

1 ROBERT BEADLES
10580 N. McCarran Blvd. #115, Apt. 386
2 Reno, NV 89503
3 Appellant, In Pro Per

4 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

6 MR ROBERT BEADLES, an individual,
7 Appellant,
8 vs.

NVSC Case No.: 87683
District 1 Case No: 23-OC-00105 1B
District 2 Case No: CV23-01341

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

23 Respondents.

24 **MOTION TO TRANSFER EXHIBITS TO SUPREME COURT**

25 **1. Introduction**

26 This urgent motion implores the Supreme Court of Nevada to direct the
27 transfer of all pivotal exhibits from the District Court, Judicial District 1.

28 The extensive citation of these exhibits in the Appellant's opening brief is
not merely for reference but forms the backbone of my legal arguments,
making their review essential for justice.

1 **2. Background Information**

2 On August 4, 2023, I filed a lawsuit in the Second Judicial Court of
3 Washoe County, articulating two primary causes of action against the
4 respondents: alleged violations of Articles 1, 2, and 15 of the Nevada
5 Constitution, alongside the Voter's Bill of Rights, and a petition for the
6 removal of officers from their positions. The foundation of this lawsuit was
7 established on more than 100 allegations encompassing legal violations,
8 malfeasance, and malpractice in office. To substantiate these allegations, I
9 presented a comprehensive set of 170 exhibits. 5 Exhibits on 8/4/23, 111
10 exhibits 5 days later, and 54 additional exhibits that have been included
11 with my numerous pleadings. The docket of the case is a testament to the
12 extensive exchanges between both parties, marked by a series of pleadings,
13 replies, and responses. The progression of this case through the judicial
14 system was notable for several judges recusing themselves due to conflicts
15 of interest, with others being removed following specific challenges. Judge
16 Drakulich, who ultimately took charge of the case, approved my motion for
17 a venue change, applying the Tarkanian factors as a basis. However, she
18 redirected the case to Carson City, instead of Lyon County, citing reasons
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1 of convenience. This decision was promptly contested by me, advocating
2 for a further venue change from Carson City. In a critical juncture during a
3 preliminary hearing on November 20, 2023, Judge Russell made a
4 controversial decision, which I perceive as a blatant disregard for the rule
5 of law. He dismissed both my motion for a venue change and the entire
6 case with prejudice, simultaneously granting the respondents' request for
7 costs. It is crucial to note that my original motion filed on August 4, 2023,
8 along with its exhibits and subsequent exhibits submitted on August 9,
9 2023, effectively counter Judge Russell's decision to dismiss my case with
10 prejudice. The inclusion of these 170 exhibits in my current appeal before
11 your Honorable Court is vital. They demonstrate compliance with Rule
12 8(a)(2), effectively countering the basis for dismissal under Rule 12(b)(5)
13 asserted by Judge Russell. These exhibits are not only relevant but essential
14 to the issues raised on appeal. The thorough review of the original exhibits
15 by this Court is necessary for a just determination of the issues at hand.
16 Therefore, I assert that incorporating these exhibits into this appeal is
17 imperative to safeguard my rights and ensure they are not further
18 compromised.
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3. Argument

In my original complaint filed on August 4, 2023, particularly noted on page 12, line 80, it is stated: "1. In addition, Defendants have failed to address, correct, or rectify the issues raised in the underlying Petitions, including, but not limited to, (1) updating and resolving the voter registration lists; (2) providing proper vote counting mechanisms; (3) counting votes in secret; (4) inadequate signature verification; (5) illegal function within the election system; (6) violations of election procedures as required under Nevada law. [Exhibit 4]." This statement in the complaint seeks an injunction for the aforementioned issues. The exhibits submitted substantiate these claims and demonstrate the potential for a Jury or Judge to grant remedy. Filed with my original complaint (8/4/23), exhibits 1-4 and 109 were also filed. Subsequently, on 8/9/23, exhibits 5-108 and 110-116 were filed. This structured filing was intended for maximum clarity and efficiency. This method was not formally opposed by any of the presiding judges or the defense. The defense's description of these documents as 'rogue exhibits' is a misrepresentation. They are, in fact, deeply interrelated and integral to my case, as illustrated by Exhibit 109,

1 titled "Highlights to Supplemental Statements," encompassing exhibits 16-
2 22, which reference most if not all other exhibits for support, proof, and
3 detail. The necessity of including all 170 exhibits in this appeal is critical
4 for a comprehensive review for both causes of action. Due to page
5 constraints, a full listing and description of each exhibit is impractical here.
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7 However, in my opening appellant brief, 163 exhibits are listed and
8 contextualized within my argument. Key exhibits, such as 1-4 and 109,
9 filed concurrently with the original complaint, are vital. Exhibits 16-22,
10 which are the core of the supplemental statements highlighted in Exhibit
11 109, are crucial. The content of Exhibits 5-15 and 23-116, as referenced by
12 Exhibit 109 and its supplemental statements, unequivocally demonstrate
13 that Judge Russell's dismissal under Rule 12(b)(5) is fundamentally
14 flawed. These exhibits clearly show compliance with Rule 8(a)(2) and
15 articulate specific allegations of damages, warranting legal remedy. For
16 instance, Exhibit 111 is from the Washoe County District Attorney's
17 Office. In their own analysis it illustrates that six allegations I have raised
18 can be remedied by the respondents. Contrary to the defense and Judge
19 Russell's claims, these exhibits substantiate allegations that can be
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1 addressed by judicial action. Exhibits 23-24 and 72 confirm my allegations
2 of the respondents' unlawful actions and validate my court orders about
3 secret vote counting in Washoe, offering grounds for remedy. Exhibits 4-15
4 demonstrate the respondents' awareness of necessary voter roll
5 maintenance and repair, as prescribed by law, despite their failure to act on
6 these issues. Exhibit 97 provides an external review of the Washoe County
7 election system, echoing many of my allegations and concluding that the
8 respondents are unprepared for the 2024 elections with inadequately trained
9 staff. Exhibit 101 further reinforces this, with the respondents themselves
10 acknowledging the need for a comprehensive overhaul of the Washoe
11 election system, in where the respondents actual state, they have to “Take it
12 down to the studs and
13 start over” with the Washoe County Election Systems. These exhibits, thus,
14 corroborate many of my allegations in the respondents' own words,
15 underscoring the importance of their inclusion in this case.

16 Furthermore, Exhibits 1-4 and 18 specifically address the issue of unlawful
17 signature verification, bolstering my allegations and demonstrating the
18 potential for legal remedy. Additionally, Exhibits 117-170, filed alongside
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1 various motions, replies, and responses, provide further evidence of
2 malfeasance and malpractice by the respondents.

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4 The strength of my original complaint lies in its evidence-based approach.

5 The full collection of exhibits do not merely support the allegations but
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7 give them substantial merit, demonstrating the potential for judicial or jury-
8 granted remedies, such as the removal of officers or compelling adherence
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10 to legal standards. A partial attachment of the exhibits mentioned has been
11 included to demonstrate the truth of my allegations.
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13 These examples exemplify how the exhibits counter Judge Russell's Rule
14 12(b)(5) dismissal. They affirm that, as per the specific content of my
15 original complaint (page 12, line 80), the defendants have failed in multiple
16 respects, including but not limited to, updating and resolving the voter
17 registration lists; providing proper vote counting mechanisms; counting
18 votes in secret; inadequate signature verification; illegal function within the
19 election system; violations of election procedures as required under Nevada
20 law, etc. This failure is detailed in exhibits such as 1-24, 72, 97, 101, 109,
21 and 111. It is thus imperative for this Honorable Court to include these
22 exhibits in its review to ascertain whether I have effectively countered the
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1 Rule 12(b)(5) dismissal and to consider my request for a jury trial. The
2 exclusion of these exhibits, particularly 1-24, 72, 97, 101, 109, and 111,
3 could significantly impair the Court's understanding and decision-making,
4 as they provide concrete evidence supporting the allegations detailed in my
5 original complaint. In light of these specific examples and their alignment
6 with Rule 8(a)(2) requirements, I respectfully urge this Honorable Court to
7 reconsider its previous decision and allow the transfer of these critical
8 exhibits from the lower court for a thorough and equitable evaluation of my
9 appeal.
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15 **4. Legal Basis for the Transfer**

16 NRAP 30(d) in relevant part states: The court will not permit the
17 transmittal of original exhibits EXCEPT upon a showing that the exhibits
18 are relevant to the issues raised on appeal, and that the court's review of the
19 original exhibits is necessary to the determination of the issues. These
20 exhibits are crucial to the determination of the issues.
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24 Should the Court decide against including the exhibits in the appeal, my
25 case risks encountering procedural difficulties akin to those seen in *Carson*
26 *Ready Mix, Inc. v. First Nat'l Bank of Nev.*, 97 Nev. 474, 476, 635 P.2d
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1 276, 277 (1981). This pivotal case held that, *“Because the record does not*
2 *include any of the challenged trial exhibits, it is unclear which exhibits*
3 *Advantage objected to at trial, which exhibits it is challenging on appeal,*
4 *and whether its arguments regarding the exhibits have merit. Therefore*
5 *showing again these exhibits must be allowed so my due process is not*
6 *infringed.”* To ensure the administration of justice is both thorough and
7 fair, it is imperative that these exhibits be included in this appeal. The
8 inclusion of these documents is not only in the best interest of justice but
9 also essential for a complete and accurate review of the case. Allowing
10 these exhibits will enable the court to fully understand the context and
11 substantiate the arguments presented, thereby facilitating a decision that
12 truly reflects the merits of the case.
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19 **5. Conclusion**

20 Your Honor, the inclusion of all 170 exhibits in this appeal is essential for a
21 just and thorough examination of my case, and appeal. These exhibits,
22 meticulously cited in the motion, provide substantial support and context,
23 integral to understanding the arguments and allegations. The exhibits cited
24 in this motion, cite to numerous if not all the 170 exhibits. All exhibits need
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1 to be included in this case to have the full picture of my case and its
2 allegations based in fact and evidence. They are not peripheral but central,
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4 forming the backbone of the appeal, and their exclusion could lead to an
5 erroneous conclusion under Rule 12(b)(5). The Court must have access to
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7 these exhibits to fully grasp the nuances and factual basis of the case,
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9 ensuring a just and equitable adjudication. Therefore, I respectfully request
10 that the Court reconsider its prior decision and transfer all of my exhibits
11 from the lower court, as their inclusion is crucial for a complete and fair
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13 evaluation of the appeal and to maintain the integrity and thoroughness of
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15 the judicial process.

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18 Respectfully submitted,

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20 By: _____

21 ROBERT BEADLES, Appellant In Pro Per,

22
23 10580 N. McCarran Blvd. #115, Apt. 386,

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25 Reno, NV 89503 916-573-7133
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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: January 12th, 2024.

Robert Beadles, Appellant In Pro Per

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that on January 12th, 2024, I served all parties by electronically emailing the defense counsel and by sending via first-class mail with sufficient postage prepaid to Lindsay Liddell, the respondents' defense attorney.

Haldeman, Suzanne shaldeman@da.washoecounty.gov
Hickman, Elizabeth ehickman@da.washoecounty.gov
Liddell, Lindsay L lliddell@da.washoecounty.gov

And mailed to:
One South Sierra Street Reno, Nevada 89501

Robert Beadles, Appellant In Pro Per