

Code: 3860
Alexander M. Falconi

FILED

Appearing in Proper Person

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

ALEXANDER M. FALCONI, an individual;
Plaintiff,

Case #: CV12-02385

vs.

CORAZON REAL ESTATE, a domestic
corporation; and DOES I-X, inclusive;
Defendant.

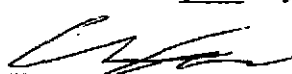
Dept #: 9

REQUEST FOR SUBMISSION

COMES NOW, Plaintiff, Alexander M. Falconi, appearing in proper person, and hereby requests Defendant's Opposition to Plaintiff's Request for Arbitration (construed as a "Request for Exemption"), together with Plaintiff's Reply to the same be submitted to the Court for decision.

AFFIRMATION¹: This document does not contain a social security number of any person.

DATED this 26 day of NOVEMBER, 2012.


Alexander M. Falconi

NRCP 5 CERTIFICATE OF MAILING

I hereby declare that I am over the age of 18 and a party to this action and that I personally served a true and correct copy of this Request upon the following:

Corazon Real Estate
Attn: Charles Chinnici


SERVED THIS 26 day of NOVEMBER, 2012.


Alexander M. Falconi

¹ This affirmation is in accordance with NRS 239B.030.

1 CODE: 3060
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4 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
5 IN AND FOR THE COUNTY OF WASHOE
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8 ALEXANDER M. FALCONI
9

10 Plaintiff,

11 vs.

Case No. CV12-02385

12 CORAZON REAL ESTATE, a domestic
13 corporation,

Dept. No. 9

14 Defendants.
15 _____/

16 ORDER GRANTING DEFENDANTS' MOTION TO DISMISS

17 The Court is in receipt of Defendant CORAZON REAL ESTATE (hereinafter "Defendant")
18 *Motion to Dismiss* filed on October 17, 2012. On October 29, 2012, Plaintiff ALEXANDER M.
19 FALCONI'S (hereinafter "Plaintiff") filed his *Opposition to Defendants' Motion to Dismiss*. On
20 November 1, 2012, Defendant filed their *Reply to Plaintiffs' Opposition to Defendants' Motion to*
21 *Dismiss*.

22 Defendant asserts this case is frivolous and without merit. More specifically, Defendant
23 alleges Plaintiff is filing this case in an attempt to intimidate the Defendant to extort a settlement.
24 Additionally, Defendant requests \$1,500.00 in costs and damages for having to defend itself against
25 Plaintiff's claims.

26 The Court has reviewed the record and is familiar with this case. Previously, Plaintiff has
27 filed an Ex Parte Motion for Temporary Restraining Order claiming that he was facing irreparable
28 harm and the Defendant was wrongly evicting him. After reviewing the record, the Court found that

1 Plaintiff admitted "on September 18, 2012, FALCONI filed a 30-day notice of his intent to vacate
2 out. (Pl.'s Ex Parte Mot. 2:6.). Plaintiffs 30-Day Notice of Intent to Vacate states:

3 [REDACTED]
4 give a 30 day notice to vacate the premises. My last day at the premises will be
5 October 18, 2012."

6 Thereafter the document was signed and verified by the Plaintiff Alexander M. Falconi. As
7 well, Plaintiff provided the Defendants move out instructions in response to Plaintiffs 30-Day
8 Notice. Thereby, Plaintiff's Ex Parte Motion was filed in bad faith.

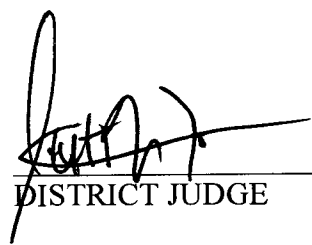
9 Presently, Plaintiff provided in his Opposition, Ex. 1, Plaintiff's letter to the Defendant
10 provides:

11 "Demanding \$125.48 for maintenance of the air conditioner and stove tops. There are
12 also two new repairs needed: (1) the most recent repairs made on the toilet did stop
13 the leaking but there is still an underlying problem in that the toilet has an extremely
14 weak draw on the water."

15 Plaintiff's claims are for a residence of which he no longer resides; as well Plaintiff has
16 provided the Court no evidence or record of any of the alleged maintenance issues. Thus, there is no
17 evidence to support Plaintiffs claim(s). The Court has reviewed the entire record and Plaintiff has
18 provided no evidence of the alleged damages. Therefore, for the several reasons described above;
19 Defendants' Motion to Dismiss with prejudice is granted.

20 THEREFORE IT IS HEREBY ORDERED Defendants' *Motion to Dismiss* is GRANTED.
21 IT IS FURTHER ORDERED Defendants' request for \$1,500.00 in costs is DENIED.

22 DATED: This 4 day of December, 2012.

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24 
25 DISTRICT JUDGE
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28

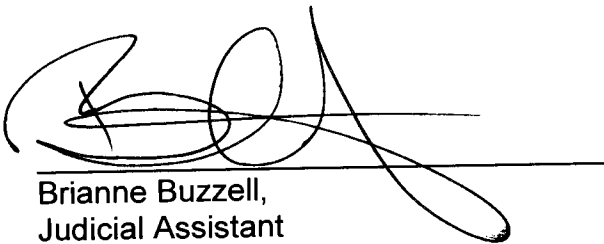
CERTIFICATE OF SERVICE

I certify that I am an employee of THE SECOND JUDICIAL DISTRICT COURT;
that on the ____ day of _____, 2012, I electronically filed the foregoing with
the Clerk of the Court system which will send a notice of electronic filing to the following:

Further, Pursuant to NRCP 5(b), I hereby certify that I am an employee of the
Second Judicial District Court, in and for the County of Washoe; and that on this
5 day of December, 2012, I deposited in the County mailing system for
postage and mailing with the United States Postal Service in Reno, Nevada, a true and
correct copy of the attached document addressed as follows:

Alexander Falconi
[REDACTED]
[REDACTED]

Corazon Real Estate
Attention: Charles Chinnici
[REDACTED]
[REDACTED]


Brianne Buzzell,
Judicial Assistant