialize a former member of the legislature or
3 other distinguished person upon death, or to
4 congratulate or to commend any person or organization
5 for a significant and meritorious accomplishment.

6 Second [E]very Bill which may have passed the
7 Legislature shall, before it becomes a Law, be presented
8 to the Governor...

9 NEV CONST ART IV § 35. A review of the legislative
10 history of the aforementioned Assembly concurrent
11 Resolution NO. 29, indicates that this resolution, like
12 other concurrent Resolutions passed by the legislature
13 during the same time period, was never presented to
14 the Governor for approval or disapproval. See generally
15 FINAL VOLUME ASSEMBLY HISTORY 1969 at 218-288. Accordingly
16 this assembly concurrent Resolution cannot be construed
17 as the Law of this State.

18 Finally [E] the enacting clause of every law shall be as
19 follows. The people of the state of Nevada, represented in
20 Senate and Assembly do enact as follows; and no Law
21 shall be enacted ~~by~~ except by Bill NEV CONST ART IV § 23
22 (emphasis added) we have previously ruled that this
23 enacting clause is mandatory and must be included in
24 every Law created by the legislature. See State v
25 Rogers 10 NEV 280 (1875) since concurrent Resolution
26 NO 29 and other similar resolutions do not contain the
27 requisite enactment Language, they cannot represent
28 the Law ~~and~~ of this State.

1 the illegally operated legislative commission, According to the
2 Legislative Counsel Bureau [LCB] The Nevada Revised statutes
3 were created in 1951 by a enigmatic member of the statute
4 Revision Commission. currently, The LCB illegally maintains
5 the History of all Nevada legislation. It is unknown as to
6 whether or not the LCB is a state agency or department.
7 The LCB appears as a common thread that is ever
8 present as we wind down this rabbit hole to legislative
9 fraud and Lawlessness. It appears that the LCB has been
10 slowly and illegally absorbing state government functions, some
11 of which are constitutionally mandated.
12 This has been suprisingly accomplished in part, by amending
13 the state constitution through the use of newly created
14 state statute, which have been used to illegally transfer the
15 power from an elected office with constitutional duties, to
16 the LCB.
17 According to the LCB their predecessor, the statute revision
18 commission, was originally created by the Nevada Supreme
19 Court in 1951. However SENATE Bill No 182 attached
20 as EXHIBIT 9 approved March 9, 1951, created
21 the statute review commission. This commission
22 consisted of three Nevada Supreme Court Justices:
23 (1) Milton Badt
24 (2) Edgar Eather
25 (3) Charles Merrill
26 Later a rather mysterious man named Russel West
27 McDonald would be appointed by these Justices as
28 ⁶⁶ The Director ⁹⁹ this commission became increasingly

involved in Bill drafting as an adjunct to its statute revision work. The origin of the statute revision commission is somewhat of a mystery as well, providing conflicting and multiple representations from various sources making it unclear as to its actual origin. The legislative counsel Bureau states in their literature that the Supreme court formed this commission. Regardless of its origin, the entire commission was constitutionally compromised from the start. The commission was unlawful for several reasons, the most obvious being its very operation, the justices who served on it did so in violation of the Nevada constitution and the separation of powers doctrine, which is discussed as follows, constitutional violations:

The placement of the three Nevada Supreme court justices on the statute revision commission violated Nevada constitution ARTICLE VI § 11, which states in pertinent part, the justices of the supreme court ~~and~~ and the District Judges shall be ineligible to any office, other than a judicial office, during the term for which they shall have been elected or appointed and all elections or appointments of any such judges by the people, legislature, or otherwise, during said period, to any office other than judicial shall be void.

the statute review commission inherently involved legislative functions and generated other income for these justices. For instance Justice Badt

1 was paid an additional \$6,500 more a year to sit on
2 the commission. therefore, the placement of three
3 members of the Nevada supreme court on the statute
4 Review commission clearly violated Article VI, § 11 of
5 the Nevada constitution. This also violated Nevada
6 constitution's separation of powers prohibition in
7 Article III § 1, which states in pertinent part,
8 three separate departments; legislative review
9 of Administrative Regulations. The power of the
10 Government of the state of Nevada shall be divided
11 into three separate departments. THE LEGISLATURE,
12 THE EXECUTIVE and the JUDICIAL; no person
13 charged with the exercise of powers properly
14 belonging to one of these departments shall
15 exercise any functions, appertaining to either
16 of the others except in cases expressly directed
17 or permitted in this constitution.
18 Thus the separation of powers doctrine was violated
19 as three (3) justices were involved in the drafting
20 of legislation and the passage of bills in the legislature,
21 a purely legislative function. Further, the statute
22 Revision commission was completely responsible for
23 the generation of the Nevada Revised Statutes. NRS, the
24 generation of these Revised statutes specifically state
25 that there were actual changes in the statement of
26 the Law as they were compiled into the NRS.
27 changes were made to existing statutes, entire words
28 were deleted as being redundant, grammar was

1 changed, sentence structures were altered, All in the
2 name of progress, changing even one (1) dot or title was
3 a Legislative act and the statute revision commission's
4 members were constitutionally prohibited from this conduct.

5 It is important to note here that the statute revision
6 commission was not legally created until 1955. On
7 April 26, 1963, the legislature committed an illegal
8 act by back dating the appointment of the statute
9 revision commission and revisor of statutes to 1951.

10 to cover up their pre-existing criminal fraud. See
11 April 26, 1963 Act Bill no 24, chapter 403, reading the
12 forward providing by the statute revision reveals some
13 interesting facts (if true), to wit: AS EXHIBIT 10

14 FORWARD

15 By the provisions of chapter 304, statutes of Nevada 1951,
16 amended by chapter 380 statutes of Nevada 1953, and chapter
17 248, statutes of Nevada 1955 See EXHIBITS 11, 12, 13.
18 The legislature of the state of Nevada created the statute
19 revision commission comprised of three justices of the
20 supreme court, authorized such commission to appoint
21 a revisor of the statutes to be known as the director
22 of the statute revision commission and charged the
23 commission to commence the preparation of a complete
24 revision and compilation of the laws of the state of
25 Nevada to be known as Nevada Revised Statutes For further
26 duties and Authority of the statute revision commission
27 relating to the preparation of NEVADA REVISED STATUTES,
28 The numbering of sections, bindings, printing, classification,

1 revision and sale thereof.

2 The commission employed as Director Russel W. McDonald
3 a member of the state bar of Nevada, who, with his staff
4 undertook and performed this monumental task, with such
5 method, care, precision, completeness, accuracy and safe
6 guarded against error as to evoke the highest praise of
7 the commission and the commendation of the bench and
8 bar of the state.

9 As the work progressed, MR. McDonald submitted drafts of
10 chapter after chapter as recompiled and revised, and the
11 members of the commission individually and in conference
12 meticulously checked all revisions. In the vast majority
13 of cases these revisions were promptly approved, many
14 required further conferences with the Director, some
15 were modified and redrafted, as the several chapters
16 were returned with approval to the Director, they were
17 in turn delivered to the superintendent of state printing
18 for printing. to the end that upon convening of the
19 1957 legislature the NRS's at issue in the case before
20 this court were ready to present for approval, by the
21 provisions of chapter 2, statutes of Nevada 1957
22 Nevada Revised Statutes consisting of NRS 1.010 to
23 710,590 inclusive, was "adopted and enacted as law
24 of the state of Nevada"

25 STATUTE REVISION COMMISSION

26 Milton B. Badt

27 Edgar ether

28 Charles M. Merrill

1 The Supreme Court says that the Statute Revision Commission
2 was created by the legislature, but the LCB states the
3 Statute Revision Commission was originally created by
4 the Nevada Supreme Court in 1951 and became involved in
5 Bill drafting as an adjunct to its statute revision work,
6 and further the 1945 law established the Bureau [LCB]
7 charged it with assisting the legislature to find facts
8 concerning Government, proposal legislation, and various
9 other public matters. The LCB goes on further to state
10 that, during the next several years, the duties of the
11 Bureau and its staff were modified and expanded.

12 In 1963, the Nevada Legislature reorganized the
13 Legislative Counsel Bureau, giving it structure and
14 responsibilities similar to those it has today. One part
15 of this change was the incorporation of the Statute
16 Revision Commission [via Legislative Counsel, Russel
17 W. McDonald] into the Legislative Counsel Bureau as the
18 legal Division... The 1963 legislation also added a Fiscal
19 and Auditing Division and a Research Division. In 1956-57
20 the Committee on Judiciary in the Senate passed concurrent
21 Resolution No. 2 Attached as EXHIBIT 6, 7, 8. The legislation
22 was an attempt to bootstrap the illegal passage of the
23 NRS's (at issue in the case at bar) by SB-2. The Senate
24 attempted to do so using a Joint Resolution to provide
25 that the "official engrossed copy of SB-2 may be used
26 as the enrolled Bill". As set forth above, Resolutions
27 cannot be used to pass any Bill into Law. Rendering
28 any Law using this legislative vehicle as void.

1 Even the LCB's preface to the NRS at issue describing the
2 work done by the Statute Revision Commission as a
3 delegation of the legislature's own duties, Russell
4 McDonald was engaged in ⁶⁶Revising⁹⁹ which the
5 LCB states in their preface as follows:
6 ⁶⁶Revising⁹⁹ the statutes, on the other hand involves these
7 additional and distinguishing operations: (1) the collection
8 into chapters of all sections and part of sections that
9 relate to the same subject and the orderly arrangement
10 into sections of the material assembled in each chapter.
11 (2) the elimination of inoperative or obsolete, duplicated,
12 impliedly repealed and unconstitutional (as declared by
13 the supreme court of the state of Nevada) sections and parts
14 of sections (3) the elimination of unnecessary words and
15 the improvement of the grammatical structure and physical
16 form of sections.
17 The revision, instead of the recompilation, of the statutes
18 was undertaken, therefore, first, to eliminate sections
19 or parts of sections which, ~~through~~ though not specifically
20 repealed, were nevertheless ineffective and, second to
21 clarify, simplify, classify and generally make more accessible,
22 understandable and usable the remaining effective sections
23 or part of sections.
24 The changing of any word, whether it is redundant,
25 unnecessary, ineffective, simply, clarifying or just simply
26 an improvement of the grammatical structure is a
27 legislative function, not a judicial function. lest we
28 forget these corrections were being approved first

1 by three (3) state supreme court Justices.
2 This is a blatant violation of the separation of powers
3 doctrine, but we don't really know whether any of the
4 records that can be retrieved from the LCB or the
5 Nevada archives are copies of the original Bill or
6 records, but both produce what they say are copies
7 but don't match what the other has. we will never
8 know which one is a true copy of the original
9 because of the fact the records are not in their
10 constitutional Repository and, therefore, legally do not
11 exist. Literally, the statute Review commission
12 was passing (or attempting to pass) laws in complete
13 derogation of the three Justices oath of office and
14 blatant violation of constitutional prohibited practices.
15 Effectively The predecessor to the LCB and then
16 later the LCB took over the official duties of the
17 Nevada's elected officials and ran the entire state
18 legislative system through one guy Russel West
19 McDonald - a character who the legislature was told was
20 an Attorney who graduated from Stanford Law School,
21 was a Rhodes Scholar, was educated in Nevada's public
22 schools and was a native born Nevadan. None of it
23 verifiable. Russel West McDonald was a mystery man,
24 who obtained almost unlimited and certainly ~~was~~
25 unchecked power. (see EXHIBIT 14)
26 the harsh reality of both of the amorously hollow
27 Resolutions that are alleged to have caused the passage
28 of SB-2

1 while at the same time revoking Nevada's existing statutes
2 and replacing them with the NRS (i.e. the statute at issue
3 in case at bar. NRS 209,246) is that this statute is
4 legally and legislatively Bankrupt. That means that
5 the statute being enforced & at issue is VOID by the
6 plethora of constitutional violations, but included acts
7 of a criminal nature, not to mention the passage of
8 SB-2 violated the legislature's own rules.
9 The passing of legislation is not like Horseshoes &
10 Handgrenades, close does not count, the NEVADA
11 CONSTITUTION PROHIBITS the passage of Bills in
12 the manner that was done for the passage of the
13 statute/Law at dispute in this case i.e. NRS 209,246
14 This NRS IS VOID ab initio, meaning from its inception.
15 The Joint House Rules of the Nevada legislature were
16 clearly violated on the method of the ~~pass~~ passage of
17 Bills into Law which also prevented the legal passage
18 of the NRS at issue before this court.
19 How many constitutional provisions or legislative rules
20 need to be violated in order to negate its passage?
21 The answer should be only one! There are other
22 revealing constitutional violations as well as the violation
23 of the legislature's own rules which are egregious, for
24 instance, the passage of NRS's violates Senate Bill 109
25 see 4, section 8 being chapter 3, statutes of Nevada
26 1949 at page 4. Literally, the term "enrolled"
27 Bill means a "printed and signed" Bill.
28 An examination of the engrossed Bill referred to or,

1 more succinctly SB-2; which was used to pass the NRS
2 at issue in this case shows it was type-written - not
3 printed The LCR even admits this,
4 other errors were committed, for instance the requirement
5 for the passage of a Bill is that it be read three times over
6 three separate days as required by the Nevada
7 Constitution; Article 4 § 17.
8 There is no evidence that this was ever accomplished
9 and this information cannot be obtained from the
10 Constitutional record keeper - that being the Secretary
11 of State see NEVADA CONSTITUTION; ARTICLE 5 § 20
12 attached as EXHIBIT 15 which requires the legislative
13 records to be maintained by the Secretary of State
14 on AUGUST 28th, 2020 Deputy Director Support
15 Services for NDOC John Borrowman produced a
16 memorandum to notify all NDOC inmates that
17 certain amounts can now be taken from an inmates
18 account to implement the constitutional Amendment
19 that expands the rights guaranteed to victims of
20 crime, commonly known as Marsy's Law. This
21 is a statute, NRS "A Law" as such a statute cannot
22 be used to amend the CONSTITUTION. The NEVADA
23 CONSTITUTION requires that the procedures set forth
24 in ARTICLE 16 § 1 and or § 2 attached as EXHIBIT 16, 17
25 be followed to amend the CONSTITUTION These do not
26 include amendment by statute, or amendment by
27 subterfuge and guise. Holding that a statute can
28 amend the STATE CONSTITUTION violates every

CITIZENS' constitutional Right to procedural and
substantive due process under the NEVADA
CONSTITUTION ART 1 § 8(5) and under the UNITED
STATES CONSTITUTION I & XIV Amendments.

However the LCB has once again taken action to
cover their fraud by getting the Nevada
Legislature to become co-conspirators in their
criminal enterprise, this was accomplished by
the Nevada legislature amending the constitution
through the passage of a statute. This was done
through NRS 225.070 which transferred all authority
of record keeping from the Secretary of State to the
LCB. A search of NRS 225.070 shows this NRS
to no longer exist. Holding that a statute can
diminish or negate the constitutional Authority
mandated in the constitution, violates the separation
of powers doctrine (amending the constitution must
be effectuated by the Body politic, not legislating
from the Bench, nor amended by the passage of a
statute.)⁶⁶ A statute cannot amend the constitution.

Seminole Tribe of Florida v. Florida 517 U.S. 44, 116
S. Ct 1114 (U.S. Fla 1996); Pennsylvania v. Union Gas Co.
491 U.S. 1, 24, 109 S. Ct 1273, 2286, 105 L. Ed 2d (1989);
Counselman v. Hitchcock 142 U.S. 547, 11 S. Ct 195 (1982)

⁶⁶... [A]n unconstitutional statute is to be regarded as non
existent and no defence to state officers acting under
it...⁹⁹ Rockaway Pacific Corporation v. Statesbury 255
F. 345 D.C. N.Y. 1917 see also Cooper v. Aaron 385 U.S.

1 1, 18, 78 S. Ct 1401, 1409-1410, 3 L ed 2d 5 (1958) Holding That
2 An Oath to support the constitution is an oath to support
3 its interpretation by the United States Supreme Court. See
4 also Baker v Carr 369 U.S. 183 215 82 S. Ct. 692, 709 7 L. ed
5 2d 663 (1962) which the United States Bankruptcy Court
6 relied upon in In re Tessier 190 B.R. 396 (1995) to make
7 the following: Finally, in attempting to deny the Supreme
8 Courts' determination of its own capacity to adjudicate,
9 the Congress invades a province properly left to a coordinate
10 Branch, and in so doing impermissibly exceeds its legislative
11 Authority.
12 Nevada's sister state, California has had some things
13 to say about similar circumstances in their state "The
14 Constitutional provision was a law made directly by the people
15 instead of the legislature, and such laws are to be
16 construed and enforced in all respects as though they were
17 statutes. Winchester v Maybury 122 Cal 552, 55 p 393
18 "in effect these constitutional provisions are but
19 statutes, which the legislature cannot repeal or amend."⁹⁹
20 Winchester v Howard 136 Cal 432, 439, 64 p 692, 69 p 77, 79,
21 89 Am St Rep 153.
22 The LCB illegally maintains all of the legislative records
23 in clear violation of the NEVADA CONSTITUTION ART 5 § 20
24 Bill Resolution Journals and all other records were
25 allegedly taken away from the SECRETARY OF STATE
26 and transferred to the LCB through the passage of NRS
27 225.070 A statute that was repealed effective March,
28 24th 1999

1 Even if the legislature did everything Lawfully by following
2 The correct rules and guidelines, we still will never know
3 if the NRS's at issue in this case were passed into Law
4 because there are no records at the Secretary of State's
5 office. See letter from Secretary of State stating that they
6 do not have these records as EXHIBIT 18 also
7 See NEVADA CONSTITUTION ARTICLE 5 § 20 which
8 commands that the Secretary of State maintain &
9 protect legislative acts of Nevada, even the proof
10 of the UNCONSTITUTIONAL NRS's at issue in this case
11 has been UNCONSTITUTIONALLY hidden by an entity
12 that ~~may~~ may deny access to the information to
13 anyone. However as court can see in EXHIBITS
14 1, 2, 3 the proof of NRS 209.246 being an
15 illegally created Law / Statute was in fact
16 presented to Judge Doug Herndon at an
17 evidentiary Hearing Held on 02/09/2016 as
18 indicated in face book Post by Gary Walters
19 in STATE OF NEVADA v Gary Walters case no
20 05C217569

21 There exists even more disturbing issues regarding
22 the legality of the NRS at issue that there are
23 no records even showing that the Governor signed
24 SB-2 into Law. Interestingly although the
25 Secretary of State is constitutionally mandated to
26 maintain the legal custody and control of this
27 information and provide it to any party seeking
28 the information, the Secretary of State overs

1 that it does not have Legal custody and control
2 of it. See EXHIBIT 18 the secretary of state
3 tells you to either ask the LCB for it, or sends you
4 a copy they claim they got from the LCB. This is
5 ~~abs~~ absurd! The Attorney General's office has
6 addressed a similar issue before and stated that a
7 Joint Resolution Appropriating money from the
8 Highway fund, adopted by both, but never presented
9 to the Governor for his signature, does not become
10 Law. Thus an appropriation is invalid under this
11 section. Attorney General opinion 85[AGO 7-25-1950]

12
13 currently the Secretary of State states that their office
14 does not have the files, documents that will prove the
15 plaintiff's argument.

16 This poses a serious problem for two reasons: (1) the
17 loss or hiding of these records prevents the plaintiff claim
18 in this action from being proven conclusively; and (2)
19 losing, or destroying or hiding these records constitutes
20 a crime. See NRS 239.320 which discusses the crime
21 of any public officer causing INJURY TO, CONCEALMENT
22 OR FAISIFICATION OF RECORDS OR PAPERS TO WIT:

23 An officer who mutilates, destroys, conceals, erases,
24 obliterates or falsifies any record or paper
25 appertaining to his office, is guilty of a category
26 C felony and shall be punished as provided in
27 NRS 193.130 Further more see 18 U.S.C.S. 473
28 1002 FRAUD & FALSE STATEMENTS POSSESSION OF FAISE

PAPERS TO DEFRAUD UNITED STATES

who ever, knowingly and with intent to defraud the United States, or any agency thereof, possesses any false, altered, forged, or counterfeited writing or document for the purpose of enabling another to obtain from the United States, or from any agency, officer or agent thereof, any sum of money shall be fined under this title or imprisoned not more than five years or both.

§1017 Government seal wrongfully used and instruments

wrongfully sealed. who ever fraudulently or wrongfully affixes or impresses the seal of any department or agency of the United States, to or upon any certificate, instrument, commissions, document, or paper or with knowledge of its fraudulent character, with wrongful or fraudulent intent, uses, buys, procures, sells, or transfers to another any such certificate, instrument, commission document, or paper, to which or upon which said seal has been so fraudulently affixed or impressed shall be fined under this title or imprisoned not more than five years, or both.

§1018 official certificates or writings,

who ever, being a public officer or other person authorized by any Law of the United States to make or give a certificate or other writing, knowingly makes and delivers as true such a certificate or writing, containing any statement which he knows to be false, in any case where the punishment there of is not elsewhere expressly provided by Law, shall

1 be Fined under this title or imprisoned not more than
2 one year or both.

3 §1021 TITLE RECORDS

4 whoever, being an officer or other person authorized by
5 any Law of the United States to record a conveyance of
6 real property or any other instruments which by such
7 Law may be recorded, knowingly certified falsely that
8 such conveyance or instrument has or has not been
9 recorded, shall be Fined under this title or imprisoned not
10 more than five years or both.

11 Furthermore, the documents which were submitted for
12 the passage of S.B-2 do not conform to the constitutional
13 requirements of the Joint Rules of the Senate and Assembly.

14 Since this document was submitted by the LCB, the Senate
15 and the Assembly, this unqualified document was not a
16 true Bill. Since it was not a true Bill it was/is a false
17 or fraudulent Bill. NRS 239.330, discusses the penalties
18 for submitting or offering false information for filing
19 or for recording. the statute reads in pertinent part
20 as follows:

21 A person who knowingly procures or offers any false
22 or forged instrument to be filed, registered or recorded
23 in any public office, which instrument, if genuine,
24 might be filed, registered or recorded in a public
25 office under a Law of this state or of the United
26 States, is guilty of a category C felony and shall
27 be punished as provided in NRS 193.130 also see
28 18 U.S.C. § 1002; 1017; 1018; 1021.

1 there is no question that SB-2, was passed off as a
2 legitimate document, when it was not. therefor, this
3 constituted the offering of a false instrument and caused
4 it to be filed, registered or recorded in a public office.
5 currently the Secretary of state, who is the constitutionally
6 mandated office, does not have the documents or atleast
7 not willing to admit that they do.
8 BUT since the secretary of state is required to maintain
9 these Legislative and executive Records, but tells you to
10 request them from the LCB, it is assumed, that this office
11 will continue to maintain this position because it has been
12 ordered to do so. the probable explanation is that if we
13 dont maintain that the NRS's at issue in case at bar
14 is the Law, inforceable, it could cause complete and
15 total chaos, even anarchy, however, the UNITED
16 STATES CONSTITUTION IN ARTICLE 4 § 4 states that
17 the UNITED STATES GOVERNMENT shall guarantee
18 to every state in this union a REPUBLICAN form of
19 GOVERNMENT. every body these days is being told that
20 our soldiers are fighting for DEMOCRACY, but this is
21 not true, they are fighting to maintain the rule of
22 Law which is what a REPUBLICAN is based upon
23 so even our politicians and educators dont know
24 what kind of GOVERNMENT we have. It is rather
25 interesting that the constitution does not
26 guarantee every state a ⁶⁶ DEMOCRATIC FORM OF
27 GOVERNMENT⁹⁹ BUT it does guaranteed each state a
28 REPUBLICAN FORM OF GOVERNMENT

1 so what is the answer to all of these problems? the
2 plaintiff's assessment is that what is good for the
3 goose should be good for the gander. in other words we
4 need to follow the same protocols that the gaming
5 industry does when it enforces gaming rules on the
6 citizens of the state, and that is: ZERO tolerance
7 for any kind of non-conformance with the rules.
8 the gaming industry calls any non-conformance
9 with the gaming rules CHEATING cheating is a
10 criminal act.

11 so why is it that the defendants in this case at
12 least think they can get away with something that
13 is just as egregious than cheating at gaming?
14 ~~Honestly no one~~ what will the defence have to
15 say about this? the answer is nothing, because
16 they have already brought the secretary of state into
17 the fold and instructed him/her not to release any
18 documents, in fact, the office is denying that the
19 office even has or maintains them. what would
20 happen if the secretary of state produced these
21 documents, as the office is required to do, and it
22 shows that what this plaintiff is saying is true?
23 that the NDC is not only taking more than what
24 NRS 209.246 says they can, it would show, prove
25 they have no authority to take any monies from
26 this plaintiff's account for any debt he may be
27 indebted to them for.
28 most certainly they will say we can't set aside

1 NRS 209.246 because passed the NRS scheme in the
2 1950'S they VOIDED all general statutes, so they
3 are gone too. which would be untrue because
4 within SB-2 it says in the case this is found to be
5 UNCONSTITUTIONAL than all Laws revert back to the
6 original statutes. The absurdity of the legal view
7 point is that if we have a Law that was never
8 properly passed and they are or in this case it
9 is null and void, isn't there already no law for
10 this issue? in fact isn't what we have here a
11 cause of FRAUD, THEFT, EXTORTION, GRAND
12 LARSENY, IMBEZLEMENT or better yet no
13 enforcable Law. The UNITED STATE SUPREME
14 COURT has addressed this issue in MERRITT V
15 WELSH 104 U.S. 694, 702 (1881) stating "it has
16 been said with much truth, where the Law ends,
17 tyranny begins,"¹⁹⁹ so let's call it what it is
18 TYRANNY.

19 The vastness of this conspiracy goes all the way to
20 the top. After all Governor Brian Sandoval after
21 being made aware of the issue of SB-2 by Gary
22 Walters promptly signed into Law a Bill that
23 prohibits inmates from having access to public
24 Records.

25 this can't be just a coincidence, can it? Sandoval
26 is after all a former Federal Judge. prior to signing
27 this Bill of Attainder into Law he received the
28 prior mentioned package from Gary W. Walters

1 outlining the issue that SB-2 created, for years
2 prosecutors, or Deputy Attorney Generals have gone
3 so far as to argue that one NRS backs this or
4 that NRS as prima facie evidence of the Law.
5 prima facie however means from the beginning, in
6 this case there are only one or two NRS at
7 issue, you can not use one UNCONSTITUTIONAL
8 Law to support another let alone one in and of
9 itself, two wrongs don't make it right,

10
11 If words mean nothing, then our constitution
12 means nothing. If our constitution means nothing
13 then we have no rights, If we have no rights,
14 then we only have privileges and immunities that
15 are granted by Government, we are then but
16 subjects of a TYRANNICAL GOVERNMENT, it is a
17 maxim of Law ⁶⁶ that which creates, has the
18 power to destroy ⁹⁹ therefore, privileges are worthless
19 because they can be legislated away for any reason,
20 where as CONSTITUTIONAL RIGHTS cannot be
21 legislated away without the consent of the Body
22 politic, our state law has been morphed into a form
23 of territorial Federal Law, ~~as in regard to~~ this
24 destroys the sovereignty of the state and its
25 citizens, The legislature has taken upon themselves
26 to take total power away from the state constitution -
27 The Law of the Body politic - the citizens of the
28 state, However, ⁶⁶ A state constitution is Binding

on the courts of the state and on every officer and every citizen.

Any attempt to do that which is prescribed in any manner than that prescribed or to do that which is prohibited is repugnant to the supreme and paramount Law, and individual⁹⁹ Porch v Patterson 39 new 251, 268 156 p 439, 445 (1916) The CONSTITUTION nullifies sophisticated as well as well as simple minded modes of infringing on constitutional protections.

Lane v Wilson 307 U.S. 268, 175, 59 S.Ct 872, 876 LED 1281 (1939); Harmon v Forseeus 380 U.S. at 540-541 85 S.Ct at 1185 cited in U.S. term Limits Inc v

Thornton 514 U.S. 779, 829 115 S.Ct 1842 (1995) like

its counterpart in the Fifth Amendment, the due process clause of the Fourteenth Amendment was intended to prevent the government⁶⁶ from abusing [its]

power or employing it as an instrument of oppression⁹⁹

Davidson v Cannon 474 U.S. 344, 348 (1986) The constitution of the United States guarantees each state a Republican

form of Government. A Republican form of Government

means that we have the rule of Law. currently with the

issue at hand, involving NRS 209, 246 and the issue

before this court we have no rule of Law. In fact with

this issue and the NDOC we have nothing more than

LAWLESSNESS.

we have an oligarchy, a nation-state where our

representatives have become rulers who are law unto them-

selves and are rules are lying to us in order to maintain

1 The facade that we are in an orderly, free society ~ when
2 the truth is plaintiff is being forced to live under an
3 oppressive and tyrannical Government. ⁶⁶ No state
4 legislation or executive or judicial officer can war
5 against the constitution without violating HIS
6 undertaking to support it. ⁹⁹ cooper v Aaron 385 U.S. 1, 78
7 S. Ct 1401 (1985) The United States Supreme Court has
8 spoken ⁶⁶ we [Judges] have no more right to decline the
9 exercise of jurisdiction which is given, than to usurp
10 which is not given. The one or the other would be
11 treason to the constitution ⁹⁹ U.S. v Will 449 U.S. 200, 216,
12 101 S. Ct 471, 66 LEd 2d 392, 406 (1980); cohens v Virginia
13 19 U.S. (6 wheat) 264, 404 5 LEd 257 (1821) The [illegality] ⁹⁹
14 of NRS 209.246 denies this court their jurisdiction
15 to act.

16 The legislative counsel Bureau [LCB] is an illegally created
17 private ~~corporation~~ corporate entity, which maintains all
18 of the public records in violation of the Nevada constitution
19 This corporation has obtained untold powers over the
20 years and controls many aspects of the state government
21 including the writing and drafting of all bills in the
22 legislature, the state mail room, the senate printing
23 office and the ownership of the copyrights on the
24 Nevada Revised Statutes [NRS] which have brought
25 millions of dollars of profit to the private corporation.

26 A ⁶⁶ DEMOCRACY ⁹⁹ is mob rule, directed and controlled
27 by an oligarchy. currently in this country we have
28 a nation-state type of government that oppresses

1 as a democratic welfare state, where laws are not
2 obeyed or enforced because they might offend someone.
3 Where as a Republican form of Government is a
4 Government of laws, where laws are enforced regardless
5 of whether we will offend somebody or not - simply
6 because it is the Law.
7 "The courts statutory... power to adjudicate" is
8 defined as subject matter jurisdiction. Cotton v United
9 States 535 U.S. 625, 630 (2005) It logically follows
10 that an unconstitutional Law deprives a court of subject
11 matter jurisdiction rendering judgment void. see
12 Wright v West 505 U.S. 277, 285 (1992) "Court
13 without jurisdiction to impose sentences under
14 unconstitutional statute" citing ex parte Siebold
15 100 U.S. 371, 377 (1880); ex parte Smith, 126 p 655,
16 699 NEU (1912) an unconstitutional Law "is a
17 jurisdictional defect" ex parte Rasenblatt 14 p
18 298, 299 (NEU 1887) (holding that an unconstitutional
19 Law is void and insufficient to give jurisdiction
20 to the court) citing ex parte Siebold, supra
21 A sentence or Ruling based upon an unconstitutional
22 Law not only deprives a court of jurisdiction to
23 impose the sentence or ruling at all, the sentence or
24 ruling would also be illegal. see Edwards v State 918
25 p. 2d 321, 324 (NEU 1996) holding that a sentence (or in
26 this case a ruling) is illegal if the court goes beyond
27 its Authority by acting without jurisdiction.
28 Sentencing Like other Laws are enacted by the

1 Legislature through statutes and confer the court with
2 Jurisdiction to adjudicate within the scope of the
3 statutes provision. "A court does not have the power,
4 by judicial fiat to extend its jurisdiction over
5 matters beyond the scope of the Authority granted
6 to it by its creator" Stoll v. Gottlieb 305 U.S. 165,
7 171 (1938); ex parte Smith 126 P.2d at 671 an unconstitutional
8 law is no law at all and cannot legitimately confer a
9 court with jurisdiction, such laws are without
10 force and effect.

11 There is nothing anyone can provide to rebut the
12 facts of this argument that NRS 209.246 being an
13 unconstitutional statute/Law, anyone who attempts to
14 argue against the cold hard facts does not care about
15 Justice and is against this states Constitution Chapman
16 v. California 386 U.S. 18 22-24, 17 L. Ed. 2d 2705, 87
17 S. Ct 824 (1967).

18 (1) Harmless Beyond reasonable doubt standard presumes
19 prejudice and burden on beneficiary of errors to
20 prove beyond reasonable doubt that errors did not
21 contribute to verdict;

22 (2) Harmless plain error does not exist, all plain errors are
23 harmful;

24 (3) Harmless constitutional error test is stringently applied,
25 resolving all reasonable doubts against Government "where
26 court is in grave doubt as to Harmlessness of state
27 court error plaintiff must win" Crespin v. State
28 of N.M. 144 F.3d 641 (10th Cir 1998)

1 There is no way for the state to prove the use of an
2 UNCONSTITUTIONAL Law was not Harmfull to this
3 plaintiff. The subject matter embodied in a legislative
4 act must be expressed in the title. AGO 17(2-17-1923),
5 all legislative power is vested in the legislature
6 by the constitution, and the legislature cannot
7 delegate this power to any officer or board. AGO 257
8 (5-26-1938)

9 This section requires that each Law enacted by the
10 legislature embrace only one subject and that the
11 subject matter of a Bill appear in the title, that
12 part of a statute which provided for the payment
13 of salary to an official reporter of the supreme
14 court was VOID because not embraced in the
15 title AGO(3-30-1929) state ex rel Stevenson v
16 Jurly 19 neu 391, 12 p 835, 1887 neu lexis 4(neu 1887)

17 ⁶⁶According Amendments to the constitution can be
18 made only in the mode provided by the constitution itself.
19 The provisions providing the mode of amending the constitution
20 were intended to secure care and deliberation on the part
21 of the legislature and people, and are exclusive and
22 controlling state ex rel Norcross v Board of comm'r
23 22 neu 399 41 p. 145 1895 neu lexis 20(neu 1895) ⁶⁶1F
24 the title is restricted to a certain purpose, the pervuew
25 or body of the act must also be restricted to that
26 subject; The act can be no broader than the subject
27 expressed in the title ⁹⁹ state ex rel Ahelman v
28 Douglas 46 neu 121, 208 p 422, 1922 neu lexis 10(neu 1922)

1 "If a statute is broader than its title, the part
2 expressed in the title is valid, while the parts not
3 indicated there by are void" Pacific Live Stock Co. v
4 Ellison Ranching Co. 46 Nev 351 213 p 700 1923 Nev
5 Lexis 14 (1923) "A district court has authority to declare
6 an act of the legislature unconstitutional" The state
7 can say they were repealed and don't exist, but if
8 you read SB-2 in its entirety you'll notice the section
9 that says "If found to be unconstitutional the laws
10 shall revert back to the old statutes"
11 So there is no excuse, the courts are bound to
12 enforce the constitution.
13 The challenge to NRS 209.246 is a challenge to not
14 only the NOOC's authority to take any monies from this
15 plaintiff's trust account, it's also a jurisdictional
16 challenge of this court's authority to enforce the
17 statute at issue. a jurisdictional challenge cannot
18 be waived at any time. A jurisdictional challenge
19 is ~~the~~ same as a challenge to an illegal sentence or
20 ruling, which can be challenged years down the road
21 Edwards v State 918 p. 2d 321, 324 (Nev 1996); Passanisi
22 v State Also a Judge is a Judge, they are judicial
23 officers which means they can only perform judicial
24 duties nothing else. The LCB was a quasi legislative
25 office, judges are elected to be a judicial official. The
26 LCB did legislative work which is forbidden for
27 a judicial official to do, you can't change the
28 definition of something as a judicial official by

1 statute, A Judge will always be a Judicial officer,
2 and a senator or congress man will always be a
3 Legislator and neither can perform the duties
4 of another under the separation of powers doctrine.

6 CONCLUSION

7 The plaintiff contends that based on the argument, facts
8 and exhibits contained herein that he has in fact, and
9 inrefutably shown & proven that not only have the
10 defendants named in the action enforced their own
11 Rules & Regulations fraudulently, Arbitrarily chosen
12 to go beyond what their own Rules and Regulations
13 state. they have done so pursuant to NRS 209.246
14 an illegally created statute. should this most Honorable
15 court need more information as to what plaintiff
16 has put before this court the proof of the issue is
17 easy to bring before this court. STATE OF NEVADA
18 v Gary Walters case no 05C217569.

19 plaintiff would respectfully ask this court to grant the
20 motion to follow this memorandum, and allow this
21 plaintiff to prove what he claims about the
22 illegal statute/Law being used to enforce what
23 Nooe has illegally done.

VERIFICATION

I Bryan P Bonham, plaintiff declare & verify, That I have read
the foregoing memorandum in support of plaintiff's 42 U.S.C.
1983 civil rights complaint, & to best of my belief &
knowledge that the foregoing is true & correct under
the pains & penalties of perjury pursuant to 28 U.S.C. A §
1746 & 18 U.S.C. A § 1621

CERTIFICATE OF SERVICE

I Bryan P Bonham certify that I am attaching a
true & correct copy of the foregoing memorandum in
support of plaintiff's 42 U.S.C. 1983 with special
instructions for electronic filing & service to the
clerk of the court to serve all my opponents pursuant
to N.E.F.C.R. 505, 9 et seq (A-E) etc to the following.

Aaron D Ford
Attorney General
100 N. Carson St
Carson City, NE 89701

Dated this 11th day of December 2020

~~15/12/20~~
Bryan P Bonham 60575
PO Box 650 (HASP)
Indian Springs, NE 89070

EXHIBIT 1

EXHIBIT 1

CLERK, U.S. DISTRICT COURT

DISTRICT OF NEVADA

400 SOUTH VIRGINIA ST., ROOM 301

RENO, NEVADA 89501

OFFICIAL BUSINESS

**Greatest Legal Discovery
in the History of the State of Nevada**

CONDENSED VERSION WITHOUT EXHIBITS ATTACHED

Preliminary Statement

Gary Walters, once had a personal bank account containing over one hundred million dollars and had exclusive control of over one billion dollars in investment funds. Mr. Walters was arrested and prosecuted for the forgeries committed by **Robert Earl Ford** and **Effraim Mizrahi** (In another court case Effraim Mizrahi testified that he and Robert Earl Ford forged the documents that put Mr. Walters in prison). This recorded testimony was not permitted to be used in Mr. Walter's defense by Judge Michael P. Villani in Eighth Judicial District Court No. 17. While Mr. Walters was in custody, with no bail, he was systematically robbed and stripped of hundred's of millions of dollars by the surviving and un-prosecuted members of Nevada's notorious HOA scandal.¹²³⁴ Mr. Walters was prosecuted by the surviving spouse of HOA conspiracy member, David Amesbury.⁵ Mr. Walters has come forward and released this phenomenal historical and legal research effort which was completed after spending over eight years in prison. Mr. Walter's conviction was reversed on a Post-Conviction Writ. This puts his case in the one-half of one percentile that are granted in Nevada State Courts. In other words, Mr. Walters Writ was one of the only 0.05 which are granted relief. Many of the documents obtained by Mr. Walters within the walls of Nevada's Department of Correction are no longer available to the public.⁶ Once Mr. Walters made this information generally available, Nevada's Governor Brian Sandoval quickly signed a Bill into law denying all Prisoner's access to public records.⁷ Mr. Walter's discovery follows:

Preface to Mr. Walters' discovery:

To understand the nature and validity of codification and revision of statutes at large, there needs to be an understanding that there are rules that direct the execution and making of them. These are generally found in every States' Constitution. These Constitutional directives are mandated, in other words, they must be followed or the codification or revision is a nullity. There are two levels that control this process. They are procedural and substantive in nature. By comparison, somewhat like a obtaining a driver's license: First you have a written test (substantive), eye test (substantive), and then you take a driving test (procedural).

The procedural process for the passage of a State Law *generally* consists of the following flow chart:

1. The Law is passed by both houses;
2. The bill is sent to the Governor, who then signs or doesn't sign it;
3. If the Governor signs the bill, then it goes to the Secretary of State;
4. In Nevada, the Secretary of State is the Constitutional keeper of ALL legislative records;
5. The Secretary of State also possesses the official state seal and affixes them to laws that have been passed to certify that it is a true and valid document.

The laws that are passed by the State Legislature are prima facie evidence that it has been passed, but the laws that are issued and published by the Secretary of State are irrefutable proof that the law exists. Statutes are presumed to be valid, and the challenger bears the burden of showing that a statute is unconstitutional. *Halverson v. Secretary of State*, 124 Nev. 484, 487, 186 P.3d at 896 (2008). Therefore, Mr. Walters proceeds with his challenge to the Constitutionality of the passage of the Nevada Revised Statutes [NRS] which are alleged to have been Legislatively passed *en mass* by Senate Bill No. 2.

I.

THE ENTIRE NEVADA REVISED STATUTES SCHEME IS NULL & VOID, AS THEY PERTAIN TO THIS INSTANT CASE AT BAR

- A. The mode of a statute depends on constitutional, *Mead v. Arnell*, 791 P.2d 410, 117 Idaho 660 (1990); and statutory requirements. *Harris v. Shanahan*, 387 P.2d 771, 192 Kan. 183 (1963). The Nevada Revised Statutes are alleged to have been passed into law on May 1, 1951 in the form of a copy of an "engrossed Bill" - commonly known as Senate Bill No. 2 [hereinafter SB-2]. Mr. Walters discovered that this Bill was, in fact, not a Bill at all. Further, there were so many Constitutional and other mandatory protocols that were violated, as to the manner and method of the passage of SB No. 2, which voided the entire act. The passage of any law in Nevada must meet certain criteria for its "lawful" passage.

The first set of issues are related to "Mode, Style and Identification" of a Bill. The purpose of prescribing an enacting clause - "the style of the acts" - is to establish it; to give it permanence, uniformity, and certainty; to identify the act of legislation as of the general assembly; to afford evidence of its legislative statutory nature; and to secure uniformity of identification, and thus prevent inadvertence, possibly mistake, and fraud. *State v. Patterson*, 4 S.E. 350, 352, 98 N.C. 660 (1887); 82 C.J.S. "Statute," §65, p. 104; *Joiner v. State*, 15 S.E.2d 8, 233 Ga. 367 (1967). The object of the style of a bill or enacting clause is to show the authority by which the bill is enacted into law, to show that the act comes from a place pointed out by the Constitution as the source of legislation. *Ferrill v. Keel*, 151 S.W. 269, 272, 105 Ark. 380 (1912). In sum and substance, the enacting clause is that portion of a statute that gives it jurisdictional identity and constitutional authenticity. *Joiner v. State*, 155 S.E.2d 8, 10 (Ga. 1967). State

The *mode, style and identification* issues are as follows:

- a. The Nevada law mandates that each Bill that is passed contain the following language:

"The people of the State of Nevada, represented in Senate and Assembly do enact as follows:"

- SB No. 2 does not contain this language.
- Nor is a Joint Resolution used as a band aid to pass it into law.

- b. Nevada Constitution Article 4, §17, requires that each Act embrace only one subject; to wit:

"Each law enacted by the Legislature shall embrace but one subject, and matter, properly connected therewith, which subject shall be briefly expressed in the title; and no law shall be revised or amended by reference to its title only; but, in such case, the act as revised or section as amended, shall be re-enacted and published at length."

SB-2, which embraced the passage of the NRS embraced every subject in Nevada Law. SB-2 violated the Nevada Constitution. Placing all the subjects of the laws of Nevada under the penumbra of the NRS does not meet the requirements that the Bill embrace only one subject. This Constitutional provision is mandatory. *State, ex rel. Chase v. Rogers*, 10 Nev. 250 (1875); *State v. Ah Sam*, 15 Nev. 27 (1880). Compliance with this section is essential to the validity of every law enacted by the Legislature. *State, ex rel. Wislon v. Stone*, 24 Nev. 308, 53 P. 497 (1898); *Bell v. First Judicial Dist. Ct.*, 28 Nev. 280, 81 P. 875 (1905). Any act passed in disregard of the letter and spirit of this provision is pro tanto void. *State v. Ah Sam*, 15 Nev. 27 (1880).

c. Authentication Procedures:

SENATE BILL NO. 109, sponsored by Whitacare, Brown and SeEVERS, in Chapters 385 and again as referenced in the JOINT RESOLUTION, which states in §2,

"All Bills or Resolutions shall be introduced in triplicate, and one copy of each Bill or Resolution shall be marked "*Original*," one shall be marked "*Duplicate*," and one shall be marked "*Triplicate*." The copy marked "duplicate" shall be sent to the State printer for the purpose of printing and the copy marked "triplicate" shall be referred to the Amendment Clerk."

In §3 it states that,

"The printer shall immediately after receipt of the copy of any Bill or Resolution, print, in addition to the regular number herein before authorized, one copy thereof upon heavy buff paper, which copy shall be delivered to the Secretary of the Senate or Chief Clerk of the Assembly. The Amendment Clerk shall then certify to the correctness of the bound copy.

In §4 it states that,

The official and engrossed copy may by Resolution be used as the enrolled Bill.

SB-2 was passed using a Joint Resolution. The severity of the problem with the Joint

Resolution used in connection with the copy of the Engrossed Bill [SB-2] is that it does not contain mandatory enactment language. The State Senate's Committee on Judiciary, File No. 1, passed Senate Concurrent Resolution No. 1, which provides that the official engrossed copy of SB-2, may be used as an enrolled Bill.

- d. The enacting clause is mandatory and cannot be cured by a Joint Resolution.

^e
"A joint resolution adopted by both houses cannot become a valid law if it does not contain the enacting clause required by this section. ATTORNEY GENERAL OPINION 85 (07-25-1951). This constitutional provision is mandatory and an act not in the proper form is void and unenforceable. *State, ex rel. Chase v. Rogers*, 10 Nev. 250 (1875). The words "represented in Senate and Assembly" expressive of the authority which passed the law, are as necessary as the words "the people" or any of the other words of the enacting clause. *State, ex rel. Chase v. Rogers*, 10 Nev. 250 (1875). See also, *Nevada Highway Patrol Assoc. v. Nevada DMVPS*, 107 Nev. 547, 815 P.2d 508 (1991).

St → In *State, ex rel. Chase v. Rogers*, 10 Nev. 250 (1875), the court held that

The court held that where the enacting words were prescribed, it was mandatory they be included in the act. Without the words required by the constitution, and without the concurrence of the senate, the people had no power to enact any law. The county recorder contended that when the bill was presented to the legislature the words were in the enacting clause. The court ruled that it could only look at the enrolled bill in the office of the secretary of state in order to ascertain the terms of the law.

- e. Pursuant to Rule 7 of the Joint Rules of the Nevada Senate and Assembly, a Joint Resolution can only be used for the purposes set forth therein, as follows:

1. A Joint Resolution may be used to:
 - (a) Propose an amendment to Nevada Constitution;
 - (b) Ratify a proposed amendment to the United States Constitution;
 - (c) Address the President of the United States, Congress, either House or any Committee or member of Congress, any department or agency of the Federal Government, or any other State of the Union.
2. A Concurrent Resolution must be used for:
 - (a) Amendment of these Joint Standing Rules, which required a Majority Vote of each House for Adoption;
 - (b) Request the return from the Governor of an enrolled Bill for further consideration;
 - (c) Request the return from the Secretary of State an enrolled Joint or

- (d) Concurrent Resolution for further consideration;
- (d) Resolve the return of a Bill from one House to the other House if necessary and appropriate;
- (e) Express facts, principles, opinion and purposes of the Senate and Assembly;
- (f) Establish a Joint Committee of the two Houses;
- (g) Direct the Legislative Commission to conduct an interim study;
- 3. A ~~Concurrent Resolution~~ or a ~~Resolution of one House~~ may be used to memorialize a former member of the Legislature or other notable or distinguished person upon his or her death.
- 4. A ~~Resolution of one House~~ may be used to request the return from the Secretary of State of an Enrolled Resolution of the same House for further consideration.

See *Nevada Highway Patrol Association v. The State of Nevada, DMV&PS*, 107 Nev. 547, 815 P.2d 608 (1991), which states as follows:

"First, by its nature, an assembly concurrent resolution is not intended to have the force and effect of law. Pursuant to Rule 7 of the Joint Rules of the Nevada Senate and Assembly, the purpose of a concurrent resolution is to direct the Legislative Commission to conduct interim studies, to request the return of a bill from the other House, and to request an enrolled bill from the Governor. On occasion, a concurrent resolution is also used to memorialize a former member of the Legislature or other distinguished person upon death, or to congratulate or commend any person or organization for a significant and meritorious accomplishment.

Second, "[e]very bill which may have passed the legislature shall, before it becomes a law, be presented to the governor . . . Nev. Const. Art. IV, §35. A review of the legislative history of the aforementioned Assembly Concurrent Resolution, No. 29, indicates that this resolution, like other concurrent resolutions passed by the legislature during the same time period, was never presented to the Governor for approval or disapproval. See generally FINAL VOLUME ASSEMBLY HISTORY, 1969 at 218-288. Accordingly, this assembly concurrent resolution cannot be construed as the law of this State.

Finally, "[t]he enacting clause of every law shall be as follows: 'The People of the State of Nevada, represented in Senate and Assembly, do enact as follows; and no law shall be enacted except by bill. Nev. Const. Art. IV, §23. (Emphasis added.) We have previously ruled that this enacting clause is mandatory and must be included in every law created by the Legislature. See *State v. Rogers*, 10 Nev. 250

(1875). Since Concurrent Resolution, NO. 29 and other similar resolutions do not contain the requisite enactment language, they cannot represent the law of this State.

The Illegally Operated Legislative Commission:

According to the Legislative Counsel Bureau [LCB] the Nevada Revised Statutes were created in 1951 by a enigmatic member of the Statute Revision Commission. Currently, the LCB *illegally* maintains the history of all Nevada Legislation. It is unknown as to whether or not the LCB is a State agency or department. The LCB appears as a common thread that is ever present as we wind down this rabbit hole to legislative fraud and lawlessness. It appears that the LCB has been slowly and illegally absorbing State government functions, some of which are Constitutionally mandated. This has been surprisingly accomplished, in part, by amending the State Constitution through the use of newly created State statutes, which have been used to illegally transfer the power from an elected office with Constitutional duties, to the LCB.

According to the LCB, their predecessor, the Statute Revision Commission, was originally created by the Nevada Supreme Court in 1951. However, Senate Bill No. 182, approved March 2, 1951, created the Statute Revision Commission.⁸ This Commission consisted of three Nevada Supreme Court justices: (1) Milton Badt; (2) Edgar Eather, and (3) Charles Merrill. Later a rather mysterious man named Russell West McDonald would be appointed by these Justices as "the Director."

This Commission became increasingly involved in bill drafting as an adjunct to its statute revision work. These same three Supreme Court Justices appointed a man named Russell W. McDonald to their committee as the Director. Russell McDonald was allegedly hired in 1951 to begin work on the Nevada Revised Statutes, but it appears that he had been working on it long before he was hired to do so. McDonald was alleged by the Statute Review Commission to: (1) be a native Nevadan (born in Nevada), (2) have gone through and graduated from Nevada's public education system, (3) be a Rhodes Scholar, (4) have graduated from Stanford School of Law. Mr. McDonald's biography is contradictory and varies widely depending on the source. His personal history cannot be verified. Russell West McDonald is a ghost. Even a Google search of McDonald reveals surprisingly little. A check of these credentials reveals that many of the statements made about Russell McDonald's qualifications are false. Oxford University denies that Russell McDonald was a Rhodes Scholar; Stanford University's school of law denies that he was a graduate therefrom; Even the statement that he was a native-born Nevadan is contradicted by a newspaper article stating that was born in California. Whether he attended any of Nevada's public schools could not be confirmed. Mr. Russell has been revered and exalted by the members of the Legislature and newspapers as a pillar of the community and yet, his background appears to be a total fraud. Just who was Russell West McDonald? That question, to this day, has still never been answered completely.

The origin of the Statute Revision Commission is somewhat of a mystery as well, providing conflicting and multiple representations from various sources making it unclear as to its actual origin. The Legislative Counsel Bureau states in their literature that the Supreme Court formed this Commission. While other sources state that the Legislature formed this Commission. Regardless of its origin, the entire Commission was Constitutionally compromised from the start. The

Commission was unlawful for several reasons, the most obvious being its very operation. The Justices who served on it did so in violation of the Nevada Constitution and the separation of powers doctrine. Which is discussed as follows,

Constitutional Violations:

The placement of three Nevada Supreme Court justices on the Statute Revision Commission violated Nevada Constitution Article 6, §11, which states in pertinent part,

~~The justices of the Supreme Court and the district judges shall be ineligible to any office, other than a judicial office, during the term for which they shall have been elected or appointed and all elections or appointments of any such judges by the people, Legislature, or otherwise, during said period, to any office other than judicial shall be void.~~

The Statute Revision Commission inherently involved legislative functions and generated other income for these Justices. For instance Justice Bandt was paid an additional \$6,500 more a year to sit on the Commission. Therefore, the placement of three members of the Nevada Supreme Court on the Statute Review Commission clearly violated Article 6, §11 of the Nevada Constitution. This also violated Nevada Constitution's Separation of Powers prohibition in Article 3, §1, which states in pertinent part,

Three separate departments; separation of powers; legislative review of administrative regulations.

1. The power of the Government of the State of Nevada shall be divided into three separate departments, — the Legislative, — the Executive and the Judicial; and **no persons charged with the exercise of powers properly belonging to one of these departments shall exercise any functions appertaining to either of the others**, except in the cases expressly directed or permitted in this constitution.

Thus, the separation of powers doctrine was violated as the three Justices were involved in the drafting of legislation and the passage of Bills in the Legislature, a purely legislative function. Further, the Statute Revision Commission was completely responsible for the generation of the Nevada Revised Statutes [NRS]. The generation of these Revised Statutes specifically state that there were actual changes in the statement of the law as they were compiled into the NRS. Changes were made to existing statutes, entire words were deleted as being redundant, grammar was changed, sentence structures were altered. All in the name of progress. Changing even one jot or tittle was a legislative act and the Statute Revision Commission's members were Constitutionally prohibited from participating in this conduct. It is important to note here that the Statute Revision Commission was not legally created until 1955. On April 26, 1963, the Legislature committed an illegal act by back dating the appointment of the Statute Revision Commission and revisor of statutes to 1951 to cover up their pre-existing criminal fraud. See April 26, 1963 Act Bill No. 24, Chapter 403. Reading the Forward provided by the Statute Revision Commission reveals some interesting facts (if true), to wit:

FOREWORD

By the provisions of chapter 304, Statutes of Nevada 1951, amended by chapter 280, statutes of Nevada 1953, and chapter 248, Statutes of Nevada 1955, the legislature of the State of Nevada created the statute revision commission comprised of the three justices of the supreme court, authorized such commission to appoint a revisor of the statutes to be known as the director of the statute revision commission, and charged the commission to commence the preparation of a complete revision and compilation of the laws of the state of Nevada to be known as Nevada Revised Statutes for further duties and authority of the statute revision commission relating to the preparation of Nevada Revised Statutes, the numbering of sections, binding, printing, classification, revision and sale thereof.

The commission employed as director Russell W. McDonald, a member of the State bar of Nevada, who, with his staff, undertook and performed this monumental task, with such methods, care, precision, completeness, accuracy and safeguarded against error as to evoke the highest praise of the commission and the commendation of the bench and bar of the state.

As the work progressed, Mr. McDonald submitted drafts of chapter after chapter as recompiled and revised, and the members of the commission individually and in conference meticulously checked all revision. In the vast majority of cases these revisions were promptly approved. Many required further conferences with the director. ~~Some were modified and redrafted.~~ As the several chapters were returned with approval to the director, they were in turn delivered to the superintendent of state printing for printing, to the end that upon the convening of the 1957 legislature Nevada Revised statutes were ready to present for approval. By the provisions of chapter 2, statutes of Nevada 1957, Nevada Revised Statutes, consisting of NRS 1.010 to 710.590, inclusive, was "adopted and enacted as law of the State of Nevada."

STATUTE REVISION COMMISSION

Milton B. Badt

Edgar Ether

Charles M. Merrill

This foreword sets forth that the Statute Revision Commission is a Legislatively created State entity. The Statute Revision Commission has now been absorbed by the Legislative Counsel, *i.e.*, Russell W. McDonald, who then made the Legislative Counsel a division of the LCB. After which Russell W. McDonald then took the LCB director's position. Why and how did the LCB obtain the copyright and the rights to sell the NRS (and keep the money)? The LCB makes it appear through innuendo and subliminal word play by speaking or writing about them simultaneously, making people think that they are one and the same, when in fact the copyrights are under LCB control. Why and how did the Statute Revision Commission obtain the copyright and the rights to sell the NRS (and keep the money)? Why doesn't the State of Nevada own the copyright? Who gets the money from the sale of the NRS? Perhaps the intended purpose was to create a slush fund which could then be raided by a number of individuals for their illegal and nefarious means.

Page 8 of 28

The Supreme Court says that the Statute Revision Commission was created by the Legislature, but the LCB states that the Statute Revision Commission was created by the Nevada Supreme Court,

~~The Statute Revision Commission was originally created by the Nevada Supreme Court in 1951~~ and became involved in bill drafting as an adjunct to its statute revision work.

And, further

The 1945 law establishing the bureau [LCB] charged it with assisting the Legislature to find facts concerning government, proposed legislation, and various other public matters.

The LCB goes on further to state that,

During the next several years, the duties of the bureau and its staff were modified and expanded. In 1963, the Nevada Legislature reorganized the Legislative Counsel Bureau, giving it structure and responsibilities similar to those it has today. One part of this change was the incorporation of the Statute Revision Commission [via legislative counsel, Russell W. McDonald] into the Legislative Counsel Bureau as the Legal Division. . . . The 1963 legislation also added a Fiscal and Auditing Division and a Research Division.

Who actually created the Statute Revision Commission? How did the LCB end up with the copyrights to the NRS? Is the LCB even a State entity? Why doesn't the State own the copyright? How much money does the LCB make off of the NRS copyright? We will revisit these issues later.

In 1956-57 the Committee on Judiciary in the Senate passed Concurrent Resolution No. 1. This legislation was an attempt to bootstrap the illegal passage of the NRS by SB-2. The Senate attempted to do so by using a Joint Resolution to provide that the "official engrossed copy of SB-2 may be used as the enrolled bill." As set forth above Resolutions cannot be used to pass any Bill into law, rendering any law using this legislative vehicle as void.

In that same year, not to be out done by the Senate, the Committee on Judiciary of the Assembly passed **Concurrent Resolutions No. 1 and 2**, which extolled the virtues of Russell West McDonald and his involvement with the creation of the NRS stating as following:

- Expressing congratulations and gratitude to Russell West McDonald upon completion and enactment of the Nevada Revised Statutes;
- Stating that the preparation of Nevada Revised Statutes was a monumental undertaking requiring a degree of intelligence, knowledge, technical ability and dedication possessed by few men;
- That the Justices of the Supreme Court, in their capacity as the Statute Revision Commission, secured the employ of Russell West McDonald as its director;
- The Assembly extolled Russell West McDonald's false *curriculum vitae*;

An offense created by an unconstitutional statute is no longer a crime and a conviction under such statute cannot be a legal cause for imprisonment, even if the conviction was based on a plea agreement; the conviction must be vacated. [See]

- Explicated that the Nevada Revised Statutes marked the culmination of 6 years of *exceptionally devoted public service* by Russell West McDonald as a statute reviser and legislative bill drafter;

Even the LCB's Preface to the NRS describes the work done by the Statute Revision Commission as a delegation of the Legislature's own duties. Russell McDonald was engaged in "revising" which the LCB states in their preface as follows:

"Revising" the statutes, on the other hand, involves these additional and distinguishing operations: (1) the collection into chapters of all the sections and part of sections that relate to the same subject and the orderly arrangement into section of the material assembled in each chapter. (2) the elimination of inoperative or obsolete, duplicated, impliedly repealed and unconstitutional (as declared by the Supreme Court of the state of Nevada) sections and parts of sections. (3) The elimination of unnecessary words and the improvement of the grammatical structure and physical form of sections.

The revision, instead of the recompilation, of the statutes was undertaken, therefore, first, to eliminate sections or parts of sections which, though not specifically repealed, were nevertheless ineffective and, second to clarify, simplify, classify and generally make more accessible, understandable and usable the remaining effective sections or part of sections.

Doesn't this sound remarkably like *legislating*? Changing any word, whether it is redundant, unnecessary, ineffective, simplifying, clarifying or just simply an improvement of the grammatical structure is a legislative function, not a judicial function. Lest we forget these corrections were being approved *first* by three State Supreme Court Justices. This is a blatant violation of the separation of powers doctrine. Literally, the Nevada State Legislature abdicated their Legislative powers to the judiciary. They were then told by the Statute Review Commission that every thing was already checked out and was fine. The Legislature then supposedly passed it, even though we don't know this for sure because the record of their voting on it is either missing or is being hidden from public view. We don't even know if the Legislature even read it, because there is no record that it was read three times as required before its passage. It is alleged to have been voted on, but we don't really know this for a fact because the records are not in their Constitutional repository and, therefore, legally do not exist. Literally, the Statute Review Commission was passing (or attempting to pass) laws in complete derogation of the three Justices oath of office, and in blatant violation of Constitutionally prohibited practices. Effectively the predecessor to the LCB and then later the LCB took over the official duties of Nevada's elected officials and ran the entire State legislative system through one guy - Russell West McDonald - a character who the Legislature was told was an attorney who graduated from Stanford's Law School, was a Rhodes Scholar, was educated in Nevada's public schools, and was a native-born Nevadan.¹⁰ None of it verifiable. Russell West McDonald was a mystery man, who obtained almost unlimited and certainly unchecked power.

The harsh reality of both of the amorously hollow Resolutions that are alleged to have caused the passage of SB-2, while at the same time revoking Nevada's existing Statutes and

21 AM. JUR. 2D Criminal Law § 535 at 885 (1981); STATE V. DAVE, 75 S.D. 460, 67 N.W. 2d 977 (1955); STATE V. WILLIAMS, 146 N.C. 618, 61 S.E. 19 (1908)

replacing them with the NRS, is that the entire program is legally and legislatively bankrupt. That means that the entire process was voided by the plethora of Constitutional violations, but included acts of a criminal nature, not to mention the passage of SB-2 violated the Legislature's own Rules. The passing of legislation is not like Horseshoes and Hand Grenades. Close does not count. If it did then why would they even make rules for the passage of a Bill? The passing of legislation is more like flying a plane. All aircraft have a checklist that must be completed before take off and before landing as well. Suppose that a pilot did everything that he was supposed to do to prepare to land, but he forgot one simple thing - he forgot to put the landing gear down. Is the Horseshoes and Hand Grenades theory going to win the day for that pilot when he kills everyone on board including himself? This writer thinks not. The Nevada Constitution prohibits the passage of Bills in the manner that was done for the entire NRS. The NRS is *void ab initio*, meaning from its inception.

The Joint House Rules of the Nevada Legislature were clearly violated on the method of the passage of Bills into law which also prevented the NRS' alleged *en mass* passage through these violations as well. How many Constitutional provisions or legislative rules need to be violated in order to negate its passage? The answer should be only one. Here there are so many errors of constitutional dimensions that it literally boggles the mind. The Bible states that it is easier for a camel to pass through the eye of a needle than it is for a rich man to gain the kingdom of heaven. By way of analogy, SB-2, is a camel and the method by which the Legislature attempted to pass it into law is as remarkable as passing a camel through the eye of a needle. In other words it DID NOT HAPPEN, it constitutes a literal impossibility. There are other revealing Constitutional violations as well as the violations of the Legislature's own rules which are just as egregious, which are yet to be discussed.

For instance, the NRS's very passage violates Senate Bill No. 109, which states as follows:-

Sec. 4. Section 8 of the above entitled act, being chapter 3, Statute of Nevada 1949, at page 4, is hereby amended to read as follows:

Section 8. The *amendment clerk* shall transmit copies of passed bills or resolutions without delay, in the order of their receipt, to the state printer, taking his receipt therefor. Such receipt shall bear the date of delivery, and given the bill or resolution number. The state printer shall without delay enroll (print) the bills or resolution in the order of the receipt by him, and they shall be printed in enrolled form, retaining symbols indicating amendments to existing law only. In printing enrolled bills amending existing law, the state printer in cooperation with the *amendment clerk* shall cause to be printed between brackets, the words, phrases, or provisions of the existing law, if any, which have been stricken out or eliminated by the adoption of the amendment, and they shall cause to be printed in italics all new words, phrases or provisions, if any, which have been inserted into or added to the law by the passage of such amendment. In ascertaining the correct reading, status, and interpretation of an enrolled bill amending existing law, the matter inserted within brackets shall be omitted, and the matter in italics shall be read and interpreted as part of the enrolled bill. At least one enrolled copy, with proper blanks for the signatures of the officers whose duty it is to sign enrolled bills and resolutions, shall be printed on bond paper, and the state printer shall deliver the enrolled copy of the bill or resolution to the *amendment clerk*. The *amendment clerk* shall then carefully compare the enrolled

copy with the official engrossed copy, and if the enrolled copy is found to be correct the *amendment clerk* shall present it to the proper officers for their signatures. When the officers sign their names thereon, as required by law, it is enrolled. The official engrossed copy may by resolution be used as the enrolled bill.

Literally, the term "enrolled" Bill means a "*printed* and signed" Bill. An examination of the *engrossed bill* referred to or, more succinctly, **SB-2**, which was used to pass the NRS's *en masse* —> shows that it was type written, not printed. The LCB even admits this.

Other errors were committed. For instance the requirement for the passage of a Bill is that it be read three times over three separate days as required by Nevada Constitution; **Article 4, §17**. There is no evidence that this was ever accomplished and this information cannot be obtained from the Constitutional Record Keeper - that being the Secretary of State. See Nevada Constitution; Art. 5, §20, which requires the legislative records are to be maintained by the Secretary of State, to wit:

20. Secretary of State: Duties. The Secretary of State shall keep a true record of the Official Acts of the Legislative and Executive Departments of the Government, and shall when required, lay the same and all matters relative thereto, before, either branch of the Legislature

The Constitution's language is very clear. Further, NRS 225.100, provides that the Secretary of State has a...

"Duty to furnish certified copies of laws, records and instruments. The Secretary of State shall furnish, on request, to any person who has paid the proper fee for it, a certified copy of all or any part of any law, act, record or other instrument of writing on file or deposited with the Office of the Secretary of State of which a copy may properly be given."

However, the LCB has once again taken action to cover their fraud by getting the Nevada Legislature to become co-conspirators in their criminal enterprise. This was accomplished by the Nevada Legislature amending the Constitution through the passage of Statute.¹¹ This was done through NRS 225.070, which transfers all authority of record keeping from the Secretary of State to the LCB. Yet, a search of the NRS shows that NRS 225.070 does not exist. Curiously, the Secretary of State directs all inquiries into the records of the Senate and Assembly to the State Archives. Who controls the State Archives? Inquiring parties will discover that the State Archives is a very unassuming small block building located in Carson City with no frontage name. Inquiring parties who grace this building with questions of the history of the Legislature are then directed to the LCB for the information. How is it possible that the Nevada Constitution can be amended without a Constitutional Amendment [or by a Statute?]. The Nevada Constitution requires that the procedures set forth in Article 16, §1 and/or §2 be followed to amend the Constitution. These do not include amendment by statute or amendment by subterfuge and guise. Holding that a Statute can amend the State Constitution violates every citizen's constitutional right to procedural and substantive due process under the Nevada Constitution [Art. 1, §8(5)] and under the United States Constitution's, 1st, 5th and 14th Amendments. Holding that a Statute can diminish or negate the constitutional

authority mandated in the Constitution violates the separation of powers doctrine (Amending the Constitution must be effectuated by the Body Politic. Not legislating from the bench; nor amended by the passage of a statute). "A statute cannot amend the constitution." *Seminole Tribe of Florida v. Florida*, 517 U.S. 44, 116 S.Ct. 1114 (U.S. Fla. 1996) *Pennsylvania v. Union Gas Co.*, 491 U.S. 1, 24, 109 S.Ct. 2273, 2286, 105 L.Ed.2d 1 (1989); *Counselman v. Hitchcock*, 142 U.S. 547, 12 S.Ct. 195 (1892); "... [A]n unconstitutional statute is to be regarded as nonexistent and no defense to state officers acting under it. ..." *Rockaway Pacific Corporation v. Statesbury*, 255 F. 345 (D.C.N.Y. 1917). See also, *Cooper v. Aaron*, 358 U.S. 1, 18, 78 S.Ct. 1401, 1409-1410, 3 L.Ed.2d 5 (1958) (holding that an oath to support the Constitution is an oath to support its interpretation by the United States Supreme Court). See also, *Baker v. Carr*, 369 U.S. 186, 215, 82 S.Ct. 691, 709, 7 L.Ed.2d 663 (1962), which the United States Bankruptcy Court relied upon in *In Re Tessier*, 190 B.R. 396 (1995) to make the following conclusion:

Finally, in attempting to deny the Supreme Court's determination of its own capacity to adjudicate, the Congress invades a province properly left to a coordinate Branch, and in so doing, impermissibly exceeds its legislative authority. } *overruled*

Nevada's sister State, California, has had some things to say about similar circumstances in their State: "The constitutional provision was a law made directly by the people instead of the Legislature, and such laws are to be construed and enforced in all respects as though they were statutes." *Winchester v. Mabury*, 122 Cal. 522, 55 P.393. "In effect, these constitutional provisions are but statutes, which the legislature cannot repeal or amend." *Winchester v. Howard*, 136 Cal. 432, 439, 64 P. 692, 69 P. 77, 79, 89 Am. St. Rep. 153.

The LCB has and allegedly maintains all of the legislative records in clear violation of the Nevada Constitution. Bill Resolution Journals and all other records were allegedly taken away from the secretary of state and transferred to the LCB through the passage of NRS 225.070. A statute that does not exist.

Even if the Legislature did everything lawfully by following the correct rules and guidelines, we still will never know if the NRS were passed into law because there are no records at the Secretary of State's Office. See Letter from Secretary of State stating that they do not have these records (as the Nevada Constitution; Art. 5, §20, commands the Secretary of State to maintain and protect). Even the proofs of the unconstitutional NRS; passed off as law, has been unconstitutionally hidden by an entity that may deny access to the information to anyone.

There exists even more disturbing issues regarding the legality of the NRS in that there are no records even showing that the Governor signed SB-2 into law. On February 4, 2014, the Secretary of State was asked to produce several documents, this being one of them and their office related the following;

We received your request, via mail, for the following information:

- * The bill from the 48th session of the Nevada Assembly, passed January 25, 1957;
- * The governor as of January 25, 1957;
- * Proof that the bill was signed into law by the governor during the 48th Session.

Page 13 of 20

Our office reviewed your request and determined that we do not have legal custody and control of the information. You may contact Nevada State Archives to determine if they have documents related to your request. The contact information for the Nevada Archives is: 100 N. Stewart Street, Carson City, Nevada, 89701.

Interestingly, although the Secretary of State is Constitutionally mandated to maintain the legal custody and control of this information and provide it to any party seeking the information, the Secretary of State avers that it does not have *legal custody and control* of it.

The Secretary of State alleges that it doesn't even know where it is. This is absurd! The Attorney General's office has addressed a similar issue before and stated that, A joint resolution appropriating money from the highway fund, adopted by both houses but never presented to the Governor for his signature, does not become law; thus, an appropriation is invalid under this section. **Attorney General Opinion 85** [AGO 85 (7-25-1951)].

Currently the Secretary of State states that their office does not have the files that will prove Mr. Walters' argument. This poses a serious problem for two reasons: (1) the loss or hiding of these records prevents Mr. Walters' story from being proven conclusively; and (2) losing, destroying or hiding these records constitutes a crime. See NRS 239.320, which discusses the crime of any public officer causing INJURY TO, CONCEALMENT OR FALSIFICATION OF RECORDS OR PAPERS, to wit:

An officer who mutilates, *destroys, conceals*, erases, obliterates or *falsifies* any record or paper appertaining to his office, is guilty of a category C felony and shall be punished as provided in NRS 193.130.

Further, the documents which were submitted for the passage of SB-2 do not conform to the Constitutional requirements or the Joint Rules of the Senate and Assembly. Since this document was submitted by the LCB, the Senate and the Assembly, this unqualified document was not a true Bill. Since it was not a true bill it was a false or fraudulent bill. NRS 239.330, discusses the penalties for submitting or offering false instrument for filing or for recording. The statute reads in pertinent part as follows;

A person who knowingly procures or offers any false or forged instrument to be filed, registered or recorded in any public office, which instrument, if genuine, might be filed, registered or recorded in a public office under an law of this state or of the United States, is guilty of a category C felony and shall be punished as provided in NRS 193.130.

See: STATE V. BRIGGS, 218 Wis. 2d 61, 579 N.W.2d 783 (Ct. App. 1998)

There is no question that SB-2, was passed off as a legitimate document, when it was not. Therefore, this constituted the *offering of a false instrument* and caused it be *filed, registered or recorded* in a public office. Currently the Secretary of State, who is the Constitutionally mandated office, does not have the documents or at least is not willing to admit that they do. But, since the Secretary of State is Required to maintain these Legislative and Executive Records, you would think that at least the Secretary of State would at least know where they are. They state they don't. Currently, the Secretary of State is feigning any knowledge of their location and, it is assumed, that this office will continue to maintain this position because it has been ordered to do so. The probable explanation

See: STATE V. BENZEL, 220 Wis. 2d 588 (1988)

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A court cannot acquire jurisdiction to try a person for an act made criminal only by an unconstitutional law. see also: KELLEY V. MEYERS, 124 Or. 322, 263 P. 903 (1928)

is that if we don't maintain that the NRS is the law in Nevada it could cause complete and total chaos, even anarchy. However, the United States Constitution in Article 4, §4, states that the United States government shall guarantee to every State in this Union a Republican form of government. Everybody these days is being told that our soldiers are fighting for Democracy, but this is not true. They are fighting to maintain the Rule of Law, which is what a Republic is based upon. So, even our politicians and educators don't know what kind of government we have. It is rather interesting that the Constitution does not guarantee every state a "Democratic form of government."¹² But it does guarantee each State a Republican form of government.

CONCLUSION

So what is the answer to all of these problems? Mr. Walters' assessment is that what is good for the goose should be good for the gander. In other words, we need to follow the same protocols that the gaming industry does when it enforces gaming rules on the citizens of the State and that is: ZERO tolerance for any kind of non-conformance with the rules. The gaming industry calls any non-conformance with the gaming rules CHEATING! Cheating is a criminal act.

So why does the government think they can get away with something that is much, much more egregious than cheating at gaming. The State is putting the citizens of the State of Nevada in jail or prison and even putting them to death, based upon laws that are completely void. This must be seen for what it is - a criminal act. Arresting and incarcerating someone on a bogus law is "Kidnaping" and "False Imprisonment." Putting some one to death, even if they deserve it, for a law that doesn't exist is "Murder." SB-2 is literally a Bill of attainder and/or a Bill of Pains and Penalties, which are prohibited by the United States Constitution, Article 1, §10 and it has been executed against the entire populace of the State.

What will the government have to say about all of this? The answer is nothing, because they have already brought the Secretary of State into the fold and instructed her not to release any documents, in fact, the office is denying that the office even has or maintains them. What would happened if the Secretary of State produced these documents, as the office is required to do, and it shows that every single thing that Mr. Walters has been saying is true? Well, most certainly they will say that we can't just set aside the NRS because when they passed the NRS they voided all of the old general statutes, so they are gone too. We'll be left with nothing - no law at all. They'll say that we will have no law and no law means *anarchy*. The absurdity of this legal viewpoint is that if we have laws that were never properly passed and they are null and void - don't we already have no law? In fact, isn't what we have even worse than no law? The United States Supreme Court has addressed this issue in *Merriitt v. Welsh*, 104 U.S. 694, 702 (1881), stating, "It has been said, with much truth, 'where the law ends, tyranny begins.'" So, let's call it what it is: Tyranny.

The vastness of this conspiracy goes all the way to the top. After all, Governor Sandoval just signed into law a Bill that prohibits inmates from having access to public records. This can't be just a coincidence, can it? Sandoval is a former Federal Judge, prior to signing this Bill of Attainder into law he received one of Mr. Walters packages outlining the illegality of the NRS. He was duly noticed and is therefore fully informed. Prisoners don't lose all of their civil rights just because they are in prison, they only lose their freedom. They still have the same civil rights as everyone else does outside, the only difference is that those rights may be conformed to a standard that will not compromise the security of the prison. Mr. Walters has also made other allegations regarding his stay in Nevada's Department of Corrections such as: (1) the prison collects absentee ballots for

prisoners and votes for them in order to stuff ballot boxes; (2) the prison is serving food to the prisoners that is visibly marked "Not Fit For Human Consumption;" (3) theft of prison resources by its own management for their own personal gains; (4) the use of nepotism in key positions to prevent prisoners from timely filing their legal documents.

Long before 1984 gave us the adjective "Orwellian" to describe the political corruption of language and thought, Thucydides observed how factional struggles for power make words their first victims. Describing the horrors of civil war on the island of Corcyra during the Peloponnesian War, Thucydides wrote,

"Words had to change their ordinary meaning and to take that which was now given them."

Orwell explains the reason for such degradation of language in his essay "Politics and the English Language": "Political speech and writing are largely the defense of the indefensible." Tyrannical power and its abuses comprise the "indefensible" that must be verbally disguised. The gulags, engineered famines, show trials, and mass murder that occurred in the Soviet Union required that it become a "regime of lies," as the disillusioned admirer of Soviet communism Pierre Pascal put it in 1927. And so we already know that the State will respond accordingly. Is this really what we have become? Mr. Walters is sad to say that it is.

If words mean nothing, then our Constitution means nothing. If our Constitution means nothing then we have no rights. If we have no rights, then we only have privileges and immunities that are granted by government. We are then but subjects of a tyrannical government. It is a maxim of law, "That which creates, has the power to destroy." Therefore, privileges are worthless because they can be legislated away for any reason, whereas Constitutional Rights cannot be legislated away without the consent of the body politic. What has happened, quit literally is that the Judicial courts of Nevada have been illegally legislatively morphed into Legislative/administrative courts where Statutes are more like administrative regulations, which are subject to agency interpretation. This is very disconcerting because the down side is that the Bill of Rights do not exist and have no province in legislative Courts. The United States Supreme Court has stated that claims of Constitutional rights can [only] be adjudicated in Article I [legislative/administrative] courts established for geographical enclaves such as federal territories or the District of Columbia, *see, e.g., Palmore v. United States*, 411 U.S. 389 (1973), and in military courts, *see, e.g., United States ex rel. Toth v. Quarles*, 350 U.S. 11, 17 (1955). This means that within the 50 States only a Judicial Court (not a legislative/administrative court) may hear a case or controversy concerning Constitutional rights. The States have attempted to mimic the administrative agencies of the Federal Government, whose only authority lies in a territorial jurisdiction. Territorial jurisdictions do not enjoy the full protection of the United States Constitution because Congress has absolute authority over all territories and possessions¹³ of the United States. Federal citizens who live in these federal enclaves are subject to the complete and total control of Congress under United States Constitution; Article 4, §3, Cl. 2, which states in pertinent part,

The Congress shall have Power to dispose of and make all needed Rules and Regulations respecting the Territory or other Property belonging to the United States;

Our state law has been morphed into a form of territorial federal law. This destroys the sovereignty of the State and its citizens. The Legislature has taken it upon themselves to take total power away from the State Constitution - the law of the body politic - the citizens of the State. However, "A state constitution is binding on the courts of the State, and on every officer and every citizen. Any attempt to do that which is prescribed in any manner than that *prescribed* or to do that which is prohibited, is repugnant to the supreme and paramount law, and invalid." *Porch v. Patterson*, 39 Nev. 251, 268, 156 P. 439, 445 (1916). The Constitution nullifies sophisticated as well as simple-minded modes of infringing on Constitutional protections. *Lane v. Wilson*, 307 U.S. 268, 275, 59 S.Ct. 872, 876, 83 L.Ed. 1281 (1939); *Harman v. Forseenius*, 380 U.S. at 540-541, 85 S.Ct. at 1185. *Cited in U.S. Term Limits, Inc. v. Thornton*, 514 U.S. 779, 829, 115 S.Ct. 1842 (1995). Like its counterpart in the Fifth Amendment, the Due Process Clause of the Fourteenth Amendment was intended to prevent government "from abusing [its] power, or employing it as an instrument of oppression," *Davidson v. Cannon*, 474 U. S. 344, 348 (1986).

The Constitution of the United States guarantees each State a Republican form of government. A Republican form of government means that we have the rule of law. Currently we have no rule of law in Nevada, in fact we have nothing but lawlessness. We have an oligarchy, a Nation-State where our representative has become rulers who are a law unto themselves and our rulers are lying to us in order to maintain the facade that we are living in an orderly, free society - when the truth is we are living under an oppressive and tyrannical government. "No state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it." *Copper v. Aaron*, 385 U.S. 1, 78 S.Ct. 1401 (1958). The United States Supreme Court has spoken, "We [judges] have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the Constitution." *U.S. v. Will*, 449 U.S. 200, 216, 101 S.Ct. 471, 66 L.Ed.2d 392, 406 (1980); *Cohens v. Virginia*, 19 U.S. (6 Wheat.) 264, 404, 5 L.Ed. 257 (1821). The illegally passed NRS denies the Courts their jurisdiction to act. The legislative branch, the judicial branch, and the members of the executive branch (police & prosecutors), have all made war against the Nevada Constitution and is doing so have declared war on its citizens and have committed high treason in doing so.

1. http://content.usatoday.com/communities/ondeadline/post/2012/06/26-now-guilty-in-las-vegas-hoa-corruption-fraud-scandal/1#.V_J1JmrvIU
2. <http://vegasinc.com/business/tourism/2012/jun/03/hoa-scandal-involving-millions-dollars-and-thousan/>
3. <http://www.dailymail.co.uk/news/article-2121625/HOA-scandal-FOUR-commit-suicide-probe-Nevada-homeowners-association-fraud.html>
4. <http://lasvegassun.com/news/hoa/>
5. David Amesbury, a Deputy District Attorney, found suicided at his brother's cabin in California,

was found hanged, after other members of the conspiracy attempted to silence him by breaking both of his legs. Which proves the old Las Vegas saying, "Three men can keep a secret, if two of them are dead." Dead men tell no tales. The death of David Amesbury and three other key members of the conspiracy insulated the members who were higher up on the conspiracy pyramid. In order for conspiracies to be successful, they are required to be compartmentalized so that if one rung on the ladder is taken out this eliminates the connection to the next rung. The fact that District Attorney David Roger resigned from his position before his term was up and went into private practice is rather curious.

6. The Legislative Counsel Bureau [LCB] is an illegally created private corporate entity, which maintains all of the public records in violation of the Nevada Constitution. This Corporation has obtain untold powers over the years and controls many aspects of the State Government including the writing and drafting of all Bills in the Legislature, the State Mail room, the State printing office and the ownership of the copyrights on the Nevada Revised Statutes, which have brought millions of dollars of profit to the private corporation.

7. This law violates the Federal Constitution and is a lesser version of the Bill of Attainder, commonly called a Bill of Pains and Penalties. The difference is a Bill of Attainder would apply to a death sentence and the Bill of Pains and Penalties has no threat of death attached to its illegality.

8. This Senate Bill [No. 182] also sets forth that, "as soon as practicable after the effective date hereof the commission shall commence the preparation of a complete revision and compilation of the Constitution and the laws of the State of Nevada of general application, together with brief annotations and marginal notes to sections thereof. Such compilation when completed shall be known as "revised Laws of Nevada. . . ." and the year of first publication shall be filled in the blank space of such title, for brevity such title maybe cited as "Rev. Laws."

9. The phrase 'jot or tittle' is somewhat tautological, as both *jot* and *tittle* refer to tiny quantities. A *jot* is the name of the least letter of an alphabet or the smallest part of a piece of writing. It is the Anglicized version of the Greek *iota* - the smallest letter of the Greek alphabet, which corresponds to the Roman 'I'. This, in turn, was derived from the Hebrew word *jod*, or *yodr*, which is the smallest letter of the square Hebrew alphabet. Apart from its specialist typographical meaning, we still use the word *jot* more generally to mean 'a tiny amount'. Hence, when we have a brief note to make, we 'jot it down'. A *tittle*, rather appropriately for a word which sounds like a combination of *tiny* and *little*, is smaller still. It refers to a small stroke or point in writing or printing. In classical Latin this applied to any accent over a letter, but is now most commonly used as the name for the dot over the letter 'I'.

10. A newspaper article titled "Russ McDonald Celebrates 30 years of Public Service," states that

Russell W. McDonald was born in Prosser Creek, California. What happened to his native born Nevadan status that was pontificated about by the State Legislature in SB-1?

11.

The Nevada Supreme Court ruled in *State, ex rel., Chase v. Rogers*, 10 Nev. 250 (1875), which states in pertinent part, "The court ruled that it could only look at the enrolled bill in the office of the secretary of State in order to ascertain the terms of the law."

12.

A "Democracy" is mob rule, directed and controlled by an oligarchy. Currently in this Country we have a Nation-State type of government that operates as a democratic-welfare state, where laws are not obeyed or enforced because they might offend someone. Whereas a Republican form of Government is a government of laws, where laws are enforced regardless of whether we will offend somebody or not - simply because it is the law.

13.

These territorial jurisdictions include Washington, D.C., Puerto Rico, the American Virgin Islands, Somoa and Guam. Those citizens literally have NO RIGHTS only privileges granted by Congress. These US citizens have no rights - except what Congress says they have. Any decision made by the United States Supreme Court which originated in one of these territorial jurisdictions has no application in the 50 States because these people exist under a diminished capacity that is not shared by State Citizens. Yet, these decisions are illegally applied across the board. These territorial citizens are all "subjects," just like the inhabitants of the original 13 colonies and that is the mission of our State governments, to render us all as mere subjects of the State to be trifled with as though we were the same. This is why the Bush administration stuck all of these combatants in Guantanamo Bay, being a military installation, in a territory or possession of the United States the right to the Writ of Habeas Corpus does not exist and the combatants were not availed of the Bill of Rights. The only reason why Boumediene was permitted access to the Writ of Habeas Corpus by the United States Supreme Court is that he was taken from his residence within a State and involuntarily taken to this facility. Once these combatants are moved into the United States, as Obama has planned, then the entire Bill of Rights will apply to them and they will have to be tried or released.

Russ McDonald celebrates 30 years of public service

"It wasn't for the money," Russ McDonald explained, in the wake of a standing ovation Tuesday.

The Washoe County commissioners had just taken a break in their regular meeting to celebrate a special anniversary.

McDonald, 60, is celebrating 30 years of public service. His last full-time post was as Washoe County manager, but along the line, he's worn a large share of the other hats that government in all its forms has to offer.

While public service may not pave the path to financial wealth, McDonald said, it has its own treasures to offer.

He told the overflow crowd of county employees and friends in the commission chambers Tuesday that one of his greatest delights in working in government is "the ability to always know what's going to happen next."

Casting a grin and an eye toward the scattered reporters in the chambers, he added, "...even before the press knew."

County employees treated McDonald to an anniversary cake-cutting in February. The commissioners did their part Tuesday, adopting a resolution which started out conventionally enough, with five "whereases."

But the "therefore be it resolved" had a brand new twist. It did not say

McDonald's a jolly good fellow in legaseo. Instead, the commissioners resolved to throw a party.

The official object of the county party, according to the resolution, is to provide "an opportunity for his countless friends and admirers to spend an evening of remembering and congratulation."

It all will take place at Harrah's Convention Center in Reno Saturday, June 24.

McDonald, who was born in Potosi, Mo., in 1914, is one of Nevada's great living legends. He's been toasted in the past for accomplishing on his own what entire legislatures couldn't do en masse.

McDonald started his career as a 100-a-month Reno deputy city attorney. He spent another 21 years as director of the state's Statute Revision Commission and then as director of the state's Legislative Counsel Bureau. In 1971, he was appointed Washoe County manager, a post he held until his retirement in 1975.

Since that time, McDonald has been working for the county as a consultant and lobbyist.

McDonald's writing of the complete Nevada Revised Statutes often is cited as his greatest accomplishment in government. He also worked in the preparation of the municipal

government codes for Reno, Sparks, Winnemucca, Lovelock and Washoe County.



RUSS McDONALD

Exhibit K -
This Exhibit Shows that Russell McDonald was not a Native Nevada Born Citizen, but was Born in Potosi, Mo. California. The Joint Concurrent Resolution in 1913 contains the false information...

EXHIBIT 2

EXHIBIT 2

Search



Roger

Home

Create

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**Gary Walters**

September 4, 2016 ·

Sent: Sun, Sep 4, 2016 1:40 pm
 Subject: Fwd: Biggest legal find in Ne
 CLUELESS UNLAWFUL AND UNCO
 FAILED NRS STATUTES

FROM: GARY W. WALTERS

RE: "THE BIGGEST LEGAL FIND IN

I am finally got released, my offenses
 and pre -2007, I have 8.5 years of flat
 6.5 years of stat time , 58 percent of 2
 sentence is 11.6 years, I am owed gat

forced by NDOC / Warden Williams to go to a parole hearing even though I
 fought it in court, Judge Linda Bell automatically denied my writ forcing me to
 go to the Supreme Court, and being placed on an illegal and unlawful
 Parole,

All Parole is in Nevada is just a bed move, and a person can be violated for
 just doing nothing, only to have a police officer call you over and question
 you , then find out your on parole and brings you into jail, and you are
 violated for what they call an altercation with Metro Police, most shameful
 designed failures...

I was sent to prison deprived of a fair and impartial hearing by Judge
 Michael P. Vallani, whom should resign and for crimes of real estate
 forgeries and filings of false instruments with the Clark County Recorders
 office by which I have never been to the Recorders office and could not even
 tell anyone on how to get there...

After the filings of my Ex- Parte Memorandums etc, The Nevada Supreme
 Court on July 15th, 2011, Reversed and Remanded my case back to District
 Court and a New Judge Douglas Herndon was appointed and a Court order
 for appointment of counsel and evidentiary hearing by the Nevada Supreme
 Court was made, only after Judge Herndon's denial of my Writ of Habeas
 Corpus, and I had the filed a notice of Appeal..

Judge Micheal P. Vallani was sued by me in federal Court and an Ethics
 Violation Complaint caused this Judge to recuse himself from the conflict
 generated against him, this is how Judge Douglas Herndon received the
 case c-217569 DC 3...

On Feb 9th, 2016, I finally had an evidentiary hearing, after being on a
 reversal and remand from the Nevada Supreme Court on July 15th, 2011, it
 took over 5 years for my hearing, finally it was ruled ineffective counsel and
 other issues.

I raised the unlawful and unconstitutional issues in the Writ of Habeas
 Corpus on the NRS STATUTES, and Judge Herndon did all he could to not
 allow it in to expand the record.

The Judicial Branch of Nevada Government will never ever allow any filer to
 expand the record, it would mean the release of thousands and thousands of
 unlawfully and unconstitutionally withheld pioneers.

Under Gidden vs. Wainwright , Clearance Gidden an illiterate frail and
 humble man that was incarcerated in a Florida prison was able to free or get
 new trials for 4,300 inmates in Florida Prisons, and as a result of his work
 taught to him by his cell mate a lawyer doing life, the result of Gidden's work
 and research he single handedly changed the Judicial system in Florida.

I plan to free up or get new trials for 8,000 inmates in Nevada none violent
 and others evaluated as none threats to public safety.

Through the pursuit of my actual innocence I have discovered years of
 gathered research the "irrefutable evidence" and "factual proof" that the NRS
 STATUTES failed from their "Creation and Inception" and are illegal,
 unlawful, unconstitutional, invalid and "void ab initio"....

SEPTEMBER 5th, 2016, <gwwgreat@aol.com> wrote

OJ Simpson is clueless that he is unlawfully and unconstitutionally
 imprisoned in Nevada by Failed NRS Statute laws that were hidden by
 decades of stealth fraud

Save post

Add this to your saved items

Snooze Gary for 30 days

Temporarily stop seeing posts.

Hide all from Gary

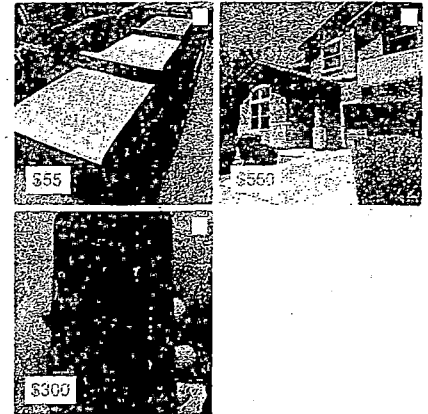
Stop seeing posts from this person

Find Support or Report Post

I'm concerned about this post

Turn on notifications for this post

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Chat (82)

1390 F 123

Search



Roger

Home

Create

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with the irrefutable evidence and factual proof, of documents, shepherded case laws, AGO opinion 85, and 9th Cir. Court of Appeals Justices Opinions, a law historian book author Charles Weisman, "The Authority of Law, exposes Nevada and many officials from the decades past to the present day Governor Sandoval, former Attorney General, Cathleen Cortez Masto, Senator Harry Reed and others to being tyrants of Tyranny, Usurpation, perjury of their own oaths of office, including the Clark County District Attorney Steve Wolfson, former judge Jackie Glass, many Eighth District court judges, like Judge Kathleen Delaney, Judge Micheal P Vallani has committed perjury of their oath and swear, signed by these officials under their signatures of pains of penalties, a class C Felony and a 5,000.00 dollar fine for such breach, and Now those mentioned herein could even face up to 4 years in jail for such known and proven violations that is documented and can now be disclosed to this media,

There are literally thousands of foreigners, blacks, Mexican Americans, Russian, Asian, Islanders etc, and including OJ Simpson, being held against their will, unlawfully and unconstitutionally, by the NRS Statutes, that was illegal, unlawful, invalid and void from the creation and inception of those Nevada Revised Statutes ranging from 1.010 to 7.510 all these statutes including those that fall within the 1 to 7 range all fail to be the laws of Nevada,

This was done in May of 1951, and continued on until January 1957.....

The citizens of the state of Nevada are clueless that, there exists a fourth level of government, that has absolutely no relationship directly with any connection to any of the three branches of state government, it is the so called LCB, legislative Counsel Bureau illegally established on July 1st, 1963, and the Statute Revision Commission was abolished and all legislative power and authority was transferred illegally to the Lawyer Russell W McDonald of whom also got himself not only to be the Director of the Statute Revision Commission but also continued to wear multiple hats and became the legislative Counsel, taking all the power and authority away from the pretenders of being state senators and legislators ,,,

This was also done by three corrupted Justices of the Nevada Supreme Court, Justice Milton B Badt, Justice Edgar Eather, and Justice Charles Merrill, had disregarded the Nev.Const. Art. 3, section 1 separation of powers, and Nev. Const. Art6, section 11, that no justice shall perform "ANY Function" other than that appertaining to their own elected judicial office,

These three Justices had absolutely no right to even performing any Quasi Function, it violated their oath of office, and the Paramount laws of State Of Nevada i.e. Nevada State Constitution,

The Joint Concurrent Resolution no. 1 and no.2 used to repeal all the Statutes of Nevada and create the NRS Statute Laws, as well as commingle such Joint Concurrent Resolution with memorials and congratulations, and also used in conjunction with a COPY of an Engrossed Bill, dubbed Senate Bill No. 2. Was used to create from its inception "The Nevada Revised Statutes"

The Joint Concurrent Resolution violates the Nev. Const. Art 4, section 17 and section 23' section 17, deals with the Single Subject rule, the Resolution has multiple commingled subject matters etc,

The violation of section 23, totally voids the Joint Concurrent Resolution No.1 and No. 2 by not containing the enactment language upon its face as follows

" We the people in the state of Nevada, in Senate and assembly do hereby enact as follows"

Nothing can even be considered laws if it does not contain such enactment language upon its face,

The Joint Concurrent Resolution does not contain such language and thus constitutionally fails,

The Joint Concurrent Resolution also fails to comply with Joint house rule No. 7, and by which a Joint Concurrent Resolution can be used.

The Joint Concurrent Resolution No1 and No. 2 fails to comply with Chapter 385, section 2, on page 733, and section 4 on page 734, the Resolution does not conform to the Statute laws of Nevada, in identifying the Copy of the engrossed bill SB No.2 as original, duplicate, or triplicate etc, same for

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Roger

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three branches of state government have all operated on the "PRESUMPTION" of law, that the NRS Statutes were lawfully and Constitutionally created and were the valid laws of the of Nevada, this is simply not true.

The PRESUMPTION of law is now displacement with the "KNOWLEDGE " of law, and that for all the reasons disclosed herein, that ,when you now have the irrefutable evidence and factual proof, when laws fail and are unlawful, unconstitutional, invalid, the courts Lack Subject Matter to proceed to try the case,

This means persons like OJ Simpson crimes vanished, and the Court, judge Jackie Glass and former DA David Roger , and DA Steve Wolfson and Judge Linda Marie Bell had absolutely no legal lawful and constitutional rights to pursue or prosecute or try the case of OJ Simpson and 12, 875 other incarcerated persons in Nevada,

Those that ore held on death row all 82 of them now are held there, illegally, unlawfully and unconstitutionally.

There has been 12 persons that have been put to death since the reinstatement of the Nevada Death penalty , Now this so called great governor Sandoval , has approved the revamping of the death chamber, and no doubt plans to use it soon,

The Governor, and other top officials are all aware of this, and it now makes them accessories to the not only decades of stealth fraud , and the ongoing long arm fraud, for what these very corrupted politicians did in 1951,1957,1963, 1972, by Harry Reed as well when he was the president of the State Senate is most shameful and they are very liable for such unlawful and multiple unconstitutional acts they have done against the ignorant and less fortunate society , and the undesirables , uneducated and mental illness, and drug addicts, all by which Harry Reid, Cathleen Cortez Masto, Governor Brian Sandoval, Attorney General Adam Laxalt, NDOC officials, and Wardens and by their authority, everyone involved in the false imprisonment , unlawfully imprisonment, restraint of the incarcerated Liberty interests, and are being held now against their will , these officials needs to be prosecuted for their own attempts to disobey and in their participation in destroying the Nevada Constitution , and crimes against humanity and human rights violations.

"No WHERE" can any of these corrupted politicians and or officials, administrators can refute the facts and evidence now obtained,

For any of their false hoods now such as these state judges to dismiss any filers Petition for Writ of Habeas Corpus, or Writ for extra ordinary Relief and demand for their immediate release , not only violates the Nevada State Constitution , but it breaches the oath and swear upon gods oath, they took In order to take their oath of offices and seated upon the bench in their respective courts they represent.

Anything short of not granting relief sought filed by an incarcerated person in Nevada, prisons or jails, those officials opposing or covering up the facts and truth, have therefore engaged in Treason, Tyranny, Usurpation, and perjury of their oath of office, and has further engaged as tyrants and ministers of their own injustices and are liable to have True Bills issued against them , they would have no right to seek or claim absolute immunity.

I affirm under penalties of perjury of law that , this is the truth, and the information provided herein is truthful and factual, that the NRS Laws fail to be Nevada laws of the State of Nevada,

This I affirm this 5th day of September , 2016

By; GARY W WALTERS gwwgreat@aol.com

I CAN BE REACHED FOR IMMEDIATE INTERVIEWS AT 702-955-2058 / Las Vegas NV,

3

1 Comment 7 Shares

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Jeremy Chedda Bob Brucklacher Dam u are a genius we need to talk again Gary

6464 123

Chat (82)

EXHIBIT 3

EXHIBIT 3

<https://www.youtube.com/watch?v=Buj0O24klnU&t=724s>

Part One

<https://www.youtube.com/watch?v=36NE-eGCHlo>

Part Two

<https://www.youtube.com/watch?v=n56oc5wH2yo&t=359s>

Part Three

https://www.youtube.com/watch?v=YSn_pAbC1Dw&t=1s

Part Four

EXHIBIT 4

EXHIBIT 4

Financial Certificates
0060575 - BONHAM, BRYAN P
(3/10/2020 - 9/9/2020)

Date	Description	Deposit	Withdrawal	Balance
03/10/2020	Opening Balance			\$10.25
03/10/2020	Postage		(\$0.55)	\$9.70
03/10/2020	Postage		(\$2.80)	\$6.90
03/13/2020	Postage		(\$0.55)	\$6.35
03/18/2020	Legal Copies		(\$2.40)	\$3.95
03/19/2020	Postage		(\$1.80)	\$2.15
03/26/2020	Legal Copies		(\$0.20)	\$1.95
03/31/2020	Trust 2	\$65.23		\$67.18
03/31/2020	Commissary		(\$65.23)	\$1.95
04/10/2020	Trust 2	\$60.93		\$62.88
04/10/2020	Commissary		(\$60.93)	\$1.95
05/01/2020	Keefe	\$200.00		\$201.95
05/01/2020	Financial Certificate		(\$40.00) <i>U.S.D.C.</i>	\$161.95
05/01/2020	Legal Copies		(\$3.70)	\$158.25
05/01/2020	Legal Copies		(\$0.40)	\$157.85
05/01/2020	Legal Copies		(\$0.40)	\$157.45
05/01/2020	Legal Copies		(\$0.40)	\$157.05
05/01/2020	Legal Copies		(\$0.50)	\$156.55
05/01/2020	Legal Copies		(\$0.60)	\$155.95
05/01/2020	Legal Copies		(\$0.60)	\$155.35
05/01/2020	Legal Copies		(\$4.70)	\$150.65
05/01/2020	Legal Copies		(\$1.00)	\$149.65
05/01/2020	Legal Copies		(\$2.90)	\$146.75
05/01/2020	Legal Copies		(\$0.30)	\$146.45
05/01/2020	Legal Copies		(\$0.40)	\$146.05
05/01/2020	Legal Copies		(\$0.20)	\$145.85
05/01/2020	Legal Copies		(\$5.20)	\$140.65
05/01/2020	Legal Copies		(\$2.40)	\$138.25
05/01/2020	Legal Copies		(\$20.80)	\$117.45
05/01/2020	Legal Copies		(\$0.20)	\$117.25
05/01/2020	Legal Copies		(\$0.60)	\$116.65
05/01/2020	Legal Copies		(\$0.60)	\$116.05
05/01/2020	Legal Copies		(\$14.00)	\$102.05
05/01/2020	Legal Copies		(\$6.00)	\$96.05
05/01/2020	Legal Copies		(\$2.20)	\$93.85
05/01/2020	Legal Copies		(\$3.30)	\$90.55
05/01/2020	Legal Postage		(\$1.30)	\$89.25
05/01/2020	Legal Postage		(\$0.95)	\$88.30
05/01/2020	Legal Postage		(\$1.15)	\$87.15
05/01/2020	Postage		(\$0.50)	\$86.65
05/01/2020	Legal Postage		(\$2.20)	\$84.45
05/01/2020	Legal Postage		(\$1.15)	\$83.30
05/01/2020	Legal Postage		(\$0.50)	\$82.80
05/01/2020	Legal Postage		(\$0.50)	\$82.30
05/01/2020	Legal Postage		(\$0.80)	\$81.50
05/01/2020	Legal Postage		(\$0.50)	\$81.00

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Financial Certificates

0060575 - BONHAM, BRYAN P

Trust				
Date	Description	Deposit	Withdrawal	Balance
05/01/2020	Legal Postage		(\$0.80)	\$80.20
05/01/2020	Legal Postage		(\$1.15)	\$79.05
05/01/2020	Legal Postage		(\$0.50)	\$78.55
05/01/2020	Legal Postage		(\$0.50)	\$78.05
05/01/2020	Legal Postage		(\$0.50)	\$77.55
05/01/2020	Legal Supply		(\$2.59)	\$74.96
05/01/2020	Legal Postage		(\$1.00)	\$73.96
05/01/2020	Legal Postage		(\$3.15)	\$70.81
05/01/2020	Legal Postage		(\$0.50)	\$70.31
05/01/2020	Legal Postage		(\$0.50)	\$69.81
05/01/2020	Legal Postage		(\$0.50)	\$69.31
05/01/2020	Legal Postage		(\$0.65)	\$68.66
05/01/2020	Legal Postage		(\$0.65)	\$68.01
05/01/2020	Legal Postage		(\$1.00)	\$67.01
05/01/2020	Legal Postage		(\$0.65)	\$66.36
05/01/2020	Legal Postage		(\$0.65)	\$65.71
05/01/2020	Legal Postage		(\$3.76)	\$61.95
05/01/2020	Savings		(\$2.66) 10%	\$59.29
05/01/2020	Trust 2	\$14.81		\$74.10
05/01/2020	Commissary		(\$16.35)	\$57.75
05/07/2020	Postage		(\$0.85)	\$56.90
05/07/2020	Postage		(\$0.85)	\$56.05
05/08/2020	Commissary		(\$45.47)	\$10.58
05/11/2020	Postage		(\$2.20)	\$8.38
05/11/2020	Legal Copies		(\$2.00)	\$6.38
05/11/2020	Legal Copies		(\$6.00)	\$0.38
06/27/2020	Keefe	Trust 2 \$200.00		\$200.38
06/27/2020	Trust 2		(\$200.00)	\$0.38
07/17/2020	Trust 2	\$54.92		\$55.30
07/17/2020	Commissary		(\$54.92)	\$0.38
07/21/2020	Trust 2	\$35.45		\$35.83
07/21/2020	Commissary		(\$35.45)	\$0.38
07/31/2020	Trust 2	\$6.24		\$6.62
07/31/2020	Commissary		(\$6.24)	\$0.38
08/14/2020	Trust 2	\$19.76		\$20.14
08/14/2020	Commissary		(\$19.76)	\$0.38
09/04/2020	Keefe	\$20.00		\$20.38
09/04/2020	Financial Certificate		(\$4.00)	\$16.38
09/04/2020	Legal Copies		(\$0.50)	\$15.88
09/04/2020	Legal Copies		(\$1.40)	\$14.48
09/04/2020	Legal Copies		(\$4.80)	\$9.68
09/04/2020	Legal Copies		(\$3.30)	\$6.38
09/04/2020	Savings		(\$2.00)	\$4.38
09/09/2020	Closing Balance			\$4.38

Trust 2				
Date	Description	Deposit	Withdrawal	Balance
03/10/2020	Opening Balance			\$140.97

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Financial Certificates

0060575 - BONHAM, BRYAN P

Trust 2				
Date	Description	Deposit	Withdrawal	Balance
03/31/2020	Trust 2		(\$65.23)	\$75.74
04/10/2020	Trust 2		(\$60.93)	\$14.81
05/01/2020	Trust 2		(\$14.81)	\$0.00
06/27/2020	Trust 2	\$200.00		\$200.00
07/17/2020	Trust 2		(\$54.92)	\$145.08
07/21/2020	Trust 2		(\$35.45)	\$109.63
07/31/2020	Trust 2		(\$6.24)	\$103.39
08/14/2020	Trust 2		(\$19.76)	\$83.63
09/09/2020	Closing Balance			\$83.63

Trust 3				
Date	Description	Deposit	Withdrawal	Balance
No Activity				
03/10/2020	Opening Balance			\$0.00
09/09/2020	Closing Balance			\$0.00

Savings				
Date	Description	Deposit	Withdrawal	Balance
03/10/2020	Opening Balance			\$397.34
05/01/2020	Savings	\$2.66		\$400.00
09/04/2020	Savings	\$2.00		\$402.00
09/09/2020	Closing Balance			\$402.00

Financial Certificates

0060575 - BONHAM, BRYAN P

Date	Daily Balance	Daily Deposit	Number Of Deposit
03/10/2020	\$6.90	\$0.00	0
03/11/2020	\$6.90	\$0.00	0
03/12/2020	\$6.90	\$0.00	0
03/13/2020	\$6.35	\$0.00	0
03/14/2020	\$6.35	\$0.00	0
03/15/2020	\$6.35	\$0.00	0
03/16/2020	\$6.35	\$0.00	0
03/17/2020	\$6.35	\$0.00	0
03/18/2020	\$3.95	\$0.00	0
03/19/2020	\$2.15	\$0.00	0
03/20/2020	\$2.15	\$0.00	0
03/21/2020	\$2.15	\$0.00	0
03/22/2020	\$2.15	\$0.00	0
03/23/2020	\$2.15	\$0.00	0
03/24/2020	\$2.15	\$0.00	0
03/25/2020	\$2.15	\$0.00	0
03/26/2020	\$1.95	\$0.00	0
03/27/2020	\$1.95	\$0.00	0
03/28/2020	\$1.95	\$0.00	0
03/29/2020	\$1.95	\$0.00	0
03/30/2020	\$1.95	\$0.00	0
03/31/2020	\$1.95	\$0.00	0
04/01/2020	\$1.95	\$0.00	0
04/02/2020	\$1.95	\$0.00	0
04/03/2020	\$1.95	\$0.00	0
04/04/2020	\$1.95	\$0.00	0
04/05/2020	\$1.95	\$0.00	0
04/06/2020	\$1.95	\$0.00	0
04/07/2020	\$1.95	\$0.00	0
04/08/2020	\$1.95	\$0.00	0
04/09/2020	\$1.95	\$0.00	0
04/10/2020	\$1.95	\$0.00	0
04/11/2020	\$1.95	\$0.00	0
04/12/2020	\$1.95	\$0.00	0
04/13/2020	\$1.95	\$0.00	0
04/14/2020	\$1.95	\$0.00	0
04/15/2020	\$1.95	\$0.00	0
04/16/2020	\$1.95	\$0.00	0
04/17/2020	\$1.95	\$0.00	0
04/18/2020	\$1.95	\$0.00	0
04/19/2020	\$1.95	\$0.00	0
04/20/2020	\$1.95	\$0.00	0
04/21/2020	\$1.95	\$0.00	0
04/22/2020	\$1.95	\$0.00	0
04/23/2020	\$1.95	\$0.00	0
04/24/2020	\$1.95	\$0.00	0
04/25/2020	\$1.95	\$0.00	0
04/26/2020	\$1.95	\$0.00	0
04/27/2020	\$1.95	\$0.00	0

Financial Certificates

0060575 - BONHAM, BRYAN P

Date	Daily Balance	Daily Deposit	Number Of Deposit
04/28/2020	\$1.95	\$0.00	0
04/29/2020	\$1.95	\$0.00	0
04/30/2020	\$1.95	\$0.00	0
05/01/2020	\$57.75	\$200.00	1
05/02/2020	\$57.75	\$0.00	0
05/03/2020	\$57.75	\$0.00	0
05/04/2020	\$57.75	\$0.00	0
05/05/2020	\$57.75	\$0.00	0
05/06/2020	\$57.75	\$0.00	0
05/07/2020	\$56.05	\$0.00	0
05/08/2020	\$10.58	\$0.00	0
05/09/2020	\$10.58	\$0.00	0
05/10/2020	\$10.58	\$0.00	0
05/11/2020	\$0.38	\$0.00	0
05/12/2020	\$0.38	\$0.00	0
05/13/2020	\$0.38	\$0.00	0
05/14/2020	\$0.38	\$0.00	0
05/15/2020	\$0.38	\$0.00	0
05/16/2020	\$0.38	\$0.00	0
05/17/2020	\$0.38	\$0.00	0
05/18/2020	\$0.38	\$0.00	0
05/19/2020	\$0.38	\$0.00	0
05/20/2020	\$0.38	\$0.00	0
05/21/2020	\$0.38	\$0.00	0
05/22/2020	\$0.38	\$0.00	0
05/23/2020	\$0.38	\$0.00	0
05/24/2020	\$0.38	\$0.00	0
05/25/2020	\$0.38	\$0.00	0
05/26/2020	\$0.38	\$0.00	0
05/27/2020	\$0.38	\$0.00	0
05/28/2020	\$0.38	\$0.00	0
05/29/2020	\$0.38	\$0.00	0
05/30/2020	\$0.38	\$0.00	0
05/31/2020	\$0.38	\$0.00	0
06/01/2020	\$0.38	\$0.00	0
06/02/2020	\$0.38	\$0.00	0
06/03/2020	\$0.38	\$0.00	0
06/04/2020	\$0.38	\$0.00	0
06/05/2020	\$0.38	\$0.00	0
06/06/2020	\$0.38	\$0.00	0
06/07/2020	\$0.38	\$0.00	0
06/08/2020	\$0.38	\$0.00	0
06/09/2020	\$0.38	\$0.00	0
06/10/2020	\$0.38	\$0.00	0
06/11/2020	\$0.38	\$0.00	0
06/12/2020	\$0.38	\$0.00	0
06/13/2020	\$0.38	\$0.00	0
06/14/2020	\$0.38	\$0.00	0
06/15/2020	\$0.38	\$0.00	0

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7/5/2021 123

Financial Certificates

0060575 - BONHAM, BRYAN P

Date	Daily Balance	Daily Deposit	Number Of Deposit
06/16/2020	\$0.38	\$0.00	0
06/17/2020	\$0.38	\$0.00	0
06/18/2020	\$0.38	\$0.00	0
06/19/2020	\$0.38	\$0.00	0
06/20/2020	\$0.38	\$0.00	0
06/21/2020	\$0.38	\$0.00	0
06/22/2020	\$0.38	\$0.00	0
06/23/2020	\$0.38	\$0.00	0
06/24/2020	\$0.38	\$0.00	0
06/25/2020	\$0.38	\$0.00	0
06/26/2020	\$0.38	\$0.00	0
06/27/2020	\$0.38	\$200.00	1
06/28/2020	\$0.38	\$0.00	0
06/29/2020	\$0.38	\$0.00	0
06/30/2020	\$0.38	\$0.00	0
07/01/2020	\$0.38	\$0.00	0
07/02/2020	\$0.38	\$0.00	0
07/03/2020	\$0.38	\$0.00	0
07/04/2020	\$0.38	\$0.00	0
07/05/2020	\$0.38	\$0.00	0
07/06/2020	\$0.38	\$0.00	0
07/07/2020	\$0.38	\$0.00	0
07/08/2020	\$0.38	\$0.00	0
07/09/2020	\$0.38	\$0.00	0
07/10/2020	\$0.38	\$0.00	0
07/11/2020	\$0.38	\$0.00	0
07/12/2020	\$0.38	\$0.00	0
07/13/2020	\$0.38	\$0.00	0
07/14/2020	\$0.38	\$0.00	0
07/15/2020	\$0.38	\$0.00	0
07/16/2020	\$0.38	\$0.00	0
07/17/2020	\$0.38	\$0.00	0
07/18/2020	\$0.38	\$0.00	0
07/19/2020	\$0.38	\$0.00	0
07/20/2020	\$0.38	\$0.00	0
07/21/2020	\$0.38	\$0.00	0
07/22/2020	\$0.38	\$0.00	0
07/23/2020	\$0.38	\$0.00	0
07/24/2020	\$0.38	\$0.00	0
07/25/2020	\$0.38	\$0.00	0
07/26/2020	\$0.38	\$0.00	0
07/27/2020	\$0.38	\$0.00	0
07/28/2020	\$0.38	\$0.00	0
07/29/2020	\$0.38	\$0.00	0
07/30/2020	\$0.38	\$0.00	0
07/31/2020	\$0.38	\$0.00	0
08/01/2020	\$0.38	\$0.00	0
08/02/2020	\$0.38	\$0.00	0
08/03/2020	\$0.38	\$0.00	0

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Financial Certificates

0060575 - BONHAM, BRYAN P

Date	Daily Balance	Daily Deposit	Number Of Deposit
08/04/2020	\$0.38	\$0.00	0
08/05/2020	\$0.38	\$0.00	0
08/06/2020	\$0.38	\$0.00	0
08/07/2020	\$0.38	\$0.00	0
08/08/2020	\$0.38	\$0.00	0
08/09/2020	\$0.38	\$0.00	0
08/10/2020	\$0.38	\$0.00	0
08/11/2020	\$0.38	\$0.00	0
08/12/2020	\$0.38	\$0.00	0
08/13/2020	\$0.38	\$0.00	0
08/14/2020	\$0.38	\$0.00	0
08/15/2020	\$0.38	\$0.00	0
08/16/2020	\$0.38	\$0.00	0
08/17/2020	\$0.38	\$0.00	0
08/18/2020	\$0.38	\$0.00	0
08/19/2020	\$0.38	\$0.00	0
08/20/2020	\$0.38	\$0.00	0
08/21/2020	\$0.38	\$0.00	0
08/22/2020	\$0.38	\$0.00	0
08/23/2020	\$0.38	\$0.00	0
08/24/2020	\$0.38	\$0.00	0
08/25/2020	\$0.38	\$0.00	0
08/26/2020	\$0.38	\$0.00	0
08/27/2020	\$0.38	\$0.00	0
08/28/2020	\$0.38	\$0.00	0
08/29/2020	\$0.38	\$0.00	0
08/30/2020	\$0.38	\$0.00	0
08/31/2020	\$0.38	\$0.00	0
09/01/2020	\$0.38	\$0.00	0
09/02/2020	\$0.38	\$0.00	0
09/03/2020	\$0.38	\$0.00	0
09/04/2020	\$4.38	\$20.00	1
09/05/2020	\$4.38	\$0.00	0
09/06/2020	\$4.38	\$0.00	0
09/07/2020	\$4.38	\$0.00	0
09/08/2020	\$4.38	\$0.00	0
09/09/2020	\$4.38	\$0.00	0

Start Date	End Date	Total Daily Balances	Number Of Days	Average Monthly Balances
03/10/2020	04/09/2020	\$100.70	31	\$3.25
04/10/2020	05/09/2020	\$464.66	30	\$15.49
05/10/2020	06/09/2020	\$21.98	31	\$0.71
06/10/2020	07/09/2020	\$11.40	30	\$0.38
07/10/2020	08/09/2020	\$11.78	31	\$0.38
08/10/2020	09/09/2020	\$35.78	31	\$1.15

Start Date	End Date	Total Deposits	Number Of Deposits	Average Monthly Deposits
04/10/2020	05/09/2020	\$200.00	1	\$200.00
06/10/2020	07/09/2020	\$200.00	1	\$200.00
08/10/2020	09/09/2020	\$20.00	1	\$20.00

151 F#27123

Financial Certificates
0060575 - BONHAM, BRYAN P

Current Account Balance:	9/9/2020	\$4.38	406.38
Average Monthly Balance:		\$3.58	475.49
Average Monthly Deposits:		\$70.00	
Average Total Monthly Deposit:		\$70.00	

See Spreadsheet

Nevada Department of Corrections											
Inmate Services Division											
Inmate Banking Section											
Inmate: BONHAM, BRYAN 60575											
Calculation of Trust 2 Average Monthly Balances				Calculation of Trust 3 Average Monthly Balances				Calculation of Savings over \$400.00 Average			
Daily				Daily				Monthly Balances			
Date	Balance			Date	Balance			Date	Balance		
5/31/2020	-			5/31/2020	-			5/31/2020	400.00		
6/1/2020	-			6/1/2020	-			6/1/2020	400.00		
6/2/2020	-			6/2/2020	-			6/2/2020	400.00		
6/3/2020	-			6/3/2020	-			6/3/2020	400.00		
6/4/2020	-			6/4/2020	-			6/4/2020	400.00		
6/5/2020	-			6/5/2020	-			6/5/2020	400.00		
6/6/2020	-			6/6/2020	-			6/6/2020	400.00		
6/7/2020	-			6/7/2020	-			6/7/2020	400.00		
6/8/2020	-			6/8/2020	-			6/8/2020	400.00		
6/9/2020	-			6/9/2020	-			6/9/2020	400.00		
6/10/2020	-			6/10/2020	-			6/10/2020	400.00		
6/11/2020	-			6/11/2020	-			6/11/2020	400.00		
6/12/2020	-			6/12/2020	-			6/12/2020	400.00		
6/13/2020	-			6/13/2020	-			6/13/2020	400.00		
6/14/2020	-			6/14/2020	-			6/14/2020	400.00		
6/15/2020	-			6/15/2020	-			6/15/2020	400.00		
6/16/2020	-			6/16/2020	-			6/16/2020	400.00		
6/17/2020	-			6/17/2020	-			6/17/2020	400.00		
6/18/2020	-			6/18/2020	-			6/18/2020	400.00		
6/19/2020	-			6/19/2020	-			6/19/2020	400.00		
6/20/2020	-			6/20/2020	-			6/20/2020	400.00		
6/21/2020	-			6/21/2020	-			6/21/2020	400.00		
6/22/2020	-			6/22/2020	-			6/22/2020	400.00		
6/23/2020	-			6/23/2020	-			6/23/2020	400.00		
6/24/2020	-			6/24/2020	-			6/24/2020	400.00		
6/25/2020	-			6/25/2020	-			6/25/2020	400.00		
6/26/2020	-			6/26/2020	-			6/26/2020	400.00		
6/27/2020	200.00			6/27/2020	-			6/27/2020	400.00		
6/28/2020	200.00			6/28/2020	-			6/28/2020	400.00		
6/29/2020	200.00			6/29/2020	-			6/29/2020	400.00		
6/30/2020	200.00			6/30/2020	-			6/30/2020	400.00		
7/1/2020	200.00			7/1/2020	-			7/1/2020	400.00		
7/2/2020	200.00			7/2/2020	-			7/2/2020	400.00		
7/3/2020	200.00			7/3/2020	-			7/3/2020	400.00		
7/4/2020	200.00			7/4/2020	-			7/4/2020	400.00		
7/5/2020	200.00			7/5/2020	-			7/5/2020	400.00		
7/6/2020	200.00			7/6/2020	-			7/6/2020	400.00		
7/7/2020	200.00			7/7/2020	-			7/7/2020	400.00		
7/8/2020	200.00			7/8/2020	-			7/8/2020	400.00		
7/9/2020	200.00			7/9/2020	-			7/9/2020	400.00		
7/10/2020	200.00			7/10/2020	-			7/10/2020	400.00		
7/11/2020	200.00			7/11/2020	-			7/11/2020	400.00		
7/12/2020	200.00			7/12/2020	-			7/12/2020	400.00		
7/13/2020	200.00			7/13/2020	-			7/13/2020	400.00		
7/14/2020	200.00			7/14/2020	-			7/14/2020	400.00		
7/15/2020	200.00			7/15/2020	-			7/15/2020	400.00		
7/16/2020	200.00			7/16/2020	-			7/16/2020	400.00		
7/17/2020	145.08			7/17/2020	-			7/17/2020	400.00		
7/18/2020	145.08			7/18/2020	-			7/18/2020	400.00		
7/19/2020	145.08			7/19/2020	-			7/19/2020	400.00		
7/20/2020	145.08			7/20/2020	-			7/20/2020	400.00		
7/21/2020	109.63			7/21/2020	-			7/21/2020	400.00		
7/22/2020	109.63			7/22/2020	-			7/22/2020	400.00		
7/23/2020	109.63			7/23/2020	-			7/23/2020	400.00		
7/24/2020	109.63			7/24/2020	-			7/24/2020	400.00		
7/25/2020	109.63			7/25/2020	-			7/25/2020	400.00		
7/26/2020	109.63			7/26/2020	-			7/26/2020	400.00		
7/27/2020	109.63			7/27/2020	-			7/27/2020	400.00		
7/28/2020	109.63			7/28/2020	-			7/28/2020	400.00		
7/29/2020	109.63			7/29/2020	-			7/29/2020	400.00		
7/30/2020	109.63			7/30/2020	-			7/30/2020	400.00		
7/31/2020	103.39			7/31/2020	-			7/31/2020	400.00		
8/1/2020	103.39			8/1/2020	-			8/1/2020	400.00		
8/2/2020	103.39			8/2/2020	-			8/2/2020	400.00		
8/3/2020	103.39			8/3/2020	-			8/3/2020	400.00		
8/4/2020	103.39			8/4/2020	-			8/4/2020	400.00		
8/5/2020	103.39			8/5/2020	-			8/5/2020	400.00		
8/6/2020	103.39			8/6/2020	-			8/6/2020	400.00		
8/7/2020	103.39			8/7/2020	-			8/7/2020	400.00		
8/8/2020	103.39			8/8/2020	-			8/8/2020	400.00		
8/9/2020	103.39			8/9/2020	-			8/9/2020	400.00		
8/10/2020	103.39			8/10/2020	-			8/10/2020	400.00		
8/11/2020	103.39			8/11/2020	-			8/11/2020	400.00		
8/12/2020	103.39			8/12/2020	-			8/12/2020	400.00		
8/13/2020	103.39			8/13/2020	-			8/13/2020	400.00		
8/14/2020	83.63			8/14/2020	-			8/14/2020	400.00		
8/15/2020	83.63			8/15/2020	-			8/15/2020	400.00		
8/16/2020	83.63			8/16/2020	-			8/16/2020	400.00		
8/17/2020	83.63			8/17/2020	-			8/17/2020	400.00		
8/18/2020	83.63			8/18/2020	-			8/18/2020	400.00		
8/19/2020	83.63			8/19/2020	-			8/19/2020	400.00		
8/20/2020	83.63			8/20/2020	-			8/20/2020	400.00		

Nevada Department of Corrections														
Inmate Services Division														
Inmate Banking Section														
Inmate: BONHAM, BRYAN 60575														
Calculation of Trust 2 Average Monthly Balances					Calculation of Trust 3 Average Monthly Balances					Calculation of Savings over \$400.00 Average Monthly Balances				
		Daily Balance					Daily Balance					Daily Balance		
Date		Daily Balance			Date		Daily Balance			Date		Daily Balance		
8/21/2020		83.63			8/21/2020		-			8/21/2020		400.00		
8/22/2020		83.63			8/22/2020		-			8/22/2020		400.00		
8/23/2020		83.63			8/23/2020		-			8/23/2020		400.00		
8/24/2020		83.63			8/24/2020		-			8/24/2020		400.00		
8/25/2020		83.63			8/25/2020		-			8/25/2020		400.00		
8/26/2020		83.63			8/26/2020		-			8/26/2020		400.00		
8/27/2020		83.63			8/27/2020		-			8/27/2020		400.00		
8/28/2020		83.63			8/28/2020		-			8/28/2020		400.00		
8/29/2020		83.63			8/29/2020		-			8/29/2020		400.00		
8/30/2020		83.63			8/30/2020		-			8/30/2020		400.00		
8/31/2020		83.63			8/31/2020		-			8/31/2020		400.00		
9/1/2020		83.63			9/1/2020		-			9/1/2020		400.00		
9/2/2020		83.63			9/2/2020		-			9/2/2020		400.00		
9/3/2020		83.63			9/3/2020		-			9/3/2020		400.00		
9/4/2020		83.63			9/4/2020		-			9/4/2020		402.00		
9/5/2020		83.63			9/5/2020		-			9/5/2020		402.00		
9/6/2020		83.63			9/6/2020		-			9/6/2020		402.00		
9/7/2020		83.63			9/7/2020		-			9/7/2020		402.00		
9/8/2020		83.63			9/8/2020		-			9/8/2020		402.00		
9/9/2020		83.63			9/9/2020		-			9/9/2020		402.00		
Start Date	End Date	Total Daily Balances	Number of Days	Average Monthly Balances	Start Date	End Date	Total Daily Balances	Number of Days	Average Monthly Balances	Start Date	End Date	Total Daily Balances	Number of Days	Average Monthly Balances
3/10/2020	4/9/2020	3,717.77	31	119.93	3/10/2020	4/9/2020	-	31	-	3/10/2020	4/9/2020	#####	31	397.34
4/10/2020	5/9/2020	311.01	30	10.37	4/10/2020	5/9/2020	-	30	-	4/10/2020	5/9/2020	#####	30	398.14
5/10/2020	6/9/2020	-	31	-	5/10/2020	6/9/2020	-	31	-	5/10/2020	6/9/2020	#####	31	400.00
6/10/2020	7/9/2020	2,600.00	30	86.67	6/10/2020	7/9/2020	-	30	-	6/10/2020	7/9/2020	#####	30	400.00
7/10/2020	8/9/2020	4,110.52	31	132.60	7/10/2020	8/9/2020	-	31	-	7/10/2020	8/9/2020	#####	31	400.00
8/10/2020	9/9/2020	2,671.57	31	86.18	8/10/2020	9/9/2020	-	31	-	8/10/2020	9/9/2020	#####	31	400.39
		13,410.87		72.62			-		-			#####		399.31
Current Account Balance					Average Monthly Balance									
Primary	4.38				Primary	3.56								
Trust 2					Trust 2	72.62								
Trust 3					Trust 3	-								
Savings	402.00				Savings	399.31								
	406.38					475.49	Total Average Monthly Balance							

9A 28

EXHIBIT 5

EXHIBIT 5

Case No. _____

Dept. No. _____

IN THE 8th JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF Clark

Bryan P Bonham,
plaintiff,

vs.

STATE OF NEVADA ex rel,
Defendants.

RECEIVED

AUG 14 2020
 CERTIFICATE OF INMATE'S
 INSTITUTIONAL ACCOUNT

I, the undersigned, do certify that Bryan P Bonham,
 NDOC # 60575, above-named, has a balance of \$ 84.01 on account
 to his credit in the prisoner's personal property fund for his use at
 Lovelock Correctional Center, in Pershing County.

I further certify that said prisoner owes departmental charges in the
 amount of \$ 115.85 and that the solitary security to his credit is a
 savings account established pursuant to NRS § 209.247(5) with a balance of
 \$ 400.00 which is inaccessible to him.

Dated this 18 day of August, 2020.

[Signature]

Inmate Services Division
 Nevada Department of Corrections

Submitted by Bryan P Bonham # 60575, on 1 / 1 / 20.

This is for a civil ~~habeas~~ habeas X matter.

LCC 26.012

0

EXHIBIT

6

EXHIBIT

6

Real copy found Version 1 1

SUMMARY--Provides that official engrossed copy of Senate Bill No. 2 be used as the enrolled bill.

SENATE CONCURRENT RESOLUTION--Providing that the official engrossed copy of Senate Bill No. 2 may be used as the enrolled bill.

WHEREAS, The provisions of sec. 8 of chapter 3, Statutes of Nevada 1949, as amended by chapter 385, Statutes of Nevada 1955, provide that the official engrossed copy of a bill may by resolution be used as the enrolled bill; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the official engrossed copy of Senate Bill No. 2 shall be used as the enrolled bill as provided by law.

EXHIBIT 7

EXHIBIT 7

SENATE CONCURRENT RESOLUTION--Providing that the official engrossed copy of Senate Bill No. 2 may be used as the enrolled bill.

WHEREAS, The provisions of sec. 8 of chapter 3, Statutes of Nevada 1949, as amended by chapter 385, Statutes of Nevada 1955, provide that the official engrossed copy of a bill may by resolution be used as the enrolled bill; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the official engrossed copy of Senate Bill No. 2 shall be used as the enrolled bill as provided by law.

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EXHIBIT 8

Version 3

Resolutions and Memorials

Senate Concurrent Resolution No. 1—Committee on Judiciary

FILE NO. 1

SENATE CONCURRENT RESOLUTION—Providing that the official engrossed copy of Senate Bill No. 2 may be used as the enrolled bill.

WHEREAS, The provisions of sec. 8 of chapter 3, Statutes of Nevada 1949, as amended by chapter 385, Statutes of Nevada 1955, provide that the official engrossed copy of a bill may by resolution be used as the enrolled bill; now, therefore, be it

Resolved by the Senate of the State of Nevada, the Assembly concurring, That the official engrossed copy of Senate Bill No. 2 shall be used as the enrolled bill as provided by law.

EXHIBIT 9

11

S. B. 182

SENATE BILL NO. 182—COMMITTEE ON FINANCE

MARCH 9, 1951

Referred to Committee on Finance

Summary—Establishes permanent commission on compilation of laws.

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT establishing a permanent commission for the revision, compilation, annotation, and publishing of the laws of the State of Nevada and certain laws of the United States; prescribing certain duties of a temporary nature; prescribing certain duties of a permanent nature; making an appropriation therefor; and other matters properly connected therewith.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby created a commission of the State of Nevada, to be known as the "commission for revision and compilation of Nevada laws," hereinafter referred to as the commission. Such commission shall be composed of three members, and said members shall be the three justices of the supreme court. The members of such commission shall have the powers and duties prescribed by this act, and shall each receive such salary for their services as shall be prescribed by this act, and subsequent enactments.

SEC. 2. As soon as practicable after the effective date hereof the commission shall commence the preparation of a complete revision and compilation of the constitution and the laws of the State of Nevada in general application, together with brief annotations and marginal notes to sections thereof. Such compilation when completed shall be known as "Revised Laws of Nevada," and the first publication shall be filled in the blank space of such title, and any such title may be cited as "Rev. Laws."

SEC. 3. In preparing such compilation the commission is hereby authorized to adopt such system of numbering as it deems practical, and said compilation to be published in such number of volumes, and such volumes shall not exceed 750 pages, as shall be deemed convenient, and to cause such volumes to be bound in loose-leaf binders, and so far as possible, permanent quality. The pages of such compilation shall conform in size and printing style to the pages of the statutes of Nevada, except that if necessary for marginal notes,

1 the same may be of greater width, and roman style type only
 2 be used. In general, it is recommended, but not required, that
 3 compilation should follow the plan of organization used in the
 4 compilation heretofore made and known as the "Revised Laws of Nevada
 5 1912," as authorized by chapter CGXXXVI, Statutes of Nevada
 6 Sec. 4. Upon completion of each portion of said "Revised Laws
 7 the commission is authorized and directed to have the same printed
 8 at the state printing office, and upon completion of the same
 9 printing the separate volumes shall be bound as heretofore required
 10 and forwarded to the secretary of state for safekeeping and disposal
 11 as set forth hereinafter. Sufficient copies of each page shall be printed
 12 so that there shall be bound 2,500 copies of each volume of the
 13 "Revised Laws." A master copy of said "Revised Laws of Nevada
 14 shall be kept in the office of the commission, and such master
 15 copy shall not be removed from said office except in the custody
 16 of a member of the commission.
 17 Sec. 5. In complying with the provisions of this act, and
 18 the limitation of available appropriations, the commission is
 19 authorized to employ such clerical assistance as it deems necessary
 20 compensated at the same rate as other state employees of compar-
 21 position, and such assistants in drafting and research as may be
 22 necessary, and shall be familiar with methods of compilation and
 23 of laws. The terms of the employment and compensation of such
 24 assistants shall be fixed by the commission.
 25 Sec. 6. The commission shall reimburse the state printer for
 26 appropriation hereby made for the cost of printing and
 27 required by this act.
 28 Sec. 7. From and after the completion of "Revised Laws of
 29 Nevada," and the delivery of the same to the secretary of state,
 30 said secretary of state shall forward one set of the same to
 31 of each elected or appointed state officer, and take the same to
 32 said officer therefor; thirty sets shall be reserved at all times
 33 exclusive use of the legislature, one set shall be furnished to
 34 county of the state for the use of the district judge and district
 35 judge of that county, one set shall be furnished to each library
 36 state maintained by public funds, and such number of sets
 37 necessary, not to exceed 60 sets, shall be made available to
 38 libraries for reciprocal trading with state libraries of sister
 39 federal territories. The remaining sets shall be sold at a price
 40 of state at a price of \$10 per volume, and all proceeds of such
 41 sale shall be deposited in the general fund.
 42 Sec. 8. The compilation herein authorized to be made shall be
 43 accompanied by as complete an index as it shall be possible to
 44 prepare, which index shall be printed and bound in the same
 45 and style as the "Revised Laws."
 46 Sec. 9. The secretary of state shall make available to the
 47 commission all records of his office which are or may be of use to
 48 the commission, and any books or statutes in the custody of the
 49 secretary shall likewise be made available to said commission.
 50 Sec. 10. Upon request of the commission, the secretary of state

buildings and grounds shall assign and make available to the commis-
 sion suitable and convenient rooms or space for the use of the commis-
 sion and its employees.
 Sec. 11. The commission is authorized to purchase or otherwise
 acquire necessary supplies and equipment.
 Sec. 12. Upon the completion of "Revised Laws of Nevada,"
 the commission is authorized and directed to prepare and have printed
 such replacement and supplementary pages for such laws, as may from
 time to time be necessary. In any event, said commission shall prepare
 the replacement and supplementary pages made necessary by the
 sessions of the legislature, as soon as possible after each such session.
 The intent of this section is that such "Revised Laws" shall be kept
 current insofar as may be possible. Distribution of the same is to
 be made as for the original volumes, and prices shall be set by the
 commission as near as possible to the cost of preparing and printing,
 provided, that where distribution of the original volumes was without
 charge, no charge shall be made for replacement.
 Sec. 13. Upon completion, "Revised Laws of Nevada,"
 may be cited as prima-facie evidence of the law in all of the courts
 of this state. Such evidence may be rebutted by proof that the same
 differ from the official Statutes of Nevada.
 Sec. 14. The commission shall, from time to time, make recom-
 mendations for clarification of specific statutes, for elimination of
 obsolete statutes, and calling the attention of the legislature to con-
 flicting statutes, and such other matter as it deems necessary.
 Sec. 15. The members of the commission shall each receive a sal-
 ary of two hundred dollars (\$200) per month, paid as are the salaries
 of other state officers, and out of the appropriation hereby made, for
 the period commencing on the effective date hereof, and expiring June
 30, 1953.
 Sec. 16. There is hereby appropriated from the general fund, for
 purposes of this act, the sum of seventy-five thousand dollars
 (\$75,000). Claims against this appropriation shall be allowed and
 paid in the same manner as are other claims against the state.
 Sec. 17. This act shall be effective from and after May 1, 1951.

EXHIBIT 10

Senate Bill No. 24—Senators Berrum, Blissett, Brown, Dodge, Fransway,
Lamb, McGowan, Monroe and Parks

CHAPTER 403

AN ACT to amend NRS sections 218.035, 218.185, 218.190, 218.240 to 218.260, inclusive, 218.480, 218.500, 218.510, 218.620 to 218.640, inclusive, 218.660, 218.670, 218.690, 218.700, 218.720, 218.740, 218.770 to 218.890, inclusive, 220.040, 220.080 to 220.170, inclusive, 233.030, 331.105, 353.080 to 353.080, inclusive, 353.210, 353.263, 354.380, 412.235, 458.080 and 482.200, relating to bill, resolution, journal and history books, the amendment clerk, the preparation of legislative measures and the Statutes of Nevada, the legislative counsel bureau, the legislative counsel, the legislative auditor and their powers and duties, the director, employees and powers and duties of the statute revision commission, the preparation, contents, printing and sale of Nevada Revised Statutes, the central mailing room, counts of money in the state treasury, estimates of expenditures by state agencies, the state board of examiners emergency fund, the state alcoholism agency, inventories of federal military property, and destruction of unused motor vehicle license plates, the legislative fund, the compilation of legislative journal indices, the legislative commission, its meetings and secretary, the availability of information and records concerning public funds with respect to the legislative counsel, and the Nevada commission on equal rights of citizens, by creating the office of the director of the legislative counsel bureau and three divisions within the legislative counsel bureau; providing for the appointment, compensation and qualifications of the legislative counsel, the research director and the fiscal analyst and their powers and duties; and by abolishing the statute revision commission and the position of legislative auditor; to amend chapter 218 of NRS, relating to the state legislature, by adding new sections prescribing the duties of the heads of the divisions of the legislative counsel bureau; transferring funds; to repeal NRS sections 218.710, 218.730, 218.760, 220.010 to 220.030, inclusive, and 220.050 to 220.070, inclusive, relating to the legislative counsel, the legislative auditor, his appointment and salary, and to the statute revision commission; and providing other matters properly relating thereto.

[Approved April 26, 1963]

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

SECTION 1. NRS 218.185 is hereby amended to read as follows:

218.185 1. During each session of the legislature, employees of the senate and assembly shall compile and prepare sets of bill, resolution, journal and history books for:

(a) The officers and members of the senate and assembly without cost to such persons.

(b) Selected staff members of the [statute revision commission and of the] legislative counsel bureau without cost to such persons.

(c) The press room in the capitol building for use of accredited press representatives, but not more than four such sets of books shall be compiled and prepared without cost.

(d) Persons other than those enumerated in paragraphs (a), (b) and (c) upon application to the legislative counsel bureau and the payment of a fee of \$35.

2. All fees collected under the provisions of this section shall be deposited in the legislative fund in accordance with the provisions of NRS 353.250.

Sec. 2. NRS 218.190 is hereby amended to read as follows:

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1746 OF 2123

particular wherein the bill does not comply in form with law or rule of the houses.

2. If, in the opinion of the [director,] *legislative counsel*, any correction made by him or the [commission employees] *legal division of the legislative counsel bureau* under the authority of this section should in any manner be construed to be a change in the bill other than a change in form, the [director] *legislative counsel* shall obtain the consent of the author of the bill before making such change.

[3. The commission shall be deemed to be acting in an administrative capacity in the performance of the duties imposed by NRS 218.240 to 218.260, inclusive.]

Sec. 5. NRS 218.260 is hereby amended to read as follows:

218.260 1. The [commission] *legislative counsel* is authorized to employ legislative bill drafters and stenographers, at a compensation to be set by [it,] *him*, to aid and assist [the director] *him* in carrying out the duties prescribed by NRS 218.240 to 218.260, inclusive, and such legislative bill drafters and stenographers shall be employed for such length of time as the [commission] *legislative counsel* may deem to be necessary for the effective conduct of the legislative work prescribed by NRS 218.240 to 218.260, inclusive.

2. The [director,] *legislative counsel*, during the time the legislature is in session, shall assign at least one legislative bill drafter and one or more stenographers for each house of the legislature, and they shall be located in the capitol building.

Sec. 6. NRS 218.500 is hereby amended to read as follows:

218.500 1. The secretary of state shall furnish to the superintendent of state printing, within 3 days from the time he receives the same from the governor, after approval, a copy of all acts, joint and concurrent resolutions, and memorials passed at each session.

2. The superintendent of state printing shall:

(a) Print the number of copies as provided by NRS 218.510.

(b) Furnish printed sheets thereof to the [statute revision commission,] *legislative counsel bureau*, which shall, immediately upon the adjournment of the session, make out and deliver to the superintendent of state printing an index of the same.

(c) Immediately upon the adjournment of the session, print the index prepared by the [statute revision commission] *legislative counsel bureau* and bind it in connection with the Statutes of Nevada.

(d) Furnish to each senator and assemblyman, for distribution among their constituents, 15 copies of the printed sheets of each act as printed, or if more than one act is printed at one time, then copies of the printed sheets of such series of acts.

(e) Distribute one copy of the act or acts to each county clerk, county auditor, district judge, district attorney and justice of the peace in the state.

Sec. 7. NRS 218.510 is hereby amended to read as follows:

218.510 1. Eight hundred copies of the statutes of each legislature shall be printed and bound in buckram or law sheep.

2. The bound volumes shall contain:

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and committees shall be designated by the members of the legislative commission and may consist of legislators and employees of the state other than members of the commission. Members of such delegations and committees shall serve without salary, but they shall receive out of the fund of the legislative counsel bureau the per diem expense allowance and travel expenses as provided by law.

4. Endeavor to advance cooperation between this state and other units of government whenever it seems advisable to do so by formulating proposals for interstate compacts and reciprocal or uniform legislation, and by facilitating the adoption of uniform or reciprocal administrative rules and regulations, informal cooperation of governmental offices, personal cooperation among governmental officials and employees, interchange and clearance of research and information, and any other suitable process. In order to facilitate such cooperation the Council of State Governments and the National Conference of State Legislative Leaders are hereby declared to be joint governmental agencies of this state and of the other states which cooperate through them.

5. Establish such interim or special committees as official agencies of the legislative counsel bureau as may be deemed advisable to deal with governmental problems, important issues of public policy and questions of statewide interest. The membership of such interim or special committees shall be designated by the members of the legislative commission and may consist of legislators other than members of the commission, employees of the State of Nevada or citizens of the State of Nevada. Members of such interim or special committees shall serve without salary, but they shall receive out of the fund of the legislative counsel bureau the per diem expense allowances and travel expenses as provided by law.

6. Carry out the functions assigned to the divisions of the bureau in this chapter.

Sec. 10. NRS 218.640 is hereby amended to read as follows:

218.640 Funds to carry out the [provisions of NRS 218.610 to 218.890, inclusive,] *functions of the legislative counsel bureau* shall be provided by legislative appropriation from the general fund, and shall be paid out on claims as other claims against the state are paid. All claims shall be approved by the [legislative counsel] *director of the legislative counsel bureau* before they are paid.

Sec. 11. NRS 218.690 is hereby amended to read as follows:

218.690 [1. The legislative commission shall appoint a person of skill and training in the art of government and government finance as legislative counsel, and he shall be responsible to the commission.

2. The legislative counsel shall receive an annual salary which shall be fixed by the legislative commission, and when so fixed shall be deemed to be fixed by law.

3. The legislative counsel shall receive the per diem expense allowance and travel expenses as provided by law.] *The legislative counsel shall:*

1. *Be an attorney licensed to practice law in the State of Nevada and shall be versed in some or all of the following: Political science,*

(d) The ability to maintain effective working relationships with state officials.

(e) The ability to organize and present clearly oral and written reports of findings and recommendations.] *The fiscal analyst shall:*

1. *Be a certified public accountant or public accountant qualified to practice public accounting under the provisions of chapter 628 of NRS.*

2. *Have 5 years of progressively responsible experience in general accounting.*

3. *Have a comprehensive knowledge of the principles and practices of public budgeting, governmental accounting, and the projection of future public revenues.*

4. *Have a working knowledge of statistical methods.*

SEC. 15. NRS 218.770 is hereby amended to read as follows:

218.770 The powers and duties of the [legislative auditor] *fiscal analyst* shall be:

1. To perform a postaudit of all accounts, books and other financial records of all state departments that are charged with the collection, custody or expenditure of public funds, and to prepare a written report or reports of such audit or audits to the legislative counsel bureau and to such other person or persons designated in this chapter.

2. To personally, or by his duly authorized assistants, examine and audit at least once a year all fiscal books, records and accounts of all officers, personnel, custodians of public funds, disbursing officers, property custodians and purchasing agents, and to make independent verifications of all assets, liabilities, revenues and expenditures of the state, and its officers and departments, now in existence or hereafter created.

3. To require such changes in the accounting system or systems and record or records of the state departments as in his opinion will augment or provide a uniform, adequate and efficient system of records and accounting.

4. To determine whether the handling of the public money is protected by adequate accounting controls.

5. To determine whether all revenues or accounts due have been collected or properly accounted for and whether expenditures have been made in conformance with law and good business practice.

6. To determine whether the fiscal controls established by law and by administrative regulation are being properly applied.

7. To determine whether fraud or dishonesty has occurred in the handling of funds or property.

8. To determine whether property and equipment are properly accounted for and that none is improperly used or disposed of.

9. To determine whether the accounting reports and statements issued by the agency under examination are an accurate reflection of the operations and financial condition.

10. To work with the executive officers of any and all state departments in outlining and installing a uniform, adequate and efficient system of records and accounting.

11. To require the aid and assistance of executives and officials,

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(d) All receipts, vouchers and other documents kept, or that may be required to be kept, necessary to prove the validity of each transaction.

(e) All statements and reports made and required to be made for the internal administration of the office to which they pertain.

(f) All statements and reports regarding any and all details of the financial administration of public affairs.

3. The [legislative auditor] *fiscal analyst* shall, from time to time, make such changes in and additions to such system as may to him seem necessary or in the public interest.

Sec. 19. NRS 218.810 is hereby amended to read as follows:

218.810 1. In addition to the other duties provided for the [legislative auditor,] *fiscal analyst*, he shall thoroughly examine all departments of the state government with special regard to their activities and the duplication of efforts between departments and the quality of service being rendered by subordinate employees in each of the several departments.

2. Upon completing the examination of any state department, he shall furnish the head thereof with a report of, among other things:

(a) The efficiency of the subordinate employees.

(b) The status and condition of all public funds in charge of such department.

(c) The amount of duplication between work done by the department so examined and other departments of the state government.

(d) The expense of operating the department.

(e) Breaches of trust and duty, if any, by an officer, property custodian, purchasing agent, or other custodian or disbursement officer of public funds.

(f) Any suggested changes looking toward economy and reduction of number of clerical and other employees and the elimination of duplication and inefficiency.

3. Copies of each report shall be filed with the governor, the lieutenant governor, the secretary of state, and each member of the legislature.

Sec. 20. NRS 218.820 is hereby amended to read as follows:

218.820 Upon the request of the [legislative auditor,] *fiscal analyst*, every elective state officer in the state, every board or commission provided for by the laws of the state, every head of each and every department in the state, and every employee or agent thereof, acting by, for or on account of any such office, board, commission or officer receiving, paying or otherwise controlling any public funds in the State of Nevada, in whole or in part, whether the same may be funds provided by the State of Nevada, funds received from the Federal Government of the United States or any branch, bureau or agency thereof, or funds received from private or other source, shall submit to the [legislative auditor] *fiscal analyst* a complete financial statement of each and every receipt of funds received by the office, officer, board, commission, person or agent, and of every expenditure of such receipts or any portion thereof for the period designated by the [legislative auditor.] *fiscal analyst*.

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2. All reports of the [legislative auditor] *fiscal analyst* filed by the secretary of state shall be open to public inspection.

Sec. 25. NRS 218.870 is hereby amended to read as follows:

218.870 The [legislative auditor] *fiscal analyst* shall keep or cause to be kept:

1. A complete, accurate and adequate set of fiscal transactions of the office of the legislative counsel bureau.

2. A complete file of copies of all audit reports, examinations, investigations and any and all other reports or releases issued by him.

3. A complete file of audit work papers and other evidences pertaining to work of the [legislative auditor] *fiscal analyst*.

Sec. 26. NRS 218.880 is hereby amended to read as follows:

218.880 1. If the [legislative auditor] *fiscal analyst* finds, in the course of his audit, evidence of improper practices of financial administration or of any general incompetency of personnel or inadequacy of fiscal records, he shall report the same immediately to the governor, the legislative counsel bureau, and the department head or heads affected.

2. If the [legislative auditor] *fiscal analyst* shall find evidence of illegal transactions, he shall forthwith report such transactions to the governor, the legislative counsel bureau, and the attorney general.

Sec. 27. NRS 218.890 is hereby amended to read as follows:

218.890 Immediately upon receipt of a report from the [legislative auditor] *fiscal analyst* of incompetency of personnel and inadequacy of fiscal records, the legislative counsel bureau shall review the [legislative auditor's] *fiscal analyst's* report and hold hearings with the department head or heads concerning such incompetency and inadequacy of fiscal records. The legislative counsel bureau, after holding such hearings, shall make a report to the department head or heads requesting the removal or replacement of the incompetent personnel or the installation of the necessary fiscal records. The legislative counsel bureau shall report to the legislature any refusal of the department officials to remedy such incompetency or the installation of proper fiscal records.

Sec. 28. NRS 220.040 is hereby amended to read as follows:

220.040 [1. In complying with the provisions of this chapter, and within the limits of available appropriations, the commission is authorized to appoint a reviser of statutes who shall be known as the director of the statute revision commission.

2. The commission shall fix the compensation of the director and he shall serve at the pleasure of the commission.

3. The director shall perform such duties as may be required by the commission in connection with its duties under this chapter. The legislative counsel and the legal division of the legislative counsel bureau shall have the powers and duties prescribed in this chapter.

Sec. 29. NRS 220.080 is hereby amended to read as follows:

220.080 The [commission] *legislative counsel* shall, from time to time:

1. Make recommendations to the legislature for clarification of specific statutes.

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to be placed under one general head, with necessary cross-references.

4. Notes of decisions of the supreme court, historical references and other material shall be arranged in such manner as the [commission] legislative counsel finds will promote the usefulness thereof.

5. The [commission in preparing the revisions] legislative counsel in keeping Nevada Revised Statutes current shall not alter the sense, meaning or effect of any legislative act, but may renumber sections and parts of sections thereof, change the wording of headnotes, rearrange sections, change reference numbers or words to agree with renumbered chapters or sections, substitute the word "chapter" for "article" and the like, substitute figures for written words and vice versa, change capitalization for the purpose of uniformity and correct manifest clerical or typographical errors.

Sec. 34. NRS 220.130 is hereby amended to read as follows:

220.130 1. Upon completion of Nevada Revised Statutes, the [commission] legislative counsel is authorized and directed to have the same printed, lithoprinted or reproduced by any other process at the state printing office. Sufficient copies of each page shall be printed or reproduced so that there shall be bound 2,500 copies of each volume of Nevada Revised Statutes, and 1,000 copies of each volume of citations to and annotations of decisions of the Nevada supreme court and federal courts construing each statute and constitutional provision and the digest of cases decided by the Nevada supreme court.

2. Upon completion of the final printing or other reproduction the separate volumes shall be bound as required in this chapter and retained by the [director] legislative counsel for safekeeping and disposition. The secretary of state shall sell each set, and may sell individual volumes, parts or pages when available, at a price to be set by the [commission] legislative counsel as near as possible to the cost of preparing, printing and binding, and all proceeds of sales shall be deposited in the general fund.

3. A master copy of Nevada Revised Statutes shall be kept in the office of the [commission] legislative counsel, and the master copy shall not be removed from the office except in the custody of [a member of the commission or the director thereof.] the legislative counsel.

Sec. 35. NRS 220.140 is hereby amended to read as follows:

220.140 The [commission] legislative counsel bureau shall reimburse the superintendent of state printing from the appropriations heretofore or hereafter made for the cost of printing or reproduction required by this chapter.

Sec. 36. NRS 220.150 is hereby amended to read as follows:

220.150 Notwithstanding any other provision of law, any unexpended balances of the appropriations made [to the commission] for the support of the legal division of the legislative counsel bureau shall not revert to the general fund at the end of any fiscal year, but shall be placed to the credit of the [commission] legislative counsel bureau in the state treasury in a fund hereby created and designated as the [statute revision commission] legislative counsel bureau printing and binding fund, which fund shall be used only for the payment of the costs of printing and binding of the Nevada Revised Statutes,

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at Carson City, Nevada, and supported in whole or in part by legislative appropriation from the general fund in the state treasury.

2. Any state officer, department or agency not supported in whole or in part by legislative appropriation from the general fund in the state treasury may use the central mailing room facilities if such state officer, department or agency pays the cost of such use as determined by the superintendent. Moneys collected from such state officers, departments or agencies for use in the central mailing room facilities shall be deposited in the mail service working capital fund in the state treasury.

3. The staff of the central mailing room shall deliver incoming mail and pick up and process outgoing mail, except outgoing parcel post from the [statute revision commission,] *legal division of the legislative counsel bureau*, other than interoffice mail, of all state officers, departments and agencies using the central mailing room facilities.

4. Funds to carry out the provisions of this section shall be provided by direct legislative appropriation from the general fund in the state treasury.

Sec. 40. NRS 353.060 is hereby amended to read as follows:

353.060 1. At least once every 3 months and as often as he may deem proper, the [legislative auditor] *fiscal analyst* shall count the money in the state treasury. The [legislative auditor] *fiscal analyst* shall not give the state treasurer any previous notice of the hour or day of the counting.

2. The state treasurer shall permit the money in the state treasury to be counted whenever the [legislative auditor] *fiscal analyst* may wish to make the counting, without delaying the counting on any pretense whatever.

Sec. 41. NRS 353.065 is hereby amended to read as follows:

353.065 1. The [legislative auditor] *fiscal analyst* shall count all moneys and securities in the state treasury belonging to the state, or to any department thereof, and all moneys and securities of the Nevada industrial commission, and all other moneys and securities of which the state treasurer is custodian.

2. The [legislative auditor] *fiscal analyst* shall execute a surety bond, payable to the state, in the sum of \$2,500, conditioned for the faithful performance of all duties which may be required of him by law.

Sec. 42. NRS 353.070 is hereby amended to read as follows:

353.070 It shall be unlawful for the [legislative auditor] *fiscal analyst* to count as cash or moneys in the state treasury anything but actual money and cash in the state treasury, or moneys on deposit in depository banks secured as provided by law.

Sec. 43. NRS 353.075 is hereby amended to read as follows:

353.075 1. When the count of state moneys, funds and securities is completed, the [legislative auditor] *fiscal analyst* shall make an affidavit and file the same in the office of the secretary of state. When filed with the secretary of state, the affidavit shall be and become a public record.

4. On or before October 1 of each even-numbered year, the director shall deliver copies of the expenditure estimates to the [legislative auditor,] *fiscal analyst*, together with such other information as required by subsection 1.

Sec. 46. NRS 354.380 is hereby amended to read as follows:

354.380 1. Upon the completion of the budget, it shall be signed by the governing board of the political subdivision.

2. Budgets for cities and municipalities shall be filed with the city clerk. Budgets for towns shall be filed with the county auditor and county recorder of the county wherein such town is situated.

3. Budgets for school districts shall be approved by the state department of education. A budget for a county school district shall be filed with the county auditor and county recorder of the county whose boundaries are coterminous with the boundaries of the county school district. A budget for a joint school district shall be filed with the county auditors and county recorders of the counties the areas of which are within the joint school district. A copy of the budget for each school district shall be filed forthwith with the [legislative auditor,] *fiscal analyst*.

Sec. 47. NRS 412.235 is hereby amended to read as follows:

412.235 1. Semiannually and at such other times as may be directed by the commander in chief, the [legislative auditor,] *fiscal analyst* shall cause to be made a careful physical inventory and list of all classes of federal military property, noting:

(a) The quantity on hand.

(b) The amounts received and expended during the previous 6 months.

(c) The quantities and classes held on memorandum receipts by any unit or officer of the National Guard.

2. The inventory shall be made up in quadruplicate. The original and first copy shall be transmitted to the adjutant general and the United States property and fiscal officer. The second copy shall be transmitted to the unit or officer, and the last copy shall be retained by the [legislative auditor,] *fiscal analyst*.

3. The inventory shall be known as the List of Balances, and the copies sent to the United States property and fiscal officer and the adjutant general shall be preserved and remain on file in their offices.

Sec. 48. NRS 482.200 is hereby amended to read as follows:

482.200 All unused, unsold and confiscated motor vehicle license plates of the previous issue shall be destroyed or disposed of by the department after the [legislative auditor,] *fiscal analyst* shall have caused a count of such plates.

Sec. 49. Chapter 218 of NRS is hereby amended by adding thereto a new section which shall read as follows:

Between sessions of the legislature no study or investigation shall be initiated or continued by the fiscal analyst, the legislative counsel or the research director and their staffs except such studies and investigations which have been specifically authorized by a senate or assembly resolution or by an order of the legislative commission. No study or

fiscal year commencing on July 1, 1962, shall be used for the support of the legislative counsel and the legal division of the legislative counsel bureau, and any such moneys remaining at the end of such fiscal year shall be deposited in the legislative counsel bureau printing and binding fund.

2. All moneys in the statute revision commission printing and binding fund on the effective date of this act shall be transferred to the legislative counsel bureau printing and binding fund.

Sec. 55. NRS 218.480 is hereby amended to read as follows:

218.480 1. Whenever any message, report or other document in pamphlet form is ordered printed by the legislature, 125 copies, supplemental to the number ordered, shall be printed and retained by the superintendent of state printing for binding with the journals of the senate and assembly.

2. At the end of each session of the legislature, 125 copies of the journals shall be printed, indexed and bound in book form in the same style as those of the 1927 session of the legislature. The journal of each house shall be bound separately.

3. At the end of each session of the legislature, 50 copies of the appendices shall be printed and bound in book form in the same style as those of the 1927 session of the legislature.

4. The [legislative counsel] research director shall direct the compilation of the journal indices, and shall deliver the completed journal indices to the superintendent of state printing.

5. The bound volumes shall be delivered to the secretary of state and shall constitute the journals of the senate and the assembly.

6. Each member of the legislature of which such journals are the record shall be entitled to one copy of the senate journal and one copy of the assembly journal.

Sec. 56. NRS 218.085 is hereby amended to read as follows:

218.085 1. The legislative fund is hereby created as a continuing fund in the state treasury for the use of the legislature.

2. Support for the legislative fund shall be provided by legislative appropriation from the general fund.

3. Except as provided in subsection 4, expenditures from the legislative fund shall be made only for the purpose of carrying out the provisions of NRS 218.090 to 218.230, inclusive, NRS 218.280 to 218.520, inclusive, and section 33 of article 4 of the constitution of the State of Nevada, for the purchase of necessary supplies and equipment, and for the payment of routine operating expenses.

4. Expenditures from the legislative fund for purposes other than those specified in subsection 3 of this section shall be made only upon the authority of a concurrent resolution regularly adopted by the senate and assembly.

5. All moneys in the legislative fund shall be paid out on claims approved by the [legislative counsel] director of the legislative counsel bureau as other claims against the state are paid.

Sec. 57. NRS 218.660 is hereby amended to read as follows:

218.660 1. There is hereby created in the legislative counsel bureau a legislative commission consisting of eight members.

2. At each regular session of the legislature held in odd-numbered

whether the same may be funds provided by the State of Nevada, funds received from the Federal Government of the United States or any branch, bureau, or agency thereof, or funds received from private or other source, shall make available to the [legislative counsel] director of the legislative counsel bureau all books, papers, information and records of a public nature under their control necessary or convenient to the proper discharge of the [legislative counsel's] duties of the director of the legislative counsel bureau under this chapter.

SEC. 60. NRS 233.080 is hereby amended to read as follows:

233.080 The commission shall, on or before January 15, 1963, and every January 15 of each odd-numbered year thereafter, prepare and submit a report concerning its activities to the governor and the [legislative counsel.] director of the legislative counsel bureau. The [legislative counsel] director of the legislative counsel bureau shall cause such report to be made available to each senator and assemblyman.

SEC. 61. Chapter 218 of NRS is hereby amended by adding thereto a new section which shall read as follows:

The legislative commission may fix reasonable fees for the sale of studies, audit reports, bulletins and miscellaneous materials of the legislative counsel bureau, and such fees shall be deposited in the general fund in the state treasury.

SEC. 62. In preparing the 1963 supplement to Nevada Revised Statutes, the director of the statute revision commission, or any officer who is required by law after June 30, 1963, to perform the duties performed by the director of the statute revision commission prior to July 1, 1963; shall make all nonsubstantive changes in all statutes enacted by the 1963 session of the legislature relating to organization or reorganization of the legislative agencies of the state government necessary to resolve any nonsubstantive conflicts in such statutes.

EXHIBIT 11

Senate Bill No. 182—Committee on Finance

CHAPTER 304

AN ACT establishing a permanent commission for the revision, compilation, annotation, and publishing of the laws of the State of Nevada and certain laws of the United States; prescribing certain duties of a temporary nature; prescribing certain duties of a permanent nature; making an appropriation therefor, and other matters properly connected therewith.

[Approved March 22, 1951]

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

SECTION 1. There is hereby created a commission of the State of Nevada, to be known as the "commission for revision and compilation of Nevada laws," hereinafter referred to as the commission. Such commission shall be composed of three members, and said members shall be the three justices of the supreme court. The members of such commission shall have the powers and duties prescribed by this act, and shall each receive such salary for their services as shall be prescribed by this act, and subsequent enactments.

SEC. 2. As soon as practicable after the effective date hereof the commission shall commence the preparation of a complete revision and compilation of the constitution and the laws of the State of Nevada of general application, together with brief annotations and marginal notes to sections thereof. Such compilation when completed shall be known as "Revised Laws of Nevada," and the year of first publication shall be filled in the blank space of such title, for brevity such title may be cited as "Rev. Laws."

SEC. 3. In preparing such compilation the commission is hereby authorized to adopt such system of numbering as it deems practical, to cause said compilation to be published in such number of volumes, but such volumes shall not exceed 750 pages, as shall be deemed convenient, and to cause such volumes to be bound in loose-leaf binders of good, and so far as possible, permanent quality. The pages of such compilation shall conform in size and printing style to the pages of the Statutes of Nevada, except that if necessary for marginal notes, the same may be of greater width, and roman style type only, shall

buildings and grounds shall assign and make available to the commission suitable and convenient rooms or space for the use of the commission and its employees.

SEC. 11. The commission is authorized to purchase or otherwise secure, necessary supplies and equipment.

SEC. 12. Upon the completion of "Revised Laws of Nevada,", the commission is authorized and directed to prepare and have printed such replacement and supplementary pages for such laws, as may from time to time be necessary. In any event, said commission shall prepare the replacement and supplementary pages made necessary by the sessions of the legislature, as soon as possible after each such session. The intent of this section is that such "Revised Laws" shall be kept current insofar as may be possible. Distribution of the same is to be made as for the original volumes, and prices shall be set by the commission as near as possible to the cost of preparing and printing, provided, that where distribution of the original volumes was without charge, no charge shall be made for replacement.

SEC. 13. Upon completion, "Revised Laws of Nevada,", may be cited as prima-facie evidence of the law in all of the courts of this state. Such evidence may be rebutted by proof that the same differ from the official Statutes of Nevada.

SEC. 14. The commission shall, from time to time, make recommendations for clarification of specific statutes, for elimination of obsolete statutes, and calling the attention of the legislature to conflicting statutes, and such other matter as it deems necessary.

SEC. 15. The members of the commission shall each receive a salary of one hundred twenty-five dollars (\$125) per month, paid as are the salaries of other state officers, and out of the appropriation hereby made, for the period commencing on the effective date hereof, and expiring June 30, 1953.

SEC. 16. There is hereby appropriated from the general fund, for the purposes of this act, the sum of seventy-five thousand dollars (\$75,000). Claims against this appropriation shall be allowed and paid in the same manner as are other claims against the state.

SEC. 17. This act shall be effective from and after May 1, 1951.

EXHIBIT 12

Statutes of Nevada 1953

Senate Bill No. 188—Committee on Judiciary.

CHAPTER 280

AN ACT to amend the title of and to amend an act entitled, "An act establishing a permanent commission for the revision, compilation, annotation, and publishing of the laws of the State of Nevada and certain laws of the United States; prescribing certain duties of a temporary nature; prescribing certain duties of a permanent nature; making an appropriation therefor, and other matters properly connected therewith," approved March 22, 1951.

[Approved March 27, 1953]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The title of the above-entitled act, being chapter 304, Statutes of Nevada 1951, is hereby amended to read as follows:

An act establishing a permanent commission for the revision, compilation, annotation and *publication* of the laws of the State of Nevada; prescribing certain duties of a temporary and *permanent* nature; making an appropriation therefor, and other matters properly connected therewith.

SEC. 2. Section 1 of the above-entitled act, being chapter 304, Statutes of Nevada 1951, is hereby amended to read as follows:

Section 1. There is hereby created a commission of the State of Nevada, to be known as the "*statute revision commission*," hereinafter referred to as the commission. Such commission shall be composed of three members, and said members shall be the three justices of the supreme court. The members of such commission shall have the powers and duties prescribed by this act, and shall each receive such salary for their services as shall be prescribed by this act, and subsequent enactments.

SEC. 3. Section 2 of the above-entitled act, being chapter 304, Statutes of Nevada 1951, is hereby amended to read as follows:

Section 2. As soon as practicable after the effective date hereof the commission shall commence the preparation of a complete revision and compilation of the laws of the State of Nevada of general application, and a *compilation of the constitution of the State of Nevada*, together with brief annotations to sections thereof. Such *revision* when completed shall be known as *Nevada Revised Statutes*,....., and the year of first publication shall be filled in the blank space of such title. For brevity such title may be cited as *NRS*.....

The revision shall contain:

1. *The constitution of the United States;*

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EXHIBIT 13

Senate Bill No. 218—Committee on Finance

CHAPTER 248

AN ACT to amend an act entitled "An Act establishing a permanent commission for the revision, compilation, annotation and publication of the laws of the State of Nevada; prescribing certain duties of a temporary and permanent nature; making an appropriation therefor, and other matters properly connected therewith," approved March 22, 1951.

[Approved March 26, 1955]

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

SECTION 1. The above-entitled act, being chapter 304, Statutes of Nevada 1951, at page 470, is hereby amended by adding thereto a new section to be designated as section 4.5, which shall immediately follow section 4 and shall read as follows:

Section 4.5. Notwithstanding any of the provisions of chapter 294, Statutes of Nevada 1953, at page 460, any unexpended balance of the appropriation made to the statute revision commission by section 41 of chapter 294, Statutes of Nevada 1953, at page 463, shall not revert to the general fund on July 1, 1955, but shall be placed to the credit of the statute revision commission in the state treasury in a fund hereby created and designated as the statute revision commission printing and binding fund, which fund shall be used only for the

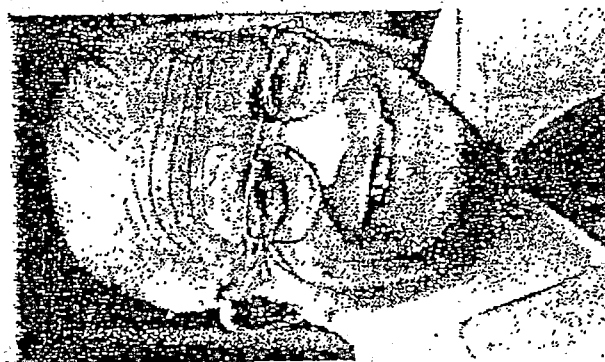
EXHIBIT 14

- Exhibit K -

This Exhibit Shows that Russell W. McDonald was not a Native Nevadan Born Citizen, but was Born in Prosser Creek California. The Joint Concurrent Resolution No. 2 Contains the False information...

Russ McDonald celebrates 30 years of public service

government codes for Reno, Sparks, Winnemucca, Lovelock and Washoe County.



RUSS McDONALD

McDonald's a jolly good fellow in legislature. Instead, the commissioners resolved to throw a party.

The official object of the county party, according to the resolution, is to provide "an opportunity for his countless friends and admirers to spend an evening of remembering and congratulation."

It all will take place at Harrah's Convention Center in Reno Saturday, June 24.

McDonald, who was born in Prosser Creek, Calif., in 1904, has been a resident of Nevada since 1934. He has been a member of the Nevada State Bar since 1934 and has been a member of the Nevada State Bar since 1934.

McDonald started his career as a 300-a-month Reno deputy city attorney. He spent another 21 years as director of the state's State Revision Commission and then as director of the state's Legislative Counsel Bureau. In 1971, he was appointed Washoe County manager, a post he held until his retirement in 1976.

Since that time, McDonald has been working for the county as a consultant and lobbyist.

McDonald's writing of the complete Nevada Revised Statutes often is cited as his greatest accomplishment in government. He also worked in the preparation of the municipal

"It wasn't for the money," Russ McDonald explained, in the wake of a standing ovation Tuesday.

The Washoe County commissioners had just taken a break in their regular meeting to celebrate a special anniversary.

McDonald, 60, is celebrating 30 years of public service. His last full-time post was as Washoe County manager, but along the line, he's worn a large share of the other hats that government in all its forms has to offer.

While public service may not pave the path to financial wealth, McDonald said, it has its own treasures to offer.

He told the overflow crowd of county employees and friends in the commission chambers Tuesday that one of his greatest delights in working in government is "the ability to always know what's going to happen next."

Casting a grin and an eye toward the scattered reporters in the chambers, he added, "...even before the press knew."

County employees treated McDonald to an anniversary cake-cutting in February. The commissioners did their part Tuesday, adopting a resolution which started out conventionally enough, with five "whereases."

But the "therefore be it resolved" had a brand new twist. It did not say

Page 20 of 20

EXHIBIT 15

The Constitution of the State of Nevada

Article 5 Executive Department

20. Secretary of state: Duties.

The Secretary of State shall keep a true record of the Official Acts of the Legislative and Executive Departments of the Government, and shall when required, lay the same and all matters relative thereto, before either branch of the Legislature.

Research References and Practice Aids

Cross references.

As to custody and care of archives and records, see NRS 225.070.

EXHIBIT 16

The Constitution of the State of Nevada

Article 16 Amendments

1. Constitutional amendments: Procedure; concurrent and consecutive amendments.

1. Any amendment or amendments to this Constitution may be proposed in the Senate or Assembly; and if the same shall be agreed to by a Majority of all the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their respective journals, with the Yeas and Nays taken thereon, and referred to the Legislature then next to be chosen, and shall be published for three months next preceding the time of making such choice. And if in the Legislature next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the Legislature to submit such proposed amendment or amendments to the people, in such manner and at such time as the Legislature shall prescribe; and if the people shall approve and ratify such amendment or amendments by a majority of the electors qualified to vote for members of the Legislature voting thereon, such amendment or amendments shall, unless precluded by subsection 2 or section 2 of article 19 of this constitution, become a part of the Constitution.

2. If two or more amendments which affect the same section of the constitution are ratified by the people at the same election:

(a) If all can be given effect without contradiction in substance, each shall become a part of the constitution.

(b) If one or more contradict in substance the other or others, that amendment which received the largest favorable vote, and any other amendment or amendments compatible with it, shall become a part of the constitution.

3. If after the proposal of an amendment, another amendment is ratified which affects the same section of the constitution but is compatible with the proposed amendment, the next legislature if it agrees to the proposed amendment shall submit such proposal to the people as a further amendment to the amended section. If, after the proposal of an amendment, another amendment is ratified which contradicts in substance the proposed amendment, such proposed amendment shall not be submitted to the people.

EXHIBIT 17

NEVADA STATUTES

The Constitution of the State of Nevada

Article 16 Amendments

2. Convention for revision of constitution: Procedure.

If at any time the Legislature by a vote of two thirds of the Members elected to each house, shall determine that it is necessary to cause a revision of this entire Constitution they shall recommend to the electors at the next election for Members of the Legislature, to vote for or against a convention, and if it shall appear that a majority of the electors voting at such election, shall have voted in favor of calling a Convention, the Legislature shall, at its next session provide by law for calling a Convention to be holden within six months after the passage of such law, and such Convention shall consist of a number of Members not less than that of both branches of the Legislature. In determining what is a majority of the electors voting at such election, reference shall be had to the highest number of votes cast at such election for the candidates for any office or on any question.

EXHIBIT 18

BARBARA K. CEGAVSKE
Secretary of State

STATE OF NEVADA



SCOTT ANDERSON
Chief Deputy Secretary of State

OFFICE OF THE
SECRETARY OF STATE

who was At Gen 1997

February 27, 2019

Bryan Bonham # 60575
Lovelock Correctional Center
1200 Prison Road
Lovelock, NV 89419

Mr. Bonham:

We are enclosing the following documents responsive to your records request: Certificate of Election for- Secretary of State Barbara Cegavske (2014) (2018), Attorney General Catherine Cortez Masto (2001) (2010), Attorney General Adam Laxalt (2014); Governor Kenny Guinn (1998) (2002); Governor Jim Gibbons (2006) Governor Brian Sandoval (2010) (2014). You are going to have to be more specific with regards to the various Judges and District Attorneys as we need to know jurisdiction and district and may not have these documents. We do not have Certificates of Election for Sheriff. You will need to provide the names of the Attorneys General from 1997-2002 as we may have already archived their Certificates of Election.

The Secretary of State is not in possession of Senate Bill 109 from 1949 nor Senate Bill 2 from 1957 – those records have been transferred to the Nevada State Library and Archives.

Thank you for contacting our office.

Sincerely,

The Office of the Nevada Secretary of State

NEVADA STATE CAPITOL
101 N. Carson Street, Suite 3
Carson City, Nevada 89701-3714

MEYERS ANNEX
COMMERCIAL RECORDINGS
202 N. Carson Street
Carson City, Nevada 89701-4201

LAS VEGAS OFFICE
555 E. Washington Avenue, Suite 5200
Las Vegas, Nevada 89101-1090

NVSOS.GOV

123 OF 123
197-123
123 OF 123



1 NOCH

2
3 **DISTRICT COURT**
4 **CLARK COUNTY, NEVADA**

5 *****

6 Bryan Bonham, Plaintiff(s)

Case No.: A-20-823142-C

7 vs.

Department 29

8 Nevada State of, Defendant(s)
9 _____

10 **NOTICE OF CHANGE OF HEARING**

11 The hearing on the Motion to Request and Extension of Time to Serve Defendants or in
12 Alternative Request for Order to Proceed in Forma Pauperis , presently set for January 07,
13 2021, at 3:00 AM, has been moved to the 20th day of January, 2021, at 3:00 AM and will be
14 heard by Judge David M Jones.

15
16 STEVEN D. GRIERSON, CEO/Clerk of the Court

17 By: /s/ Irish Lapira

18 Irish Lapira

19 Deputy Clerk of the Court

20 **CERTIFICATE OF SERVICE**

21 I hereby certify that this 4th day of January, 2021

22 ☒ The foregoing Notice of Change of Hearing was electronically served to all registered
23 parties for case number A-20-823142-C.

24
25 /s/ Irish Lapira

26 Irish Lapira

27 Deputy Clerk of the Court
28

Heather J. Shinn
CLERK OF THE COURT

1 Bryan P Bonham 60575
2 PO Box 650 HOSP
3 Indian Springs, NEV 89070

4
5 8TH JUDICIAL DISTRICT COURT
6 CLARK COUNTY, NEVADA

7
8 Bryan P Bonham
9 plaintiff NOTICE OF MOTION

10 -vs-
11 STATE OF NEVADA ex rel
12 defendants,

13
14 TO:
15 Attorney General
16 Aaron D Ford

17 100 N Carson ST
18 Carson City NV 89701

19
20 please take notice that the undersigned will bring the above motion
21 for hearing as soon as courts docket will allow for a hearing, based
22 on the courts docket will based on documents on file herein.

23
24 Dated this 23rd day of December 2020

25 *Bryan P Bonham*
26 Bryan P Bonham 60575

27 PO Box 650 HOSP

28 Indian Springs, NEV 89070

CLERK OF THE COURT

JAN 04 2021

RECEIVED

20P6

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
1/7/2021 9:06 AM
Steven D. Grierson
CLERK OF THE COURT



Bryan Bonham, Plaintiff(s)

vs.

Nevada State of, Defendant(s)

Case No.: A-20-823142-C

Department 29

NOTICE OF HEARING

Please be advised that the Plaintiff's Motion for Preliminary Injunction & Protective Order and Brief in Support in the above-entitled matter is set for hearing as follows:

Date: February 09, 2021

Time: 9:00 AM

Location: RJC Courtroom 15A
Regional Justice Center
200 Lewis Ave.
Las Vegas, NV 89101

NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Michelle McCarthy
Deputy Clerk of the Court

CERTIFICATE OF SERVICE

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Michelle McCarthy
Deputy Clerk of the Court

Heather Hemin
CLERK OF THE COURT

1 Bryan p Bonham 60575
2 po Box 650 (HOSP)
3 Indian Springs, NV 89070
4

5 EIGHTH JUDICIAL DISTRICT COURT
6 CLARK COUNTY, NEVADA
7

8 Bryan p Bonham
9 plaintiff

case no A-20-823142-C

dept XXX.11

10 -VS-

Hearing Requested.

11 STATE OF NEVADA ex rel

PLAINTIFFS MOTION FOR

12 Defendants

PRELIMINARY INJUNCTION

13

~~OR~~ PROTECTIVE ORDER AND

14

BRIEF IN SUPPORT

15

16

STANDARD FOR PRELIMINARY INJUNCTION

17

for a plaintiff to obtain a preliminary injunction He must

18

establish

19

(1) He will suffer irreparable injury unless the injunction issues.

20

(2) The threatened injury out weighs any damage the proposed

21

injunction might cause the opposing party.

22

(3) That the injunction, if issued will not be contrary to public

23

interest, and

24

(4) That it has a substantial likelihood of success on the merits.

25

26

STATEMENT OF FACTS

27

NRS 209.246 along with AR 258 allows for the deduction

28

of any monies owed to NDOC incurred by this plaintiff

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CLERK OF THE COURT

1 i.e. Legal copy work; & legal mail both incurred via brass
2 slips, i.e. INMATE ACCOUNT TRANSACTION REQUEST up to 50%
3 of any money deposited into this plaintiff's INMATE TRUST
4 one account may be deducted. However plaintiff
5 can show; has shown that the NDOC has arbitrarily
6 taken upon them self to go above the 50% as indicated
7 in plaintiff's memorandum in support of his complaint.
8 upon further review of the facts, if true NRS 209.246
9 is an illegally enacted statute/Law.
10 Oklahoma ex rel Oklahoma Tax Comm'n v International
11 Registry Plan 455 F.3d 1107, 1112-13 (10th Cir 2006) where
12 the first three requirements are met, a modified, less
13 stringent test as to the "success on the merits" element
14 may apply DAVIS v MINETA 302 F.3d 1104, 1101 (10th
15 Cir 2002) plaintiff will suffer irreparable injury
16 unless this injunction is granted forcing NDOC to
17 officials to stop enforcing NRS 209.246 & AR
18 358 or in the alternative start adhering to
19 these Rules & Regulations until the case at bar
20 is fully litigated, plaintiff is able to show
21 ~~irrefutably~~ undeniably that NRS 209.246 is in fact
22 an illegally created statute/Law.
23
24 The issuance of this injunction will not be contrary
25 to the public's interest
26 in review of the merits are all the legal definitions supra
27 and along with the NDOC's code of ethics AR 339
28 which requires them to comply with all NDOC Regulations

1 along with state & Federal Law ie NEVADA CONSTITUTION
2 & U.S. CONSTITUTION
3 Defendants will suffer little, if any harm if this court
4 grants this injunction.
5 upon further review of plaintiffs inmate trust one, trust
6 two accounts. From the \$20.00 deposited from his mom's
7 checking account, into his trust one account yet another .40
8 cents was taken/deducted by the NOOC for legal copies, 55
9 cents for both on 9-29-20. 25 cents of the 55
10 cents was part of the remaining 84.01 of which was
11 left over from the \$200.00 deposited into his trust
12 two account as part of the November-December
13 Gift program which is not supposed to be touched
14 by anyone. prior to the deduction of amounts taken
15 on 09/29/2020 the NOOC had already taken way over
16 what they should have been allowed to deduct, had the
17 statute been a legal one. see ~~Attend~~ memorandum to
18 support civil rights complaint. IF NRS 209.246 was
19 a valid-legal statute-law which it is not they went over
20 what they should have taken which is 50% and they took
21 25 cents from monies they had no right to touch. The
22 Record will show this fact.
23 AS OF the filing of this injunction the Defendant
24 NOOC are also in violation of 18 U.S.C. § 242 & 18
25 U.S.C. § 34
26 Further this court can issue this order stopping the
27 NOOC from deducting monies deposited to his account
28 until this case has been ~~exhausted~~ exhausted.

1 on 11/04/20 plaintiff started HIS PT Job at Hosp in The hanger
2 Room at a rate of \$10.00 per day with a bi weekly pay day
3 amounting to \$20.00, of HIS first check The following
4 amounts under #9900017774 were deducted. Vic fund.
5 \$1.00 U.S. DIST COURT. 4.00 Room & board \$4.90 capital
6 improvement 1.00 The following amounts for legal copies.
7 .10¢; .40; .70; \$3.60; \$4.30 All of which come to
8 a total of \$20.00.
9 plaintiffs second pay check for 20.00 with Room & board
10 \$4.90 pt capital fund \$1.00 victim fund \$1.00 The following
11 amounts were docted; on 12/01/2020. .10¢; 2.10; 4.90; 2.00
12 for legal copy work, along with 4.00 to U.S. DIST Ct. all of
13 comes to, \$20.00 THIS IS IN FACT IN VIOLATION OF NRS 209.246;
14 AR 258.

15 CONCLUSION

16 plaintiff put before this Honorable court irrefutable facts that (3)
17 three judges wrote NRS 209.246 which gives AR 258 its Authority
18 which was a violation of separation of powers doctrine; That a senate
19 concurrent Resolution was used to pass aforementioned NRS into law,
20 which is missing the enactment clause. plaintiff therefore asks
21 this Honorable court to enter an order that state of Nevada; NDOC
22 shall immediately stop deducting any funds from plaintiffs inmate
23 trust account other than what is allowed. 20% to court. Room & Board.
24 capital fund. plaintiff was not ordered in his JOC judgment of
25 conviction to pay Restitution, there for feels he should not be
26 forced to pay to victim fund as indicated in his pay stubs.
27 These deductions should therefore stop until this case has
28 been fully adjudicated.

CONCLUSION

wherefore, for the reasons stated above, this court should issue this injunction holding that the defendants, and their agents shall/must stop arbitrarily deducting money from this plaintiffs trust account.


VERIFICATION

I Bryan P Bonham verify I have read the foregoing motion for a preliminary injunction & protective order and Brief in support & to best of my belief and knowledge that the foregoing is true & correct under the pains & penalties of perjury pursuant to 28 U.S.C.A § 1746 & 18 U.S.C.A § 1621

CERTIFICATE OF SERVICE

I Bryan P Bonham certify that I am attaching a true & correct copy of the foregoing motion for preliminary injunction & protective order and Brief in support of with special instructions for electronic filing & service to the clerk of the court, to serve all of my opponents pursuant to N.E.F.C.R 5(K) 9 et seq (A-E) etc to the following Attorney General
100 N. Carson ST.
Carson City, NEV 89701

Dated this ^{23rd} ~~17th~~ day of ^{December} ~~October~~ 2020

151 
Bryan P Bonham 60575
PO Box 650 HDSP
Indian Springs, NEV. 89070

Bryan P Borham 60575
PO Box 650 HOSP
Indian Springs, NV 89070

LAS VEGAS NV 890
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Reginal Justice Center
Clerk of the Court
200 Lewis Ave 3rd Floor
LV, NV 89155

3762

mailed via Grass slip # 2410682
mailed via Grass slip # 2410682

911 E. MUSSER STREET, CARSON CITY, NV 89701 (775) 887-2500

AARON D. FORD
Attorney General

KYLE E.N. GEORGE
First Assistant Attorney General

CHRISTINE JONES
BRADY
Second Assistant Attorney General



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

100 North Carson Street
Carson City, Nevada 89701

JESSICA L. ADAIR
Chief of Staff

RACHEL J. ANDERSON
General Counsel

HEIDI PARRY STERN
Solicitor General

DATE RECEIVED: 12/29/20 RECEIVED BY: Kristale Wolk
NAME OF ENTITY/PERSON SERVING: Josh Burns - Carson City Sheriff's Office
CASE NAME: Bryan Boham vs. State of Nevada ex rel
CASE NUMBER: A-20-823142-C COURT: 8th JD
DOCUMENT(S) RECEIVED: Summons, Aff. dast of Service, Complaint

☐ Service of Process ☐ Courtesy copy only (not Service of Process)

NOTICE

☐ **COMPLAINT:** NRS 41.031(2) provides in part that, in any action against the State of Nevada, the action must be brought in the name of the State of Nevada on relation of the particular department, commission, board or other agency of the state whose actions are the basis for the suit. In an action against the State of Nevada, the summons and a copy of the complaint must be served upon the Attorney General, at the Office of the Attorney General in Carson City and upon the person serving in the office of administrative head of the named agency. Service on the Attorney General or designee does not constitute service on any individual or administrative head.

This Receipt acknowledges that the documents described herein have been received by the Nevada Attorney General or the designee authorized by NRS 41.031(2)(a). This Receipt does not ensure that any party, person or agency has been properly served, nor does it waive any legal requirement for service.

☐ **SUBPOENA:** Receipt of a subpoena by the Office of the Attorney General does not constitute valid service of the subpoena upon any individual or upon any state agency, with the exception of the Office of the Attorney General. Receipt of subpoena or any other process by the Attorney General or designee does not constitute service upon any individual, nor does it constitute service upon the administrative head of an agency pursuant to NRS 174.345.

☐ **PETITION FOR JUDICIAL REVIEW:** NRS 233B.130(2)(c)(1) provides in part that all Petitions for Judicial Review of state agency decisions/judgments/orders must be served upon, the Attorney General, a person designated by the Attorney General or the Office of the Attorney General in Carson City.

This Receipt acknowledges that the documents described herein have been received by the Nevada Attorney General or the designee authorized by NRS 233B.130(2)(c)(1). This Receipt does not ensure that any party, person or agency has been properly served, nor does it waive any legal requirement for service.



911 East Musser Street • Carson City, Nevada 89701

Ken Furlong
Sheriff

Clark County District Court
200 Lewis Avenue
Las Vegas, NV 89155

049 KCHPMM 03155

|||||

Heather L. Linn
CLERK OF THE COURT

27

1 Bryan P Bonham 60575
2 P.O. Box 650 HDSP
3 Indian Springs, NEV 89070
4

5 EIGHTH JUDICIAL DISTRICT COURT
6 CLARK COUNTY, NEVADA
7

8 Bryan P Bonham case no. A-20-813134-C
9 plaintiff Dept no. XXXI
10 -vs-

11 STATE OF NEVADA et al motion for IN CAMERA
12 Defendant(s) SUBMISSION
13

14 comes now plaintiff Bryan P Bonham acting in pro se & in forma
15 pauperis & moves this honorable court to grant this motion for
16 in camera submission
17
18
19
20
21
22
23
24
25

26 RECEIVED

27 JAN 25 2021

28 CLERK OF THE COURT

1 Bryan P Bonham 60575
2 po Box 650 HDSP
3 Indian Springs, NEV 89070

4

5 EIGHTH JUDICIAL DISTRICT COURT
6 CLARK COUNTY, NEVADA

7

8 Bryan P Bonham

9 plaintiff

10 -vs-

NOTICE OF MOTION

11 STATE OF NEVADA ex rel

12 defendant(s)

13

14 To

15 Deputy Attorney General

16 Kathryn M. Brady

17 555 E Washington Ave Ste 3900

18 LV, NV 89101

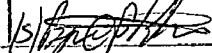
19

20 please take notice that undersigned will bring the above motion

21 for hearing on date of 02/09/2021 for a decision on motion

22 for Default.

23 dated this 16th day of January, 2021

24 

25 po Box 650 HDSP

26 Indian Springs, NEV 89070

27

28

1 conclusion

2 plaintiff would point out He has two hearings set for same date.

3 on 02/09/2021 one in this court Dept NO 31, The other in Dept NO

4 32 plaintiff would Respectfully ask to have them set back to

5 back if possible

6 VERIFICATION

7 I Bryan p Bonham, plaintiff declare & verify I have read the foregoing

8 motion for in camera submission for hearing held on 02/09/2021 & to

9 best of my belief & knowledge that the foregoing is true & correct

10 under the pains & penalties of perjury pursuant to 28 U.S.C. A § 1746 &

11 18 U.S.C. § 1621

12 CERTIFICATE OF SERVICE

13 I Bryan p Bonham, plaintiff certify that I am attaching a true & correct copy

14 of the foregoing motion for in camera submission with special instructions for

15 electronic filing & service to clerk of the court, to serve all of my opponents

16 pursuant to N.E.R.C.R. 5(k) 9 et seq (A-E) etc to the following.

17
18 Deputy Attorney General

19 Kathryn M. Brady

20 555 E Washington Ave Ste 3900

21 LV, New 89161

22
23 Dated this 16th day of January 2021

24 

25 PO Box 650 HDSP

26 Indian Springs, New 89070

Thomas S. Shinn
CLERK OF THE COURT

27

1 Bryan p Bonham 60575
2 PO Box 650 HOSP
3 Indian Springs, NEV 89070
4

5 EIGHTH JUDICIAL DISTRICT COURT
6 CLARK COUNTY, NEVADA
7

8 Bryan p Bonham
9 plaintiff

case no A-20-823142-C
dept NO XXXII

10 -v.s-

11 STATE OF NEVADA extel
12 defendant(s)

MOTION FOR IN CAMERA
SUBMISSION

13
14 comes now plaintiff, Bryan p Bonham acting in pro se, and in forma
15 pauperis & moves this honorable court to grant this motion for
16 in camera submission.

17
18 plaintiff would Respectfully Requests He be allowed to argue His motion
19 for preliminary injunction & protective order. plaintiff has been able
20 to go up to operations at HOSP to participate in either a telephonic
21 Hearing or video Hearing in both 11th Judicial DIST CT, w/SD U.S.
22 DIST CT. plaintiff would like the opportunity to argue His position.
23
24
25

26 RECEIVED

27 JAN 25 2021

28 CLERK OF THE COURT

1 Bryan P Bonham 60575
2 PO Box 650 HDSP
3 Indian Springs, Nev 89070

4

5

EIGHTH JUDICIAL DISTRICT COURT

6

CLARK COUNTY, NEVADA

7

8 Bryan P Bonham

9

Plaintiff

10

-vs-

NOTICE OF MOTION

11

STATE OF NEVADA ex rel

12

Defendant(s)

13

14

TO

15

Attorney General

16

Aaron D Ford

17

555 E Washington Ave Ste 3900

18

Las Vegas 89101

19

20

Please take notice The above signed will bring the above motion

21

so plaintiff may argue his position at hearing set for 2/9/21

22

23

Dated this 16th day of January, 2021

24



25

PO Box 650 HDSP

26

Indian Springs, Nev 89070

27

28

Conclusion

plaintiff would point out that he has two hearings set for 9 AM
on 02/09/2021 one under this case no, one under case no A-20-813134-C
dept no. xxx1, would like to request to have them back to back.

VERIFICATION

I Bryan P Bonham, plaintiff declare & verify I have read the
foregoing motion for in camera submission for hearing held on
02/09/2021 & to best of my belief & knowledge that the foregoing
is true & correct under pains & penalties of perjury pursuant to
28 U.S.C.A § 1746 & 18 U.S.C.A § 1621

CERTIFICATE OF SERVICE

I Bryan P Bonham, plaintiff certify that I am attaching a true & correct
copy of the foregoing motion for in camera submission with special
instructions for electronic filing & service to clerk of the court to serve
all my opponents pursuant to N.E.F.C.R. 5(K) 9 et seq (A-E) etc to the
following

Attorney General

Aaron D Ford

555 E Washington Ave ste 3900

LV, NV 89101

dated this 16th day of January, 2021



Bryan P Bonham 60575

PO Box 650 HOSP

Indian Springs, NEV 891070

Heather L. Hume
CLERK OF THE COURT

27

1 Bryan p Bonham 60575
2 po Box 650 HOSP
3 Indian Springs, NEV 89070
4

5 EIGHTH JUDICIAL DISTRICT COURT

6 CLARK COUNTY, NEVADA
7

8 Bryan p Bonham
9 plaintiff

case NO A-19-797264-C
Dept NO XLX

10 -vs-

11 STATE OF NEVADA ex. rel
12 defendant(s)

MOTION FOR IN CAMERA
SUBMISSION

13
14 comes now plaintiff Bryan p Bonham acting in prose & informa
15 pauperis and moves this honorable court to grant his motion for
16 in camera submission.
17

18 based on facts in this case this plaintiff would respectfully ask
19 this court to allow him to argue his claim that the order to
20 dismiss default was based on fraud upon the court, either by
21 an in camera submission or by telephonic hearing.
22
23
24
25
26
27
28

RECEIVED

JAN 25 2021

CLERK OF THE COURT

1 Bryan P Bonham 60575

2 PO Box 650 HOSP

3 Indian Springs, NEV 89070

4

5 EIGHTH JUDICIAL DISTRICT COURT

6 CLARK COUNTY, NEVADA

7

8 Bryan P Bonham

9 Plaintiff

10 -VS-

NOTICE OF MOTION

11 STATE OF NEVADA ex rel

12 Defendants

13

14 TO

15 Deputy Attorney General

16 Katlyn M. Brady

17 555 E. Washington Ave STE 3900

18 Las Vegas, NEV 89101

19

20 Please take notice that The undersigned will bring the above motion

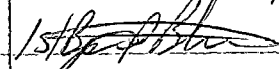
21 for hearing on date of 2/12/21 for decision on motion for

22 fraud upon court.

23

24 Dated this 17th day of January, 2021

25



26 Bryan P Bonham 60575

27 PO Box 650 HOSP

28 Indian Springs, NEV 89070

1
2
3 VERIFICATION

4 I Bryan P Bonham, plaintiff declare & verify I have read The foregoing
5 motion for in camera submission for hearing held on 02/12/2021 & to
6 best of my belief & knowledge that the foregoing is true & correct
7 under the pains & penalties of perjury pursuant to 28 U.S.C.A § 1746
8 § 18 U.S.C.A § 1621
9

10 CERTIFICATE OF SERVICE

11 I Bryan P Bonham, plaintiff certify that I am attaching a true & correct
12 copy of the foregoing motion for in camera submission with special
13 instructions for electronic filing & service to the clerk of the court
14 to serve all of my opponents pursuant to N.E.F.R 5(c) 9 et seq (A-E)
15 etc to the following
16

17 Deputy Attorney General
18 Katlyn M Brady
19 555 E Washington Ave Ste 3900
20 Las Vegas, Nev 89101
21

22 Dated this 17th day of January, 2021

23 

24 Bryan P Bonham 60575

25 PO Box 650 HDSP

26 Indian Springs, Nev 89070
27
28

Bryan P Bonham 68575
PO Box 650 HDSP
Indian Springs, NV 89070

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Clerk of the Court
200 Lewis Ave 3rd Floor
LV NV 89155

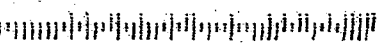
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Mailed via Brass slip #
2846186



MOET
AARON D. FORD
Attorney General
KATLYN M. BRADY (Bar No. 14173)
Senior Deputy Attorney General
State of Nevada
Office of the Attorney General
555 E. Washington Ave., Ste. 3900
Las Vegas, Nevada 89101
(702) 486-0661 (phone)
(702) 486-3773 (fax)
Email: katlynbrady@ag.nv.gov

*Attorneys for Defendants Charles Daniels,
Tim Garrett, and Carter Potter*

**DISTRICT COURT
CLARK COUNTY, NEVADA**

BRYAN BONHAM,

Plaintiff,

v.

STATE OF NEVADA ex rel NEVADA
DEPARTMENT OF CORRECTIONS, *et al.*,

Defendants.

Case No. A-20-823142-C

Dept. XXIX

NO HEARING REQUESTED

**DEFENDANTS' MOTION FOR AN EXTENSION TO FILE
AN ANSWER OR RESPONSIVE PLEADING**

Defendants, Charles Daniels, Tim Garrett, and Carter Potter, by and through
counsel, Aaron D. Ford, Nevada Attorney General, and Katlyn M. Brady, Senior Deputy
Attorney General, of the State of Nevada, Office of the Attorney General, request this
Court grant a thirty (30) day extension to file an answer or responsive pleading.

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///

1 **I. INTRODUCTION**

2 Defendants respectfully request this Court grant an extension to file an answer or
3 responsive pleading from February 15, 2021, to April 1, 2021. Good cause supports this
4 request because counsel has been required to complete four dispositive motions and two
5 emergency injunctions over the last three weeks. Further, counsel will be out of the office
6 from February 8, 2021, until February 16, 2021. Accordingly, Defendants request an
7 extension of time to file a responsive pleading.

8 **II. BACKGROUND**

9 This matter is an inmate civil rights case that centers on the Nevada Department
10 of Corrections (NDOC)'s policies regarding deductions from deposits into inmate banking
11 accounts. Plaintiff Bryan Bonham (Bonham) claims NDOC's deductions, to pay debts
12 Bonham concedes he owes, are unconstitutional. Bonham further claims NRS 209.246,
13 which gives the NDOC authority for deductions, is unconstitutional. *See* Complaint at 5.
14 Bonham claims as a result of these policies, he received only \$14.00 from a deposit
15 instead of the expected \$30.00. *Id.* at 4. Bonham now seeks \$100,000.00 in damages. *Id.*
16 at 6.

17 On December 31, 2020, Bonham completed service on the NDOC and NDOC's
18 Director Charles Daniels.¹ Pursuant to NRCP 12, Defendants have until February 15,
19 2021, to respond.

20 **III. LEGAL ARGUMENT**

21 Courts may extend a deadline to file an answer if the Defendant demonstrates good
22 cause. NRCP 6(b)(1)(B)(i). The State of Nevada and its employees are provided 45 days to
23 file an answer or other responsive pleading. NRCP 12(a)(2). As Bonham completed service
24 on December 31, 2020, Defendants have until February 15 to file an answer or other
25 responsive pleading. As the deadline to respond has not expired, Defendants must
26 demonstrate good cause for an extension.

27
28 ¹ Bonham has not completed service on "T. Garret" or "C. Potter" and thus there is
no responsive deadline for these Defendants.

1 Here, good cause exists based upon counsel's heavy caseload and upcoming leave.
2 Specifically, counsel has been required to complete four summary judgment motions over
3 the last three weeks.² Upon counsel's return from leave, counsel will have an additional
4 two motions for summary judgment due.³ Further, counsel has been involved in
5 responding to two emergency motions regarding High Desert State Prison (HDSP)'s
6 lockdown procedures.⁴ Finally, counsel is scheduled to go on approved leave from
7 February 8, 2021, to February 12, 2021. The following Monday, February 15, 2021, is a
8 State Holiday and thus counsel's office will be closed. As a result of the multiple
9 dispositive motions, counsel has been unable to complete a responsive document in this
10 matter. Further, as a result of counsel's upcoming leave, counsel will be unable to work
11 on the responsive pleading until at least February 16, 2021. However, upon counsel's
12 return, counsel will be required to complete the upcoming dispositive motions.
13 Accordingly, Defendants respectfully request this Court grant a 45-day extension to file
14 an answer to this matter. Specifically, Defendants request this Court extend the deadline
15 from February 15, 2021, to April 1, 2021.

16 IV. CONCLUSION

17 Defendants respectfully request this Court extend the answer to file a responsive
18 pleading from February 15, 2021, to April 1, 2021. Due to counsel's heavy caseload, and
19 upcoming leave, counsel has been unable to complete the responsive deadline.

20 DATED this 9th day of February, 2021.

21 AARON D. FORD
22 Attorney General

23 By: /s/ Katlyn M. Brady
24 KATLYN M. BRADY (Bar No. 14173)
25 Senior Deputy Attorney General

Attorneys for Defendants

26 ² The cases are: 2:17-cv-00641-JCM-BNW, 2:17-cv-00431-JCM-VCF, 2:17-cv-02500-
27 JCM-NJK, 2:19-cv-00326-JAD-BNW, and 2:17-cv-00641-JCM-BNW.

28 ³ 2:19-cv-00057-GMN-EJY and 2:18-cv-01078-JCM-EJY.

⁴ 2:20-cv-01768-RFB-EJY and 2:20-cv-00518-RFB-VCF. At least one of these
preliminary injunctions is related to Bonham's filings in a federal matter.

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CERTIFICATE OF SERVICE

I certify that I am an employee of the State of Nevada, Office of the Attorney General, and that on February 9, 2021, I electronically filed the foregoing **DEFENDANTS' MOTION FOR AN EXTENSION TO FILE AN ANSWER OR RESPONSIVE PLEADING** via this Court's electronic filing system. Parties who are registered with this Court's electronic filing system will be served electronically. For those parties not registered, service was made by emailing a copy at Las Vegas, Nevada, addressed to the following:

Bryan Bonham, #60575
High Desert State Prison
P.O. Box 650
Indian Springs, Nevada 89070
Email: HDSP_LawLibrary@doc.nv.gov
Plaintiff, Pro Se

/s/ Carol A. Knight
CAROL A. KNIGHT, an employee of the
Office of the Nevada Attorney General

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
2/9/2021 4:21 PM
Steven D. Grierson
CLERK OF THE COURT



Bryan Bonham, Plaintiff(s)

vs.

Nevada State of, Defendant(s)

Case No.: A-20-823142-C

Department 29

NOTICE OF HEARING

Please be advised that the Defendants' Motion for an Extension to File an Answer or Responsive Pleading in the above-entitled matter is set for hearing as follows:

Date: March 17, 2021

Time: Chambers

Location: Chambers
Regional Justice Center
200 Lewis Ave.
Las Vegas, NV 89101

NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Marie Kramer
Deputy Clerk of the Court

CERTIFICATE OF SERVICE

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Marie Kramer
Deputy Clerk of the Court

Heather J. Hume
CLERK OF THE COURT

27

Bryan p Bonham 60575
PO Box 650 (HOSP)
Indian Springs, NEV 89070

EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA

Bryan p Bonham CASE NO A-20-823142-C
Plaintiff DEPT NO XXXII
-VS- HEARING REQUESTED IN CAMERA,
STATE OF NEVADA ex rel PLAINTIFFS RESPONSE TO DEFENDANT
NEVADA DEPT OF CORRECTIONS et al REQUEST FOR EXTENSION OF TIME
DEFENDANTS TO FILE AN ANSWER OR RESPONSIVE
PLEADING; motion FOR DEFAULT FOR
PLAINTIFF.

Comes now plaintiff, Bryan p Bonham in prose and moves this court to
enter an order granting this motion.

The above motion is made & based upon all papers, pleading and
documents herein, following points & authorities.

Dated this 11th day of February, 2021

~~13/ Bryan p Bonham~~
Bryan p Bonham 60575
PO Box 650 HOSP
Indian Springs, NEV 89070

RECEIVED

FEB 22 2021

CLERK OF THE COURT

1 Bryan P Bonham 60575

2 po Box 650 (HDSO)

3 Indian Springs, Nev. 89070

4

5

EIGHTH JUDICIAL DISTRICT COURT

6

CLARK COUNTY, NEVADA

7

8 Bryan P Bonham

CASE NO. 19-20-823142

9

Plaintiff

10 -vs-

NOTICE OF MOTION

11 STATE OF NEVADA ex rel

12 NEVADA DEPT OF CORRECTIONS et al

13

14

15

16 please take notice that the undersigned with bring the above motion

17 for hearing as soon as possible for a decision based on court's

18 docket will allow.

19

20 TO:

21 Deputy Attorney General

22 Kathy M. Bradley

23 555 E Washington St #3900

24 LV. NV. 89401

25 Dated this 11th day of February, 2021

26



27

Bryan P Bonham 60575

28

Plaintiff in prose.

POINTS AND AUTHORITIES

ARGUMENT

plaintiff filed HIS 42 U.S.C. § 1983 complaint challenging the fact that the Director, NOAC was, still is systematically abusing its Authority, power by first Amending AN AR with its Authority; & in doing so effectively Amended NRS. 209.246. AR 258 IS the AR in question. on 10/15/2020 Deputy Attorney General Brady is correct. Defendants have forty five days (45) in which to respond which expired on 12/01/2020 she filed Her request for an extension of time to serve said Response/Answer. They are 60 plus days past due. see Hafer vs. Melo 502 U.S. 21 "Officials and even Judges are deemed to know the Law and sworn to uphold the Law; officials and Judges cannot claim to act in good faith in willful deprivation of Law, they certainly cannot plead ignorance of the Law, even the citizen cannot plead ignorance of the Law, the courts have ruled there is no such thing as ignorance of the Law, it is ludicrous - for learned officials and Judges to plead ignorance of the Law, therefore there is no immunity or otherwise, in matters of rights secured by the constitution for the United States of America.

plaintiff contends the Defence counsel Attempts to use an excuse that Her workload is just too much, needs an extension of time is an attempt to Bovine scatology "B.S" the Court.

An Answer & or Responsive motion was due by 12/01/2020. At this time plaintiff would ask of this Court to enter an order for default in favor of plaintiff. see

1 "Default Judgment may be obtained upon failure of any party to plead
2 or otherwise defend as provided by federal Rules of civil procedure."

3 Georgia power project v Georgia power co. (1975) NO Ga 409

4 P supp 332

5 "If the defendants fail to make a sufficient showing of an essential
6 element of a claim with respect to which they have the burden of
7 proof, then the plaintiff is entitled to judgment as a matter of law."

8 Handlock v Thalacker 933 P supp 1449, 1470 (ND IA 1996)

9
10 simply put counsel could have handed off this case if she was
11 unable to properly represent defendants in this action. There are
12 a couple of very complicated issues, the failure of any defence
13 as to the complaint & the memorandum in support of plaintiffs
14 42 U.S.C. § 1983 civil rights complaint is an admission
15 of plaintiffs well pleaded allegations. To allow defence counsel
16 to further extend their time of response would be a manifest
17 injustice. This Honorable court should grant this plaintiffs
18 motion for default, deny counsels Request for a second bite of
19 the apple. AS "Justice delayed is justice denied." Dougan v

20 Gustawenson 108 NW 517, 835 p.2d 797, 794 (1992) plaintiff

21 would also ask of this court that defendants C. Porter, & Garrett
22 be held liable although they have not been served, not due to
23 plaintiffs actions. He has attempted twice, recently sent copies
24 of complaint & summons for 3rd time to carson city sheriff, they
25 wont effect service at NDOC offices because summons do
26 not have first name spelled out only initial, with last name
27 and have served them in other suits with only the initial
28 of first name. which makes no sense.

CONCLUSION

plaintiff would request Judgment of Default as counsel is asking for an extension well past date Response was due. ~~to do~~ 60 days to be exact, an order for full Damages, injunctive, Declaratory Relief as well.

VERIFICATION

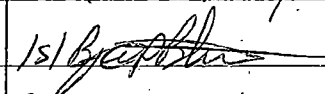
I Bryan P Bonham, plaintiff declare & verify, That I have read the foregoing motion and to best of my belief & knowledge That the foregoing is true & correct under the pains & penalties of perjury pursuant to 28 U.S.C. A § 1746 & 18 U.S.C. A § 1621

CERTIFICATE OF SERVICE

I Bryan P Bonham, plaintiff certify That I am attaching a true & correct copy of the foregoing motion & with special instruction for electronic filing & service to the clerk of the court to serve all of my opponents pursuant to N.E.F.C.R. 5(k) 9 et seq (A-C) etc to the following

Deputy Attorney General
Kathryn M Brady
555 E Washington Ave Ste 3400
LV. NV. 89101

Dated This 11th day of February, 2021


Bryan P Bonham 60575
PO Box 650 HOSP
Indian Springs, NV 89070

Bryan P Benham 60575
PO Box 650 HDSP
Indian Springs, NV 89070

mailed via Brass slip #2527272

LAS VEGAS NV 890

18 FEB 2021 PM 3 L

Hasler
02/18/2021

FIRST-CLASS MAIL

US POSTAGE \$000.51⁹



ZIP 89101
011E12650757

Regional Justice Center
Clerk of the Court
8th Judicial District Court
200 Lewis Ave 3rd floor
LV NV 89155

RECEIVED

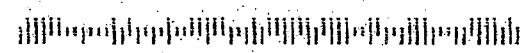
FEB 22 2021

CLERK OF THE COURT

Mailed via
Brass slip #2527272
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mailed via Brass slip #2527272

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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3/4/2021 1:47 PM
Steven D. Grierson
CLERK OF THE COURT



Bryan Bonham, Plaintiff(s)

Case No.: A-20-823142-C

vs.

Nevada State of, Defendant(s)

Department 29

NOTICE OF HEARING

Please be advised that the Plaintiffs Response to Defendant Request for Extension of Time to File an Answer or Responsive Pleading ; Motion for Default for Plaintiff in the above-entitled matter is set for hearing as follows:

Date: April 06, 2021

Time: 9:00 AM

Location: RJC Courtroom 15A
Regional Justice Center
200 Lewis Ave.
Las Vegas, NV 89101

NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Michelle McCarthy
Deputy Clerk of the Court

CERTIFICATE OF SERVICE

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Michelle McCarthy
Deputy Clerk of the Court

Heather J. Smith
CLERK OF THE COURT

1 Bryan p Bonham 60525
2 po Box 650 (HOSP)
3 Indian Springs, Nev 89070
4 in propria persona
5

6 EIGHTH JUDICIAL DISTRICT COURT

7 CLARK COUNTY, NEVADA
8

9 Bryan p Bonham
10 plaintiff

case NO A-20-82342 -c
dept NO XXXII

11 -vs-

12 STATE OF NEVADA et al
13 defendants

ex parte motion for
appointment of counsel
and Request for an
evidentiary Hearing

14
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16
17 comes now plaintiff Bryan p Bonham in propria persona
18 and moves this Honorable court for an order allowing
19 Appointment of counsel; and for an evidentiary Hearing
20 for the purpose of; issue of the illegal NRS 209.246
21 This motion is made and based in the interest of
22 Justice

23 pursuant to NRS 34.750(1) A petitioner may allege that
24 the petitioner is unable to pay the cost of proceedings
25 or to employ counsel. If the court is satisfied that
26 the allegation of indigency is true and the petition
27 is not dismissed summarily, the court may appoint
28 counsel to represent the plaintiff, in making

1 its determination, The court may consider, among other
2 things, The severity of the consequences facing the
3 petitioner/plaintiff and whether (A) The issue presented
4 are difficult; (B) The petitioner/plaintiff is unable
5 to comprehend the proceeding; (C) counsel is necessary
6 to proceed with discovery. plaintiff is currently
7 incarcerated at High Desert State Prison Clark County
8 Nevada, where He is unemployed, indigent and unable
9 to retain private counsel to represent Him. plaintiff
10 is unlearned and unfamiliar with the complexities of
11 Nevada state Law. Further petitioner/plaintiff alleges
12 that the issues in this case are complex and require
13 an evidentiary hearing, plaintiff is unable to factually
14 develop and adequately present the claims without
15 the assistance of counsel, counsel is unable to
16 adequately present the claims without an evidentiary
17 hearing.

18
19
20 dated this _____ day of _____ 20____

21
22 Respectfully submitted

23 

24 Bryan P. Bonham 60575

25 plaintiff in propria persona

VERIFICATION

1
2 I Bryan P Bonham, plaintiff declare & verify, That I
3 have read the foregoing ex parte motion for Appointment
4 of counsel and request for an evidentiary hearing and to
5 the best of my belief and knowledge That The foregoing
6 is true and correct under the pains and penalties of perjury
7 pursuant to 28 U.S.C.A. §1746 & 18 U.S.C.A. §1621
8

CERTIFICATE OF SERVICE

9
10 I Bryan P Bonham certify That I am attaching a true &
11 correct copy of the foregoing motion with special
12 instructions for electronic filing & service to the clerk of the
13 court to serve all of my opponents pursuant to N.E.F.C.R.
14 5(k), 9 et seq (A-E) etc to the following
15 Attorney General
16 Aaron D Ford
17 100 N. Carson St.
18 Carson City, Nev. 89701
19

20 Dated This day of 20
21 15/3/2015
22 Bryan P Bonham 60575
23 Po Box 650 (H05P)
24 Indian Springs, Nev 89070
25
26
27
28

Bryan P Barham 60575
P.O. Box 650 HDSP
Indian Springs, NV 89070

LAS VEGAS NV 890

Hasler
03/24/2021

US POSTAGE \$000.51⁰

24 MAR 2021 PM 4 L

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ZIP 89101
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HIGH DESERT STATE PRISON

MAR 19 2021

UNIT 12

Confidential
Legal Mail

Regional Justice Center
Clerk of the Court
200 Lewis Ave 3rd Floor
LV, NV 89155

mailed via BRASS SLIP # 2503860

mailed via BRASS SLIP # 2503860



MDSM
AARON D. FORD
Attorney General
KATLYN M. BRADY (Bar No. 14173)
Senior Deputy Attorney General
State of Nevada
Office of the Attorney General
555 E. Washington Ave., Ste. 3900
Las Vegas, Nevada 89101
(702) 486-0661 (phone)
(702) 486-3773 (fax)
Email: katlynbrady@ag.nv.gov

*Attorneys for Defendants State of Nevada,
Nevada Department of Corrections,
Charles Daniels, Tim Garrett, and Carter Potter*

**DISTRICT COURT
CLARK COUNTY, NEVADA**

BRYAN BONHAM,

Plaintiff,

v.

STATE OF NEVADA ex rel NEVADA
DEPARTMENT OF CORRECTIONS, *et al.*,

Defendants.

Case No. A-20-823142-C

Dept. XXIX

[HEARING REQUESTED]

**DEFENDANTS' MOTION TO DISMISS OR IN THE ALTERNATIVE
MOTION FOR SUMMARY JUDGMENT**

Defendants, State of Nevada, Nevada Department of Corrections (NDOC), Charles Daniels, Tim Garrett, and Carter Potter, by and through counsel, Aaron D. Ford, Nevada Attorney General, and Katlyn M. Brady, Senior Deputy Attorney General, of the State of Nevada, Office of the Attorney General, request this Court dismiss the Complaint with prejudice.

///

1 **I. INTRODUCTION**

2 Plaintiff Bryan Bonham (Bonham) attempts to turn a \$9.00 (nine dollar) charge
3 regarding legal postage he requested into an \$85,000.00 constitutional violation. Bonham's
4 attempt fails for the simple reason that he incurred a debt and his money was used to
5 satisfy this debt.

6 This Court should dismiss the Complaint with prejudice because Bonham fails to
7 demonstrate that NDOC's policy of using inmate deposits to pay off an inmate's debt is
8 unconstitutional. Further, the State of Nevada is not a person for the purposes of §1983
9 litigation. Dismissal is further appropriate Bonham fails to demonstrate how each
10 Defendant allegedly personally participated in the deprivations. Finally, NDOC's policy of
11 deducting a portion of a deposit to pay an inmate's incurred debt is authorized by statute
12 and is constitutional. Indeed, numerous Courts have already held that NDOC's
13 administrative regulations constitute sufficient procedural safeguards, as required by the
14 Due Process Clause. Accordingly, dismissal with prejudice is appropriate, because the
15 claims cannot be cured through amendment.

16 Assuming this Court wishes to review evidence outside the pleadings, summary
17 judgment is appropriate for the following reasons: (1) Bonham cannot show the named
18 Defendants participated in the alleged violation as they are not banking employees, and
19 (2) Administrative Regulations (AR) 258 and 740 create adequate due process safeguards
20 and thus any alleged banking error does not constitute a due process violation.

21 **II. BACKGROUND**

22 **A. Bonham's Allegations**

23 Bonham is an inmate lawfully incarcerated in the NDOC. Bonham filed a Complaint
24 alleging the Defendants violated his constitutional rights by deducting funds from an
25 outside deposit to pay off debts that Bonham admittedly accrued. Complaint at 3:7-14.

26 Specifically, Bonham alleges that on January 8, 2020, Bonham's mother deposited
27 \$150.00 into Bonham's inmate banking account. *Id.* at 3:7-8. Bonham concedes that 20% of
28 the deposit was withheld to pay for the filing fee in Bonham's federal case. *Id.* at 3:9-10.

1 Another 10% was deducted and placed into Bonham's inmate savings account. *Id.* at 3:10.
2 Finally, Bonham alleges 50% was deducted to pay for costs the NDOC incurred as a result
3 of housing Bonham. *Id.* at 3:11-13. As a result, Bonham alleges he received only \$14.00
4 instead of the expected \$30.00. *Id.*

5 Bonham alleges that Director Charles Daniels is responsible for the actions of his
6 subordinates because he failed to correct the issue after Bonham complained. *Id.* at 2:9-15.
7 Bonham alleges both Officers Garrett and Potter are responsible for failing to correct the
8 issue after Bonham complained. *Id.* at 2:15-28.

9 **B. The NDOC Deducted Funds To Pay For Bonham's Debts**

10 On January 8, 2020, an individual named Linda Conry deposited \$150.00 into
11 Bonham's inmate banking account. Exhibit A at 2 (containing a portion of Bonham's inmate
12 banking history). Unsurprisingly, the NDOC carefully tracks any deposits and
13 corresponding deductions through an inmate Daily Transaction Summary. Bonham's
14 summary demonstrates the funds were properly deducted to pay for various debts incurred
15 by Bonham.

16 First, thirty dollars (30.00) were deducted from the deposit to pay a portion of
17 Bonham's filing fee for his federal litigation. *Id.* (See January 8, 2020 entry titled Financial
18 Certificate – USDC Nevada). This reduced the deposit to \$120.00.

19 Second, the NDOC deducted seventy-five dollars (75.00) to pay for the legal copies,
20 which Bonham requested and authorized payment for. *Id.* at 2-3 (See January 8, 2020
21 entries titled legal copies – Inmate Welfare Fund). This further reduced Bonham's deposit
22 to \$45.00. It is undisputed that Bonham requested these copies and thus authorized
23 payment for them.

24 Third, the NDOC deducted fifteen dollars (15.00) and placed it into Bonham's inmate
25 savings fund. *Id.* at 3 (entry titled Savings). Bonham was then left with \$30.00.

26 Fourth, the NDOC deducted nine dollars (9.00) to pay for mail that Bonham wished
27 to send. *Id.* at 3 (see January 8th and 13th entries titled Legal Postage). Ultimately,
28 Bonham was left with \$21.00. Thus the total deductions are summarized below.

**PLEADING
CONTINUES
IN NEXT
VOLUME**