

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: A-25-918548-W
DEPT. NO: XII

V5,

STATE OF NEVADA, et al.

Respondents,

PETITIONER'S REPLY TO STATE'S OPPOSITION TO
PETITIONER'S MOTION TO AMEND DISCLOSURE LIST
OF STATE RESPONDENT'S TO PENDING PETITION
FOR WRIT OF MANDAMUS AND HEARING REQUESTED.

DATE OF HEARING: JANUARY 28, 2026

TIME OF HEARING: 9:30 A.M.

COMES NOW, McMahon, Petitioner, Pro se, moves this Honorable Court to Grant the above Captioned Motion. The Clerk of the Court is in possession of all relevant prima facie exhibits in support of the Amended Disclosure List of State Respondents.

STATEMENT OF CASE/FACTS

1. For the sake of redundancy and judicial efficiency the Petitioner will refer this court to the Statement of Case/Facts addressed in the Petitioner's Reply to State's Opposition of Emergency Motion under NRAP 27(E)(2) For Court to Grant Petition For Writ of Mandamus for Want of Subject Matter Jurisdiction in Less than 14 Days and Declare a Void Judgment Pursuant to NRS 173.035 and Hearing Requested.
2. When the vehicle is being driven by a pro se prisoner petitioner the court engages in judicial activism to protect State Respondents to First: Deny a Hearing Requested with the transport and appearance of the movant party petitioner giving the Clark County District Attorney's Office carte blanche to conduct and dictate one sided ex parte hearings, by design, rendering the movant party as voiceless and unable to make a record for appellate review.
3. Every motion filed by a pro se petitioner for the appointment of counsel, in post-conviction, is denied based upon the courts mind-set that defendants do not possess a 6th amendment right to counsel, which runs afoul of the fact that Nevada is lawyer-driven State and a pro se prisoner petitioner has a better chance of meeting Jesus Christ at Taco Bell for lunch than being dispensed equal justice which is owed to the case.
4. For 18 years the Eighth Judicial District Courts have been sponsoring lawlessness and engaging in collusion to protect the

4. (Cont): Clark County District Attorney Offices' criminal enterprise to run roughshod over defendants constitutional rights to secure wrongful convictions. Fortunately, this degree of obstruction of justice, fraud upon the courts and RICO Act Violations is now being investigated by U.S. Attorney General, Sigal Chattah and is exactly why the State Respondents earned their place to become listed in the Petitioners Disclosure list for committing fraud upon the court, insubordination of perjury, and judges for going outside the scope of their official capacity and color of law, to engage in a conspiracy to run roughshod over the rights of prose prisoner petitioners as no checks and balances are in place to overturn these overt acts to dispense equal protection.

5. Based upon the fact that the Clark County District Attorney's Office has been committing fraud upon the court since March 23, 2006, claiming in open court that defendant was in arrest warrant status since April 2005, knowing full well that no such arrest warrant existed and was designed to overcome the jurisdictional defect which renders the case a void judgment. Then in Dec. 2011, DDA's G.O. and C.B., reinforced this lie going to Det. A.C.'s office to retrieve the unfiled Declaration of Warrant/ Summons from his files and faxing the bogus document over to defense counsel, Rochelle Nguyen, now a Nevada State Senator, who witnessed DDA, C.B. parade the document around the courtroom claiming that it was a valid arrest warrant and Judge Barker failing to physically inspect the requisite evidence pursuant to controlling standards to certify the question as to subject-matter jurisdiction which goes to the gravamen of the case, however this ruse will not pass constitutional scrutiny in the federal court under In Re Winship Burden of Proof Standard as the

5. (Cont): two prong litmus test consists of the: Burden of Production and the Burden of Persuasion, and being that this ruse has lasted for 18 years, and a warrant doesn't exist, State Respondents are unable to persuade the court and subpoena powers will be granted for the Clerk of Court to unseal record and to produce the original copy of the Arrest Warrant of 2005 for McMahon and for the Clark County Dist. Attorney's Office to produce their copy of the arrest warrant which they've been claiming ad nauseum to exist for 18 years, however they won't be able to hoodwink a Federal Court as the Standard of Review in *Chicago Pickling Supra* requires all lower and inferior courts to first certify the question as to subject-matter jurisdiction by physically inspecting the requisite evidence for the sake of full disclosure and transparency to certify Title III Jurisdiction, as Justice Scalia, writing for the court, put in place the Courts Controlling standard, as opposed to reviewing inferior courts tacitly and blindly accepting whatever a prosecutor pukes out as valid. The Court coined the phrase "The Doctrine of Hypothetical Jurisdiction" and severely chastised the 9th Circuit Court, including the State of Nevada, for engaging in this practice which is still ongoing 27 years later in Nevada, as no one holds the Clark County District Attorney's Office, or the protectionist 8th Judicial District Courts accountable, which equally extends to the Nev. Supreme Court, as they claimed that they addressed the jurisdictional matter, which is IMPOSSIBLE without physically inspecting the arrest warrant, and which is exactly why 8th Judicial District Court, Judge, Monica Trujillo, Sealed/Redacted the record, to both hide the truth and protect the Clark County District Attorney's Office's criminal enterprise, notwithstanding the fact that the court allowed, DDA, Jacob Villani, to author the court's order to invoke inapplicable ADEPA provisions as procedural default.

ARGUMENT

First and foremost what stands out as glaringly obvious is the fact that the State author is deliberately ignoring the arrest warrant ruse and any of convicted-felon-retained/legally-discharged, attorney, Paul Wommer's errors and omissions, as well as the fact that the Clark County District Attorney's Office fraudulent concealment of exculpatory DNA evidence, or Judge Barker's, Judicial Bias, in creating a conflict of interest in reappointing, PW, back onto the case to prosecute my first-direct appeal of right. The reason this author has intentionally avoided these Constitutional structural errors, is because the State Respondents have no legal standing and by committing fraud upon the court under NRCPRule 60(b)(6)(d)(3) renders the instant case ripe for controversy as the framers put in place a "savings clause" for petitioners to collaterally attack their conviction and sentence in perpetuity. The United States Supreme Court in Hazel-Atlas Glass Co. v. Hartford Empire Co., 322 US 238 (1944) took up fraud upon the court and the proper vehicle used when a party has upset the integrity of the judicial machinery citizens rely on to render fair verdicts is extraordinary writs to compel the performance of an act the law requires which triggers The Emergency Writ of Mandamus under NRAP 27(E)(2) based upon the Want of Subject-Matter Jurisdiction to be adjudicated within the 14 day time-frame or the court to declare the case a void judgment pursuant to NRS 173.035 and NRS 173.045 was put in place for the reviewing court to physically inspect the requisite evidence to prove legal standing. The arrest warrant goes to the gravamen of the case which is why no court has had the guts or courage to simply Order the Clerk of the Court to produce a valid original copy of the arrest warrant of 2005 for McMahon and to simply Order the Clark County District Attorney's Office to produce

a valid copy of the said arrest warrant based upon the fact that the collective courts knew that no such document exists in the first place and to sanction the Clark County District Attorney's office for engaging in insubordination of perjury and fraud upon the court would also require the court to sanction their office, fine, or report the violation to the Nevada State Bar Assn. placing their bar license in jeopardy, as well as hold each DDA in contempt of court. The collective judges include: Justice Court Magistrate, Karen Bennett-Haron, Eighth Judicial District Court Judges: David Barker, William Kephart, Susan Johnson, Monica Trujillo, and Michelle Leavitt who freely chose to go outside of the scope of their official capacity and color of law, to place their bar license in jeopardy to protect the Clark County District Attorneys office. Notwithstanding the fact to be indicted for obstruction of justice and RICO Act Violations by the U.S. Attorney General for State of Nevada, Sigal Chattah, who is currently investigating the instant case and cast of character. The United States Supreme Court in Chicago Steel aka Chicago Steel and Pickling Co. v. Citizens for Better Environment, 523 US 83, (40 LEd 210, 118 Sct 1003 (1998) whereby Justice Scalia, writing for the Court, placed the onus on all lower and inferior courts to prove Title III Jurisdiction as to subject-matter jurisdiction by physically inspecting the requisite evidence to certify the question, as absent that showing a court is ill prepared to act, without full disclosure and transparency. The Court went on to severely chastise the 9th Circuit Court, including the State of Nevada, engaging in this practice to tacitly and blindly accept a prosecutors claim, coining the phrase "The Doctrine of Hypothetical Jurisdiction". So here we are some 28 years later and the collective judges listed above in the Amended Disclosure List are still engaging in the practice to protect

the Clark County District Attorney's Office, or the named State Respondents. This notice is primarily designed to compel the reviewing court to Order the Clerk of the Court and Clark County District Attorney's Office to produce their copy of the arrest warrant of 2005 for McMahon and correct plain error, or again, place their bar license in jeopardy. The Petitioner, in numerous filings of petitions, has chronicled each named State Respondents violations, as such to continue repeating each State actors specific acts to warrant a violation is no more than a smoke screen for this author to evade fraudulent acts.

However, for the sake of specificity in again addressing each State Respondents error and as to why they engaged in collusion, corruption, in this conspiracy to obstruct justice and violate the civil rights of the petitioner to be sued in their individual capacity and this case is not barred by AEDPA provisions. The following are named Respondents:

1. Clark County District Attorney, Steven Wolfson, engaged in obstruction of justice, to manipulate both the Clerk of Court and 8th Judicial District Court, as well as fraud upon the court to sanction lies by oath-taking DDA's and failing to correct these errors pursuant to Rule 3.8 of Model Rules of Professional Conduct to protect their bar license, in overtly lying as to possessing a valid arrest warrant in 2005 for McMahon, and more serious criminal acts of forgery of Justice Court Magistrate, KBH, on a bogus TCR document which constitutes RICO Act Violations.

2. Former Clark County District Attorney, David Rogers, engaged in the initial fraud upon the court in claiming his office possessed a valid copy of an arrest warrant of 2005 for McMahon, and failing to correct plain error pursuant to Rule 3.8 of Model Rules of Professional Conduct. DA, Rogers engaged in obstruction of justice to secure a conviction to

2. (Con't): place his bar license in jeopardy to engage in RICO ACT Violations.

3. Clark County Deputy District Attorney, Glen O'Brien, at trial in May, 2008 engaged in obstruction of justice and civil rights violations to deny the Petitioner of a procedurally full and fair trial to coerce State witnesses to commit perjury and fraudulently conceal exculpatory DNA evidence to hoodwink the court and intentionally mislead the jury to secure a conviction, and again in December, 2011, committing Fraud upon the District Court by introducing into the court record a Declaration of Warrant/ Summons to claim that the unfiled document was a valid arrest Warrant of 2005 for McMahon, a clear fraud upon the court, then engaging in criminal forgery using a bogus TCR document with the signature of Magistrate, KBH, fraudulently affixed to the bogus TCR document to assert that based upon Magistrate, KBH's signature on the bogus document to overcome a probable cause Gernstein Hearing being conducted on paper, to also overcome the Unwarranted arrest of Dec. 12, 2005 of McMahon. DDA, G.O. additionally engaged in collusion, corruption, and a conspiracy to go outside the scope of his official duties to violate the Petitioner's civil rights.

4. Clark County Deputy District Attorney, Priyanka Sedlock, at trial in May, 2008 engaged in obstruction of justice and civil rights violations to deny Petitioner of a procedurally full and fair trial to coerce State witnesses to commit perjury and the fraudulent concealment of exculpatory DNA evidence to hoodwink the court and intentionally mislead the jury to secure a conviction, as well as engaging in collusion, corruption and conspiracy under RICO ACT Violations.

5. Clark County Deputy District Attorney, Colleen Brown, on Dec. 16, 2011 committed fraud upon the court by introducing into the court record a Declaration of Warrant/ Summons to claim that the unfiled document was a valid arrest warrant of 2005 for McMahon, a clear fraud upon the court, then engaging in criminal forgery using a bogus TCR document with the signature of Magistrate, KBH, fraudulently affixed to the bogus TCR document to overcome the unwarranted arrest of Dec. 12, 2005. DDA, C.B., additionally engaged in collusion, corruption and a conspiracy to go outside the scope of her official duties to violate the Petitioner's civil rights.

6. Clark County Deputy District Attorney, Jacob Villani, acting in collusion with 8th Judicial District Court Judge, Monica Trujillo to author the courts Order in Case No: A-19-790328-W, Dept. No: 3 Filed 5/09/2024. This act runs afoul of the NRAP for a court to allow a deputy district attorney to author the courts Order to invoke inapplicable AEDPA provisions of procedural default. The court did not even lay eyes on the pro se petition, or related motions denying Petitioner of a procedurally full and fair post-conviction appeal.

7. State of Nevada, Attorney General, Aaron Ford, was instrumental in denying the Petitioner's numerous pardon board applications, and in representing the 8th Judicial District Court to Motion the court to Seal/Redact record to hide the truth, knowing full well that both his office and Clark County District Attorney's Office did not possess a valid arrest warrant of 2005 for McMahon, and failed to correct the plain error thereby denying Petitioner of a procedurally full and fair post-conviction appeal.

8. State of Nevada, Deputy Attorney General, Sabrina Clinton, engaged in fraud upon the court, to claim in opposition briefs, that the Clark County District Attorney's Office possessed a valid copy of an arrest warrant of 2005 for McMahon, and engaged in collusion, corruption and a conspiracy to represent the Clark County District Attorney's Office and requested that the Eighth Judicial District Court, Judge, Monica Trujillo, to Seal/Redact the record on Nov. 14, 2022, to hide the truth that no such arrest warrant existed and further denying the Clerk of Court from producing an original copy of the arrest warrant of 2005 for McMahon to prove subject-matter jurisdiction.

9. Las Vegas Township Justice Court, Magistrate, Karen Bennett-Haron, went outside the scope of her official capacity on Dec. 14, 2005 in failing to conduct a probable cause Gernstein Hearing within 48 hours of the unwarranted arrest on Dec. 12, 2005 on record with witnesses, as mandated by Gernstein v Pugh supra and County of Riverside v. McLaughlin supra. On Dec. 15, 2005 at the Initial Appearance the court failed to adhere to the controlling statutes NRS 173.035 and NRS 173.045, when State prosecute requested the cause be passed as a proper charging instrument was not available to hold defendant to any crime. The court violated the Petitioner's, 5th, 6th, 14 amendment rights in failing to dismiss the cause without prejudice, pursuant to statutory law in proper refiling of case, instead the court passes the cause as motioned and ordered Petitioner to be released on own recognizance. The court again violated the Petitioner's constitutionally protected rights and laws of the case of Nev. Supreme Ct. when between Dec. 15, 2005 until April 6, 2006 the State failed to properly refile the case to establish subject-matter jurisdiction.

9. (Cont) based upon the States failure to properly refile the case immediately forthwith to protect the rights of citizens, while giving State prosecutors another bite at the apple to follow the curative/corrective statutes to first secure a valid arrest warrant then produce and serve a proper charging instrument on defendant, State failed to follow constitutional structural law and laws of case of Nev. S. Court in a long line of venerable cases which fully exonerated the defendants and held the case constitutes as a void judgment, which leaves the reviewing court with no discretion to act. On March 23, 2006 at Preliminary Hearing Clark County Deputy Dist. Attorney, C. B. intentionally, with malice and aforethought, began this campaign of lies and fraud upon the court, to overcome the void judgment, by asserting in open court that the defendant was in arrest warrant status from April, 2005. The court strongly rebuffed the assertions holding that the Clerk of the Court has no such arrest warrant on file. As opposed to the court this time dismissing the case with prejudice for want of subject-matter jurisdiction constituting as a void judgment, the court chastises the Clark County District Attorney's Office for failing to timely refile cases possessing a modus operandi of engaging in such conduct, however the court errors by binding the case over to the 8th Judicial District Court to deal with the jurisdictional defect in violation of statutory law as the court did not legally possess the power and authority to act, and did not lawfully obtain legal custody over the case and the State Respondents did not possess legal custody over the person McMahon, to pursue prosecution of the case. Void judgment. Notwithstanding the fact that Petitioner's retained attorney, Paul Wommer, failed to motion the court in limine to dismiss the case with prejudice for void judgment.

9. (Cont): Justice Court Magistrate, KBH, continued to sponsor and sanction the Clark County District Attorney's Office's lawlessness when on Dec. 16, 2011 at a Strickland Hearing DDA, G.O. and C.B., presented a bogus TCR document, after presenting the unfilled Declaration of Warrant/ Summons claiming that the document was a valid arrest warrant, which is in stark contrast to the original TCR document issued to Petitioner on Dec. 12, 2005. The States bogus TCR document, replete with white out marks and redactions, contains the fraudulent affixed signature of Magistrate, KBH, on the document, as the signature runs underneath the pre-printed form line and boxes, which defies forensic science and is clearly a case of criminal forgery by government officers of a sitting judge on a legal document. Subsequent to this farce and sham Strickland Hearing the Petitioner forwarded a pro se motion and correspondence to Magistrate, KBH, to authenticate and verify her signature on the States TCR document as being true and accurate, and to subpoena the States original TCR document for a forensic examination to determine if the crime of forgery exists? The court refused to pursue this inquiry and freely chose to protect, sponsor and sanction lawlessness of the Clark County District Attorney's Office.

10. Las Vegas Metropolitan Police Department Detective, Arturo Chavez, on Oct. 6, 2004 in a voluntary statement interview of the Petitioner lied profusely claiming that he spoke to witness accuser, E.H. and he claimed that she was pregnant, which was a lie as E.H. intentionally evaded Det. A.C. for over a year to give a voluntary statement interview on Nov. 2005, these overt lies by Det. A.C. were designed to secure a DNA buccal swab, as testified at trial, in May, 2008, by Det. A.C. calling

10. (Cont): the tactic, to illegally secure a DNA buccal swab, a ruse used by detectives to sometimes get a suspect to admit to the crime. On direct examination of DDA, G.O., Det. A.C. asserted that he drafted out an arrest warrant, then on re-direct examination by, DDA, G.O., recanted to claim that when the defendant was arrested on Dec. 12, 2005 that an arrest warrant was not in place. Again, this arrest warrant ruse goes to the gravamen of the case, rendering the case as a void judgment. Det. A.C. failed to interview anyone known to either witness accuser, yet interviewed Petitioner's 5 year old preschooler daughter, R.M. and coerced with suggestive tactics to claim that R.M. witnessed the Petitioner and E.H. Kiss and have sex, in the voluntary statement interview, R.M., also claimed that she had a boyfriend, that her dad gave her 2 golf balls for Christmas, that TVs can fart, etc. Fantasy and fiction consistent with infant children, moreover, at trial, in the credibility contest, the court failed to comply with statutes and controlling laws of the case, to interview minor children under the age of 10, outside the presence of the jury, to determine credibility and just impressions, as when R.M. was forced to testify as a States witness, she couldn't recall any of the events, as to the Voluntary statement interview, and was unable to even read the said document, the court allowed the States voluntary statement interview entered as evidence of prior acts. Det. A.C., in illegally obtaining the DNA buccal swab, was not suppressed by court as a Horney, P.W. failed to motion the court to suppress the illegally obtained DNA evidence.

11. Las Vegas Metropolitan Police Officer, Noel Lefrebe, on Dec. 12, 2005, went outside the scope of his official duties to engage in entrapment of the Petitioner, in responding to a distress

11. (Cont): call by mentally challenged adult complainant, L.R.K., and N.L. coerced E.H., to call the Petitioner to flush him out of Dr. P.C.'s house into the public, as had a valid arrest warrant been in place on NCIC/SCOPE, the rogue cop, N.L., could have simply driven over to Dr. P.C.'s residence to effectuate a legal arrest, yet when the Petitioner, in the ruse, agreed to meet with E.H., at a 7-11 on private property, rogue cop, N.L., confronted the Petitioner, berated him for sexually assaulting E.H., handcuffed Petitioner and transported him to CCDC for expired license plates on Dr. P.C.'s vehicle, whereby 99.999% of the time constitutes a warning or non-moving traffic citation.

12. SAINT, nurse practitioner, Phyllis Suiter, a part-time employee of the State testifying favorably over 64 times, absent declaring the income on her W-2 form tax statements, used junk science analysis, claiming that she diagnosed E.H., months after the fact and testified at trial in May, 2008 that E.H.'s hymenal tear was consistent with a sexual assault, as if vaginas can talk, and absent corroboration by a medical physician, P.S.'s prejudicial and bias comment was designed to support and collaborate E.H.'s testimony.

13. State of Utah, Forensic Laboratory DNA expert, Rebecca Hull, who claimed at trial she examined States Exs #31-33, Petitioner's bedding, testified that the commingled DNA was 1-38,000 against defendant for engaging in the initial sex act, in June, 2004, to tear E.H.'s hymenal blood sac, inferring to the jury that the DNA evidence, collected by LVMPD on Oct. 6, 2004, that defendant, R.M. and E.H. all

13. (Con't): Slept on bloody bedding for over four months, however DNA inflames the passions of lay jurors, who's passions were already inflamed by misjoinder of cases. Notwithstanding the fact, that pursuant to NRS 176.0918(c)(3) a genetic marker analysis is required to determine the true commingled blood DNA, on States Exs 31-33, moreover, had attorney, PW, and States rogue vindictive prosecutors fraudulently concealed exculpatory DNA evidence, which E.H. in her voluntary statement interview, of Oct. 2005 on page 19 claimed that she had a menstrual period discharge on Petitioner's bedding, in Oct. 2004, when Petitioner and RM were in N.Y. Wherefore, had attorney, P.W. either presented E.H.'s statement or motioned the court to suppress the illegally obtained DNA evidence, or simply called a forensic expert, to rebut States expert, and test DNA evidence which goes to the gravamen of the case, the Petitioner would have received a procedurally full and fair trial, sanitized of taint, and the outcome of the proceedings would have been different and the Petitioner would have been acquitted. However, based upon defense attorney, PW, acting in the capacity of a second prosecutor, in on the fix to secure a conviction, failing to put the States case to a meaningful adversarial testing, and the States vindictive prosecutors using any tactic and strategy to secure a conviction, intentionally creating an unlevel playing field to move the goalposts to coerce DNA expert, R.H., to obfuscate the facts and usurp the legal process in failing to forensically test the DNA pursuant to controlling legal statutory standards to determine if the commingled DNA evidence was hymenal blood sac, or E.H.'s menstrual period discharge?

14. Eighth Judicial District Court, Judge, David Barker, an ex-prosecutor along with Friend Attorney, PW, in the Clark County District Attorney's Office, who's allegiance is to the government, engaged in judicial bias at trial and in sentencing, as Petitioner put the court on notice in colloquy with court strongly asserting that retained trial attorney, PW, was fired/legally discharged as counsel and cannot prosecute the first-direct appeal of right. Petitioner again put the court on notice filing 3 timely pro se motions to: (1) Order attorney, PW, withdraw as Counsel for conflict of interest; (2) For court to appoint a conflict-free counsel to prosecute the Petitioner's first-direct appeal of right; or (3) Allow Petitioner to proceed in a Faretta setting pro se to prosecute his first-direct appeal of right. The court committed a constitutional structural error and stayed the 3 motions and granted attorney, PW's, motion for appointment of counsel enabling PW, to constructively hijack Petitioner's first-direct appeal of right to cover up his 30 plus trial errors and omissions and to profit, Petitioner filed ex parte correspondence and pro se motion back to judge, Barker, to recuse sua sponte for cause for also failing to address the jurisdictional defect, and filed ex parte correspondence and pro se motion to the Chief Judge to arrest the case and take jurisdiction, all to no avail. On Dec. 16, 2011 a Strickland Hearing was conducted, before judge, Barker, to challenge retained trial attorney, PW's, some 30 plus IAC errors and omissions at lower level, as well as constructively hijacking the Petitioner's first-direct appeal of right. At said hearing, DDA's, G.O. and C.B. retrieved the unfilled Declaration of Warrant/Summons from Det. A.C. file and faxed the document over to defense counsel, Rochelle Nguyen, now a Nevada State Senator, who witnessed DDA, C.B. parade the bogus document around the courtroom, absent the

14. (Cont): Court physically inspecting the bogus arrest warrant document, claiming that the Unfiled Declaration of Warrant/Summons was a valid arrest warrant, to overcome the failure of Justice Court to conduct a probable cause Gernstein Hearing within 48 hours of the unwarranted arrest on Dec. 12, 2005. The court additionally failed to physically inspect States bogus TCR document with the forged affixed signature of Magistrate, KBH, onto the document, and equally egregious, reflective of the Courts fatally flawed and erroneous Order of April, 1, 2012, holding that attorney, P.W.'s, representation at the lower level was both tactical and strategic in not violating Strickland Standards. Notwithstanding the fact, that Judge Barker continued to protect both, attorney, P.W. and the Clark County District Attorney's Office, the Courts constitutional structural error in creating a clear conflict of interest to force an unwanted fired / legally discharged trial lawyer back onto the case to prosecute the Petitioner's first-direct appeal of right renders this a case of first-impression and constitutionally null and void, and renders the Nevada Supreme Courts Affirmance and Remittitur as null and void, which equally attaches to all subsequent post-conviction appeals.

15. Eighth Judicial District Court, Judge, William Kephart, another ex-prosecutor judge, went outside the scope of his official office, to deny petition for Writ of Habeas Corpus in a post-conviction appeal, as again, all subsequent appeals are constitutionally null and void, yet the court used the only available defense, to protect the State, when there is no defense, inapplicable AEDPA provisions as procedural default, which again, constitutional structural errors can bypass the gateway of AEDPA provisions and court failed to comply with the controlling

15. (Cont); standards of the U.S. Supreme Court in *In Re Winship* and *Chicago Pickling* to first certify the question as to subject-matter jurisdiction before addressing the merits and invoking inapplicable AEDPA provisions to bar a jurisdictional review, or the constitutional structural error of judicial bias, by Judge, Barker, creating a conflict of interest to render the first-direct appeal of right as null and void, which equally attaches to all subsequent Orders by 8th Judicial District Court Judges.

16. Eighth Judicial District Court, Judge, Susan Johnson, who like all of the 8th Judicial District Court Judges, failed to first certify the question as to subject-matter jurisdiction, to protect the Clark County District Attorney's Office, in declaring the case as a void judgment. The court also invoked inapplicable AEDPA provisions as Claim Preclusion, to deny the habeas petition and put in place the only defense available to a court when there is no other defense in post-conviction appeals inapplicable AEDPA to bar jurisdiction review.

17. Eighth Judicial District Court, Judge, Monica Trujillo, went far outside of the scope of the courts official capacity to allow DDA, Jacob Villani, to author the courts Order denying the Petitioner's Writ of Habeas Corpus invoking inapplicable AEDPA provisions as Procedural Default, and engaging in more judicial activism to grant a motion filed by the State Attorney General's Office, representing the Clark Co. Dist. Atty's Office to Redact/Seal the record to hide the truth as the Clerk of Court does not possess a valid arrest warrant of 2005 for McMahon, which again goes to the graveman of the case rendering the instant case as a void judgment.

18. Eighth Judicial District Court, Judge, Michelle Leavitt, first failed to certify the question, as to subject-matter jurisdiction, and like the aforementioned 8th Judicial District Court Judges, protected the Clark County District Attorney's office, from engaging in fraud upon the court, insubordination of perjury, while sponsoring and sanctioning lawlessness, and failing to comply with the controlling statutory laws and controlling laws of the case of the Nev. S. Ct as well the controlling standards of the U.S. Supreme Court in proving Title 3 Jurisdiction by physically inspecting the requisite evidence. Void Judgment.

19. Nevada Department of Corrections, Northern Nevada Correctional Center, Warden, Perry Russell, retaliated against the Petitioner, when subsequent to the Petitioner prevailing against the Warden, et al, in a Writ of Mandamus in the First Judicial District Court, before the Honorable Judge, James T. Russell, Warden, Perry Russell, again got busted for lying in documents and the Petitioner was preparing a 1983 class action lawsuit. The Petitioner was housed at NNCC for 14 years with no record to warrant retaliation or transfer, and was medically assigned to NNCC by medical physician, Dr. Karen Getney, as NNCC is the only Flat yard facility in the NDOC. Warden, Perry Russell, retaliated against the petitioner, declaring the petitioner as litigious and placed him on "Diesel Therapy" transferring the petitioner to Warm Springs then to LCC. A clear 8th amendment violation as to cruel and unusual punishment.

20. Nevada Department of Corrections, Director, James Drezendra, failed to correct the overt retaliation of Warden, Perry Russell, of Petitioner, to be transferred back to NNCC, wherefore, the Director sponsored and sanctioned the retaliation constituting cruel and unusual punishment.

21. Nevada Department of Corrections, Lovelock Correctional Center, Warden, Nathanjah Breitenbach, failed to transfer Petitioner back to NNCC, based upon the retaliation of Warden, Perry Russell, engaging in retaliation to transfer the Petitioner to LCC.

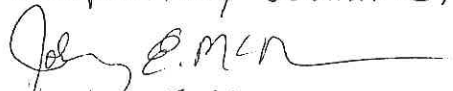
22. Eighth Judicial District, Clerk of the Court, Steven Grierson, engaged in collusion and corruption in transferring the instant case to Dept. 3, Judge, Monica Trujillo, working in concert with, DA, Steven Wolfson, Clark County District Attorney's Office, to manipulate the Clerks office to intentionally place cases in departments, that are favorable to the Clark County District Attorney's Office, mainly the ex-prosecutor judges are engaging in obstruction of justice to protect the DA's office and these RICO ACT violations are being investigated by U.S. Attorney General for State of Nevada, Sigal Chatlah.

CONCLUSION

Based on the foregoing, the Petitioner respectfully requests Petitioner's Motion to Amend Disclosure List of State Respondents to Pending Petition for Writ of Mandamus be granted.

Dated: 18 day of February, 2026.

Respectfully submitted,

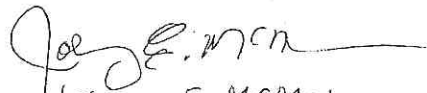

Johnny E. McMahon

Pro se

VERIFICATION/AFFIRMATION NRS 239B.030

Mr. 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.

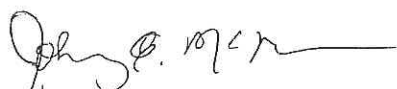
Dated: 18 day of February, 2026.


Johnny E. McMahon

CERTIFICATE OF SERVICE

Mr. McMahon declares that a true and correct copy of Petitioner's Reply to State's Opposition to Petitioner's Motion to Amend Disclosure List of State Respondents to Pending Petition for Writ of Mandamus and Hearing Requested, was placed in the U.S. Mail postage pre-paid on 18 day of February, 2026 to:

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


Johnny E. McMahon
Pro se