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5 *Attorney for Respondent, The Honorable Judge Michele Fiore*

6 **BEFORE THE NEVADA COMMISSION ON JUDICIAL DISCIPLINE**

7
8 **STATE OF NEVADA**

9 In the Matter of the,
10 HONORABLE MICHELE FIORE
11 Justice of the Peace, Pahrump Township Justice
12 Court, County of Nye, State of Nevada
13 Respondent.

COMMISSION CASE NO. 2025-108-P

RESPONDENT JUDGE MICHELE FIORE'S VERIFIED ANSWER

14
15 Respondent, the Honorable Michele Fiore, by and through her attorney, Paola M. Armeni,
16 Esq., of the firm of Clark Hill, submits pursuant to PRJDC 17 her Verified Answer to the Formal
17 Statement of Charges, received on April 27, 2026. Judge Fiore admits, denies, and alleges as
18 follows. Any allegation or claim not expressly admitted or otherwise pled to herein is denied.

19 **JURISDICTION**

20 Respondent Fiore agrees the Commission has jurisdiction to discipline judges for
21 violations of the Revised Nevada Code of Judicial Conduct. However, the Statement of Formal
22 Charges is based entirely on alleged conduct occurring before Judge Fiore assumed judicial office
23 and therefore falls outside the Commission's authority under NRS Chapter 1, the Revised Nevada
24 Code of Judicial Conduct, and the PRJDC.

25 The alleged donations were solicited and received before Judge Fiore took the bench, and
26 the Statement of Formal Charges identifies no independent post-investiture misconduct, no misuse
27 of judicial office, improper judicial act, or violation of judicial duties while serving as a judge.
28 Instead, the Commission attempts to characterize the allegations as "continuing" misconduct,

1 despite identifying no judgment, restitution order, statute, or other legal duty requiring repayment
2 or further action after Judge Fiore assumed office.

3 Absent a continuing legal duty, the allegations reflect only the continuing effects of alleged
4 pre-bench conduct, not ongoing judicial misconduct. Because the Charges allege only completed
5 private conduct predating judicial service, the Commission lacks jurisdiction and the Statement of
6 Formal Charges must be dismissed with prejudice in its entirety.

7 Judge Fiore denies that actions described in Counts 1 through III.

8 **BACKGROUND FACTUAL ALLEGATIONS**

9 A. Answering Paragraph A of the Formal Statement of Charges, Respondent Fiore admits
10 that as a Las Vegas City Councilwoman she frequently organized and supported charitable and
11 community events throughout her district, including the Alyn Beck Park. Donations collected
12 during this time were often used to notify and invite residents to community events, including the
13 opening of Beck Park, as well as to support and uplift constituents in need. Councilwoman Fiore
14 did charitable deeds and events during the time of 2019-2020. She admits that the statute was
15 completed in January 2020.

16 To the extent this paragraph suggests that Judge Fiore solicited \$70,000 from donors. She
17 denies that allegation and states the following:

18 Of the more than \$70,000 the Commission alleges was solicited by Michele Fiore, not Judge
19 Fiore, approximately \$37,500 came from individuals who either never met Ms. Fiore or admitted
20 under oath that any solicitation did not come from her personally.

21 Some donations were made to a PAC. Donors do not retain control over how PAC funds
22 are expended.

23 Donor Peter Palivos stated that the donation was intended for “veterans, homeless or law
24 enforcement.”

25 Donor Joe Lombardo utilized funds from his reelection campaign to make the donation.

26 Some donors were selected based on information already known to federal authorities. This
27 allowed the federal government to finally prosecute Ms. Fiore after years of trying.

28 None of the donors (the alleged victims here) filed a complaint with the Judicial

1 Commission. The return of donations is an “accounting nightmare.”¹

2 As to all other allegations, Judge Fiore denies.

3 B. In answering Paragraph B of the Formal Statement of Charges, Respondent Fiore
4 denies that she was ever under a legal obligation to return donations. Further, the Formal Statement
5 of Charges fails to provide notice as to what legal obligation she had.

6 C. Answering Paragraph C of the Formal Statement of Charges, Respondent Fiore denies
7 these allegations. The donors were already on notice as to their donations and no request for the
8 return of the donations was made. Further, there is no judicial canon which would place Judge
9 Fiore on notice that any such action should take place.

10 D. In answering Paragraph D of the Formal Statement of Charges, Respondent Fiore
11 admits only that a jury returned a verdict in a prior federal proceeding involving alleged conduct
12 predating her judicial service. Judge Fiore maintains that her constitutional right to a Fair Trial
13 was violated as is more fully discussed in Paragraph E. Judge Fiore denies that the verdict was
14 based upon the fraudulent use of the donations. The use of the donations is not an element of the
15 federal criminal charges. Lastly, Judge Fiore denies that the verdict resolves factual, constitutional,
16 evidentiary and jurisdictional disputes related to the instant matter.

17 E. Answering Paragraph E of the Formal Statement of Charges, Respondent Fiore admits
18 that she filed motions for judgment of acquittal and for a new trial. To the extent this paragraph
19 relies on the sufficiency of the evidence as the gravata of the motions, Judge Fiore denies the
20 statement. Particularly, the new trial motion focused on the failure to provide Judge Fiore a fair
21 trial as is guaranteed to her by the United States Constitution. The motions focused on: (1) the
22 striking of a key witness’s testimony that explained how donations were used including for various
23 charitable events and a denial that donations were used for personal reasons; (2) the admission or
24 denial of evidence; (3) the failure to provide the full Ninth Circuit jury instruction on conspiracy;
25 (4) ineffective assistance in counsel in (a) failing to strike witnesses including donors for lack of
26 personal knowledge which included admitting Judge Fiore never solicited the donation and some

27
28 ¹ Trial Testimony of Tommy White.

1 did not even know Judge Fiore personally; (b) failure to introduce exculpatory evidence related to
2 use of donations as well as other income Judge Fiore was receiving; (5) the failure to correct
3 testimony by a Governor Lombardo that he previously stated someone other than Judge Fiore had
4 solicited the donation; and (6) the government's touting of one of their donors in closing argument
5 as prominent in their profession while denying knowledge of a prior felony conviction and
6 ignoring previous disciplinary action.

7 F. In answering Paragraph F, Respondent Fiore admits only the procedural occurrence
8 that post-trial motions were denied on April 18, 2025. Respondent denies any implication that the
9 denial of post-trial motions transformed disputed allegations into established judicial misconduct
10 or resolved the factual, constitutional, evidentiary, and jurisdictional disputes surrounding the
11 underlying proceeding.

12 G. In response to Paragraph G, Respondent Fiore admits that, prior to sentencing and
13 before any judgment of conviction was entered, she received a full and unconditional pardon from
14 the President of the United States on April 23, 2025, after which the federal criminal matter was
15 closed.

16 H. Answering Paragraph H of the Formal Statement of Charges, Respondent Fiore admits
17 that Judge Dorsey vacated the federal sentencing date and closed the criminal case. Judge Fiore
18 does not have sufficient knowledge as to why Judge Dorsey would issue an order of dismissal so
19 she cannot admit or deny this allegation. No judgment of conviction was entered.

20 **COUNT ONE**

21 In response to Count One, Respondent Fiore restates and realleges each of the foregoing
22 responses as if fully re-written herein.

23 Count One alleges a violation of Canon 1.1, which requires a judge to comply with the law.
24 Yet the Statement of Charges does not identify any statute, court order, judgment, restitution order,
25 contractual provision, or other legally enforceable duty requiring repayment by a date certain. This
26 is because no legal obligation exists. Therefore, Judge Fiore could not have "fail[ed] to comply
27 with the law." Thus, in answering the allegations set forth in Count One, Respondent Fiore denies
28 that she violated Canon 1, Rule 1.1.

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COUNT TWO

In response to Count Two, Respondent Fiore restates and realleges each of the foregoing responses as if fully re-written herein.

The Commission attempts to transform disputed allegations predating Judge Fiore’s judicial service into continuing judicial misconduct. Yet the Commission fails to identify any independent post-investiture misconduct, misuse of judicial office, or legally enforceable duty arising after she took the bench. The Commission relies solely on the continuing existence of an alleged unpaid obligation, but continuing consequences are not continuing acts. Nothing in NRS Chapter 1, Canon 1.1, or Canon 1.2 permits the Commission to convert unresolved pre-bench allegations into perpetual ethics violations absent an identifiable post-investiture act or breach of judicial duty. Further, if there is no actionable violation of law under Canon 1.1, then Canon 1.2 cannot independently transform nonpayment into a continuing ethics violation untethered to any legal duty.

In answering the allegations set forth in Count Two, Respondent Fiore denies that she violated Canon 1, Rule 1.1, and Rule 1.2.

COUNT THREE

In response to Count Three, Respondent Fiore restates and realleges each of the foregoing responses as if fully re-written herein.

Respondent Fiore admits that a jury returned a verdict in a heavily contested federal proceeding involving alleged conduct predating her judicial service. However, Count Three identifies no actionable misconduct by Judge Fiore while serving on the bench and instead relies on alleged pre-judicial conduct and a later jury verdict that, standing alone, does not establish judicial misconduct. The Commission’s own shifting positions further expose the defect: it previously deemed reliance on the verdict premature, later treated the Presidential Pardon as grounds to rescind discipline tied to that verdict, and now attempts to rely on the same verdict as the basis for a Canon violation.

For those reasons, in answering the allegations set forth in Count Three, Respondent Fiore

1 denies that she violated Canon 1, Rule 1.1 and Rule 1.2.

2 Judge Fiore denies that her actions constitute either knowing or deliberate violations of the
3 Code when the Code is silent as to her alleged conduct. There is no constitutional notice that her
4 actions would constitute a violation of the Revised Nevada Code of Judicial Conduct. Further,
5 Judge Fiore denies that her actions were violations that were not knowing or deliberate as the
6 actions do not constitute a violation of the Code.

7 **AFFIRMATIVE DEFENSES AND MITIGATING FACTORS²**

8 1. Statement of Formal Charges fails to identify which provision or provisions of NRS 1.4653
9 Judge Fiore allegedly violated.

10 2. Count One fails to identify the legal obligation or the law that was violated.

11 3. Counts Two and Three are inconsistent with Comment Five of Canon 1.2.

12 4. The allegations in Counts One and Two are inconsistent with Canon 4, Rule 4.2.

13 5. If Count One fails, Count Two must fail as 1.2 is reliant on 1.1.

14 6. Count Two fails because there is no new judicial misconduct that is alleged.

15 7. Count Two must fail because the existence of an unpaid balance does itself create new
16 conduct.

17 8. Count Two fails because it cannot be continuing conduct as there was no pre-bench
18 obligation.

19 9. Continuing consequences are not the same as continuing actions.

20 10. Count Three is not a viable claim as the Commission has already acknowledged that the
21 prior jury verdict is not a basis for discipline when they rescinded Judge Fiore's suspension
22 **without pay** after the Presidential Pardon.

23 11. Court Three is not a viable claim as the Commission acknowledged in writing on several
24 occasions that a formal statement of charges was premature based on the guilty verdict alone.

25 12. Count Three should be dismissed because the Commission failed to file the Statement of
26

27 _____
28 ² Judge Fiore does not waive additional defenses or mitigating factors that could be included in an expert report.

1 Formal Charges within the 60 days outlined in their own procedural rules.

2 13. Lack of jurisdiction. Act or Omission alleged occurred before the date on which Judge
3 Fiore entered upon her duties.

4 14. Commission does not assert a new act but a continuing act which allegedly commenced
5 prior to Judge Fiore's appointment to the bench.

6 15. The counts are barred by the statute of limitations and/or NRS 1.4655.

7 16. Failure to state a viable claim.

8 17. No judicial misconduct has occurred.

9 18. The alleged conduct did not occur in the exercise of Judge Fiore's judicial duties.

10 19. Lack of prior disciplinary history.

11 20. Due Process violation – no notice that alleged pre-bench conduct would be deemed
12 continuing conduct that would subject her to discipline.

13 14. Disparate treatment. Judicial Commission has publicly stated, "We cannot discipline a
14 judge for conduct committed when the individual was not a judge."

15 15. Effect of Presidential Pardon.

16 16. Retaliation for the Presidential Pardon.

17 17. Prior to Presidential Pardon, there was no judgment of conviction entered. Therefore, there
18 is no conviction.

19 18. No Restitution Order.

20 19. Judge Fiore did not deliberately violate a Judicial Canon.

21 20. Judge Fiore did not knowingly violate a Judicial Canon.

22 21. The factual assertions are not complete, are bias, and lack foundation.

23 22. Lack of evidence of the claims.

24 23. Donors do not retain control over how PAC funds are expended.

25 24. Disparate treatment. Reliance on a donor, Joe Lombardo who also failed to notify donors
26 that the specific purpose of the donations (to a political campaign) was abrogated, by failing to
27 request instructions regarding alternative use of the donations and/or by failing to return the
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1 donations yet seeks to charge Judge Fiore for the same alleged conduct.³

2 25. Donor Peter Palivos stated that his donation was for “veterans, homeless or law
3 enforcement.”

4 26. One of Tommy White’s donations identified the donation as a “sponsorship.”

5 27. No donor filed a complaint with the Nevada Judicial Disciplinary Commission.

6 28. No donor filed a civil lawsuit against Judge Fiore related to their donations.

7 29. No donor-initiated contact and/or communication with any law enforcement
8 agency related to the donations.

9 30. Several of the donors still support Judge Fiore in her current campaign.

10 31. No donor ever requested the return of funds.

11 32. The Commission received approximately 180 letters in support of Judge Fiore.

12 33. Nye County Commissioners that appointed Judge Fiore remain supportive.

13 34. The Canons are silent on donations received in a non-judicial capacity.

14 35. The Canons do not provide fair notice that Judge Fiore’s alleged failure to return pre-
15 bench donations was a violation.

16 36. The Nevada Commission on Ethics never disciplined Ms. Fiore.

17 37. Testimony at a prior proceeding is not admissible before this Commission.

18 38. Judge Fiore cannot be disciplined based on whatever notions of propriety might be
19 harbored by the Commission’s shifting membership at any given time.

20 39. The Nevada Constitution does not contemplate that the Commission define judicial
21 misconduct based on their own ad hoc judgments about what conduct is desirable.

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27 ³ To be clear, this is not an assertion that this donor did anything incorrectly but rather shows the
28 bias and unfair treatment towards Judge Fiore for alleged similar conduct – donations solicited for
one purpose and used for another.

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DEMAND

Judge Fiore respectfully requests that this Statement of Formal Charges be dismissed with prejudice.

Dated this 15th day of May, 2026.

CLARK HILL PLLC



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The Honorable Judge Michele Fiore

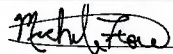
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VERIFICATION

I, Michele Fiore, declare under penalty of perjury that I am the Respondent in the foregoing Answer to the Formal Statement of Charges; that I have read the foregoing Answer and know the contents thereof; and that the same is true and correct to the best of my knowledge, information, and belief.

I declare under penalty of perjury under the laws of the State of Nevada, that the foregoing is true and correct.

Executed this 15th day of May, 2026.



boxSIGN 4Z89YK8K-4L8LK36J
MICHELE FIORE, Respondent

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CERTIFICATE OF SERVICE

The undersigned, an employee of Clark Hill PLLC, hereby certifies that on the 15th day of May, 2026, I served a true and correct copy of the foregoing **THE HONORABLE JUDGE MICHELE FIORE'S VERIFIED ANSWER TO FORMAL STATEMENT OF CHARGES** via electronic means and U.S. Mail:

Thomas J. Donaldson
1817 N. Stewart Street, Ste. 35
Carson City, Nevada 89706
Email: tom@majlabor.com

Special Counsel for the Nevada
Commission on Judicial Discipline


An employee of CLARK HILL PLLC