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Plaintiff, Pro Se

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOSE M. DECASTRO,
Plaintiff,
vs.
CLARK COUNTY, NEVADA, et al.,
Defendants.

Case No. 2:25-cv-00899-APG-BNW

PLAINTIFF'S REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF HIS OPPOSITION TO DEFENDANT ANN E. ZIMMERMAN'S MOTION TO DISMISS (ECF NO. 44)

Plaintiff Jose M. DeCastro, appearing pro se, asks the Court under Federal Rule of Evidence 201 to take judicial notice of the following three records filed in the Eighth Judicial District Court in DeCastro v. State, Case No. C-24-381730-A. They are attached as Exhibits 1 through 3 to Plaintiff's Opposition to Defendant Ann E. Zimmerman's Motion to Dismiss (ECF No. 44), filed concurrently:

1. Exhibit 1 (stamped pages 1-18): the certified Reporter's Transcript of Proceedings of the March 19, 2024 trial in State v. DeCastro, Las Vegas Justice Court Case No. 23CR013015, prepared by Christa D. Broka, CCR No. 574, and filed April 22, 2024.

2. Exhibit 2 (stamped pages 1-4): the certified Reporter's Transcript of Proceedings of the April 1, 2024 hearing in the same case, prepared by the same reporter and filed April 22, 2024.

3. Exhibit 3 (stamped pages 1-7): the Order Granting Appeal, filed July 19, 2024.

The Court "may take judicial notice of court filings and other matters of public record." Reyn's Pasta Bella, LLC v. Visa USA, Inc., 442 F.3d 741, 746 n.6 (9th Cir. 2006). Exhibits 1 and 2 are certified transcripts of state court proceedings, and Exhibit 3 is the state court's filed Order Granting Appeal. Each is a source "whose accuracy cannot reasonably be questioned." Fed. R. Evid. 201(b)(2). The Court "must take judicial notice if a party requests it and the court is supplied with the necessary information." Fed. R. Evid. 201(c)(2). Plaintiff requests judicial notice of the existence, dates, contents, and disposition reflected in these official records, including what was said on the record in Judge Zimmerman's courtroom and the stated basis of the reversal, not the truth of disputed factual assertions within them. See Lee v. City of Los Angeles, 250 F.3d 668, 689-90 (9th Cir. 2001); Khoja v. Orexigen Therapeutics, Inc., 899 F.3d 988, 999 (9th Cir. 2018).

Judicial notice of these records does not convert the motion into one for summary judgment. Lee, 250 F.3d at 688-89. Judge Zimmerman's own motion relies on the same proceedings, ECF No. 44 at 2, 6-9, so the records complete the record she invokes. Citations to Exhibits 1 and 2 are to the page and line of the certified transcript, and citations to Exhibit 3 are to the page and line of the Order itself; the stamped exhibit page numbers differ because each exhibit begins with a cover page and the transcripts are reproduced four pages to a sheet. Plaintiff respectfully asks that the Court take judicial notice of Exhibits 1 through 3.

DATED: November 16, 2026

Respectfully submitted,



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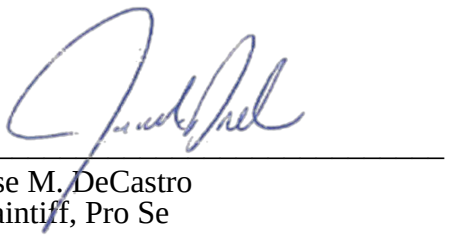
CERTIFICATE OF SERVICE

I certify that on November 16, 2026, I served a true and correct copy of the foregoing Plaintiff's Request for Judicial Notice in Support of His Opposition to Defendant Ann E. Zimmerman's Motion to Dismiss (ECF No. 44) by depositing it in the United States mail at Los Angeles, California, first-class postage prepaid, addressed as follows, and I sent a courtesy copy by email to the addresses shown:

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