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9 Special Counsel for the Nevada
10 Commission on Judicial Discipline

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

12 **STATE OF NEVADA**

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

17 Respondent.

Case No.: 2025-108-P

Hearing: October 19-22, 2026
Las Vegas, Nevada

18 **MOTION TO ALLOW FBI SPECIAL AGENT**
19 **DOUGLAS SMITH TO TESTIFY REMOTELY**

20 COMES NOW Thomas J. Donaldson, Special Counsel for the Nevada Commission on
21 Judicial Discipline ("Commission" or "NCJD"), and hereby to allow Federal Bureau of Investigation
22 ("FBI") Special Agent Douglas Smith ("Agent Smith") to testify remotely at the hearing in this
23 matter on October 19, 2026. The instant motion is made pursuant to PRJDC 21 and based upon the
24 following memorandum of points and authorities and the pleadings and papers on file herein.

25 **Memorandum of Points and Authorities**

26 Upon a showing of good cause, the Commission may allow witnesses to testify remotely.
27 PRJDC 21. Good cause exists here for Agent Smith to testify remotely at the hearing in this matter
28 on October 19, 2026.

Special Counsel has been attempting to locate Agent Smith since identifying him as a
potential witness in his Discovery Disclosure in May, 2026. Last month, Special Counsel learned
that Agent Smith was no longer assigned to the Las Vegas FBI office and assigned paralegal
Joanna Glorioso to locate him.

1 As set forth in the attached Declaration of Joanna L. Glorioso, she used due diligence to
2 attempt to locate Agent Smith, without success. Exhibit 1 hereto. On October 6, 2026, the
3 Commission issued a Subpoena for Agent Smith to appear at the hearing in this matter on October
4 19, 2026. Without any viable leads on Agent Smith's whereabouts, Special Counsel directed the
5 Subpoena to be served on the Las Vegas FBI office, which occurred on or about October 12, 2026.

6 On October 13, 2026, FBI Supervisory Special Agent and Chief Division Counsel Jonathan
7 Beyer ("SSA Beyer") in the Las Vegas office called Special Counsel to discuss Agent Smith's
8 Subpoena. SSA Beyer informed Special Counsel that Agent Smith is currently assigned in
9 Washington, D.C., cannot testify without authorization from the United States Attorneys Office
10 ("USAO") pursuant to *U.S. ex rel Touhy v. Ragen*, 340 U.S. 462 (1951) (a federal employee may not
11 be held in contempt for declining to testify in a state matter in which the USAO has not authorized
12 said testimony), and, logistically, may not be available to testify in person on October 19, 2026.

13 Therefore, Special Counsel is filing this motion in anticipation of the USAO authorizing
14 Agent Smith to testify at the hearing in this matter. Special Counsel respectfully requests an order
15 from the Commission granting the instant motion.

16 DATED this 14th day of October, 2026.

17 MESSING ADAM JASMINE & SHORE, LLP

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19 By: /s/ Thomas J. Donaldson
20 Thomas J. Donaldson, Esq.
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27 Special Counsel for the Nevada
28 Commission on Judicial Discipline

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that a true and correct copy of this MOTION TO ALLOW FBI SPECIAL
3 AGENT DOUGLAS SMITH TO TESTIFY REMOTELY was sent via electronic mail addressed
4 to:

5 Paola M. Armeni, Esq.
6 Clark Hill, PLLC
7 1700 S. Pavillion Center Dr., Ste. 500
8 Las Vegas, NV 89135
parmeni@clarkhill.com

9
10 Dated this 14th day of October, 2026.

11 By: Kelly Gilbert
12 Kelly Gilbert
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EXHIBIT 1

EXHIBIT 1

DECLARATION OF JOANNA L. GLORIOSO
REGARDING EFFORTS TO LOCATE AND CONTACT
FBI SPECIAL AGENT DOUGLAS SMITH

I, Joanna L. Glorioso, declare as follows:

1. I am a Paralegal working under the direction of Thomas J. Donaldson, Special Counsel in the above-captioned matter before the Nevada Commission on Judicial Discipline. I am over the age of 18 and am competent to testify to the matters set forth herein. I make this Declaration based upon my own personal knowledge, except where stated on information and belief, and as to those matters I believe them to be true. If called as a witness, I could and would testify competently to the facts stated below.

2. In connection with this matter, on September 28, 2026, I was tasked by Special Counsel with locating and contacting Douglas Smith, who was identified as a Special Agent with the Federal Bureau of Investigation (FBI) ("Agent Smith"), after Special Counsel learned that Agent Smith was no longer assigned to the Las Vegas FBI office. This Declaration documents the efforts I undertook to locate and reach Special Agent Smith. The times stated below are in Pacific Time.

3. On September 28, 2026, at approximately 9:30 a.m., I left a voicemail message in the general mailbox of the Las Vegas FBI office. I received no return call.

4. On September 30, 2026, at approximately 9:53 a.m., I left a second voicemail message in the general mailbox of the Las Vegas FBI office. I received no return call.

5. On October 2, 2026, at approximately 11:24 a.m., I spoke with the main line operator at the Las Vegas FBI office. The operator stated that no one by the name of Douglas Smith works in the Las Vegas office. In response to my follow-up questions, the operator did not offer any information regarding where Agent Smith may have been transferred, nor did she offer to transfer me to anyone with more knowledge.

6. On October 5, 2026, I performed internet research in an effort to locate Agent Smith. I located a Douglas Smith associated with the FBI on LinkedIn, whose listed city and state were Decatur, Georgia.

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1 7. On October 5, 2026, at approximately 9:03 a.m., I called the Atlanta FBI office and spoke
2 with the main line operator. The operator placed me on hold and spoke separately with the
3 Atlanta office's Douglas Smith. The operator relayed to me that this individual informed her he
4 was never assigned to Las Vegas.

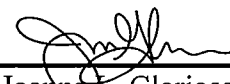
5 8. On October 5, 2026, I located a second Douglas Smith who was commissioned by the FBI to
6 investigate financial and cybercrimes, and served on numerous FBI task forces. On October 8,
7 2026, at approximately 12:43 p.m., I was able to speak with HR Director Peter Williams of the
8 Caddo Parish Sheriff's Office in Shreveport, LA. He requested an email inquiry be sent to him,
9 which I did on the same day. Director Williams has acknowledged receipt of the inquiry and
10 stated he will get back with me.

11 9. On October 5, 2026, I used the Westlaw People Map service to search for Douglas Smith.
12 Without his personal identifying information, I was unable to match him to any specific Douglas
13 Smith listed in the Westlaw report so as to obtain an address or telephone number for further
14 outreach.

15 10. Despite the diligent efforts described above, I have been unable to locate Agent Smith or to
16 confirm that he is currently assigned to, or remains employed with, the FBI.

17 I declare under penalty of perjury that the foregoing is true and correct.

18 EXECUTED on October 14, 2026, in Thornton, Colorado.

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21 Joanna L. Glorioso, CEDS | Paralegal
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