

Andy Michael Thompson



Plaintiff, Pro Se

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Andy Michael Thompson, Plaintiff Pro Se,

v.

Nevada Secretary of State, Defendant.

Case No. 2:25-cv-01284-CDS-EJY

**NOTICE FOR THE RECORD REGARDING JUDICIAL
DETERMINATIONS AND PROCEDURAL POSTURE**

Plaintiff, Andy Michael Thompson, respectfully gives **Notice for the Record** of a series of procedural events that together create the appearance that substantive issues were rendered academic through timing and characterization rather than adjudicated upon the merits.

1. Emergency Relief and Record Preservation.

On **July 22, 2025**, this Court denied Plaintiff's Emergency Motion

for Temporary Restraining Order, stating that “*Thompson has not provided necessary information to support his emergency motion ... Absent this information, I am unable to conclude that this is an emergency at this time.*” The ruling was procedural in form but substantive in effect, conditioning consideration of an emergency injunction upon production of a single evidentiary item, the Ott email. Plaintiff thus reasonably inferred that, upon production, the Court would duly evaluate the evidence and statutory claim under 52 U.S.C. § 20701 and NRS 293.391(1).

2. Subsequent Striking of Emergency Status.

On July 29, 2025, the Court entered an order “*striking the emergency designation*” and declaring: “*Because I do not find that Thompson has met the standard ... Given that this update has apparently already begun, ... I find that this motion no longer constitutes an emergency at this time.*”

The Court’s rationale rested on the fact that the update had “apparently already begun,” effectively treating the very event constituting the emergency, the ongoing alteration of election data, as a basis to remove its emergency status. Plaintiff thus

reasonably concluded the possibility that the Court's approach enabled spoliation by defining away the emergency rather than preserving the integrity of the record, permitting the update period to lapse in the absence of judicial intervention.

Additionally, the Court's order expressly relied on the premise that the normal briefing schedule would conclude before September 30, and therefore found no irreparable prejudice in denying emergency treatment. This rationale effectively redefined an ongoing statutory violation as non-emergent and procedurally mooted rather than adjudicated, substituting calendar estimation for factual preservation.

3. Order to Show Cause.

More than two months later, on **October 6, 2025**, the Court ordered Plaintiff "*to show cause as to why this action should not be dismissed for lack of standing,*" further stating that "*it appears Thompson lacks standing to bring this action.*" The Order required response within a narrow and internally inconsistent window, once given as October 24 and elsewhere as October 27. This

occurred after the operative period for data updating had lapsed on September 30, and after the Court's prior rulings had eliminated the opportunity for contemporaneous relief, thereby insulating the operative statutory violation from judicial consideration.

4. Apparent Sequencing Effect.

The combination of (a) denying emergency status for lack of proof, (b) striking the same emergency because the update had "already begun," and (c) issuing a dismissal warning post-update, gives the appearance that the merits were **procedurally mooted** rather than decided. Each ruling independently avoided engagement with the statutory questions presented, while cumulatively foreclosing factual development.

5. Record Purpose.

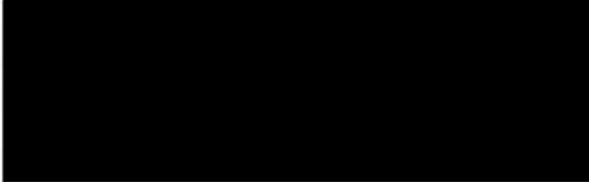
This Notice is submitted not as a motion but as a clarification for the appellate and administrative record. It reflects Plaintiff's good-faith effort to preserve the procedural sequence as it occurred and to document the reasonable inference that judicial discretion was exercised in a manner precluding merits resolution.

Plaintiff thus reasonably concludes the possibility that the Court's approach, particularly the reliance on the phrase "apparently already begun" as the basis for striking emergency language, operated to end the controversy without examination, an effect inconsistent with the constitutional expectation of open judicial review.

Date: October 30, 2025

Respectfully submitted,

/s/ Andy Michael Thompson
Andy Michael Thompson

A large black rectangular redaction box covering the signature of Andy Michael Thompson.

Plaintiff, Pro Se

CERTIFICATE OF SERVICE

I certify that on October 30, 2025, I served a true and correct copy of this **Notice for the Record Regarding Judicial Determination and Procedural Posture** upon:

Gregory D. Ott, Chief Deputy Attorney General
Office of the Nevada Attorney General
100 N. Carson Street, Carson City, NV 89701
gott@ag.nv.gov

by electronic mail and by U.S. Mail, postage prepaid.

/s/ Andy Michael Thompson
Plaintiff Pro Se