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CASE NO: A-24-892420-C
Department 31

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12 **EIGHTH JUDICIAL DISTRICT COURT**

13 **CLARK COUNTY, NEVADA**

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16 IN THE MATTER OF THE
17 WRONGFUL CONVICTION OF
18 MARGARET MASON RUDIN

CASE NO.

DEPT NO.

**COMPLAINT FOR WRONGFUL
CONVICTION (NRS § 41.900)**

19
20 Plaintiff, MARGARET MASON RUDIN, by and through her counsel, ADAM J.
21 BREEDEN, ESQ., of BREEDEN & ASSOCIATES, PLLC and CORRINE P. MURPHY, ESQ. of
22 MURPHY'S LAW, PC, alleges for her cause of action filed under NRS § 41.900 et seq. against the
23 STATE OF NEVADA as follows:

24 **PARTIES, JURISDICTION AND VENUE**

25 1. Plaintiff, MARGARET MASON RUDIN, is a resident of the State of Nevada,
26 County of Clark and was at all times relevant to this Complaint.

27 2. This action is filed under NRS § 41.900 et seq. for RUDIN's wrongful conviction by
28 the STATE OF NEVADA.

1 12. MARGARET RUDIN, in fact, did not murder Ron Rudin, did not participate in or
2 plan his murder, and does not know who killed Ron Rudin. She is innocent of the crime and has
3 professed her innocence to the crime and involvement in his death for thirty years.

4 13. As with many wrongful convictions, MARGARET RUDIN’S wrongful conviction
5 was based on flimsy evidence, overzealous and inexperienced detectives, and a media frenzy around
6 the crime which led to what even the presiding judge would call in later documentary interviews a
7 “circus” atmosphere of her trial.

8 14. In fact, there is no direct forensic or eyewitness evidence of any kind that
9 MARGARET RUDIN committed the crime, including but not limited to:

- 10 a. No DNA evidence linked MARGARET RUDIN to the purported murder weapon or
11 the scene of Ron Rudin’s remains;
- 12 b. No fingerprint evidence linked MARGARET RUDIN to the purported murder
13 weapon or the scene of Ron Rudin’s remains;
- 14 c. No hair, fiber or other forensic evidence linked MARGARET RUDIN to the
15 purported murder weapon or the scene of Ron Rudin’s remains;
- 16 d. There was no gunshot residue (“GSR”) testing that showed MARGARET RUDIN
17 fired a gun around the time of Ron Rudin’s disappearance. In fact, investigators either
18 did not perform GSR testing in the bedroom where they theorized MARGARET
19 RUDIN shot Ron Rudin, or they did so and it was negative;
- 20 e. No eyewitness saw MARGARET RUDIN or anyone associated with her shoot Ron
21 Rudin;
- 22 f. No eyewitness saw MARGARET RUDIN or anyone associated with her in the
23 vicinity of Nelson’s Landing, where Ron Rudin’s body would eventually be
24 discovered;
- 25 g. No eyewitness saw MARGARET RUDIN or anyone associated with her in the
26 vicinity of Lake Mead/Pyramid Island, where the purported murder weapon would
27 eventually be discovered;
- 28 h. There was no evidence or testimony that MARGARET RUDIN or anyone connected

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to her solicited someone to murder Ron Rudin;

- i. Due to the state of his remains when they was found, the State could not even establish the date and time of death with reasonable certainty. Ron Rudin could have been held somewhere after his December 18th initial disappearance and killed later which, if true, would totally exonerate MARGARET RUDIN and refute the State's theory of the crime.

15. The actual evidence of the case, instead of the wild theories and innuendo offered by the State at the first trial, points to other suspects in Ron Rudin's murder, including:

- a. Ron Rudin believed he had many people that might want to harm him prior to his disappearance. He had security glass at his home and office, was known to wear a bullet-proof vest, and was known to carry a gun at nearly all times even in church, all facts suggesting that Ron Rudin knew that someone other than his wife wished to harm him;
- b. Ron Rudin was having an affair with a married woman shortly before his death, whose husband would have had a motive to harm him. In fact, Ron Rudin had a number of affairs over the course of his marriage to MARGARET RUDIN;
- c. One of Ron Rudin's employees, who MARGARET RUDIN believed Ron was about to fire, admitted to owing \$15,000 to Ron Rudin and not repaying it after his death, and described hearing gunshots from the Rudin home at a time when police later determined the crime could not have occurred. This employee repeatedly made other statements tending to implicate MARGARET RUDIN in Ron Rudin's death which were later shown to be untrue. Further, the employee incorrectly believed she was a beneficiary or trustee of Ron Rudin's trust and stood to acquire substantial sums of money if Ron died, all of which would provide her with motive to harm Ron;
- d. Some family members of Ron Rudin's ex-wife, who committed suicide in his home many years before his own death, suspected Ron had actually harmed his ex wife or drove her to suicide. At least one of these relatives threatened Ron Rudin, and would have had a motive to harm him;

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- e. As part of Ron Rudin’s real estate business, he would have to evict or foreclose people from their homes and these people might have had a motive to harm him. As only one example, Ron Rudin had a particularly notable dispute with a neighbor he had foreclosed on that threatened him, who one witness described as a Charles Manson type, who would have had motive to harm him;
- f. Ron Rudin was known to have connections with organized crime figures. Indeed, when Ron’s missing vehicle was located it was found at a gentleman’s club, the now-closed Crazy Horse Too, which was infamous for its organized crime connections;
- g. Ron Rudin had been involved in questionable real estate investments, including use of fake names to hold and transfer real estate. He was also believed to be selling a beloved land investment at Lee Canyon around the time of his disappearance and death, and crossed investors or lenders, including organized crime, may have had motive to harm him;
- h. Ron Rudin’s wealth was attached to a trust which had several beneficiaries other than MARGARET RUDIN and, thus, those other beneficiaries stood to gain millions of dollars if Ron died, even more so if it appeared that his wife killed him;
- i. Ron Rudin was known to carry large amounts of cash with him, a fact that would suggest he might be a target for a robbery gone wrong;
- j. Years after the conviction, one of the lead detectives would admit they had received a tip that men unknown were reportedly seen abducting Ron Rudin from a motel room and leaving with him by car, a description that eerily matches the actual evidence later obtained from Ron Rudin’s car when it was found.

16. Moreover, even the State’s theory of the case was refuted by the actual evidence or had to be explained away numerous times. For example:

- a. Detectives theorized that an acquaintance of MARGARET RUDIN, Mr. Yehuda Sharon, assisted her in the crime. Yet, despite repeatedly insinuating his involvement over the years, detectives determined Mr. Sharon had a rock-solid alibi for their theorized time of the crime. Even when prosecutors took the desperate step of giving

1 him total immunity in the hopes he would incriminate MARGARET RUDIN of the
2 crime, all he ever testified under oath was that he had no involvement in the crime or
3 disposing of Ron Rudin's body, and that he had no information that MARGARET
4 RUDIN committed the crime either;

5 b. Detectives openly acknowledge that MARGARET RUDIN would have been
6 physically incapable of performing the crime under their theory that Ron Rudin was
7 shot in his own bed, put into a trunk, driven to Nelson's Landing, and then the trunk
8 was dragged some distance into the desert. They openly acknowledge that the slight-
9 in-stature MARGARET RUDIN would never have been able to physically dispose
10 of Ron Rudin's body in this manner (Ron weighed 200-220 lbs at the time of his
11 death) and have never found any viable suspect to be an accomplice, which
12 Detectives conveniently theorized existed in order to pin the crime on MARGARET
13 but just could not be located;

14 c. Detectives had initially speculated that luminol testing on the wall of the Rudin
15 bedroom showed blood stains from Ron Rudin's murder. But when it was realized
16 that the blood stains were explained by the suicide of Ron Rudin's ex-wife years
17 earlier in the same room, they adjusted their theory to be that huge blood stains from
18 Ron had fallen on the carpet instead of the walls, despite the fact that two competent
19 investigators had been in the bedroom just days after Ron Rudin's disappearance and
20 searched the bedroom, finding no such carpet blood stains. In other words, their own
21 previous search disproved their theory of the crime that Ron Rudin was shot in the
22 head in his own bedroom resulting in blood stains on the carpet;

23 d. A latent fingerprint was found in Ron Rudin's vehicle after it was discovered.
24 Although this fingerprint very likely belongs to the murderer or someone who
25 participated in disposing of Ron Rudin's body, it does not match MARGARET
26 RUDIN and detectives were never able to match it to anyone. By anyone's account,
27 the State is sitting on the fingerprint of a person likely involved in the crime which
28 they cannot locate;

- 1 e. Early in the investigation, a witness told police that on the morning of December 19th
2 she heard several gunshots coming from the Rudin home while she was at Ron
3 Rudin's office immediately behind the home. While detectives initially theorized that
4 these were the shots that killed Ron Rudin, they later theorized that he had been shot
5 with a weapon with a silencer at an earlier time and, therefore, had to disregard this
6 witness's report and change their theory of the crime;
- 7 f. When Ron Rudin's car was found, footprints apparently belonging to several
8 unknown persons were found in the front and back seats which did not match
9 MARGARET RUDIN;
- 10 g. Detectives centered their case around another witness, a laborer hired to do work at
11 the Rudin home, who testified that he saw a photo of MARGARET RUDIN which
12 hung over the Rudin's bed with blood droplets on it. But this directly conflicted with
13 (i) the testimony of an earlier detective who searched the residence and saw no such
14 blood, (ii) the Rudins' housekeeper who saw no such blood, and (iii) the actual
15 physical evidence because when the photo was located it had no such blood on it.
16 This discredited the witness (who sought reward money) and disproved the State's
17 theory of the crime;
- 18 h. When Ron Rudin's body was recovered, there was a bullet exit wound meaning there
19 would be a bullet hole in the wall of the Rudin's bedroom or their mattress, but this
20 simply did not exist;
- 21 i. Detectives theorized that Ron Rudin's body had been disposed of in a large, antique-
22 style trunk which came from MARGARET RUDIN'S antique store. At her trial, a
23 witness testified he sold MARGARET RUDIN such an antique trunk to support the
24 state's theory of the crime and had earlier acquired that trunk from a third party.
25 However, the third party had been watching the trial on television and came forward
26 to testify that no such sale occurred and rather he had actually sold a much smaller
27 item of the type that would fit roller skates that could not have possibly fit a body.
- 28 17. MARGARET RUDIN was first incarcerated in the State of Nevada according to the

1 Nevada Dept. of Corrections on December 16, 1999.

2 18. MARGARET RUDIN was released on parole on January 10, 2020.

3 19. On May 15, 2022, Hon. Richard F. Boulware in a thorough, 68-page decision finally
4 granted MARGARET RUDIN'S federal habeas corpus petition, found that she had not received a
5 fair trial, and overturned her conviction.

6 20. The time difference from MARGARET RUDIN'S first date of incarceration to the
7 date her conviction was overturned was 8,187 days or 22 years and 5 months.

8 21. It bears repeating for purposes of this Complaint that a federal judge has already
9 found that MARGARET RUDIN served *over 8,000 days* of incarceration but was a wrongfully
10 convicted person.

11 22. Subsequent to overturning her conviction, the Clark County District Attorney's
12 office made a decision not to re-try MARGARET RUDIN.

13 23. MARGARET RUDIN was wrongfully convicted and incarcerated.

14 24. As a result of her wrongful conviction and incarceration, MARGARET RUDIN is
15 entitled to the compensation set forth in NRS § 41.950, including a statutory amount per year of
16 incarceration, assistance with housing and insurance, attorney's fees and all other compensation
17 allowed by law.

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WHEREFORE, Plaintiff MARGARET MASON RUDIN prays for the following relief:

- A. A certificate of innocence;
- B. All statutory damages, relief and assistance available to her pursuant to NRS § 41.950;
- C. An award of attorney’s fees and costs incurred in bringing this matter; and
- D. All other relief that the Court may deem just and proper.

DATED this 2nd day of May, 2024

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