CERTIFICATE OF MAILING 2 I hereby certify that on the day of May, 2011, I mailed a true and correct copy of 3 the **EMERGENCY MOTION FOR INJUNCTION UNDER NRAP 8 AND UNDER** NRAP 27(e) PENDING DECISION ON APPEALS AND PENDING DECISION ON 4 PETITION FOR WRIT OF MANDAMUS AND PROHIBITION via United States Mail, postage prepaid, to the following: 5 6 Amanda M. Roberts 2011 Pinto Lane, Suite 100 7 Las Vegas, Nevada 89106 8 Attorney for Plaintiff/Respondent although no formal Notice of Appearance by Ms. Roberts has been filed on behalf of Respondent 9 10 Honorable Judge Cheryl B. Moss, Department I Eighth Judicial District Court - Family Division 11 601 North Pecos Las Vegas, Nevada 89101 12 Via U.S. Mail and Hand Delivery 13 Honorable Judge Bryce C. Duckworth, Department Q 14 Eighth Judicial District Court - Family Division 15 601 North Pecos Las Vegas, Nevada 89101 16 Via U.S. Mail and Hand Delivery 17 Honorable Family Court Presiding Judge Gloria Sanchez, Department B 18 Eighth Judicial District Court - Family Division 19 601 North Pecos Road Las Vegas, Nevada 89101 20 Via U.S. Mail and Hand Delivery 21 AND, 22 Honorable Chief District Court Judge Jennifer P. Togliatti, Department 9 23 **Eighth Judicial District Court** 24 Regional Justice Center 200 Lewis Avenue 25 Las Vegas, Nevada 89155 26 Via U.S. Mail and Hand Delivery 27

Page 8 of 8

Lisa Myers. Appellate In Proper Person

1	CERTIFICATE OF MAILING
2	I hereby certify that on the 14th day of January, 2011, I mailed a true and correct copy
3	of NOTICE OF ENTRY OF ORDER AND ORDER via United States Mail, postage prepaid,
5	to the following:
6	Amanda M. Roberts, Esq.
7	2011 Pinto Lane, Suite 100
8	Las Vegas, Nevada 89106 Attorney for Plaintiff
9	Clerk of the Supreme Court of Nevada
10	201 South Carson Street
11	Carson City, Nevada 89701 (Courtesy Copy)
12	
13	L. myses.
14	Lisa Myers, Defendant In Proper Person
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1	file or issue any necessary writ, pleading or paper without charge.
2	IT IS FURTHER ORDERED that the Sheriff or other appropriate officer within this
3	11 15 FORTHER ORDERED that the Sherin of other appropriate officer within this
4	State shall make personal service of any necessary writ, pleading or paper without charge.
5	IT IS FURTHER ORDERED that if LISA MYERS prevails in this action, the Court
6	shall enter an Order pursuant to NRS 12.015 requiring the opposing party to pay into the court,
7	within five (5) days, the costs which would have been incurred by the prevailing party, and
9	
10	those costs must then be paid as provided by law.
11	Dated this 10 day of January, 2011.
12	DISTRICT COURT JUDGE
13	DISTRICT COURT JUDGE
14	Respectfully Submitted By:
15	Frencis.
16	LISA MYEŔS 9360 West Flamingo Road, No. 110-326
17	Las Vegas, Nevada 89147
18	(702) 401-4440 Defendant In Proper Person
19	<i>///</i>
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JRIGIN."

1	ORDR 22
2	Lisa Myers
_	9360 West Flamingo Road, No. 110-326
3	ORDR Lisa Myers 9360 West Flamingo Road, No. 110-326 Las Vegas, Nevada 89147 (702) 401-4440 Defendant In Proper Person DISTRICT COURT FAMILY DIVISION CLARK COUNTY, NEVADA
4	(702) 401-4440 Defendant In Proper Person
5	DISTRICT COURT
6	FAMILY DIVISION
6	CLARK COUNTY, NEVADA
7	
8	CALED O HACKING CACENO, 10 D 424405 D
	CALEB O. HASKINS,) CASE NO.: 10-D-434495-D) DEPT NO.: I
9	Plaintiff,
10)
11	vs.
12	LISA MYERS,)
)
13	Defendant.)
14	
15	
	ORDER TO PROCEED IN FORMA PAUPERIS
16	Upon consideration of LISA MYERS' Emergency Motion For Leave To Proceed In
17	- Fem tendence of Biolivia Biolivia Boure to 1100000 in
18	Forma Pauperis and appearing that there is not sufficient income, property, or resources with
19	which to maintain the action and good cause appearing therefore:
20	IT IC HEEDERN ODDEDED 1 . I ICA MOTEDO 1 111
21	IT IS HEREBY ORDERED that LISA MYERS shall be permitted to proceed In
22	Forma Pauperis with this action as permitted by NRS 12.015, NRAP 24(a)(1) and 28 U.S.C.
42	
23	1915.
24	
	IT IS FURTHER ORDERED that LISA MYERS shall proceed without
25	
26	prepayment of costs or fees or the necessity of giving security, and the Clerk of the Court may
27	
28	Page 1 of 2

	i	NEOJ	
	2	Lisa Myers	
	3	9360 West Flamingo Road, No. 110- Las Vegas, Nevada 89147	326
		(702) 401-4440	
	4	Defendant In Proper Person	
	5	n	ISTRICT COURT
	6		MILY DIVISION
	7	CLAR	K COUNTY, NEVADA
	8		
	9	CALEB O. HASKINS,) CASE NO.: 10-D-434495-D
	-) DEPT NO.: I
•	10	Plaintiff,)
	11	VS.)
	12	T TO A MANTEDO)
	13	LISA MYERS,)
	14	Defendant.	
	15		
	16	NOTICE	OF ENTRY OF ORDER
	17		ODDED Elad in the above entitled
		PLEASE TAKE NUTICE t	hat an ORDER was filed in the above-entitled
	18	matter on the 10th of January, 2011	L.
	19	DATED this 14 th day of Jar	mary 2011
	20	Dixino uns 14 day of Jan	ittily, 2011.
	21		
	22		LISA MYERS
	23		9360 West Flamingo Road, No. 110-326
	24		Las Vegas, Nevada 89147 (702) 401-4440
		,	Defendant In Proper Person
	25		- -
	26	<i>III</i>	
	27		
	28		Page 1 of 2

AGREEMENT BETWEEN CALEB AND LISA

Caleb O. Haskins, husband ["Caleb"] and Lisa S. Myers-Haskins, wife ["Lisa"] were married September 21, 2009. The parties have one minor child: Sydney Rose Myers-Haskins, age 3mos.

The parties have agreed to the following:

• Caleb and Lisa have agreed to a legal separation. Specifically, the parties separated (Caleb moved out of the home as of 7/3/2010) for the best interest of the family and so Caleb can go through counseling.

Further, the parties have also agreed to the following:

- Caleb and Lisa waive any right to spousal support from each other,
- Lisa will solely maintain and be solely responsible for the post office box located at 9360 West Flamingo Road, Suite 110-326, Las Vegas, Nevada 89147. Lisa will forward any of Caleb's mail to Caleb:
- Caleb will pay \$324.39 to Lisa for the following bills, specifically: SW Gas \$25.27;
 Cox Cable \$220.44 (past due/current as no payment was made for 5/2010), and, NV Energy \$78.68 (no payment made for 5/2010; May's past due and June's bill was paid 6/27/2010);
- Caleb will be solely responsible for any debt/property in his possession, control and name; any debts he incurs from this point forward will be his sole responsibility;
- Lisa will be solely responsible for any debt/property in her possession, control and name;
 any debts she incurs from this point forward will be her sole responsibility;
- Lisa will be the sole legal and physical custodian of the parties minor child and waives any right to child support from Caleb. Lisa will continue to maintain any and all financial responsibilities of the minor child, including but not limited to, medical insurance and medical bills for the minor child.
- Caleb will retain as his sole and separate property any property (tangible or intangible)
 in his name/possession and any property he purchased prior to their marriage and any
 property he purchases/acquires from this point forward; and,
- Lisa will retain as her sole and separate property any property (tangible or intangible) in her name/possession and any property she purchased prior to their marriage and any property she purchases/acquires from this point forward.

Each individual has read, understands and will comply with the above agreement.

CALEB O HASKINS

DATE

BERNSTEIN PEDIATRICS LERGY BERNSTEIN, M.D.

DEA# DIANNE CYRKIEL, A.P.N., CPNP

DEA # LIC # APN0587 2121 EAST FLAMINGO ROAD, SUITE 100 LAS VEGAS, NV 89119-5123 DEA#

(702) 796-7000

HOSKIWS ADDRESS DATE 2/10

TAMPER-RESISTANT FEATURES INCLUDE: SAFETY-BLUE ERASE-RESISTANT BACKGROUND, "ILLEGAL" PANTOGRAPH, QUANTITY CHECK-OFF BOXES AND REFILL INDICATOR

Child has moderately sorrors illness

Adv. remain 52

Refill NR 1 2 3 4 5

To ensure brand name dispensing, prescriber must handwrite "Dispense As Written" on the prescription.

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0HPE0146911





657 Town Center Drive, Las Vegas, NV 89144 www.summerlinhospital.org Hospital Info 233-7000 Medical Records 233-7581 Business Office 894-5700 Senior Advantage 233-7540 Doctor Referrals 388-4888 Job Line 369-7922

EXITCARE® PATIENT INFORMATION

Patient/Visit Information:

Discharge Date/Time: 5/7/2011 11:41:49 AM
Patient Medical Record Number: 4845456
Patient Gender: F
Patient Height:
Department: SUM PEDS / PICU
Patient Address: 9360 W FLAMINGO #110326, , LAS VEGAS, NV, 89147
Patient Email:
Diag:

Drug Summary:

Take these medications:

Status	Drug Name	Form	Strength	Dose	Frequency
NEW	Amoxicillin	Suspension for Reconstitution (Oral)	400mg/5 mL	4 ml	2 times a day
Directions	Directions/Notes:as directed - for 5 days				

Drug Allergies: None Entered

Call your doctor for medical advice about side effects.

You may report side effects to the Food and Drug Administration (FDA) at 1-800-FDA-1088, the FDA does not provide any medical advice.

1 / 1 ©2011 ExitCare, LLC 5/7/2011 11:42:02 AM

ExitCare® Patient Information - SYDNEY MYERS HASKINS - ID# 8337594 - MR# 4845 Allergy to Eggs (Influenza vaccine only)		
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(please type in the date given)		
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e only)		
nformation on the following:		
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	e only) cine(please type in the date given) "" next to reason not given)	

Signs and symptoms When to call the Doctor

Medications

Followup Appointments/Instructions:

Primary Follow-up Information

2 WEEKS: Donald W. Johns, MD - 2020 E. Desert Inn Road Las Vegas NV 89109 (702)796-5505





657 Town Center Drive, Las Vegas, NV 89144 www.summerlinhospital.org

Hospital Info233-7000Medical Records233-7581Business Office894-5700Senior Advantage233-7540Doctor Referrals388-4888Job Line369-7922

EXITCARE® PATIENT INFORMATION DISCHARGE INSTRUCTION SUMMARY

Patient/Visit Information:

Discharge Date/Time: 5/7/2011 11:41:49 AM
Patient Medical Record Number: 4845456
Patient Gender: F
Patient Height:
Department: SUM PEDS / PICU
Patient Address: 9360 W FLAMINGO #110326, , LAS VEGAS, NV, 89147
Patient Email:
Diag:

Discharge Instruction Sheets Provided:

Febrile Seizure-Brief
Flu (Influenza), Patient Info and Guidelines
Handwashing
Influenza (flu) Vaccine
Pneumococcal Vaccine
Smoking Cessation

Patient Instructions:

T delette motifications.	
Additional Notes for Febrile Seizure-E 1. Follow up with Dr. Leroy Bernstein	
2. Return to emergency room or call	
Additional Notes for Influenza (flu) Va	iccine
Vaccine Given on:	(please type in the date given
Reason if not given: (Please type an Patient does not meet criteria	"A" next to reason not given)
Previously Immunized	



1 / 2 ©2011 ExitCare, LLC 5/7/2011 11:42:02 AM

1	Additionally, Appellate reserves her right to supplement additional information for this	Appeal	
2	should it become available or necessary. Appellate will also be supplementing additional n	nedical	
	records and documentation pertaining to the subject minor and Respondent's continued parenta		
3	neglect and abuse upon her. Please note, despite the instructions noted in filing this M		
4	whereby it states "no attachments permitted", this Appellate/Petitioner previously filed a l		
	for Stay in this matter, although this Honorable Supreme initially denied due to the fact ther		
5	no attachments to the Motion. Therefore, Appellate has attached Exhibits to this Eme	rgency	
6	Motion for Injunction to avoid an delay, denial, prejudice or issue.		
7	Appellate is appearing in proper person, See <u>Haines v. Kerner</u> , 404 U.S. 519 (1972),		
8	Bellmon, 935 F. 2d 1106 (10th Cir.) (1991) and F.R.C.P. 8. Also, please find attached her	rewith,	
0	the file-stamped Order To Proceed In Forma Pauperis, Exhibit "4".		
9	Detect this 0th day of Mary 2011		
10	Dated this 9th day of May, 2011.	: 1	
11	Sue of s		
12	LISA MYERS		
13	9360 West Flamingo Road, No. 110-326		
13	Las Vegas, Nevada 89147		
14	Appellate In Proper Person		
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1 also Stone v Powell, 428 US 465, 483 n. 35, 96 Sct. 3037, 49 L. Ed. 2d 1067 (1976), whereby the following was noted, "State courts, like federal courts, have a constitutional obligation to 2 safeguard personal liberties and to uphold federal law." and 28 USCS Sec. 455, and Marshall v Jerrico Inc., 446 US 238, 242, 100 S.Ct. 1610, 64 L. Ed. 2d 182 (1980). "The neutrality 3 requirement helps to guarantee that life, liberty, or property will not be taken on the basis of an 4 erroneous or distorted conception of the facts or the law." 5 Effect on Your Appeal. If your injunction is denied, how will this affect the issues you are 6 appealing? (Your answer must be provided in the space allowed.) Should Appellate's request for an Injunction be denied, it would show this Court validate's Judge Moss' Orders and Decisions 7 which are prejudicial, bias, unethical and void and wouldn't justify Appellate's Appeal of same. 8 Harm to You. What serious harm will you experience if a stay is denied? (Your answer must be 9 provided in the space allowed.) Not only would it put the minor child in direct harm's way by allowing Respondent to have the 3 unsupervised days with her so he may continue his parental 10 neglect and abuse upon her and subject her to continual weight loss, illness, hospitalization, etc., 11 but since I am challenging the District Court - Family Division's Orders, Appellate will be highly prejudiced in both this on-going and her Supreme Court matter as referenced herein. It would 12 thereby allow the District Court - Family Division to proceed with its current Orders, to include allowing Respondent unsupervised time with the subject minor and the Court to discuss and utilize 13 all documents and information from Appellate's separate unrelated Supreme Court matter, forcing 14 Appellate be go through yet another Psychological Evaluation despite the favorable reports and prior testimony of highly qualified psychiatrists/psychologists stating she has no mental health issues 15 whatsoever, in which this Court and opposing counsel is refusing to acknowledge. 16 Harm to Others. What harm will the other side experience if the stay is granted? (Your answer 17 must be provided in the space allowed.) No harm whatsoever. Respondent has mental and physical impairments, parental neglect/abuse, conviction, extensive history of drug and alcohol 18 abuse, anger problems, domestic abuse issues and his abandonment of the minor child who has a 19 history of RSV, illnesses while in his care and custody and most recently hospitalization with seizures, undiagnosed virus and life-support as a result of Respondent's neglect. Hopefully it will 20 make him realize he needs to seek out the extensive medical and psychiatric intervention he is in need of. 21 22 Success on Appeal. Why are you likely to win this appeal? (Your answer must be provided in the space allowed.) Appellate pleads with Honorable Court that she will prevail as the facts, laws. 23 rules and the safety and severity of the subject minor's medical issues justify same. Appellate 24 believes this Honorable Supreme Court will act in the best interest and rights of the minor child.

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bias against Appellate in these matters.

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rights of the Appellate, in accordance with the laws and so as to avoid any further prejudice and

prejudice, although the Court would not allow the Peremptory Challenge or Motion to be e-filed, thereby rejecting them both. Appellate then contacted the Court and spoke with the Law Clerk for the Presiding Judge in attempt at a resolution to the above circumstances, who then in turn spoke with the assigned Department I and the Supreme Court. While the Law Clerk informed he was awaiting a response from Supreme Court legal counsel, he later informed he passed the Peremptory Challenge, and associating documents on to the assigned Department I, Department I is the same very Department in which this Appellate was challenging, thereby notifying the Department of said intent. The documents still had yet to be filed by the Court at this point, despite the fact this was a time sensitive situation. Further, Judge Moss - Department I said she would pass the Peremptory Challenge back to the Presiding Judge for decision, although Judge Moss issued an Order the very next day stating she herself made the decision to deny Appellate's Peremptory Challenge.

Importantly, Judge Moss admitted there was ex-parte communication between herself and opposing counsel, Amanda Roberts of Roberts Stoffel and therefore recused herself from this matter. Specifically and most importantly due to the severity of the health and safety of the minor child, the Order of the January 19th hearing should be deemed "void" as it was based on prejudice and illegal acts by both the Justice and opposing counsel, See Valley v. Northern Fire & Marine Ins. Co., 254 U.S. 348, 41 S. Ct. 116 (1920), Kenner v. C.I. R., 387 F. 3d 689 (1968) and 7 Moore's Federal Practice, 2d ed., p. 512, ¶60.23. Further, with regard to some of the decisions and Orders issued by Judge Moss she lacked the jurisdiction to render same, See U.S. v. Will, 449 U.S. 200, 216, 101 S. Ct. 471, 66 L. Ed. 2d 392, 406 (1980), Cohens v. Virginia, 19 U.S. (6 Wheat) 264, 404, 5 L. Ed. 257 (1821) and People v. Miller, 339 Ill. 573 (1930).

Why should this Appellate and most importantly the subject minor, a 13month old baby suffer the consequences of such? Who will be liable if the subject minor becomes ill again or something worse while in Respondent's care and custody? How does the Court or this Appellate reverse the damage that has been caused to the subject minor by Respondent? What if the subject minor was not able to breath on her own and taken off life-support while she was recently hospitalized, what if her little body gave up as a result of the damage caused by Respondent? Why isn't the Courts protecting this child or Appellate's rights as a concerned, caring mother? Should this Appellate file a Federal Complaint, keep sending the child back with Respondent, when is this situation rectified for the safety of the minor child and Appellate (her mother)? The subject minor is not fully recovered, is still recuperating on medication with close monitoring with exceptional care and nourishment from the Appellate, Her weight has increased while in Appellate's care and custody and even while she has returned home from being hospitalized.

See Doolittle v. Doolittle, 70 Nev. 163, 262 P.2d 955 (1953) relying upon Gammill v. Federal Land Bank, 129 F.2d 502, and Haley v. Eureka County Bank 22 P. 1098 (Nev. 1889). See

include drug abuse, psychiatric treatments, refusal to take his bipolar medication, etc. (as per documentation and his own testimony as previously provided) he has away from him and onto Appellate. Respondent even threatened Appellate, the subject minor and Appellate's mother while the subject minor was recently hospitalized (reports from the hospital security and police department are forthcoming and will be supplemented to this Emergency Motion justifying same).

Additional - Procedural History/Facts: This January 19th hearing was to be a 16.2 Case Management Conference, although opposing counsel filed a Motion for custody at the last minute providing Appellate a copy 5 minutes prior to this 16.2 Conference. No OST was ever signed and filed or provided to Appellate, nor did opposing counsel Amanda Roberts ever provide Appellate the Motion 3 days prior to the hearing, nor was Appellate ever given 10 days in order to properly file an Opposition/Countermotion. Despite these issues, the District Court - Family Division still allowed it to be heard and allowed Appellate's separate matter to be discussed, in depth, thereby Ordering Appellate to undergo a Psychological Evaluation. This Order for the Evaluation is based solely on the issues from the prior matter which are currently on Appeal. Interestingly to note, despite the fact Respondent has a conviction in the State of Colorado and that he has mainly resided in the Carson City area, the Court only Ordered a Scope for Clark County, Nevada.

Additionally to note, the events leading up to this hearing. The 16.2 Conference was originally noticed for November 22, 2010, although Amanda Roberts, counsel for Respondent requested it be vacated at the last minute and submitted a Stipulation and Order. This hearing was then vacated and the new hearing was to be noticed to both counsels by the Department, although a notice was never filed and the on-line system evidenced the conference as being "off calendar". During his time, Appellate's now former counsel, Preston P. Rezaee, Esq. filed a Motion to Withdraw as counsel of record, which was currently on calendar for January 10, 2011, although the hearing was recently vacated as an Order granting his Motion to Withdraw was signed and filed December 23, 2010, without a hearing or a filed Request for Entry of Order. Mr. Rezaee never filed Appellate's 16.2 Financial Disclosure Form signed on August 15, 2010 and provided to his office, and never filed other documents while he was still counsel for Appellate. Appellate did receive a responsive email January 3, 2011, by Mr. Rezaee's secretary notifying Appellate of the new hearing date for the 16.2 Conference (which was now scheduled for the following Monday. January 10, 2011), the time of this hearing was not known. Therefore, Appellate contacted the Law Clerk who notified Appellate of the hearing time of 10:30 a.m. In sum, Appellate was never properly noticed of the new hearing date and time,

Appellate then attempted to file an Emergency Motion to Proceed in Forma Pauperis, Affidavit and most importantly a Peremptory Challenge, although the District Court Clerk's office declined to file these documents and referred Appellate to file all with the Nevada Supreme Court. In speaking with the Clerk and Supervisor of the Supreme Court, it was determined that these documents were infact to be filed with the District Court Clerk's office. The District Court Clerk still declined to file such documents for Appellate. Therefore, Appellate attempted to e-file all to ensure no further

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(Appellate) was contacted and insurance (Appellate's) was shown. Therefore, Respondent is attempting to conceal his parental neglect/abuse and the subject minor's consequential and life-threatening illnesses by failing to contact this Appellate and failing to notify her pediatrician up until now as he was questioned by the facility he previously attempted to utilize on his own so there would be no record or knowledge of the subject minor's illness or his parental neglect/abuse of her.

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Statement of Facts. Briefly explain the facts related to your request for an injunction. (Your answer must be provided in the space allowed.) The Order from the 1/19/2011 hearing, whereby Respondent was awarded three full unsupervised days with the parties minor child, Sydney Rose Myers-Haskins (age 13mos. old) despite the evidence of his parental neglect/abuse, mental and physical impairments, conviction, extensive history of drug and alcohol abuse, anger problems, domestic abuse issues and his abandonment of the minor child who has a history of RSV and now of being hospitalized with seizures on life-support. The subject minor has had URL Gastrointestinal Virus, Vomiting, Diarrhea, Strep (Nasal - rare), Seizures, Fever, been on life-support, oxygen, testing, CAT scan, Lumbar Puncture, EEG, continuous weight loss, sleep deprivation, bruising, reaction to smoke inhalation, etc., since Respondent began having contact with the subject minor as of January 19, 2011. See Exhibit "2", medical note from Dr. Leroy Bernstein, whereby he noted that the subject minor is to remain in the custody of Appellate (mother) due to an illness contracted while under the care and custody of Respondent she had to treat and be medicated for. If the unsupervised contact with Respondent continues, the subject minor will continue to be ill in his care and custody due to his parental neglect. The subject minor, Sydney Rose was on life-support and was hospitalized, how much more must she endure to this "void" and prejudicial Order of Judge Moss before this Honorable Supreme Court interferes and supercedes this Order? Moreover, Respondent previously signed a Joint Agreement giving Appellate Sole Physical and Sole Legal Custody of the parties minor child waiving any visitation. Respondent also waived any visitation and refused a drug test at the prior TPO hearing, as well. Judge Moss refused to acknowledge this legal contractual agreement between the parties to no avail, See Exhibit "3", attached herewith, the legal agreement signed by Respondent.

Additionally, as a result of Judge Moss' acceptance of opposing counsel's Motion and her decisions/orders rendered as a result, the Court Ordered this Appellate to undergo a psychological evaluation based on a completely unrelated matter which is on Appeal (reference Supreme Court Case No. 56426) and specifically a 2003 report by an unqualified individual (per the State Psychological Board) and despite the acceptance of expert testimony and reports rebutting same. The Court not only forced Appellate to discuss in detail this completely unrelated matter which is on Appeal, but placed her in the position of defending herself in this matter. As a further result and despite the Behavioral Order, Respondent has slandered Appellate by calling her a psychopath, crazy, sicko and has continued to slander her at the downtown police station, at medical facilities, at the Court, to others, to her personally and her family, etc. in attempt to harass, threaten, defame her character and redirect the severity of his own personal mental and physical impairments, to

Judgment or Order You Are Appealing. Specify the judgment or order that you are appealing from and the date that the judgment or order was filed in the district court.

Filed Date	Name of Judgment or Order
4/25/2011	NEOJ (regarding custody, etc.) as a result of opposing counsel's illegal Motion heard January 19, 2011
1/11/2011	Minute Order of Judge Moss (Dept. never drafted formal Order or NEOJ of same until late April and after letter from the Judge requesting she do same or an OSC will be filed against her)

Notice of Appeal. Specify the date you filed your notice of appeal in the district court: April 28, 2011 for the NEOJ of the 4/25/2011, February 23, 2011 for the Minute Order of 1/11/11, and April 6, 2011 a Petition for Writ of Mandamus and Prohibition was filed.

Order relative to Injunction requested (Under Rule 8). An injunction is a judicial remedy awarded to restrain a particular activity, preventative measure to guard against future injuries. An Emergency Injunction is requested, whereby this Appellate is specifically requesting Respondent be prohibited from having any and all unsupervised time with the subject minor, to wit: Sydney Rose Myers-Haskins (age 13months old) as she was just discharged from the hospital due to Respondent's parental neglect (Sydney began seizing for 20mins, stop breathing, was on lifesupport, has an undiagnosed virus, was administered numerous tests and procedures, medicated and was hospitalized from Wednesday, May 4th through Saturday, May 7th), See Exhibit "1", hospital records, attached herewith, To note, the hospital contacted CPS as the subject minor has continuously lost weight while in Respondent's care and custody due to his parental neglect, i.e., his failure to feed and nourish her, etc. The subject minor has been returned to Respondent with dark marks around her eyes, bruising, malnourished, etc. Further, an injunction is request prohibiting Respondent from placing the subject minor at or utilizing in any way whatsoever the allegedly unlicensed daycare facility where Respondent's co-worker Jeff's wife "Crystal" owns, operates, etc. as they illegally administered medication to the subject minor and as Respondent perjured himself in Court stating the subject minor would be with and only with his grandmother's distant relative, namely "Jill Hooker" at 4033 Gaster Ave., NLV, NV 89081, whom he allegedly temporarily resides with and mandate Respondent to provide the full name and address of the daycare facility, to include "Crystal's" full name and address and phone number and the dates and times he has utilized her services. An injunction is requested prohibiting Respondent from administering any medication to the subject minor if she is not ill and without the consent of her pediatrician Dr. Leroy Bernstein or a medical physician at a hospital as he has given the subject minor medication to make her sleep and to calm her down, despite an illness or any contact with her pediatrician whatsoever (as documented), and further prohibiting Respondent from taking the subject minor to any other facility other than hospital for an emergency or her pediatrician, Dr. Leroy Bernstein as he has taken the subject minor to a facility(ies) for medical care for other virus/illness(es) contracted while under his care and custody without my knowledge and where he was going to pay cash for, although the facility refused to treat unless the subject minor's mother

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ORIGINAL

IN THE SUPREME COURT OF THE STATE OF NEVADA

LISA MYERS,

Appellate,

Supreme Court Case No. 57621 (associated cases 57825 and 57621)

FILED

District Court Case No. 00-D-434495

VS.

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CALEB O. HASKINS,

TRACIE K. LINDEMAN K OF SUPREME COURT

JUN 09 2011

RECEIVED/ENTERE

Respondent.

DEPUTY CLERK

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EMERGENCY MOTION FOR INJUNCTION UNDER NRAP 8 AND UNDER NRAP 27(e) PENDING DECISION ON APPEALS AND PENDING DECISION ON PETITION FOR WRIT OF MANDAMUS AND PROHIBITION

(by no later than Thursday, May 12, 2011 due to health and safety of subject minor (a 13month old baby), oral argument is respectfully requested if not granted or if not granted by the date requested)

INSTRUCTIONS: Write only in the space allowed on the form. Additional pages and attachments are not permitted. The Nevada Supreme Court prefers short and direct statements. Citation to legal authority or the district court record is not required but would be helpful to the Court.

Any form you file with the Nevada Supreme Court must be mailed or delivered to all other parties to this appeal or to the parties' attorneys.

You may file your forms in person or by mail. You must file the original and copies with the Clerk of the Nevada Supreme Court. If you want the clerk to return a file-stamped copy of your form, you must submit the original and copies and include a self-addressed, stamped envelope. Documents cannot be faxed or e-mailed to the Clerk's Office.

This form must be filed with the Clerk of the Nevada Supreme Court at the following address:

Clerk of the Court Supreme Court of Nevada 201 South Carson Street Carson City, Nevada 89701 Telephone: (775) 684-1600 or (702) 486-9300

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Page 1 of 8

Judgment or Order You Are Appealing. Specify the judgment or order that you are appealing from and the date that the judgment or order was filed in the district court.

Filed Date	Name of Judgment or Order
4/25/2011	NEOJ (regarding custody, etc.) as a result of opposing counsel's illegal Motion heard January 19, 2011
1/11/2011	Minute Order of Judge Moss (Dept. never drafted formal Order or NEOJ of same until late April and after letter from the Judge requesting she do same or an OSC will be filed against her)

Notice of Appeal. Specify the date you filed your notice of appeal in the district court: April 28, 2011 for the NEOJ of the 4/25/2011, February 23, 2011 for the Minute Order of 1/11/11, and April 6, 2011 a Petition for Writ of Mandamus and Prohibition was filed.

Order relative to Injunction requested (Under Rule 8). An injunction is a judicial remedy awarded to restrain a particular activity, preventative measure to guard against future injuries. An Emergency Injunction is requested, whereby this Appellate is specifically requesting Respondent be prohibited from having any and all unsupervised time with the subject minor, to wit: Sydney Rose Myers-Haskins (age 13months old) as she was just discharged from the hospital due to Respondent's parental neglect (Sydney began seizing for 20mins, stop breathing, was on lifesupport, has an undiagnosed virus, was administered numerous tests and procedures, medicated and was hospitalized from Wednesday, May 4th through Saturday, May 7th), See Exhibit "1", hospital records, attached herewith, To note, the hospital contacted CPS as the subject minor has continuously lost weight while in Respondent's care and custody due to his parental neglect, i.e., his failure to feed and nourish her, etc. The subject minor has been returned to Respondent with dark marks around her eyes, bruising, malnourished, etc. Further, an injunction is request prohibiting Respondent from placing the subject minor at or utilizing in any way whatsoever the allegedly unlicensed daycare facility where Respondent's co-worker Jeff's wife "Crystal" owns, operates, etc. as they illegally administered medication to the subject minor and as Respondent perjured himself in Court stating the subject minor would be with and only with his grandmother's distant relative, namely "Jill Hooker" at 4033 Gaster Ave., NLV, NV 89081, whom he allegedly temporarily resides with and mandate Respondent to provide the full name and address of the daycare facility, to include "Crystal's" full name and address and phone number and the dates and times he has utilized her services. An injunction is requested prohibiting Respondent from administering any medication to the subject minor if she is not ill and without the consent of her pediatrician Dr. Leroy Bernstein or a medical physician at a hospital as he has given the subject minor medication to make her sleep and to calm her down, despite an illness or any contact with her pediatrician whatsoever (as documented), and further prohibiting Respondent from taking the subject minor to any other facility other than hospital for an emergency or her pediatrician, Dr. Leroy Bernstein as he has taken the subject minor to a facility(ies) for medical care for other virus/illness(es) contracted while under his care and custody without my knowledge and where he was going to pay cash for, although the facility refused to treat unless the subject minor's mother

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(Appellate) was contacted and insurance (Appellate's) was shown. Therefore, Respondent is attempting to conceal his parental neglect/abuse and the subject minor's consequential and life-threatening illnesses by failing to contact this Appellate and failing to notify her pediatrician up until now as he was questioned by the facility he previously attempted to utilize on his own so there would be no record or knowledge of the subject minor's illness or his parental neglect/abuse of her.

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Statement of Facts. Briefly explain the facts related to your request for an injunction. (Your answer must be provided in the space allowed.) The Order from the 1/19/2011 hearing, whereby Respondent was awarded three full unsupervised days with the parties minor child, Sydney Rose Myers-Haskins (age 13mos. old) despite the evidence of his parental neglect/abuse, mental and physical impairments, conviction, extensive history of drug and alcohol abuse, anger problems, domestic abuse issues and his abandonment of the minor child who has a history of RSV and now of being hospitalized with seizures on life-support. The subject minor has had URL Gastrointestinal Virus, Vomiting, Diarrhea, Strep (Nasal - rare), Seizures, Fever, been on life-support, oxygen, testing, CAT scan, Lumbar Puncture, EEG, continuous weight loss, sleep deprivation, bruising, reaction to smoke inhalation, etc., since Respondent began having contact with the subject minor as of January 19, 2011. See Exhibit "2", medical note from Dr. Leroy Bernstein, whereby he noted that the subject minor is to remain in the custody of Appellate (mother) due to an illness contracted while under the care and custody of Respondent she had to treat and be medicated for. If the unsupervised contact with Respondent continues, the subject minor will continue to be ill in his care and custody due to his parental neglect. The subject minor, Sydney Rose was on life-support and was hospitalized, how much more must she endure to this "void" and prejudicial Order of Judge Moss before this Honorable Supreme Court interferes and supercedes this Order? Moreover, Respondent previously signed a Joint Agreement giving Appellate Sole Physical and Sole Legal Custody of the parties minor child waiving any visitation. Respondent also waived any visitation and refused a drug test at the prior TPO hearing, as well. Judge Moss refused to acknowledge this legal contractual agreement between the parties to no avail, See Exhibit "3", attached herewith, the legal agreement signed by Respondent.

Additionally, as a result of Judge Moss' acceptance of opposing counsel's Motion and her decisions/orders rendered as a result, the Court Ordered this Appellate to undergo a psychological evaluation based on a completely unrelated matter which is on Appeal (reference Supreme Court Case No. 56426) and specifically a 2003 report by an unqualified individual (per the State Psychological Board) and despite the acceptance of expert testimony and reports rebutting same. The Court not only forced Appellate to discuss in detail this completely unrelated matter which is on Appeal, but placed her in the position of defending herself in this matter. As a further result and despite the Behavioral Order, Respondent has slandered Appellate by calling her a psychopath, crazy, sicko and has continued to slander her at the downtown police station, at medical facilities, at the Court, to others, to her personally and her family, etc. in attempt to harass, threaten, defame her character and redirect the severity of his own personal mental and physical impairments, to

include drug abuse, psychiatric treatments, refusal to take his bipolar medication, etc. (as per documentation and his own testimony as previously provided) he has away from him and onto Appellate. Respondent even threatened Appellate, the subject minor and Appellate's mother while the subject minor was recently hospitalized (reports from the hospital security and police department are forthcoming and will be supplemented to this Emergency Motion justifying same).

Additional - Procedural History/Facts: This January 19th hearing was to be a 16.2 Case Management Conference, although opposing counsel filed a Motion for custody at the last minute providing Appellate a copy 5 minutes prior to this 16.2 Conference. No OST was ever signed and filed or provided to Appellate, nor did opposing counsel Amanda Roberts ever provide Appellate the Motion 3 days prior to the hearing, nor was Appellate ever given 10 days in order to properly file an Opposition/Countermotion. Despite these issues, the District Court - Family Division still allowed it to be heard and allowed Appellate's separate matter to be discussed, in depth, thereby Ordering Appellate to undergo a Psychological Evaluation. This Order for the Evaluation is based solely on the issues from the prior matter which are currently on Appeal. Interestingly to note, despite the fact Respondent has a conviction in the State of Colorado and that he has mainly resided in the Carson City area, the Court only Ordered a Scope for Clark County, Nevada.

Additionally to note, the events leading up to this hearing. The 16.2 Conference was originally noticed for November 22, 2010, although Amanda Roberts, counsel for Respondent requested it be vacated at the last minute and submitted a Stipulation and Order. This hearing was then vacated and the new hearing was to be noticed to both counsels by the Department, although a notice was never filed and the on-line system evidenced the conference as being "off calendar". During his time, Appellate's now former counsel, Preston P. Rezaee, Esq. filed a Motion to Withdraw as counsel of record, which was currently on calendar for January 10, 2011, although the hearing was recently vacated as an Order granting his Motion to Withdraw was signed and filed December 23, 2010, without a hearing or a filed Request for Entry of Order. Mr. Rezaee never filed Appellate's 16.2 Financial Disclosure Form signed on August 15, 2010 and provided to his office, and never filed other documents while he was still counsel for Appellate. Appellate did receive a responsive email January 3, 2011, by Mr. Rezaee's secretary notifying Appellate of the new hearing date for the 16.2 Conference (which was now scheduled for the following Monday. January 10, 2011), the time of this hearing was not known. Therefore, Appellate contacted the Law Clerk who notified Appellate of the hearing time of 10:30 a.m. In sum, Appellate was never properly noticed of the new hearing date and time,

Appellate then attempted to file an Emergency Motion to Proceed in Forma Pauperis, Affidavit and most importantly a Peremptory Challenge, although the District Court Clerk's office declined to file these documents and referred Appellate to file all with the Nevada Supreme Court. In speaking with the Clerk and Supervisor of the Supreme Court, it was determined that these documents were infact to be filed with the District Court Clerk's office. The District Court Clerk still declined to file such documents for Appellate. Therefore, Appellate attempted to e-file all to ensure no further

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prejudice, although the Court would not allow the Peremptory Challenge or Motion to be e-filed, thereby rejecting them both. Appellate then contacted the Court and spoke with the Law Clerk for the Presiding Judge in attempt at a resolution to the above circumstances, who then in turn spoke with the assigned Department I and the Supreme Court. While the Law Clerk informed he was awaiting a response from Supreme Court legal counsel, he later informed he passed the Peremptory Challenge, and associating documents on to the assigned Department I, Department I is the same very Department in which this Appellate was challenging, thereby notifying the Department of said intent. The documents still had yet to be filed by the Court at this point, despite the fact this was a time sensitive situation. Further, Judge Moss - Department I said she would pass the Peremptory Challenge back to the Presiding Judge for decision, although Judge Moss issued an Order the very next day stating she herself made the decision to deny Appellate's Peremptory Challenge.

Importantly, Judge Moss admitted there was ex-parte communication between herself and opposing counsel, Amanda Roberts of Roberts Stoffel and therefore recused herself from this matter. Specifically and most importantly due to the severity of the health and safety of the minor child, the Order of the January 19th hearing should be deemed "void" as it was based on prejudice and illegal acts by both the Justice and opposing counsel, See Valley v. Northern Fire & Marine Ins. Co., 254 U.S. 348, 41 S. Ct. 116 (1920), Kenner v. C.I. R., 387 F. 3d 689 (1968) and 7 Moore's Federal Practice, 2d ed., p. 512, ¶60.23. Further, with regard to some of the decisions and Orders issued by Judge Moss she lacked the jurisdiction to render same, See U.S. v. Will, 449 U.S. 200, 216, 101 S. Ct. 471, 66 L. Ed. 2d 392, 406 (1980), Cohens v. Virginia, 19 U.S. (6 Wheat) 264, 404, 5 L. Ed. 257 (1821) and People v. Miller, 339 Ill. 573 (1930).

Why should this Appellate and most importantly the subject minor, a 13month old baby suffer the consequences of such? Who will be liable if the subject minor becomes ill again or something worse while in Respondent's care and custody? How does the Court or this Appellate reverse the damage that has been caused to the subject minor by Respondent? What if the subject minor was not able to breath on her own and taken off life-support while she was recently hospitalized, what if her little body gave up as a result of the damage caused by Respondent? Why isn't the Courts protecting this child or Appellate's rights as a concerned, caring mother? Should this Appellate file a Federal Complaint, keep sending the child back with Respondent, when is this situation rectified for the safety of the minor child and Appellate (her mother)? The subject minor is not fully recovered, is still recuperating on medication with close monitoring with exceptional care and nourishment from the Appellate, Her weight has increased while in Appellate's care and custody and even while she has returned home from being hospitalized.

See Doolittle v. Doolittle, 70 Nev. 163, 262 P.2d 955 (1953) relying upon Gammill v. Federal Land Bank, 129 F.2d 502, and Haley v. Eureka County Bank 22 P. 1098 (Nev. 1889). See

1 also Stone v Powell, 428 US 465, 483 n. 35, 96 Sct. 3037, 49 L. Ed. 2d 1067 (1976), whereby the following was noted, "State courts, like federal courts, have a constitutional obligation to 2 safeguard personal liberties and to uphold federal law." and 28 USCS Sec. 455, and Marshall v Jerrico Inc., 446 US 238, 242, 100 S.Ct. 1610, 64 L. Ed. 2d 182 (1980). "The neutrality 3 requirement helps to guarantee that life, liberty, or property will not be taken on the basis of an 4 erroneous or distorted conception of the facts or the law." 5 Effect on Your Appeal. If your injunction is denied, how will this affect the issues you are 6 appealing? (Your answer must be provided in the space allowed.) Should Appellate's request for an Injunction be denied, it would show this Court validate's Judge Moss' Orders and Decisions 7 which are prejudicial, bias, unethical and void and wouldn't justify Appellate's Appeal of same. 8 Harm to You. What serious harm will you experience if a stay is denied? (Your answer must be 9 provided in the space allowed.) Not only would it put the minor child in direct harm's way by allowing Respondent to have the 3 unsupervised days with her so he may continue his parental 10 neglect and abuse upon her and subject her to continual weight loss, illness, hospitalization, etc., 11 but since I am challenging the District Court - Family Division's Orders, Appellate will be highly prejudiced in both this on-going and her Supreme Court matter as referenced herein. It would 12 thereby allow the District Court - Family Division to proceed with its current Orders, to include allowing Respondent unsupervised time with the subject minor and the Court to discuss and utilize 13 all documents and information from Appellate's separate unrelated Supreme Court matter, forcing 14 Appellate be go through yet another Psychological Evaluation despite the favorable reports and prior testimony of highly qualified psychiatrists/psychologists stating she has no mental health issues 15 whatsoever, in which this Court and opposing counsel is refusing to acknowledge. 16 Harm to Others. What harm will the other side experience if the stay is granted? (Your answer 17 must be provided in the space allowed.) No harm whatsoever. Respondent has mental and physical impairments, parental neglect/abuse, conviction, extensive history of drug and alcohol 18 abuse, anger problems, domestic abuse issues and his abandonment of the minor child who has a 19 history of RSV, illnesses while in his care and custody and most recently hospitalization with seizures, undiagnosed virus and life-support as a result of Respondent's neglect. Hopefully it will 20 make him realize he needs to seek out the extensive medical and psychiatric intervention he is in need of. 21 22 Success on Appeal. Why are you likely to win this appeal? (Your answer must be provided in the space allowed.) Appellate pleads with Honorable Court that she will prevail as the facts, laws. 23 rules and the safety and severity of the subject minor's medical issues justify same. Appellate 24 believes this Honorable Supreme Court will act in the best interest and rights of the minor child.

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bias against Appellate in these matters.

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rights of the Appellate, in accordance with the laws and so as to avoid any further prejudice and

1	Additionally, Appellate reserves her right to supplement additional information for this	s Appeal				
2	should it become available or necessary. Appellate will also be supplementing additional	medical				
records and documentation pertaining to the subject minor and Respondent's continued par						
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whereby it states "no attachments permitted", this Appellate/Petitioner previously filed a N						
	for Stay in this matter, although this Honorable Supreme initially denied due to the fact there v					
5	no attachments to the Motion. Therefore, Appellate has attached Exhibits to this Emergency					
6	Motion for Injunction to avoid an delay, denial, prejudice or issue.					
7	Appellate is appearing in proper person, See Haines v. Kerner, 404 U.S. 519 (1972)					
8	Bellmon, 935 F. 2d 1106 (10th Cir.) (1991) and F.R.C.P. 8. Also, please find attached herewise					
0	the file-stamped Order To Proceed In Forma Pauperis, Exhibit "4".					
9	Detect this 0th days of Many 2011					
10	Dated this 9th day of May, 2011.	: <u>\$</u>				
11	Sue of s					
12	LISA MYERS					
13	9360 West Flamingo Road, No. 110-326					
13	Las Vegas, Nevada 89147					
14	Appellate In Proper Person					
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657 Town Center Drive, Las Vegas, NV 89144 www.summerlinhospital.org

Hospital Info233-7000Medical Records233-7581Business Office894-5700Senior Advantage233-7540Doctor Referrals388-4888Job Line369-7922

EXITCARE® PATIENT INFORMATION DISCHARGE INSTRUCTION SUMMARY

Patient/Visit Information:

Discharge Date/Time: 5/7/2011 11:41:49 AM		
Patient Medical Record Number: 4845456		
Patient Gender: F		
Patient Height:		
Department: SUM PEDS / PICU		
Patient Address: 9360 W FLAMINGO #110326, , LAS VEGAS, NV, 89147		
Patient Email:		
Diag:		

Discharge Instruction Sheets Provided:

Febrile Seizure-Brief
Flu (Influenza), Patient Info and Guidelines
Handwashing
Influenza (flu) Vaccine
Pneumococcal Vaccine
Smoking Cessation

Patient Instructions:

T delette motifications.			
Additional Notes for Febrile Seizure-E 1. Follow up with Dr. Leroy Bernstein			
2. Return to emergency room or call			
Additional Notes for Influenza (flu) Va	iccine		
Vaccine Given on:	(please type in the date given		
Reason if not given: (Please type an Patient does not meet criteria	"A" next to reason not given)		
Previously Immunized			



1 / 2 ©2011 ExitCare, LLC 5/7/2011 11:42:02 AM

ExitCare® Patient Information - SYDNEY MYERS HASKINS - ID# 8337594 - MR# 4845456 Allergy to Eggs (Influenza vaccine only)						
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(please type in the date given)						
" next to reason not given)						
e only)						
formation on the following:						
	eine(please type in the date given) "next to reason not given)					

Signs and symptoms When to call the Doctor

Medications

Followup Appointments/Instructions:

Primary Follow-up Information

2 WEEKS: Donald W. Johns, MD - 2020 E. Desert Inn Road Las Vegas NV 89109 (702)796-5505





657 Town Center Drive, Las Vegas, NV 89144 www.summerlinhospital.org Hospital Info 233-7000 Medical Records 233-7581 Business Office 894-5700 Senior Advantage 233-7540 Doctor Referrals 388-4888 Job Line 369-7922

EXITCARE® PATIENT INFORMATION

Patient/Visit Information:

Discharge Date/Time: 5/7/2011 11:41:49 AM		
Patient Medical Record Number: 4845456		
Patient Gender: F		
Patient Height:		
Department: SUM PEDS / PICU		
Patient Address: 9360 W FLAMINGO #110326, , LAS VEGAS, NV, 89147		
Patient Email:		
Diag:		

Drug Summary:

Take these medications:

Status	Drug Name	Form	Strength	Dose	Frequency			
NEW	Amoxicillin	Suspension for Reconstitution (Oral)	400mg/5 mL	4 ml	2 times a day			
Directions/Notes:as directed - for 5 days								

Drug Allergies: None Entered

Call your doctor for medical advice about side effects.

You may report side effects to the Food and Drug Administration (FDA) at 1-800-FDA-1088, the FDA does not provide any medical advice.

1 / 1 ©2011 ExitCare, LLC 5/7/2011 11:42:02 AM

BERNSTEIN PEDIATRICS LERGY BERNSTEIN, M.D.

DEA# DIANNE CYRKIEL, A.P.N., CPNP

DEA # LIC # APN0587 2121 EAST FLAMINGO ROAD, SUITE 100 LAS VEGAS, NV 89119-5123 DEA#

(702) 796-7000

HOSKIWS ADDRESS DATE 2/10

TAMPER-RESISTANT FEATURES INCLUDE: SAFETY-BLUE ERASE-RESISTANT BACKGROUND, "ILLEGAL" PANTOGRAPH, QUANTITY CHECK-OFF BOXES AND REFILL INDICATOR

Child has moderately sorrors illness

Adv. remain 52

Refill NR 1 2 3 4 5

To ensure brand name dispensing, prescriber must handwrite "Dispense As Written" on the prescription.

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0HPE0146911

AGREEMENT BETWEEN CALEB AND LISA

Caleb O. Haskins, husband ["Caleb"] and Lisa S. Myers-Haskins, wife ["Lisa"] were married September 21, 2009. The parties have one minor child: Sydney Rose Myers-Haskins, age 3mos.

The parties have agreed to the following:

• Caleb and Lisa have agreed to a legal separation. Specifically, the parties separated (Caleb moved out of the home as of 7/3/2010) for the best interest of the family and so Caleb can go through counseling.

Further, the parties have also agreed to the following:

- Caleb and Lisa waive any right to spousal support from each other,
- Lisa will solely maintain and be solely responsible for the post office box located at 9360 West Flamingo Road, Suite 110-326, Las Vegas, Nevada 89147. Lisa will forward any of Caleb's mail to Caleb:
- Caleb will pay \$324.39 to Lisa for the following bills, specifically: SW Gas \$25.27;
 Cox Cable \$220.44 (past due/current as no payment was made for 5/2010), and, NV Energy \$78.68 (no payment made for 5/2010; May's past due and June's bill was paid 6/27/2010);
- Caleb will be solely responsible for any debt/property in his possession, control and name; any debts he incurs from this point forward will be his sole responsibility;
- Lisa will be solely responsible for any debt/property in her possession, control and name;
 any debts she incurs from this point forward will be her sole responsibility;
- Lisa will be the sole legal and physical custodian of the parties minor child and waives any right to child support from Caleb. Lisa will continue to maintain any and all financial responsibilities of the minor child, including but not limited to, medical insurance and medical bills for the minor child.
- Caleb will retain as his sole and separate property any property (tangible or intangible)
 in his name/possession and any property he purchased prior to their marriage and any
 property he purchases/acquires from this point forward; and,
- Lisa will retain as her sole and separate property any property (tangible or intangible) in her name/possession and any property she purchased prior to their marriage and any property she purchases/acquires from this point forward.

Each individual has read, understands and will comply with the above agreement.

CALEB O HASKINS

DATE

	i	NEOJ	
	2	Lisa Myers	
	3	9360 West Flamingo Road, No. 110-3 Las Vegas, Nevada 89147	26
		(702) 401-4440	
	4	Defendant In Proper Person	
	5	DIS	STRICT COURT
	6		MILY DIVISION
	7	CLARK	COUNTY, NEVADA
	8		
	9	CALEB O. HASKINS,) CASE NO.: 10-D-434495-D
4	-) DEPT NO.: I
•	10	Plaintiff,)
	11	vs.)
	12	T TO A BASSEED O)
	13	LISA MYERS,)
	14	Defendant.	ý
	15		
	16	NOTICE O	OF ENTRY OF ORDER
		DI DAGD MAYON AGORGO A	OPPER CI 1: (1 l
	17	PLEASE TAKE NOTICE th	at an ORDER was filed in the above-entitled
	18	matter on the 10th of January, 2011.	
	19	DATED this 14th day of Janu	2011
*	20	DATED IIIS 14 day 01 Jan	aary, 2011.
	21		
	22		LISA MYERS
	23		9360 West Flamingo Road, No. 110-326
	24		Las Vegas, Nevada 89147
			(702) 401-4440 Defendant In Proper Person
	25		
	26	/// · · · · · · · · · · · · · · · · · ·	
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JRIGIN."

1	ORDR 24
2	Lisa Myers
_	9360 West Flamingo Road, No. 110-326
3	ORDR Lisa Myers 9360 West Flamingo Road, No. 110-326 Las Vegas, Nevada 89147 (702) 401-4440 Defendant In Proper Person DISTRICT COURT FAMILY DIVISION CLARK COUNTY, NEVADA
4	(702) 401-4440 Defendant In Proper Person
5	DISTRICT COURT
6	FAMILY DIVISION
6	CLARK COUNTY, NEVADA
7	
8	CALED O HACKING CACENO 10 D 424405 D
	CALEB O. HASKINS,) CASE NO.: 10-D-434495-D) DEPT NO.: I
9	Plaintiff,
10	
11	vs.
12	LISA MYERS,
)
13	Defendant.)
14	
15	ODDED TO BROCKED IN ECDMA DATIDEDIC
16	ORDER TO PROCEED IN FORMA PAUPERIS
16	Upon consideration of LISA MYERS' Emergency Motion For Leave To Proceed In
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18	Forma Pauperis and appearing that there is not sufficient income, property, or resources with
19	which to maintain the action and good cause appearing therefore:
	which to maintain the action and good eause appearing therefore.
20	IT IS HEREBY ORDERED that LISA MYERS shall be permitted to proceed In
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22	Forma Pauperis with this action as permitted by NRS 12.015, NRAP 24(a)(1) and 28 U.S.C.
23	1915.
24	IT IS ENDERHED ODDEDOOD A ANGAD SEED A 19 11 12 12
25	IT IS FURTHER ORDERED that LISA MYERS shall proceed without
	prepayment of costs or fees or the necessity of giving security, and the Clerk of the Court may
26	propagation of the necessity of giving security, and the close of the Court may
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28	Page 1 of 2
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1	file or issue any necessary writ, pleading or paper without charge.
2	IT IS FURTHER ORDERED that the Sheriff or other appropriate officer within this
3	11 15 FORTHER ORDERED that the Sherin of other appropriate officer within this
4	State shall make personal service of any necessary writ, pleading or paper without charge.
5	IT IS FURTHER ORDERED that if LISA MYERS prevails in this action, the Court
6	shall enter an Order pursuant to NRS 12.015 requiring the opposing party to pay into the court,
7	shall office an Office pursuant to 1403 12.013 requiring the opposing party to pay into the obsert,
8	within five (5) days, the costs which would have been incurred by the prevailing party, and
9	those costs must then be paid as provided by law.
10	Dated this 10 day of January, 2011.
11	III IR W
12	DISTRICT COURT JUDGE
13	
14	Respectfully Submitted By:
15	LISA MYERS
16	9360 West Flamingo Road, No. 110-326
17	Las Vegas, Nevada 89147 (702) 401-4440
18	Defendant In Proper Person
19	///
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1	CERTIFICATE OF MAILING
2	I hereby certify that on the 14th day of January, 2011, I mailed a true and correct copy
3	of NOTICE OF ENTRY OF ORDER AND ORDER via United States Mail, postage prepaid,
5	to the following:
6	Amanda M. Roberts, Esq.
7	2011 Pinto Lane, Suite 100
8	Las Vegas, Nevada 89106 Attorney for Plaintiff
9	Clerk of the Supreme Court of Nevada
10	201 South Carson Street
11	Carson City, Nevada 89701 (Courtesy Copy)
12	
13	L. myses.
14	Lisa Myers, Defendant In Proper Person
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CERTIFICATE OF MAILING 2 I hereby certify that on the day of May, 2011, I mailed a true and correct copy of 3 the **EMERGENCY MOTION FOR INJUNCTION UNDER NRAP 8 AND UNDER** NRAP 27(e) PENDING DECISION ON APPEALS AND PENDING DECISION ON 4 PETITION FOR WRIT OF MANDAMUS AND PROHIBITION via United States Mail, postage prepaid, to the following: 5 6 Amanda M. Roberts 2011 Pinto Lane, Suite 100 7 Las Vegas, Nevada 89106 8 Attorney for Plaintiff/Respondent although no formal Notice of Appearance by Ms. Roberts has been filed on behalf of Respondent 9 10 Honorable Judge Cheryl B. Moss, Department I Eighth Judicial District Court - Family Division 11 601 North Pecos Las Vegas, Nevada 89101 12 Via U.S. Mail and Hand Delivery 13 Honorable Judge Bryce C. Duckworth, Department Q 14 Eighth Judicial District Court - Family Division 15 601 North Pecos Las Vegas, Nevada 89101 16 Via U.S. Mail and Hand Delivery 17 Honorable Family Court Presiding Judge Gloria Sanchez, Department B 18 Eighth Judicial District Court - Family Division 19 601 North Pecos Road Las Vegas, Nevada 89101 20 Via U.S. Mail and Hand Delivery 21 AND, 22 Honorable Chief District Court Judge Jennifer P. Togliatti, Department 9 23 **Eighth Judicial District Court** 24 Regional Justice Center 200 Lewis Avenue 25 Las Vegas, Nevada 89155 26 Via U.S. Mail and Hand Delivery 27

Page 8 of 8

Lisa Myers. Appellate In Proper Person

ORIGINAL.

IN THE SUPREME COURT OF THE STATE OF NEVADA

LICANOVEDO) Supreme Court Case No. 5762/
LISA MYERS,) Supreme Court Case No. 3/08/
) (associated cases 57825 and 57621)
Appellate,)
F) District Court Case No. 00-D-434495
vs.) ppopre
	DUPLEH REBSON
CALEB O. HASKINS,	BROBER RERSON RECEIVED/ENTERED
Respondent.) MAY 12 2011
3	CLESTAGE K LINDEMAN
	CLERK OF SUPREME COURT

EMERGENCY MOTION FOR INJUNCTION UNDER NRAP 8 AND UNDER NRAP 27(e) PENDING DECISION ON APPEALS AND PENDING DECISION ON PETITION FOR WRIT OF MANDAMUS AND PROHIBITION

(by no later than Thursday, May 12, 2011 due to health and safety of subject minor (a 13month old baby), oral argument is respectfully requested if not granted or if not granted by the date requested)

<u>INSTRUCTIONS</u>: Write only in the space allowed on the form. **Additional pages and attachments are not permitted.** The Nevada Supreme Court prefers short and direct statements. Citation to legal authority or the district court record is not required but would be helpful to the Court.

Any form you file with the Nevada Supreme Court must be mailed or delivered to all other parties to this appeal or to the parties' attorneys.

You may file your forms in person or by mail. You must file the original and copies with the Clerk of the Nevada Supreme Court. If you want the clerk to return a file-stamped copy of your form, you must submit the original and copies and include a self-addressed, stamped envelope. Documents cannot be faxed or e-mailed to the Clerk's Office.

This form must be filed with the Clerk of the Nevada Supreme Court at the following address:

Clerk of the Court Supreme Court of Nevada 201 South Carson Street Carson City, Nevada 89701 Telephone: (775) 684-1600 or (702) 486-9300

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Page 1 of 8

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Judgment or Order You Are Appealing. Specify the judgment or order that you are appealing from and the date that the judgment or order was filed in the district court.

Filed Date	Name of Judgment or Order
4/25/2011	NEOJ (regarding custody, etc.) as a result of opposing counsel's
·	illegal Motion heard January 19, 2011
1/11/2011	Minute Order of Judge Moss (Dept. never drafted formal Order
	or NEOJ of same until late April and after letter from the Judge requesting she do same or an OSC will be filed against her)

Notice of Appeal. Specify the date you filed your notice of appeal in the district court: April 28, 2011 for the NEOJ of the 4/25/2011, February 23, 2011 for the Minute Order of 1/11/11, and April 6, 2011 a Petition for Writ of Mandamus and Prohibition was filed.

Order relative to Injunction requested (Under Rule 8). An injunction is a judicial remedy awarded to restrain a particular activity; preventative measure to guard against future injuries. An Emergency Injunction is requested, whereby this Appellate is specifically requesting Respondent be prohibited from having any and all unsupervised time with the subject minor, to wit: Sydney Rose Myers-Haskins (age 13months old) as she was just discharged from the hospital due to Respondent's parental neglect (Sydney began seizing for 20mins, stop breathing, was on lifesupport, has an undiagnosed virus, was administered numerous tests and procedures, medicated and was hospitalized from Wednesday, May 4th through Saturday, May 7th), See Exhibit "1", hospital records, attached herewith, To note, the hospital contacted CPS as the subject minor has continuously lost weight while in Respondent's care and custody due to his parental neglect, i.e., his failure to feed and nourish her, etc. The subject minor has been returned to Respondent with dark marks around her eyes, bruising, malnourished, etc. Further, an injunction is request prohibiting Respondent from placing the subject minor at or utilizing in any way whatsoever the allegedly unlicensed daycare facility where Respondent's co-worker Jeff's wife "Crystal" owns, operates, etc. as they illegally administered medication to the subject minor and as Respondent perjured himself in Court stating the subject minor would be with and only with his grandmother's distant relative, namely "Jill Hooker" at 4033 Gaster Ave., NLV, NV 89081, whom he allegedly temporarily resides with and mandate Respondent to provide the full name and address of the daycare facility, to include "Crystal's" full name and address and phone number and the dates and times he has utilized her services. An injunction is requested prohibiting Respondent from administering any medication to the subject minor if she is not ill and without the consent of her pediatrician Dr. Leroy Bernstein or a medical physician at a hospital as he has given the subject minor medication to make her sleep and to calm her down, despite an illness or any contact with her pediatrician whatsoever (as documented), and further prohibiting Respondent from taking the subject minor to any other facility other than hospital for an emergency or her pediatrician, Dr. Leroy Bernstein as he has taken the subject minor to a facility(ies) for medical care for other virus/illness(es) contracted while under his care and custody without my knowledge and where he was going to pay cash for, although the facility refused to treat unless the subject minor's mother

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(Appellate) was contacted and insurance (Appellate's) was shown. Therefore, Respondent is attempting to conceal his parental neglect/abuse and the subject minor's consequential and lifethreatening illnesses by failing to contact this Appellate and failing to notify her pediatrician up until now as he was questioned by the facility he previously attempted to utilize on his own so there would be no record or knowledge of the subject minor's illness or his parental neglect/abuse of her.

Statement of Facts. Briefly explain the facts related to your request for an injunction. (Your answer must be provided in the space allowed.) The Order from the 1/19/2011 hearing, whereby Respondent was awarded three full unsupervised days with the parties minor child, Sydney Rose Myers-Haskins (age 13mos. old) despite the evidence of his parental neglect/abuse, mental and physical impairments, conviction, extensive history of drug and alcohol abuse, anger problems, domestic abuse issues and his abandonment of the minor child who has a history of RSV and now of being hospitalized with seizures on life-support. The subject minor has had URI, Gastrointestinal Virus, Vomiting, Diarrhea, Strep (Nasal - rare), Seizures, Fever, been on life-support, oxygen, testing, CAT scan, Lumbar Puncture, EEG, continuous weight loss, sleep deprivation, bruising, reaction to smoke inhalation, etc., since Respondent began having contact with the subject minor as of January 19, 2011. See Exhibit "2", medical note from Dr. Leroy Bernstein, whereby he noted that the subject minor is to remain in the custody of Appellate (mother) due to an illness contracted while under the care and custody of Respondent she had to treat and be medicated for. If the unsupervised contact with Respondent continues, the subject minor will continue to be ill in his care and custody due to his parental neglect. The subject minor, Sydney Rose was on life-support and was hospitalized, how much more must she endure to this "void" and prejudicial Order of Judge Moss before this Honorable Supreme Court interferes and supercedes this Order? Moreover, Respondent previously signed a Joint Agreement giving Appellate Sole Physical and Sole Legal Custody of the parties minor child waiving any visitation. Respondent also waived any visitation and refused a drug test at the prior TPO hearing, as well. Judge Moss refused to acknowledge this legal contractual agreement between the parties to no avail, See Exhibit "3", attached herewith, the legal agreement signed by Respondent.

Additionally, as a result of Judge Moss' acceptance of opposing counsel's Motion and her decisions/orders rendered as a result, the Court Ordered this Appellate to undergo a psychological evaluation based on a completely unrelated matter which is on Appeal (reference Supreme Court Case No. 56426) and specifically a 2003 report by an unqualified individual (per the State Psychological Board) and despite the acceptance of expert testimony and reports rebutting same. The Court not only forced Appellate to discuss in detail this completely unrelated matter which is on Appeal, but placed her in the position of defending herself in this matter. As a further result and despite the Behavioral Order, Respondent has slandered Appellate by calling her a psychopath, crazy, sicko and has continued to slander her at the downtown police station, at medical facilities, at the Court, to others, to her personally and her family, etc. in attempt to harass, threaten, defame her character and redirect the severity of his own personal mental and physical impairments, to

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include drug abuse, psychiatric treatments, refusal to take his bipolar medication, etc. (as per documentation and his own testimony as previously provided) he has away from him and onto Appellate. Respondent even threatened Appellate, the subject minor and Appellate's mother while the subject minor was recently hospitalized (reports from the hospital security and police department are forthcoming and will be supplemented to this Emergency Motion justifying same).

Additional - Procedural History/Facts: This January 19th hearing was to be a 16.2 Case Management Conference, although opposing counsel filed a Motion for custody at the last minute providing Appellate a copy 5 minutes prior to this 16.2 Conference. No OST was ever signed and filed or provided to Appellate, nor did opposing counsel Amanda Roberts ever provide Appellate the Motion 3 days prior to the hearing, nor was Appellate ever given 10 days in order to properly file an Opposition/Countermotion, Despite these issues, the District Court - Family Division still allowed it to be heard and allowed Appellate's separate matter to be discussed, in depth, thereby Ordering Appellate to undergo a Psychological Evaluation. This Order for the Evaluation is based solely on the issues from the prior matter which are currently on Appeal. Interestingly to note, despite the fact Respondent has a conviction in the State of Colorado and that he has mainly resided in the Carson City area, the Court only Ordered a Scope for Clark County, Nevada

Additionally to note, the events leading up to this hearing. The 16.2 Conference was originally noticed for November 22, 2010, although Amanda Roberts, counsel for Respondent requested it be vacated at the last minute and submitted a Stipulation and Order. This hearing was then vacated and the new hearing was to be noticed to both counsels by the Department, although a notice was never filed and the on-line system evidenced the conference as being "off calendar". During his time, Appellate's now former counsel, Preston P. Rezaee, Esq. filed a Motion to Withdraw as counsel of record, which was currently on calendar for January 10, 2011, although the hearing was recently vacated as an Order granting his Motion to Withdraw was signed and filed December 23, 2010, without a hearing or a filed Request for Entry of Order, Mr. Rezaee never filed Appellate's 16.2 Financial Disclosure Form signed on August 15, 2010 and provided to his office, and never filed other documents while he was still counsel for Appellate. Appellate did receive a responsive email January 3, 2011, by Mr. Rezaee's secretary notifying Appellate of the new hearing date for the 16.2 Conference (which was now scheduled for the following Monday. January 10, 2011), the time of this hearing was not known. Therefore, Appellate contacted the Law Clerk who notified Appellate of the hearing time of 10:30 a.m. In sum, Appellate was never properly noticed of the new hearing date and time.

Appellate then attempted to file an Emergency Motion to Proceed in Forma Pauperis, Affidavit and most importantly a Peremptory Challenge, although the District Court Clerk's office declined to file these documents and referred Appellate to file all with the Nevada Supreme Court. In speaking with the Clerk and Supervisor of the Supreme Court, it was determined that these documents were infact to be filed with the District Court Clerk's office. The District Court Clerk still declined to file such documents for Appellate. Therefore, Appellate attempted to e-file all to ensure no further

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prejudice, although the Court would not allow the Peremptory Challenge or Motion to be e-filed, thereby rejecting them both. Appellate then contacted the Court and spoke with the Law Clerk for the Presiding Judge in attempt at a resolution to the above circumstances, who then in turn spoke with the assigned Department I and the Supreme Court. While the Law Clerk informed he was awaiting a response from Supreme Court legal counsel, he later informed he passed the Peremptory Challenge, and associating documents on to the assigned Department I, Department I is the same very Department in which this Appellate was challenging, thereby notifying the Department of said intent. The documents still had yet to be filed by the Court at this point, despite the fact this was a time sensitive situation. Further, Judge Moss - Department I said she would pass the Peremptory Challenge back to the Presiding Judge for decision, although Judge Moss issued an Order the very next day stating she herself made the decision to deny Appellate's Peremptory Challenge.

Importantly, Judge Moss admitted there was ex-parte communication between herself and opposing counsel, Amanda Roberts of Roberts Stoffel and therefore recused herself from this matter. Specifically and most importantly due to the severity of the health and safety of the minor child, the Order of the January 19th hearing should be deemed "void" as it was based on prejudice and illegal acts by both the Justice and opposing counsel, See Valley v. Northern Fire & Marine Ins. Co., 254 U.S. 348, 41 S. Ct. 116 (1920), Kenner v. C.I. R., 387 F. 3d 689 (1968) and 7 Moore's Federal Practice, 2d ed., p. 512, ¶60.23. Further, with regard to some of the decisions and Orders issued by Judge Moss she lacked the jurisdiction to render same, See U.S. v. Will, 449 U.S. 200, 216, 101 S. Ct. 471, 66 L. Ed. 2d 392, 406 (1980), Cohens v. Virginia, 19 U.S. (6 Wheat) 264, 404, 5 L. Ed. 257 (1821) and People v. Miller, 339 Ill. 573 (1930).

Why should this Appellate and most importantly the subject minor, a 13month old baby suffer the consequences of such? Who will be liable if the subject minor becomes ill again or something worse while in Respondent's care and custody? How does the Court or this Appellate reverse the damage that has been caused to the subject minor by Respondent? What if the subject minor was not able to breath on her own and taken off life-support while she was recently hospitalized, what if her little body gave up as a result of the damage caused by Respondent? Why isn't the Courts protecting this child or Appellate's rights as a concerned, caring mother? Should this Appellate file a Federal Complaint, keep sending the child back with Respondent, when is this situation rectified for the safety of the minor child and Appellate (her mother)? The subject minor is not fully recovered, is still recuperating on medication with close monitoring with exceptional care and nourishment from the Appellate, Her weight has increased while in Appellate's care and custody and even while she has returned home from being hospitalized.

See Doolittle v. Doolittle, 70 Nev. 163, 262 P.2d 955 (1953) relying upon Gammill v. Federal Land Bank, 129 F.2d 502, and Haley v. Eureka County Bank, 22 P. 1098 (Nev. 1889). See

also Stone v Powell, 428 US 465, 483 n. 35, 96 Sct. 3037, 49 L. Ed. 2d 1067 (1976), whereby the following was noted, "State courts, like federal courts, have a constitutional obligation to safeguard personal liberties and to uphold federal law." and 28 USCS Sec. 455, and Marshall v Jerrico Inc., 446 US 238, 242, 100 S.Ct. 1610, 64 L. Ed. 2d 182 (1980). "The neutrality requirement helps to guarantee that life, liberty, or property will not be taken on the basis of an erroneous or distorted conception of the facts or the law."

Effect on Your Appeal. If your injunction is denied, how will this affect the issues you are appealing? (Your answer must be provided in the space allowed.) Should Appellate's request for an Injunction be denied, it would show this Court validate's Judge Moss' Orders and Decisions which are prejudicial, bias, unethical and void and wouldn't justify Appellate's Appeal of same.

Harm to You. What serious harm will you experience if a stay is denied? (Your answer must be provided in the space allowed.) Not only would it put the minor child in direct harm's way by allowing Respondent to have the 3 unsupervised days with her so he may continue his parental neglect and abuse upon her and subject her to continual weight loss, illness, hospitalization, etc., but since I am challenging the District Court - Family Division's Orders, Appellate will be highly prejudiced in both this on-going and her Supreme Court matter as referenced herein. It would thereby allow the District Court - Family Division to proceed with its current Orders, to include allowing Respondent unsupervised time with the subject minor and the Court to discuss and utilize all documents and information from Appellate's separate unrelated Supreme Court matter, forcing Appellate be go through yet another Psychological Evaluation despite the favorable reports and prior testimony of highly qualified psychiatrists/psychologists stating she has no mental health issues whatsoever, in which this Court and opposing counsel is refusing to acknowledge.

Harm to Others. What harm will the other side experience if the stay is granted? (Your answer must be provided in the space allowed.) No harm whatsoever. Respondent has mental and physical impairments, parental neglect/abuse, conviction, extensive history of drug and alcohol abuse, anger problems, domestic abuse issues and his abandonment of the minor child who has a history of RSV, illnesses while in his care and custody and most recently hospitalization with seizures, undiagnosed virus and life-support as a result of Respondent's neglect. Hopefully it will make him realize he needs to seek out the extensive medical and psychiatric intervention he is in need of.

Success on Appeal. Why are you likely to win this appeal? (Your answer must be provided in the space allowed.) Appellate pleads with Honorable Court that she will prevail as the facts, laws, rules and the safety and severity of the subject minor's medical issues justify same. Appellate believes this Honorable Supreme Court will act in the best interest and rights of the minor child, rights of the Appellate, in accordance with the laws and so as to avoid any further prejudice and bias against Appellate in these matters.

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