

FILED

In the Court of Appeals of the State of Nevada

OCT 03 2023

Original

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *Melissa J. Jones*
DEPUTY CLERK

MICHELLE LADNER,

Case No.: 85013 COA

Appellant,

vs.

District Court Case No.: A-18-783443-C

EUGENE T. STATEN II; PREKEI STATEN;
ALCHEMY INVESTMENTS, LLC

Verification of Certificate, of
Service on Pages 3 and 4 of the enclosed
Supplement Letter of September 26, 2023
to my, the Appellant's Letter of
September 25, 2023 responding
to this Court's decision of my the
Appellant's Motions for Stay

Respondents

Comes Now the appellant, Michelle Ladner, before this
Honorable Court, in regards to the above-entitled matter
submitting this pertinent matter.

This is a verification that the foregoing has been
served to the appropriate parties. Verification of
Certificate of Service is on Pages 3 and 4 of my, the appellant's
enclosed Letter of September 26, 2023 Supplement to appellant's
Letter of September 25, 2023 regarding district Court's bench trial
decision Order -> (Injunction Order - no judgment Order).

Submitted By:

Michelle Ladner

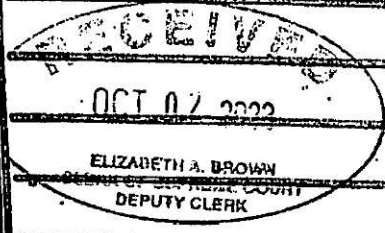
Michelle Ladner, Appellant

428 Steed Circle

North Las Vegas, Nevada 89030

(702) 354-7580

Dated: 9-29-23



1 Michelle Ladner,
2 Plaintiff, Appellant
3 428 Steed Circle
4 North Las Vegas, Nevada
5 Urgent 89030
6 (702) 354-7580

Case No.: 85013-COA
District Court Case
No.: A-18-783443-C

Contains two Pages
Plus the enclosed district
Court decision order of
June 13, 2022 (Injunction
Order) No judgment, no bond
or supersedeas bond to be paid
*This supplement letter of
September 26, 2023 is to
accompany my letter of
September 25, 2023

7 a Letter: September 26, 2023
8 Supplement to "Letter
9 of September 25, 2023
10 Reply to this court's
11 decision of my motion's
12 for stay"

13 The Court of Appeals of
14 the State of Nevada
15 Office of the Clerk
16 201 South Carson Street
17 Suite 201
18 Carson City, Nevada 89701

I am in very much need of
a speed reply. I ask this
Court with sincere respect
to please expedite.

19 Regarding this supplement letter to my letter of
20 September 25, 2023, the enclosed district Court decision
21 order (Injunction Order), is enclosed to document that
22 there was no judgment - there was no judgment against me,
23 so there was no supersedeas bond or bond to be paid, and as
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Stated, this supplement letter is to accompany my letter of
September 25, 2023. I sincerely, respectfully ask this court
to please expedite.

Respectfully,
Submitted By:

Michelle Kadner
Michelle Kadner, Plaintiff
428 Stead Circle
North Las Vegas, Nevada
89030
(702) 354-7580

Dated 9-26-23

1 "Certificate of Service" in regards to first American
2 Title Insurance Company, Vegas Valley Eviction Services,
3 and WFG Title Company, the enclosed Exhibit C is an order
4 from the Supreme Court of the State of Nevada, Filed on
5 August 10, 2022 which states that those respondents are
6 cautioned that neither business entities nor trusts may
7 appear or file documents without counsel. NRAP 46A(b)(2)
8 *Salman v. Newell*, that information is on Page 1, the last
9 paragraph of that order, The enclosed Exhibit H is
10 another Order from the Supreme Court of the State of Nevada
11 filed on October 6, 2022 which states on Page 2, the
12 last paragraph that to date it explains that those
13 respondents have failed to retain counsel; accordingly, they
14 are not permitted to file documents in this appeal

15 As for Rushmore Loan Management, respondent,
16 Rushmore Loan Management was released from this case
17 on the district Court level by my attorney, and a copy
18 of that document may be found in the Transmission of
19 Record and Regarding Counsel Order by the Supreme Court
20 of the State of Nevada on August 10, 2022.

21 

22 Michelle Ladner, Plaintiff-Appellant Date: 9-29-23

23 In Proper Person

24 428 Steed Circle

25 North Las Vegas, Nevada 89030


(702) 354-7580

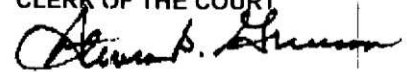
CERTIFICATE OF MAILING

I certify that on the 29th day of September, 2023 I mailed a copy of the foregoing in a sealed envelope, postage prepaid, addressed to the following:

Bryan Naddafi
Avalon Legal Group, LLC
6030 S. Rainbow Blvd.
Suite D1
Las Vegas, Nevada
(89118)

Eugene T. Staten II
and Prekei Staten
101 Davis Ave.
Bloomfield, New Jersey
(07003)


Michelle Ladner, Plaintiff
In Proper Person
428 Steed Circle
North Las Vegas, Nevada
(89030)



1 ORDR

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5 Michelle Ladner, Plaintiff(s)

Case No.: A-18-783443-C

6 vs.

Dept. No.: XXIX

7 Eugene Stanten, II, Defendant(s)

8 DECISION OF THE BENCH TRIAL

9 The Court finds the following:

- 10 (1) The evidence in the Bench Trial shows that Michelle Ladner, by way of her own testimony, was periodically late on paying the mortgage payments.
- 11 (2) The evidence also shows that Eugene Stanten II was either not aware of the late payments to the mortgage company, or chose not to enforce the terms of the contract to which he was the author.
- 12 (3) Alchemy bought the property with notice of the possible issue with the "tenant" Ms. Ladner and was also put on notice that Ms. Ladner was claiming more than a tenant relationship to the property in question.

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16 As this Court has been asked to sit in equity on this matter, the Court's Order is as follows:

- 17 (1) Alchemy is to obtain an appraisal of the property in question within 60 days from this Order.
- 18 (2) Ms. Ladner then will have the right of first refusal to purchase the property for the appraised value. Ms. Ladner will have 90 days from receipt of the appraisal to procure financing and submit the purchase to the title company for the minimum amount of the appraisal.
- 19 (3) If Ms. Ladner is unable to close on the property in question, Alchemy will go forward with the sale to a valid purchaser for the minimum of the appraised amount.
- 20 (4) Once the sale is concluded, the Court will divide the proceeds of sale. The proceeds will be distributed based upon each party submitting, in writing, their arguments as to their rights to the money received from the sale. The parties are to submit these briefs within 45 days of the close of escrow.
- 21 (5) Mr. Stanten will return to the Court the monies he received, \$4,816.64 from the sale of the property

1 to Alchemy. These monies will be held in trust until the time when the parties submit their
2 arguments as to their rights to the monies received.

3 (6) The Court will then prepare an Order regarding the distribution of the sale proceeds.
4

5
6 DATED this 9th day of June, 2022.
7

8 HONORABLE DAVID M. JONES
9 DISTRICT COURT JUDGE
10 DEPARTMENT XXIX

11
12 **CERTIFICATE OF SERVICE**

13 I hereby certify that I caused the forgoing Order to be electronically served, mailed or by
14 placing a copy in the attorney's folder on the first floor of the Regional Justice Center as follows:
15

16 Michelle Ladner
17 Eugene T Stanten, II
18 Prekei Stanten
19 Michael Beede
20 Richard S. Ehlers, ESQ
21 Bryan Naddafi
22 Matthew S. Carter

23 /s/ Melissa Delgado-Murphy

24 _____
25 Melissa Delgado-Murphy
26 Judicial Executive Assistant
27 Department XXIX
28

Exhibit

C

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHELLE LADNER,
Appellant,

vs.

EUGENE T. STANTEN, II; PREKEI
STANTEN; ALCHEMY INVESTMENTS,
LLC; RUSHMORE LOAN
MANAGEMENT; VEGAS VALLEY
EVICTION SERVICES; WFG TITLE
COMPANY; AND FIRST AMERICAN
TITLE INSURANCE COMPANY,
Respondents.

No. 85013

FILED

AUG 10 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DIRECTING TRANSMISSION OF RECORD AND REGARDING
COUNSEL

Having reviewed the documents on file in this pro se appeal, this court concludes that review of the complete record is warranted. NRAP 10(a)(1). Accordingly, within 30 days from the date of this order, the clerk of the district court shall transmit to the clerk of this court a certified copy of the trial court record in District Court Case No. A-18-783443-C. See NRAP 11(a)(2) (providing that the complete "record shall contain each and every paper, pleading and other document filed, or submitted for filing, in the district court," as well as "any previously prepared transcripts of the proceedings in the district court"). The record shall not include any exhibits filed in the district court. NRAP 11(a)(1).

It appears that respondents First American Title Insurance Company, Vegas Valley Eviction Services, and WFG Title Company are not currently represented by counsel. These respondents are cautioned that neither business entities nor trusts may appear or file documents without counsel. NRAP 46A(b)(2); *Salman v. Newell*, 110 Nev. 1333, 1336, 835 P.2d 607, 608 (1994); *State v. Stu's Bail Bonds*, 115 Nev. 436, 436 n.1, 991 P.2d

469, 470 n.1 (1999). These respondents shall have 30 days from the date of this order to retain counsel and cause counsel to file a notice of appearance with this court. If respondents fail to retain counsel, respondents may not file documents in this appeal.¹

It is so ORDERED.

C.J.

cc: Michelle Ladner
Avalon Legal Group LLC
Eugene T. Stanten, II
First American Title Insurance Company
Prekei Stanten
Roger P. Croteau & Associates, Ltd.
Vegas Valley Eviction Services
WFG Title Company
Eighth District Court Clerk

¹ Respondents Eugene T. Stanten, II and Prekei Stanten, as individuals, may proceed in this appeal pro se. NRAP 46A.

Exhibit H

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHELLE LADNER,
Appellant,

vs.

EUGENE T. STANTEN, II; PREKEI
STANTEN; ALCHEMY INVESTMENTS,
LLC; RUSHMORE LOAN
MANAGEMENT; VEGAS VALLEY
EVICTION SERVICES; WFG TITLE
COMPANY; AND FIRST AMERICAN
TITLE INSURANCE COMPANY,
Respondents.

No. 85013

FILED

OCT 06 2022

CLERK OF THE SUPREME COURT
STATE OF NEVADA
RENO, NEVADA

ORDER

Respondent Eugene T. Stanten has filed his answering brief, in which he moves to dismiss this appeal. Appellant opposes the motion. Stanten's arguments regarding the motion to dismiss go directly to the merits of the appeal and are therefore not appropriate for resolution in a motion to dismiss. *See Taylor v. Barringer*, 75 Nev. 409, 410, 344 P.2d 676, 676 (1959). Accordingly, Stanten's motion to dismiss is denied.

Respondent Alchemy Investments, LLC, has filed a motion to dismiss this appeal on the ground that a final judgment has not been entered. Appellant opposes the motion. Having considered the arguments of the parties, it appears that the district court's "Decision of the Beach Trial" resolved the claims between the parties and left only such matters as the appraisal and sale to be completed, at which point the court would distribute the proceeds of the sale pursuant to the decision. The district court has closed the case. "[A] final judgment is one that disposes of all the issues presented in the case, and leaves nothing for the future consideration of the court, except for post-judgment issues such as attorney's fees and

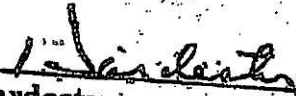
Exhibit H, Page 1

22-31536


costs." *Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000). It appears the district court's order accomplishes the final resolution of the substantive claims and is appealable as a final judgment. Accordingly, the motion to dismiss is denied without prejudice to this court's right to reconsider its jurisdiction as the appeal progresses.

On August 10, 2022, this court entered an order noting that respondents First American Title Insurance Company, Vegas Valley Eviction Services, and WFG Title Company appear not to be represented by counsel and cautioning that if they fail to retain counsel, they will not be permitted to file documents. NRAP 46A(b)(2); *Salman v. Newell*, 110 Nev. 1333, 1336, 885 P.2d 607, 608 (1994); *State v. Stu's Bail Bonds*, 115 Nev. 436, 436 n.1, 991 P.2d 469, 470 n.1. (1999). To date, these respondents have failed to retain counsel; accordingly, they are not permitted to file documents in this appeal.

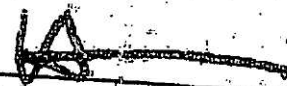
It is so ORDERED.



Hardesty J.



Stiglich J.



Herndon J.

cc: Michelle Ladner
Avalon Legal Group LLC
Eugene T. Stanten, II
First American Title Insurance Company
Prekei Stanten
Roger P. Croteau & Associates, Ltd.
Vegas Valley Eviction Services
WFG Title Company

PREMIER COURT
OF
TA

Exhibit H
Page 3