

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

**TEAM KENNEDY,**

**Plaintiff,**

**vs.**

**FRANCISCO V. AGUILAR, in his official:  
capacity as the Nevada Secretary of State, :**

**Defendant.**

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**COMPLAINT # \_\_\_\_\_**

**COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF**

**I. INTRODUCTION**

1. Plaintiff Team Kennedy (hereinafter “Plaintiff” or “Team Kennedy”), by and through undersigned legal counsel, bring this action against Francisco V. Aguilar, in his official capacity as the Nevada Secretary of State and chief election official in charge with primary enforcement of the statutory provisions challenged in this action.

2. Based on the doctrine of equitable estoppel, Plaintiff requests emergency preliminary and permanent injunctive relief against Defendant from enforcing his new interpretation of ambiguous and conflicting statutory provisions governing the circulation requirements of ballot access petitions for independent presidential candidates against Plaintiff and now requiring Plaintiff, after having collected the required number of petition signatures, to have named a vice-

presidential candidate on nomination petitions to secure ballot access after the required statutory approval was provided by Defendant on January 9, 2024 – a nomination petition which did not name Robert F. Kennedy Jr’s, running-mate, who was not selected until March 26, 2024.

3. Plaintiff also requests preliminary and permanent injunctive and declaratory relief against Defendant requiring independent presidential candidates to name their vice-presidential candidate months before the major political party presidential candidates are required to name their vice-presidential running-mates in violation of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

4. Plaintiff also requests preliminary and permanent injunctive relief against the \$250.00 filing fee imposed on independent presidential candidates as a violation of rights guaranteed to Plaintiff under the First and Fourteenth Amendments to the United States Constitution.

## II. JURISDICTION

5. Jurisdiction lies in this Court under 28 U.S.C. § 1331, providing that district courts shall have original jurisdiction over all actions arising under the Constitution of the United States. Moreover, jurisdiction lies under 42 U.S.C. §§ 1983, 1988 and 28 U.S.C. § 1343(a), the jurisdictional counterpart of 42 U.S.C. § 1983, as Plaintiff alleges violation of rights guaranteed under the First and

Fourteenth Amendments to the United States Constitution.

### III. VENUE

6. Venue is proper in the United States District Court for the District of Nevada under 28 U.S.C. § 1391 as Defendant exercises his authority exclusively within this district and maintains his office within this district and all the operative acts and/or omissions have or will occur within this district.

### IV. PARTIES

7. Team Kennedy is the principal campaign committee to elect Robert F. Kennedy Jr., to the office of President of the United States at the 2024 general election. Team Kennedy is a registered campaign committee with the Federal Elections Commission. Team Kennedy filed FEC Form 1, Statement of Organization on April 5, 2023. Team Kennedy's FEC Committee I.D. Number is C00836916. To qualify Robert F. Kennedy Jr., for Nevada's 2024 general election ballot for the office of President of the United States, Team Kennedy is required to file with Defendant a master copy of the "Independent Petition of Candidacy" (hereinafter the "Petition") before Team Kennedy is permitted to lawfully circulate the Petition to collect the required number of signatures from registered Nevada voters. Plaintiff is required to file, no later than July 5, 2024, with Nevada County Clerks a Petition containing at least 10,095 signatures for validation. After the County Clerks validate Plaintiff has collected a sufficient number of valid



signatures, Plaintiff must file with Defendant, no later than August 9, 2024: (1) the Petition; (2) a Declaration of Candidacy for the presidential and vice-presidential candidates; (3) a \$250.00 filing fee; and, (4) a list of Mr. Kennedy's six (6) presidential elector and alternate presidential elector candidates, along with their required pledge to cast their ballots in the electoral college for the presidential and vice-presidential candidates who nominated them as presidential elector candidates. The address for Team Kennedy is: 124 Washington Street, STE 101, Foxborough, MA 02035.

8. Defendant Francisco V. Aguilar is the Nevada Secretary of State and the chief elections officer of Nevada and has ultimate authority over the enforcement of the Nevada Election Code, including the provisions challenged herein. Defendant is the state official charged with accepting the filing of Plaintiff's Petition, Declaration of Candidacy for the offices of President and Vice President, Plaintiff's list of presidential electors and filing fee. Defendant is the official who changed Nevada's interpretation of conflicting statutes governing the circulation of Petitions on or about March 15, 2024, after having approved Plaintiff's Petition for circulation on January 9, 2024, and after Plaintiff had completed the collection of the required number of signatures on the Petition to secure ballot access for Nevada's 2024 general election ballot. Defendant is a

resident of the state of Nevada and maintains offices within this state. Defendant is a state actor within the meaning of 42 U.S.C. §1983.

#### V. RELEVANT FACTS

9. Plaintiff is charged with placing the name of Robert F. Kennedy Jr., on all fifty state ballots for the office of President of the United States for the general election scheduled to be held on November 5, 2024.

10. To secure access to Nevada 2024 general election ballot, Plaintiff is required to complete the following statutory mandates:

(a) Submit a fully populated form of a Petition to Defendant for approval before the Petition may be circulated to collect the required number of signatures;

(b) Collect 10,095 valid signatures from registered voters and resident of Nevada;

(c) File, no later than July 5, 2024, Plaintiff's Petitions with Nevada's County Clerks to verify Plaintiff's Petition signatures; and,

(d) File, no later than August 9, 2024, with Defendant Plaintiff's verified Petitions; a Declaration of Candidacy for the presidential and vice-presidential candidate; a list of 6 presidential electors and alternate electors and a filing fee of \$250.00.

11. The Nevada statutes impose conflicting requirements with respect to whether a Petition for an independent presidential candidate may also include the name of a vice-presidential candidate.

12. NRS § 293.200(5) expressly provides the Petition may not contain the name of more than one candidate for each office to be filled.

13. The blank form of the Petition published by Defendant at page 13 & 14 of Defendant's "State of Nevada Presidential Candidate Guide 2024" provides only a single line for a single candidate. (i.e., the Petition provides: "For the Office of \_\_\_\_\_.") *See*, Exhibit A.

14. Notably, the Petition does NOT provide "For the Offices of \_\_\_\_\_." There is no plural on the Petition published by Defendant to indicate the Petition may provide for candidates for more than 1 office – consistent with the mandate of NRS § 293.200(5) which prohibits the naming of more than 1 candidate on a Petition. *See*, Exhibit A.

15. The first statutory reference to the naming of a vice-presidential candidate by an independent presidential candidate is under the provision governing the filing deadline to secure ballot access and is, itself, ambiguous as to which document or documents must name a vice-presidential candidate.

16. NRS § 298.109 provides, in relevant part:

"1. A person who desires to be an independent candidate for the office of President of the United States must, not later than 5 p.m. on the



second Friday in August in each year in which a presidential election is to be held, pay a filing fee of \$250 and file with the Secretary of State a declaration of candidacy and a petition of candidacy, in which the person must also designate a nominee for Vice President.”

17. The declaration of candidacy required to be filed at the same time as the Petition must be executed by both the presidential and vice-presidential candidate, satisfying the statutory requirement to “designate a nominee for Vice President.”

18. On the other hand, NRS § 298.109 could be interpreted as requiring both documents (the declaration of candidacy and the Petition) to designate a vice-presidential candidate. Such interpretation, however, cannot be squared with NRS § 293.200(5) which prohibits the naming of more than 1 candidate on a Petition or the fact that the form of Petition published by Defendant does not provide for multiple candidates to be named on a Petition.

19. Furthermore, Defendant’s “State of Nevada Presidential Candidate Guide – 2024” at no time provides any “guide” to name a vice-presidential candidate on the Petition.

20. Every communication with Defendant’s staff on this issue repeatedly confirmed that a vice-presidential candidate could not be named on the Petition.

21. While bad advice from Defendant’s staff is not dispositive, the statutory requirement to file the Petition and approval received by Defendant to circulate the Petition without the name of a vice-presidential candidate has the

force of statutory law which cannot be reversed after approval to circulate has been expressly granted.

22. On January 5, 2024, Plaintiff submitted a populated Petition for each county to Defendant for filing and approval which did not name a vice-presidential candidate. *See*, Exhibit B.

23. In response to Plaintiff's initial filing of the Petition, Defendant's staff responded on January 8, 2024:

"Good morning. Please submit Mr. Kennedy's petition without the County filled in. You only need to file a copy of one page with us.

Mr. Kennedy and his team of signature gatherers will then need to use the same document (previously provided) and update the county specific to each area signatures are collected. It's best if the signature gatherers do it as they collect signatures keeping the pages in order according to signature number sequence. The signature gatherer will then get each packet notarized at the end (when completed) and attach that to the back of the packet.

Thank you,

Heather Hardy  
HAVA Administrator  
Office of Secretary of State Francisco V. Aguilar  
101 North Carson Street, Suite 3  
Carson City, NV 89701  
(775) 684-7126  
[hardyh@sos.nv.gov](mailto:hardyh@sos.nv.gov)"

*See*, Exhibit B.



24. On January 9, 2024, Plaintiff complied with Defendant's instructions and submitted a Petition without the county field populated – but, against without the name of a vice-presidential candidate. *See*, Exhibit B.

25. In response, Defendant's staff responded: "Good Morning, Thank you for re-submitting Mr. Kennedy's petition. It has been filed with the Secretary of State's Office. **He may begin gathering signatures now.** Please remember the final day to submit signatures to County Clerks is July 5, 2024. Thank you." (emphasis added). *See*, Exhibit B.

26. Defendant's staff represented that the Petition filed with Defendant without the name of a vice-presidential candidate permitted Mr. Kennedy to "begin gathering signatures now."

27. NRS § 293.200(1)(a) imposes the statutory requirement that the candidate must file a copy of the petition with the appropriate filing officer prior to circulating the document for signatures not earlier than January 2, 2024.

28. The filing process of the Petition mandated by NRS § 293.200(1)(a) included Defendant's instruction that Mr. Kennedy "may begin gathering signatures now." Accordingly, the statutorily required filing and re-filing process included an express approval of the Petition by Defendant.

29. Approval of the Petition by Defendant without the name of a vice-presidential candidate resulted directly from an exercise of Defendant's statutory authority and was not simply bad advice which Defendant is permitted to ignore.

30. As late as March 15, 2024, Defendant's staff also filed and approved a Petition by Cornell West, another independent candidate for the office of President of the United States, which also did not name a vice-presidential candidate. *See*, Exhibit C.

31. Approval of Plaintiff's Petition as part of an exercise of Defendant's statutory authority to file a Petition before circulation may begin, prevents Defendant from imposing a new interpretation on the conflicting statutory provisions, detailed above, governing the circulation of Petitions for independent candidates for the office of President of the United States.

32. Equitable estoppel prevents Defendant from reversing the approval and permission to collect signatures on the Petition filed with and approved by Defendant on January 9, 2024.

33. Plaintiff relied on the approval granted by Defendant as part of the statutory requirement to file the Petition with Defendant prior to circulating the Petition.

34. Plaintiff collected approximately 20,000 petition signatures between January 9, 2024, and the date Defendant communicated his change of position on the naming of vice-presidential candidates on the Petition.

35. Defendant has publicly represented he advised all independent presidential candidates of his interpretation of the statutes as requiring the name of a vice-presidential candidate on Petition sometime on or about March 15, 2024.

36. Plaintiff never received any such communication from Defendant.

37. As noted above, Defendant filed a Petition for Cornell West without the name of a vice-presidential candidate as late as March 15, 2024.

38. Defendant materially changed his position on the requirement to name a vice-presidential candidate on Petitions after Plaintiff had reasonably relied on Defendant's initial misrepresentation made as part of Defendant's exercise of a statutorily mandated process.

39. Even IF, Defendant's current interpretation is correct that a vice-presidential candidate must be named on the Petition and IF equitable estoppel does not prevent Defendant from enforcing Defendant's new interpretation on Plaintiff in this election cycle, the requirement to name a vice-presidential candidate this early in the election cycle is, itself, unconstitutional under the First and Fourteenth Amendments to the United States and cannot be enforced in 2024.



40. The requirement for independent presidential candidates to name their vice-presidential candidate earlier than the major political parties without a statutory provision to permit the use of a “placeholder” vice-presidential candidate and to later substitute out the name of a “placeholder” for the real vice-presidential candidate is a violation of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. *Anderson v. Firestone*, 499 F.Supp. 1027 (N.D. Fla. 1980).

41. Since the decision in *Firestone*, no state seeking to require the naming of a vice-presidential candidate as a condition precedent to the lawful collection of signatures on ballot access petitions imposes the requirement without providing for a statutory substitution process of a “placeholder” vice-presidential candidate to protect rights afforded under the Equal Protection Clause.

42. Nevada does not provide a statutory process to use a “placeholder” vice-presidential candidate followed by a substitution process for an independent candidate’s real vice-presidential candidate.

43. Parenthetically, the fact Nevada does not provide for a substitution process is further evidence that Defendant’s new interpretation of Nevada’s Petition requirements is at odds with proper statutory interpretation.

44. The requirement to name a vice-presidential candidate so early in the election calendar just to permit collection of ballot access signatures on Petitions

exposes an independent presidential candidate to severe burdens not imposed on major political party presidential candidates and is, therefore, an unequal application of the laws in violation of the Equal Protection Clause of the Fourteenth Amendment.

45. The selection of a vice-presidential candidate is the most important decision confronting any presidential candidate.

46. Imposing a reduced amount of time to fully consider and vet potential vice-presidential candidates exposes an independent campaign to increased risk of a flawed decision triggering severe consequences from the voters.

47. Major political party candidates are nominated solely on the strength of the presidential candidate's qualities. Vice-presidential selection is not a subject of voter approval as part of the nomination process.

48. As a result, there is no basis in law to graft conclusion of the vice-presidential selection process onto the ballot access process for independent presidential candidates when the major political party presidential candidates are not selected or nominated by the voters based on vice-presidential considerations.

49. States are required to print the names of independent and third-party presidential candidates on their general election ballot if they demonstrate a modicum of support for the presidential candidate within the state.



50. The United States Supreme Court has never limited the right guaranteed under the First and Fourteenth Amendments of independent and third-party presidential candidates to show support for both the presidential and also the vice-presidential candidate to secure general election ballot access.

51. Requiring voters to approve of both the presidential and vice-presidential candidate to appear on the general election ballot adds additional levels of complication, both in terms of the considerations which must go into the selection of a vice-presidential candidate, but also the process of securing the signatures of voters on the Petition.

52. To secure a voter's signature on a ballot access petition, the voter, who may support the presidential candidate, but may decline to sign plaintiff's Petition because of lack of knowledge of the vice-presidential candidate, or opposition to the vice-presidential candidate.

53. Voters have a right and opportunity to pass on the entire presidential/vice-presidential ticket at the general election.

54. Voter support for the nomination and ballot access process is limited the presidential candidate only.

55. Defendant's enforcement of his interpretation of Nevada's statute to also require the naming of a vice-presidential candidate on the Petition is sole designed to make it more difficult and add additional complexity to the ability of



plaintiff to demonstrate the required level of support within Nevada for Mr. Kennedy to require Nevada to provide ballot access to Mr. Kennedy for the 2024 general election.

56. Case law interpreting the First and Fourteenth Amendments to the United States Constitution do not permit states to impose both the requirement to collect petition signatures and to pay a filing fee to secure ballot access.

57. Any filing fee, beyond a nominal amount, must provide for a bypass to paying the fee, which in almost every state is the collection of petition signatures to eliminate frivolous candidates from the general election ballot.

58. The imposition of both requirements eliminates the ability to bypass the paying of a filing fee.

59. Accordingly, the \$250.00 filing fee impairs rights guaranteed to Plaintiff under the First and Fourteenth Amendments to the United States Constitution.

60. Plaintiff has no other remedy available at law.

## VI. CAUSES OF ACTION

### COUNT I

(Claim for Equitable Estoppel in Support of Injunction)

61. Plaintiff reasserts each preceding allegation as if set forth fully herein.

62. Nevada statutes prohibit the naming of more than one candidate on a Petition.

63. The form of Petition published by Defendant provides for the naming of only 1 candidate on a Petition.

64. Pursuant to statutory requirement, Plaintiff filed a Petition with Defendant which does not name a vice-presidential candidate.

65. After Plaintiff's Petition was re-filed with Defendant on January 8, 2024, with edits requested by Defendant, Defendant represented to Plaintiff on January 9, 2024, that Plaintiff "may begin gathering signatures now."

66. Plaintiff reasonably relied on Defendant's representation that Defendant's approval of Plaintiff's Petition could be circulated without the name of a vice-presidential candidate named on the Petition – a representation consistent with the statutory prohibition against naming more than one candidate on a Petition.

67. On or about March 15, 2024, Defendant announced that vice-presidential candidate must be named on a Petition for independent presidential candidates.

68. Defendant's change of position on the requirement to name a vice-presidential candidate on a Petition renders Defendant's initial approval of Plaintiff's petition a misrepresentation.

69. Defendant's misrepresentation/change of position was announced after Plaintiff had paid for the collection of approximately 20,000 signatures on the Petition originally filed and approved by Defendant.

70. Defendant's misrepresentation/change of position is detrimental to Plaintiff, both in terms of the cost of collecting new signatures and the threat of a denial of ballot access in Nevada.

71. Accordingly, under principles of equitable estoppel Defendant must be preliminarily and permanently enjoined from enforcing Defendant's new interpretation of the ambiguous and conflicting statutory provisions governing the circulation of Petitions in Nevada with respect to the naming of a vice-presidential candidate on Petitions.

## **COUNT II**

(Violation of First & Fourteenth Amendment)

72. Plaintiff reasserts each preceding allegation as if set forth fully herein.

73. The United States Supreme Court has established states are required to print the name of independent and third-party presidential candidates on the general election ballot upon a showing of a modicum of support within the state for the presidential candidate.

74. States may not add the additional requirement for independent presidential candidates to demonstrate the requisite support within the state for



both the presidential and vice-presidential candidate to secure ballot access under the First Amendment to the United States Constitution.

75. Defendant's enforcement of the requirement for independent and third-party presidential candidates to name a vice-presidential candidate on the Petition to collect signatures to demonstrate the constitutional threshold to secure ballot access does not advance any legitimate state interest.

76. Accordingly, Defendant's enforcement of the requirement to name a vice-presidential candidate as a condition precedent to collect ballot access signatures on the Petition to demonstrate the requisite support sufficient to require ballot access in Nevada impairs rights guaranteed under the First and Fourteenth Amendments to the United States Constitution for which plaintiff respectfully requests relief.

### **COUNT III**

(Violation of Equal Protection Clause of the Fourteenth Amendment)

77. Plaintiff reasserts each preceding allegation as if set forth fully herein.

78. To the extent Nevada statutes require independent presidential candidates to name a vice-presidential candidate on a Petition several months before major political party presidential candidates are required to name their vice-presidential candidates, the failure of Nevada to provide a statutory "placeholder" and substitution process for independent vice-presidential candidates is an unequal application of the law.

79. Nevada does not provide a statutory right for independent presidential candidates to name a “placeholder” vice-presidential candidate on a Petition which can be substituted for the real vice-presidential candidate at the same time major political party presidential candidates are required to name their vice-presidential candidates.

80. Accordingly, to the extent Nevada requires independent presidential candidates to name their vice-presidential candidates on their Petition, in the absence of a statutory “placeholder” and substitution process, the requirement offends the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution for which plaintiff respectfully requests relief.

#### **COUNT IV**

(Violation of First & Fourteenth Amendments)

81. Plaintiff reasserts each preceding allegation as if set forth fully herein.

82. Nevada’s requirement that independent presidential candidates both collect ballot access signatures and pay a filing fee violates precedent establishing the First and Fourteenth Amendments to the United States Constitution mandates that the States provide an opt-out of paying anything other than a *de minimus* filing fee.

83. A \$250.00 filing fee exceeds the definition of a *de minimus* filing fee.

84. Accordingly, the mandatory \$250.00 filing fee impairs rights guaranteed to Plaintiff under the First and Fourteenth Amendments to the United States Constitution for which plaintiff respectfully requests relief.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests that this Court:

- (A) Enjoin, under the principal of equitable estoppel as applied to Plaintiff, Defendant from enforcing a requirement for Plaintiff to name a vice-presidential candidate on the Petition;
- (B) Enjoin the invalidation of any Petition signature for the sole reason that Plaintiff did not name a vice-presidential candidate on the Petition;
- (C) Enter emergency preliminary injunctive relief against Defendant's requirement that Petitions for independent and third-party presidential candidates must also name a vice-presidential candidate;
- (D) Enter emergency preliminary injunctive relief enjoining Defendant from enforcing the \$250.00 filing fee imposed under NRS § 198.109(1);
- (E) Enter permanent injunctive relief enjoining Defendant from enforcing any requirement under NRS § 298.109(1) to name a vice-presidential candidate on a Petition;
- (F) Enter permanent injunctive relief enjoining Defendant from enforcing the \$250.00 filing fee imposed under NRS § 198.109(1);



(G) Declare unconstitutional the requirement to name a vice-presidential candidate under NRS § 298.109(1) on a Petition;

(H) Award such other and further relief as the Court deems necessary or proper; and,

(I) Award Plaintiff's reasonable attorney fees and costs pursuant to 42 U.S.C. § 1988.

Respectfully submitted,

Dated: May 31, 2024

/s/ Benjamin Nadig

Benjamin Nadig  
NV Bar I.D. #9876  
Law Office of Benjamin Nadig  
*Counsel for Plaintiff*  
228 South 4<sup>th</sup> Street, 3<sup>rd</sup> Floor  
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/s/ Paul A. Rossi

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## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

Team Kennedy

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Law Office Ben Nadig, 228 South 4th Street, 3rd Floor,  
LV, NV 89101 (702) 545-7592; & Paul A. Rossi, Esq.

## DEFENDANTS

Francisco V. Aguilar, Nevada Secretary of State

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Not Known

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question  
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity  
(Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander		<b>INTELLECTUAL PROPERTY RIGHTS</b>	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability		<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine		<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability		<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<b>LABOR</b>	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 880 Defend Trade Secrets Act of 2016	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 720 Labor/Management Relations	<b>SOCIAL SECURITY</b>	<input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 195 Contract Product Liability		<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 850 Securities/Commodities/Exchange
		<input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 890 Other Statutory Actions
<b>REAL PROPERTY</b>	<b>CIVIL RIGHTS</b>	<b>IMMIGRATION</b>	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 462 Naturalization Application	<b>FEDERAL TAX SUITS</b>	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment		<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 896 Arbitration
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/Accommodations			<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment			<input checked="" type="checkbox"/> 950 Constitutionality of State Statutes
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other			
	<input type="checkbox"/> 448 Education			
	<b>PRISONER PETITIONS</b>			
	<input type="checkbox"/> 463 Alien Detainee			
	<input type="checkbox"/> 510 Motions to Vacate Sentence			
	<input type="checkbox"/> 530 General			
	<input type="checkbox"/> 535 Death Penalty			
	<b>Other:</b>			
	<input type="checkbox"/> 540 Mandamus & Other			
	<input type="checkbox"/> 550 Civil Rights			
	<input type="checkbox"/> 555 Prison Condition			
	<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

## V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
First & Fourteenth Amendments to the United States Constitution, 42 U.S.C. Section 1983

Brief description of cause:

Requirement to name vice-presidential candidate on Nevada nomination petition unconstitutional, enforcement subject to equitable estoppel.

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

5/31/2024

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE



**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44****Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) **Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
  - (b) **County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
  - (c) **Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. **Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. **Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. **Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. **Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. **Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. **Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. **Related Cases.** This section of the JS 44 is used to reference related cases, if any. If there are related cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.



# EXHIBIT A

# State of Nevada



## **PRESIDENTIAL CANDIDATE GUIDE 2024**

Published by the Office of the  
Nevada Secretary of State  
Francisco V. Aguilar

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## PREFACE

The Secretary of State's office has prepared this brief summary of information pertaining to Nevada's Presidential Elections, providing a general understanding of the requirements for major, minor, and independent party candidates who are running for the partisan office of the President of the United States (NRS 298).

If more than one major political party candidate, who qualifies for the partisan office of the United States Presidency and files a declaration of candidacy, a Presidential Preference Primary must be held. The State of Nevada is not required to have a Presidential Preference Primary, if only one qualified candidate or no qualified candidates of a major political party file a declaration of candidacy. If only one qualified candidate of the major political party files a declaration of candidacy, the Secretary of State's office must certify the name of the qualified candidate and notify the state central committee and the national committee of the major political party (NRS 298.650).

A minor political party that wishes to place its candidates for partisan office of the United States Presidency on the ballot for a general election must file a certificate of nomination with the Secretary of State's office no later than the last Tuesday in August, prior to the election (NRS 293.1275).

The State of Nevada allows those who wish to run for a partisan office as a candidate with no political affiliation to run as an independent candidate. An independent candidate is a candidate "who has been nominated for a partisan office but who is registered with no political affiliation" (NRS 293.063). An independent candidate for partisan office must be nominated in the manner provided in NRS 293.200.

An independent candidate for the partisan office of the United States Presidency may qualify to appear on the general election ballot by completing the petition process and complying with all other candidate filing requirements, such as submitting a Declaration of Candidacy and paying the appropriate filing fee. A person may not file as an independent candidate if he/she is proposing to run as a candidate of a political party or is registered to vote as a member of a political party.

**It is important to note that this guide is for general information only and does not have the force and effect of Nevada law, regulation, or rule.**

Interested citizens should obtain the most recent version of the Nevada Revised Statutes (NRS) since Nevada's election laws are amended each legislative session. Interested parties should also be aware that election issues are periodically addressed by the Attorney General, or by state or federal courts. Due to the general scope of this guide, some of these issues may not be addressed here. Interested parties should review Attorney General's opinions and court decisions and should contact the Secretary of State or a Nevada attorney with any specific questions.

\*\*\*\*\*



## QUALIFICATIONS FOR CANDIDATES

### REQUIREMENTS FOR UNITED STATES PRESIDENT

- Be a natural-born citizen of the United States
- Be at least 35 years old
- Have been a resident of the United States for at least 14 years

### MAJOR PARTY CANDIDATES

Major political party candidates running for the partisan office of the United States President, must file a Declaration of Candidacy between October 1 - October 15, of the year immediately preceding the presidential preference primary election (NRS 298.660).

### MINOR PARTY CANDIDATES

An authorizing member of each Minor political party must file a list of qualified candidates for the partisan office of the United States Presidency, along with the nominees for presidential electors and alternate electors, with the Secretary of State's office no later than the last Tuesday in August preceding the general election (NRS 298.035(2)).

### INDEPENDENT CANDIDATES

Independent candidates, running for partisan office for the United States Presidency, must **qualify to appear on the General Election ballot**. To qualify, a person must complete the petition process discussed below. Additionally, the candidate must file a Declaration of Candidacy, pay a \$250.00 filing fee, submit a list of his / her six (6) electors and six (6) alternate electors and submit a pledge. See, NRS 298.035, 298.045, 298.109, as well as the petition requirements provided herein.

### SIGNATURES REQUIRED FOR THE PRESIDENTIAL INDEPENDENT CANDIDATE PETITION

By submitting a petition containing a number of valid signatures equal to or not less than 1% of the total number of votes cast at the last preceding general election for candidates for the office of Representative in Congress

The candidate must file a copy of the petition with the appropriate filing officer prior to circulating the document for signatures not earlier than January 2, 2024, (NRS 293.200(1)(a)). After the petition is circulated for signatures, it must be submitted to the County Clerk/Registrar of Voters of the county or counties where it was circulated for signature verification not later than July 5, 2024 (NRS 298.109). Within four (4) days after submission, excluding Saturdays, Sundays and holidays, the County Clerk/Registrar shall determine the total number of signatures and forward that information to the Secretary of State (NRS 293.1276 (1)).

## **WHO SIGNS THE PETITION?**

Only those registered voters of the county in which the petition is circulated may sign the document (NRS 298.109).

**NOTE:** Any registered voter within the appropriate district may sign the petition. The registered voter who signs the petition may be affiliated with any political party and will not lose that party standing or the right to vote in the 2024 Primary or General Election by signing the petition.

## **THE PETITION FORMAT**

- The petition may consist of more than one document (NRS 293.200(2)).
- Each document of the petition may consist of one or more pages and must be bound together. (NRS 293.12758(5); NAC 293.182(3)(b)).
- Each document must bear the name of a county, and only registered voters of that county may sign the document (NRS 293.200(2)).
- The petition may state the principle, if any, which the candidate represents (NRS 293.200(3)).
- The petition may not contain the name of more than one candidate for each office to be filled (NRS 293.200(5)).
- Each document must contain sequentially numbered spaces for the printed name of each person who signs the document, the signature of the person signing, the resident address of the person signing, the name of the county where the person who signs is registered to vote, and the date of the signature (NRS 293.200(2); NAC 293.182(2)(a)).
- Each document must contain an affidavit of the person who circulated the document. The affidavit must be on the last page of each document and be signed before a person authorized by law to administer oaths in the State of Nevada (a notary public) (NRS 293.200(2); NAC 293.182(2 & 3)(c)).
- The circulator is not required to be a registered voter in Nevada. (Attorney General Opinion #99-37, dated 12/01/99)
- The circulator must be 18 years of age or older (NRS 295.0575).
- Each signature on the petition must be in ink. The County Clerk/Registrar will disregard any signature that is not signed in ink (NRS 293.12758(4)).
- Each page of the document must be sequentially numbered. The County Clerk/Registrar cannot accept a petition unless each page, including blank pages of the petition, is numbered (NRS 293.12758(3)).

## **THE SECRETARY OF STATE DOES NOT APPROVE THE LEGALITY OF THE PETITION LANGUAGE OR THE PETITION FORM**



## VERIFICATION PROCESS

1. All documents must be submitted to the appropriate County Clerk/Registrar at the same time. The County Clerk/Registrar shall issue the person submitting the petition a receipt stating the number of documents submitted, the number of pages of each document, and the number of signatures declared to be on the petition. The County Clerk/Registrar counts the total number of signatures on the petition and forwards that number to the Secretary of State; this is the "raw count" (NRS 293.1276(1); 293.12758).

Time frame: The County Clerk/Registrar must complete the raw count within four (4) days of receipt of the petition (excluding Saturdays, Sundays, holidays, and the day the petition is received) (NRS 298.109).

2. Based on the raw count information received from the County Clerk/Registrar, the Secretary of State determines whether the number of signatures is 100% of the number needed. If the raw count indicates that the petition contains less than 100% of the signatures needed, the Secretary of State notifies the person who submitted the petition and the County Clerk/Registrar that no further action will be taken on the petition. If the raw count indicates that the petition contains more than 100% of the signatures needed, the Secretary of State notifies the County Clerk/Registrar (NRS 293.1276(2); NRS 293.1277(1)).

Time frame: Immediately after the Secretary of State receives the raw count from all counties in which the petition was circulated (NRS 293.1277(1)).

3. If the Secretary of State notifies the County Clerk/Registrar that the petition contains the number of signatures needed for it to be sufficient, the County Clerk/Registrar begins actually examining the signatures. The clerk will verify either 500 of the signatures or randomly sample 5% of the total signatures submitted (whichever is greater). The Secretary of State is notified of the result by the filing of a Certificate of Results of the signature verification (NRS 293.1277(2)(a)).

Time frame: Signature verification must be completed within nine (9) days (excluding Saturdays, Sundays, holidays and the day the Secretary of State's notification is received) after the County Clerk/Registrar receives notification from the Secretary of State to begin signature verification (NRS 293.1277(1)).

## DETERMINATION OF SUFFICIENCY

**The Secretary of State determines whether or not the petition is sufficient based on the County Clerks/Registrars' certified results of the signature verification.**

1. If the signature verification was conducted pursuant to a random sampling of the greater of 500 signatures or 5% of the total contained on the petition, and the Secretary of State finds the number of valid signatures, not including those who requested their signature to be removed before verification, is 90% or greater, but less than 100%, of the required number of registered voters needed to declare the petition sufficient:

Result: The Secretary of State directs the County Clerks/Registrars to reexamine the signatures for verification. The County Clerks/Registrars will reexamine the signatures for verification until: (a) Determining that the number of valid signatures is 100% of the number needed to declare the petition sufficient; or (b) Examining all the signatures on the petition. If the signatures of a petition in a county fall below a certain threshold,

the Secretary of State may require the Clerk/Registrar of that County to examine every signature.

The County Clerks/Registrars must complete this process within twelve (12) days (excluding Saturdays, Sundays, holidays, and the day the petition is received) after receiving the order of the Secretary of State.

After completing the reexamination of signatures for verification, the County Clerks/Registrars will forward an amended certificate of results to the Secretary of State (NRS 293.1279(1)(4); 293.1278(2)).

If the petition is found to be insufficient and no challenge is filed, or the Court finds it insufficient, the filing officer must return the filing fee to the candidate within ten (10) days after the date on which a final determination is made ((NRS 293.1279(7))).

Total votes cast for Representative in Congress in the 2022 General Election	<b>1,009,503</b>
Total number of valid signatures needed to qualify for ballot access for the 2024 General Election	<b>10,095</b>



## FILING AN APPEAL

If an independent candidate petition fails for lack of signatures, the person who submitted the petition may challenge the signature verification by filing an appeal with the Secretary of State. The appeal must:

- a. Be filed within five (5) working days after receipt of the Secretary of State's notification of the determination of sufficiency;
- b. Include the reasons for the appeal; and
- c. Include a statement of the number of signatures, if any, that the County Clerk/Registrar determined were invalid.

If the appeal is based on the results of the signature verification, the Secretary of State shall:

- a. If the Secretary of State agrees with the person who filed the appeal, order the County Clerk/Registrar to re-certify the petition to include all contested signatures, which the Secretary of State determines are valid as verified signatures; or
- b. If the Secretary of State does not agree with the person who filed the appeal, notify that person and the County Clerk/Registrar that the petition remains insufficient.

If the Secretary of State is unable to make a decision on the appeal based upon the documents submitted, he may order the County Clerk/Registrar to re-verify the signatures. The decision of the Secretary of State is a final decision for the purposes of judicial review. The decision of the Secretary of State may be appealed, but only in the First Judicial District Court in Carson City, Nevada (NRS 293.12793; 293.12795).



## DECLARATION OF CANDIDACY

If a person who is a qualified candidate to be a major political party's nominee for President of the United States want to appear on the ballot for a presidential preference primary election that is held for the party, the person, not earlier than October 1 and not later than 5pm on October 15 of the year immediately preceding the presidential preference primary election, file with the Secretary of State a declaration of candidacy (NRS 298.660).

An independent candidate for partisan office of the United States Presidency may file a Declaration of Candidacy and pay the statutory filing fee of \$250.00 with a filing officer at between the period of January 2, 2024 and August 9, 2024 (NRS 298.109).

The "Filing officer" for the office of the United States Presidency is the Secretary of State's office who is authorized by law to receive designations and declarations of candidacy, certificates and acceptances of nomination or any other nomination papers (NRS 293.057).

## CHALLENGING THE CANDIDACY OF AN INDEPENDENT UNITED STATES PRESIDENTIAL CANDIDATE

Any person may challenge the candidacy of an independent United States Presidential candidate. All affidavits, documents, and other related material in support of the challenge must be filed by 5 p.m. on August 27, 2024 (NRS 298.109).

**The challenge of candidacy must be filed with:**

1. The First Judicial District Court in Carson City and any judicial proceeding related to the challenge must be set for a hearing no later than five (5) days after the fourth Tuesday in August.



## IMPORTANT DATES

- January 2, 2024:** First date to file a copy of the petition with the appropriate filing officer before circulating it for signatures. (NRS 298.109).
- January 2, 2024:** First day an independent candidate for the office of the United States Presidency may file a Declaration of Candidacy with the appropriate filing officer. (NRS 298.109).
- February 6, 2024:** Presidential Preference Primary Election Day (NRS 293.175(1)).
- August 9, 2024:** Last day an independent candidate may file a Declaration of Candidacy with the appropriate filing officer. (NRS 298.109).
- August 20, 2024:** Last day a candidate may withdraw candidacy. (NRS 293.202).
- July 5, 2024:** Last day for an independent United States Presidential candidate to submit petitions to the county clerk/registrar for signature verification. (NRS 298.109).
- August 27, 2024:** Last day to file a challenge with the appropriate filing officer. All affidavits and documents in support of a challenge must be filed not later than 5 p.m. (NRS 298.109).

## APPENDIX

- Independent Candidate Petition
- Pertinent Sections of the Nevada Revised Statutes (NRS)\*
- Nevada Administrative Code Regulation (NAC)

*\* The included sections of the NRS may not reflect all revisions made by the Nevada Legislature at its 2023 82nd Legislative Session, as those revisions were being codified at the time this guide was published. Please contact the Legislative Counsel Bureau for the most recent version of the NRS.*



State of Nevada

Secretary of State  
Francisco V. Aguilar

Independent Petition of Candidacy

NRS 293.200

Petition of Candidacy of \_\_\_\_\_

For the Office of \_\_\_\_\_

[Note: you may insert a statement of the principle, if any, which the person represents.]

County of \_\_\_\_\_}

(Only registered voters of this County may sign below.)

This space for  
office use only

1	PRINT YOUR NAME (last name, first name, initial)	RESIDENCE ADDRESS ONLY:	
	YOUR SIGNATURE: _____ DATE: ____/____/____	CITY: _____ COUNTY: _____	
2	PRINT YOUR NAME (last name, first name, initial)	RESIDENCE ADDRESS ONLY:	
	YOUR SIGNATURE: _____ DATE: ____/____/____	CITY: _____ COUNTY: _____	
3	PRINT YOUR NAME (last name, first name, initial)	RESIDENCE ADDRESS ONLY:	
	YOUR SIGNATURE: _____ DATE: ____/____/____	CITY: _____ COUNTY: _____	
4	PRINT YOUR NAME (last name, first name, initial)	RESIDENCE ADDRESS ONLY:	
	YOUR SIGNATURE: _____ DATE: ____/____/____	CITY: _____ COUNTY: _____	
5	PRINT YOUR NAME (last name, first name, initial)	RESIDENCE ADDRESS ONLY:	
	YOUR SIGNATURE: _____ DATE: ____/____/____	CITY: _____ COUNTY: _____	
6	PRINT YOUR NAME (last name, first name, initial)	RESIDENCE ADDRESS ONLY:	
	YOUR SIGNATURE: _____ DATE: ____/____/____	CITY: _____ COUNTY: _____	
7	PRINT YOUR NAME (last name, first name, initial)	RESIDENCE ADDRESS ONLY:	
	YOUR SIGNATURE: _____ DATE: ____/____/____	CITY: _____ COUNTY: _____	

State of Nevada

Secretary of State  
Francisco V. Aguilar

Independent Petition of Candidacy

NRS 293.200

Petition of Candidacy of \_\_\_\_\_

For the Office of \_\_\_\_\_

[Note: you may insert a statement of the principle, if any, which the person represents.]

County of \_\_\_\_\_

(Only registered voters of this County may sign below.)

			This space for office use only
8	PRINT YOUR NAME (last name, first name, initial)	RESIDENCE ADDRESS ONLY:	
	YOUR SIGNATURE: _____ DATE: ____/____/____	CITY: _____ COUNTY: _____	
9	PRINT YOUR NAME (last name, first name, initial)	RESIDENCE ADDRESS ONLY:	
	YOUR SIGNATURE: _____ DATE: ____/____/____	CITY: _____ COUNTY: _____	
10	PRINT YOUR NAME (last name, first name, initial)	RESIDENCE ADDRESS ONLY:	
	YOUR SIGNATURE: _____ DATE: ____/____/____	CITY: _____ COUNTY: _____	

(Place affidavit on last page of document)

**AFFIDAVIT OF CIRCULATOR**

(To be completed by the person who circulated the petition after all signatures have been obtained)

STATE OF NEVADA )

COUNTY OF \_\_\_\_\_ )

I, \_\_\_\_\_, (print name), being first duly sworn under penalty of perjury, depose and say: (1) that I reside at \_\_\_\_\_ (print street, city, and state); (2) that I am 18 years of age or older; (3) that I personally circulated this document; (4) that all signatures were affixed in my presence; (5) that I believe each person who signed was at the time of signing a registered voter in the county of his or her residence; and (6) that the number of signatures affixed thereon is \_\_\_\_\_.

Subscribed and sworn to or affirmed before me this \_\_\_\_\_

Signature of Circulator \_\_\_\_\_

day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_

Notary Public or person authorized to administer an oath



## NRS CHAPTER 293 ELECTIONS

**NRS 293.042 “Contest” defined.** “Contest” means an adversary proceeding between a candidate for a public office who has received the greatest number of votes and any other candidate for that office or, in certain cases, any registered voter of the appropriate political subdivision, for the purpose of determining the validity of an election.  
(Added to NRS by 1975, 935)

**NRS 293.044 “County clerk” defined; synonymous with “registrar of voters” in certain counties.** Except as the term is used in NRS 293.393, whenever the term “county clerk” is used in this title it means “registrar of voters” in those counties where such office has been created pursuant to the provisions of NRS 244.164.  
(Added to NRS by 1965, 670; A 1983, 925) — (Substituted in revision for NRS 293.092)

**NRS 293.046 “Deputy clerk” defined.** “Deputy clerk” means a deputy clerk for early voting who is appointed pursuant to NRS 293.358 to serve as the election officer in charge of the polling place for early voting.  
(Added to NRS by 1993, 2167)

**NRS 293.050 “Election board officer” defined.** “Election board officer” means a person appointed to assist in the conduct of an election.  
(Added to NRS by 1960, 236)

**NRS 293.055 “Elector” defined.** “Elector” means a person who is eligible to vote under the provisions of Section 1 of Article 2 of the Constitution of the State of Nevada.  
(Added to NRS by 1960, 236)

**NRS 293.057 “Filing officer” defined.** “Filing officer” means the Secretary of State, county or city clerk or any other officer authorized by law to receive designations and declarations of candidacy, certificates and acceptances of nomination or any other nomination papers.  
(Added to NRS by 1960, 236; A 1987, 334)

**NRS 293.059 “General city election” defined.** “General city election” means an election held pursuant to NRS 293C.140 or 293C.145. The term includes a general municipal election held pursuant to the provisions of a special charter of an incorporated city.  
(Added to NRS by 1987, 334; A 1997, 3447; 2003, 674; 2019, 3534)

**NRS 293.060 “General election” defined.** “General election” means the election held pursuant to NRS 293.12755.  
(Added to NRS by 1960, 236; A 1987, 334)

**NRS 293.063 “Independent candidate” defined.** “Independent candidate” means a candidate who has been nominated for a partisan office but who is registered with no political party affiliation pursuant to the provisions of this title.  
(Added to NRS by 1960, 236; A 1961, 284; 1963, 1386; 1967, 844)

**NRS 293.127565 Use of public buildings to gather signatures on petitions; remedy for violation; regulations.**

1. At each building that is open to the general public and occupied by the government of this State or a political subdivision of this State or an agency thereof, other than a building of a public elementary or secondary school, an area must be designated for the use of any person to gather signatures on a petition at any time that the building is open to the public. The area must be reasonable and may be inside or outside of the building. Each public officer or employee in control of the operation of a building governed by this subsection shall:

(a) Designate the area at the building for the gathering of signatures; and

(b) On an annual basis, submit to the Secretary of State and the county clerk for the county in which the building is located a notice of the area at the building designated for the gathering of signatures on a petition. The Secretary of State and the county clerks shall make available to the public a list of the areas at public buildings designated for the gathering of signatures on a petition.

2. Before a person may use an area designated pursuant to subsection 1, the person must notify the public officer or employee in control of the operation of the building governed by subsection 1 of the dates and times that the person intends to use the area to gather signatures on a petition. The public officer or employee may not deny the person the use of the area.

3. Not later than 3 working days after the date of the decision that aggrieved the person, a person aggrieved by a decision made by a public officer or employee pursuant to subsection 1 or 2 may appeal the decision to the Secretary of State. The Secretary of State shall review the decision to determine whether the public officer or employee violated subsection 1 or 2. If the Secretary of State determines a public officer or employee violated subsection 1 or 2 and that a person was denied the use of a public building for the purpose of gathering signatures on a petition, the Secretary of State shall order that the deadline for filing the petition provided pursuant



to NRS 293.128, 293.172, 293.200, 295.056, 298.109, 306.015 or 306.110 must be extended for a period equal to the time that the person was denied the use of a public building for the purpose of gathering signatures on a petition, but in no event may the deadline be extended for a period of more than 5 days.

4. The decision of the Secretary of State is a final decision for the purposes of judicial review. Not later than 7 days after the date of the decision by the Secretary of State, the decision of the Secretary of State may only be appealed in the First Judicial District Court. If the First Judicial District Court determines that the public officer or employee violated subsection 1 or 2 and that a person was denied the use of a public building for the purpose of gathering signatures on a petition, the Court shall order that the deadline for filing the petition provided pursuant to NRS 293.128, 293.172, 293.200, 295.056, 298.109, 306.015 or 306.110 must be extended for a period equal to the time that the person was denied the use of a public building for the purpose of gathering signatures on a petition, but in no event may the deadline be extended for a period of more than 5 days.

5. The Secretary of State may adopt regulations to carry out the provisions of subsection 3.

(Added to NRS by 2001, 1347; A 2005, 1432, 2828; 2019, 1627)

**NRS 293.12757 Qualification to sign petition. [Effective January 1, 2024.]** If a person is qualified to register to vote and has properly completed any method authorized by the provisions of this title to register to vote:

1. The person may sign a petition required under the election laws of this State on or after the date on which the person is deemed to be registered to vote pursuant to NRS 293.4855, 293.517, 293.5235, 293.57695 or 293.5772 to 293.5887, inclusive, or any other provision of this title; and

2. The county clerk shall use the date prescribed by subsection 1 for the purposes of the verification of the person's signature on the petition. (Added to NRS by 1999, 3546; A 2005, 2829; 2007, 2582; 2017, 3843; 2018 initiative petition, Ballot Question No. 5; 2019, 4060, effective January 1, 2024)

**NRS 293.12758 Receipt issued by county clerk; requirements for petition.**

1. The county clerk shall issue a receipt to any person who submits a petition for the verification of signatures pursuant to the election laws of this State, including, without limitation, a petition of candidacy. The receipt must state:

- (a) The number of documents submitted;
- (b) The number of pages of each document; and
- (c) The number of signatures which the person declares are on the petition.

2. If a petition consists of more than one document, all of the documents must be submitted to the county clerk for verification at the same time.

3. The county clerk shall not accept a petition unless each page of the petition is numbered.

4. Each signature on the petition must be signed in ink. The county clerk shall disregard any signature which is not signed in ink.

5. As used in this section, "document" includes material which is separately compiled and bound together and may consist of one or more sheets of paper.

(Added to NRS by 1993, 2664; A 2019, 3371)

**NRS 293.1276 County clerk to forward number of signatures to Secretary of State; notice of failure to file required number of signatures; handling of petition; regulations.**

1. Within 4 days, excluding Saturdays, Sundays and holidays, after the submission of a petition containing signatures which are required to be verified pursuant to NRS 293.128, 295.056, 298.109, 306.035 or 306.110, and within 2 days, excluding Saturdays, Sundays and holidays, after the submission of a petition containing signatures which are required to be verified pursuant to NRS 293.172 or 293.200, the county clerk shall determine the total number of signatures affixed to the documents and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, shall tally the number of signatures for each petition district contained fully or partially within the county and forward that information to the Secretary of State.

2. If the Secretary of State finds that the total number of signatures filed with all the county clerks is less than 100 percent of the required number of registered voters, the Secretary of State shall so notify the person who submitted the petition and the county clerks and no further action may be taken in regard to the petition. If the petition is a petition to recall a county, district or municipal officer, the Secretary of State shall also notify the officer with whom the petition is to be filed.

3. After the petition is submitted to the county clerk, it must not be handled by any other person except by an employee of the county clerk's office until it is filed with the Secretary of State.

4. The Secretary of State may adopt regulations establishing procedures to carry out the provisions of this section.

(Added to NRS by 1985, 1090; A 1987, 1361; 1993, 2665; 1997, 750; 1999, 2147; 2009, 2588; 2011, 1784, 3271; 2015, 3568)

**NRS 293.1277 Verification of signatures by county clerks; regulations. [Effective January 1, 2024.]**

1. If the Secretary of State finds that the total number of signatures submitted to all the county clerks is 100 percent or more of the number of registered voters needed to declare the petition sufficient, the Secretary of State shall immediately so notify the county clerks. After the notification, each of the county clerks shall determine the number of registered voters who have signed the documents submitted in the county clerk's county and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, shall tally the number of signatures for each petition district contained or fully contained within the county



clerk's county. This determination must be completed within 9 days, excluding Saturdays, Sundays and holidays, after the notification pursuant to this subsection regarding a petition containing signatures which are required to be verified pursuant to NRS 293.128, 295.056, 298.109 or 306.110, within 20 days, excluding Saturdays, Sundays and holidays, after the notification pursuant to this subsection regarding a petition containing signatures which are required to be verified pursuant to NRS 306.035, and within 3 days, excluding Saturdays, Sundays and holidays, after the notification pursuant to this subsection regarding a petition containing signatures which are required to be verified pursuant to NRS 293.172 or 293.200. For the purpose of verification pursuant to this section, the county clerk shall not include in his or her tally of total signatures any signature included in the incorrect petition district.

2. Except as otherwise provided in subsections 3 and 4, if more than 500 names have been signed on the documents submitted to a county clerk, the county clerk shall examine the signatures by sampling them at random for verification. The random sample of signatures to be verified must be drawn in such a manner that every signature which has been submitted to the county clerk is given an equal opportunity to be included in the sample. The sample must include an examination of:

(a) Except as otherwise provided in paragraph (b), at least 500 or 5 percent of the signatures, whichever is greater.

(b) If the petition is for the recall of a public officer who holds a statewide office, at least 25 percent of the signatures.

È If documents were submitted to the county clerk for more than one petition district wholly contained within that county, a separate random sample must be performed for each petition district.

3. If a petition district comprises more than one county and the petition is for an initiative or referendum proposing a constitutional amendment or a statewide measure, and if more than 500 names have been signed on the documents submitted for that petition district, the appropriate county clerks shall examine the signatures by sampling them at random for verification. The random sample of signatures to be verified must be drawn in such a manner that every signature which has been submitted to the county clerks within the petition district is given an equal opportunity to be included in the sample. The sample must include an examination of at least 500 or 5 percent of the signatures presented in the petition district, whichever is greater. The Secretary of State shall determine the number of signatures that must be verified by each county clerk within the petition district.

4. If a petition is for the recall of a public officer who does not hold a statewide office, each county clerk:

(a) Shall not examine the signatures by sampling them at random for verification;

(b) Shall examine for verification every signature on the documents submitted to the county clerk; and

(c) When determining the total number of valid signatures on the documents, shall remove each name of a registered voter who submitted a request to have his or her name removed from the petition pursuant to NRS 306.015.

5. In determining from the records of registration the number of registered voters who signed the documents, the county clerk may use the signatures contained in the file of applications to register to vote. If the county clerk uses that file, the county clerk shall ensure that every application in the file is examined, including any application in his or her possession which may not yet be entered into the county clerk's records. Except as otherwise provided in subsection 6, the county clerk shall rely only on the appearance of the signature and the address and date included with each signature in making his or her determination.

6. If:

(a) A person registers to vote using the system established by the Secretary of State pursuant to NRS 293.671;

(b) A person registers to vote pursuant to NRS 293D.230 and signs his or her application to register to vote using a digital signature or an electronic signature; or

(c) A person is registered to vote by an automatic voter registration agency,

È the county clerk may rely on such other indicia as prescribed by the Secretary of State in making his or her determination.

7. In the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, when the county clerk is determining the number of registered voters who signed the documents from each petition district contained fully or partially within the county clerk's county, he or she must use the statewide voter registration list available pursuant to NRS 293.675.

8. Except as otherwise provided in subsection 10, upon completing the examination, the county clerk shall immediately attach to the documents a certificate properly dated, showing the result of the examination, including the tally of signatures by petition district, if required, and transmit the documents with the certificate to the Secretary of State. In the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, if a petition district comprises more than one county, the appropriate county clerks shall comply with the regulations adopted by the Secretary of State pursuant to this section to complete the certificate. A copy of this certificate must be filed in the clerk's office. When the county clerk transmits the certificate to the Secretary of State, the county clerk shall notify the Secretary of State of the number of requests to remove a name received by the county clerk pursuant to NRS 295.055 or pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable.

9. A person who submits a petition to the county clerk which is required to be verified pursuant to NRS 293.128, 293.172, 293.200, 295.056, 298.109, 306.035 or 306.110 must be allowed to witness the verification of the signatures. A public officer who is the subject of a recall petition must also be allowed to witness the verification of the signatures on the petition.

10. For any petition containing signatures which are required to be verified pursuant to the provisions of NRS 293.200, 306.035 or 306.110 for any county, district or municipal office within one county, the county clerk shall not transmit to the Secretary of State the documents containing the signatures of the registered voters.

11. The Secretary of State shall by regulation establish further procedures for carrying out the provisions of this section.



(Added to NRS by 1985, 1090; A 1987, 1361; 1993, 2665; 1995, 2257; 1997, 750; 1999, 2147; 2001, 641; 2009, 2588; 2011, 1784, 2083, 3271; 2013, 29; 2015, 3568; 2018 initiative petition, Ballot Question No. 5; 2019, 1628, 4060; 2021, 3818, 3852, effective January 1, 2024)

**NRS 293.1278 Qualification or disqualification of petition upon receipt of certificates or amended certificates by Secretary of State.**

1. If the certificates received by the Secretary of State from all the county clerks establish that the number of valid signatures is less than 90 percent of the required number of registered voters, the petition shall be deemed to have failed to qualify, and the Secretary of State shall immediately so notify the petitioners and the county clerks.

2. If those certificates establish that the number of valid signatures is equal to or more than the sum of 100 percent of the number of registered voters needed to make the petition sufficient plus the total number of requests to remove a name received by the county clerks pursuant to NRS 295.055 or pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable, and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, that the petition has the minimum number of signatures required for each petition district, the petition shall be deemed to qualify as of the date of receipt by the Secretary of State of those certificates, and the Secretary of State shall immediately so notify the petitioners and the county clerks.

3. If the certificates establish that the petitioners have 100 percent or more of the number of registered voters needed to make the petition sufficient but the petition fails to qualify pursuant to subsection 2, each county clerk who received a request to remove a name pursuant to NRS 295.055 or pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable, shall remove each name as requested, amend the certificate and transmit the amended certificate to the Secretary of State. If the amended certificates establish that the petitioners have 100 percent or more of the number of registered voters needed to make the petition sufficient and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, that the petition has the minimum number of signatures required for each petition district, the petition shall be deemed to qualify as of the date of receipt by the Secretary of State of the amended certificates, and the Secretary of State shall immediately so notify the petitioners and the county clerks.

(Added to NRS by 1985, 1091; A 1993, 2666; 2001, 642; 2009, 2589; 2011, 1786, 3273; 2019, 1630)

**NRS 293.1279 Qualification or disqualification of petition upon verification of signatures; regulations.**

1. If the statistical sampling shows that the number of valid signatures filed is 90 percent or more, but less than the sum of 100 percent of the number of signatures of registered voters needed to declare the petition sufficient plus the total number of requests to remove a name received by the county clerks pursuant to NRS 295.055 or pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable, the Secretary of State shall order the county clerks to examine the signatures for verification. The county clerks shall examine the signatures for verification until they determine that 100 percent of the number of signatures of registered voters needed to declare the petition sufficient are valid. If the county clerks received a request to remove a name pursuant to NRS 295.055 or pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable, the county clerks may not determine that 100 percent of the number of signatures of registered voters needed to declare the petition sufficient are valid until they have removed each name as requested pursuant to NRS 295.055 or 306.015.

2. Except as otherwise provided in this subsection, if the statistical sampling shows that the number of valid signatures filed in any county is 90 percent or more but less than the sum of 100 percent of the number of signatures of registered voters needed to constitute 10 percent of the number of voters who voted at the last preceding general election in that county plus the total number of requests to remove a name received by the county clerk in that county pursuant to NRS 295.055 or pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable, the Secretary of State may order the county clerk in that county to examine every signature for verification. If the county clerk received a request to remove a name pursuant to NRS 295.055 or pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable, the county clerk may not determine that 100 percent or more of the number of signatures of registered voters needed to constitute 10 percent of the number of voters who voted at the last preceding general election in that county are valid until the county clerk has removed each name as requested pursuant to NRS 295.055 or 306.015. In the case of a petition for initiative or referendum that proposes a constitutional amendment or statewide measure, if the statistical sampling shows that the number of valid signatures in any petition district is 90 percent or more but less than the sum of 100 percent of the number of signatures of registered voters required for that petition district pursuant to NRS 295.012 plus the total number of requests to remove a name received by the county clerk or county clerks, if the petition district comprises more than one county, pursuant to NRS 295.055, the Secretary of State may order a county clerk to examine every signature for verification.

3. After the receipt of such an order, the county clerk or county clerks shall determine from the records of registration what number of registered voters have signed the petition and, if appropriate, tally those signatures by petition district. This determination must be completed within 12 days, excluding Saturdays, Sundays and holidays, after the receipt of an order regarding a petition containing signatures which are required to be verified pursuant to NRS 293.128, 295.056, 298.109 or 306.110, or pursuant to NRS 306.035 for a petition to recall a public officer who holds a statewide office, and within 5 days, excluding Saturdays, Sundays and holidays, after the receipt of an order regarding a petition containing signatures which are required to be verified pursuant to NRS 293.172 or 293.200. If necessary, the board of county commissioners shall allow the county clerk additional assistants for examining



the signatures and provide for their compensation. In determining from the records of registration what number of registered voters have signed the petition and in determining in which petition district the voters reside, the county clerk must use the statewide voter registration list. The county clerk may rely on the appearance of the signature and the address and date included with each signature in determining the number of registered voters that signed the petition.

4. Except as otherwise provided in subsection 5, upon completing the examination, the county clerk or county clerks shall immediately attach to the documents of the petition an amended certificate, properly dated, showing the result of the examination and shall immediately forward the documents with the amended certificate to the Secretary of State. A copy of the amended certificate must be filed in the county clerk's office. In the case of a petition for initiative or referendum to propose a constitutional amendment or statewide measure, if a petition district comprises more than one county, the county clerks shall comply with the regulations adopted by the Secretary of State pursuant to this section to complete the amended certificate.

5. For any petition containing signatures which are required to be verified pursuant to the provisions of NRS 293.200, 306.035 or 306.110 for any county, district or municipal office within one county, the county clerk shall not forward to the Secretary of State the documents containing the signatures of the registered voters.

6. Except for a petition to recall a county, district or municipal officer, the petition shall be deemed filed with the Secretary of State as of the date on which the Secretary of State receives certificates from the county clerks showing the petition to be signed by the requisite number of voters of the State.

7. If the amended certificates received from all county clerks by the Secretary of State establish that the petition is still insufficient, the Secretary of State shall immediately so notify the petitioners and the county clerks. If the petition is a petition to recall a county, district or municipal officer, the Secretary of State shall also notify the filing officer with whom the petition is to be filed.

8. The Secretary of State shall adopt regulations to carry out the provisions of this section.

(Added to NRS by 1985, 1091; A 1985, 551; 1987, 1362; 1993, 2666; 1997, 751; 1999, 2148; 2001, 642; 2003, 2174; 2007, 2742; 2009, 2590; 2011, 1786, 3273; 2015, 3570; 2019, 1630)

**NRS 293.12793 Appeal with Secretary of State contesting verification of signatures; notification of public officer who is subject of petition to recall; consideration and investigation of allegations.**

1. If the Secretary of State determines that the total number of signatures that the county clerks have certified pursuant to NRS 293.1277 or 293.1279 is less than 100 percent of the number of registered voters needed to make the petition sufficient, the person who submitted the petition may contest the verification of the signatures by filing an appeal with the Secretary of State. The appeal must:

- (a) Be filed within 5 working days after receipt of notification of the determination of the Secretary of State;
- (b) Include each reason for the appeal; and
- (c) Include a statement of the number of signatures, if any, that the county clerk determined were invalid.

2. The Secretary of State shall:

- (a) If the petition was circulated pursuant to chapter 306 of NRS, immediately notify the public officer who is the subject of the petition of the appeal by the person who submitted the petition; and
- (b) Consider the allegations and conduct an investigation, if necessary. (Added to NRS by 1993, 2664; A 1997, 752; 1999, 3546)

**NRS 293.12795 Action by Secretary of State upon review of appeal; judicial review of decision of Secretary of State.**

1. If an appeal is based upon the results of the verification of signatures on a petition performed pursuant to NRS 293.1277 or 293.1279, the Secretary of State shall:

(a) If the Secretary of State finds for the appellant, order the county clerk to recertify the petition, including as verified signatures all contested signatures which the Secretary of State determines are valid. If the county clerk has not yet removed each name as requested pursuant to NRS 295.055 or pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, the county clerk shall do so before recertifying the petition.

(b) If the Secretary of State does not find for the appellant, notify the appellant and the county clerk that the petition remains insufficient.

2. If the Secretary of State is unable to make a decision on the appeal based upon the documents submitted, the Secretary of State may order the county clerk to reverify the signatures.

3. The decision of the Secretary of State is a final decision for the purposes of judicial review. The decision of the Secretary of State may only be appealed in the First Judicial District Court.

(Added to NRS by 1993, 2664; A 2001, 643; 2019, 1632)

**NRS 293.185 Appropriate filing officer for filing declaration of candidacy.** A declaration of candidacy must be filed with the appropriate filing officer, during regular office hours, as follows:

1. For United States Senator, Representative in Congress, statewide offices, State Senators, Assemblymen and Assemblywomen to be elected from districts comprising more than one county, and all other offices whose districts comprise more than one county, with the Secretary of State.



2. For Representative in Congress and district offices voted for wholly within one county, State Senators, Assemblymen and Assemblywomen to be elected from districts comprising but one or part of one county, county, and township officers, with the county clerk.

(Added to NRS by 1960, 244; A 1965 Special Session, 4; 1983, 1287; 1987, 1367; 2019, 3380)

**NRS 293.194 Return of filing fee to certain candidates.** The filing fee of an independent candidate who files a petition pursuant to NRS 293.200 or 298.109, of a candidate of a minor political party or of a candidate of a new major political party, must be returned to the candidate by the filing officer to whom the fee was paid within 10 days after the date on which a final determination is made that the petition of the candidate, minor political party or new major political party failed to contain the required number of signatures.

(Added to NRS by 1987, 1361; A 1997, 756; 2019, 3382)

## NRS CHAPTER 298 PRESIDENTIAL ELECTIONS

**NRS 298.023 "Alternate" defined.** "Alternate" means a person selected pursuant to NRS 298.035 to be an alternate to a nominee for presidential elector.

(Added to NRS by 2013, 1230)

**NRS 298.028 "Nominee for presidential elector" defined.** "Nominee for presidential elector" means a person selected pursuant to NRS 298.035 to be a nominee to the position of presidential elector by a major political party, a minor political party or an independent candidate nominated for the office of President pursuant to NRS 298.109.

(Added to NRS by 2013, 1230)

**NRS 298.035 Selection of nominees and alternates for presidential elector.**

1. Each major political party shall, at the state convention of the major political party held in that year, select from the qualified electors who are legally registered members of the major political party:

(a) A nominee to the position of presidential elector; and

(b) An alternate to the nominee for presidential elector,

☞ for each position of presidential elector required by law.

2. Each minor political party shall choose from the qualified electors who are legally registered members of the minor political party:

(a) A nominee to the position of presidential elector; and

(b) An alternate to the nominee for presidential elector,

☞ for each position of presidential elector required by law. The person who is authorized to file the list of candidates for partisan office of the minor political party with the Secretary of State pursuant to NRS 293.1725 shall, not later than the last Tuesday in August, submit to the Secretary of State the list of nominees for presidential elector and alternates.

3. Each independent candidate nominated for the office of President pursuant to NRS 298.109 shall, at the time of filing the petition as required pursuant to subsection 1 of NRS 298.109, or within 10 days thereafter, choose from the qualified electors:

(a) A nominee to the position of presidential elector; and

(b) An alternate to the nominee for presidential elector,

☞ for each position of presidential elector required by law.

(Added to NRS by 2013, 1230; A 2013, 2415)

**NRS 298.045 Nominees and alternates for presidential elector required to sign pledge.**

1. Except as otherwise provided in subsection 2, a nominee for presidential elector or an alternate may not serve as a presidential elector unless the nominee for presidential elector or the alternate signs a pledge in substantially the following form:

If selected for the position of presidential elector, I agree to serve as such and to vote only for the nominees for President and Vice President of the political party or the independent candidates who received the highest number of votes in this State at the general election.

2. If a nominee for presidential elector or an alternate is physically unable to sign the pledge, the pledge may be signed by proxy in the presence of the nominee for presidential elector or the alternate, as applicable.

3. The chair and secretary of the convention of a major political party, the person who is authorized to file the list of candidates for partisan office of a minor political party with the Secretary of State pursuant to NRS 293.1725 or an independent candidate shall submit to the Secretary of State each pledge signed pursuant to this section with the list of nominees for presidential elector and alternates.

(Added to NRS by 2013, 1231)

**NRS 298.109 Nomination of independent candidates for President and Vice President; challenge to candidacy.**

1. A person who desires to be an independent candidate for the office of President of the United States must, not later than 5 p.m. on the second Friday in August in each year in which a presidential election is to be held, pay a filing fee of \$250 and file with the Secretary of State a declaration of candidacy and a petition of candidacy, in which the person must also designate a nominee for Vice President. The petition must be signed by a number of registered voters equal to not less than 1 percent of the total number of votes cast at the last preceding general election for candidates for the offices of Representative in Congress and must request that the names of the proposed candidates be placed on the ballot at the general election that year. The candidate shall file a copy of the petition the person intends to circulate for signatures with the Secretary of State before the petition may be circulated for signatures.

2. The petition may consist of more than one document. Each document must bear the name of a county and only registered voters of that county may sign the document. The documents which are circulated for signature in a county must be submitted to that county clerk for verification



in the manner prescribed in NRS 293.1276 to 293.1279, inclusive, not later than 25 working days before the last day to file the petition of candidacy with the Secretary of State pursuant to subsection 1. Each person signing shall add to his or her signature the address of the place at which he or she resides, the date that he or she signs and the name of the county wherein he or she is registered to vote. Each document of the petition must also contain the affidavit of the person who circulated the document that all signatures thereon are genuine to the best of the person's knowledge and belief and were signed in his or her presence by persons registered to vote in that county.

3. If the candidacy of any person who seeks to qualify pursuant to this section is challenged, all affidavits and documents in support of the challenge must be filed with the First Judicial District Court not later than 5 p.m. on the fourth Tuesday in August. Any judicial proceeding relating to the challenge must be set for hearing not later than 5 days after the fourth Tuesday in August.

4. The county clerk shall not disqualify the signature of a voter who fails to provide all the information required by this section if the voter is registered in the county named on the document.

(Added to NRS by 1979, 404; A 1983, 1289; 1985, 270; 1987, 1375; 1989, 2173; 1993, 2670; 1999, 3561; 2013, 1233; 2017, 3371)

#### **NRS 298.650 Requirements for holding presidential preference primary election; date; exception.**

1. Except as otherwise provided in subsection 2, a presidential preference primary election must be held for all major political parties on the first Tuesday in February of each presidential election year.

2. A presidential preference primary election must not be held for a major political party if only one qualified candidate or no qualified candidate of the major political party files a declaration of candidacy pursuant to NRS 298.660. If only one qualified candidate of the major political party files a declaration of candidacy, the Secretary of State must certify the name of the qualified candidate to the state central committee and the national committee of the major political party.

(Added to NRS by 2021, 3899)

**NRS 298.660 Declaration of candidacy: Filing required; filing period.** If a person who is a qualified candidate to be a major political party's nominee for President of the United States wants to appear on the ballot for a presidential preference primary election that is held for the party, the person must, not earlier than October 1 and not later than 5 p.m. on October 15 of the year immediately preceding the presidential preference primary election, file with the Secretary of State a declaration of candidacy in the form prescribed by the Secretary of State.

(Added to NRS by 2021, 3900)

#### **NRS 298.670 Requirements for providing notice of presidential preference primary election.**

1. The Secretary of State shall forward to each county clerk the name, party affiliation and mailing address of each qualified candidate whose name must appear on the ballot for the presidential preference primary election.

2. Immediately upon receipt by the county clerk of the list of qualified candidates, the county clerk shall publish a notice of the presidential preference primary election in a newspaper of general circulation in the county once a week for 2 successive weeks. If no such newspaper is published in the county, the publication may be made in a newspaper of general circulation published in the nearest Nevada county. The notice must contain:

- (a) The date of the presidential preference primary election;
- (b) The major political parties that have qualified candidates who will be on the ballot at the presidential preference primary election;
- (c) The location of the polling places in the county, including, without limitation, polling places for early voting by personal appearance; and
- (d) The hours during which the polling places in the county will be open for voting during the period for early voting and the day of the presidential preference primary election.

(Added to NRS by 2021, 3900)

## **NAC CHAPTER 293 ELECTIONS**

### **NAC 293.182 Requirements for individual documents of petitions other than initiative and referendum petitions. (NRS 293.124, 293.247)**

1. A person who submits a petition that consists of more than one document to the county clerk for verification of the signatures shall sequentially number each page of each document in the petition, beginning with the number 1.

2. If a petition consists of more than one document, each of those documents must, in addition to any other requirements:

- (a) Contain sequentially numbered spaces for:
  - (1) The name of each person signing the petition.
  - (2) The signature of the person signing the petition.
  - (3) The street address of the residence where the person signing the petition actually resides unless a street address has not been assigned. If a street address has not been assigned, the document may contain the mailing address of the person signing the petition.
  - (4) The name of the county where the person is a registered voter.
  - (5) The date of the signature.
- (b) Have attached to it, when filed, an affidavit signed by the person who circulated the document in substantially the following form:

STATE OF NEVADA  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_ (print name), being first duly sworn under penalty of perjury, depose and say: (1) that I reside at \_\_\_\_\_ (Print street, city, and state); (2) that I am 18 years of age or older; (3) that I personally circulated this document; (4) that all signatures were affixed in my presence; (5) that I believe each person who signed was at the time of signing

Independent Presidential Candidate Guide



a registered voter in the county of his or her residence; and (6) that the number of signatures affixed thereon is \_\_\_\_\_.

Signature of circulator

Subscribed and sworn to or affirmed  
before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary public or other person licensed  
to administer an oath

3. Any document of a petition may consist of more than one page. If a document consists of more than one page:
  - (a) Each page, including a blank signature page, must be numbered sequentially, beginning with the number 1 for each document;
  - (b) All the pages must be stapled, bound, or attached in a similar manner that does not include the use of paper clips, rubber bands or binder clips and must be placed in numerical order; and
  - (c) The affidavit required by paragraph (b) of subsection 2 must appear on the last pages of the document.
4. As used in this section, "petition" means a petition containing signatures which are required to be verified pursuant to NRS 293.128, 293.165, 293.172, 293.200, 298.109, 306.015, 306.035 or 306.110.  
(Added to NAC by Sec'y of State, eff. 3-15-96; A by R013-00, 4-4-2000; R183-01, 5-10-2002; R072-06, 7-14-2006; R092-09, 10-27-2009)

# **EXHIBIT B**

Heather Hardy <hardyh@sos.nv.gov>

1/9/2024 11:08 AM

## RE: Revised Petitions Submitted for Approval for Robert F. Kennedy Jr. - Independent Presidential Candidate

To Paul Rossi <paul-rossi@comcast.net> Copy Kristen Rhynes <rhynesk@sos.nv.gov> • SOS Elections Division <nvelect@sos.nv.gov> • Briana Bollman <bbollman@sos.nv.gov>

Good Morning,

Thank you for re-submitting Mr. Kennedy's petition.  
It has been filed with the Secretary of State's Office. He may begin gathering signatures now.  
Please remember the final day to submit signatures to County Clerks is July 5, 2024.

Thank you,

Heather Hardy  
HAVA Administrator  
Office of Secretary of State Francisco V. Aguilar  
101 North Carson Street, Suite 3  
Carson City, NV 89701  
(775) 684-7126

**From:** Paul Rossi <paul-rossi@comcast.net>

**Sent:** Tuesday, January 9, 2024 7:19 AM

**To:** Heather Hardy <hardyh@sos.nv.gov>

**Cc:** Kristen Rhynes <rhynesk@sos.nv.gov>; SOS Elections Division <nvelect@sos.nv.gov>

**Subject:** Revised Petitions Submitted for Approval for Robert F. Kennedy Jr. - Independent Presidential Candidate

**WARNING** - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Heather:

Attached is the revised petition for Robert F. Kennedy Jr., per your instructions.

We have a rally tonight where we would love to be able to start collecting signatures. Is there any possibility of approving this petition today so that we can get started tonight?

Paul A. Rossi  
717.961.8978  
[Paul-Rossi@comcast.net](mailto:Paul-Rossi@comcast.net)

On 01/08/2024 11:26 AM EST Heather Hardy <hardyh@sos.nv.gov> wrote:

Good morning,



Please submit Mr. Kennedy's petition without the County filled in. You only need to file a copy of one page with us.

Mr. Kennedy and his team of signature gatherers will then need to use the same document (previously provided) and update the county specific to each area signatures are collected. It's best if the signature gatherers do it as they collect the signatures keeping the pages in order according to signature number sequence. The signature gatherer will then get each packet notarized at the end (when completed) and attach that to the back of the packet.

Thank you,

Heather Hardy  
HAVA Administrator  
Office of Secretary of State Francisco V. Aguilar  
101 North Carson Street, Suite 3  
Carson City, NV 89701  
(775) 684-7126  
[hardyh@sos.nv.gov](mailto:hardyh@sos.nv.gov)

**From:** Paul Rossi <[paul-rossi@comcast.net](mailto:paul-rossi@comcast.net)>

**Sent:** Friday, January 5, 2024 5:01 AM

**To:** Kristen Rhynes <[rhynesk@sos.nv.gov](mailto:rhynesk@sos.nv.gov)>; SOS Elections Division <[rivelect@sos.nv.gov](mailto:rivelect@sos.nv.gov)>

**Subject:** Alternative Petitions Submitted for Approval for Robert F. Kennedy Jr. - Independent Presidential Candidate

**WARNING** - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

ALL:

Earlier this morning I submitted Independent Petition of Candidacy for each Nevada County which were populated using Word Processing, which required several steps to complete such that the scan I sent to you provides text which is less than crisp. The first submission of petitions is the preferred submission for approval.

However, if you do not approved the first submission with type-written population of the fields, I am attaching on this email an alternative set of petitions with hand-written population of the various fields. These petitions have some better clarity of the text as they were not put through multiple word-processing processes with less replicative fading or muddling of the text.

Please advise which of the 2 submissions are approved for circulation.

Paul A. Rossi, Esq.  
IMPG Advocates  
Kennedy 2024  
316 Hill Street  
Suite 1020  
Mountville, PA 17554

[raul-rossi@comcast.net](mailto:raul-rossi@comcast.net)



Paul Rossi <paul-rossi@comcast.net>

1/9/2024 10:19 AM

## Revised Petitions Submitted for Approval for Robert F. Kennedy Jr. - Independent Presidential Candidate

To Heather Hardy <hardyh@sos.nv.gov> Copy Kristen Rhynes <rhynesk@sos.nv.gov> •  
nvelect@sos.nv.gov <nvelect@sos.nv.gov> Blind copy paul-rossi@comcast.net

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Office of Secretary of State Francisco V. Aguilar  
101 North Carson Street, Suite 3  
Carson City, NV 89701  
(775) 684-7126



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Paul A. Rossi, Esq.

IMPG Advocate

Kennedy 2024

3rd Hill Street

Suite 1020

Philadelphia, PA 19104

717.961.8978

**Paul-Rossi@comcast.net**

- Kennedy - Nevada Revised Petition for Approval.pdf (73 KB)



State of Nevada

Independent Petition of Candidacy

Secretary of State  
Francisco V. Aguilar

NRS 293.200

Petition of Candidacy of Robert F. Kennedy Jr.For the Office of President of the United States

County of \_\_\_\_\_

(Only registered voters of this County may sign below.)

This space for  
office use only

1	PRINT YOUR NAME (last name, first name, initial)	RESIDENCE ADDRESS ONLY:	
	YOUR SIGNATURE: DATE: / /	CITY: COUNTY:	
2	PRINT YOUR NAME (last name, first name, initial)	RESIDENCE ADDRESS ONLY:	
	YOUR SIGNATURE: DATE: / /	CITY: COUNTY:	
3	PRINT YOUR NAME (last name, first name, initial)	RESIDENCE ADDRESS ONLY:	
	YOUR SIGNATURE: DATE: / /	CITY: COUNTY:	
4	PRINT YOUR NAME (last name, first name, initial)	RESIDENCE ADDRESS ONLY:	
	YOUR SIGNATURE: DATE: / /	CITY: COUNTY:	
5	PRINT YOUR NAME (last name, first name, initial)	RESIDENCE ADDRESS ONLY:	
	YOUR SIGNATURE: DATE: / /	CITY: COUNTY:	
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	YOUR SIGNATURE: DATE: / /	CITY: COUNTY:	
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	YOUR SIGNATURE: DATE: / /	CITY: COUNTY:	

Secretary of State  
Francisco V. Aguilar

NRS 293.200

Petition of Candidacy of Robert F. Kennedy Jr.

For the Office of President of the United States

County of \_\_\_\_\_

(Only registered voters of this County may sign below.)

This space for  
affixing seal only

8	PRINT YOUR NAME (last name, first name, initial)	RESIDENCE ADDRESS ONLY:	
	YOUR SIGNATURE: DATE: / /	CITY: COUNTY:	
9	PRINT YOUR NAME (last name, first name, initial)	RESIDENCE ADDRESS ONLY:	
	YOUR SIGNATURE: DATE: / /	CITY: COUNTY:	
10	PRINT YOUR NAME (last name, first name, initial)	RESIDENCE ADDRESS ONLY:	
	YOUR SIGNATURE: DATE: / /	CITY: COUNTY:	

### AFFIDAVIT OF CIRCULATOR

(To be completed by the person who circulated the petition after all signatures have been obtained)

STATE OF NEVADA )  
COUNTY OF \_\_\_\_\_ )

I, \_\_\_\_\_, (print name), being first duly sworn under penalty of perjury, depose and say: (1) that I reside at \_\_\_\_\_ (print street, city, and state); (2) that I am 18 years of age or older; (3) that I personally circulated this document; (4) that all signatures were affixed in my presence; (5) that I believe each person who signed was at the time of signing a registered voter in the county of his or her residence; and (6) that the number of signatures affixed thereon is \_\_\_\_\_.

Subscribed and sworn to or affirmed before me this \_\_\_\_\_  
day of \_\_\_\_\_, by \_\_\_\_\_

Signature of Circulator

Notary Public or person authorized to administer an oath



Mike McCorkle <mike@cornelwest2024.com>

4/19/2024 5:49 PM

## Re: Nevada shenanigans

To paul-rossi@comcast.net

They are in serious need of one of your patented smack-downs. Attached is the form I sent and had accepted for filing back in March.

After hearing they had pulled the rug from under you guys, we confirmed by phone that they were planning to do the same to us, too. I prepared a new template with the running mate listed, and I sent it to them on April 10. They still haven't accepted it for filing so it can be circulated! They tell me it's "still under review". "Review for what?", I asked them earlier this afternoon. "Didn't you guys tell Team Kennedy that you don't do any review of these petitions and don't check them for anything? What do you mean it's 'under review'?" They're telling me that by Monday maybe, or possibly later today, they'll get around to accepting the new template and allowing us to start circulating it. In the meantime, I've advised the campaign to continue on the old form they already approved, because time is of the essence and I think the law is on our side. What an outrage.

Let me know if I can do anything more to help. Give'em hell, my friend!

Very best,  
Mike

On Fri, Apr 19, 2024 at 11:22 AM <Paul-Rossi@comcast.net> wrote:

Please do.

Thank you. We are about to file a federal challenge to the SOS's recent interpretation. Did you collect any signatures on the petition?

Paul A. Rossi, Esq  
717.961.8978  
[Paul-Rossi@comcast.net](mailto:Paul-Rossi@comcast.net)


On 03/26/2024 5:24 PM EDT Mike McCorkle <mike@cornelwest2024.com> wrote:

Hi, Paul,

For what it's worth, Nevada recently accepted for filing our petition template (no sigs) with no VP listed, without raising any concerns with us, so we were walking into the same outrageous trap. I can send you a copy of that document if it would be helpful to you as evidence. Just say the word.

Very best,  
Mike

Mike McCorkle  
Ballot Access Counsel

 Cornel West 2024

- Submission of Independent candidate for president sample petition.pdf (68 KB)

# **EXHIBIT C**



State of Nevada  
Secretary of State  
Francisco V. Aguilar



Independent Petition of Candidacy

NRS 293.200

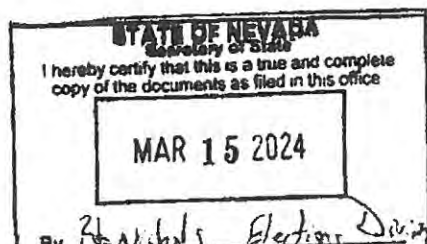
Petition of Candidacy of Cornel West  
For the Office of President of the United States  
Justice For All

County of \_\_\_\_\_}

(Only registered voters of this County may sign below.)

This space for  
office use only

1	PRINT YOUR NAME (last name, first name, initial)	RESIDENCE ADDRESS ONLY	
	YOUR SIGNATURE DATE	CITY COUNTY	
2	PRINT YOUR NAME (last name, first name, initial)	RESIDENCE ADDRESS ONLY	
	YOUR SIGNATURE DATE	CITY COUNTY	
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	YOUR SIGNATURE DATE	CITY COUNTY	



State of Nevada  
Secretary of State  
Francisco V. Aguilar



Independent Petition of Candidacy

NRS 293.200

Petition of Candidacy of Cornel West

For the Office of President of the United States  
Justice For All

County of \_\_\_\_\_

(Only registered voters of this County may sign below.)

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	YOUR SIGNATURE DATE	CITY COUNTY	

(Place affidavit on last page of document)

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(To be completed by the person who circulated the petition after all signatures have been obtained)

STATE OF NEVADA )  
COUNTY OF \_\_\_\_\_ )

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day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_

Signature of Circulator \_\_\_\_\_

Notary Public or person authorized to administer an oath

EL503/NRS 293.200  
Revised 07/2023

