

1 ROBERT BEADLES
2 10580 N. McCarran Blvd. #115, Apt. 386
3 Reno, NV 89503
4 *Plaintiff, Pro Se*

5
6
7 **FIRST JUDICIAL DISTRICT COURT OF NEVADA**
8 **CARSON CITY**
9

10 MR ROBERT BEADLES, an individual,

Plaintiff,

Case No.: 23 OC 00105 1B

Dept. No.: 1

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.

11
12 **RESPONSE TO OPPOSITION OF MOTION TO CHANGE VENUE**
13

14 **THE QUESTION**

15 Can Beadles receive a fair hearing and jury in Carson City?

16 Judge Drakulich states, "There is no denying that the parties in this case have unique and far-
17 reaching popularity in northern Nevada. Accordingly, this factor favors a change of venue."

18 Carson City is attached to Washoe County; they are more than just neighbors. At only 10% the
19 size of Washoe, Washoe Media has a 90% media penetration. The defense and defendants all
20 have relationships with public officials in Carson. The Plaintiff is guaranteed a fair trial by the
21 Nevada Constitution. It is paramount that due process be followed, and his rights be upheld.

1 It is clear to anyone outside looking in that the Plaintiff will not receive a fair trial. Judge
2 Drakulich's analysis and comments alone show this to be true [Exhibit 159]. Why the honorable
3 Judge moved this case from Washoe to Carson City instead of Lyon County was based on
4 convenience. Justice must outweigh convenience. This case must be moved to Lyon County as
5 the Plaintiff requested from the onset.

6 **DEFENSE IS MISLEADING THIS COURT BY STATING FALSE INFORMATION**
7 **REGARDING APPLICABLE NRS.**

8 Every NRS statute the defense quotes regarding this case has nothing to do with this case. The
9 defense is citing NRS that have to do with the appointment of committees, statewide measures,
10 signature-gathering petitions for ballot measures, election challenges, use of public buildings,
11 etc. None of these NRS pertain to this case. Specifically, the following: NRS 293.127565(4);
12 NRS 293.12795(3); NRS 293.174; NRS 293.127565; NRS 293.200(9)(a); NRS 293.252(7)(b).
13 The defense then further misleads this court by stating, “NRS 41.03 It is also designated as an
14 alternative venue to hear actions against the State of Nevada and its departments. NRS
15 41.031(2)”. The Plaintiff is not suing the State of Nevada.

16 **THE DEFENSE IS MISLEADING THIS COURT. THE PLAINTIFF IS ENTITLED TO**
17 **A JURY TRIAL BY LAW.**

18 The defense states the Plaintiff's two causes of action do not entitle him to a jury trial. The
19 defense states that he seeks only equitable relief. Yet on Page 4, they admit injunctive relief is
20 sought: “equitable and injunctive relief sought or writ of mandamus.” On page one of the initial
21 complaint, it states Plaintiff seeks equitable, injunctive relief, removal of public officials from
22 office, and punitive damages. The Plaintiff is guaranteed a jury trial as shown in the Constitution
23 and in Carter v. Enriquez, No. 81597-COA (Nev. App. Jul. 21, 2021) "We agree with Carter.

1 The Nevada Constitution guarantees the right to a jury trial in civil proceedings. Nev. Const, art.
2 1, § 3."

3 The defense's entire Opposition to the Change of Venue should be thrown out, and the defense
4 should be sanctioned due to all of these erroneous NRS and case citations that have nothing to do
5 with this case.

6 Additionally, the defense states, "The second cause of action, a removal proceeding, is a
7 summary proceeding without the right to a jury." The defense cites Jones v. Eighth Jud. Dist. Ct.
8 of State, 67 Nev. 404, 418, 219 P.2d 1055, 1062 (1950). The plaintiff read the case; first, this
9 Honorable Court can decide whether a jury trial is to be had on most matters. Second, the Jones
10 case does not address the issue of whether there should be a jury trial in removal proceedings.

11 The court simply states that the statute does not require a jury trial. The court does not discuss
12 the arguments for and against a jury trial in removal proceedings. Removal from office is a
13 serious penalty, and no one should be removed from office without having the opportunity to
14 have their case heard by a jury of their peers. A jury is more likely to be fair and impartial than a
15 judge, and a jury trial is more transparent and accountable to the public and within the authority
16 of this honorable court to grant.

17 The right to a jury trial, and witnesses to testify against and for the defendants are paramount to
18 these proceedings and for transparency to the public. A speedy trial can be guaranteed as well,
19 even by using a smaller jury or by limiting the amount of time that the parties have to present
20 their cases if needed.

21 The benefits of a jury trial outweigh the costs. A jury trial is more likely to ensure that the
22 accused is treated fairly and that the public has confidence in the outcome of the case.

23 Furthermore, Judge Drakulich agreed Plaintiff is entitled to a jury trial and that's why she

1 granted the Motion To Change Venue. This honorable court has the power to grant a jury trial for
2 removal proceedings and cause of action 1. This honorable court also has the ability to right the
3 wrongs demonstrated in **Exhibit 158** as well.

4 **PLAINTIFF IS NOT VENUE SHOPPING**

5 The Plaintiff followed the law and filed his case in Washoe County where the crimes and
6 allegations occurred. The Plaintiff then filed for a change of venue to Lyon County due to the
7 numerous conflicts that were confirmed by Judge Drakulich. The case was moved to Carson
8 City, not to Lyon County which faces many of the same conflicts and even greater conflicts as it
9 is the home base of many of the public servants named in the lawsuit [Exhibit 105 and 106]. This
10 is one of numerous reasons why the Plaintiff is again seeking a change of venue to his originally
11 sought venue, Lyon County.

12 Lyon County is the furthest removed (while still convenient for all parties) from the media and
13 the defense's and defendants' relationships with public officials, ensuring the Plaintiff the best
14 chance of a fair trial while still being convenient for all. The defense states Gannett owns the
15 paper in Lyon County, which is true, but Lyon County was not saturated day and night by TV
16 and radio programming, as Washoe and Carson City were, with slanderous one-sided narratives
17 all painting the plaintiff in a bad light. Judge Drakulich's order also confirmed the Plaintiff is not
18 Venue shopping.

19 **THE DEFENSE CONFIRMS PLAINTIFF WILL NOT RECEIVE AN UNBIASED**
20 **TRIAL IN CARSON CITY OR EVEN LYON COUNTY**

21 In the granted order for change of venue by Judge Drakulich, she states numerous reasons as to
22 why Washoe is conflicted and not suitable for an unbiased trial. All of the same reasons and
23 more apply to Carson City. In fact, the defense does nothing to counter this fact other than to say

1 Lyon County is biased because it shares a newspaper owned by Gannett. Their entire defense is
2 rhetoric, never once showing any data contrary to the Judge's order, nor to all the Plaintiff's data
3 in all his documents prior to this one, proving he cannot receive a fair trial in Carson City or
4 Washoe. Their entire case thus far has been that the defendants have no duty to follow the law,
5 no consequences for breaking it, and the Plaintiff won't receive a fair trial in Carson or probably
6 Lyon, so let's just throw this out and sanction him. That's the gist of their defense. If this type of
7 defense stands in America, America is lost.

8 **CONCLUSION**

9 Your Honor,

10 The defense has cited cases and NRS that are unrelated to my case. In every pleading, they
11 contain inaccuracies. I've presented data from multiple sites indicating that up to 90% of media
12 in Carson City, originating from Washoe, portrays me negatively. The Defense claims I haven't
13 proven that Lyon County would be more impartial than Carson City. This is simply false. Lyon
14 hasn't experienced the TV and radio saturation that Carson has. Moreover, the defense's
15 relationships and the prejudicial media coverage have compromised the prospects of an unbiased
16 trial in Carson. Lyon County remains the most removed from their influence and media bias,
17 while still being convenient for all parties. My initial request was for the trial to be in Lyon; this
18 isn't venue shopping. It's me advocating for an unbiased trial, as is my right, while ensuring
19 fairness to all. Carson City presents more conflicts of interest than Washoe. I believe a fair trial
20 in Carson City is unattainable for me. I respectfully request that you uphold my rights and
21 transfer this case to Lyon County. If a transfer to Lyon is not possible, I respectfully ask that you
22 consider a neutral county such as White Pine or Nye County.

23

1 Respectfully submitted,

2

3 Robert Beadles

4 Dated: 10/10/23

5 By: _____

6 ROBERT BEADLES, Plaintiff Pro Se

7

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

9 The undersigned does hereby affirm that the preceding document does not contain the

10 Social Security Number of any person.

11 DATED: October 10th, 2023.

12 _____

13 Robert Beadles, Plaintiff

14

15 **CERTIFICATE OF SERVICE**

16 Pursuant to NRC 5(b), I hereby certify that on October 10th, 2023, I electronically filed

17 the foregoing to the defense for all parties of record electronically, as per our mutual agreement.

18 _____

19 Robert Beadles, Plaintiff

20

21

Exhibit Glossary

Exhibit 158 Violations against the plaintiff 3 pg.

Exhibit 159 Court Order Granting Change Of Venue 9 pg.

1 **VIOLATIONS AGAINST THE PLAINTIFF**

2

3 **BACKGROUND**

4 Judge Drakulich approved the Plaintiff's motion for a change of venue. However, instead of
5 relocating to Lyon County as the Plaintiff requested, she transferred the case to Carson City.
6 Carson City is just as biased against the Plaintiff if not more than. Carson City neighbors
7 Washoe County and has all the same conflicts as Washoe and more, making a fair trial for the
8 Plaintiff impossible. The Plaintiff then filed a Limited Motion for Reconsideration of Change of
9 Venue Location regarding the venue in her court. Yet, she moved the case to District 1 in Carson
10 City without upholding the Plaintiff's due process rights and civil procedures, neglecting to hear
11 the motion altogether.

12

13 **ARGUMENT**

14 The Plaintiff does not believe he is asking for the same motion to be heard, as his original motion
15 to change venues was granted. However, it was granted to a county more conflicted than the
16 original venue. As such, he filed a new motion titled "Limited Motion For Reconsideration For
17 Change Of Venue Location."

18

19 Out of an abundance of caution, Plaintiff adhered to all the timelines and filed a request for leave
20 to file the new motion, as Rule 12 of the District Court 2 Standard Rules and Practices states.

21

22 NRS 13.050 empowers this honorable court to remedy this error. The Plaintiff believes the
23 honorable Judge would not intentionally place him in a disadvantageous position. Therefore, she

1 may not be aware that Carson City's media is influenced by over 90% by Washoe County. The
2 defense and defendants have close ties to public servants in Carson City, and its population is
3 only 10% the size of Washoe County. This further underscores the impossibility of a fair trial for
4 the Plaintiff in Carson City, as Carson City could potentially be 10 times more biased against the
5 Plaintiff than in Washoe County. NRS 13.050 grants this honorable court the ability to address
6 this oversight and ensure a fair trial by moving the case to a neutral venue, such as Lyon County
7 or even Nye County.

8

9 NRS 13.050 (2)(b) states:

10 "Court may, on motion or stipulation, change the place of the proceeding in the following cases:

11 (b) When there is reason to believe that an impartial proceeding cannot be had therein."

12

13 From all the case law the Plaintiff has researched it can be summed up as, a court cannot simply
14 ignore a motion to reconsider. Instead, the court must either grant or deny the motion.

15

16 Neither was done.

17

18 **THE TRIAL SHOULD BE HELD IN LYON COUNTY**

19 Sanders v. Sears-Page, 131 Nev. Adv. Op. 50 (Nev. App. 2015)

20 "The Nevada Constitution, like the U.S. Constitution, guarantees litigants the right to a jury trial.

21 Nev. Const. art. 1, § 3 ; see U.S. Const. amend. VII. "The right to trial by jury, if it is to mean

22 anything, must mean the right to a fair and impartial jury." McNally v. Walkowski, 85 Nev. 696,

23 700, 462 P.2d 1016, 1018 (1969). "The importance of a truly impartial jury, whether the action is

1 criminal or civil, is so basic to our notion of jurisprudence that its necessity has never really been
2 questioned in this country.”
3 Judge Drakulich's decision not to address the Plaintiff's motions for reconsideration—after
4 redirecting the case from Lyon County to Carson City—risks the integrity of the case. This
5 action infringes upon the Plaintiff's rights, as stipulated by the NV Constitution and as
6 demonstrated in Sanders v. Sears-Page. This court has the power to right that wrong.

7

8 **CONCLUSION**

9

10 Your Honor,

11 I truly appreciate Judge Drakulich granting my motion to change venue locations. I believe it
12 was an honest mistake by Judge Drakulich to move it to an even more conflicted venue than the
13 previous one. It's not common knowledge that 90% of Washoe media is consumed in Carson
14 City, and that Carson City is just 10% the size of Washoe County. She did, however, fail to
15 address my motion to reconsider, which goes against case law, standard rules of procedures, and
16 my due process rights. But this, again, is most likely an oversight, perhaps to expedite the case to
17 the next venue. This court has the power to remedy all of these oversights. I respectfully ask this
18 court to uphold my rights and move this case to a neutral county, such as Lyon County or even
19 Nye County.

20

21 Respectfully submitted,

22

23 Robert Beadles

1 2885

2

3

4

5

6

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

7

8

9

MR. ROBERT BEADLES, an individual,

10

Plaintiff,

11

vs.

Case No.: CV23-01341

12

Dept. No.: 1

13

JAMIE RODRIGUEZ, in her official capacity

14

As Registrar of Voters and in her personal

15

Capacity; the WASHOE COUNTY

16

REGISTRAR OF VOTERS, a government

17

agency; ERIC BROWN in his official capacity

18

as WASHOE COUNTY MANAGER and in his

19

personal capacity, ALEXIS HILL in her official

20

capacity as CHAIRWOMAN OF WASHOE

21

COUNTY BOARD OF COMMISSIONERS and

22

in her personal capacity; WASHOE COUNTY,

23

Nevada, a political subdivision of the State of

24

Nevada, and DOES I-X; and ROE

25

CORPORATIONS I-X,

26

Defendants.

27

28

29

30

ORDER GRANTING DEFENDANT’S MOTION TO CHANGE VENUE

31

32

33

34

35

36

37

38

Currently before the Court is Defendant Robert Beadles’ (“Plaintiff”) *Motion to Change Venue* (“Motion”) filed August 13, 2023. On August 17, 2023, Jamie Rodriguez (“Ms. 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 (“County Manager Brown”) in his official capacity as Washoe County Manager and in his personal capacity; Alexis Hill (“Commissioner Hill”)

1 in her official capacity of Chairwoman of Washoe County Board of Commissioners and in her
2 personal capacity; and Washoe County, Nevada, a political subdivision of the State of Nevada
3 (collectively “Defendants”) filed an *Opposition to Motion for Change of Venue* (“Opposition”). On
4 August 24, 2023, Plaintiff filed *Reply in Support of Motion to Change Venue* (“Reply”) and submitted
5 the Motion to the Court for consideration.

6 **I. Background**

7 Plaintiff filed his *Complaint* (“Complaint”) on August 4, 2023. Therein, Plaintiff asserts the
8 following:

- 9 1. The Complaint is brought against Defendants based on their violations of Plaintiff’s state
10 Constitutional rights to due process, equal protection, voter’s rights, and the laws and
11 codes of Nevada related to the conduct of elections regarding Defendants’ non-response
12 to Plaintiff’s grievances and “general stonewalling” when presented with reports and
13 analysis on voting systems in use in Washoe County and various requests for information.
14 Complaint ¶ 33.
- 15 2. Plaintiff alleges violations of his rights and the laws of Nevada based on the Defendants
16 having never acknowledged or responded to three formal Petitions filed with the county
17 by Plaintiff. *Id.* ¶ 31.
- 18 3. Plaintiff will show that Defendants willfully committed acts of malpractice,
19 maladministration, and/or nonfeasance, and perjury in the conduct of their official duties,
20 thus having the appearance of impropriety and damaging the public’s trust. *Id.* ¶ 32.
- 21 4. Plaintiff includes Exhibit 109 that is a highlight of several supplemental statements in
22 support of the merits of the underlying Petitions. Individually and as a whole, Plaintiff
23 contends that the highlights presented in Exhibit 109 are of such a serious matter that they
24 cannot be ignored-just as the original Petitions should never have been ignored to cure the
25 problems that are self-evident, including but not limited to: unclean and grossly inaccurate
26 voter rolls, un-approved and unsecure voting systems that Defendants chose of their own
27 volition, the rush toward pioneering new technology that could impact county, state, and
28 national security, failure to train staff and election officials, failure to provide trained

1 election officials, telling staff to not verify signatures, unequal treatment of signatures at
2 the polls, counting of votes in secret, illegal function within the election system, and gross
3 violations of the Nevada Revised Statutes and Administrative Codes regarding election
4 procedures. *Id.* ¶ 33.

5 5. Exhibit 109, point 6 (a) provides “The Washoe ROV’s [Registrar of Voters] staff has seen:
6 ‘100% turnover in permanent staff and a loss of institutional knowledge.’ The Elections
7 Group 6-9-23.” The Election Group is the consulting agency initially hired by County
8 Manager Brown. *Id.* ¶ 34.

9 6. Plaintiff alleges the Registrar of Voters is in violation of Nevada law and, if left
10 uncorrected, is unprepared to run the 2024 presidential primary safely, securely, and
11 accurately as required by law unless all the issues are put on the table and addressed by
12 one or more Defendant(s) under the Court’s supervision. *Id.* ¶ 35.

13 7. Plaintiff alleges Defendant(s) ignored Plaintiffs Petitions as an annoyance and will
14 continue to do so if this Court does not intervene. *Id.* ¶ 36.

15 8. Plaintiff demands the Complaint and the underlying Petitions be heard by this honorable
16 court. *Id.* ¶ 37.

17 **II. Legal Authority**

18 The Nevada Supreme Court reviews a district court’s ruling on a motion for change of venue
19 under NRS 13.050(2) for an abuse of discretion. *Roethlisberger v. McNulty*, 127 Nev. 559, 563, 256
20 P.3d 955, 957 (2011). A district court may, on motion or stipulation, change the place of the
21 proceeding “[w]hen there is reason to believe that an impartial proceeding cannot be had therein” or
22 “[w]hen the convenience of the witnesses and the ends of justice would be promoted by the change.”
23 NRS 13.050(2)(b) and (c). “When the place of the proceeding is changed, all other matters relating
24 to the proceeding shall be had in the county to which the place of the proceeding is changed . . . and
25 the papers shall be filed or transferred accordingly.” NRS 13.050(3).

26 In evaluating a pre-voir dire change of venue motion, the Court considers five factors: “(1)
27 the nature and extent of the pretrial publicity; (2) the size of the community; (3) the nature and gravity
28 of the lawsuit; (4) the status of the plaintiff and defendant in the community; and (5) the existence of

1 political overtones in the case.” See *Nat’l Collegiate Athletic Ass’n v. Tarkanian*, 113 Nev. 610, 613-
2 14, 939 P.3d 1049,1051-52 (1997) (citing *People v. Hamilton*, 48 Cal.3d 1142, 774 P.3d 730 (1989)).

3 **III. Analysis**

4 In Plaintiff’s Motion, Plaintiff contends that the prevailing local conditions and recent actions
5 of the Defendants severely compromise the prospect of a fair trial in this jurisdiction. Mot. at 2:1-4.
6 Plaintiff first alleges media bias in this case, arguing Defendants have been assisted by local media
7 outlets to advance an imbalanced and partial narrative concerning the case’s merits. *Id.* at 2:6-7. First,
8 Plaintiff alleges this media effort involves revealing non-public records and aims to portray the
9 Plaintiff’s claims as lacking validity, even though substantial corroborative evidence exists. *Id.* at 2:7-
10 9. Second, Plaintiff alleges improper release of non-public records as seen in the text messages with
11 Mark Robison, a reporter. *Id.* at 2:15-19. Third, Plaintiff contends he has valid reasons to assert that
12 certain court officials, inclusive of judges and clerks in Washoe County, share professional and
13 personal affiliations with the Defendants – showing the appearance of impropriety and undermining
14 the Plaintiff’s trust in obtaining an impartial trial. *Id.* at 2:20-24. For the foregoing reasons, Plaintiff
15 believes that securing an impartial trial is implausible in Washoe County. *Id.* at 3:1-2. Plaintiff seeks
16 transfer of the case to Lyon County as it is neutral and geographically convenient. *Id.* at 3:2-3.
17 Plaintiff argues transfer to Lyon County would serve the best interests of the public, benefit all parties
18 involved, and present no prejudice or evidence challenges in relation to the case.

19 In the Opposition, Defendants first argue that the Motion is entirely meritless – claiming the
20 public interest is best served by holding this case within the venue of Washoe County. Opp. at 2:13-
21 26. Defendants contend Plaintiff is advancing an imbalanced and partial narrative concerning the
22 case’s merits. *Id.* Next, Defendants argue Beadles’ causes of action bear no right to a jury trial –
23 noting that the right to a jury trial does not extend to either the equitable claim or the removal
24 proceeding. *Id.* at 3:19-4:3. Further, Defendants argue that a pre-voir dire change of venue is
25 otherwise unwarranted here in consideration of the five-factors test as enumerated in *Tarkanian*. *Id.*
26 at 4:5-10. Defendants argue the nature and extent of pretrial publicity has, to date, been minimal. *Id.*
27 at 4:21-23. Next, as to size of community, the Defendant argues that Washoe County has nearly half
28 a million people – noting no evidence that a population this size evidences potential difficulty in

1 seating a jury. Further, as to nature and gravity of the case, Defendants argue that the ongoing political
2 environment, not Beadles' Complaint, bring the issues alleged to the forefront of the community's
3 consciousness – alleging this is no less true for Lyon County than it is for Washoe County. *Id.* at 5:12-
4 18. As to status in the community, Defendants contend there is nothing about Beadles or Defendants'
5 status that makes venue in Washoe County necessarily biased or impartial towards either party. *Id.* at
6 5:19-25. As to the existence of political undertones, Defendant again points out that the nature of the
7 case has been presented in communities across the nature since the last major election – showing no
8 mitigation can be gained by moving this case to another venue. *Id.* at 5:26, 6:1-3. Finally, the
9 Defendants argue the Motion further evidences forum shopping – alleging how Beadles has engaged
10 in overt forum and judge shopping. *Id.* at 6:18-26, 7:1-6.

11 In the Reply, Plaintiff contends that the public interests in this case are varied and not solely
12 financial. Reply at 3:25-28. Plaintiff lists several concerns in the Reply countering the Defendants
13 assertion that a jury trial is unnecessary in this case.¹ *See Reply generally.* Further, Plaintiff alleges
14 the Defendants' claim of forum-shopping is misleading and unfounded – noting how Plaintiff's
15 request for impartiality is not forum shopping, nor can it be construed that Plaintiff's prior actions
16 demonstrate ill intent in pursuing removal. *Id.* at 7-18. Plaintiff reiterates its allegations against the
17 Defendants – pointing to dozens of examples within the Exhibits he believes show Defendants'
18 attempts to portray him as a “right-wing conspiracy theorist.” *See Reply generally.* Finally, Plaintiff
19 argues all five prongs of *Tarkanian* have been met. *Id.* As to the nature and extent of the pretrial
20 publicity, Plaintiff argues the amount or level of publicity received (over 20 articles) supports a
21 showing of a vindictive tone portraying Beadles in the media. *Id.* at 13:9-16. Second, as to the size
22 of the community, Plaintiff argues that such a pervasive media presence in a county of 500,000 people
23 will render it “nearly impossible to find someone who hasn't heard about this ‘crazy right-wing
24 election denier, extremist.” *Id.* at 13:18-25. As to the nature and gravity of the lawsuit, Plaintiff
25 argues this factor favors change of venue considering the preexisting relationships between the
26 defense, the Defendants, court officials, and community leaders. *Id.* at 14:1-6. Further, Plaintiff

27 ¹ Plaintiff lists concerns in general categories, including: (1) Right to Impartial Adjudicator is Paramount; (2) Judges,
28 Though Presumed Unbiased, Are Human; (3) Right to Jury Trial in Constitutional Violations; (4) Monetary Damages
Claim; (5) Equitable Claims; (6) Discretion of the Court; (7) Precedence on Removal Proceedings; and (8) Purpose of a
Jury.

1 argues the status of the parties within the community clearly favors a change of venue – arguing the
2 Defendants have made Beadles a public figure by sending out several emails to the entire county
3 email list. *Id.* 14:21-23. Plaintiff again points to the extensive TV and social media coverage depicting
4 Beadles as an extremist. *Id.* at 14:23-28. Finally, Plaintiff alleges the existence of political overtones
5 in the case validates Beadles’ position that a change in venue is warranted – asserting how Beadles
6 has time and time again demonstrated the issues with the election system in Washoe County, a
7 paramount issue in the case that cannot be tried in an unbiased manner without a change in venue. *Id.*
8 at 15:3-16.

9 After reviewing the pleadings and applicable law, this Court finds good reason to grant the
10 Plaintiff’s Motion and transfer venue to the First Judicial District Court in Carson City, Nevada. As
11 discussed by the parties in the pleadings, this Court looks to the five *Tarkanian* factors to determine
12 if venue should be transferred.

13 The first factor, the nature and extent of the pretrial publicity, favors a change in venue.
14 Throughout his Motion, Plaintiff cites the extent of the pretrial publicity garnered from this dispute.
15 Plaintiff points specifically to Exhibits filed in support of the Motion that tend to show significant
16 media presence surrounding the case – including pieces of media republished on a Defendant’s
17 platform, and pieces published in highly trafficked local press. Further, Defendant argues the coverage
18 has expanded to the national media, citing to coverage in the Associated Press on the matter. The
19 Court agrees with the Plaintiff that the issues that are central to this case have been broadly covered
20 by local media outlets and widely distributed to the Washoe County voting population by computer
21 network applications such as email and Facebook, which favors a change in venue. Further, the
22 information generated by the parties is arguably polarizing and at times inflammatory, which also
23 favors a change of venue.² *See Sicor, Inc. v. Hutchinson*, 127 Nev. 904, 915, 266 P.3d 608, 616 (2011)

24 ² *See* Exhibit 120. “*Election-fraud claims resurfaced in Nevada as Robert Beadles revises Washoe County lawsuit.*”
25 “[Beadles’] goal ... remains the same: to have a court address the validity of his election grievances and remove Washoe
26 County Registrar of Voters Jamie Rodriguez, County Manager Eric Brown and Alexis Hill, Washoe County Commission
27 chair ... In response to the first lawsuit, the Washoe County District Attorney’s office sent Beadles a letter on Tuesday
28 calling his claims the “inaccurate rantings of a conspiracy theorist”. *Reno Gazette Journal*. *See also* Exhibit 132: “*Robert Beadles tests Washoe County election fraud claims in court.*” “For a year and a half, Robert Beadles has criticized Washoe County officials in public meetings, blog posts and email over election concerns. He’s now filed a lawsuit backing up his claims.” *Reno Gazette Journal*. *See also* Exhibit 135, Commissioner Hill’s campaign email. “Can you believe this? I’m being sued ... I wouldn’t let wild conspiracy theories stand in the way of our free and fair elections. Now, MAGA

1 (finding that a consideration of whether the evidence “reveal[s] the kind of inflammatory or polarizing
2 material associated with a need for change of venue” is proper.) Further, Plaintiff asserts that his
3 action is directed at changes to the voting process prior to the 2024 election, which is just fourteen
4 months from now. The possibility that a trial in this case will be close in time to, or coincide with the
5 election, is real.³

6 The second and third *Tarkanian* factors are viewed as neutral to this Court. On its face, the
7 Washoe County population (~500,000) evidences no identifiable issues favoring either party with
8 regard to seating a fair and impartial jury in this matter, nor is the nature or gravity of the issue in this
9 case unique to Washoe County alone.

10 The fourth factor, the status of the Plaintiff and Defendants in the community, favors a change
11 in venue. The summarization of Plaintiff’s pleadings above and the multitude of Exhibits filed in this
12 case detail the manner and extent to which he has become a well-known public figure in Washoe
13 County whose primary objective is criticizing and changing the manner in which elections are
14 conducted in Washoe County. Further, each of the Defendants is a publicly elected official, whose
15 campaigns include broad outreach to the county’s voting population which will comprise a jury, if
16 one is seated in this case. There is no denying that the parties in this case have unique and far-reaching
17 popularity in northern Nevada. Accordingly, this factor favors a change of venue.

18 The fifth factor, the existence of political overtones in the case, favors denying a change of
19 venue. This Court agrees that the political overtones in the case are not unique to Washoe County and
20 are experienced in many communities across the country with respect to local election integrity.

21 On balance, and in consideration of all *Tarkanian* factors, this Court finds it proper to grant
22 the Motion. The parties are entitled to entrust the important legal issues in this case to a venue where
23 there would be few if any external influences and where the *Tarkanian* factors are neutralized. While
24 factors two, three and five are not determinative, as discussed above, factors one and four weigh
25 heavily in favor of changing venue in this case. Further, the change of venue to the First Judicial
26 District considers the convenience of the parties and any witnesses that would be called to testify.

27 extremist and recent California transplant Robert Beadles is suing me. Guess what? I don’t cave to bullies! I need you
with us ... Together we can show Beadles and his army of extremists that they have no place in Washoe County.”

28 ³ The *Tarkanian* court also considered a sixth factor, which was not specifically enumerated: the amount of time that
separated the release of the publicity and the trial. *Tarkanian*, 113 Nev. at 614, 939 P.2d at 1052.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Based upon the foregoing and good cause appearing,

IT IS HEREBY ORDERED that Plaintiff Robert Beadles' *Motion to Change Venue* is GRANTED.

IT IS HEREBY FURTHER ORDERED that venue is changed to the First Judicial District Court in Carson City, Nevada for all further proceedings in the above-entitled matter.

IT IS SO ORDERED.

DATED this 13th day of September, 2023.



KATHLEEN M. DRAKULICH
DISTRICT JUDGE

1 **CERTIFICATE OF SERVICE**

2 CASE NO. CV23-01341

3 I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the
4 STATE OF NEVADA, COUNTY OF WASHOE; that on the 13th day of September, 2023, I
5 electronically filed the **ORDER GRANTING DEFENDANT’S MOTION TO CHANGE VENUE**
6 with the Clerk of the Court by using the ECF system.

7 I further certify that I transmitted a true and correct copy of the foregoing document by the
8 method(s) noted below:

9 **Electronically filed with the Clerk of the Court by using the ECF system which will send a notice**
10 **of electronic filing to the following:**

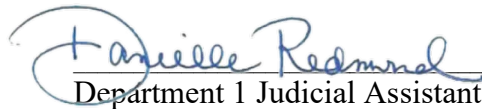
11 ROBERT BEADLES

12 LINDSAY LIDDELL, ESQ. for ALEXIS HILL, ERIC BROWN, WASHOE COUNTY,
13 JAMIE RODRIGUEZ

14 ELIZABETH HICKMAN, ESQ. for ALEXIS HILL, ERIC BROWN, WASHOE COUNTY,
15 JAMIE RODRIGUEZ

16 **Deposited to the Second Judicial District Court mailing system in a sealed envelope for postage**
17 **and mailing by Washoe County using the United States Postal Service in Reno, Nevada:**

18 [NONE]

19
20
21 
22 Department 1 Judicial Assistant
23
24
25
26
27
28