

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

NICHOLAS JAMES WILLING,
Plaintiff,
vs.
FED JUDGE (RFB), et al.,
Defendants.

Case No.: 2:23-cv-00857-GMN-MDC
ORDER DENYING MOTIONS

Plaintiff's Complaint, (ECF No. 1-1), was dismissed with prejudice and the Clerk was directed to close this case. (Order, ECF No. 22). Since then, Plaintiff has filed five new motions, (ECF Nos. 23-27). Even liberally construing these new motions as Rule 60(b) motions, Plaintiff provides no legal support for his argument which has been denied in many similar suits brought in this district. Plaintiff was convicted in Nye County and makes the general argument that Senate Bill 182 is unconstitutional because in 1951, three Nevada Justices sat on the commission to revise the Nevada Revised Statutes and were thus improperly delegated legislative powers. Even if SB 182 created a committee in 1951 that grouped laws of similar subject matter together in a logical order, this does not render the Nevada Revised Statutes unconstitutional, nor would it vacate Plaintiff's conviction. See Taylor v. State, 472 P.3d 195 (Nev. 2020) (table). As many other state and federal courts presented with the same argument have all found, the Legislative Counsel Bureau—which succeeded the statute revision commission—does not itself exercise a legislative function. See, e.g., Taylor, 472 P.3d 195; Wilson v. Nevada, No. 2:22-cv-00978, 2022 WL 7553743, at *3 (D. Nev. Oct 13, 2022); Beard v. Nevada, No. 2:22-CV-01156, 2022 WL 17253788, at *2 (D. Nev. Nov. 23, 2022). Accordingly, there was no improper delegation of legislative authority.

