

1 **ORDR**

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA

4 KIM BLANDINO, 5 Plaintiff(s) 6 vs. 7 NEVADA DEPARTMENT OF PAROLE AND 8 PROBATION, TAMRAH JACKSON, 9 Defendant(s)	CASE NO: A-24-907619-W DEPT. 12
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11 **AMENDED ORDER RE PLAINTIFF'S "EMERGENCY MOTION FOR RELIEF**
12 **UNDER NRS 3.026 AND EJDC RULE 1.30 FROM CHIEF JUDGE WIESE IN HIS**
13 **ADMINISTRATIVE CAPACITY"**

14 **INTRODUCTION**

15 The above-referenced matter was set for hearing before Chief Judge Jerry A.
16 Wiese II on Thursday, November 6, 2025, at 9:30 a.m. in Courtroom 17A, with regard
17 to Plaintiff's "Emergency Motion for Relief Under NRS 3.026 and EJDC Rule 1.30
18 From Chief Judge Wiese in his Administrative Capacity."

19 Kim Blandino is the Plaintiff in this civil case, wherein he seeks a Writ of Habeas
20 Corpus. This matter is assigned to Judge Michelle Leavitt, in Department 12, as it
21 stems from a criminal case (C-19-341767-1), over which Judge Leavitt presided.

22 Although Mr. Blandino was previously determined to be a "vexatious litigant,"
23 this Court allowed his Petition for Writ of Habeas Corpus to be filed on 12/9/24, which
24 started this civil case. It relates to criminal case C-19-341767-1, and a Judgment of
25 Conviction entered 7/12/22, and amended 11/10/22, as a result of which Mr. Blandino
26 was sentenced to three years of probation. He appealed the conviction, but the
conviction was affirmed by the Nevada Court of Appeals.

27 On 12/17/24, only 6 days after filing his Petition for Writ of Habeas Corpus, Mr.
28 Blandino filed his first "... Motion to Disqualify Judge Michelle Leavitt and all of the
EJDC Judges ..." Although there was no evidence that Mr. Blandino complied with the
service requirement of NRS 1.234, Judge Leavitt filed a responsive affidavit on
12/23/24, and consequently, the Court analyzed the Motion on the merits. The thrust

1 of Mr. Blandino's argument was that he believed all of the Eighth Judicial District
2 Court Judges to be corrupt, and he believes he is a volunteer or self-appointed
3 investigator for the Commission on Judicial Discipline. On 12/30/24, this Court
4 entered an Order denying Mr. Blandino's Motion without a hearing. On 1/9/25, he
5 filed a Motion for Rehearing, which was denied in an Order filed 2/8/25.

6 On 10/8/25, Mr. Blandino appeared before Judge Leavitt in a hearing set for his
7 Urgent Motion for Funds in Accord with Widdis v. Second Jud. Dist. Ct. of State in &
8 for Cnty. of Washoe, 114 Nev. 1224, 968 P.2d 1165 (1998) for the Continuation of this
9 Petition for Writ of Habeas Corpus and Investigation and Discovery and Other
10 Necessary Costs filed in the underlying case. At that hearing, Mr. Blandino requested
11 the Court disqualify itself again. In response, Mr. Blandino was granted leave by Judge
Leavitt to file an appropriate motion to be heard by the Chief Judge.

12 On 10/13/25, Mr. Blandino filed the instant "Emergency Motion for Relief
13 Under NRS 3.026 and EJDC Rule 1.30 From Chief Judge Wiese in His Administrative
14 Capacity" which was ultimately set for hearing before this Court. On 10/23/25, the
15 State of Nevada filed an Opposition. On 10/30/25, Mr. Blandino filed a Reply.

16 The matter came on for hearing on 11/6/25. At the hearing, Mr. Blandino
17 appeared, along with the State, represented by Michael Schwartz, Esq. Both parties
were given the opportunity to present oral argument.

18 Having reviewed the pleadings, and having heard oral argument, and good cause
19 appearing, this Order now issues.

20 **DECISION AND ORDER**

21 Mr. Blandino's Motion is based upon NRS 3.026 and EDCR 1.30, which both
22 discuss the authorities of the "Chief Judge," and provide as follows:

23 **NRS 3.026 Chief Judge in certain judicial districts: Additional 24 duties.**

25 1. In each judicial district that includes a county whose population is
100,000 or more, in addition to the other duties set forth in NRS 3.025:

26 (a) The Chief Judge shall ensure that:

27 (1) The procedures which govern the consideration and disposition of
cases and other proceedings within the jurisdiction of the district court are
28 applied as uniformly as practicable; and

(2) Cases and other proceedings within the jurisdiction of the district
court are considered and decided in a timely manner.

(b) Except as otherwise provided in subsection 2, the Chief Judge shall
establish procedures for addressing grievances that are:

(1) Submitted to the Chief Judge by a party in a case or other proceeding within the jurisdiction of the district court; and

(2) Directly related to the administration of the case or other proceeding.

2. For the purposes of paragraph (b) of subsection 1, a party in a case or other proceeding within the jurisdiction of the district court may not submit to the Chief Judge a grievance that:

(a) Addresses, in whole or in part, the merits of the case or other proceeding; or

(b) Challenges, in whole or in part, the merits of any decision or ruling in the case or other proceeding that is made by:

(1) The district court; or

(2) A master or other person who is acting pursuant to an order of the district court or pursuant to any authority that is granted to the master or other person by a specific statute, including, without limitation, NRS 3.405, 3.475 and 3.500.

(Added to NRS by 1999, 703)

Rule 1.30. Chief Judge.

(a) The district judges must biennially select one of their number to serve as chief judge for a term of 2 years to begin July 1. However, by election, the term may be extended 2 years.

(b) The chief judge must:

(1) Be responsible for the chief judge's own motion calendar.

(2) Hear all extraditions and any other miscellaneous petitions regarding criminal matters.

(3) Share and direct responsibility for hearing both civil and/or criminal cases on an overflow basis, as necessary.

(4) Share and direct responsibility for hearing probate cases and oversee the functions of the probate commissioner and their staff.

(5) Refer all involuntary mental commitment proceedings to hearing masters, direct the appointment of said masters with the approval of the district judges, reduce to written order the findings of such masters, hear all objections to the master's findings, and direct the enforcement thereof as may be appropriate.

(6) Shall appoint, as necessary for the orderly conduct of court business, presiding judges over any of the various case types within the General Jurisdiction and Family Divisions of the court as may be warranted to assist the chief judge in their administrative duties over the court. Assignment should be made by administrative order describing the case type(s) presided over and the general duties of each respective presiding judge. Presiding judges serve at the pleasure of the chief judge.

(7) Make regular and special assignments of all judges and hear or reassign emergency matters when a judge is absent or otherwise unavailable.

(8) Instruct any grand jury impaneled; receive any reports, indictments, or presentments made by it; and handle any other matters pertaining to it.

(9) Supervise the court executive officer in the management of the court and the performance of the court executive officer's duties. Supervise the administrative business of the court and have general supervision of the attachés of the court. The various commissioners, referees, hearing officers, and court

1 hearing masters shall report to and be directed by their supervising presiding
2 judge pursuant to local court rule or as designated by the chief judge; however,
the chief judge will maintain general supervision over all such officers.

3 (10) Coordinate with the court clerk and the Office of the Clerk of the
4 Court to ensure quality and continuity of services necessary to the operation of
the court.

5 (11) Attend meetings of the divisions' judges.

6 (12) Approve requests by civil litigants to proceed in forma pauperis and
waiver of fees.

7 (13) Exercise general supervision over all administrative court personnel
8 who are not permanently assigned to a particular district judge.

9 (14) Determine the need for and approve:

10 (A) The allocation of space and furnishings in the court building;

11 (B) The construction of new court buildings, courtrooms, and related
physical facilities;

12 (C) The modification of existing court buildings, courtrooms, and
related physical facilities; and

13 (D) The temporary assignment or reassignment of courtrooms
between departments to accommodate the needs of litigants and efficient and
effective case management.

14 (15) Supervise the court's calendar and apportion the business of the
court among the several departments of the court as equally as possible.

15 (16) Reassign cases from one department to another department as
convenience or necessity requires. The chief judge shall have authority to assign
16 overflow cases.

17 (17) Appoint standing and special committees of judges as may be
advisable to assist in the proper performance of the duties and functions of the
18 court.

19 (18) Provide for liaison between the court and other governmental and
civic agencies and, when appropriate, meet with or designate a judge or judges
to meet with any committee of the bench, bar, news media, and community to
20 review problems and to promote understanding of the administration of justice.

21 (19) Ensure that court duties are timely and orderly performed.

22 (A) The chief judge shall set and preside over frequent and regular
meetings of the judges or an elected representative committee of the judges not
less than once a quarter and additional special meetings as may be required by
23 the business of the court, distributing to all judges a prepared agenda before the
meeting and minutes thereafter. If a quorum of judges is not present at the
24 quarterly judges' meeting, the chief judge shall have the authority to mandate
attendance at the next quarterly judges' meeting.

25 (B) The chief judge must designate another judge to perform the
chief judge's duties (serve as acting chief judge) in their absence (or
26 unavailability as chief judge). The acting chief judge shall serve at the pleasure of
the chief judge.

27 (C) The chief judge may be removed from office by a two-thirds vote
28 of the judges present at a duly noticed meeting. Any judge may appeal any order
of the chief judge to the full panel of the district judges in the district. Any order

1 of the chief judge can only be reversed by a two-thirds vote of the judges
2 attending a regularly scheduled meeting.

3 (D) The duties prescribed in these rules shall be done in accordance
4 with applicable Nevada Revised Statutes, Supreme Court Rules, and established
5 court policies. To facilitate the business of the court, the chief judge may
6 delegate the duties prescribed in these rules to other judges.

7 (20) Supervise all masters.

8 (A) The chief judge shall determine, within budgetary constraints,
9 the number of masters and the compensation to be paid to those masters based
10 on a salary schedule approved by a majority of the judges of the Eighth Judicial
11 District Court.

12 (B) The chief judge shall be responsible for disciplinary decisions
13 involving the masters.

14 (C) The chief judge shall be responsible for the assignment and
15 reassignment of masters to the various case types as necessary.

16 (21) An executive committee composed of the chief judge, all presiding
17 judges, and any others appointed to the committee by the chief judge shall meet
18 once a month to address any items of administration or other business and shall
19 provide a report and minutes of those meetings at the quarterly meeting of the
20 district judges.

21 [Amended; effective June 25, 2024.]

22 Initially, this Court notes that although Mr. Blandino titled the filing as a
23 “Motion for Relief Under NRS 3.026 and EJDC Rule 1.30 From Chief Judge Wiese in
24 His Administrative Capacity,” the motion is effectively requesting reconsideration of
25 the Court’s prior denial of his motion seeking the disqualification of Judge Leavitt and
26 all judges of the EJDC. Pursuant to EDCR 2.24, any motion seeking reconsideration of
27 a ruling must be filed within 14 days after notice of the prior order. The Court’s prior
28 Order denying Mr. Blandino’s Motion for Disqualification was entered on 12/30/24,
and his request for rehearing was denied 2/8/25. Based on EDCR 2.24, Mr. Blandino’s
request for reconsideration is untimely and must be denied. If it is not a request for
reconsideration, then it must be a renewed request for disqualification, but if that is the
case, he failed to comply with NRS 1.235 by serving notice to Judge Leavitt, or any
other Eighth Judicial District Court Judge, thus preventing any response, and
consequently, the Motion must be denied.

If this Court treated this Motion as titled—essentially a motion to compel the
Chief Judge to administratively reassign a case—the Court is then compelled to
consider the irrelevant and improper ramblings, and allegations contained in the
motion and what follows is a response to those.

1 Mr. Blandino specifically requests throughout his motion that this Court take
2 “judicial notice” of the following: 1) the pleadings and papers filed in four (4) other
3 cases; 2) the fact that “most all the prophets were stoned to death,” (referring to the
4 prophets referenced in the Bible); 3) that Judges Harter and Tobiasson both died of
5 suicide; 4) that because Mr. Blandino filed motions to disqualify against various judges,
6 they will all need to be called as witnesses; and 5) that the Court take “Judicial Notice”
7 of “the entire case file in case C-19-341767-1.” NRS 47.130 indicates that a judicially
8 noticed fact must be “generally known” within the jurisdiction, or “capable of accurate
9 and ready determination” by reference to sources whose accuracy are “not subject to
10 reasonable dispute.” The alleged facts that Mr. Blandino asks this Court to take
11 “judicial notice” of are either irrelevant to the issues at hand or do not qualify under
12 NRS 47.130. Additionally, the contents of an entire case file do not constitute a “fact
13 subject to judicial notice,” under NRS 47.130, or a qualified “matter of law” pursuant to
14 NRS 47.140. Accordingly, it is not appropriate for the Court to take Judicial Notice of
the aforementioned as requested by Mr. Blandino.

15 While the Court can take “Judicial Notice” that the language of NRS 1.235 has
16 been modified, the Court will not take “Judicial Notice” that multiple judges failed to
comply with the statute.

17 Mr. Blandino’s motion attempts to incorporate by reference “all of the papers
18 and pleadings on file in” several cases. Insofar as the review of this motion shall be
19 limited to the papers and pleadings on file herein, this Court will not consider any
20 pleadings and papers from the four (4) other cases referenced in Mr. Blandino’s
21 motion, which are not part of the record in this case. The review and determination of
22 this motion shall be limited to the record in the instant matter.

23 There are numerous other instances of Mr. Blandino requesting that the Court
24 take “judicial notice” of various items, statements, allegations or alleged facts. Because
25 such requests are voluminous and nonsensical, it appears Mr. Blandino may have a
26 fundamental misunderstanding of the purpose of taking “judicial notice” of specific
27 facts. This Court will not address all of these requests herein. However, should Mr.
28 Blandino be permitted to file in the future (subject to approval pursuant to the
Vexatious Litigant Order issued by Chief Judge Gonzalez) a separate motion regarding
matters of judicial notice, those issues would be presided over by the assigned judge in
the instant case.

1 Mr. Blandino argues that because he is “investigating all of the EJDC judges” he
2 must have all of them disqualified from his case, pursuant to *Rippo*, *Echavarria*, and
3 EDCR 2.11. Mr. Blandino’s self-appointed status as an “investigator” cannot create the
4 basis for disqualification. As Mr. Blandino has been informed previously, a party
5 cannot create a disqualifying conflict of interest by virtue of his own intentional actions.
6 (*City of Las Vegas Downtown Redevelopment Agency v. Hecht*, 113 Nev. 644, 649, 940
P.2d 134 [1997].)

7 Mr. Blandino suggests that because Judge Bell previously requested a senior
8 judge to hear a case or an issue, such a decision should have some precedential or
9 controlling influence on this Court. It does not. This Court previously ruled against
10 Mr. Blandino on this specific request.

11 Mr. Blandino states that Judge Leavitt “and many other judges in the underlying
12 criminal case” will need to be called as witnesses and therefore, must be disqualified.
13 Mr. Blandino’s desire to call Judge Leavitt, or any other judge as a witness, does not
14 make that judge a likely or probable witness in his habeas case. There is no indication
15 that Judge Leavitt, or any other judge, did anything outside their role as a judicial
16 officer in this matter, and if Mr. Blandino disagrees with Judge Leavitt’s rulings or
decisions, he has appellate rights that may be exercised.

17 Mr. Blandino cites to *Debiparshad* for the proposition that “Leavitt nor any
18 other EJDC judge can proceed further while a motion to disqualify is pending.” He
19 suggests that “[b]ecause Kim has been investigating all of the judges of the EJDC for
20 years and continues to do so under 2.11 all of the EJDC must be disqualified.” This
21 argument seems to imply that 1) his “investigation” of the EJDC judges stays the case
22 and that he considers the instant motion to be a request for disqualification. Either
23 way, his motion fails. His self-proclaimed investigation does not stay the case under
24 NRS 1.235 or *Debiparshad*. In addition, while the subject motion appears to address
25 disqualification, there is no pending Affidavit Seeking Disqualification filed in this
matter pursuant to NRS 1.235 or NCJC 2.11.

26 Mr. Blandino argues that this Court is “required” to reassign the pending motion
27 and the underlying case to a judge from another district. This Court acknowledges that
28 it has the authority to reassign cases as convenience and necessity require. When many
or all of the judges of the EJDC recuse from a case, this Court does have the authority,
as the Chief, to request reassignment to a Judge of another judicial district. In the

1 present case, however, Mr. Blandino has failed to provide any legal or factual basis to
2 support reassignment of this matter to another judicial district.

3 Mr. Blandino argues that pursuant to EDCR 3.026, the Chief Judge needs to
4 establish a procedure for addressing grievances. Such procedures are already in place,
5 and have been for some time. The EJDC Human Resources Department has available
6 customer satisfaction cards that can be submitted by anyone wishing to report a
7 grievance. If it is a concern that can be addressed by the Court's Human Resources
8 Department, it is addressed. If it is a grievance relating to the "administration of the
9 case or other proceeding" (i.e., that a case was filed in the wrong division, that a case
10 was given an improper designation, that a motion was improperly calendared, etc.), a
11 motion can be filed in the case, with a request that it be heard by the Chief Judge, and if
12 appropriate, it will be set on the Chief Judge's docket. In fact, in the instant case, Mr.
13 Blandino demonstrated his familiarity with the process by the filing of the subject
14 motion, indicating it was a matter to be decided by the Chief Judge. The motion was
thereafter set on the Chief Judge's docket, pursuant to statute and local rule.

15 On page 31 of his Motion, Mr. Blandino asserts the following:

16 Kim has now brought more information supporting Kim's request for
17 disqualification for Leavitt and the others. You Judge Wiese cannot
18 ignore that Chief Judge Bell for some of the same reasons recused all of
the EJDC as replacement judges.

19 This Court disagrees with Mr. Blandino's contention that he has submitted "more
20 information," to this Court supportive of his request for the disqualification of Judge
21 Leavitt and all of the other Eighth Judicial District Court Judges. In fact, his
22 allegations and information submitted, are very similar to what he has previously
23 submitted to this Court. Additionally, if his contention is that with "more information,"
24 the Court should "reconsider" its prior Order, again a Motion for Reconsideration is
25 untimely. If his Motion is intended to be a motion seeking "disqualification" pursuant
26 to NRC 1.235, he has failed to follow the requirements of that statute. Either way, the
Motion must be denied.

27 Mr. Blandino contends that he is "entitled to an investigator at state expense and
28 discovery to show the corruption..." (Motion at pg. 32). This Court is not sure whether
Mr. Blandino is complaining that Judge Leavitt has not agreed to an investigator at the
state's expense, or if he is requesting that relief of this Court. If it is being requested of

1 this Court, it is a request improperly before the Chief Judge, and is a request more
2 appropriate for the Judge to whom the case is assigned. If it is a complaint because of a
3 ruling of Judge Leavitt, Mr. Blandino has appellate options.

4 Mr. Blandino asserts that God directed him to the 17th floor of the Courthouse
5 on October 9, 2025, so he could be made aware of a disqualification motion being
6 heard that day (in a completely unrelated case). Mr. Blandino is not counsel for either
7 party to that case, doesn't know the factual or procedural history of that case, and even
8 if he did, his opinions about how the Court handled a case to which he has no
9 connection, is completely irrelevant.

10 Mr. Blandino's personal attacks on this Court, his allegations that this Court
11 does not follow the law and does not ask appropriate questions, etc., appear to
12 demonstrate a frustration Mr. Blandino's has with the Court system as a whole and are
13 not supported in the record. Mr. Blandino's belief that the judicial system is corrupt,
14 and that he has been called by God to expose corruption (which doesn't exist), has
15 resulted in him being referred to Competency Court, and being declared a Vexatious
16 Litigant. Mr. Blandino asserts that he has "rubbed" the Supreme Court's nose in the
17 fact that the EJDC was violating the law, and has successfully obtained writs against
18 Judge William Jansen and Judge Ritchie, and letters of caution against Justice
19 Herndon and former Judge Bare.¹ This Court is not sure why any of these issues would
20 be relevant to the current case, or the issues currently before this Court. Mr. Blandino
21 threatens this court that if it does not bring violations of the Code to the attention of the
22 Nevada Commission on Judicial Discipline, it is in violation of the law. This Court is
23 not aware of any violations of code or law by Judge Leavitt or any other judge of the
24 Eighth Judicial District, and consequently, because Mr. Blandino's allegations are
25 unsupported, no action by the Chief Judge is warranted in this regard.

26 Due to the rambling nature of the filing, this Court is somewhat unclear as to the
27 remainder of the exact relief Mr. Blandino is seeking in his 44 page motion. Initially, it
28 appears that he believes Judge Leavitt should be disqualified because she referred him

¹ This Court notes that the Writ of Mandamus relating to Judge Jansen was entered in 1987, and required that the traffic matters relating to "reckless driving" and "unlawful use of driver's license" be reassigned to another department. The Writ of Mandamus relating to Judge Ritchie was entered in 2001, and although Judge Ritchie had recused from Mr. Blandino's case, the Supreme Court ruled that there was insufficient basis for recusal, and the case was returned to him. Mr. Blandino submitted no documentary support for any of his other cases wherein he alleges to have prevailed before the Nevada Supreme Court. The Court does note that he attached a self-serving letter of his own, but the Court gives it no evidentiary weight.

1 to Competency Court. Mr. Blandino's statements then turn to a diatribe about the
2 EJDC Judges, as a group, being corrupt and needing to all be disqualified. Next, he
3 takes issue with the fact that Judge Leavitt allegedly excluded him from her courtroom,
4 and he indicates his desire to see Judge Leavitt removed from the bench. In his
5 conclusion, Mr. Blandino suggests that a motion seeking disqualification of Judge
6 Leavitt should not be required, because this Court could reassign the case based on
7 NRS 3.026.

8 To the extent that Mr. Blandino seeks a response from this Court relating to his
9 "grievances" against Judge Leavitt, pursuant to NRS 3.026, this Court finds no
10 legitimate factual or legal basis to reassign this case away from Judge Leavitt. The
11 Court finds no basis for disqualification pursuant to NRS 1.235, 1.230, or NCJC 2.11.
12 The Court further finds no basis for reassignment, reporting, or any other action,
13 relating to Mr. Blandino's accusations and allegations, pursuant to NRS 3.026 or any
14 other statute or rule.

15 Mr. Blandino alleges that Judge Leavitt has failed to issue a final order in C-18-
16 334876-A, and consequently should be disciplined. He has failed to provide any
17 support for this allegation, and the Court has no information to support it. It appears
18 that the last Motions heard in that matter were heard by Judge Scotti in 2019.

19 With regard to Mr. Blandino's specific requests, the Court hereby finds,
20 concludes, and rules as follows:

- 21 1) Mr. Blandino requests that the Nevada Supreme Court assign a judge from
22 another district to hear his post-conviction case. To the extent that this
23 Court has the ability to "request" such a reassignment, pursuant to EDCR
24 1.30 and 1.90, the request is DENIED, as there is no factual or legal basis for
25 such a request.
- 26 2) Mr. Blandino requests that this Court "report" violations of the code and law
27 by Judge Leavitt to judicial discipline, and refer criminal violations to state
28 and federal law enforcement. If this Court believed that Judge Leavitt had
violated any code or law, it would have an obligation to report such
violations, but this Court is not aware of any such violations, and
consequently, this request is DENIED.
- 3) Mr. Blandino requests that this Court "report" Judge Leavitt for failing to
issue orders regarding outstanding motions in C-18-334876. To the extent

1 that this Court has knowledge of that case, which is unrelated to the instant
2 case (with the exception that Mr. Blandino is a party), it appears that the
3 most recent hearings in that case were in 2019, with Judge Scotti.

4 Consequently, that request is DENIED.

- 5 4) Mr. Blandino requests that this Court find that other district court judges will
6 likely be called as witnesses, and consequently, he should be given a judge
7 from a different jurisdiction. This Court has no factual or legal basis to find
8 that any of the district court judges would likely be called as a witness in this
9 case or any other case of Mr. Blandino's, and consequently, this request is
10 DENIED.
- 11 5) Mr. Blandino requests that this Court "establish and publish" procedures for
12 filing grievances pursuant to NRS 3.026. As discussed herein above, there
13 are procedures in place, and Mr. Blandino has already taken advantage of
14 them. Consequently, this request is DENIED.
- 15 6) Mr. Blandino requests that the EJDC admit that it did not follow NRS 1.235
16 prior to the change in statute in 2023. This is an improper request of the
17 Chief Judge or any other judge. If Mr. Blandino did not believe that a rule or
18 statute was not followed prior to 2023, in relation to any specific case or
19 issue, he could have and should have filed an appeal to the Nevada Supreme
20 Court. To the extent that this Court has any authority to address this issue, it
21 is DENIED.
- 22 7) Mr. Blandino requests that he be allowed to present more evidence. This
23 Court gave Mr. Blandino ample time to present oral argument at the hearing
24 on Thursday, November 6, 2025. Rather than utilizing that time to
25 respectfully present evidence and argument and request appropriate relief
26 from the Court, Mr. Blandino instead used the time and opportunity with a
27 mindfulness toward the media camera present in the courtroom, rather than
28 with the presentation of evidence. When the Court confronted him about his
showmanship, Mr. Blandino demanded an apology from the Court, again
with an obvious awareness of the media camera. Despite Mr. Blandino's
demeanor, this Court remained patient and open-minded with regard to Mr.
Blandino's allegations, and gave him more than adequate time to make his
arguments. The subject motion, with attached exhibits, was 139 pages total.

1 This Court does not believe that giving Mr. Blandino leave to present “more”
2 evidence, would be a reasonable use of the Court’s limited time and
3 resources. Based upon the information provided, the Court sees no factual or
4 legal basis for the relief requested by Mr. Blandino, and consequently, his
5 request to present more evidence is DENIED.

- 6 8) At the 11/6/25 hearing, Mr. Blandino represented to the Court that he had
7 been granted *in forma pauperis* status in this case and requested the Court
8 order the preparation of the hearing transcript at no expense to him. Based
9 upon the representation that Mr. Blandino had IFP status, the Court granted
10 the request and ordered the preparation of the transcript without cost to Mr.
11 Blandino. Upon further review of this case, the Court finds Mr. Blandino
12 does not appear to have been granted in forma pauperis status in this case
13 and therefore, the Court hereby reverses its oral order and the transcript
shall “not” be prepared without payment by Mr. Blandino.

14 Further, this Court will take Judicial Notice of the Order (attached here as
15 Exhibit A) issued by Judge Betsy Gonzalez and filed on 7/2/2018, in case no. 18-
16 A775478-J, declaring Kim Blandino a Vexatious Litigant and setting forth, in part, the
following:

- 17 1) Kim Blandino may not file any new litigation as a proper person without first
18 obtaining leave of the Chief Judge of the Eighth Judicial District Court.
19 2) If Kim Blandino believes he has a meritorious claim or action that he wishes
20 to file in the Eighth Judicial District Court, he may obtain permission from
21 the Chief Judge of the EJDC, pursuant to the following procedure:
22 a. All communications between Kim Blandino and the Eighth Judicial
23 District Court must be in writing and contain appropriate content.’
24 b. Kim Blandino may submit, in writing, by hand delivery or mail, the
25 petition, motion, claim or complaint which he seeks to file to the Chief
26 Judge of the Eighth Judicial District Court by delivery to the Eighth
27 Judicial District Court Clerk’s Office.
28 c. The Chief Judge of the Eighth Judicial District Court, or the Chief Judge’s
designee, will review the submission.
d. If the Chief Judge of the Eighth Judicial District Court, or the Chief
Judge’s designee, determines that the submission is non-frivolous and

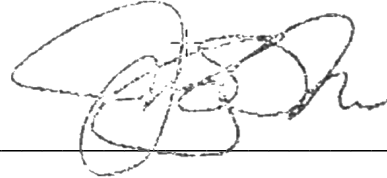
made in good faith, the submission may be provided to the Eighth Judicial District Court Clerk's Office for filing upon presentation of any applicable filing fee by Kim Blandino.

- e. If the submission is rejected, or if Kim Blandino does not follow the submittal procedure, Kim Blandino may be sanctioned by this Eighth Judicial District Court in the amount of \$100 per violation payable to the Legal Aid Center of Southern Nevada.

The Court further finds that Mr. Blandino has filed multiple redundant motions raising arguments previously addressed and rejected by this Court. Mr. Blandino is hereby admonished that any further filing of repetitive or duplicative motions will compel the Court to consider sanctions pursuant to the Order issued by Judge Betsy Gonzalez and the Court's authority to prevent abuse of the judicial process.

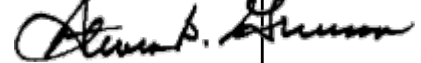
In summary, all of the relief requested by Mr. Blandino is hereby **DENIED**. His "Emergency Motion for Relief Under NRS 3.026 and EJDC Rule 1.30 From Chief Judge Wiese in his Administrative Capacity," is hereby **DENIED**.

Dated this 1st day of December, 2025



DB0 F98 97B4 034D
Jerry A. Wiese
District Court Judge

Exhibit A



1 FFCL

2
3
4 DISTRICT COURT
CLARK COUNTY, NEVADA

5 KIM BLANDINO,

6 Complainant,

7 vs.

8 DOUGLAS HERNDON,

9 Real Party in Interest.
10

Case No. 18-A775478-J

Department No. XI

11 **ORDER**

12
13 This matter having come on for hearing on June 28, 2018, KIM BLANDINO, having
14 notice of said hearing, having filed a document entitled "Emergency Motion to Quash order to
15 Show Cause or in the Alternative if the Chief Judge Gonzales will Comply with the Mandatory
16 language of NRS 3.02 and Sets Up Procedures that Do Not Require the Filing of a Civil Action
17 Complainant Kim will Voluntarily Dismiss This Suit or in the alternative if Chief Judge
18 Gonzales will not comply with NRS 3.026 Kim Requests that Judge Gonzales Resign as Chief
19 Judge" on June 7, 2018 in response: KIM BLANDINO appearing in proper person; the Court,
20 having read and considered the papers filed by KIM BLANDINO and having heard and carefully
21 considered the demeanor and presentation of KIM BLANDINO, the oral statements made by
22 KIM BLANDINO, and the written materials submitted by KIM BLANDINO,¹ and with the
23 intent of deciding the issue identified in this Court's Order to Show Cause filed on June 5, 2018
24 and the "Emergency Motion to Quash order to Show Cause or in the Alternative if the Chief
25 Judge Gonzales will Comply with the Mandatory language of NRS 3.02 and Sets Up Procedures
26 that Do Not Require the Filing of a Civil Action Complainant Kim will Voluntarily Dismiss This
27 Suit or in the alternative if Chief Judge Gonzales will not comply with NRS 3.026 Kim Requests

28 This includes the materials submitted by KIM BLANDINO in open court marked as Court's Exhibits 2-5.

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3 JUL 02 2018

CLERK OF THE COURT

4/5

1 that Judge Gonzales Resign as Chief Judge" filed on June 7, 2018 (the "Motion to Quash"); the
2 Court makes the following findings of fact and conclusions of law related to whether KIM
3 BLANDINO is a vexatious litigant:

4 1. KIM BLANDINO repeatedly files unmeritorious motions, pleadings, and other
5 papers in this and other cases.

6 2. KIM BLANDINO's filings are repetitive, and appear to be filed merely for the
7 purpose of harassment.

8 3. After evaluation of numerous submissions in this case and in cases C217569,
9 A764148, C302515 and A547536 filed by KIM BLANDINO which were separately evaluated,
10 the Court has determined that the submissions whether a motion, petition or other type of
11 submission are harassing, frivolous and extremely burdensome to the Court.

12 4. KIM BLANDINO's continued attempts to act as counsel for other litigants and as
13 an interloper in cases he is not a party is frivolous, disruptive to the rights of litigants, and
14 extremely burdensome to the Court.

15 5. In Case No. A547536 in denying the second motion to disqualify, the Court found
16 that KIM BLANDINO filed the second motion to disqualify "solely for the purpose of disrupting
17 and delaying the adjudication of the instant case."²

18
19 6. In Case No. C302515, KIM BLANDINO had limited access to certain portions of
20 the Regional Justice Center due to inappropriate conduct on multiple occasions in Department
21 32.³ This conduct included "sitting at counsel table with multiple in propria persona appellants
22 during their court appearances" where he was not a party⁴ and "attempting to represent the
23 interests of appellants with ongoing cases"⁵ although not licensed as an attorney. The Nevada
24

25 ² Exhibit 1 at Page 2, lines 22-23.

26 ³ Exhibit 2, at page 5, lines 11-12.

27 ⁴ Exhibit 2, at page 1, lines 19-20.

28 ⁵ Exhibit 2 at page 1, lines 26-27.

1 Supreme Court denied the petition for extraordinary relief related to that Order by written order
2 filed 06/16/2016 in Case No. 68761.

3
4 7. In Case No. A764148, the co-plaintiff has alleged that KIM BLANDINO's
5 conduct in that case, as well as in C217569, is for an improper purpose.

6 Plaintiff Blandino was attempting a collateral attack on the return of these financial
7 documents through Judge Herndon, by attempting to threaten him into enforcing the
8 order previously made by another sitting judge and has taken off on a tangent and/or
9 personal vendetta against Judge Herndon. He has began (sic) threatening Judge Herndon
10 with similar threats that he has made to this Court. As such, Plaintiff, Gary Walters, has
11 determined that Mr. Blandino's (sic) has completely lost his focus and is now pursuing
12 his own interests instead of the interests of his co-Plaintiff, which is to pursue the return
13 of over 100 million dollars and later even more.

14 Mr. Blandino's pursuit of the tangential issues has taken on a surreal manifestation in this
15 case and now the plaintiff can no longer be associated with this type of ego mania or
16 cocksmanship, which on its face appears to be the manifestation of some kind of menical
17 (sic) or mental defect.

18 Exhibit 3, Ex Parte Motion filed 2/2/18 at page 5, lines 12-25.

19 8. The "Emergency Complaint/Grievance Pursuant to NRS 3.026 and EDCR 1.30
20 and 7.10 Against Judge Douglas Herndon and Other Collateral Matters Directed to Chief Judge
21 Gonzales Including Demand that Chief Judge Gonzales Issue an Administrative Order that Sets
22 Procedures Pursuant to NRS 3.026 or in the Alternative in a Writing Accessible to the Public Set
23 Forth Such Procedures So that the Public and the Parties Can Know How to File Grievances or
24 Complaints as Contemplated by NRS 3.026, or in the Alternative, Any Legal Action That Brings
25 This Filing Before Chief Judge Gonzales in Her Capacity as Chief Judge" ("Complaint") in Case
26 No. A775478-J appears to be filed as a result of this Court's written order filed 03/27/18 denying
27 the "Emergency Ex Parte Notice and Demand By Amicus Curiae Kim Blandino "Kim" for Judge
28 Herndon Pursuant to Ground NRS 1.230 2(c) So that Kim and Judge Herndon Are Free to Settle
the Matter of Judge Herndon's Multiple Violations on 1/18/18 of the Revised Nevada Code of
Judicial Conduct "Code" and of Kim's Civil Rights and to Avoid Having to File a Complaint
with the Commission on Judicial Discipline and/or a Federal Civil Rights Complaint" filed in

1 Case No. C-05-217569-1 on 1/22/18 and the related filings.⁶ As part of Judge Herndon's
2 affidavit in response to that motion, it was reported that KIM BLANDINO "attempted to
3 approach counsel table" although neither a party nor a licensed attorney;⁷ and attempted to
4 appear in the criminal case although neither a party nor a licensed attorney.⁸

5 9. The Court finds after evaluation of the numerous filings made in this and other
6 matters, the materials presented for consideration and argument made during the hearing on the
7 Order to Show Cause, and after considering the demeanor and presentation of KIM BLANDINO
8 in open Court, that KIM BLANDINO is a vexatious litigant.

9 10. To guide courts in determining whether to declare a litigant vexatious, the Nevada
10 Supreme Court in Jordan v. State, Department of Motor Vehicles, 121 Nev. 44, 110 P.3d 30
11 (2005) adopted a four-factor analysis as originally set forth by the Ninth Circuit: 1) the litigant
12 must be provided reasonable notice and an opportunity to respond (Show Cause Hearing); 2) an
13 adequate record illustrating specific cases, documents, and reasons in support of a vexatious
14 litigant classification must be created; 3) substantive findings as to the frivolous and harassing
15 nature of the litigant's actions must be made; and 4) the restrictive order must be narrowly drawn
16 so as to protect the litigant's constitutional rights.⁹ In detailing this four-step process, the
17 Nevada Supreme Court carefully noted the purpose of this approach was to curb flagrant abuse
18 of the judicial process while ensuring litigants' right of access to the courts. Because vexatious
19 litigant orders restrict this right, they must be based on adequate justification supported in the
20 record and narrowly tailored to address the specific abuse.¹⁰ The Court further noted the
21 appropriate standard of review for restrictive orders is the abuse of discretion standard.¹¹

23 ⁶ Exhibit "4".

24 ⁷ Exhibit "5" at paragraph 35.

25 ⁸ Exhibit "5" at paragraph 44-45.

26 ⁹ *Jordan*, 121 Nev. at 60-63.

27 ¹⁰ *Jordan*, 121 Nev. at 63.

28 ¹¹ *Id.*

1 11. KIM BLANDINO has been provided reasonable notice and an opportunity to
2 respond.

3 12. KIM BLANDINO's request that this Court voluntary recuse itself is denied, as no
4 basis for recusal exists.

5 13. KIM BLANDINO's request that this Court disqualify itself based upon his oral
6 request is denied, as there is no pending written motion for disqualification and no basis for
7 disqualification exists.

8 14. KIM BLANDINO's request that this Court adjourn these proceedings so that he
9 may file a written motion for disqualification is denied, as the issues raised by KIM BLANDINO
10 have been known to him since at least June 7, 2018, when he filed the Motion to Quash.

11 15. KIM BLANDINO's request that this Court stay these proceedings so that he may
12 seek extraordinary relief is denied, as the issues raised by KIM BLANDINO have been known to
13 him since at least June 7, 2018, when he filed the Motion to Quash.

14 16. KIM BLANDINO's request that this Court adjourn these proceedings so that he
15 may file a written motion for disqualification is denied, as the issues raised by KIM BLANDINO
16 have been known to him since at least June 7, 2018, when he filed the Motion to Quash.

17 17. The Motion to Quash is denied, as there is no good faith basis raised by KIM
18 BLANDINO to quash the Order to Show Cause.

19 18. KIM BLANDINO's submissions are made for an improper purpose.

20 19. The materials submitted by KIM BLANDINO in this matter are designed to
21 harass.

22 20. It is hereby ordered that in the Eighth Judicial District Court, KIM BLANDINO
23 may not stand in front of the bar in any hearing in which he is not a party nor may he sit at
24 counsel table in any hearing in which he is not a party.¹²

25
26
27 ¹² This restriction will not apply if KIM BLANDINO is subpoenaed as a witness or summoned as a juror. In
28 those two situations, KIM BLANDINO may specifically be directed to a location by the presiding judge or marshal
of the department to which he has been summoned. If KIM BLANDINO should become licensed to practice law in
the State of Nevada he may seek a modification of this Order.

1 21. It is hereby ordered that in the Eighth Judicial District Court, KIM BLANDINO
2 may not file any new materials in this case as a proper person without first obtaining leave of the
3 Chief Judge of the Eighth Judicial District Court.

4 22. It is hereby ordered that in the Eighth Judicial District Court, KIM BLANDINO
5 may not file any new litigation as a proper person without first obtaining leave of the Chief
6 Judge of the Eighth Judicial District Court.

7 23. It is further ordered that if KIM BLANDINO believes he has a meritorious claim
8 or action that he wishes to file in the Eighth Judicial District Court, KIM BLANDINO may
9 obtain permission from the Chief Judge of the Eighth Judicial District Court, pursuant to the
10 following procedure:

11 a. All communications between KIM BLANDINO and the Eighth Judicial District
12 Court must be in writing and contain appropriate content.

13 b. KIM BLANDINO may submit in writing, by hand delivery or mail, the petition,
14 motion, claim or complaint which he seeks to file to the Chief Judge of the Eighth Judicial
15 District Court by delivery to the Eighth Judicial District Court Clerk's Office.

16 c. The Chief Judge of the Eighth Judicial District Court, or the Chief Judge's
17 designee, will review the submission.

18 d. If the Chief Judge of the Eighth Judicial District Court, or the Chief Judge's
19 designee, determines that the submission is non-frivolous and made in good faith, the submission
20 may be provided to the Eighth Judicial District Court Clerk's Office for filing upon presentation
21 of any applicable filing fee by KIM BLANDINO.

22 e. If the submission is rejected, or if KIM BLANDINO does not follow the submittal
23 procedure, KIM BLANDINO may be sanctioned by this Eighth Judicial District Court in the
24 amount of \$100 per violation payable to Legal Aid Center of Southern Nevada. The Eighth
25 Judicial District Court determines that this is the amount which is the minimum to ensure that
26 future frivolous filings are not made. If the Eighth Judicial District Court determines in the future
27 that this amount does not deter KIM BLANDINO, the Eighth Judicial District Court may make a
28 determination that the sanction amount is insufficient to deter this conduct, may sanction KIM

1 BLANDINO further in accordance with the provisions of NRCP 11, and/or that KIM
2 BLANDINO may be held in contempt pursuant to NRS Chapter 22.

3 24. This ruling does not apply to any appeal of this order or appeal of any of the
4 orders entered in this case or in Case No. C-05-217569-1 or Case No. A764148.

5 25. This ruling does not apply to any filing on his own behalf as an individual party in
6 Case No. A764148.

7 26. It is further ordered that violation of this order may result in sanctions pursuant to
8 the Nevada Rules of Civil Procedure Rule 11 and/or a finding contempt of court pursuant to NRS
9 Chapter 22 punishable by a fine or imprisonment.

10 IT IS FURTHER ORDERED that the Complaint be dismissed as frivolous with no basis
11 in fact or law for the relief requested.

12
13 DATED this 28th day of June 2018.

14
15 
16 ELIZABETH GONZALEZ,
17 DISTRICT JUDGE

18 **Certificate of Service**

19 I hereby certify that on or about the date filed, I mailed a copy of this Order to:

20 Kim Blandino, in Proper Person
21 c/o 441 N. 16th Street
22 Las Vegas, NV 89101
23 702-219-5657

24 
25 Dan Kutinac
26
27
28

EXHIBIT 1

7
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CLERK - DISTRICT COURT

1 ORD
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DISTRICT COURT
CLARK COUNTY, NEVADA

9 KIM BLANDINO,

10 Plaintiff,

11 vs.

12 PENELOPE CARR and PHOENIX RISING
13 APPRAISAL SERVICE,

14 Defendants.
15

A547536
CASE NO. A540717

DEPT. XXII

(Consolidated)

16 KIM BLANDINO,

17 Plaintiff,

18 vs.
19

20 PENELOPE CARR and JOHN KELLEHER,

21 Defendants.
22

CASE NO. A547536

DEPT. NO. XXII

**ORDER STRIKING PLAINTIFF'S MOTION TO DISQUALIFY JUDGE KATHY
HARDCASTLE FROM HEARING THE MATTER OF THE DISQUALIFICATION OF
JUDGE SUSAN JOHNSON and DENYING PLAINTIFF'S SECOND MOTION TO
DISQUALIFY JUDGE SUSAN JOHNSON**

WHEREAS, Plaintiff filed his first Motion to Disqualify Judge Susan Johnson on June 30,

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CLERK OF THE COURT

1 2008; and

2 WHEREAS, this Court denied Plaintiff's first Motion to Disqualify Judge Susan Johnson
3 on July 9, 2008; and

4 WHEREAS, Plaintiff filed a second Motion to Disqualify Judge Susan Johnson on July 21,
5 2008; and

6 WHEREAS, Plaintiff also filed a Motion to Disqualify Judge Kathy Hardcastle from
7 hearing the hearing the second Motion to Disqualify Judge Susan Johnson; and

8 WHEREAS, this Court finds that Plaintiff's Motions filed on July 21, 2008 are motivated
9 by his discontent with this Court's decision on the first Motion to Disqualify Judge Johnson; and

10 WHEREAS, this Court finds that Plaintiff's Motions are being filed solely for the purpose
11 of disrupting and delaying the adjudication of the instant case; and

12 WHEREAS, District Court Department IV is not the department assigned to this case; and

13 WHEREAS, Plaintiff may not create his own grounds for disqualification by filing multiple
14 motions to disqualify; and

15 WHEREAS, Plaintiff's Motion to Disqualify Judge Hardcastle was filed after Judge
16 Hardcastle made a ruling on the first Motion to Disqualify Judge Johnson; and

17 WHEREAS, Plaintiff's second Motion to Disqualify Judge Susan Johnson fails to set forth
18 any cognizable grounds to warrant a disqualification; therefore

19
20 **ORDER**

21 IT IS HEREBY ORDERED that Plaintiff's Motion to Disqualify Judge Kathy Hardcastle
22 from Hearing the Matter of the Disqualification of Judge Susan Johnson, having been filed solely for
23 the purpose of disrupting and delaying the adjudication of the instant case, is STRICKEN as being
24 untimely and improperly filed after Judge Hardcastle made a ruling on Plaintiff's first Motion to
25 Disqualify, and the hearing set for this matter on August 21, 2008 is VACATED.

1 IT IS FURTHER ORDERED that Plaintiff's second Motion to Disqualify Judge Susan
2 Johnson is hereby DENIED, as this Court has previously ruled on this issue and Plaintiff failed to
3 present any new facts that warrant a disqualification. Further, the hearing set for this matter on
4 August 22, 2008 is hereby VACATED.

5 Further, if Plaintiff continues to file groundless Motions to Disqualify for the purpose of
6 disrupting or delaying the adjudication of the instant case, Plaintiff may be held in contempt of court,
7 subjecting Plaintiff to fines and/or jail time.

8
9 DATED this 7 day of August, 2008

10
11 **KATHY A. HARDCASTLE**

12 **DISTRICT COURT JUDGE**
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Certificate of Mailing

I hereby certify that on the date filed, I FAXED, MAILED, or otherwise had DELIVERED
copies of this Order to the following:

Judge Susan Johnson (702) 671-0571 (fax)

John T. Kelleher, Esq. (702) 384-7545 (fax)

Kim Blandino
C/O 825 Clarice Lane
Boulder City, NV 89005



Jeffrey J. Todd

EXHIBIT 2


CLERK OF THE COURT

1 **ORDR**

2
3 **DISTRICT COURT**
4 **CLARK COUNTY, NEVADA**

5 *****

6
7 Kim Blandino,
8 Appellant,
9 vs.
10 City of Las Vegas,
11 Respondent.
12

CASE NO.: C-14-302515-A

DEPT. NO. 32

13
14 **CONTEMPT AND RECUSAL ORDER**

15
16 **Factual Background**

17 Kim Blandino (hereinafter "Blandino") committed the following acts in the
18 immediate view and presence of the court:

19 On July 22, 2015, Blandino proceeded to sit at counsel table with multiple in
20 propria persona appellants during their court appearances, despite being repeatedly
21 told to stay in the gallery until his case was called. Specifically, Blandino sat with
22 appellants during Steven Bryant Dempsey vs. State of Nevada, C-14-300100;
23 Lawrence Sparks vs. Henderson Municipal Court, C-15-305849; and Donald E
24 Clausen vs. City of Las Vegas, C-15-306563. Blandino was warned multiple times to
cease his disruptive behavior or he could be banned from the courtroom.

25 Additionally, on August 12, 2015, Blandino attempted to represent the interest
of appellants with ongoing cases. Specifically, Blandino came in prior to court and
addressed the clerk of court, Billie Jo Craig, on page ten of the Court's calendar,

1 Darcie Lee Aggen vs. City of Las Vegas, C-15-307950, and on page twelve of the
2 Court's calendar, Jermaine Gomes vs. City of Las Vegas, C-15-307960. Blandino
3 walked through the gallery, past the bar and podium, and addressed the clerk of court,
4 who is situated next to the judicial bench. The clerk of court checks in individuals
5 that appear in propria persona and attorneys representing clients by writing their name
6 on the calendar next to the party they represent. When Blandino approached the clerk
7 of court and addressed her regarding appellants Darcie Lee Aggen and Jermaine
8 Gomes, she believed Blandino was there to represent these appellants in a lawyer
9 capacity. The clerk of court wrote "Kim Blandino" under the attorney section of the
10 calendar on both page ten and page twelve. See attached. Blandino is not a lawyer
11 and therefore cannot represent appellants. Even if Blandino was not attempting to
12 represent the appellants, at a minimum, his activities interrupted the judicial
13 proceedings in a way that this Court felt was a disturbance. These actions are
14 concerning to this Court. This Court cannot condone Blandino's actions and finds
15 that he committed acts constituting contempt of court when he came into court as a
16 nonlawyer, addressed the clerk of court regarding cases that are pending, and
17 attempted to act as a representative to an individual, even if these actions are only
18 procedural in nature.

19 Moreover, on August 4, 2015, during a Motion to Continue Trial hearing in
20 Felipa Garza vs. Danny Myers, A-12-657287, Blandino entered the courtroom, sat
21 down, loudly laughed, and exited the courtroom.

22 **Conclusions of Law**

23 Courtroom and courthouse premises are subject to control of court. Sheppard
24 v. Maxwell, 384 U.S. 333, 86 S. Ct. 1507, 16 L. Ed. 2d 600 (1966). A court has
25 inherent power to protect the dignity and decency of its proceedings and to enforce its
26 decrees, and thus it may issue contempt orders. Halverson v. Hardcastle, 123 Nev.
27 245, 261, 163 P.3d 428, 440 (2007). A court also has inherent power to preserve the
28

1 integrity of the judicial process. Id. Courts have power to hold individuals in
2 contempt and exclude them from the courtroom. Mayberry v. Pennsylvania, 400 U.S.
3 455, 463, 91 S. Ct. 499, 504, 27 L. Ed. 2d 532 (1971).

4 A breach of the peace, boisterous conduct or violent disturbance in the presence
5 of the court, or in its immediate vicinity, tending to interrupt the due course of the trial
6 or other judicial proceedings constitutes contempt. NRS 22.010(2). NRS 22.030(1)
7 declares that when a contempt is committed in the immediate view and presence of
8 the court or judge at chambers, it may be punished summarily, for which an order
9 shall be made, reciting the facts as occurring in such immediate view and presence,
10 adjudging that the person proceeded against is thereby guilty of a contempt and that
11 he be punished as therein prescribed.

12 NRS 22.100 allows this Court to fine an individual who is found guilty of
13 contempt an amount of \$500.00 or imprisonment of that person for a period not to
14 exceed 25 days. At this time, this Court will impose neither a fine nor imprisonment;
15 however, this Court feels it is appropriate, in light of the ongoing contempt, to ban
16 Blandino's further presence from this courtroom. It is with internal reservation for
17 this Court to close the courtroom doors to anyone.

18 Many jurisdictions have upheld court orders banning individuals from
19 courtrooms. See United States v. Mourad, 289 F.3d 174, 179 (1st Cir. 2002) (the
20 Court upheld the order in question, which barred defendant from entering floor of
21 building on which bankruptcy court was located); Gumbs v. Martinis, 40 A.D.2d 194,
22 338 N.Y.S.2d 817 (1972) (the Court upheld contempt order relating to defendant's
23 return to courtroom after presiding justice had banned defendant from the courtroom).
24 This penalty is appropriate because of Blandino's demonstrated course of conduct in
25 disrupting and interrupting the due course of judicial proceedings in this Court, which
26 this Court finds is a breach of peace, boisterous conduct, and a violent disturbance in
27 the presence of this Court and its personnel.
28

1 Specifically, this Court bans Blandino from further involvement in courtroom
2 3C or the area right outside the courtroom. If Blandino comes into courtroom 3C or if
3 it comes to this Court's attention that Blandino is within twenty-five feet of the outer
4 doors to courtroom 3C, that will constitute further contempt, and this Court will
5 impose punishment that contempt law allows, which includes ordering Blandino's
6 incarceration for up to 25 days.

7 Therefore, considering all the facts this Court addressed on the record and in
8 this Order, Blandino's actions constitute contempt, which occurred in the immediate
9 view and presence of the Court.

10 A judge has a general duty to sit and preside to the conclusion of all
11 proceedings, unless a judicial canon, statute, or rule requires the judge's
12 disqualification. Millen v. Eighth Judicial Dist. ex rel. Cnty. of Clark, 122 Nev. 1245,
13 1253, 148 P.3d 694, 700 (2006). Disqualification for personal bias or prejudice will
14 depend on the circumstances of each case. Millen v. Eighth Judicial Dist. ex rel.
15 Cnty. of Clark, 122 Nev. 1245, 1255, 148 P.3d 694, 701 (2006). Recusal is
16 appropriate when a judge's impartiality might reasonably be questioned. PETA v.
17 Bobby Berosini, Ltd., 111 Nev. 431, 436, 894 P.2d 337, 340 (1995), overruled in part
18 on other grounds by Towbin Dodge, LLC v. Dist. Ct., 121 Nev. 251, 112 P.3d 1063
19 (2005). A judge shall disqualify himself in any proceeding in which the judge's
20 impartiality might reasonably be questioned, including when the judge has a personal
21 bias or prejudice concerning a party. Nev. Sup. Ct. R. CJC Canon 2, Rule 2.11. A
22 judge is disqualified whenever the judge's impartiality might reasonably be
23 questioned, regardless of whether any of the specific provisions of Rule 2.11,
24 paragraphs (A)(1) through (6) apply. Nev. Sup. Ct. R. CJC Canon 2, Commentary
25 cmt. 1. A judge, upon the judge's own motion, may disqualify himself or herself from
26 acting in any matter upon the ground of actual or implied bias. NRS 1.230(3).
27
28

1 In this case, it would be inappropriate to preside over Blandino's appeal after
2 this Court has banned Blandino from further involvement in courtroom 3C or the area
3 right outside the courtroom. Therefore, this Court disqualifies itself from Kim
4 Blandino vs. City of Las Vegas, C-14-302515.

5
6 Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby:
7 ORDERED, ADJUDGED AND DECREED that Blandino is found guilty of
8 contempt. And it is further:

9 ORDERED, ADJUDGED AND DECREED that the penalty for said
10 contempt shall be as follows:

11 Blandino shall refrain from entering courtroom 3C or being within twenty-five
12 feet of the outer doors to courtroom 3C.

13 It is further ORDERED, ADJUDGED AND DECREED this Court disqualifies
14 itself from Kim Blandino vs. City of Las Vegas, C-14-302515.

15
16
17 Dated this 1 day of September, 2015.

18
19 

20 Rob Bare

21 Judge, District Court, Department 32

22 ///

23 ///

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I hereby certify that on the date filed, I placed a copy of this Order in the attorney's folder in the Clerk's Office, or mailed or faxed a copy to:

Kim Blandino
C/O 441 N. 16th Street
Las Vegas, NV 89101
Appellant Pro Per

Carlene Helbert, Esq.
Deputy City Attorney
200 Lewis Avenue, Suite 2327
Las Vegas, NV 89127
Attorney for Respondent

Anders

Tara Duenas

Judicial Executive Assistant, Dept. 32

2015

District Court, Criminal Division

Print Time: 12:24:08 PM

The Honorable Rob Bare [Dept 32]

Department 32

Wednesday, August 12, 2015 @ 10:00 AM

Case Information

Case Number: C-15-307950-A

Type: Criminal Appeal

Darcie Lee Aggen, Appellant(s)

vs

Las Vegas City Of, Respondent(s)

Party Information

Party

Las Vegas City Of

Aggen, Darcie Lee

Role

Respondent

Appellant

Attorney

Jerbic, Bradford Robert

No Attorney

Carlene Herbert

Kim Blandino

Related Cases

No Related Cases

Matters

Appeal From Lower Court

Future Hearings

No Future Hearings

09/11/2015

District Court, Criminal Division

Print Time: 12:24:08 PM

The Honorable Rob Bare [Dept 32]

Department 32

Wednesday, August 12, 2015 @ 10:00 AM

Case Information

Case Number: C-15-307960-A

Jermaine Gomes, Appellant(s)

Type: Criminal Appeal

VS

Las Vegas City Of, Respondent(s)

Party Information

Party

Las Vegas City Of
Gomes, Jermaine

Role

Respondent
Appellant

Attorney

Herbert
Jerbic, Bradford Robert
No Attorney

Related Cases

No Related Cases

Matters

Appeal From Lower Court

Future Hearings

09/02/2015

10:00 AM - Department 32

Appellant's Motion to Provide all Possible Basis of Recusal Points and Authorities United States Constitution
The State of Nevada Constitution Legal Argument

Appellant's Motion for Order to Show Cause

Appellant's Motion in Limine

09/09/2015

10:00 AM - Department 32

Motion for Surety Bond Pending Appeal/ Bond Reduction

Motion for Discovery

Motion for New Trial

Motion for Dismissal

Kim Blandino

EXHIBIT 3

FILED

FEB 02 2018

John J. Williams
CLERK OF COURT

1 MOT
2 GARY W. WALTERS, PRO SE
2981 Bel Air Drive
Las Vegas, Nevada 89109
3 Tel: (702) 888-5878

4 KIM BLANDINO, PRO SE
C/O 441 N. 16th Street
5 Las Vegas, Nevada 89101
(702) 219-5657

6
7 **DISTRICT COURT**
CLARK COUNTY, NEVADA

8 GARY WALTERS, KIM BLANDINO,

Case No.: A-17-764148-C

9 Plaintiffs,

Dept. No.: XIV

10 vs.

11 ROBERT WEATHERFORD,

12 Defendant.

13
14 **EX PARTE MOTION OF PLAINTIFF GARY WALTER**
15 **TO SEVER THE PARTIES AND BIFURCATE THE ACTION**

16 COMES NOW the Plaintiff GARY W. WALTERS, Pro Per, and brings his Ex Parte
17 Motion to sever the parties and bifurcate the action. This Motion is based upon the papers and
18 pleadings on file with this Honorable Court and the points and authorities and argument below.

19 **ARGUMENT**

20 PLAINTIFF, GARY W. WALTERS, in proper person, moves this Honorable Court Ex
21 Parte to sever the parties and bifurcate the action. The Plaintiff apologizes to this Honorable
22 Court for the tone of his Co-Plaintiff, KIM BLANDINO'S pleadings that he has filed with this
23 Court, threatening this Honorable Court with the filing of Complaints with the Commission on
24 Judicial Discipline, etc.

25 Plaintiff's 10.5 Million dollar Certificate of Deposit, along with other documents needed
to retrieve his other six Certificates of Deposit, each of the same value, from a similar conversion

A-17-764148-C
EXMT
Ex Parte Motion
4717728



1 by a financial institution, were originally entrusted to his retained attorney of record, GARRETT
2 OGATA, ESQ. These certificates and their supporting documentation showing Plaintiff Walters
3 as owner, were either stolen by Robert Weatherford¹ from Attorney OGATA's office or were
4 given to Robert Weatherford by Attorney OGATA without the Plaintiff's permission.
5

6 In all respects they have now been converted by Robert Weatherford, who is now without
7 peer review (State Bar) because he is on "disability status." Because of this disability status the
8 Plaintiff is unable to seek the assistance of the State Bar in disciplining Mr. Weatherford or
9 ordering him to return the documents or so they say. The Nevada Rules of Professional Conduct
10 Rule 1.15 states as follows:
11

12 **1.15. Safekeeping Property.**

13 (a) A lawyer shall hold funds or other property of clients or third persons that is in a
14 lawyer's possession in connection with a representation separate from the lawyer's own
15 property. All funds received or held for the benefit of clients by a lawyer or firm, including
16 advances for costs and expenses, shall be deposited in one or more identifiable bank
17 accounts designated as a trust account maintained in the state where the lawyer's office is
18 situated, or elsewhere with the consent of the client or third person. Other property in
19 which clients or third persons hold an interest shall be identified as such and appropriately
20 safeguarded. Complete records of such account funds and other property shall be kept by
21 the lawyer and shall be preserved for a period of seven years after termination of the
22 representation.

23 Garrett Ogata and Robert Weatherford, former law partners, have both failed abysmally
24 to to comply with Rule 1.15 of the professional rules of conduct. Not only has Robert
25 Weatherford failed to keep WALTERS financial instruments separate from his own personal or
26 professional property, he refuses to return the property without being remunerated in the amount
27 of \$250,000.00 cash. The Plaintiff, Gary Walters, does not have \$250,000.00 in CASH and was
28 just released from prison only 15 months ago on a charge that he was innocent of and his attorney,
Robert Weatherford, got him convicted of.

¹ A now disgraced former attorney, currently on disability status of his State Bar License

1 The Plaintiff, Gary Walters has attempted to obtain the release of his financial instruments
2 from Mr. Weatherford – FOR YEARS, however, he will not release these financial instruments
3 to the Plaintiff paying him \$250,000.00 CASH. This remuneration is essentially extortion.
4 Unfortunately the LMVPD will not allow a report to be filed because it has been deemed a civil
5 matter.
6

7 Defendant, Robert Weatherford has absolutely no financial interest in any of the proceeds
8 from this CD and proximately caused the Plaintiff to be convicted on a false forgery charge by
9 failing to file a Notice of Witnesses list with the Court listing over 24+ witnesses that the Plaintiff
10 had scheduled and provided to Counsel Weatherford for his trial, including a graphologist who
11 would have testified that the Plaintiff's signature on the documents used to prosecute him were
12 foregeries and not his signature.
13

14 Because of Weatherford's professional failures the Plaintiff was given a life sentence for
15 a paper crime. The Plaintiff suffered incarceration in the Nevada State Department of Corrections
16 for over 8 years while he waited for the ultimate relief of his Habeas proceeding and his conviction
17 was overturned.
18

19 The Plaintiff, was successful in obtaining a reversal of his conviction on a Writ of Habeas
20 Corpus for Ineffective Assistance of Counsel (which speaks volumes toward Robert Weatherford's
21 ineffectiveness, since only about 1% of these types of writs are granted). In addition, Mr.
22 Weatherford was also being prosecuted by the District Attorney's Office for criminal acts at the
23 same time that he was representing the Plaintiff and failed to disclose same. It is the Plaintiff's
24 sincerely held belief that Robert Weatherford took a dive in the Plaintiff's criminal case and threw
25 him under the bus in order to gain favor with the District Attorney's Office for lenience on his
26 own criminal charges.
27
28

1 Because Plaintiff's post-conviction counsel improperly advised him that he could
2 potentially be incarcerated for another 3 years pending a new trial, the Plaintiff was forced to take
3 an *Alford* Plea to a non-existent crime, with credit for time served. This so-called "*deal*" would
4 allow him to be released almost immediately. The only reason that the Plaintiff took this deal is
5 because he had been a financial consultant for many years and had been hired by financial giants
6 like John DeLorean, Wrangler Jeans, Ted Turner of Turner Broadcasting and many more multi-
7 million/billion dollar companies. As a result Plaintiff, WALTERS, had accumulated enormous
8 wealth prior to his incarceration, obtained all through legal means, literally in the billions of
9 dollars and was one of the richest men in America at the time. The Petitioner controlled
10 corporations worth hundreds if not billions of dollars.
11

12
13 Because of the life sentence that the Plaintiff received, people that were familiar with the
14 Plaintiff's wealth stole it, believing that he was never going to get out of prison. They stole major
15 corporations owned by the Plaintiff worth billions, they stole stock, they stole Petitioner's
16 vehicles and gutted his house of eighty thousand dollar painting and a plethora of expensive
17 personal property. Plaintiff's bank accounts were emptied by unknown thieves.
18

19 Your Honor, not only have I been wronged by my attorney Robert Weatherford, he now
20 has stolen what will ultimately amount to One Hundred and Fifty Million dollars from me. It is
21 bad enough that I have been locked up for over eight years and caged with animals, but now I
22 have to fight for what is mine all over again. I implore this Court, I need this Court's help. I have
23 been ordered by the court to pay restitution, restitution of funds which I never received. I will
24 gladly pay them back because the old people that were frauded by the grifters actually committed
25 the crimes that I was accused of, will never do it. The amounts owed are insignificant compared
26 to the wealth stolen from me by Robert Weatherford.
27
28

1 Robert Weatherford is preventing me from gaining access not just to the \$150,000,000.00
2 dollars in Certificates of Deposits, but is also preventing my from recovering the vast wealth that
3 I need these funds to hire attorney to regain hundreds of other millions stolen from me. To make
4 matters worse, while on parole, I receive good time. Now, that good time is been taken away
5 from me because I cannot pay the restitution. It is enough to drive a weak man insane.
6

7 Previously, the sitting judge on the Plaintiff's criminal case gave Robert Weaterford a
8 direct Order to return the Plaintiff's financial instruments and Weatherford blatantly refused to
9 do so. Currently, the Honorable Herndon, J., has made a judicial determination that the Criminal
10 Court does not have the authority to order Robert Weatherford to return the Plaintiff's documents.
11

12 Plaintiff BLANDINO was attempting a collateral attack on the return of these financial
13 documents through Judge Herndon, by attempting to threaten him into enforcing the order
14 previously made by another sitting judge and has taken off on a tangent and/or personal vendetta
15 against Judge Herdon. He has began threatening Judge Herndon with similar threats that he has
16 made to this Court. As such, Plaintiff, GARY W. WALTERS, has determned that Mr.
17 Blandino's has completley lost his focus and is now persuing his own interests instead of the
18 interest of his Co-Plaintiff, which is to pursue the return of over 100 million dollars and later even
19 more.
20

21 Mr. Blandino's pursuit of these tangental issues has taken on a surreal manifestation in
22 this case and now the Plaintiff can no longer be associated with this type of ego mania or
23 cocksmanship, which on its face appears to be the manifestation of some kind of menical or
24 mental defect.
25

26 Mr. Blandino's conduct is counter-productive, does nothing to achieve the mutual goals
27 of the parties, it is a waste of the judicial resources of the court, and is embarassing and
28

1 humiliating to the Plaintiff. The Plaintiff cannot tolerate such conduct which is alleged to be
2 conducted in his name and interests.

3 The Plaintiff no longer wishes to pursue his mutual interests jointly with Mr. Blandino
4 and has determined that it is in his own best interests to sever the parties and bifurcate the action,
5 where the Plaintiff can respectfully use the resources of the judicial system, in a manner that
6 generates mutual respect from the bench. The clock is ticking and the Plaintiff needs to recover
7 his financial interests and supporting documents before they become unrecoverable.
8

9 Were this not the case, the Plaintiff would NEVER have even taken an Alford Plea. The
10 men who committed the crimes in my case were the very men who testified against me and they
11 have since fled the Country one step ahead of the FBI and Police. I took that plea so that I could
12 get my vast wealth back before I was timed out by the statute of limitations or the doctrine of
13 laches buried me. It is of the greatest urgency and importance to me to pursue this money so that
14 I can pay the Court Ordered restitution, make these poor elderly people whole (who by the way
15 refused to testify against me at Sentencing, believing that I had nothing to do with it) before they
16 die from old age and have the opportunity to bring these criminals/grifters to justice. All
17 prevented, Your Honor, by Robert Weatherford. He will NEVER comply. He will do everything
18 within his power to delay, prolong and stretch this thing out until he either destroys these
19 documents as part of his sick revenge or I simply go away.
20
21
22
23
24

25 WHEREFORE, Plaintiff, GARY W. WALTERS, in proper person, requests that this
26 Honorable Court sever the parties and bifurcate the case, as the Plaintiff can no longer participate
27
28

1 in his co-plaintiff's disrespectfull conduct towards the bench and wishes to proceed by himself.

2 The Plaintiff has spoken to some licensed attorneys and will have one on his case shortly.

3 DATED this 2nd day of February, 2018.

4 Respectfully submitted,

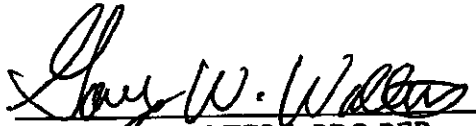
6
7
8 
9 GARY W. WALTERS, PRO PER
10 2981 Bel Air Drive
11 Las Vegas, Nevada 89109
12 Tel: (702) 888-5878
13
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27
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EXHIBIT 4



1 ORDR

2
3 EIGHTH JUDICIAL DISTRICT COURT
4 CLARK COUNTY, NEVADA

5 THE STATE OF NEVADA,

6 Plaintiff,

7 vs.

8 GARY W. WALTERS,

9 Defendant.

Case No. C-05-217569-1

Dept. No. III

10 ORDER DENYING MOTION FILED 01/22/18

11
12 This Court, having considered all pleadings filed in relation to the MOTION filed January
13 22, 2018 by nonparty Kim Blandino and Judge Herndon's Affidavit; decides this limited matter
14 assigned to it upon the pleadings and without oral argument.

15 NRS1.235 provides that statutory procedure for disqualifying a judge.¹ Kim Blandino is not a
16 party and does not have any legal basis to request disqualification. The Defendant has asked that
17 Judge Herndon not be disqualified.² There is no basis for the nonparty's request to be entertained.
18
19
20

21
22 ¹ That statute provides in pertinent part:


23 1. Any party to an action or proceeding pending in any court other than the Supreme Court or the Court of Appeals,
24 who seeks to disqualify a judge for actual or implied bias or prejudice must file an affidavit specifying the facts upon
25 which the disqualification is sought. The affidavit of a party represented by an attorney must be accompanied by a
certificate of the attorney of record that the affidavit is filed in good faith and not interposed for delay. Except as
otherwise provided in subsections 2 and 3, the affidavit must be filed:

- (a) Not less than 20 days before the date set for trial or hearing of the case; or
(b) Not less than 3 days before the date set for the hearing of any pretrial matter.
(emphasis added.)

² Exhibit "1" to Judge Herndon's Affidavit.

1 IT IS HEREBY ORDERED that Motion to Disqualify Judge Herndon is denied.

2 DATED this 26th day of March, 2018.

3
4 
5 _____
6 ELIZABETH GONZALEZ, CHIEF DISTRICT COURT JUDGE

7 Certificate of Service

8 I hereby certify that on or about the date filed, this document was served on the parties
9 identified on Wiznet's e-service list, a copy of this Order was placed in the attorney's folder on the
10 1st Floor of the RJC or mailed as follows:
11

12 Kim Blandino
13 441 N. 16th Street
14 Las Vegas, NV 89101

15 Gary W Walters
16 2981 Bel Air Drive
17 Las Vegas, NV 89119

18 Taleen K Pandukht, Esq. (CCDA)

19 Judge Douglas W Herndon, Dept III

20 
21 _____
22 Dan Kutinac

EXHIBIT 5



DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

GARY WALTERS,

Defendant.

CASE NO: C217569

DEPT NO: III

AFFIDAVIT IN ANSWER TO NON-PARTY KIM BLANDINO'S REQUEST TO
RECUSE TRIAL COURT

1
2 AFFIDAVIT

3 STATE OF NEVADA }
4 COUNTY OF CLARK } ss:
5

6 JUDGE DOUGLAS W. HERNDON, being first duly sworn, deposes and says:

- 7 1. On December 7, 2005, an Indictment was filed in Eighth Judicial District
8 Court (hereinafter EJDC) Case # C217569 against defendant Gary Walters
9 (hereinafter Walters).
- 10 2. The case was assigned to District Court (hereinafter DC) Department 6.
- 11 3. Defendant Walters was charged with 19 felony counts of various financial
12 crimes, including Forgery, Theft, Offering False Instrument for Filing or
13 Record and Attempt Theft.
- 14 4. On April 29, 2007, Walters' case was transferred to DC 17 during a normal
15 caseload re-assignment within the EJDC.
- 16 5. During the pendency of his case, Walters had been represented by numerous
17 different attorneys. Ultimately, Robert Weatherford was Walters' trial
18 counsel.
- 19 6. In February, 2008, Walters' case proceeded to trial.
- 20 7. On February 7, 2008, Walters was found guilty on 17 out of the 19 felony
21 counts he faced.
- 22 8. On June 3, 2008, Walters was sentenced in DC 17 on each of the 17 counts
23 he was convicted on. Judge Villani sentenced Walters to multiple
24 consecutive sentences.
- 25 9. Although sentencing aggregation orders were not required in 2008, the
26 extent of the overall sentence is best understood by reference to the total
27 aggregate sentenced imposed. Walters was sentenced to a total of 304
28

months minimum and 768 months maximum, or 25.3 years to 64 years in prison.

10. On December 28, 2008, Walters' case was transferred to the instant department, DC 3, during a normal caseload re-assignment within the EJDC.

11. At that time, Walters' case was in direct appeal status.

12. On February 3, 2010, a written order was filed by the Nevada Supreme Court affirming Walters' convictions.

13. Thereafter, Walters' case began traveling a lengthy and convoluted post-conviction journey.

14. Walters filed numerous pro per pleadings while also having some pleadings filed by attorneys.

15. Eventually, this court appointed Josh Tomsheck to represent Walters and try and coordinate the variety of pro per filings and post-conviction claims being made by Walters.

16. It was lengthy process because of the need to gather an extensive amount of discovery and work through the various claims being made and it was made more difficult by the fact that Walters continued to file a multitude of pro per motions despite being represented by attorney Tomsheck.

17. Eventually, on December 10, 2013, attorney Tomsheck filed a Supplemental Brief in Support of Defendant's Petition for Writ of Habeas Corpus.

18. On May 22, 2014, this Court granted Walters an evidentiary hearing on a variety of ineffective assistance of counsel claims revolving around attorney Weatherford's pre-trial and trial conduct and the allegation that attorney Weatherford was being prosecuted for felony crimes by the District Attorney's Office at the same time that he was trying Walters' case against the District Attorney's Office.

19. On February 8, 2016, at a point well into the evidentiary hearing, the Court

1 made the parties aware that it had heard sufficient evidence to find
2 ineffective assistance of counsel such that Walters' conviction was ripe for
3 reversal.

4 20. Due in large part to the amount of time Walters had already served, Walters,
5 attorney Tomsheck and the State requested an opportunity to discuss
6 negotiating the case.

7 21. Thereafter, on February 8, 2016, the parties entered into a Guilty Plea
8 Agreement whereby Walters pled guilty to two felony counts of
9 Establishing or Possessing a Financial Forgery Lab and stipulated to a 96-
10 240 month sentence on each count with the two counts running concurrent.

11 22. The parties requested to proceed to sentencing that same day utilizing the
12 previously prepared PSI and Walters was sentenced in accordance with his
13 stipulated agreement.

14 23. Walters was given 2060 days of credit for time served and therefore was
15 almost immediately eligible for parole.

16 24. Walters was granted parole after a hearing on June 22, 2016, and was
17 released shortly thereafter.

18 25. On May 1, 2017, Walters filed a pro per motion in the instant criminal case
19 wherein he sought to have this court order his former attorney, Weatherford,
20 to give to Walters certain financial documents, including Certificates of
21 Deposit (CDs) that were, according to Walters, "worth millions."

22 26. Because the property sought was not the subject of the instant criminal case
23 and did not involve criminal discovery items, Walters was informed that this
24 court lacked jurisdiction to grant the relief he sought and his request was
25 more properly brought as a civil and/or State Bar matter.

26 27. On November 6, 2017, Walters, along with criminal case non-party Kim
27 Blandino, filed a civil case in proper person against attorney Weatherford.

- 1 28. That case is A764148 and is assigned to Judge Escobar in DC 14.
- 2 29. On December 28, 2017, Walters again filed in the instant criminal case a pro
- 3 per motion seeking the return of the same items that were the subject of the
- 4 May 1, 2017, motion.
- 5 30. In the December 28, 2017, motion Walters references the same arguments as
- 6 before while adding that he filed a State Bar complaint that did not result in
- 7 any relief and that he filed the aforementioned civil case in DC 14.
- 8 31. Walters stated that Judge Escobar in DC 14 has made certain favorable
- 9 rulings and findings, but he was clearly frustrated at the inability to secure
- 10 from her a civil arrest warrant which he felt was necessary to get compliance
- 11 from attorney Weatherford.
- 12 32. On January 18, 2018, Walters' motion came before the instant court for
- 13 hearing.
- 14 33. It should be noted that throughout the pendency of his instant criminal case,
- 15 at least so long as it has resided in DC3, Walters has been nothing but
- 16 respectful, polite and professional in his dealings with the instant court.
- 17 34. He acted in the very same gentlemanly manner on January 18, 2018.
- 18 35. When Walters' case was called toward the end of a very lengthy law and
- 19 motion calendar, another gentleman attempted to approach counsel table
- 20 with Walters. I would come to learn this was criminal case non-party Kim
- 21 Blandino.
- 22 36. The court marshal stopped Mr. Blandino as the marshal, correctly it turned
- 23 out, realized Mr. Blandino was not a party to the case and was not an
- 24 attorney.
- 25 37. Walters and I, as can be seen/read in the hearing/transcript exchanged
- 26 pleasantries and began discussing his current motion.
- 27 38. As I was discussing the matter with Walters, Mr. Blandino had positioned
- 28

1 himself a few feet away, behind Walters, by the pony wall leading into the
2 well of the courtroom. He was standing there appearing to stare towards
3 myself and want to involve himself in the case.

4 39. His positioning was not one that gives great comfort to the marshal staff as
5 they are always on alert for individuals attempting to get at attorneys,
6 defendants and/or court staff and the marshals routinely keep individuals
7 seated in the many seats provided to the public.

8 40. Because I do not currently have a full time marshal on my staff, I allow
9 administrative marshals to rotate through my courtroom in order to gain
10 courtroom experience. Some of the administrative marshals have worked in
11 courtrooms while others have not.

12 41. The marshal assigned to my court that day did not immediately ask Mr.
13 Blandino to take a seat.

14 42. After a couple minutes of discussion with Walters, I realized Mr. Blandino
15 was continuing to stare towards me and had not sat down.

16 43. I informed Mr. Blandino that he needed to sit down.

17 44. He stated that he wanted to appear in Walters' criminal case and make a
18 record.

19 45. I ascertained that he was not an attorney and told him that since he was not
20 an attorney and was not a party to my case he was not allowed to make a
21 record and he needed to sit down and be quiet.

22 46. He then sat down in the audience but then moved himself to a different seat
23 wherein he was in my line of sight as I tried to continue speaking with
24 Walters about his case.

25 47. As I explained that I still did not have jurisdiction to grant Walters the relief
26 he sought and that I understood his frustration with having to work through
27 the civil case process, Mr. Blandino began to demonstrably shake his head
28

1 in disagreement with my statements, aggressively enough that it kept
2 distracting me.

3 48. At that point, I had to again stop my discussion with Walters about his own
4 criminal case, which he was in court to discuss, and address Mr. Blandino's
5 conduct.

6 49. As I had prepared for court that day, I had read some of the pleadings in the
7 civil case and was troubled by what I considered to be very unprofessional
8 comments in the pleadings.

9 50. As I began to address Mr. Blandino, Walters indicated that Mr. Blandino
10 was the one who had authored those comments and I told Mr. Blandino that
11 it was inappropriate to threaten the civil judge in his pleadings and it was
12 also inappropriate to demonstrably act like he was in my court as I was
13 trying to engage in a professional conversation with Walters.

14 51. I then ordered him out of the courtroom so that I could finish Walters' case
15 without any further distractions or interruptions.

16 52. Thereafter, Walters and I and the prosecutor finished with his case in the
17 same polite and professional way that we started it, with Walters
18 apologizing for Mr. Blandino's conduct and me making sure to let him
19 know that he (Walters) had always acted appropriately in court and not to
20 worry.

21 53. On January 22, 2018, Mr. Blandino filed, in Walters' criminal case, a
22 request to have this court recused off the case.

23 54. On January 29, 2018, Mr. Blandino filed a Supplement to his request.

24 55. This court also received a letter faxed to us from Walters, attached as
25 Exhibit 1.

26 56. In that letter, Walters expresses his apologies for Mr. Blandino's conduct
27 and states that he has asked Mr. Blandino to not threaten this court or file
28

1 anything further.

2 57. Walters's letter shows that he clearly does not wish to have this court
3 recused off of his case.

4 58. Thereafter, this court received a second letter from Walters, dated February
5 2, 2018, (Attached as Exhibit 2) in which Walters reiterates his desire to
6 remove himself from Mr. Blandino, including in their civil case, A764148.

7 59. Walters included with that letter a copy of a Motion to Sever Parties and
8 Bifurcate the Action he filed that same date in the civil case.

9 60. To date, Mr. Blandino has never filed a notice requesting a hearing on the
10 motion to recuse this court that he filed in Walters' criminal case on January
11 22, 2018.

12 61. The failure to file a notice requesting hearing coupled with Walters'
13 communications to the court expressing that he was asking Mr. Blandino to
14 abandon his attempts to recuse this court off of Walters' criminal case, has
15 left me unclear on whether Mr. Blandino is still even pursuing the motion to
16 recuse.

17 62. However, out of an abundance of caution, I am filing this affidavit rather
18 than waiting any longer to see if a request for hearing is filed.

19 63. To begin, Mr. Blandino is not a party to this case, he is not a victim, he is
20 not a witness and he is not an attorney. As such, he has no standing in the
21 case to make the request he now makes and his request should be summarily
22 denied.

23 64. Secondly, as can be seen by the unsolicited fax letter this court received
24 from Walters, attached as Exhibit 1, on January 23, 2018, Walters did not
25 request or authorize anyone to seek this court's removal from his case.

26 65. To the contrary, Walters has always been pleased with my involvement with
27 his case.
28

- 1 66. During the time his case has resided in DC 3, his 25.3 year to 64 year
2 sentence was vacated under this court's rulings in his post-conviction
3 proceedings and he was able to achieve a negotiation that allowed him to
4 become almost immediately eligible for parole and then to be released.
- 5 67. As he states in his fax letter, Walters does not agree with what Mr. Blandino
6 is doing, refused to participate in it and begged him not to file what he has
7 filed.
- 8 68. Mr. Blandino took the time in his motion to point out how well I handled all
9 of my cases in a lengthy 2 ½ hour court session that was at times, very
10 emotional, before the Walters matter was called, pointing out how he was
11 "very impressed" with the court.
- 12 69. In sum, according to Mr. Blandino, I handled everything except Mr.
13 Blandino exceptionally well.
- 14 70. While I greatly disagree with Mr. Blandino's statement that I was "red-
15 faced" and resentful towards Mr. Blandino and "violently" ordered him out
16 of the courtroom, I do apologize if he felt disrespected.
- 17 71. It was not by pure luck that, as he noted, I handled all the other cases very
18 well that day, rather, I strive to be professional and appropriate with
19 everyone, every day, and I hope that everyone who comes to court, be they a
20 party, a witness, an attorney or a member of the public, will also strive to be
21 respectful and appropriate.
- 22 72. In this case, as I always do, I have consistently considered all evidence that
23 was available to me, through documents and oral presentations, regardless
24 of which side produced it. I do not ignore anything provided to me and I
25 have fairly and impartially presided over all aspects of the case.
- 26 73. And I have no animosity towards the defendant and do not have any biases
27 or prejudices against him or, for that matter, Mr. Blandino either.
- 28

1 74. Every decision that has been rendered in the instant case has been rendered
2 after a thorough review of the issues and evidence presented and each
3 decision has been unbiased in nature and based solely on the facts and law
4 applicable to the issues presented.

5 75. In sum, I have presided, and will continue to preside, over the instant case in
6 an impartial and unbiased fashion, complying with all of my ethical and
7 legal obligations under the Judicial Canons and the statutory and case law of
8 the State of Nevada.

9
10 I declare under penalty of perjury under the law of the State of Nevada that the
11 foregoing is true and correct.

12
13
14 Executed on

March 20, 2012
(Date)


JUDGE DOUGLAS W. HERNDON

Gary W. Walters
2981 Bel Air Drive
Las Vegas, Nevada 89119
702-888-5898

Honorable Douglas Hemdon, J.
District Court Department 3,
200 Lewis Avenue
Las Vegas, Nevada 89155

By Facsimile: (702) 671-4311

Re: Kim Blandino / Conduct & Filings by him.

Honorable Judge Hemdon:

Please accept my humblest apologies regarding the incident with Mr. Blandino in Court on January 18, 2018. Unfortunately, Mr. Blandino has a beneficial interest in the Certificate of Deposit that I am seeking to have returned to me from my former and now disgraced attorney Robert Weatherford.

I recently received on my voice mail a message from your department stating that I had left papers with the Court. I want this Court to know that I did not leave, nor did I drop off any papers with the Court. If there were some papers left or dropped off, those were Mr. Blandino's doings - not mine. As this Court is well aware, I have always been respectful to this Court and every court for that matter. I think this Court knows that I would not knowingly or intentionally take part in any act or actions that would attempt to bring dishonor or shame to a the Court or a Judge. Mr. Blandino asked me to be present at *his* motion before this Court in his attempt to secure the documents.

I did not have anything to do with the drafting or writing of any of Mr. Blandino's documents. Regrettably, after the incident in Court, Mr. Blandino informed me that he intended to file documents threatening this Court with a complaint to the Judicial Commission. I informed him that I would have no part in such an action and begged him not to file anything. I do not want my good name to be tainted by the actions of this man. I build bridges, I don't burn them. I have always conducted myself like a gentleman and always will. I had no idea that Mr. Blandino was advancing our mutual goal with such an offensive and bitter approach. After Court I obtained and read his pleadings and I believe that he may need some professional help. I have severed all ties with Mr. Blandino and stand by this Court's position.

Please do not allow Mr. Blandino's abrasive behavior to cast a shadow over the respectful and professional relationship that has always existed between this Court and myself.

Sincerely,


Gary W. Walters

EXHIBIT 2

The Honorable Douglas Herndon, J.

Dated: February 2, 2018

Attention: Molly Free C 217569

Department III

Dear Honorable Judge:

I wanted the Court to know that I am separating myself from Mr. Blandino. Now he is attacking me. I believe that he is going to be working to try to revoke me on my probation in retaliation for stepping away from him.

Please find attached the document I am filing to remove myself from this clown. Thank you for your repeated kindness toward me and for your understanding that, but for, Robert Weatherford, I would be a free man today.

Sincerely,


Gary W. Walters

702-888-5878

EXHIBIT 2

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Kim Blandino, Plaintiff(s)

CASE NO: A-24-907619-W

7 vs.

DEPT. NO. Department 12

8 Nevada Department of Parole
9 and Probation, Defendant(s)

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Order was served via the court's electronic eFile system to all
recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 12/1/2025

15 ONvJ Media

media@ournevadajudges.com

16 kim blandino

kim43792@earthlink.net

17 kim blandino

kim43792@earthlink.net

18
19 If indicated below, a copy of the above mentioned filings were also served by mail
20 via United States Postal Service, postage prepaid, to the parties listed below at their last
21 known addresses on 12/2/2025

22 Michael Schwartzer

200 Lewis Avenue
Las Vegas, NV, 89155