

Johnny E. McMahon #1022589
Lovelock Correctional Center
1200 Prison Road
Lovelock, NV 89419
In Proper Person

IN THE EIGHTH JUDICIAL DISTRICT COURT
IN AND FOR THE STATE OF NEVADA

JOHNNY E. McMAHON,
Petitioner,

Case No: 27-cv-OTH-2025-0081
Dept. No:

VS.

THE STATE OF NEVADA,
LAS VEGAS TOWNSHIP
JUSTICE COURT, EIGHTH
JUDICIAL DISTRICT COURT,
ELEVENTH JUDICIAL DIST.
COURT, CLARK COUNTY DIST.
ATTORNEY'S OFFICE, LAS
VEGAS METROPOLITAN
POLICE DEPT. NEVADA
DEPT. OF CORRECTIONS
AND WARDEN BREITENBACH,
REAL PARTY IN INTEREST.

MOTION FOR APPOINTMENT
OF COUNSEL PURSUANT TO
18 U.S.C.S. § 3006 A(a)(2)(B)
28 U.S.C.S. § 1915 (E)(1).

Respondents.

COMES NOW, McMahon, Petitioner, Pro se, in the above captioned Motion as pled Respectfully Requests this Honorable Court GRANT the Petition to appear in the capacity as Second Chair Counsel to assist in the Evidentiary Hearing to bar ex parte hearings on behalf of State Respondents.

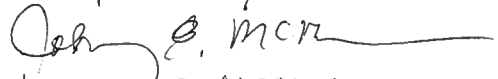
STATEMENT OF FACTS/CASE

- (1) McMahon is indigent proceeding In Forma Pauperis and unable to afford counsel. Counsel would set second chair to assist McMahon in direct-examination and securing necessary forensic expert witness to challenge States forensic DNA evidence used at trial to mislead jury.
- (2) Appointment of counsel is necessary to meet States case in an adversary setting, as thus far, State Respondents have manipulated the Clerks Office and courts to control and dictate the instant case in ex parte hearings rendering McMahon voiceless.
- (3) Appointment of counsel would aid this courts task as a fact-finder Ordering Clerk of Court to Produce requisite evidence for Court to physically inspect to certify the question as to subject-matter jurisdiction and determine the State Respondents legal standing, as well as making a record for appellate review.
- (4) A court is required to appoint counsel for an indigent petitioner when an evidentiary hearing is required when necessary for the petitioner's effective utilization of discovery under 18 U.S.C. § 3006 (a)(2)(B) (2012), (Court may furnish counsel when interests of justice require and petitioner unable to afford counsel).; and

(5) Being that the State Respondents manufactured a sex case against McMahon and fraudulent concealment of exculpatory DNA evidence to mislead the jury and prejudice McMahon in concert with retained/legally discharged convicted felon defense attorney, Paul Wommer, aided by ex-prosecutor judge, David Barker, who forced Wommer back onto the case, creating a clear conflict of interest, to allow Wommer to prosecute McMahon's first-direct appeal.

Accordingly, McMahon strongly asserts that appointment of counsel will enable both McMahon and this court to ferret out facts from fiction and sanitize the case to correct all plain error to GRANT the Relief Requested.

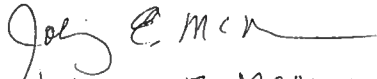
Dated: 19 day of June, 2025.

Respectfully submitted,

Johnny E. McMahon
Pro se

VERIFICATION/AFFIRMATION NRS 239.030

McMahon declares under penalty of perjury that the following and foregoing statements, evidence and pleading is true and accurate to the best of his ability and possesses first-hand knowledge of the truth and accuracy of the events and that no documents contain the social security number of anyone.

Dated: 19 day of June, 2025.

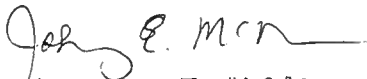

Johnny E. McMahon

CERTIFICATE OF SERVICE

McMahon declares that a true and correct copy of Motion for Appointment of Counsel Pursuant to 18 U.S.C.S. § 3006 A(a)(2)(B) 28 U.S.C.S. 1915(E)(1), was placed in U.S. mail postage pre-paid on 19 day of June, 2025 to:

Aaron Ford
Attorney General
State of Nevada
100 N. Carson St.
Carson City, NV 89701

Clark County District Attorney's Office
Steven B. Wolfson
200 Lewis Ave.
Las Vegas, NV 89101


Johnny E. McMahon
Pro se