

1 ROBERT BEADLES

2 [REDACTED]
3 *Plaintiff, Pro Se*

4
5 **FIRST JUDICIAL DISTRICT COURT OF NEVADA**
6 **CARSON CITY**

7 MR ROBERT BEADLES, an individual,

Case No.: 23 OC 00105 1B

8 Plaintiff,

Dept. No.: 1

9 vs.

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

23 Defendants.

24 **REPLY TO DEFENDANTS' OPPOSITION FOR MOTION TO LEAVE TO FILE**

25 **LIMITED MOTION FOR RECONSIDERATION OF CHANGE OF VENUE LOCATION**

26 **ARGUMENT**

27 The plaintiff believes he followed the rules to the best of his understanding. The defense states
28 the plaintiff is in violation of DCR 13(7), which addresses a motion for summary judgment. The

1 plaintiff has never filed a motion for summary judgment. It is not clear to the plaintiff how he
2 violated such a rule.

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5 The defense claims the plaintiff violated FJDCR 3.13. However, it states in part, “The court may
6 reconsider a decision if the court overlooked or misunderstood a material fact, or overlooked,
7 misunderstood, or misapplied law that directly controls a dispositive issue.” The way the plaintiff
8 understands this rule is it would apply if Judge Drakulich didn’t grant the plaintiff’s Motion To
9 Change Venue, due to some error, or some law being wrongfully applied, or similar. The
10 Honorable Judge, in fact, granted the plaintiff’s motion for a change of venue; she just granted it
11 to a venue that is more conflicted than the venue it came from. So the plaintiff filed a “Limited
12 Motion For Reconsideration for Change Of Venue Location”, NOT a motion to reconsider some
13 motion she denied. The plaintiff simply asked her to reconsider the location due to the
14 tremendous conflicts. In an abundance of caution, the plaintiff then filed a request for leave to
15 file said motion as well.
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19 If the plaintiff misunderstood this rule, he truly apologizes but hopes justice will prevail, and
20 substance will be taken over form. NRCP 8 (e) states, “Pleadings must be construed so as to do
21 justice.” And as S. Nev. Adult Mental Health Servs. v. Brown, No. 78770 (Nev. Nov. 17, 2021)
22 states, "The pleadings adequately allege that SNAMHS is liable for the negligence and
23 negligence per se of its administrator, agents, and employees. 'All pleadings shall be so construed
24 as to do substantial justice.' NRCP 8(f) (2017). No technical forms are required. NRCP 8(e)(1).
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26 The NRCP, like the FRCP, requires the district court to construe pleadings in favor of, not
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1 against, the person pleading them. See 5 Charles Alan Wright & Arthur R. Miller, Federal
2 Practice and Procedure: Civil § 1286, at 747-48 (3d ed. 2004)."

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5 NRCP 61 also states in part, "At every stage of the proceeding, the court must disregard all
6 errors and defects that do not affect any party's substantial rights."

7 Lastly, in Paterson v. Condos, 30 P.2d 283 (Nev. 1934) it states, "It is provided by section 8622,
8 N.C.L., as follows: 'The court shall, in every stage of an action, disregard any error or defect in
9 the pleadings or proceedings, which shall not affect the substantial rights of the parties; and no
10 judgment shall be reversed or affected by reason of such error or defect.' This court, in Sweeney
11 v. Schultes, 19 Nev. 53-58, 6 P. 44, 47, 8 P. 768, said: 'The general tendency of the decisions is
12 to look with disfavor upon mere technical objections, which relate solely to the form of the
13 process or proceedings, especially where it is apparent that the error is one which has caused no
14 substantial injury to the complaining party. In pursuance with this general principle, it was
15 enacted in our statute that 'the court shall in every stage of an action disregard any error or defect
16 in the pleadings or proceedings which shall not affect the substantial rights of the parties, and no
17 judgment shall be reversed or affected by reason of such error or default.' 1 Comp. Laws, 1134."

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21 If the plaintiff erred, he requests the honorable Judge Russell allow his filings to proceed in the
22 interest of justice for all.

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25 The defense argues that there is no evidence of bias in Carson City, nor is there a lack of bias in
26 Lyon County.

1 This assertion is patently incorrect, as evidenced by the data and information shown in the
2 Plaintiff's Motion For Change of Venue, his Limited Motion For Reconsideration Of Venue
3 Location, and his Response to the Defendant's Opposition. The defense posits that web results
4 derived from various reports and studies do not constitute evidence. Contrarily, both the Plaintiff
5 and advertisers, who invest millions in advertisements, recognize its validity. As further
6 evidence, Exhibit 160's DMA Map (Designated Market Area) illustrates that all major broadcast
7 networks—ABC, CBS, NBC, and Fox—are prevalent across Sparks, Reno, Winnemucca, and
8 Carson City.
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12 This equates to a 100% market reach. Contrasting this with the evidence from prior filings that
13 indicated 90% penetration, it's evident that the actual figure is a complete 100% penetration of
14 Reno television into Carson City.
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17 Should the plaintiff or defendant choose to broadcast a commercial exclusively in Reno, it will
18 invariably be viewed across Carson City—a 100% market penetration, as corroborated by the
19 DMA map. Simply put, any content aired in Reno is concurrently broadcasted in Carson City.
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21 The copious negative portrayals of the Plaintiff, characterized as slanderous and libelous, which
22 have been incessantly aired in Reno, have also been ubiquitously broadcasted in Carson City. An
23 examination of the map further reveals that the Reno TV DMA does not extend to Lyon County.
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25 This vivid representation of market saturation underscores the impossibility of conducting an
26 unbiased hearing or trial in Carson City. Lastly, Plaintiff respectfully asserts that his motion for
27 leave and limited motion for change of venue location do not prejudice the defendants in any
28 manner.

1 CONCLUSION

2 Your Honor,

3 The opposing counsel appears to be hindering my right to a fair trial by opposing both my
4 limited motion for reconsideration of change of venue “location” and my motion for a change of
5 venue. The defense essentially states that it doesn’t matter whether I get a trial in Carson City or
6 Lyon County, the trial will be biased against me. The data from previous filing and the DMA
7 show otherwise. Lyon County is our best shot at a neutral, unbiased county. Furthermore, they
8 misuse various NRS and rules that aren't relevant to my case which I can only believe is an
9 attempt to mislead this court as my last filing proved. It is paramount for the court to ensure that
10 every party is granted a fair trial. By resisting my efforts for reconsideration, the opposing
11 counsel seems intent on denying all parties, and witnesses a fair trial. It's essential to note that
12 there is no discernible prejudice to the defendants in hearing out my concerns. The court should
13 prioritize the merits of the case rather than focusing on procedural nuances. The case law shown
14 in this filing emphasizes the importance of substance over form and not dismissing cases merely
15 due to procedural shortcomings, if there were any. Previous filings indicated a 90% media
16 penetration, but the Designated Market Area data reveals it's actually 100%, while Lyon remains
17 the most unaffected that is still convenient for all parties. In the interest of justice and in
18 recognition of my rights, it is crucial for the court to grant leave if necessary and approve the
19 change of venue to Lyon County.
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25 Respectfully submitted,

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27 Robert Beadles
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1 Dated: 10/16/23

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3 By: _____

4 ROBERT BEADLES, Plaintiff Pro Se

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7 **AFFIRMATION PURSUANT TO NRS 239B.030**

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

10 DATED: October 16th, 2023.

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12 Robert Beadles, Plaintiff

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15 **CERTIFICATE OF SERVICE**

16 Pursuant to NRCP 5(b), I hereby certify that on October 16th, 2023, I electronically filed
17 the foregoing and exhibits to the defense for all parties of record electronically, as per our mutual
18 agreement.
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21 Robert Beadles, Plaintiff

Exhibit Glossary

Exhibit 160 Designated Market Area (DMA) MAP 1 pg.

“Exhibit 160”

