

DEC 21 2020

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No. 20-932

In The
SUPREME COURT OF THE UNITED STATES

BOBBY L. FRANKLIN, D/B/A DAYDREAM
LAND & SYSTEMS DEVELOPMENT,

Petitioner,

v.

D.J. LAUGHLIN; ATTORNEY WILLIAM R.
URGA,

Respondents.

**On Petition for a Writ of Certiorari to
The Supreme Court of the State of Nevada**

PETITION FOR A WRIT OF CERTIORARI

BOBBY L. FRANKLIN
Desert Land Entryman N-49548
DL&S Development Co.
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Las Vegas, NV. 89108

Petitioner *pro se*
830-822-4791

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QUESTIONS PRESENTED

1. Has Petitioner Franklin's existing *stare decisis* patent rights that is published in his *certified* First Title on the described 80 acres ever been addressed or examined in any judiciary court to be enjoined from NRS 40.010 *et seq.* Quiet Title Action relief¹?
- a. Should Respondent Laughlin's subsequent *adverse* patent rights on Franklin's 80 acre estate have been addressed or annulled by the Nevada court(s) for his alleged premeditated fraud²;
- b. Did his attorney Urga finally *document* his fabricated and undisputed five counts of "fraud upon the district court minutes" in 2016, that has extorted Franklin's 80 acre estate into his client D.J. Laughlin's possession, subject to liability under NRS 207.400, 207.470³; and,
- c. Have the Nevada courts mistakenly let the Respondents jointly get away with it all, in violation to the due process clause in the 14th Amendment of the United States Constitution?

¹https://drive.google.com/file/d/1U6WkUiltv4FPQsCT3Wn_h0DW7pjxqWMC/view

²https://docs.google.com/document/d/1ZB6adR_IlhUbBRkkUcSFn9ALPN2_PITTyPZOrKvfsUQ/edit#heading=h.gidgxs

³<https://drive.google.com/file/d/0B0jiIQV1AnnCUIVvWVJlb282eU0/view>

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PETITION FOR CERTIORARI

Petitioner Bobby L. Franklin respectfully requests a writ of certiorari issue to review the judgment(s) by the Nevada courts that have ignored, dismissed and deleted Franklin's *stare decisis* patent rights that is published in his *certified* First Title on the described 80 acres, of which "has never been addressed or examined in any judicial court to be enjoined or deleted from record by the Nevada courts."

OPINIONS BELOW

The Clark County District Court final "Decision and Order" that denied to resolve any Questions Presented on appeal; deleted the complaint and its evidence from the Register of Actions record; and, its *ex parte* reasoning was filed 06/04/2020 and is reprinted in Appendix D.

The Nevada Supreme Court "Order Dismissing Appeal" jurisdiction of my existing *stare decisis* patent rights that is published in my *certified* First Title on my 80 acre estate; prohibited any "opening brief" to be filed; and, failed to answer or resolve any Questions Presented on appeal was filed on 07/30/2020 and is reprinted in Appendix C.

The Nevada Supreme Court "Order Regarding Motions" that *denied* my motion to dissolve any injunction and post bond on the 80 acres pending appeal resolution was filed on 09/03/2020 and is reprinted in Appendix B.

The Nevada Supreme Court "Order Denying Rehearing" of my existing *stare decisis* patent rights that is published in my *certified* First Title on the described 80 acres, and failed to answer or resolve any Questions Presented on appeal was entered on 10/01/2020 and is re- printed in Appendix A.

JURISDICTION

The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a).

CONSTITUTIONAL PROVISION

The *due process clause* in the 14th Amendment to the U.S. Constitution:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

INTRODUCTION

In 1988, I *purchased* the described 80 acres from the BLM, under the 1877 Desert Land Act of Congress 43 U.S.C. §§ 321-323, 325, and I was issued the "receiver's receipt" for it from the BLM. See, footnote 1 in the Questions Presented.

In 1990, the IBLA "reversed" all BLM *mineral claims* on my 80 acres, and "remanded" the BLM "for action consistent with this opinion." Such IBLA Decision is final for the DOI and its BLM agency. See, footnote 1.

In 1991, I discovered my *stare decisis* patent rights in the law library, so I began publishing such instruments in my First Title on the described 80 acres with the Clark County Recorder. See, footnote 1.

In 2006, respondent Laughlin acquired his *adverse* patent(s) on my 80 acre estate. See, "footnote 2". Days later, D.J. Laughlin's BWD corporations via his attorney URGA sued me and my family in Nevada federal court for tort and to quiet title in case *BWD Properties 2, LLC v. Franklin*, 2:06-CV-01499-BES-

PAL, decided 09/27/2007, where attorney URGA persuaded the newly appointed federal Judge Sandoval to *omit* my *stare decisis* patent rights that is published in my First Title from the evidence.

On 09/29/2008, after omitting my *stare decisis* patent rights that is published in my First Title from evidence, Judge Sandoval ruled I "have no property rights" and enjoined my property rights on the 80 acres. Soon thereafter he resigned as federal judge.

In 2016, Attorney Urga finally *documented* his undisputed five counts of his "fraud on the district court minutes" in the Nevada courts that had extorted my 80 acre estate into his client D.J. Laughlin's possession. There is *no* statute of limitations on such fraud. See, footnote 3 under the Questions Presented.

On 10/25/2018, I had my *stare decisis* patent rights in my existing First Title on the 80 acres *certified* by the Clark County Recorder, to be verified and to re-file it as the district court *certified evidence* that was previously overlooked and omitted from record by the Nevada courts. See, footnote 1, Questions Presented.

STATEMENT OF THE CASE

On 05/15/2020, I electronically filed my Petition and Complaint in the Clark County District Court for NRS 40.010 *et seq.* 40.030 Quiet Title Action relief, and to *address*:

- 1) My existing *stare decisis* patent rights that is now published in my *certified* First Title on the described 80 acres. See, footnote 1 in Questions Presented;
- 2) Respondent Laughlin's *adverse* patent rights on the 80 acres. See, footnote 2; and,
- 3) Attorney Urga's undisputed and *documented* five counts of his "fraud on the district court minutes" he stated in 2016, to extort my 80 acre estate into his

client D.J. Laughlin's possession. See, footnote 3 under the Questions Presented.

On 06/04/2020, in its final *Decision and Order* the district court:

1) Directed her Clerk "to close case A-20-815083-D" and strike/omit/delete my Petition, Complaint and its evidence from the court Register of Actions record; and,

2) In *ex parte*, misquoted the deleted Complaint and tried to defend attorney Urga's undisputed five counts of his "fraud on the district court minutes" that he stated in *footnote 3* that had extorted the 80 acres from Franklin into his client D.J. Laughlin's possession. [Footnote 1 clearly proves that footnote 3 was/is all fabricated fraud and extortion by the Respondents.]

On 06/09/2020, Franklin's *Motion to Reconsider* under Rule 60(b)(3)(4), 60(d)(1)(3) was timely filed in the district court, and nobody responded to it.

On 07/30/2020, the Nevada Supreme Court filed its *Order Dismissing Appeal* jurisdiction which prohibited any opening brief to be filed.

On 08/18/2020, I filed the Motion(s) to dissolve any injunction that may be on the 80 acres until my *stare decisis* patent rights in my *certified* First Title are addressed, and I requested leave of court to post bond pending resolution.

On 09/03/2020, the Nevada Supreme Court filed its *Order Regarding Motions* which *denied* my Motion to dissolve any injunction that may be on the 80 acres and *denied* my request to post bond pending appeal resolution, which is also appealable.

On 10/01/2020, the Nevada Supreme Court filed its short *Order Denying Rehearing*.

On 10/21/2020, I USPS priority mailed the Nevada Supreme Court and the Respondents the Appellant's Motion to Stay Issuance of Remittitur pending writ of certiorari.

On 10/26/2020, its Remittitur Issued/Case Closed, and my Motion to Stay was not filed.

REASONS FOR GRANTING PETITION

In the (above) Nevada courts, Franklin repeatedly pleaded the 2016 *documented* truth:

1. "Attorney URGA argued 'this had been *laid out* in several federal courts', While clearly knowing that Franklin's First Title has never been *laid out* nor has it ever been [addressed] *examined* in any judicial court to be *laid out*. See, footnote #3 under Questions Presented."
2. "Attorney URGA falsely stated that 'the BLM rejected Pltf's action because the land was mineral in character.' While clearly knowing that the Department of the Interior Board of Land Appeals (IBLA) had finally *reversed* all BLM *mineral claims* on 09/27/1990, in Bobby L. Franklin, 116 IBLA 29-31. See, footnote #1 under the Questions Presented."
3. "Attorney URGA falsely stated ... 'that the Pltf. was deemed a vexatious litigant', while knowing that at that time of hearing, that was also false. See, footnote #3."
4. "Attorney URGA fraudulently argued that 'the Pltf's. application to purchase the property from the BLM was denied due to their report, which indicated the land was mineral in nature and not suitable for agricultural purposes', While clearly knowing Franklin did purchase the described 80 acres from the BLM in August 1988 and has the purchase *receipts* to prove it; and, on 08/27/1990, the IBLA had finally *reversed*

all BLM 'mineral in nature' claims in *Bobby L. Franklin*, 116 IBLA 29-31 (1990) and had *remanded* the "BLM for action consistent with this opinion. See, footnote #1."

5. "Attorney URGA argued that in 2006, his client D.J. Laughlin 'purchased the land at a BLM auction', While knowing such BLM auction was requested and formed by D.J. Laughlin in his political "Envision Laughlin⁴" organization to steal the 80 acres from Franklin and conceal his existing First Title on it. Also, URGA omitted to disclose that on each of the three adverse patents D.J. Laughlin received from BLM, they each cite the patents are 'SUBJECT TO: (Franklin's) Valid existing right'; and, that the USA had waived all interest and liability in the 80 acre matter."

[See, footnotes 1-3 under Questions Presented]

The district court's final *Decision and Order* had deleted the filed complaint and its evidence from record; ignored Franklin's Motion to Reconsider; and, misquoted the complaint. In *ex parte*, she tried to defend attorney Urga's *documented* five counts of his "fraud on the district court minutes" he did in 2016, all done in its one-sided *ex parte* miscomprehension of the written facts, without any objection allowed, after deleting the *certified* evidence in footnotes 1-3 that was filed in her district courtroom.

The Nevada Supreme Court again mistakenly denied its jurisdiction: 1) To ever address my *stare decises* patent rights published in my *certified* First

⁴ <https://fedlaws.xyz> This URL website *documents* in detailed chronology the dated events done by the named respondents and their other public officers who are jointly in the biggest real estate extortion racket in Nevada history. How many law enforcement agency referrals do I need to have this public corruption racket investigated, audited and prosecuted NRS 207.400, 207.470?

Title; 2) To ever address D.J. Laughlin's *adverse* patent rights on my 80 acre estate; and 3) To ever address attorney Urga's undisputed five counts of his "*fraud on the district court minutes*" he documented in 2016.

In summation to this petition, Franklin's *stare decisis* patent rights under 43 C.F.R. § 1862.6, 43 U.S.C. § 1165 are published and now *certified* in his First Title on his 80 acre estate, under the longstanding decision of this United States Supreme Court in *Stockley, et al., v. United States*, 260 U.S. 532 (1923) that the Nevada courts omit, delete, deny and dismissed:

**5. Public lands key 98—
Limitation of two years after
issuance of receipt forecloses
inquiry into the mineral character
of land.**

The expiration of the two-year period of limitations after the issuance of the receiver's receipt upon final entry which, under Act March 8 1891, § 7 (Comp. St. § 5118), entitles the entryman to a patent if the no contest or protest is then pending, precludes a subsequent inquiry as to whether the entryman knew or should have known that the land was chiefly valuable for its minerals at the time he made his entry and final proof.

...

[5] The effective character of the receiver's receipt being established, the question, after the lapse of the two-year period, as to whether the land was mineral bearing, was no longer open.

Inquiry upon that ground was then foreclosed, along with all others. Payne v. United States ex rel. Newton, *supra*.

[See, footnote 1 under the Questions Presented]

And that unequivocally proves that the Respondents fraudulently extorted my 80 acre estate, and the Nevada courts have mistakenly let them get away with it in *ex parte*, by omitting, concealing, denying and deleting the documented evidence in the URL footnotes 1-4 from the court Register of Actions record.

For the last fourteen-years, the same named Respondents have jointly been concealing and defrauding my existing *stare decisis* patent rights on my 80 acre estate described in my *certified* First Title from QTA relief, but as of 2016 their fraud is now all *documented* in footnotes 1-3, and the Nevada courts have mistakenly let them get away with it all in this case on appeal.

CONCLUSION

Based on the foregoing, the Respondents must be ordered to respond and the petition for a writ of certiorari should be granted.

Respectfully submitted by,

s/ BOBBY L. FRANKLIN
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Petitioner *pro se*
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IN THE SUPREME COURT OF THE STATE OF
NEVADA

BOBBY FRANKLIN, D/B/A) No. 81432
DAYDREAM LAND &)
SYSTEMS DEVELOPMENT,) FILED
Appellant,) OCT 01 2020
Vs.) Elizabeth A. Brown
D.J. LAUGHLIN; AND) Clerk of Supreme Court
ATTORNEY WILLIAM R.) By: illegible
URGA,) Chief Deputy Clerk
Respondents.)
_____)

ORDER DENYING REHEARING

Rehearing denied. NRAP(c).

It is so ORDERED.

/s/Parraquirre, J.

/s/Hardesty, J.

/s/Cadish, J.

cc: Hon. Linda Marie Bell, Chief Judge
Bobby Franklin
D.J. Laughlin
Jolly Urga Woodbury Holthus & Rose
Eighth District Court Clerk