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

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

7
8 In the Matter of the,

CASE NO. 2025-108-P

9 HONORABLE MICHELE FIORE

10 Justice of the Peace, Pahrump Township Justice
Court, County of Nye, State of Nevada

**RESPONDENT JUDGE MICHELE
FIORE'S VERIFIED ANSWER TO FIRST
AMENDED FORMAL STATEMENT OF
CHARGES**

11 Respondent.
12

13 Respondent, the Honorable Michele Fiore, by and through her attorney, Paola M. Armeni,
14 Esq., of the firm of Clark Hill, submits pursuant to PRJDC 17 her Verified Answer to the First
15 Amended Formal Statement of Charges ("Statement of Charges"), received on August 7, 2026.
16 Judge Fiore admits, denies, and alleges as follows. Any allegation or claim not expressly admitted
17 or otherwise pled to herein is denied.

18 **JURISDICTION**

19 Respondent Fiore agrees the Commission has jurisdiction to discipline judges for
20 violations of the Revised Nevada Code of Judicial Conduct. The Statement of Charges alleges
21 "Judge Fiore committed all actions described in Counts I through III, herein, **while serving as**
22 **justice of the peace.**" See Statement of Charges, 2:7-9.

23 However, the Statement of Charges is based entirely on alleged conduct occurring before
24 Judge Fiore assumed judicial office and therefore falls outside the Commission's authority under
25 NRS Chapter 1, the Revised Nevada Code of Judicial Conduct, and the PRJDC.

26 The alleged donations were solicited and received before Judge Fiore took the bench, and
27 the Statement of Charges identifies no independent post-investiture misconduct, no misuse of
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1 judicial office, improper judicial act, or violation of judicial duties while serving as a judge.
2 Instead, the Commission attempts to characterize the allegations as “continuing” misconduct,
3 despite identifying no judgment, restitution order, statute, or other legal duty requiring repayment
4 or further action after Judge Fiore assumed office.

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

9 Judge Fiore denies the actions described in Counts 1 through III.

10 **BACKGROUND FACTUAL ALLEGATIONS**

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

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

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

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

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

27 Donor Joe Lombardo utilized funds from his Sheriff reelection campaign to make the
28 donation. Judge Fiore has previously advised the Commission that she would refund the same

1 account that Lombardo made his donation from.

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

4 None of the donors (the alleged victims here) filed a complaint with the Judicial
5 Commission. The return of donations is an “accounting nightmare.”¹

6 As to all other allegations, Judge Fiore denies.

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

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

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

21 E. Answering Paragraph E of the Statement of Charges, Respondent Fiore admits
22 that she filed motions for judgment of acquittal and for a new trial. To the extent this paragraph
23 relies on the sufficiency of the evidence as the gravata of the motions, Judge Fiore denies the
24 statement. Particularly, the new trial motion focused on the failure to provide Judge Fiore a fair
25 trial as is guaranteed to her by the United States Constitution. The motions focused on: (1) the
26 striking of a key witness’s testimony that explained how donations were used including for various

27
28 ¹ Trial Testimony of Tommy White.

1 charitable events and a denial that donations were used for personal reasons; (2) the admission or
2 denial of evidence; (3) the failure to provide the full Ninth Circuit jury instruction on conspiracy;
3 (4) ineffective assistance in counsel in (a) failing to strike witnesses including donors for lack of
4 personal knowledge which included admitting Judge Fiore never solicited the donation and some
5 did not even know Judge Fiore personally; (b) failure to introduce exculpatory evidence related to
6 use of donations as well as other income Judge Fiore was receiving; (5) the failure to correct
7 testimony by a Governor Lombardo that he previously stated someone other than Judge Fiore had
8 solicited the donation; and (6) the government's touting of one of their donors in closing argument
9 as prominent in their profession while denying knowledge of a prior felony conviction and
10 ignoring previous disciplinary action.

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

16 G. In response to Paragraph G, Respondent Fiore admits that, prior to sentencing and
17 before any judgment of conviction was entered, she received a full and unconditional pardon from
18 the President of the United States on April 23, 2025.

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

23 24 COUNT ONE

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

27 Count One alleges a violation of Canon 1.1, which requires **a judge** to comply with the
28 law. Specifically, this Count alleges that Respondent Fiore, **after being sworn in as a judicial**

1 **officer,** failed to comply with the laws related to criminal embezzlement, civil conversion
2 and/or unjust enrichment in violation of Canon 1, Rule 1.1 of the Code. The Commission asserts
3 jurisdiction by stating “Judge Fiore committed all actions described in Counts I....., **while serving**
4 **as justice of the peace.**” There is no evidence that Respondent Fiore while a judicial officer
5 committed any criminal or civil violations. Thus, in answering the allegations set forth in Count
6 One, Respondent Fiore denies that she violated Canon 1, Rule 1.1.

7 **COUNT TWO**

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

10 The Commission attempts to transform disputed allegations predating Judge Fiore’s judicial
11 service into continuing judicial misconduct. Yet the Commission fails to identify any independent
12 post-vestiture misconduct, misuse of judicial office, or legally enforceable duty arising after she
13 took the bench. The Commission relies solely on the continuing existence of an alleged unpaid
14 obligation, but continuing consequences are not continuing acts. Nothing in NRS Chapter 1, Canon
15 1.1, or Canon 1.2 permits the Commission to convert unresolved pre-bench allegations into
16 perpetual ethics violations absent an identifiable post-vestiture act or breach of judicial duty.
17 Further, Respondent Fiore did not fail to comply with the laws related to criminal embezzlement,
18 civil conversion and/or unjust enrichment **while serving as justice of the peace.** Thus, there is no
19 actionable violation of law under Canon 1.1. If there is no actionable violation under 1.1., then
20 Canon 1.2 cannot independently transform nonpayment into a continuing ethics violation
21 untethered to any legal duty.

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

24 **COUNT THREE**

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

27 Respondent Fiore admits that a jury returned a verdict in a heavily contested federal
28 proceeding involving alleged conduct predating her judicial service. However, Count Three

1 identifies no actionable misconduct by Judge Fiore while serving on the bench and instead relies
2 on alleged pre-judicial conduct and a later jury verdict that, standing alone, does not establish
3 judicial misconduct. The Commission's own shifting positions further expose the defect: it
4 previously deemed reliance on the verdict premature, later treated the Presidential Pardon as
5 grounds to rescind discipline tied to that verdict, and now attempts to rely on the same verdict as
6 the basis for a Canon violation.

7 For those reasons, in answering the allegations set forth in Count Three, Respondent Fiore
8 denies that she violated Canon 1, Rule 1.1 and Rule 1.2.

9 Judge Fiore further denies that her actions constitute either knowing or deliberate violations
10 of the Code when the Code is silent as to her alleged conduct. There is no constitutional notice that
11 her actions would constitute a violation of the Revised Nevada Code of Judicial Conduct. Further,
12 Judge Fiore denies that her actions were violations that were not knowing or deliberate as the
13 actions do not constitute a violation of the Code.

14 **AFFIRMATIVE DEFENSES AND MITIGATING FACTORS²**

15 1. Denial of due process. The Commission has repeatedly and inconsistently shifted its
16 position as to whether it is disciplining Judge Fiore for conduct occurring **prior to her taking the**
17 **bench** or for conduct occurring **while she was serving as a judicial officer**. This continued
18 uncertainty and "flip-flopping" regarding the fundamental basis for the disciplinary proceedings
19 has deprived Judge Fiore of fair notice of the charges and the opportunity to meaningfully defend
20 against them.

21 2. Denial of Fair Trial. Commission has suspended Judge Fiore repeatedly under different
22 theories of suspension, ignored over 100 letters of support in finding that she was a substantial
23 threat, initiated the Complaint, conducted the investigation, and they have taken positions not
24 previously asserted by their counsel in orders.

25 3. Denial of Fair Trial. Some commission members have been appointed by Governor
26

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

1 Lombardo, a witness in this case that the Commission was well aware of due to their own
2 investigation.

3 4. Statement of charges fails to identify which provision or provisions of NRS 1.4653
4 Judge Fiore allegedly violated.

5 5. Count One fails to identify a violation of law that occurred **while serving as justice of the**
6 **peace.**

7 6. Counts Two and Three are inconsistent with Comment Five of Canon 1.2.

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

9 8. If Count One fails, Count Two must fail as 1.2 is reliant on 1.1.

10 9. Count Two fails because there is no new judicial misconduct that is alleged.

11 10. Count Two must fail because the existence of an unpaid balance does itself create new
12 conduct.

13 11. Count Two fails because it cannot be continuing conduct as there was no pre-bench
14 obligation.

15 12. Continuing consequences are not the same as continuing actions.

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

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

21 15. Count Three should be dismissed because the Commission failed to file the Statement of
22 Formal Charges within the 60 days outlined in their own procedural rules.

23 16. Lack of jurisdiction. Act or Omission alleged occurred before the date on which Judge
24 Fiore entered upon her duties.

25 17. Commission does not assert a new act but a continuing act which allegedly commenced
26 prior to Judge Fiore's appointment to the bench.

27 18. The counts are barred by the statute of limitations and/or NRS 1.4655.

28 19. Failure to state a viable claim.

- 1 20. No judicial misconduct has occurred.
- 2 21. The alleged conduct did not occur in the exercise of Judge Fiore’s judicial duties.
- 3 22. Lack of prior disciplinary history.
- 4 23. Due Process violation – no notice that alleged pre-bench conduct would be deemed
- 5 continuing conduct that would subject her to discipline.
- 6 14. Disparate treatment. Judicial Commission has publicly stated, “We cannot discipline a
- 7 judge for conduct committed when the individual was not a judge.”
- 8 15. Effect of Presidential Pardon.
- 9 16. Retaliation for the Presidential Pardon.
- 10 17. Prior to Presidential Pardon, there was no judgment of conviction entered. Therefore, there
- 11 is no conviction.
- 12 18. No Restitution Order.
- 13 19. Judge Fiore did not deliberately violate a Judicial Canon.
- 14 20. Judge Fiore did not knowingly violate a Judicial Canon.
- 15 21. The factual assertions are not complete, are bias, and lack foundation.
- 16 22. Lack of evidence of the claims.
- 17 23. Donors do not retain control over how PAC funds are expended.
- 18 24. Disparate treatment. Reliance on a donor, Joe Lombardo who also failed to notify donors
- 19 that the specific purpose of the donations (to a political campaign) was abrogated, by failing to
- 20 request instructions regarding alternative use of the donations and/or by failing to return the
- 21 donations yet seeks to charge Judge Fiore for the same alleged conduct.³
- 22 25. Donor Peter Palivos stated that his donation was for “veterans, homeless or law
- 23 enforcement.”
- 24 26. One of Tommy White’s donations identified the donation as a “sponsorship.”
- 25 27. No donor filed a complaint with the Nevada Judicial Disciplinary Commission.
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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.

- 1 28. No donor filed a civil lawsuit against Judge Fiore related to their donations.
- 2 29. No donor-initiated contact and/or communication with any law enforcement
- 3 agency related to the donations.
- 4 30. Several of the donors still support Judge Fiore in her recent campaign.
- 5 31. No donor ever requested the return of funds.
- 6 32. The Commission received approximately 180 letters in support of Judge Fiore.
- 7 33. Nye County Commissioners that appointed Judge Fiore remain supportive.
- 8 34. The Canons are silent on donations received in a non-judicial capacity.
- 9 35. The Canons do not provide fair notice that Judge Fiore's alleged failure to return pre-
- 10 bench donations was a violation.
- 11 36. The Nevada Commission on Ethics had jurisdiction over Ms. Fiore for conduct that
- 12 occurred while a Las Vegas City councilwoman.
- 13 37. Testimony at a prior proceeding is not admissible before this Commission.
- 14 38. Judge Fiore cannot be disciplined based on whatever notions of propriety might be
- 15 harbored by the Commission's shifting membership at any given time.
- 16 39. The Nevada Constitution does not contemplate that the Commission define judicial
- 17 misconduct based on their own ad hoc judgments about what conduct is desirable.

18 **DEMAND**

19 Judge Fiore respectfully requests that the First Amended Formal Statement of Charges be

20 dismissed with prejudice.

21 Dated this 27th day of August, 2026.

22 CLARK HILL PLLC

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24 /s/ Paola M. Armeni, Esq.

25 PAOLA M. ARMENI
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1700 South Pavilion Center Drive, Suite 500
26 Las Vegas, Nevada 89135

27 *Attorney for Respondent*
28 *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 First Amended Formal Statement of Charges; that I have read the foregoing Answer to the First Amended Formal Statement of Charges 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 27th day of August, 2026.

MICHELE FIORE, Respondent

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Special Counsel for the Nevada
Commission on Judicial Discipline

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2 VERIFICATION

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

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

9 Executed this 27th day of August, 2026.

10 
MICHELE FIORE, Respondent