



OBJ

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Intervenor, *in propria persona*

In the Eighth Judicial District Court

Clark county, state of Nevada

CITIZEN OUTREACH FOUNDATION,
CHARLES MUTH, individually,

Petitioners,

v.

LORENA PORTILLO, in her official
capacity as the acting Registrar of Voters for
Clark County,

Respondent.

Brad Lee Barnhill, individually, and in his
capacity as Independent American Party of
Nevada candidate for Nevada Senate
District 6,

Putative Intervenor.

CASE NO. A-24-902351-W
DEPT. NO. 28

(HEARING REQUESTED)

**PUTATIVE INTERVENOR BRAD LEE
BARNHILL'S OBJECTION TO
PROPOSED INTERVENOR'S MOTION
TO INTERVENE BY AMERICAN
CIVIL LIBERTIES UNION OF
NEVADA AND MEMORANDUM OF
POINTS AND AUTHORITIES**

Comes now, Putative Intervenor Brad Lee Barnhill (**I, Me, My**), *in propria persona*,
sui juris, pursuant to the authority of Nev. Sup. Ct. R. 48.1(5), to submit this **OBJECTION
TO PROPOSED INTERVENOR'S MOTION TO INTERVENE BY AMERICAN
CIVIL LIBERTIES UNION OF NEVADA AND MEMORANDUM OF POINTS AND
AUTHORITIES** (hereinafter "Objection"). This Objection is based upon the Memorandum
of Points and Authorities, and any oral argument considered upon the hearing of this
Objection.

I respectfully submit this Objection to the Motion to Intervene filed by the American
Civil Liberties Union (ACLU) of Nevada. The ACLU has failed to serve the existing parties
in this litigation, including the undersigned Petitioners, with a copy of their motion. This

1 failure constitutes a violation of the procedural rules governing service and denies Petitioners
2 their due process rights under both the United States and Nevada Constitutions.

3 For the reasons set forth below, Petitioners request that the Court deny the ACLU's
4 Motion to Intervene until proper service is effectuated.

5 SUBSCRIBED and submitted this 7th day of October, in the Year of Our Lord and
6 Savior, Jesus the Christ, Two Thousand Twenty-Four, by:

7 /s/ Brad Lee Barnhill
8 Brad Lee Barnhill, *in propria persona*

9 **I. INTRODUCTION**

10 I am the Independent American Party of Nevada candidate for Nevada Senate District 6
11 in Clark County for the 2024 general election. As a candidate, I have a substantial and legally
12 protected interest in ensuring that the election in Clark County is conducted in a lawful
13 manner and that the voter rolls are properly maintained in accordance with Nevada law.

14 I seek to intervene in this action because the failure of the Respondent to process
15 challenges to ineligible voters, as required by NRS §293.530 and NRS §293.535, directly
16 impacts the integrity of the election in which Intervenor is participating.

17 While the Petitioners in this action, Citizen Outreach Foundation and Charles Muth,
18 have brought their claims under a public interest rationale, m interest is distinct in that he has
19 a personal stake in ensuring that the election process is fair and that his candidacy is not
20 undermined by improper or ineligible voter registrations.

21 **II. FAILURE TO SERVE VIOLATES PROCEDURAL RULES**
22 **AND DUE PROCESS**

23 Under Nevada Rule of Civil Procedure 5(a), a motion must be served on all parties to
24 the action. The purpose of this rule is to ensure that all parties have an opportunity to respond
25 to motions and other filings. Failure to serve the motion denies the parties their fundamental
26 right to due process, which includes the right to notice and the opportunity to be heard.
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1 Here, the ACLU has failed to serve all parties with a copy of their Motion to Intervene.
2 Despite my attempt to obtain a copy of the motion via email, the ACLU has failed to respond.
3 This procedural deficiency denies all parties the opportunity to fully review and respond to
4 the arguments presented in the motion, which directly impacts the fair adjudication of this
5 matter.

6 **III. DUE PROCESS REQUIRES NOTICE AND OPPORTUNITY TO RESPOND**

7 The right to due process is enshrined in both the Fifth Amendment to the United States
8 Constitution and Article 1, Section 8 of the Nevada Constitution. It mandates that no person
9 shall be deprived of life, liberty, or property without due process of law. This principle
10 extends to civil litigation and requires that all parties to a lawsuit be given proper notice of
11 proceedings and the opportunity to respond.

12 By failing to serve the parties with a copy of their Motion to Intervene, the ACLU has
13 effectively denied the parties their right to due process. I cannot adequately defend my
14 interests or provide a substantive response without access to the motion, and the lack of notice
15 prejudices my ability to protect their legal rights.

16 **IV. REQUEST FOR DENIAL OR DEFERRAL OF THE MOTION**

17 In light of the ACLU's failure to serve the parties with their Motion to Intervene, I
18 respectfully request that the Court deny the motion until such time as proper service is
19 effectuated in compliance with NRCP 5(a). Alternatively, I request that the Court defer
20 consideration of the motion until we have been properly served and given a reasonable
21 opportunity to respond.

22 **CONCLUSION**

23 For the foregoing reasons, I respectfully request that the Court deny the ACLU of
24 Nevada's Motion to Intervene or, in the alternative, defer consideration of the motion until
25 proper service is completed.

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1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5 (b), I hereby certify that I am the putative Intervenor in this action,
3 and that on the 7th day day of October, 2024, I served a true and correct copy of the foregoing
4 ***PUTATIVE INTERVENOR BRAD LEE BARNHILL'S OBJECTION TO PROPOSED***
5 ***INTERVENOR'S MOTION TO INTERVENE BY AMERICAN CIVIL LIBERTIES***
6 ***UNION OF NEVADA AND MEMORANDUM OF POINTS AND AUTHORITIES***, as
7 indicated below by:

8 X the documents were submitted electronically for filing and/or service within the
9 Eighth Judicial District Court pursuant to Administrative Order 14-02 for
10 eservice to the following:

11 placing a copy of the original in a sealed envelope, first-class postage fully
12 prepaid thereon, and depositing the envelope in the U.S. mail at Las Vegas,
Nevada addressed as follows:

13 sending the document by facsimile transmission to the following parties:

14 by hand delivery to the following addresses:

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/s/ Brad Lee Barnhill

Brad Lee Barnhill, in propria persona