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8 tom@majlabor.com

9 Special Counsel for the Nevada
10 Commission on Judicial Discipline

11
12 **BEFORE THE NEVADA COMMISSION ON JUDICIAL DISCIPLINE**

13
14 IN THE MATTER OF THE HONORABLE,
15 MICHELE FIORE, Justice of the Peace,
16 Pahrump Township Justice Court, Nye
17 County, State of Nevada,

Case No.: 2025-108-P

18 Respondent.

19
20 **MOTION FOR LEAVE TO SERVE REQUEST FOR**
21 **PRODUCTION OF DOCUMENTS ON RESPONDENT**

22 COMES NOW Thomas J. Donaldson, Special Counsel for the Nevada Commission on
23 Judicial Discipline ("Commission" or "NCJD"), and hereby moves for leave from the Commission
24 to serve a Request for Production of Documents on Respondent. The instant motion is made
25 pursuant to PRJDC 19.1(B) and based upon the following memorandum of points and authorities
26 and the pleadings and papers on file herein.

27 **Memorandum of Points and Authorities**

28 Discovery in this matter is controlled by PRJDC 19. The parties have made the disclosures
required by PRJDC 19.1(A). Additional discovery requests shall only be permitted with leave of the
Commission. PRJDC 19.1(B).

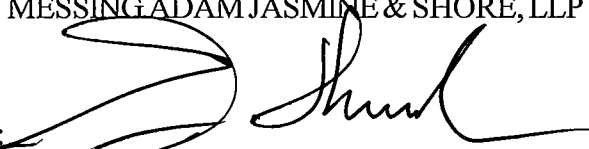
Prior to undersigned Special Counsel being appointed to pursue public charges against
Respondent on April 22, 2026, the Commission's Executive Director requested copies of the trial
exhibits from the criminal case of *United States v. Fiore*, U.S. Dist. Ct. Case No. 2:24-CR-155. By
letter dated May 9, 2025, the U.S. District Court Clerk denied the request. Exhibit 1, hereto.

1 In May, 2026, Special Counsel requested certain trial exhibits from the U.S. Attorney's
2 Office and spoke to Mr. Dahoud Askar, one (1) of the Assistant U.S. Attorneys who handled the
3 federal case. Exhibit 2, hereto. While Mr. Askar thought he could provide the requested exhibits,
4 he subsequently left the U.S. Attorney's Office. *Id.* On August 10, September 2 and 8, 2026,
5 Special Counsel renewed his request for the trial exhibits by email and telephone, but has not
6 received any response from the U.S. Attorney's Office. *Id.* Respondent did not produce any of these
7 trial exhibits in her initial or supplemental discovery disclosures.

8 Therefore, Special Counsel is hereby requesting leave from the Commission to serve a
9 Request for Production of Documents on Respondent. Exhibit 3, hereto.

10 DATED this 14th day of September, 2026.

11 MESSING ADAM JASMINE & SHORE, LLP

12
13 By: 

14 Thomas J. Donaldson, Esq.
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22 Commission on Judicial Discipline
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Paola M. Armeni, Esq.
CLARK HILL PLLC
1700 S. Pavilion Center Dr., Ste. 500
Las Vegas, Nevada 89135
parmeni@clarkhill.com
Attorney for Respondent, Michele Fiore

By: Kelly Gilbert
Kelly Gilbert

EXHIBIT 1

EXHIBIT 1

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
LLOYD D. GEORGE UNITED STATES COURTHOUSE
333 LAS VEGAS BOULEVARD SOUTH
LAS VEGAS, NV 89101

DEBRA K. KEMPI
CLERK OF COURT

TELEPHONE (702) 464-5456

May 9, 2025

Paul C. Deyhle
Commission on Judicial Discipline
P.O. Box 18123
Reno, Nevada 89511

Via email: vmcarter@judicial.nv.gov

Re: *United States of America v. Michele Fiore*
(Case 2:24-CR-155)

Dear Mr. Deyhle:

This is in response to your letter dated May 1, 2025, to the Honorable Jennifer A. Dorsey of the United States District Court for the District of Nevada, seeking official records held by the federal judiciary. Specifically, you seek copies of all the exhibits entered into evidence in the above-entitled case.

Requests such as yours are governed by the federal judiciary's disclosure regulations, *Testimony and Production of Records* (2003) (Disclosure Regulations), which pertain to the production or disclosure (including testimony) of official information by judiciary employees. See Disclosure Regulations, § 810 (2003) <http://www.uscourts.gov/rules-policies/judiciary-policies/subpoena-regulations>. These regulations are the federal judiciary's functional equivalent to the executive branch *Touhy* regulations. See *United States ex rel. Touhy v. Ragen*, 340 U.S. 462 (1951). "Federal judicial personnel may not provide testimony or produce records in legal proceedings except as authorized in accordance with these regulations." Disclosure Regulations, § 820(a).

In accordance with these regulations, disclosure requests are referred to the appropriate "determining officer," which in this instance is me, the Clerk of Court for the District of Nevada. Disclosure Regulations, § 840(b)(3). A request may be denied if it fails to satisfy any requirement, procedural or substantive, of these regulations.

Disclosure Regulations, § 850(a). Initially, your request fails to satisfy § 830(a) of these regulations. Section 830(a) requires that any request for testimony or the production of records must set forth, or must be accompanied by an affidavit setting forth, a written statement by the party seeking the testimony or production of records, or by counsel for the party, containing, with specificity: an explanation of the nature of the testimony or records sought, the relevance of the testimony or records sought to the legal proceedings, the reasons why the testimony or records are sought, and why the testimony or records are not readily available from other sources or by other means. Any request that does not contain this information may be denied. Disclosure Regulations, § 830(a)(2).

More importantly, the six-page exhibit list attached to your letter identifies the more than 100 exhibits you request. Many of the exhibits are voluminous and taking the time to copy them would not only take federal employees away from their assigned duties but would be overly burdensome on the staff of the clerk's office. Disclosure Regulations § 850(a)(1), (4). Additionally, many of the exhibits contain personal identifiable information that cannot be released. Disclosure Regulations § 850(a)(11). Furthermore, copies of the exhibits should be available from the parties to the case. Disclosure Regulations § 850(a)(13).

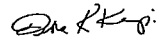
The federal judiciary must remain neutral in cases, conserve the time of federal judicial personnel for the performance of official duties, and minimize the federal judiciary's involvement in issues unrelated to its mission. Disclosure Regulations, § 850. Accordingly, for these and other reasons, your request for copies of the exhibits in the above-entitled case is denied.

In addition, there is no legal authority requiring the federal judiciary or any of its employees to comply with your request. To the contrary, the principles of sovereign immunity and the Supremacy Clause of the United States Constitution, art. VI, cl. 2, preclude state courts (or other state authorities) from extracting government information from federal agencies and employees by way of state subpoenas. See *Louisiana v. Sparks*, 978 F.2d 226, 234-35 (5th Cir. 1992); *Boron Oil Co. v. Downie*, 873 F.2d 67, 70-71 (4th Cir. 1989) (citing *United States ex rel. Touhy v. Ragen*, 340 U.S. 462, 469 (1951) as part of an unbroken line of authority that a federal employee may not be compelled to obey a subpoena contrary to the federal employer's instructions under valid agency regulations); *United States v. Kaufman*, 980 F. Supp. 1247, 1250-51 (S.D. Fla. 1997) (sovereign immunity precludes state bar investigative committee from successfully challenging federal judge's declination of honoring subpoena); *Environmental Enterprises, Inc. v. EPA*, 664 F. Supp. 585, 586 (D.D.C. 1987) (state court had no jurisdiction to compel nonparty federal official to testify or produce documents absent waiver of sovereign immunity).

Mr. Paul C. Deyhle
Page 3 |

We regret that we cannot assist you in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Debra Kemp".

Debra Kemp
Clerk of Court

EXHIBIT 2

EXHIBIT 2

Thomas J. Donaldson

From: Thomas J. Donaldson
Sent: Wednesday, September 9, 2026 5:12 AM
To: Dahoud Askar; alexander.gottfried@usdoj.gov; Criminal.Division@usdoj.gov
Cc: Kelly Gilbert
Subject: Re: Michele Fiore--request for trial exhibits (USDC Case #2:24-cr-00155)

Categories: Smokeball

I left a voicemail at your office yesterday. Please call me at (775) 741-1986. Thank you.

**Messing Adam
Jasmine & Shore**

Thomas J. Donaldson, Esq. | Partner

Office 775.885.1896 **Facsimile** 775.885.8728
Email tom@majlabor.com **Web** www.majlabor.com
1817 N Stewart Street, Ste 35 | Carson City, NV 89706

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On Sep 2, 2026, at 11:36 AM, Thomas J. Donaldson <tom@majlabor.com> wrote:

I am still attempting to obtain these trial exhibits. Can you help? Please advise. Thanks.

Thomas J. Donaldson, Esq. | Partner

Office 775.885.1896 **Facsimile** 775.885.8728
Email tom@majlabor.com **Web** www.majlabor.com
1817 N Stewart Street, Ste 35 | Carson City, NV 89706

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From: Thomas J. Donaldson
Sent: Monday, August 10, 2026 7:27 AM
To: Criminal.Division@usdoj.gov

Cc: Kelly Gilbert <Kelly@majlabor.com>

Subject: RE: Michele Fiore--request for trial exhibits (USDC Case #2:24-cr-00155)

U.S. Dept. of Justice,

As indicated below, I have been appointed by the Nevada Commission on Judicial Discipline (NCJD) as Special Counsel to file formal charges against Pahrump Township Justice of the Peace Michele Fiore. I have attached a copy of the Formal Statement of Charges dated 4/24/2026, in Case No. 2025-108-P for your reference. As you can see, the charges are based upon some of the same conduct of Judge Fiore for which the U.S. Attorney's Office prosecuted her in U.S.D.C. Case #2:24-cr-00155. I have learned that federal prosecutors Alex Gottfried passed away and Corey Amundson and Dahoud Askar have left the office. The NCJD disciplinary hearing has been set for 10/19-22/2026, in Las Vegas, NV.

I am looking for copies of exhibits from the criminal trial, which should be public records. NCJD Executive Director Paul Deyhle requested copies of the trial exhibits from the Court last year, but the Court Clerk denied his request. See attached letter. I am aware that Judge Dorsey issued a Minute Order notifying the parties that the exhibits were going to be destroyed on 8/11/2025. Thus, if you still have copies, can you reply with copies of the following exhibits:

- 45A solicitation letter/flier
- 46 Jay Brown check
- 56 Community Ambulance check
- 57 Robert Richardson check
- 62 Joseph Lombardo check
- 63 LECET check
- 64 Fiore solicitation email
- 68 Laborers Local check

Please let me know if you can provide these documents. Thank you for your attention to this matter.

Thomas J. Donaldson, Esq. | Partner

Office 775.885.1896 **Facsimile** 775.885.8728

Email tom@majlabor.com **Web** www.majlabor.com

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From: Askar, Dahoud (CRM) Dahoud.Askar@usdoj.gov

Sent: Thursday, August 6, 2026 10:10 AM

To: Thomas J. Donaldson tom@majlabor.com

Subject: Automatic reply: Michele Fiore--request for trial exhibits (USDC Case #2:24-cr-00155)

Good Morning/Afternoon/Evening,

I have departed federal service and will no longer have access to this email. If you need to reach me personally, please feel free to email me at askar.dahoud@gmail.com. Thank you for your time and consideration.

Very Respectfully,

Dahoud Askar

From: Thomas J. Donaldson

Sent: Thursday, August 6, 2026 10:10 AM

To: Askar, Dahoud (CRM) <Dahoud.Askar@usdoj.gov>

Cc: Kelly Gilbert <Kelly@majlabor.com>

Subject: RE: Michele Fiore--request for trial exhibits (USDC Case #2:24-cr-00155)

Still trying to contact you. Please reply. Thanks.

Thomas J. Donaldson, Esq. | Partner

Office 775.885.1896 **Facsimile** 775.885.8728

Email tom@majlabor.com **Web** www.majlabor.com

1817 N Stewart Street, Ste 35 | Carson City, NV 89706

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From: Thomas J. Donaldson

Sent: Thursday, June 11, 2026 12:31 PM

To: Askar, Dahoud (CRM) <Dahoud.Askar@usdoj.gov>

Cc: Kelly Gilbert <Kelly@majlabor.com>

Subject: RE: Michele Fiore--request for trial exhibits (USDC Case #2:24-cr-00155)

Are you still with the U.S. Attorney's Office?

Thomas J. Donaldson, Esq. | Partner

Office 775.885.1896 **Facsimile** 775.885.8728

Email tom@majlabor.com **Web** www.majlabor.com

1817 N Stewart Street, Ste 35 | Carson City, NV 89706

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From: Thomas J. Donaldson

Sent: Friday, May 22, 2026 11:50 AM

To: Askar, Dahoud (CRM) <Dahoud.Askar@usdoj.gov>
Cc: Kelly Gilbert <Kelly@majlabor.com>
Subject: RE: Michele Fiore--request for trial exhibits (USDC Case #2:24-cr-00155)

Dahoud,

Just checking in with you. Since we spoke, I have learned that Paola Armeni, Esq., claims that she does not have copies of the criminal trial exhibits. I have also identified potential witnesses for the discipline hearing (possibly in August, 2026). Thus, I would really like to have copies of the following exhibits:

- 45A solicitation letter/flier
- 46 Jay Brown check
- 56 Community Ambulance check
- 57 Robert Richardson check
- 62 Joseph Lombardo check
- 63 LECET check
- 64 Fiore solicitation email
- 68 Laborers Local check

Please let me know if you can provide them. Our initial discovery disclosure deadline has been extended to 5/29/2026, but I can always supplement my discovery if I don't have the exhibits by then. Thanks.

Thomas J. Donaldson, Esq. | Partner

Office 775.885.1896 **Facsimile** 775.885.8728
Email tom@majlabor.com **Web** www.majlabor.com
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From: Askar, Dahoud (CRM) <Dahoud.Askar@usdoj.gov>
Sent: Thursday, May 14, 2026 11:25 AM
To: Thomas J. Donaldson <tom@majlabor.com>; Gottfried, Alexander (CRM) <Alexander.Gottfried@usdoj.gov>
Cc: Kelly Gilbert <Kelly@majlabor.com>
Subject: Re: Michele Fiore--request for trial exhibits (USDC Case #2:24-cr-00155)

Mr. Donaldson,

Alex passed away recently. We really appreciate h the work you're doing and I'll inquire as to what documents I can provide. That said, give me a call to discuss at your convenience.

Vr,
Dahoud Askar
202-368-1667

Very Respectfully,
Dahoud Askar

From: Thomas J. Donaldson <tom@majlabor.com>
Sent: Thursday, May 14, 2026 2:20:50 PM
To: alexander.gottfried@usdoj.gov <alexander.gottfried@usdoj.gov>
Cc: Askar, Dahoud (CRM) <Dahoud.Askar@usdoj.gov>; Kelly Gilbert <Kelly@majlabor.com>
Subject: [EXTERNAL] Michele Fiore--request for trial exhibits (USDC Case #2:24-cr-00155)

Mr. Gottfried,

I have been appointed by the Nevada Commission on Judicial Discipline (NCJD) as Special Counsel to file formal charges against Pahrump Township Justice of the Peace Michele Fiore. I have attached a copy of the Formal Statement of Charges dated 4/24/2026, in Case No. 2025-108-P for your reference. As you can see, the charges are based upon some of the same conduct of Judge Fiore for which you prosecuted her in U.S.D.C. Case #2:24-cr-00155. I am looking for copies Judge Fiore's solicitation letter and email and the donors' checks that were exhibits in the criminal trial, specifically, Exhibits 42, 45A, 46, 47, 63 and 64. NCJD Executive Director Paul Deyhle requested copies of the trial exhibits from the Court last year, but the Court Clerk denied his request. See attached letter. I am aware that Judge Dorsey issued a Minute Order notifying the parties that the exhibits were going to be destroyed on 8/11/2025. Thus, if you still have copies, can you reply with copies of Exhibits 42, 45A, 46, 47, 63 and 64? Please let me know. Thank you for your attention to this matter.

Thomas J. Donaldson, Esq. | Partner

Office [775.885.1896](tel:775.885.1896) **Facsimile** [775.885.8728](tel:775.885.8728)
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This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

EXHIBIT 3

EXHIBIT 3

1 Thomas J. Donaldson
Nevada State Bar No. 5283
2 Messing Adam Jasmine & Shore, LLP
1817 N. Stewart Street, Ste. 35
3 Carson City, NV 89706
(775) 885-1896 telephone
4 (775) 885-8728 facsimile
tom@majlabor.com

5 Special Counsel for the Nevada
6 Commission on Judicial Discipline

7
8 **BEFORE THE NEVADA COMMISSION ON JUDICIAL DISCIPLINE**

9
10 IN THE MATTER OF THE HONORABLE,
MICHELE FIORE, Justice of the Peace,
11 Pahrump Township Justice Court, Nye
County, State of Nevada,

Case No.: 2025-108-P

12 Respondent.
13
14

15 **REQUEST FOR PRODUCTION OF DOCUMENTS**

16 TO: Respondent Honorable Michele Fiore and her legal counsel Paola M. Armeni, Esq.

17 Pursuant to PRJDC 19 and the Commission's Order granting leave to conduct additional
18 discover, please produce copies of the following documents in your possession, custody or control:

19 The following United States' trial exhibits from *United States v. Fiore*, U.S. Dist.

20 Crt. Case No. 2:24-CR-155:

21 45A solicitation letter/flier
22 46 Jay Brown check
23 56 Community Ambulance check
24 57 Robert Richardson check
25 62 Joseph Lombardo check
26 63 LECET check
27 64 Fiore solicitation email
28 68 Laborers Local check

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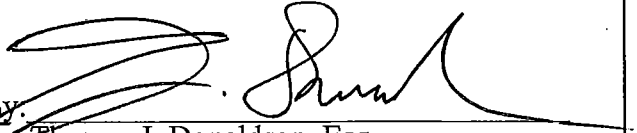
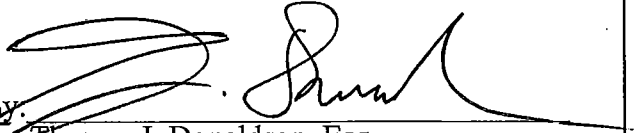
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1 Please produce electronic or physical copies of these documents to Special Counsel within
2 five (5) days of the date of the Commission's Order.

3 DATED this 14th day of September, 2026.

4 MESSING ADAM JASMINE & SHORE, LLP

5 
6 By: 

7 Thomas J. Donaldson, Esq.
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