



CITIZEN OUTREACH FOUNDATION

Putting the Public Back in Public Policy

5841 E. Charleston Blvd., Ste 230-253 | Las Vegas, NV 89142

March 22, 2025

Hon. Cisco Aguilar
Nevada Secretary of State
101 N. Carson Street, Suite 3
Carson City, NV 89701

Dear Secretary Aguilar,

I am writing you in response to your recent correspondence related to my public records request dated November 24, 2024, in which I requested “any and all documents related to the investigation, including current status” of an Election Integrity Violation Report (EIVR) related to [REDACTED] (File C24-50 SOS).”

In response to my request, your office only provided two (2) documents related to the steps you took to address this matter. Specifically, the only two documents produced are the voting history of [REDACTED] and [REDACTED].

Your response further states that “records have been withheld and redacted” based on attorney/client privilege (NRS 49.095) and personal privacy interests (See, e.g. Clark Cnty. School District v. Las Vegas Rev.-J., 134 Nev. 700, 708, 429 P.3d 313, 320 (2018)).

Notably, however, you failed to provide any information regarding the records that were withheld or redacted, including documents that are not protected under attorney/client privilege.

Specifically...

- A copy of the National Change of Address (NCOA) records from the U.S. Postal Service that indicates Mr. [REDACTED] change of address in October

2022 to [REDACTED] Amarillo, TX 79102 is not a record protected by an attorney/client privilege.

- Documents related to Mr. [REDACTED] voting in Texas are also not protected under the attorney/client privilege.
- Communications with the Nye County Clerk's office regarding Mr. [REDACTED] cancelled registration in February 2024 are not confidential under the attorney/client privilege.
- Communications with Mr. [REDACTED] and/or Ms. [REDACTED] are also not confidential under the attorney/client privilege.

As you know, you are required to provide a legal basis for any claim of confidentiality.

Simply making a general citation to a Nevada statute or case law is not sufficient for you to refuse to disclose records when selective and narrow redactions of the records would adequately protect any privileged communications, if a privilege even exists.

See: NRS 293.010(3) (the government shall not deny a request on the basis of confidentiality "if the government entity can redact, delete, conceal or separate...the confidential information from the [nonconfidential] information.")

The documents that you have withheld pursuant to the attorney/client privilege can certainly be produced after the claimed confidential information is separated/redacted from the nonconfidential information.

As such please produce the documents with the redacted information to protect your claim of attorney/client privilege.

Additionally, please provide a privilege log that properly sets forth the nature of the documents, communications, or tangible things not produced or disclosed.

The information must be detailed enough to allow me to evaluate your claim of privilege.

Additionally, if other government agencies are in possession of records, you have an obligation and duty to assist me in modifying my request to help me obtain public records in accordance with the request.

You have advised that my file has been "closed." Yet despite repeated follow-up

requests, you have failed to provide any response or information as to the disposition of the complaint.

That said, I still have several questions related to how this complaint was handled by your office which have gone unanswered as of this date.

Specifically...

- Was the complaint dismissed? If so, why?
- Were any administrative actions taken? If so, what were they? If not, why not?
- Was the complaint forwarded to the Attorney General's office for possible criminal prosecution? If so, when was the complaint forwarded and to whom?
- You've invoked "attorney/client privilege" as a reason for not providing the requested documentation. Please provide the name of the attorney(s) who is handling this case for you.
- Did you verify my information that Mr. [REDACTED] filed an official, permanent change-of-address request with the post office? If so, did he or did he not file the change-of-address? Please provide the documentation.
- Did you verify with Texas election officials that Mr. [REDACTED] re-registered to vote in Texas after his move?
- Did you verify with Texas election officials that Mr. [REDACTED] voted in Texas for the 2022 general election? If so, please provide confirmation documentation.
- Did you verify with Nye County that a mail-in ballot was cast under Mr. [REDACTED] name in the 2022 general election in Nevada? If so, please provide confirmation documentation.
- Did you attempt to contact Mr. [REDACTED] to confirm whether he did, in fact, vote in Texas in the 2022 general election as well as vote in Nevada in the 2022 general election, thus unlawfully voting twice?
- If you made any attempts to reach Mr. [REDACTED], please detail exactly how such communication was initiated, as well as any and all documentation of this contact.

- Did you attempt to contact [REDACTED] who is registered to vote at Mr. [REDACTED] former address in Nye County to inquire about the mail-in ballot?
- If you have made attempts to reach Ms. [REDACTED], please detail exactly how such communication was initiated, as well as any and all documentation of this contact.

It has now been almost a full year since I initially filed this EIVR.

It has now been over nine months since you notified me that you have closed the file.

It has now been almost four months since I filed my initial public records request for documents related to his complaint despite Nevada law requiring such a request be filled in five days and you only provided two documents that appear to have been obtained within a day of receiving the EIVR.

During your campaign for Secretary of State - and in multiple statements since elected to represent the citizens of Nevada - you have boasted of “transparency” in how your office deals with the public.

The reality in this matter has been quite different. Your office has kicked the can down the road, dragged its feet, and has decidedly been uncooperative in resolving this matter.

There is no acceptable reason for further bureaucratic delays.

As such, I’m asking that the above requested documentation be provided to me, along with answers to my specific questions, in the next five business days. This situation has dragged on for too long already.

Sincerely yours,



Chuck Muth
President
Citizen Outreach Foundation

cc: David O’Mara, The O’Mara Law Firm