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**IN THE SECOND JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA IN AND FOR THE
COUNTY OF WASHOE**

RE; APPEAL OF REGISTRAR'S
INSUFFICIENCY DETERMINATION OF
MARSELA KUPFERSMITH,
NON-PARTISAN CANDIDATE FOR
WASHOE COUNTY COMMISSIONER,
DISTRICT 4

Case No.:
Dept. No.:

Comes now Marsela Kupfersmith, a registered voter in Washoe County, Nevada, by and through undersigned counsel, who alleges as follows:

GENERAL ALLEGATIONS AND FACTUAL SUPPORT

Her notarized and sworn petition for candidacy as a non-partisan in Washoe County Commission District 4 pursuant to NRS Chapter 293 et seq was timely filed with the Washoe County Registrar of Voters (hereinafter Registrar).

Secretary of State Francisco Aguilar (hereinafter Secretary) sent a letter dated June 21, 2024, (attached as Exhibit 1) to the Registrar which Mrs. Kupfersmith received by e-mail on June 24. Exhibit 1 notes that her petition has failed to meet the statutory standard of 100 valid signatures.

Mrs. Kupfersmith, by phone and e-mails has repeatedly asked for a copy of her petition and the names of the 24 disqualified signators.

NRS 293.200(8) provides:

If the sufficiency of the petition of the candidacy of any person seeking to qualify pursuant to this section is challenged, all affidavits and documents in support of the challenge must be filed not later than 5 p.m. on the fourth

1 Friday in June. Any judicial proceeding resulting from the challenge must
2 be set for hearing not more than 5 days after the fourth Friday in June.

3 Both the Secretary and the Registrar have failed to provide Mrs. Kupfersmith the
4 information she needs to cure the disqualification.

5 Attached hereto as Exhibit 2 is the affidavit of Marsela Kupfersmith in support of
6 this Challenge.

7 Attached hereto as Exhibit 3 is an email chain which supports this Challenge.

8 Attached hereto as Exhibit 4 is another email chain which supports this Challenge.

9 **GROUND FOR APPEAL:**

10 1. Personal Verification of Signatures;

11 I, along with two volunteers, personally collected and verified all 114 signatures
12 should be considered valid.

13
14 2. Lack of Transparency in Signature Validation:

15 The notice of insufficiency failed to specify which signatures were invalidated
16 and the reasons for their invalidation. This lack of transparency impairs my
17 ability to appeal property and timely, violating my rights under NRS 293.1276,
18 which mandates verification but also implies a necessity for transparency in the
19 process.

20 3. Constitutional Rights:

21 The failure to provide specific reasons for the invalidation of signatures infringes
22 upon my rights to due process and equal protection under both the Nevada State
23 Constitution and the U.S. Constitutions

24 4. Witnesses and Attestations:

25 I can produce all the signators in court if necessary, as well as the volunteers
26 who helped gather the signatures, to attest to the validity and legality of the
27 signatures. This further supports the validity of the petition and underscores
28 the necessity for a transparent verification process.

1 FIRST CAUSE OF ACTION

2 Marsela incorporates the General Allegations, supra, at this place.

3 As a result of this dilatory conduct by public officials, Mrs. Kupfersmith has been
4 deprived of due process under the 14th Amendment to the Constitution of the United
5 States and the Rules of Second Judicial District Court.

6 SECOND CAUSE OF ACTION

7 Marsela incorporates the General Allegations, supra, at this place.

8 Marcy has been deprived of her Constitutional rights as a citizen and registered
9 voter under the Voting Rights Act of 1965, 52 U.S. Code § 10101.

10 NOW THEREFORE,

11 Mrs. Kupfersmith prays that this court order the Secretary and Registrar to pro-
12 vide the information to allow her the opportunity to cure any ballot defects and for
13 such other and further relief as the court shall decide.

14 The undersigned does hereby affirm that this document does not contain the Social
15 Security Number of any persons.

16 DATED: June 28, 2028.

17 WHITE LAW CHARTERED

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19 By:/s/John A. White, Jr., Esq.
20 John A. White, Jr., Esq.

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