



1 PAOLA M. ARMENI
Nevada Bar No. 8357
2 GIA N. MARINA
Nevada Bar No. 15276
3 **CLARK HILL PLLC**
1700 South Pavilion Center Drive, Suite 500
4 Las Vegas, Nevada 89135
Tel: (702) 862-8300
5 Fax: (702) 778-9709
Email: parmeni@clarkhill.com
6 Email: gmarina@clarkhill.com

7 *Attorneys for Respondent, Michele Fiore*

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

9 **STATE OF NEVADA**

10 In the Matter of the,

COMMISSION CASE NO. 2025-108-P

11 HONORABLE MICHELE FIORE

12 Justice of the Peace, Pahrump Township, County
13 of Nye, State of Nevada

14 Respondent.

15 **THE HONORABLE JUDGE MICHELE FIORE'S OPPOSITION TO THE MOTION TO**
16 **STRIKE MOTION TO DISMISS FOR VIOLATION OF DUE PROCESS**

17 The Motion to Strike appears to be an attempt to avoid addressing the substance of
18 Respondent Judge Michele Fiore's Motion to Dismiss for Violation of Due Process. But filing a
19 Motion to Strike does not toll, suspend, or otherwise relieve Special Counsel of the obligation to
20 respond to the Motion to Dismiss. More importantly, none of the three grounds asserted in the
21 Motion to Strike provides a legitimate basis for striking the Motion. The Motion to Strike should
22 therefore be denied.

23 **MEMORANDUM OF POINTS AND AUTHORITIES**

24 Special Counsel advances three purported grounds for striking the Motion to Dismiss: (1)
25 Special Counsel allegedly was not served; (2) one sentence of the Motion appears on page 16; and
26 (3) the Motion allegedly was unsigned. None has merit.

1 **A. The Motion to Dismiss Was Served on September 29, 2026.**

2 Special Counsel accuses Respondent of failing to serve the Motion to Dismiss by email
3 and, more seriously, accuses Respondent of falsely certifying service. The record establishes
4 otherwise.

5 As Exhibit 1 demonstrates, Respondent emailed the Motion to Dismiss for Violation of
6 Due Process to the Judicial Commission, Special Counsel Thomas Donaldson
7 (tom@majlabor.com), and Kelly Gilbert (kelly@majlabor.com) at 2:39 p.m. on September 29,
8 2026. Seventeen minutes later, at 2:56 p.m., the Commission independently circulated a file-
9 stamped copy of the Motion to all parties, including Special Counsel and Ms. Gilbert at the same
10 email addresses used by Respondent. See Exhibit 2.

11 There is therefore no factual basis for Special Counsel’s assertion that he was not served,
12 much less that Respondent falsely certified service. The contemporaneous emails conclusively
13 establish that Special Counsel received the Motion on September 29, 2026. The first asserted basis
14 for striking the Motion is therefore unfounded.

15 **B. The Motion Is 16 Pages Long, and the Relief Requested Appears Elsewhere in the**
16 **Motion.**

17 Special Counsel next relies on the fact that one sentence of the Motion appears on page 16.
18 This argument elevates formatting over substance. When the Motion was formatted, one sentence
19 was pushed onto page 16 so that the signature block would not appear by itself on a separate page.
20 Special Counsel contends that if page 16 were disregarded, the Motion would contain no request
21 for relief. That is incorrect. The Motion expressly requests relief on page 2, lines 15–16: “For each
22 of these independent reasons, the Amended Formal Statement of Charges should be dismissed.”
23 Thus, the requested relief is plainly stated within the body of the Motion and does not depend upon
24 the sentence appearing on page 16. At most, Special Counsel has identified a minor formatting
25 issue. It is not a substantive defect warranting the extraordinary remedy of striking an otherwise
26 properly filed motion.

27 **C. The Motion Was Signed.**

28 Special Counsel’s final argument is that the Motion was unsigned. The Motion contains

1 Respondent's signature on page 16. Special Counsel's position appears to be that because the
2 signature appears on the final page, the entire Motion should somehow be treated as unsigned if
3 that page is disregarded. That position is without merit. The Motion was filed with a signature.
4 There is no ambiguity as to who filed it, and no prejudice has been identified. Indeed, Special
5 Counsel concedes that any signature issue could be corrected upon being brought to counsel's
6 attention. See Motion to Strike at 2:14–15. That concession underscores the absence of any
7 legitimate basis for striking the Motion. A correctable technical issue does not justify striking a
8 substantive motion—particularly where the purported defect has caused no prejudice and can
9 readily be cured. Respondent will, out of an abundance of caution, refile the Motion to Dismiss
10 with the signature page on page 15. But that voluntary step does not validate Special Counsel's
11 attempt to avoid responding to the substance of the Motion.

12 CONCLUSION

13 The Motion to Strike rests on three assertions that are either factually incorrect or concern,
14 at most, readily correctable formatting issues. The record establishes that Special Counsel was
15 served with the Motion, the Motion expressly requests dismissal, and the Motion was signed when
16 filed. Nothing in the Motion to Strike provides a substantive or procedural basis for striking
17 Respondent's Motion to Dismiss. The Motion to Strike should therefore be denied, and Special
18 Counsel should be required to address the merits of Respondent's Motion to Dismiss for Violation
19 of Due Process.

20 Dated this 30th day of September, 2026.

21 CLARK HILL PLLC

22 /s/ Paola M. Armeni

23 PAOLA M. ARMENI

24 Nevada Bar No. 8357

25 GIA N. MARINA

26 Nevada Bar No. 15276

27 1700 South Pavilion Center Drive, Suite 500

28 Las Vegas, Nevada 89135

Tel: (702) 862-8300

Attorneys for Respondent, Michele Fiore

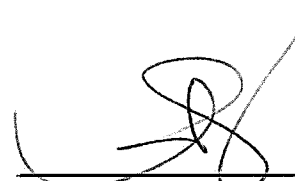
CERTIFICATE OF SERVICE

The undersigned, an employee of Clark Hill PLLC, hereby certifies that on the 30th day of September, 2026, I served a true and correct copy of the foregoing **THE HONORABLE JUDGE MICHELE FIORE'S OPPOSITION TO MOTION TO STRIKE MOTION TO DISMISS FOR VIOLATION OF DUE PROCESS** 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

Nevada Commission on Judicial Discipline
Email: ncjdinfo@judicial.nv.gov



An employee of CLARK HILL PLLC

EXHIBIT 1

EXHIBIT 1

Armeni, Paola M.

From: Concepcion, Stacey
Sent: Tuesday, September 29, 2026 2:39 PM
To: Judicial Information; tom@majlabor.com; Kelly@majlabor.com
Cc: Armeni, Paola M.; Marina, Gia N.
Subject: Michele Fiore - NCJD Case No. 2025-108-P
Attachments: Michele Fiore - Motion to Dismiss for Violation of Due Process 09-29-2026.pdf

Good afternoon,

Attached hereto you will find The Honorable Judge Michele Fiore's Motion to Dismiss for Violation of Due Process.

We respectfully request that the Motion be filed.

Thank you,

Stacey Concepcion

Legal Administrative Assistant

Clark Hill PLC

1700 S. Pavilion Center Drive, Ste. 500, Las Vegas, NV 89135

+1 702.697.7520 (office) | +1 702.778.9709 (fax)

sconcepcion@clarkhill.com | www.clarkhill.com

Office Hours: Mon-Fri 7:30am-4:00pm

EXHIBIT 2

EXHIBIT 2

Armeni, Paola M.

From: Judicial Information <ncjdinfo@judicial.nv.gov>
Sent: Tuesday, September 29, 2026 2:56 PM
To: tom@majlabor.com; Armeni, Paola M.
Cc: kelly@majlabor.com; Concepcion, Stacey
Subject: NCJD Case No. 2025-108-P
Attachments: 2026.09.29 The Honorable Judge Michele Fiore's Motion to Dismiss for Violation of Due Process 2025-108-P.pdf

EXTERNAL EMAIL: The sender (ncjdinfo@judicial.nv.gov) is external to Clark Hill. Exercise caution with links, attachments, or replies if this message is unexpected.

Good Afternoon,

Attached please find a file-stamped copy of The Honorable Judge Michele Fiore's Motion to Dismiss for Violation of Due Process which was filed with the Commission today in the above-referenced matter.

Thank you,

Commission Staff

Nevada Commission on Judicial Discipline

P.O. Box 18123
Reno, Nevada 89511
T: (775) 687-4017
F: (775) 448-9704



Kadie Seghieri

Paralegal/Management Analyst III
Nevada Commission on Judicial Discipline
Nevada Standing Committee on Judicial Ethics
P.O. Box 18123
Reno, NV 89511
(775) 687-4017 - phone
(775) 448-9704 - fax
kseghieri@judicial.nv.gov