

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 OF PROCEDURAL CONSEQUENCES FLOWING
FROM DEFENDANT'S NON-OPPOSITION UNDER LOCAL
RULE 7-2(d)**

Plaintiff pro se respectfully submits this notice solely to clarify the current procedural posture for the Court's pending de novo review under Fed. R. Civ. P. 72(a) and to ensure the record is complete for any future appellate review.

1. Local Rule 7-2(d) provides, in pertinent part:

"The failure of an opposing party to file points and authorities in response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney's fees, constitutes a consent to the granting of the motion."

2. Responses to Plaintiff's Motion for Sanctions and Adverse Inference for Completed Spoliation (ECF 21) and Motion to Compel Production (ECF 22) were due no later than November 19, 2025. No response has been filed, and no extension has been sought.

3. The procedural consequences of Defendant's non-opposition are as follows:

- (a) Motion for Sanctions and Adverse Inference for Completed Spoliation of Federally Protected Election Records (ECF 21)
— Consent to the granting of the motion and to the entry of an adverse inference that the destroyed records were unfavorable to Defendant.
- (b) Motion to Compel Production of Dominion Voting Systems Contracts and Technical Documentation (ECF 22)
— Consent to the granting of the motion and to an order compelling immediate production.

4. The Magistrate Judge's November 7, 2025 Orders (ECF 23 & 24) denied the foregoing motions as "premature" on the factual premise that destruction of the records remained unproven. Defendant's silence now constitutes consent that the destruction occurred. The factual premise underlying the November 7 Orders therefore no longer exists.

5. Plaintiff's alleged injuries, the permanent loss of the ability to verify the 2024 federal election results in Nevada, are now traceable to an uncontested act of destruction, and the requested relief is now uncontested as to redressability. The Article III standing analysis has accordingly changed materially since the filing of the pending Rule 72(a) objection.

6. This notice is submitted solely to ensure the de novo record under Rule 72(a) is complete and accurate.

No relief is requested by this notice.

Respectfully submitted this 21st day of November, 2025.

/s/ Andy Michael Thompson
Plaintiff, Pro Se



CERTIFICATE OF SERVICE

I certify that on November 21, 2025, I served this **Notice of Procedural Consequences** via U.S. Mail upon:

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

/s/ Andy Michael Thompson
Plaintiff Pro Se