

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
LAS VEGAS DIVISION

JOSE DECASTRO,
Plaintiff,

v.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT,
STATE OF NEVADA,
BRANDEN BOURQUE,
JASON TORREY,
C. DINGLE,
B. SORENSON,
JESSE SANDOVAL,
C. DOOLITTLE,
and DOES 1 to 50,
Defendants.

Case No. 2:23-cv-00580-APG-EJY

Honorable Judge Andrew Patrick Gordon
Presiding

**JURY TRIAL DEMANDED BY RIGHT AND
PRIVILEGE**

**JENSEN'S NOTICE OF APPEAL ORDER
DATED JUNE 14th, 2023 (ECF. 24)**

COMESNOW, Intervenor Plaintiff, Jason A Jensen ("JENSEN"), with Notice of Appeal.

Tantamount to the Authority of a Court is Notice and Process in Jurisdiction. Which is not a subversion of this Court's authority, but basis for appeal. This means that the Docket is subject to the rules and rights of persons with standing.

This Order denies a relief on an incomplete record. To date, JENSEN has filed:

1. Application for In Forma Pauperis (Missing from the Docket)
2. Motion to Intervene (Missing from the Docket)
3. Proposed Intervenor Complaint (Missing from the Docket)
4. Motion to Strike (Missing from the Docket)
5. Consent to Email Service (ECF. 21)
6. This denied Motion, for Joinder and Extraordinary Writ. (ECF. 20)
7. Objections (Missing from the Docket)
8. Motion to Joinder Motion for Reconsideration (Missing from the Docket)
9. Motion for Leave to File Suggestions in Opposition to Defendant's Motion to Dismiss and the Proposed Suggestions in Opposition. (Motion is filed as ECF. 23 but the attached Proposed Suggestions in Opposition is Missing)
10. Sent an Email complaining about Documents and their Filings by pro se Email. (Not Processed and Missing from the Docket)

JENSEN moved to intervene in this case based on the rights of the traffic stop detainee – which is not represented in this Matter. The case referenced, *Berkemer v. McCarty*, 468 U.S. 420, 438 (1984), outlines those rights in a traffic stop detention in reference to what is commonly referred to “Miranda Rights”. In this case, the Supreme Court of the United States of America, in controlling precedent, outlined when a “investigative detention” requires the issuance of Miranda warnings. The Court concluded that it is not

required because the interaction is public and that there is, basically, public oversight. This is the exact effect the Policies of LVMPD is seeking to overrule with the actions and defense as presented. By making converse with the detainee criminal and violating the creation of an exclusion zone around the detainee criminal, the Defendants have overruled and negated the principles engendered in the Berkemer v. McCarty, 468 U.S. 420, 438 (1984) case. This Motion was based on the standing precedence, that the public cannot intervene in a state criminal matter and therefore, no person can bring light to the fact that the orders issued by the Defendants to move back were in fact unlawful. Moreover, since a defendant in a criminal matter cannot exert the rights of another in defense of a criminal charge, this motion for joinder was meant to supplement Mr. DeCastro's fatal position based on the Rights of a Driver, all persons to receive Miranda Rights,

For all the above reasons, JENSEN appeals the ORDER denying relief.

Sincerely and Respectfully Submitted,

//s/JasonAJensen

Jason A Jensen

CERTIFICATE OF SERVICE

I, Jason A Jensen, did cause all defendants currently present and in appearance of this Court to be served electronically by the ECF/CM of the Federal Court, on this day the 14th of June 2023, as soon as the Clerk of Court files this paperwork as submitted to lv_public_docketing@nvd.uscourts.gov.

//s/JasonAJensen