

FILED

MAR 29 2023

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

FILED

MAR 07 2023

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

1 Bryan p Bonham #0575
2 po Box 650 (Hosp)
3 Indian Springs, NEV 89070

4
5 IN THE SUPREME COURT FOR

6 THE STATE OF NEVADA

7
8 Bryan p Bonham

DIST. CRT. NO A-20-823142-C

9 petitioner

NEVSUPCRTNO 86114

10 VS

11 STATE OF NEVADA

PETITIONERS INFORMAL BRIEF

12 Respondants.

13
14
15 comes now petitioner Bryan p Bonham in his proper person & Respectfully

16 Requests this Honorable court protect this petitioners civil Right & state

17 Law protections by requesting court to grant Relief here in.

18
19
20 This informal brief is further made & based upon the memorandum of

21 Law with the attached points & Authorities.

22

23

24

25

26

27 RECEIVED

MAR 06 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

23-09585

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

5 IN THE SUPREME COURT FOR

6 THE STATE OF NEVADA

7
8 Bryan p Bonham

DIST. CRT NO. A-20-823142-C

9 Petitioner

NEV SUP CRT NO. 86114

10 vs

11 STATE OF NEVADA

NOTICE OF MOTION/BRIEF

12 Respondant:

13
14 TO

15 DEPUTY ATTORNEY GENERAL

16 Samuel L. Pezone

17 555 E Washington Ave ^{Ste 3400}

18 Las Vegas, Nevada 89101

19
20 please take notice the undersigned will bring the above informal brief for a hearing as

21 soon as courts docket will allow.

22
23 Dated this 23rd day of February 2023

24 

25 Bryan p Bonham 60575

26 PO Box 650 (HOSP)

27 Indian Springs, NEV 89070

28

1 (1)

MEMORANDUM OF LAW

2

POINTS & AUTHORITIES

3

petitioner disagrees with the courts order to Dismiss HIS Second

4

amended complaint & Supplemental in support of 2nd amended complaint for the

5

following Reasons.

6

(2)

DISMISSAL OF COMPLAINT

7

Televideo Systems Inc v Heidenthal 826 F.2d 915, 916 (9th Cir 1987)

8

"... courts have inherent equitable powers to dismiss actions or enter

9

~~default~~ default judgment for... abusive litigation practices"

10

Pratt v Rowland 764 F.Supp 1128, 1133 NO CA 1991. quoting Conley v

11

Gibson 355 U.S. 41, 45-46 (1975) "Dismissal for failure to state a claim

12

is improper unless it appears beyond a doubt that the plaintiff can prove no

13

set of facts in support of his claims which would entitle him to relief."

14

this petitioners second (2nd) amended complaint was not an attempt to

15

congest the courts nor was it an abusive litigation tactic or practice.

16

Further more & based on the Hearing held on 02/13/2023 in Dept 29.

17

petitioner can & given the opportunity will prove All the allegations raised

18

in complaint.

19

(3)

AMENDING COMPLAINT

20

Lopez v Smith 203 F.3d 1122, 1130 (9th Cir 2000) en banc quoting Doe v U.S.

21

58 F.3d 444, 447 (9th Cir 1995) "A district court should grant leave to Amend

22

even if no request to amend the pleadings was made unless it determines

23

that the pleadings could not possibly be cured by the allegation of other

24

facts"

25

Doe v U.S. 58 F.3d 444, 447 (9th Cir 1995) quoting Cook PerKess & Co v

26

N. Cal Collections Serv 911 F.2d 242, 247 (9th Cir 1990) Lacey v ~~Maricopa~~ Maricopa

27

Cnty. 643 F.3d 896, 926 (9th Cir 2012) "we have adopted a generous standard

28

for granting leave to amend from a dismissal for failure to state a claim

1 such that a district court should grant leave to amend the pleading even if no
2 request to amend the pleading was made, unless it determines that the
3 pleading could not possibly be cured by the allegations of other facts"

4 (4) DUE PROCESS OF LAW

5 The FOURTEENTH (14TH) AMENDMENT is clear and unambiguous in its
6 language. It states no state SHALL make or enforce any law which shall
7 abridge the privileges or immunities of citizens of the United States nor
8 shall any state deprive any person of Life, Liberty, or property, without
9 DUE PROCESS OF LAW; nor deny to any person within its jurisdiction the
10 equal protection of the laws.

11 (5) Further more the DUE PROCESS clause of the FOURTEENTH (14th) AMENDMENT
12 to the UNITED STATES CONSTITUTION contains a substantive component
13 sometimes referred to as "SUBSTANTIVE DUE PROCESS", which bars
14 certain arbitrary government actions "regardless of the fairness of
15 the procedures used to implement them." It is also a guarantee of
16 fair procedure, sometimes referred to as "PROCEDURAL DUE PROCESS."
17 see Daniels v Williams, 474 U.S. 327, 337 (1986); Cleburne v Cleburne
18 Living Center Inc, 473 U.S. 432, 439 (1985) see also Carey v Piphus, 435
19 U.S. 247, 259 (1978). & Rochin v California 342 U.S. 165, 203 (1952).

20 (6) NEVADA CONSTITUTION

21 ARTICLE 1 § 8 (1864)

22 The DUE PROCESS clause of the NEVADA CONSTITUTION ARTICLE 1 § 8 not only
23 requires that a person ~~be~~ shall be properly brought into court "SUBJECT
24 MATTER JURISDICTION", that he shall have the opportunity to "ESTABLISH
25 'ANY FACT'" which according to usages of common law or provisions of the
26 constitution would be protection to him or his property. (emphasis added).
27 see Wright v Cradlebaugh, 3 Nev 341 1864 (1867) cited in State Persing v
28 Reno Stock Brokerage Co, 30 Nev 342, 349, 96 Pac 1054 (1908). STATE

1. V Fouquet 67 Nev. 505, 514, 221 p.2d 404 (1950). See also Upperman v
2. State, 96 Nev. 592, 614 p.2d 532 (1980) Casio v State, 106 Nev. 327, 793 p.2d
3. 836 (1990)

4 (7) LEGAL STANDARD

5 HARM

- 6 "Physical Harm" means the physical impairment of the human body "Bodily harm"
7 of real property or tangible personal property ("Property Damage") Bodily
8 harm includes physical injury, illness, disease, impairment of Bodily
9 function, and death.

10 S. 4. Physical Harm.

- 11 Restatement of the Law third, torts: Liability for physical and Emotional
12 harm.

- 13 "emotional harm" means impairment or injury to a person's emotional
14 tranquility"

15 S. 45. Emotional harm.

- 16 Restatement of the Law, third torts: Liability for physical and Emotional
17 harm.

- 18 "compensatory damages that may be awarded without proof of pecuniary

- 19 loss include ~~compensatory~~ compensation (a) for bodily harm, and (b) for
20 emotional ~~harm~~ distress"

- 21 S. 905 compensatory damages for nonpecuniary Harm. Restatement of
22 the Law second torts

23 (8) LEGAL STANDARD

24 DAMAGES

- 25 "the rules for determining the measure of damages in tort are based upon
26 the purpose for which actions of tort are maintainable. these purposes
27 are: (a) to give compensation, indemnity or restitution for harms; (b)
28 to determine rights. (c) to punish wrongdoers and deter wrongful

conduct (d) to vindicate parties and deter retaliation or violent and unlawful self-help."

§ 901 General principle

Restatement of the Law, Second, torts.

"(1) Punitive damages are damages, other than compensatory or nominal damages, awarded against a person to punish him for his outrageous conduct and to ~~order~~^{deter} him and others like him from similar conduct in the future."

(2) Punitive damages may be awarded for conduct that is outrageous, because of the defendant's evil motive or his reckless indifference to the rights of others. In assessing punitive damages, the trier of fact can properly consider the character of the defendant's act, the nature and extent of the harm to the plaintiff that the defendant caused or intended to cause and the wealth of the defendant.

§ 908 punitive damages

Restatement of the Law Second, torts

"one injured by the tort of another is entitled to recover damages from the other for all harm, past, present and prospective, legally caused by the tort,"

§ 910 Damages for past, present and prospective harms Restatement of the Law Second, torts.

(4) petitioner contends that his civil rights have been violated & that DIST COURT did error and this Honorable Court in Affirming said order in case NO 83458 Higgins v Beyer 293 F.3d 683, 693 (3rd Cir 2002); Wright v Riverland 219 F.3d 905, 913 (9th Cir 2003) "inmates have a property protected property interest in Funds received from outside sources" petitioners elderly mother & his son deposited Funds into his inmate trust account as you can see in exhibit "2"

1 "The concept of substantive due process semantically awkward as it may be, forbids
2 the Government from depriving a person of Life, liberty or property in such a way
3 that shocks the conscience 'or' interferes with rights implicit in the concept
4 of ordered Liberty." See Board of Regents v Roth 408 U.S. 564 (1972) also see
5 Morrisey v Beaver 408 U.S. 471 (1972) & Wright v Enomoto 462 P. Supp
6 397, 401-02 (N.D. Cal 1976)

7 (10) UNITED STATES CONSTITUTION

8 FOURTH AMENDMENT

9 petitioner contends that NDOC officials employed in Account Services taking 80%
10 to 95% of any and all money deposited into his inmate trust account which
11 was in violation of STATE LAW NRS 209.246 & AR 258 by the individuals in
12 that department of the NDOC clearly ~~choosing~~ choosing to take,
13 Deduct from his account over what state law above, & Administrative
14 Regulation above allows is & was a violation of the U.S. CONST. AMEND.
15 4. see UNITED STATES OF AMERICA v Gary H. Marloff 173 F.3d 1213.

16 (1999) U.S. APP LEXIS 6414; 99 Cal daily of Services 2656; 99 daily
17 Journal of a "court held that a person aggrieved by an unlawful
18 search and seizure or by the deprivation of property may move the
19 District court for which the district in which the property was seized
20 for the return of the property on the ground that such person is entitled
21 to lawful possession of the property the court shall be returned to
22 the movant"

23 "The watch word of the FOURTH AMENDMENT in every context is
24 REASONABLENESS AS THIS COURT has held. see Thompson v Souza 111
25 F.3d 694, 699 (9th Cir 1997) which is supported by, in the wording
26 of state law NRS 209.246 The Director may deduct a reasonable
27 amount from an offenders account to repay any debt incurred by the
28 NDOC on behalf of the offender.

1 This was further backed up by Dist court judge on 02/13/2023.
2 (11) However, The court did error, AS petitioner tried to point out on
3 the record, was clearly disregarded, or ignored. petitioner Respectfully
4 request this court to Look at exhibit "2" of Supplemental in support
5 of Second Amend complaint as it is copy of exhibit attached to defendants
6 original motion to dismiss on 04/01/2019 Tyler Benham petitioners
7 same deposited \$160.00 of which U.S. Dist ct gets 20% = 32.00, 10%
8 to his savings = 16.00 50% would have been 80.00 half of 160.00 is
9 not \$82.95 Then on 06/22/2019 Tyler Benham deposited another
10 \$150.00 TO petitioners calculations NDOC TO 77.00 2.00 over the
11 50% the issue court agreed with petitioner on was the deposit on
12 01/08/2020 where His mother Linda carry deposited 150.00 50% would
13 have been 75.00 not 84.00 over by 9.00 102.65 please Look at
14 pg 3 of Daily transaction History. at bottom taken from account
15 after 01/08/2020 deposit. 102.65 for postage, Legal copy work.
16 Now please Look at page 4 of Daily transaction summary on
17 05/01/2020 200.00 deposited now petitioner asks this court to
18 Look at page 5 & they should have stopped at 5-1-2020 3.76 that
19 brought ~~up~~ Deduction for Debt owed to NDOC TO \$99.97 three
20 cents short of 50% petitioner contends the 0.85 taken on 5/7/20
21 and 2.20, 2.00, 6.00 on 05/11/2020 were over the 50% next petitioner
22 points to page 6 of summary. on 09/04/2020 20.00 deposit. Last
23 deduction on 09/30/2020 seems they followed the AR, Nevada Law
24 NRS 209.246. however when you Look at Deposits from petitioners
25 time in (PI) private industries on page 6, 7 not one dime or penny
26 was left for him to buy a bar of soap to wash him self or Shampoo
27 (12) Counsel in motion to dismiss page 4 of 15 Line 14 NDOC may deduct
28 up to 50% Line 16 these costs include postage and copy work.

1 yet counsel on 2/13/23 stated legal postage was not included
2 It was made aware that Venus Fajota works as an employee of
3 NDOC at Inmate Services Division so petitioner amended complaint to
4 add her to case further more Charles Daniels was Director, was Responsible
5 for actions of his employees. Garrett & Potter the unit caseworker
6 not an officer, ~~Garrette~~ Garrett the AW of LCC at that time not
7 an officer. Had a duty to intervene, & failed
8 petitioner had tried to settle this through the Grievance process
9 which would not have caused NDOC much at all.

10 (13)

11 on 2/13/23 the court erred by not listening to argument on all deposits
12 and not reading remedy of complaint petitioner.

13 Furthermore the argument of theft was dismissed by counsel as if unheard of.
14 as well as petitioner was deprived of his property

15 See NRS 205.0824 DEPRIVE DEFINED "Deprive" means to withhold a
16 property interest of another person permanently or for so long a time
17 that a substantial portion of its value, usefulness or enjoyment is
18 lost, or to withhold it with the intent to restore it only upon the
19 payment of a reward or other compensation, or to transfer or dispose of it
20 so that it is unlikely to be recovered.

21 NRS 205.0823 "control" means to act so as to prevent a person from using
22 his or her own property on the actor's terms.

23 NRS 205.0828 "Property of another person" means real, personal or tangible
24 property in which any person other than the defendant has an interest which
25 the defendant is not privileged to infringe, including, without limitation
26 property in which the defendant also has an interest, notwithstanding
27 that the other person might be precluded from civil recovery because the
28 property was used in an unlawful transaction or was subject to forfeiture

as contraband property in the possession of the defendant in which another person has only a security interest shall be deemed not to be the property of that other person, even if that person holds legal title to the property pursuant to a security agreement.

NRS 205.083 "transfer" means to change the possession or control of property

NRS 205.0832 "ACTIONS WHICH CONSTITUTE THEFT." (i) Except as otherwise provided in subsection 2, a person commits theft if without lawful authority, the person knowingly:

(a) controls any property of another person with the intent to deprive that person of the property (b) converts, makes an unauthorized transfer of an interest in, or without authorization controls any property of another person, or uses the services or property of another person entrusted to him or her or placed in his or her possession for a limited, authorized period of determined or prescribed duration or for a limited use (c) obtains real, personal or intangible property or the ~~services~~ services of another person by a material misrepresentation with intent to deprive that person of the property or services

As used in this paragraph "MATERIAL MISREPRESENTATION" means the use of any ~~pret~~ pretense or the making of any promise, representation or statement of present, past or future fact which is fraudulent and which when used or made, is instrumental in causing the wrongful control or transfer of property or services. The pretense may be verbal or it may be a physical act.

(d) comes into control of lost, mislaid or misdelivered property of another person under circumstances providing means of inquiry as to the owner and appropriates that property to his or her own use or that of another person without reasonable efforts to notify the true owner.

1 (e) controls property of another person knowing or having reason to know
2 that the property was stolen.

3 (g) takes, destroys, conceals or disposes of property in which another
4 person has a security interest, with intent to defraud that person.

5 (h) commits any act that is declared to be theft by a specific statute.

6 NRS 205.0833 Theft constitutes single offence embracing certain
7 separate offences; specifications of charge in indictment or information.

8 (i) conduct denominated theft in NRS 205.0821 to NRS 205.0835
9 inclusive, constitutes a single offence embracing the separate

10 offences commonly known as Larceny, receiving or possessing

11 stolen property, embezzlement, obtaining property by false pretences,

12 issuing a check without sufficient money or credit and other similar
13 offences.

14 NRS 205.0835. PENALTIES (1) unless a greater penalty is imposed by a
15 specific statute and unless the provisions of NRS 205.08345 apply

16 under the circumstances, a person who commits theft in violation

17 of any provision of NRS 205.0821 to NRS 205.0835 inclusive

18 shall be punished pursuant to the provisions of this section (2) if the

19 value of the property or services involved in the theft: (a) is less than

20 \$1,200⁰⁰ the person who committed the theft is guilty of a

21 misdemeanor.

22 (14) DUE PROCESS OF LAW

23 FUNDS IN ACCOUNT

24 vance v. Barrett 345 F. 3d @ 1089-91 (9th Cir 2003).

25 Inmates have a property interest in funds held in prison accounts.

26 Thus, inmates are entitled to due process with respect to any

27 deprivation of this money. (petitioner here in was afforded no due

28 process).

1 The term "applicable charges" refers to those expenses incurred in creating
2 and maintaining inmates' accounts. NEV. REV. STAT. § 209.241(3) prison
3 officials may deduct such expenses. A reasonable user fee is not a taking
4 if it is imposed for the reimbursement of the cost of government services.
5 NEV. REV. STAT. § 209.246 prison/DOC may deduct a reasonable amount
6 from a deposit to reimburse the DOC for any debt incurred on behalf of
7 the offender.

8 (15) An Administrative agency has no right, without underlying statutory
9 authority to prescribe and enforce forfeitures of property when an agency
10 does so, it violates the due process clause of the FOURTEENTH AMENDMENT.
11 Halverson v Skagit County, 412 F.3d 1257, 1260 (9th Cir 1994). See also Quick
12 v Jones 754 F.2d 1521, 1523 (9th Cir 1985) holding "due process
13 prohibited unauthorized maintenance deductions from inmates paychecks
14 under Nevada Law. There is little doubt that a reasonable officer would
15 have known that it could not directly make such deductions without
16 further authority. Wright v Riverland, 219 F.3d 905, 913 (9th Cir 2000)
17 inmates have a protectable property interest in funds received from outside
18 sources. See also Reynolds v Wagner, 128 F.3d 166 (3rd Cir 1997) "inmates
19 have a property interest in funds held in prison accounts. Thus, inmates
20 are entitled to due process with respect to any deprivation of this money"
21 Mahers v Halford 76 F.3d 951, 954 (8th Cir 1996) protectable property
22 interest in funds from outside sources. Campbell v Miller, 787 F.2d 217,
23 222 (7th Cir 1986) holding there is a "protectable property interest in funds
24 held in prison accounts

25 (16) PROPERTY & PROPERTY RIGHTS

26 §1 CREATION OF PROPERTY INTEREST

27 Property interests are not created by the Federal Constitution; rather
28 they are created, and their dimensions are defined, by existing rules

or understandings that stem from an independent source such as state
Law, in this instance NRS 209.246
Webb's Fabulous Pharmacies, Inc. v. Beckwith 101 S.Ct. 446, 60 L.Ed. 2d 358,
449 U.S. 155. The principal sum deposited in the registry of the court
plainly was private property, and was not the property of Seminal county.
This is the rule in Florida see Phipps v. Watson 108 Fla. 547, 5 S.1, 19.7
SO 234, 235 (1933) see also Couderc v. United States 17 S. U.S. 178,
44 L. Ed. 122, 20 S. Ct. 56 (1899); Branch v. United States, 100 U.S. 673,
25 L. Ed. 259 (1880); Sellers v. Harris County, 483 S.W. 2d, @ 243 "LP property
interests... are not created by the constitution. Rather, they are created and
their dimensions are defined by existing rules or understandings that stem
from an independent source such as ~~the~~ state Law..." Board of Regents v.
Roth, 408 U.S. 564, 577, 33 L. Ed. 2d 548, 92 S. Ct. 2701 (1972)

(17) CONSTITUTIONAL AVOIDANCE

The question many of us have often asked, is, how can those who control
the legal and judicial system avoid conflict with the constitution while
implementing arbitrary and tyrannical laws and procedure?

(18) The answer is that they make use of a concept known as "CONSTITUTIONAL
AVOIDANCE." By this basic concept it is never presumed that the

legislature intended to act contrary to the constitution or Bill of rights
or that it "meant to exercise or usurp any unconstitutional authority"

United States v. Coombs, 12 Peters 37 U.S. 72, 75 (1838) San Gabriel
County Water Dist. v. Richardson 68 Cal App. 297, 299 P. 1055, 1056

(1924) Thus, if a statute can be interpreted two ways, one which
conflicts with the constitution, and one which does not, the courts

will always adopt the interpretation that avoids constitutional

conflict. They will also dispose of matters by some other means

which does not involve the constitution if available.

(19) The court will not pass upon a constitutional question although properly presented by the record, if there is also present some other ground upon which the case may be disposed of. Ashwander v. Valley Authority, 297 U.S. 288, 347 (1935).

(20) Where a case in this court can be decided with out reference to questions arising under the federal constitution, that course is usually pursued. Siler v. Louisville & Nashville R.R. Co., 213 U.S. 175, 193 (1908) Light v. United States, 220 U.S. 523, 538 (1910)

(21) A statute must be construed, if fairly possible, so as to avoid not only the conclusion that it is unconstitutional but also grave doubts upon that score. Panama R.R. Co., v. Johnson 264 U.S. 375, 390 (1923); UNITED STATES v. Standard Brewery, 251 U.S. 210, 220 (1919)

(22) Thus a construction or decision which would be in conflict with the constitution is to be avoided, if another is available that causes no conflict. In dealing with what it called a "nonconstitutional issue" the U.S. SUPREME COURT stated this rule of procedure:

[T]he ordinary rule [is] that a federal court should not decide federal constitutional questions where a dispositive nonconstitutional ground is available. Hagan v. Lavine, 415 U.S. 528, 547 (1973)

(23) As this court is clearly aware petitioner has put into question & supported by prima facie evidence the constitutional nature of NRS 209.246. Petitioner knows the standard cookie cutter response that the NRS are not laws enacted by the Nevada Legislature, etc, etc. so now petitioner puts forth the following:

First, petitioner believes the 48th session of the Nevada Legislature would as section one clearly states the Nevada Revised Statutes are enacted as Law of Nevada. second, section 3 states all prior laws & statutes of general ~~and senate concurrent resolution no 1 was used for something at~~

1 This can be found in Senate Bill No 2 (1957). Further more Senate Concurrent
2 Resolution No. 1 was first used for ~~senate~~ something it was not meant
3 to be used for, second there is no constitutionally mandated enacting clause.
4 (24) Petitioner now asks the following: As this court now, has known.
5 the NRS are not legally the Law of Nevada for a variety of reasons, &
6 if they were not Legislatively enacted petitioner asks the following:
7 (1) why does senate Bill No 2 1957 section one(1) indicate they are?
8 (2) why as indicated in VIGNOLO V. MILLER, 120 F.3d 1075, 1997 U.S.
9 App LEXIS 19765 does the Ninth circuit state that in July 1995 the Nevada
10 Legislature Amended NRS 209.241 & NRS 209.246, so petitioner asks this
11 simple question if the Nevada Legislature had nothing to do with the enactment of
12 the NRS, How is it they would Amend said statutes. Again petitioner agrees that
13 NRS 209.246 is not a Law pursuant to the NEV. CONST ART'S 3, 31, 43, 17,
14 43, 18, 43, 23 & U.S. CONST. 14th AMEND. AS SUCH petitioner requests this court
15 STRIKE DOWN SECTION 1 OF SENATE BILL NO 2 (1957) & SENATE CONCURRENT RESOLUTION
16 NO 1 (1957)
17 (25) AS DIST COURT clearly agrees that the NOSC clearly & blatantly violated the
18 Law & petitioners due process Rights & the Fourth Amend (4th amend) All the
19 Defendants in FIRST Amend complaint as well as the 2nd amend complaint,
20 are liable & at best Petitioner should be permitted to argue 2nd amend
21 complaint and if it please the court (8th JUD. DIST. CRT) since court
22 would not except certificate of service, even if only ~~second~~ First amend
23 complaint was excepted. petitioner is or should be allowed to collect
24 Damages for mental stress, emotional stress as He has had to rely on
25 the over priced items on packages. However He is ~~not~~ willing to settle
26 for much less than what He requested in Relief in complaint.

27 CONCLUSION

28 After a review of the mentioned monthly statement petitioner believes 100%

1 that this court will see & agree that even petitioner made a mistake on the
2 full amount taken over what NOAC took from that one deposit e. This court
3 will further see that petitioner argued multiple deposits had deductions
4 that went beyond what Law allowed, that were 4th amend violations
5 as well as theft as defined under Nevada Law. see NRS 205.0833
6 & NRS 205.0824, NRS 205.0823 that this was done without
7 consent of petitioner, with out providing him of due process.
8 Lastly petitioner requests this court find that petitioner is
9 entitled to Receive damages & to go by what Request for relief
10 all funds be deposited into His trust two (2) account, & all other
11 issues be able to be argued on record & in person. per ART 138 of new const.

12 VERIFICATION

13 I Bryan P Bonham declare & verify that I have read the foregoing Brief and
14 to best of my belief & knowledge that the foregoing information is true &
15 correct pursuant to Pains of perjury under 28 USCA § 1746 & 18 USC A.31621.

17 CERTIFICATE OF SERVICE

18 I Bryan P Bonham that I have read the foregoing motion/~~IN~~ Formal Brief
19 and that I am here by attaching special instructions for electronic filing
20 & service to the clerk of the court to serve all my opponents pursuant
21 to NE.F.C.R. 5(k), 9 et seq (A-E) etc, to the following

22
23 DEPUTY ATTORNEY GENERAL

24 Samuel L. Pezone

25 555 E Washington Ave ste 3900

26 Las Vegas, Nevada 89070-81101

27

28

1
2 Dated This 23rd day of February, 2023

3

4

5

~~Bryan P. Borham~~

6

Bryan P. Borham 60575

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PO Box 650 (HDSR)

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Indian Springs, Nev 89070

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