

ROBERT BEADLES
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Reno, NV 89503
Plaintiff, Pro Se

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

MR ROBERT BEADLES, an individual,

Plaintiff,

vs.

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

Defendants.

Case No.: CV23-01341

Dept. No.: 1

LIMITED MOTION FOR RECONSIDERATION OF CHANGE OF VENUE LOCATION

Plaintiff Robert Beadles (Beadles), hereby moves this honorable court to reconsider the change of venue location.

ISSUE

The Plaintiff has brought action against the Defendants for multiple alleged violations, including but not limited to election law violations, breach of court orders, malfeasance, nonfeasance, professional malpractice, and the removal of officers from office. The three Defendants, the Defense, and the Plaintiff are well-known figures in both Washoe County and Carson City. In

order to secure a fair and unbiased trial, to which the Plaintiff is entitled under his constitutional rights, he respectfully petitions this Honorable Court to change the venue to Lyon County. In Lyon County, the extent of media bias and the relationships of the Defendants, the Defense, and the Plaintiff are significantly less pervasive than in Carson City.

In addition, Defendants did not object to Plaintiff's request for venue change to Lyon County specifically. Lyon County is a convenient forum for the Parties. As such, the Court should grant Plaintiff's request based on the non-objection by Defendants.

I. ARGUMENT

There is tremendous bleed over of people who live in Washoe, and work in Carson who tell the tales to voters of Carson City. It's even more relevant as these same news outlets also reach directly into Carson City. A few examples are demonstrated for this honorable court here:

Carson City has a population of approximately 58,000 people. The two largest newspapers in Carson City are the Nevada Appeal and the RGJ. Both reaching around 10,000 readers per day via their paper.

<https://g.co/bard/share/033350a54dfe>

Based on the research the Plaintiff was able to conduct, both newspapers have provided the same level of media coverage in Carson City as in Washoe County. Faced with a population of 58,000, the Plaintiff encounters the same issues in Carson City as in Washoe County.

The Nevada Appeal's latest article on the Plaintiff skirts dangerously close to labeling him as right-wing, violent, and harassing, and even suggests that he has paid demonstrators. All of these

allegations are blatant lies.

<https://www.nevadaappeal.com/news/2023/aug/22/washoe-da-concerned-about-public-harassment-of-elected-officials>

Even with a population of 58,000, the RGJ appears to reach 115,000 unique visitors per month in Carson City alone.

<https://g.co/bard/share/dbc6489cc8ef>

As to TV viewership from Washoe County Stations into Carson city, it appears it reaches 90% or more of Carson City Households.

“The reach for TV viewership of KOLO 8, KRNV 3, KTVN, Fox 2 News 4 in Carson City, Nevada is estimated to be around 90% of households. This means that about 9 out of 10 households in Carson City watch at least one of these four TV stations on a regular basis.

This estimate is based on Nielsen ratings data for the Reno-Sparks market, which includes Carson City. Nielsen ratings measure the percentage of households in a given market that are watching a particular TV program at a given time.

According to Nielsen ratings data, the four TV stations in question have a combined average viewership share of over 60% in the Reno-Sparks market. This means that on average, over 6 out of 10 households in the market are watching one of these four stations at any given time.

It is likely that the reach for TV viewership of these stations in Carson City is even higher than 90%, since Carson City is a relatively small city and there are fewer TV stations to choose from.

It is also worth noting that Nielsen ratings data does not include viewership data for people who

watch TV on streaming devices or online. Therefore, the actual reach for TV viewership of these stations in Carson City may be even higher than 90%.”

<https://g.co/bard/share/731f6d61553a>

The four TV stations in question have a significant social media presence in Carson City, Nevada. Here is a breakdown of their follower counts on some of the most popular social media platforms:

Facebook:

KOLO 8: 10,000 followers

KRNV 3: 12,000 followers

KTVN: 15,000 followers

Fox 2 News 4: 18,000 followers

Twitter:

KOLO 8: 3,000 followers

KRNV 3: 4,000 followers

KTVN: 5,000 followers

Fox 2 News 4: 6,000 followers

Instagram:

KOLO 8: 2,000 followers

KRNV 3: 3,000 followers

KTVN: 4,000 followers

Fox 2 News 4: 5,000 followers

“These follower counts are just a snapshot of their social media presence, and the actual number of people who see their content is likely much higher. This is because social media platforms use algorithms to show users content that they are likely to be interested in. As a result, people who

watch these TV stations are more likely to see their social media content, even if they are not following them directly.

In addition to their social media presence, these TV stations also produce a variety of digital content, such as news articles, videos, and podcasts. This content is often shared on their social media channels, which helps to further expand their reach.

Overall, the four TV stations in question have a significant social media footprint in Carson City, Nevada. They use social media to connect with viewers, share news and information, and build relationships with the community.”

<https://g.co/bard/share/c8b8c35b9ec2>

Additionally, the Defendants maintain personal and professional relationships in Carson City through various esteemed institutions, including the District 1 Honorable Court, the Secretary of State, the Attorney General, the Legislature, and lobbyists. Carson City serves as the epicenter of political affairs in Nevada. In this setting, the Plaintiff has been erroneously portrayed as the "Godfather of Election Reform" and maligned as a right-wing conspiracy theorist, characterizations that are patently false.

Even the Attorney General attacked the Plaintiff personally, as seen in [Exhibit 156], where he states, "Robert Beadles is an extreme conspiracy theorist—so it's no surprise that he backed Sigal Chattah for AG. Folks like him and Chattah will do EVERYTHING in their power to impose their extremism on Nevadans. But we're stronger than this, NV, and I know justice will prevail in Nov." The Attorney General for Nevada is supporting a publication that patently lied about Beadles, calling him an anti-Semite. What Ford fails to mention in his libelous comments about Beadles is that Sigal is Jewish and a close friend of Beadles. Beadles is the furthest thing from an anti-Semite or racist, as this slanderous and libelous article paints him as. As the highest-ranking

law enforcement official in Nevada, with his base in Carson City, it is clear the Attorney General is additionally providing even fewer chances of a fair and unbiased trial with his libelous comments and support of even more outrageous lies and libel. This does not help Beadles' chance of an unbiased trial in Carson City either.

If this is not enough, Beadles is additionally suing the Secretary of State and the Governor for violation of our 1st Amendment rights via the repeal of SB406. The home base for these two highest-ranking individuals is also in Carson City.

It is abundantly evident; the Plaintiff has zero chance of an unbiased trial in Carson City.

The RGJ Change Of Venue article that was released.

[Exhibit 155]

All of which on 9/14/23 was just stated by the RGJ:

“The Washoe County District Attorney’s office moved to dismiss the case, writing to the judge that “The Complaint is no more than a conspiracy theorist’s wishlist – Beadles seeks to remove those who do not agree with him, to control the County’s election procedures, to ‘strike down’ election laws, and use this court to legitimize his unfounded claims. That is not how the judicial system nor elections systems operate in the State of Nevada.”

“Beadles should be sanctioned for his chicanery, which amounts to a misuse of the judicial system in this case,” the DA’s motion says. “A court of law is an inappropriate tool to pursue harassment and relitigate debunked elections-related claims. Beadles’s Complaint is disconnected from the law and from reality.”

“The DA’s office responded that his request to move the trial location was done not in “pursuit of justice but rather as another strategic attempt to have his meritless allegations heard in the forum he believes will be most favorable to himself.”

“Reno attorney Joey Gilbert claimed that voting machines had altered votes away from himself and for his opponent in the Republican gubernatorial primary, Joe Lombardo. Carson City District Judge James Wilson ruled that Gilbert's lawsuit was "a frivolous action that warrants sanctions." Gilbert says he no longer believes he really won against Lombardo, who went on to be elected governor. "We were not able to gather what I thought we had evidence-wise," Gilbert said this summer. Beadles cites the same source as Gilbert did for claims of vote switching – Edward Solomon.

Solomon was found not qualified as an expert witness in Nevada, and Wilson ruled there was a "fundamental lack of evidence" to support claims of a rigged election in Gilbert's case.

As of Thursday afternoon, the court in Carson City had not yet received the case or assigned it a judge.”

As this honorable Court acknowledged in its granting of the motion for a change of venue, stated on page 7, "There is no denying that the parties in this case have unique and far-reaching popularity in northern Nevada. Accordingly, this factor favors a change of venue."

The Defendants have also built numerous interactions and relationships in Carson City over the years. For example, Defendant Rodriguez was previously the Communications and Government Affairs Agent for Washoe County. She has interacted with and built numerous relationships within the Capital, Courthouse, and Legislature.

Lyon County, on the other hand, is geographically close enough not to be burdensome for justice, yet it is distant enough to mitigate the media bias and personal-professional relationships that the Defendants have in both Washoe and Carson City.

In the Court's granting of the change of venue, the Plaintiff found only one citation as to why Carson City was chosen: "Further, the change of venue to the First Judicial District considers the convenience of the parties and any witnesses that would be called to testify." However, many of the same conflicts that are present in Washoe County also apply in Carson City.

It's important to note that the people of Washoe County feel greatly disenfranchised by their political servants. By moving this case to Carson City, where they already feel they have been sold out, this honorable court has the opportunity to act in their best interest by providing them a fair shot at justice via an unbiased jury and court in Lyon County. It is truly in the best interest of all Parties and the public to have this case heard in Lyon County.

Additional Legal Argument

The Defense did not oppose Lyon County as the jurisdiction for the change of venue in their Opposition to Change of Venue; rather, they opposed the change of venue in general. According to Judicial Court 8th District Rule 2.20, the rule in part states, "Failure of the opposing party to serve and file written opposition may be construed as an admission that the motion and/or joinder is meritorious and a consent to granting the same." Plaintiff realizes this is District 2, but would like to set the table for examples stating similar principles as follows:

Several cases from the 9th Circuit Court of Appeals, such as Ghazali v. Moran, 46 F.3d 52 (9th Cir. 1995) and Brydges v. Lewis, 18 F.3d 651 (9th Cir. 1994), discuss local rules that allow a

court to grant a motion when the nonmoving party fails to file a response.

Other cases such as *McCaleb v. Massac Cnty.*, Case No. 18-CV-1390-SMY-DGW (S.D. Ill. Oct. 29, 2018). and *ARMSTRONG v. MBNA AMERICA N.A.*, Case No. CV 04-582-S-LMB (D. Idaho Jun. 8, 2005) contain language suggesting that a party's failure to respond to a motion can be construed as an admission of the motion's merits.

Smith v. Hanchett, 475 P.3d 61 (Nev. 2020)

In this Nevada Supreme Court case it states that a party's failure to oppose a motion may constitute an admission that the motion is meritorious.

"Respondent has filed a motion to dismiss the appeal in its entirety pursuant to NRAP 3E(i) and NRAP 14, or in the alternative, to dismiss the first and fourth issues on appeal on the ground that appellant's consistent failure to comply with the rules of appellate procedure warrant dismissal. Appellant has not opposed the motion. A party's failure to oppose a motion may constitute an admission that the motion was meritorious and consent to grant the motion. *Walls v. Brewster*, 112 Nev. 175, 178, 912 P.2d 261, 263 (1996). The motion is therefore granted, and this court"

Regulation from the Nevada Administrative Code, Section 288.240 (6) states, "If a party fails to file and serve a written opposition to a motion, that failure to respond may be construed as an admission that the motion is meritorious and as consent to granting the motion."

Plaintiff respectfully requests this honorable court to change the venue from Carson City to Lyon County, as the Defense did not directly oppose the change of venue to Lyon County.

Lyon County is a convenient forum for the Parties

Lyon County is a convenient forum as it is close to Reno. It is only approximately an additional 30 minutes to Yerington compared to traveling to the Courthouse in Carson City from Reno. Courts can hold hearings remotely. Further, for the reasons stated above, Lyon County provides the best forum for a fair trial. Whether the Parties are traveling to Yerington or Carson City for a hearing, either way, the Parties will have to devote a given morning to attend any such hearing. Your Honor, it is in the best interest of the public and all parties involved to change the venue. The goal is to maximize the likelihood of conducting a fair and unbiased trial, while also distancing the proceedings from the negative media bias directed toward the Plaintiff and mitigating potential conflicts between the parties and Carson City's Honorable Court.

"The right to a fair trial is the cornerstone of our system of justice. It is essential that trials be conducted fairly and impartially, without any outside influence." -Justice Thomas

CONCLUSION

Your Honor,

I extend my heartfelt gratitude to this honorable Court for granting the Motion for Change of Venue. However, I must respectfully submit that relocating the trial to Carson City does not improve the likelihood of achieving a fair and impartial trial as compared to the Lyon County. While I note that the Defense did not specifically object to Lyon County as an alternative venue, the Court has not articulated any rationale beyond the convenience of travel for selecting Carson City over Lyon County.

Upon exhaustive research and contemplation, it is my considered belief that the unique

characteristics of Carson City, particularly its relatively small population of approximately 55,000 residents and its highly politically charged atmosphere as the capital of Nevada, negatively affect my prospects for a fair trial. Given my level of public recognition in that locale, I am concerned that an unbiased jury is not feasible.

Justice Felix Frankfurter once aptly remarked, "Justice must satisfy the appearance of justice." Guided by this principle, I request the case be transferred to Lyon County.

Lastly, it is greatly in the public's best interest to have this case moved to Lyon County, where they feel their voices will be heard. While I recognize that this is my pro se case, there are hundreds of thousands of people behind me who all want the facts to be weighed on their merits and ruled upon impartially by an honorable court and jury.

You have the chance to give them that.

"Not only is it important that justice be done; it is equally important that it be seen to be done." - Justice Sonia Sotomayor

Dated: 9/15/23

Respectfully submitted,

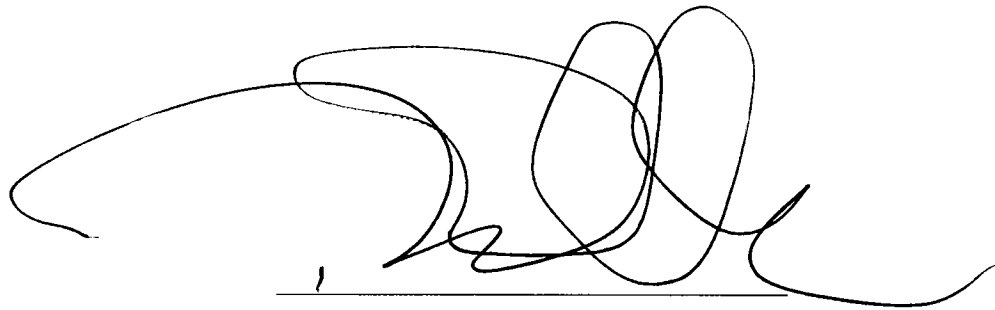
By: _____

ROBERT BEADLES, Plaintiff Pro Se

AFFIRMATION PURSUANT TO NRS 239B.030

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

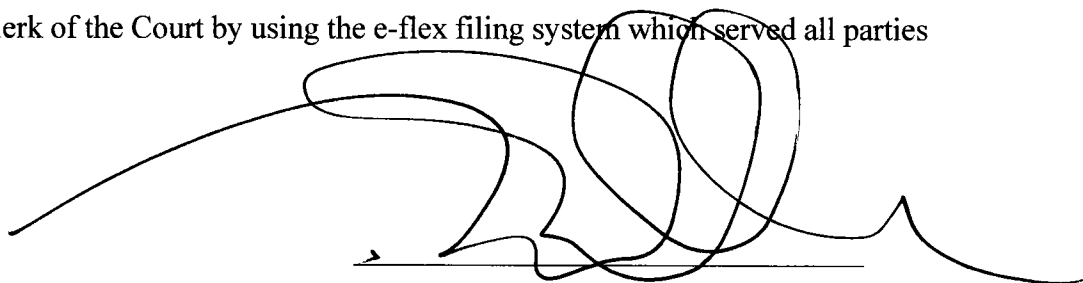
DATED: September 15th, 2023.

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

Robert Beadles, Plaintiff

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that on September 15th, 2023, I electronically filed the foregoing with the Clerk of the Court by using the e-flex filing system which served all parties of record electronically.

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the left and right.

Robert Beadles, Plaintiff

Exhibit Glossary

Exhibit 155 RGJ-Change Of Venue 3 pg.

Exhibit 156 AG Ford attacks Beadles on Twitter 1 pg.