

Judge Valorie Vega Publicly Lied About The Jurors Who Support A New Trial For Kirstin Blaise Lobato

By Hans Sherrer

Judge Valorie Vega presided over Kirstin Blaise Lobato's trial in 2006. She was also assigned to preside over Ms. Lobato's the petition for a writ of *habeas corpus* filed on May 5, 2010, in the Clark County, Nevada District Court.

Judge Vega lied at least seven times during a hearing on March 1, 2011, about the documents signed in January 2011 by two jurors who voted to convict Kirstin Blaise Lobato in 2006. Ms. Lobato was convicted of charges related to the murder of Duran Bailey in Las Vegas on July 8, 2001.

The two jurors are Lloyd Taylor and Thomas Ciciliano. Mr. Taylor and Mr. Ciciliano each state in their documents, "I believe it is in the interest of justice that Ms. Lobato be granted a new trial."

Ms. Lobato's *habeas corpus* petition includes significant new evidence she is actually innocent of having anything to do with Mr. Bailey's murder. That new evidence includes 13 new alibi witnesses, forensic entomology and forensic pathology evidence that at the time of Mr. Bailey's murder Ms. Lobato was 170 miles north of Las Vegas, and new evidence identifying Mr. Bailey's actual murderers. Justice Denied prepared a 49-page document outlining Ms. Lobato's key new evidence in 16 areas that wasn't introduced during her trial. The document is, "New Evidence Kirstin Blaise Lobato Is Innocent Of Any Involvement In The Death Of Duran Bailey In Las Vegas, Nevada On July 8, 2001." It is available online and can be read by anyone in the world with Internet access at the following address, <http://justicedenied.org/lobato/lobato.htm>

After independently reviewing that document outlining Ms. Lobato's key new evidence they didn't know when they convicted her, Mr. Taylor and Mr. Ciciliano determined that she deserves a new trial so that a new jury can consider her new evidence. Those jurors signed separate documents that specifically, directly and unambiguously state they advocate a new trial for Ms. Lobato based on "new evidence" "that the jury did not have available in 2006 when it delib-

erated [her case] and found her guilty."

Mr. Taylor's Affidavit dated January 26, 2011 states:

1. I was a juror in 2006 for the criminal case of the *State of Nevada vs. Kirstin Blaise Lobato* in the Clark County District Court.
2. Based on the evidence presented during Ms. Lobato's trial the jury voted she was guilty of voluntary manslaughter with a deadly weapon and sexual penetration of a dead body.
3. I am aware that Ms. Lobato has filed a petition for a writ of *habeas corpus* in the Clark County District Court, and that she is seeking a new trial in part based on numerous claims of new evidence the jury was not aware of when it convicted her in 2006.
4. I have reviewed 16 separate claims of Ms. Lobato's new evidence that the jury did not have available in 2006 when it deliberated her case and found her guilty.
5. I believe that if the jury in 2006 had known the new evidence in Ms. Lobato's *habeas corpus* petition it could have influenced the jury's deliberations, and it could have possibly resulted in either a hung jury or Ms. Lobato's acquittal.
6. I believe it is in the interest of justice that Ms. Lobato be granted a new trial.
7. I am executing this AFFIDAVIT voluntarily and of my own free will. No force has been used upon me, and no threats or promises made to me by anyone. ([Affidavit of Lloyd Taylor](#), January 26, 2011.)

Jurors Lloyd Taylor and Thomas Ciciliano reviewed the new evidence in Ms. Lobato's *habeas corpus* petition and they each state in their document, "I believe it is in the interest of justice that Ms. Lobato be granted a new trial."

Mr. Ciciliano's Statement dated January 5, 2011 states:

1. I was a juror in 2006 for the criminal case of the *State of Nevada vs. Kirstin Blaise Lobato* in the Clark County District Court.
2. Based on the evidence presented during Ms. Lobato's trial the jury voted she was guilty of voluntary manslaughter with a deadly weapon and sexual penetration of a dead body.
3. I am aware that Ms. Lobato is seeking

a new trial based in part on numerous claims of new evidence the jury was not aware of when it convicted her in 2006.

4. I have reviewed new evidence in Ms. Lobato's case that the jury did not have available in 2006 when it deliberated and found her guilty.
5. I believe that if the jury in 2006 had known Ms. Lobato's new evidence it could have influenced the jury's deliberations, and it could have possibly resulted in either a hung jury or Ms. Lobato's acquittal.
6. I believe it is in the interest of justice that Ms. Lobato be granted a new trial so that a jury can fairly consider all the evidence that is now available in her case after hearing both the defense and the prosecutions arguments about that evidence.
7. I am executing this STATEMENT voluntarily and of my own free will. No force has been used upon me, and no threats or promises made to me by anyone. ([Statement of Thomas Ciciliano](#), January 5, 2011.)

On February 24, 2011, the documents signed by Mr. Taylor and Mr. Ciciliano were filed as supplemental exhibits supporting the granting of Ms. Lobato's *habeas corpus* petition. The document filed with the Clark County District Court is titled, "Supplemental Exhibits To Petitioner's Answer In Support Of Petition For Writ Of Habeas Corpus," and it can be read at, http://justicedenied.org/kl/lobato_supplemental_juror_exhibits_11242011.pdf

On February 28, 2011 the Clark County District Attorney's Office filed the "State's Opposition and Motion to Strike Defendant's Supplemental Exhibits to Petitioner's Answer in Support of Petition for Writ of Habeas Corpus."

A hearing was scheduled for the next day, March 1, during which Judge Valorie Vega was expected to announce her decision as to whether she was granting Ms. Lobato's *habeas corpus* petition, ordering an evidentiary hearing to hear testimony regarding specific grounds for a new trial, or summarily denying the petition.

During that hearing Judge Valorie Vega announced she was granting the District Attorney's motion to strike the juror affidavits from Ms. Lobato's *habeas corpus* case. The Minutes of the hearing document that Judge Vega said in public and on the record:

Vega lied cont. on p. 6

Vega lied cont. from p. 5

“Court had some new affidavits presented but they were unsubstantiated and based on their belief with speculation, there was no new evidence presented, the Defendant got new people to review the old evidence presented at trial, that was available at trial to elaborate on it.” Court’s Minutes, March 1, 2011 hearing regarding Kirstin Blaise Lobato’s habeas corpus petition presided over by Clark County District Court Judge Valorie Vega.

It is known that Judge Vega lied at least seven times in the above 45-word sentence. And it is known that she knowingly and deliberately lied on the record because the following facts were known to her from Mr. Taylor and Mr. Ciciliano’s signed documents that she admitted during the hearing she had received at least a day prior to the hearing.

Judge Valorie Vega’s lied about the following:

1. Judge Valorie Vega lied when she stated “... they were unsubstantiated...”

The truth is the jurors Mr. Lloyd Taylor and Mr. Thomas Ciciliano both substantiated their determination that “in the interest of justice” Ms. Lobato deserves a new trial by specifically stating they think she does based on their review of “new evidence” “that the jury did not have available in 2006 when it deliberated [her case] and found her guilty.”

2. Judge Valorie Vega lied when she stated “...based on their belief with speculation...”

The truth is the jurors Mr. Taylor and Mr. Ciciliano both substantiated their determination that “in the interest of justice” Ms. Lobato deserves a new trial by specifically stating they think she does based on their review of “new evidence” “that the jury did not have available in 2006 when it deliberated [her case] and found her guilty.”

3. Judge Valorie Vega lied when she stated “... there was no new evidence presented ...”

The truth is the jurors Mr. Taylor and Mr. Ciciliano both substantiated their determination that “in the interest of justice” Ms. Lobato deserves a new trial by specifically stating they think she does based on their review of “new evidence” “that the jury did not have available in 2006 when it deliberated [her case] and found her guilty.”

4. Judge Valorie Vega lied when she stated “... got new people to review the old evi-

dence presented at trial ...”

The truth is the jurors Mr. Taylor and Mr. Ciciliano both substantiated their determination that “in the interest of justice” Ms. Lobato deserves a new trial by specifically stating they think she does based on their review of “new evidence” “that the jury did not have available in 2006 when it deliberated [her case] and found her guilty.”

5. Judge Valorie Vega lied when she stated “... that was available at trial ...”

The truth is the jurors Mr. Taylor and Mr. Ciciliano both substantiated their determination that “in the interest of justice” Ms. Lobato deserves a new trial by specifically stating they think she does based on their review of “new evidence” “that the jury did not have available in 2006 when it deliberated [her case] and found her guilty.”

6. Judge Valorie Vega lied when she stated “... [that was available at trial] to elaborate on it.”

The truth is the jurors Mr. Taylor and Mr. Ciciliano both substantiated their determination that “in the interest of justice” Ms. Lobato deserves a new trial by specifically stating they think she does based on their review of “new evidence” “that the jury did not have available in 2006 when it deliberated [her case] and found her guilty.” Mr. Taylor and Mr. Ciciliano make no mention that their advocacy of a new trial for Ms. Lobato is based in any way of any elaboration about evidence the jury relied on to convict her — but they specifically state it is based on “new evidence.”

7. Judge Valorie Vega also lied when she stated Ms. Lobato is the “... the Defendant ...”

The truth is Ms. Lobato is the Petitioner in her *habeas corpus* proceeding, and not a Defendant in a criminal prosecution. Ms. Lobato’s criminal case was closed on October 16, 2009. The Nevada legislature in Nevada Revised Statutes 34.360-34.830 established a habeas corpus proceeding as a civil remedy that a convicted person can pursue to prove their claim(s) that they are illegally confined. The NRS Habeas Corpus statutes not only specifically identify Ms. Lobato as the “Petitioner” and the State as the “Respondent,” but the statutes specifically identify in several places that the Nevada Rules of Civil Procedure apply to the handling of a *habeas corpus* petition. Furthermore, the Nevada Rules of Civil Procedure specifically states: “Section 1. The supreme court of Nevada, by rules adopted and published from time to time, shall regu-

late original and appellate civil practice and procedure, including, without limitation, pleadings, motions, writs, ...” Judge Vega knowingly and deliberately lied in describing Ms. Lobato as “the Defendant” because she was specifically made aware that under Nevada law Ms. Lobato’s *habeas corpus* petition is civil proceeding and that she is the civil Petitioner, in Petitioner Lobato’s Notice Of Motion And Motion For The Court Clerk To Assign A Civil Case Number As Required By The NRS, that was first filed in the Clark County District Court on September 7, 2011.

8. Judge Vega was deceptive by concealing from everyone in the courtroom and failing to disclose on the record that the two people she referred to as providing “affidavits” weren’t just anyone — but where jurors who convicted Ms. Lobato in 2006.

Furthermore, by deliberately and knowingly lying repeatedly in her description of the juror’s signed documents during the March 1 hearing, Judge Valorie Vega deliberately falsified the record of that hearing for anyone who reads a transcript without knowing she lied about the documents signed by the jurors. That means the Nevada Supreme Court and if necessary any federal judge involved in reviewing Ms. Lobato’s habeas corpus case will be deceived by Judge Vega’s lies regarding Mr. Taylor and Mr. Ciciliano’s signed documents. Judge Vega’s falsification of the record is known by the two representatives of the Clark County District Attorney’s Office who were present and advocated suppressing the truth in Ms. Lobato’s *habeas corpus* case by the striking of the juror’s “affidavits” that advocate a new trial for Ms. Lobato “in the interest of justice.”

It is important to note that Judge Valorie Vega did not identify a single error in the 49-page document Mr. Taylor and Mr. Ciciliano reviewed to arrive at their independent conclusions that Ms. Lobato is deserving of a new trial based on her “new evidence” the jury did not have available in 2006 when it convicted her. Judge Vega simply lied repeatedly about the content of Mr. Taylor and Mr. Ciciliano’s signed documents and the content of the document they reviewed.

It is not known why Judge Vega resorted to blatantly lying in an effort to denigrate the jurors’ determination that “it is in the interest of justice that Ms. Lobato be granted a new trial” based on her new evidence she had nothing to do with Mr. Bailey’s murder, and that she was 170 miles from Las Vegas

Vega lied cont. on p. 7

Vega lied cont. from p. 6

when the crime occurred.

What is known is the jurors' determination Ms. Lobato should be granted a new trial carries more weight than that of any other persons in the world because only they know what evidence the jury relied on to convict her in 2006. It is also known that Mr. Taylor and Mr. Ciciliano have publicly stated in their documents that based on their personal knowledge of Ms. Lobato's case her "new evidence" could have changed the outcome by resulting "in either a hung jury or Ms. Lobato's acquittal."

It is important to point out that Judge Vega's blatantly dishonest conduct during the hearing on March 1, 2011 appears to have violated a number of ethics provisions of the Revised Nevada Code of Judicial Conduct (ADKT 427), that all judges are mandated to abide by without exception. One of rules Judge Vega appears to have violated is Rule 1.2. that states:

Rule 1.2. Promoting Confidence in the Judiciary. A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary and shall avoid impropriety and the appearance of impropriety. (emphasis added to original)

Since Judge Vega grossly undermined "Confidence in the Judiciary" by lying repeatedly on the record about the two jurors' documents that were favorable to the granting of the new trial requested in Ms. Lobato's *habeas corpus* petition, it appears that Judge Vega engaged in conduct that legally obligated her disqualification from Ms. Lobato's case under RNCJC Rule 2.11:

Rule 2.11. Disqualification.

(A) A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to the following circumstances:

(1) The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding.

...

And,

Comment [1] Under this Rule, a judge is disqualified whenever the judge's impartiality might reasonably be questioned, regardless of whether any of the specific provisions of paragraphs (A)(1) through (6) apply. (emphasis

added to original)

In addition to her apparent multiple violations of the RNCJC, Judge Vega may have engaged in conduct during the hearing on March 1, 2011, that can be considered criminal under state and/or federal laws, such as criminally violating Ms. Lobato's constitutional rights. Independent state and federal law enforcement investigations can determine if Judge Vega should be criminally prosecuted for her conduct during the hearing.

Judge Vega's conduct during the hearing on March 1, 2011 was a continuation of her disreputable conduct in Kirstin Blaise Lobato's habeas corpus case, some of which is documented in the article, "Is Valorie Vega The Most Corrupt Judge In The United

States?" That article is on page 10, and can be read online at,

<http://justicedenied.org/wordpress/archives/242>

Judge Vega is an elected public official and a public figure — but she acts as if everything she does is hidden in the closet away from public view.

This article was originally published on Justice Denied's website on March 7, 2011. It is online at,

<http://justicedenied.org/wordpress/archives/824>

AFFIDAVIT OF LLOYD TAYLOR

STATE OF VIRGINIA)
)
COUNTY (CITY) OF POQUOSON)

I, LLOYD TAYLOR, being duly sworn, hereby depose and say that the following statements are true and correct to the best of my knowledge and belief:

1. I was a juror in 2006 for the criminal case of the *State of Nevada vs. Kirstin Blaise Lobato* in the Clark County District Court.
2. Based on the evidence presented during Ms. Lobato's trial the jury voted she was guilty of voluntary manslaughter with a deadly weapon and sexual penetration of a dead body.
3. I am aware that Ms. Lobato has filed a petition for a writ of *habeas corpus* in the Clark County District Court, and that she is seeking a new trial in part based on numerous claims of new evidence the jury was not aware of when it convicted her in 2006.
4. I have reviewed 16 separate claims of Ms. Lobato's new evidence that the jury did not have available in 2006 when it deliberated her case and found her guilty.
5. I believe that if the jury in 2006 had known the new evidence in Ms. Lobato's *habeas corpus* petition it could have influenced the jury's deliberations, and it could have possibly resulted in either a hung jury or Ms. Lobato's acquittal.
6. I believe it is in the interest of justice that Ms. Lobato be granted a new trial.
7. I am executing this AFFIDAVIT voluntarily and of my own free will. No force has been used upon me, and no threats or promises made to me by anyone.

Lloyd Taylor
LLOYD TAYLOR

SUBSCRIBED AND SWORN before me this 26 day of January, 2011.

Jean M. Grim
Notary Public

Jean M. Grim
[typed/printed name]

Notary Public for City of Poquoson

My Commission expires June 30, 2014

