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8

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 THOMAS BENSON,

12 Plaintiff,

13 vs.

14 STATE OF NEVADA, et al.,

15 Defendants.
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Case No. 2:17-cv-00447-RFB-NJK

**DEFENDANT SENIOR DEPUTY
ATTORNEY GENERAL JASON
GUNNELL'S JOINDER TO CO-
DEFENDANTS LAS VEGAS REVIEW-
JOURNAL AND ELI SEGALL'S MOTION
TO STRIKE PLAINTIFF'S FUGITIVE
"FIRST AMENDED WRIT GRANTING
TRIAL BY JURY" (ECF No. 118) (ECF. No.
119)**

18 Defendant, Senior Deputy Attorney General Jason Gunnell, a prosecutor for the
19 Nevada Attorney General's Office (Prosecutor Gunnell), by and through his attorneys, Adam
20 Paul Laxalt, Attorney General of the State of Nevada, and D. Randall Gilmer, Senior Deputy
21 Attorney General, hereby joins in the Co-Defendants Las Vegas Review-Journal (Journal)
22 and Eli Segall's (Segall) Motion to Strike Plaintiff's Fugitive "First Amended Writ Granting
23 Trial by Jury" (ECF No. 118), filed at ECF No. 119 of this Court's Docket.

24 As noted by the Journal and Segall, this Court has already chastised Plaintiff for
25 filing improper documents on June 27, 2017 (June 27 Order).¹ In addition, as noted by the
26 Journal and Segall, the instant filing by Plaintiff is merely a continuation of his "history of
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28 ¹ ECF No. 96 at 1:21-22 (citing *Ready Transp., Inc. v. AAR Mfg., Inc.*, 627 F.3d
402, 404 (9th Cir. 2010).

1 excessive and repetitive filing[s] that ha[ve] unnecessarily complicated these proceedings.”²
2 Indeed, the First Amended Writ being requested to be stricken here was filed one day after
3 the original frivolous filing of a “Writ” by Plaintiff, which the Journal and Segall have also
4 appropriated sought to have stricken from the record.³

5 Plaintiff’s filings are, in addition to being fugitive and wholly unnecessary,
6 significantly problematic given what appears to be court sanctions and penalties to the
7 underlying defendants in this case.⁴

8 Accordingly, for the reasons previously set forth by this Court in its June 27 Order, as
9 well as in the Motion to Strike filed by the Journal and Segall, Prosecutor Gunnell
10 respectfully requests that the Motion to Strike (ECF No. 119) be granted, and that Plaintiff’s
11 “First Amended Writ Granting Trial By Jury” (ECF No. 118) be stricken from the record in
12 this case.

13 DATED this 6th day of October, 2017.

14 Respectfully submitted:

15 ADAM PAUL LAXALT
16 Attorney General

17 By: /s/ D. Randall Gilmer
18 D. Randall Gilmer (Bar No. 14001C)
19 Senior Deputy Attorney General
20 *Attorneys for Defendant Senior Deputy*
21 *Attorney General Jason Gunnell*

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27 ² ECF No. 119 at 3:15–18 (citing ECF No. 96 at 2:20–21).

28 ³ ECF No. 116.

⁴ See ECF No. 118, ¶ 16.

CERTIFICATE OF SERVICE

I certify that I am an employee of the State of Nevada, Office of the Attorney General, and that on October 6, 2017, I electronically served the foregoing, **DEFENDANT SENIOR DEPUTY ATTORNEY GENERAL JASON GUNNELL'S JOINDER TO CO-DEFENDANTS LAS VEGAS REVIEW-JOURNAL AND ELI SEGALL'S MOTION TO STRIKE PLAINTIFF'S FUGITIVE "FIRST AMENDED WRITE GRANTING TRIAL BY JURY" (ECF No. 118) (ECF. No. 119)** by causing a true and correct copy thereof to be filed with the Clerk of the Court, using the electronic filing system to the following:

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For those parties not registered, service was made by depositing a copy for mailing in the United States Mail, first-class postage prepaid, at Las Vegas, Nevada addressed to the following:

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/s/ Barbara Fell
Barbara Fell, an employee of
the office of the Nevada Attorney General