

FEB 10 2024

OFFICE OF THE CLERK

23A746

IN THE SUPREME COURT OF THE UNITED STATES

CARLOS JACKSON,

Appellant,

vs.

MARKEL AMERICAN INSURANCE
COMPANY, a Virginia corporation;
AMY POWELL, an Individual;
BERNARD McGROARTY, an
Individual; DICKINSON WRIGHT
PLLC; TIMOTHY M. STRONG; AND
JUSTIN J. BUSTOS,

Respondents.

No:

**MOTION TO STAY REMITTITUR FOR COURT OF APPEALS &
NEVADA SUPREME COURT CASE NUMBER 84824/85139 AND LAS
VEGAS DISTRICT CIRCUIT COURT CASE NUMBER A-843677-C**

CARLOS JACKSON, PRO SE
10170 W. Tropicana Avenue, Ste 156
Las Vegas, NV 89147
310-924-5135
mostcreativeone@outlook.com

RECEIVED

FEB 13 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

STATEMENT OF CASE

A party may file a motion to stay the remittitur pending application to the Supreme Court of The United States of America for writ of certiorari.

Appellant's entire case was dismissed and wrongfully denied, because appellant, who is a Pro-Per litigant failed to state a claim for relief in his lawsuit filed on November 4, 2021, and respondent's attorneys took advantage of appellant's mistake and aggressively prohibited appellant from amending his complaint properly with a licensed attorney in court, to state a claim for bad faith insurance tactics by Markel American Insurance and Amy Powell and Benard McGroarty.

Appellant's civil rights were violated by District Court Judge Crystal Eller for denying appellant an opportunity during a medical emergency to hire an attorney to represent appellant and to amend appellant's defective complaint filed in the District Court of Las Vegas Nevada on November 4, 2021.

District Court Judge Crystal Eller dismissed appellant's case with prejudice on April 13, 2022, even though Judge Crystal Eller stated in a court minute order on March 2, 2022, that appellant had 45 days to hire an attorney from March 2, 2022.

Appellant abided by the court minute order and hired an attorney to take over appellant's case before the April 13, 2022, deadline, even though he was experiencing an extreme medical emergency beginning March 6, 2022, through April 13, 2022, which Judge Eller ignored and denied.

Judge Crystal Eller denied appellant's motion for a stay due to a severe medical emergency and reversed her court minute order on March 2, 2022, and denied appellant's newly hired attorney, Michael Balban the legal right to take over appellant's case and amend appellant's defective complaint at a court hearing on April 13, 2022.

Appellant is now in the process of trying to file a petition for writ of certiorari with the United States Supreme Court to seek justice.

Appellant is requesting a stay of remittitur be issued immediately in the interest of justice, until appellant's writ of certiorari is filed with the United States Supreme Court to prove his claim. Respondent's attorneys are aggressively trying to enforce an illegal \$30,000 statutory judgment against appellant and respondent's attorneys violated Nevada Rules and Regulations Rule 42 (D) (5), which makes

respondent's attorneys ineligible to litigate any cases in the state of Nevada and Judge Crystal Eller and respondent's attorneys are aware of this litigation violation.

ISSUES ON APPEAL

1. District Court Judge Crystal Eller erred in denying appellant the right to hire an attorney to represent appellant during a medical emergency to amend appellant's defective complaint on April 13, 2022.
2. Nevada Court of Appeals Judges intentionally and deliberately renamed the caption page on appellant's lawsuit complaint and took Markel American Insurance Company and two defendants, Amy Powell and Benard McGroarty off the caption pages as defendants to help respondent's attorneys Dickinson Wright PLLC. This court action by the Nevada Appellant Judges was unethical, unconstitutional and a severe violation of appellant's civil and constitutional legal rights to get a fair appeal.
3. District Court Judge Crystal Eller gave appellant 45 days from March 2, 2022, to hire an attorney in a documented court minute order. Appellant hired an attorney during an extreme medical emergency, before Judge Crystal Ellers April 13, 2022, deadline.

4. Judge Crystal Eller mysteriously reversed her court order and denied appellant the opportunity to hire counsel on April 13, 2022, and eventually dismissed appellant's entire case with prejudice.
5. Appellant also tried to strike respondent's attorneys NRS 41.660 statutory award motion for \$30,000 against appellant for respondent's attorneys not registering and paying a mandatory fee of \$550 and getting a signed court order from Judge Crystal Eller, to litigate in the state Nevada, which is prohibited by the Nevada Supreme Court Rules and Regulations 42 (5) (D)
6. Judge Crystal Eller and the Nevada Court of Appeals Judges refused to rule on this severe violation by respondent's attorneys, even though appellant has filed more than 3 motions for the judges in Nevada to strike or dismiss respondent's attorneys NRS 41.660 due to violation of Nevada Rule 42 (5) and Nevada Rule (D) and motion to dismiss.
7. Appellant was denied an opportunity to have his case stayed during a severe medical emergency by Judge Crystal Eller on March 22, 2022, and this issue was a malicious act.

II. CONCLUSION

For the foregoing reasons, Appellant, respectfully requests, that the United States Supreme Court GRANTS a stay of appellant's application for stay of Remittitur due to violation of appellants civil rights by a District Court Judge Crystal Eller for not allowing a pro-per litigant his constitutional right to hire an attorney to represent him during an extreme medical emergency and to properly amend appellant's defective complaint filed on November 4, 2021. Appellant is in the process of hiring an attorney, to submit a petition of writ of certiorari to the United States Supreme Court, that will substantiate his claims for justice and show an extreme miscarriage of justice by respondents attorneys and all the Judges in the state of Nevada.

DATED: February 9, 2024

Respectfully submitted,

/s/ Carlos Jackson

CARLOS JACKSON

10170 W Tropicana Avenue, Ste. 156

Las Vegas, Nevada 89147

(310) 924-5135

mostcreativeone@outlook.com

EXHIBIT 1 & 2

REMITTITUR & DENIAL OF PETITION FOR REVIEW & MOTION TO
STAY.

JUDGE CRYSTAL ELLER COURT MINUTE ORDER 3-2-2022
REVERSING HER ORDER AND DENYING APPELLANT THE RIGHT TO
HIRE AN ATTORNEY TO REPRESENT HIM AND AMEND HIS COMPLAINT.

IN THE SUPREME COURT OF THE STATE OF NEVADA

CARLOS JACKSON,
Appellant,
vs.
DICKINSON WRIGHT PLLC; TIMOTHY M.
STRONG; AND JUSTIN J. BUSTOS,
Respondents.

Supreme Court No. 84824/85139
District Court Case No. A843677

CARLOS JACKSON,
Appellant,
vs.
DICKINSON WRIGHT PLLC; TIMOTHY M.
STRONG; AND JUSTIN J. BUSTOS,
Respondents.

FILED
NOV 28 2023
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: *[Signature]*
DEPUTY CLERK

REMITTITUR

TO: Steven D. Grierson, Eighth District Court Clerk

Pursuant to the rules of this court, enclosed are the following:

Certified copy of Judgment and Opinion/Order.
Receipt for Remittitur.

DATE: November 13, 2023

Elizabeth A. Brown, Clerk of Court

By: Elyse Hooper
Administrative Assistant

cc (without enclosures):

Hon. Crystal Eller, District Judge
Carlos Jackson
Dickinson Wright PLLC \ Justin J. Bustos

RECEIPT FOR REMITTITUR

Received of Elizabeth A. Brown, Clerk of the Supreme Court of the State of Nevada, the
REMITTITUR issued in the above-entitled cause, on NOV 14 2023

RECEIVED
APPEALS
NOV 14 2023

RECEIVED
NOV 17 2023
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

[Signature]
Deputy District Court Clerk

CLERK OF THE COURT

IN THE SUPREME COURT OF THE STATE OF NEVADA

CARLOS JACKSON,
Appellant,
vs.
DICKINSON WRIGHT PLLC;
TIMOTHY M. STRONG; AND JUSTIN
J. BUSTOS,
Respondents.

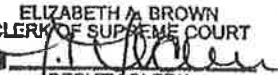
No. 84824

CARLOS JACKSON,
Appellant,
vs.
DICKINSON WRIGHT PLLC;
TIMOTHY M. STRONG; AND JUSTIN
J. BUSTOS,
Respondents.

No. 85139

FILED

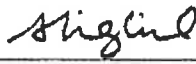
NOV 13 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

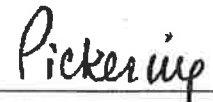
ORDER DENYING PETITION FOR REVIEW


Review denied. NRAP 40B.

It is so ORDERED.

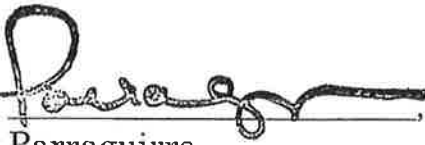

_____, C.J.
Stiglich


_____, J.
Cadish


_____, J.
Pickering


_____, J.
Herndon


_____, J.
Lee


_____, J.
Parraguirre


_____, J.
Bell

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

March 02, 2022

A-21-843677-C Carlos Jackson, Plaintiff(s)
vs.
Justin Hepworth, Defendant(s)

March 02, 2022 3:00 AM Minute Order

HEARD BY: Eller, Crystal **COURTROOM:** No Location

COURT CLERK:
Cynthia Molerres

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- The Court notes Plaintiff's Motion Request to Court to Allow Plaintiff 45 Days et al [Dockets #23 & #24], filed on February 17, 2022. A hearing has been set on that motion for March 21, 2022; in chambers. The Court also notes Defendants' Motion to Dismiss Plaintiff s Complaint [Docket #20], filed on February 15, 2022; as well as Plaintiff's Opposition to Deny or Stay Defendant's (sic) Motion to Dismiss et al [Docket #26], filed on February 27, 2022. The hearing on Defendants' motion is currently set for April 13, 2022; at 10:30 AM.

In consideration of judicial economy, the Court **ORDERS** that the hearing on Plaintiff's motion is **CONTINUED** to April 13, 2022; at 10:30AM. The Court shall hear and adjudicate both motions Plaintiff's and Defendants' at the same hearing.

Further, without issuing a waiver of any rights, obligations, arguments, or defenses for any party, the Court **GRANTS** Plaintiff leave to retain counsel by the April 13th hearing. However, the Court reminds Plaintiff that this is **NOT** a grant of his motion, but rather an allowance for Plaintiff to seek legal assistance prior to the Court's ruling. Absent stipulation by the parties, Plaintiff is still bound by and to all relevant procedural rules and requirements; whether or not he successfully obtains legal representation.

04/13/22 10:30 A.M. MOTION TO AMEND COMPLAINT

CLERK'S NOTE: A copy of this minute order was served to all registered parties of e-file and serve, and e-mailed to mostcreativeone@outlook.com/mostcreativeone@aol.com and mailed to Carlos Jackson, 10170 W. Tropicana Ave. Suite 156, Las Vegas, NV 89147. clm 3/2/22

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

March 07, 2022

A-21-843677-C Carlos Jackson, Plaintiff(s)
vs.
Justin Hepworth, Defendant(s)

March 07, 2022

Minute Order

HEARD BY: Eller, Crystal

COURTROOM: No Location

COURT CLERK:

Brittany Ates

JOURNAL ENTRIES

The Court notes Defendants' Special Motion to Dismiss et al, pursuant to NRS 41.660 [Docket #33]; filed on March 4, 2022 and set for hearing on April 27, 2022. Under the provisions of NRS 41.660(3)(f), this Court must issue a ruling on the motion "within 20 judicial days." Accordingly, the Court ORDERS that the hearing on Defendants' motion is RESCHEDULED to March 30, 2022; at 10:30AM.

Due to the shortened hearing time, the Court FURTHER ORDERS that the parties' briefing schedule shall be modified as follows:

Plaintiff's Opposition shall be filed and served no later than March 17, 2022; 3pm; and Defendants' Reply (if any) shall be filed and served no later than March 24, 2022; 12pm (noon).

The Court FURTHER ORDERS that the expedited hearing on this singular matter shall not be construed (in any way) to alter, amend, or otherwise modify the Court's March 2, 2022 Minute Order. Nor shall that Minute Order have any effect as to Plaintiff's obligations regarding this instant motion and hearing.

CLERK'S NOTE: The above minute order has been distributed to all parties by the Court Clerk via electronic service and mailed to Carlos Jackson at 10170 W. Tropicana Avenue, Suite 156, Las Vegas, NV 89147. ba//03-07-22

IN THE SUPREME COURT OF THE STATE OF NEVADA

CARLOS JACKSON,
Appellant,
vs.
DICKINSON WRIGHT PLLC; TIMOTHY M.
STRONG; AND JUSTIN J. BUSTOS,
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Supreme Court No. 84824/85139
District Court Case No. A843677

CARLOS JACKSON,
Appellant,
vs.
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STRONG; AND JUSTIN J. BUSTOS,
Respondents.

CLERK'S CERTIFICATE

STATE OF NEVADA, ss.

I, Elizabeth A. Brown, the duly appointed and qualified Clerk of the Supreme Court of the State of Nevada, do hereby certify that the following is a full, true and correct copy of the Judgment in this matter.

JUDGMENT

The court being fully advised in the premises and the law, it is now ordered, adjudged and decreed, as follows:

“ORDER the judgment of the district court AFFIRMED.”
Judgment, as quoted above, entered this 22nd day of September, 2023.

JUDGMENT

The court being fully advised in the premises and the law, it is now ordered, adjudged and decreed, as follows:

"Review denied."
Judgment, as quoted above, entered this 13th day of November, 2023.

IN WITNESS WHEREOF, I have subscribed
my name and affixed the seal of the Supreme
Court at my Office in Carson City, Nevada this
November 13, 2023.

Elizabeth A. Brown, Supreme Court Clerk

By: Elyse Hooper

cc: Hon. Crystal Eller, District Judge
Carlos Jackson
Dickinson Wright PLLC
Eighth District Court Clerk

IN THE SUPREME COURT OF THE STATE OF NEVADA

CARLOS JACKSON,
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MARKEL AMERICAN INSURANCE
COMPANY, A VIRGINIA
CORPORATION; AMY POWELL, AN
INDIVIDUAL; BERNARD
MCGROARTY, AN INDIVIDUAL;
DICKINSON WRIGHT PLLC;
TIMOTHY M. STRONG; AND JUSTIN
J. BUSTOS,
Respondents.

No. 84824

FILED

MAR 31 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *Elizabeth A. Brown*
DEPUTY CLERK

CARLOS JACKSON,
Appellant,
vs.
MARKEL AMERICAN INSURANCE
COMPANY, A VIRGINIA
CORPORATION; AMY POWELL, AN
INDIVIDUAL; BERNARD
MCGROARTY, AN INDIVIDUAL;
DICKINSON WRIGHT PLLC;
TIMOTHY M. STRONG; AND JUSTIN
J. BUSTOS,
Respondents.

No. 85139

ORDER DENYING MOTION

These are appeals from an order dismissing appellant's complaint pursuant to NRS 41.660 and NRCP 12(b)(5) and a postjudgment award of attorney fees and costs. Appellant has filed a second emergency

**IN THE SUPREME COURT OF THE STATE OF NEVADA
OFFICE OF THE CLERK**

CARLOS JACKSON,
Appellant,
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MARKEL AMERICAN INSURANCE
COMPANY, A VIRGINIA CORPORATION;
AMY POWELL, AN INDIVIDUAL; BERNARD
MCGROARTY, AN INDIVIDUAL; DICKINSON
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Supreme Court No. 84824/85139
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MCGROARTY, AN INDIVIDUAL; DICKINSON
WRIGHT PLLC; TIMOTHY M. STRONG; AND
JUSTIN J. BUSTOS,
Respondents.

NOTICE OF TRANSFER TO COURT OF APPEALS

Pursuant to NRAP 17(b), the Supreme Court has decided to transfer this matter to the Court of Appeals. Accordingly, any filings in this matter from this date forward shall be entitled "In the Court of Appeals of the State of Nevada." NRAP 17(e).

DATE: June 30, 2023

Elizabeth A. Brown, Clerk of Court

By: Rory Wunsch
Deputy Clerk

Notification List
Electronic
Dickinson Wright PLLC \ Justin J. Bustos

Paper
Hon. Crystal Eller, District Judge
Carlos Jackson
Steven D. Grierson, Eighth District Court Clerk

}

23-20968

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 9th day of February 2024, I served a true and correct copy of the forgoing **APPELLANT'S APPLICATION FOR STAY OF REMITTUR TO THE UNITED STATES SUPREME COURT** by way of electronic service and U.S. MAIL, to the following:

Justin J. Bustos, Esq.
DICKINSON WRIGHT PLLC
100 W. Liberty Street, Suite 940
Reno, Nevada 89501
jbustos@dickinsonwright.com
*Attorney for Defendants Markel American
Insurance Company, Amy Powell, Bernard McGroarty,
Dickinson Wright PLLC, Timothy M. Strong and Justin J. Bustos*

*Supreme Court of Nevada
Court of Appeals of Nevada
District Court 8th Circuit of Nevada
Attention; Clerks Office
201 S. Carson St #201
Carson City, NV 89701*

/s/ Carlos Jackson

CARLOS JACKSON