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APR 28 11 31 AM '11

CLERK OF THE COURT
Electronically Filed
May 11 11:00 a.m.
Tracie K. Lindeman

NT
1 NOTC
2 Lisa Myers
9360 West Flamingo Road, No. 110-326
3 Las Vegas, Nevada 89147
(702) 401-4440
4 Defendant In Proper Person

5
6 DISTRICT COURT
FAMILY DIVISION
7 CLARK COUNTY, NEVADA

8 CALEB O. HASKINS,) CASE NO.: 10-D-434495-D
9) DEPT NO.: I
Plaintiff,)
10)
11 vs.)
12)
LISA MYERS,)
13)
Defendant.)

14 NOTICE OF APPEAL
15

16 Notice is hereby given that LISA MYERS, Defendant In Proper Person above-named,
17 hereby appeals to the Supreme Court of Nevada from the Notice of Entry of Order of April 25,
18 2011. Ms. Myers had the intention of filing a Motion for Leave for Permission to File an
Interlocutory Appeal with the District Court, however, since there exists a pending Appeal in this
19 matter, a Motion for Leave is not able to be filed.

20 Therefore, Ms. Myers is filing her Notice of Appeal (Interlocutory Appeal) due to the
21 severity of the situation. This Order was predicated upon a Motion submitted by opposing counsel
22 same day as the 16.2 Case Conference hearing, with no Order Shortening Time granted. Further,
23 opposing counsel failed to properly notice Ms. Myers of such Motion. Despite these
24 circumstances, the assigned Judge still allowed the Motion to be heard and rendered decisions and
25 Orders in this matter, specifically to include placing the subject minor (a now 13 month old baby)
26 in direct harm's way by allowing Plaintiff Caleb Haskins three unsupervised days with her baby and
27 despite the fact he previously signed over Sole Physical and Sole Legal Custody to Defendant Lisa
Myers and despite Mr. Haskins' mental/physical impairments, conviction, his abandonment of the
subject minor, etcetera.

Moreover, opposing counsel has engaged in ex-parte communication with the assigned

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Page 1 of 2

APR 28 2011

CLERK OF THE COURT

1 Judge Moss during this time and up through March of 2011, whereby the assigned Judge was
2 forced to recuse herself in this matter and therefore, her Orders should be deemed "void", See
3 Valley v. Northern Fire & Marine Ins. Co., 254 U.S. 348, 41 S. Ct. 116 (1920), Kenner v. C.I.
4 R., 387 F. 3d 689 (1968) and 7 Moore's Federal Practice, 2d ed., p. 512, ¶60.23. Further, with
5 regard to some of the decisions and Orders issued by Judge Moss she lacked the jurisdiction to
6 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).

7 Defendant/Appellate is appearing in proper person, See Haines v. Kerner, 404 U.S. 519
8 (1972), Hall v. Bellmon, 935 F. 2d 1106 (10th Cir.) (1991) and F.R.C.P. 8. Also, please find
9 attached herewith, the file-stamped Order To Proceed In Forma Pauperis, Exhibit "A". Additionally,
10 Ms. Myers reserves her right to supplement additional information for this Appeal should it become
11 available or necessary.

Dated this 27th day of April, 2011.


12 
13 LISA MYERS
14 9360 West Flamingo Road, No. 110-326
15 Las Vegas, Nevada 89147
16 (702) 401-4440
17 Defendant In Proper Person
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EXHIBIT "A"

1 **NEOJ**
2 Lisa Myers
3 9360 West Flamingo Road, No. 110-326
4 Las Vegas, Nevada 89147
5 (702) 401-4440
6 **Defendant In Proper Person**

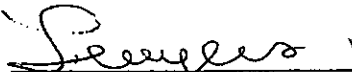
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DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

9 CALEB O. HASKINS,) CASE NO.: 10-D-434495-D
10) DEPT NO.: I
11 Plaintiff,)
12)
13 vs.)
14)
15 LISA MYERS,)
16)
17 Defendant.)
18)
19)
20)
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26)
27)
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NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that an **ORDER** was filed in the above-entitled
matter on the 10th of January, 2011.

DATED this 14th day of January, 2011.



LISA MYERS
9360 West Flamingo Road, No. 110-326
Las Vegas, Nevada 89147
(702) 401-4440
Defendant In Proper Person

///

ORIGINAL

1 **ORDR**

2 Lisa Myers

9360 West Flamingo Road, No. 110-326

3 Las Vegas, Nevada 89147

4 (702) 401-4440

Defendant In Proper Person

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

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[Signature]
CLERK OF THE COURT

8 CALEB O. HASKINS,

) CASE NO.: 10-D-434495-D

9 Plaintiff,

) DEPT NO.: I

10 vs.

12 LISA MYERS,

13 Defendant.

15 **ORDER TO PROCEED IN FORMA PAUPERIS**

16 Upon consideration of LISA MYERS' Emergency Motion For Leave To Proceed In
17 Forma Pauperis and appearing that there is not sufficient income, property, or resources with
18 which to maintain the action and good cause appearing therefore:
19

20 **IT IS HEREBY ORDERED** that LISA MYERS shall be permitted to proceed In
21 Forma Pauperis with this action as permitted by NRS 12.015, NRAP 24(a)(1) and 28 U.S.C.
22 1915.
23

24 **IT IS FURTHER ORDERED** that LISA MYERS shall proceed without
25 prepayment of costs or fees or the necessity of giving security, and the Clerk of the Court may
26
27

1 file or issue any necessary writ, pleading or paper without charge.

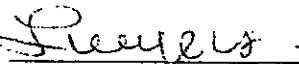
2
3 **IT IS FURTHER ORDERED** that the Sheriff or other appropriate officer within this
4 State shall make personal service of any necessary writ, pleading or paper without charge.

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
8 those costs must then be paid as provided by law.
9

10 Dated this 10 day of January, 2011.

11 
12 DISTRICT COURT JUDGE
13

14 Respectfully Submitted By:

15 

16 LISA MYERS
17 9360 West Flamingo Road, No. 110-326
18 Las Vegas, Nevada 89147
19 (702) 401-4440
20 Defendant In Proper Person

21 ///

22 ///

23 ///

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Amanda M. Roberts, Esq.
2011 Pinto Lane, Suite 100
Las Vegas, Nevada 89106
Attorney for Plaintiff

Clerk of the Supreme Court of Nevada
201 South Carson Street
Carson City, Nevada 89701
(Courtesy Copy)

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FILED

MAY 09 2011

Allen L. Johnson
CLERK OF COURT

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4 **DISTRICT COURT**
5 **CLARK COUNTY, NEVADA**
6

7 CALEB O. HASKINS,)

8 Plaintiff(s),)

9 vs.)

10 LISA MYERS,)

11 Defendant(s),)
12

) Case No: D434495

) Dept No: Q
13

14 **CASE APPEAL STATEMENT**

15 1. Appellant(s): LISA MYERS

16 2. Judge: BRYCE DUCKWORTH

17 3. Appellant(s): LISA MYERS

18 Counsel:

19 Lisa Myers
20 9360 W. Flamingo Rd. #110-326
21 Las Vegas, NV 89147

22 4. Respondent (s): CALEB O. HASKINS

23 Counsel:

24 Amanda M. Roberts, Esq.
25 2011 Pinto Lane, Ste. 100
26 Las Vegas, NV 89106

27 5. Respondent's Attorney Licensed in Nevada: Yes

28 6. Appellant Represented by Appointed Counsel In District Court: No

7. Appellant Represented by Appointed Counsel On Appeal: N/A

1 8. Appellant Granted Leave to Proceed in Forma Pauperis: Yes, January 10, 2011

2 9. Date Commenced in District Court: August 20, 2010

3 10. Brief Description of the Nature of the Action: DOMESTIC - Marriage Dissolution

4 Type of Judgment or Order Being Appealed: Judgment

5 11. Previous Appeal: Yes

6 Supreme Court Docket Number(s): 57825

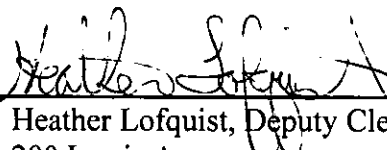
7 12. Child Custody or Visitation: Visitation

8 13. Possibility of Settlement: Unknown

9 Dated This 9 day of May 2011.

10 Steven D. Grierson, Clerk of the Court

11
12 By:

13 
14 Heather Lofquist, Deputy Clerk
15 200 Lewis Ave
16 PO Box 551601
17 Las Vegas, Nevada 89155-1601
18 (702) 671-0512
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CASE SUMMARY

CASE No. D-10-434495-D

Caleb Obadiah Haskins, Plaintiff.
vs.
Lisa Myers, Defendant.

§
§
§
§

Location: **Department Q**
 Judicial Officer: **Duckworth, Bryce C.**
 Filed on: **08/20/2010**

CASE INFORMATION

Related Cases

T-10-127808-T (Linked - 1J1F)

Case Type: **Divorce - Complaint**
 Sub Type: **Complaint Subject Minor(s)**

Case Status: **08/20/2010 Open**

Case Flags: **Order After Hearing Required**
Lead Case - 1J1F
Appealed to the Nevada Supreme Court

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number D-10-434495-D
 Court Department Q
 Date Assigned 03/10/2011
 Judicial Officer Duckworth, Bryce C.

PARTY INFORMATION

Plaintiff

Haskins, Caleb Obadiah
 7613 Winterthur CT
 Las Vegas, NV 89129

Roberts, Amanda M, ESQ
Retained
 702-474-7007(W)

Defendant

Myers, Lisa
 ** Confidential Address **

Pro Se


Subject Minor


Haskins, Sydney Rose


DATE


EVENTS & ORDERS OF THE COURT


EVENTS


05/04/2011  Certificate of Mailing
 Filed by: Defendant Myers, Lisa
 For: Plaintiff Haskins, Caleb Obadiah

05/04/2011  Notice of Entry of Order
 Filed by: Plaintiff Haskins, Caleb Obadiah
Notice Of Entry Of Order

04/28/2011  Notice of Appeal
 Filed by: Defendant Myers, Lisa

04/27/2011  Order
 Filed by: Plaintiff Haskins, Caleb Obadiah
Order 1/10/11


















04/25/2011  Notice of Entry of Order
 Filed by: Plaintiff Haskins, Caleb Obadiah
Notice of Entry of Order

04/25/2011  Notice of Entry of Order
 Filed by: Plaintiff Haskins, Caleb Obadiah

CASE SUMMARY

CASE NO. D-10-434495-D

Notice of Entry of Order

04/14/2011	 Order Filed by: Plaintiff Haskins, Caleb Obadiah <i>Order of Recusal</i>
03/30/2011	 Order Filed by: Plaintiff Haskins, Caleb Obadiah <i>Order After Hearing 1/19/11</i>
03/17/2011	 Estimate of Transcript
03/11/2011	 Notice of Department Reassignment
03/10/2011	 Notice of Entry Filed by: Plaintiff Haskins, Caleb Obadiah <i>Notice of Entry of Minute Order</i>
02/28/2011	 Case Appeal Statement Filed by: Defendant Myers, Lisa <i>Case Appeal Statement</i>
02/23/2011	 Certificate of Mailing Filed by: Defendant Myers, Lisa For: Plaintiff Haskins, Caleb Obadiah <i>Certificate of Mailing</i>
02/23/2011	 Notice of Appeal Filed by: Defendant Myers, Lisa <i>Notice of Appeal</i>
01/28/2011	 Certificate of Mailing Filed by: Plaintiff Haskins, Caleb Obadiah For: Defendant Myers, Lisa <i>Pursuant to NRCP 16.2 - U.S. Mail</i>
01/28/2011	 Notice of Entry of Order Filed by: Defendant Myers, Lisa <i>Notice of Entry of Order and Order To Proceed In Forma Pauperis</i>
01/28/2011	 Request Filed by: Defendant Myers, Lisa <i>Request for Voluntary Recusal of Justice</i>
01/28/2011	 Motion Filed by: Defendant Myers, Lisa <i>Motion to Recuse</i>
01/19/2011	 Case Management Order Filed by: Defendant Myers, Lisa; Plaintiff Haskins, Caleb Obadiah
01/19/2011	 Order <i>Mutual Behavior Order</i>
01/19/2011	 Order <i>for Supervised Exchange</i>
01/19/2011	 Certificate of Service Filed by: Plaintiff Haskins, Caleb Obadiah <i>U.S. Mail</i>
01/14/2011	 Family Court Motion Opposition Fee Information Sheet Filed by: Plaintiff Haskins, Caleb Obadiah <i>Family Court Motion/Opposition Fee Information Sheet</i>

CASE SUMMARY

CASE No. D-10-434495-D


01/14/2011	 Motion Filed by: Plaintiff Haskins, Caleb Obadiah <i>Notice of Motion and Motion for Sole Legal Custody, Primary Physical Custody, and Independant Medical Evauation, and for Attorney Fees and Costs; Affidavit of Caleb Haskins</i>
01/14/2011	 Ex Parte Application Filed by: Plaintiff Haskins, Caleb Obadiah <i>Ex Parte Apllication for an Order Shortening Time</i>
01/11/2011	 NRCP 16.2 Case Management Conference Filed by: Plaintiff Haskins, Caleb Obadiah <i>Amended NRCP 16.2 Case Management Conference</i>
01/10/2011	 Financial Disclosure Form Filed by: Defendant Myers, Lisa
01/10/2011	 Motion Filed by: Defendant Myers, Lisa For: Defendant Myers, Lisa <i>Emergency Motion for Leave to Proceed in Forma Pauperis</i>
01/10/2011	 Order to Proceed In Forma Pauperis Filed by: Defendant Myers, Lisa
01/07/2011	 Affidavit in Support Filed by: Defendant Myers, Lisa <i>Affidavit In Support Of Motion For Leave To Proceed In Forma Pauperis</i>
01/06/2011	 Notice of Seminar Completion EDCR 5.07 Filed by: Plaintiff Haskins, Caleb Obadiah <i>Notice of Seminar Completion EDCR 5.07</i>
01/06/2011	 Financial Disclosure Form Filed by: Plaintiff Haskins, Caleb Obadiah <i>Financial Disclosure Form</i>
01/03/2011	 Notice of Entry of Order Filed by: Defendant Myers, Lisa <i>Notice of Entry of Order</i>
12/23/2010	 Order Filed by: Defendant Myers, Lisa
12/07/2010	 Notice of Entry of Stipulation and Order Filed by: Plaintiff Haskins, Caleb Obadiah <i>Notice of Entry of Stipulation and Order</i>
12/06/2010	 Stipulation and Order Filed by: Plaintiff Haskins, Caleb Obadiah <i>Stipulation and Order to Continue Case Management Conference</i>
12/01/2010	 Reply Filed by: Plaintiff Haskins, Caleb Obadiah <i>Reply to Counterclaim for Divorce</i>
10/26/2010	 Motion Filed by: Attorney Rezaee, Preston P, ESQ For: Defendant Myers, Lisa <i>Motion to Withdraw as Attorney of Record</i>
10/18/2010	 NRCP 16.2 Case Management Conference <i>NRCP 16.2 Case Management Conferences</i>
10/05/2010	 Answer and Counterclaim

CASE SUMMARY


CASE No. D-10-434495-D

Filed by: Defendant Myers, Lisa
Answer and Counterclaim


10/01/2010

 Notice of Department Reassignment


09/29/2010

 Notice of Intent to take Default
Filed by: Plaintiff Haskins, Caleb Obadiah
Notice of Intent to Take Default


09/28/2010

 Proof of Personal Service of Summons and Complaint
Filed by: Plaintiff Haskins, Caleb Obadiah
For: Defendant Myers, Lisa
Affidavit of Service


09/23/2010

 Peremptory Challenge
Filed by: Plaintiff Haskins, Caleb Obadiah
Peremptory Challenge


08/27/2010

 Affidavit of Plaintiff
Filed by: Plaintiff Haskins, Caleb Obadiah
Affidavit of Plaintiff


08/27/2010

 Affidavit of Resident Witness
Filed by: Plaintiff Haskins, Caleb Obadiah
Affidavit of Resident Witness


08/24/2010

 Child Support and Welfare Party Identification Sheet
Filed by: Plaintiff Haskins, Caleb Obadiah

08/24/2010

 Child Support and Welfare Party Identification Sheet
Filed by: Defendant Myers, Lisa

08/20/2010

 Complaint for Divorce

HEARINGS

06/16/2011

CANCELED Non-Jury Trial (9:00 AM) (Judicial Officer: Moss, Cheryl B)
Vacated - per Clerk
Recusal

05/02/2011

CANCELED Case Management Conference (10:00 AM) (Judicial Officer: Duckworth, Bryce C.)
Vacated - per Judge
Appeal still pending

05/02/2011

CANCELED Return Hearing (10:00 AM) (Judicial Officer: Duckworth, Bryce C.)
Vacated - per Judge
Appeal still pending

04/20/2011

CANCELED Calendar Call (10:00 AM) (Judicial Officer: Moss, Cheryl B)
Vacated - per Clerk
Recusal

03/10/2011

Minute Order (3:15 PM) (Judicial Officer: Moss, Cheryl B)
Recused;
Journal Entry Details:
MINUTE ORDER OF RECUSAL: On March 9, 2011, the undersigned Judge received an email that was posted by Plaintiff's counsel intended to serve as a legal question to the family law bar and requesting feedback. While Plaintiff's counsel may have inadvertently not realized that the undersigned Judge is on the List Serve (managed by the State Bar of Nevada) to receive emails and postings from the family bar, Plaintiff's counsel named Judge Moss in the email and discussed specific items that clearly identified the case to this Judge. Consequently, this appears to be an ex parte communication pursuant to the Judicial Code of Conduct mandating disqualification pursuant to Rule 2.11(A), "A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned[.]" In addition, while the email posting could have been procedural in nature and not ex parte, the undersigned Judge still believes that she can no longer be impartial in this case. Therefore, IT IS HEREBY ORDERED that the undersigned Judge recuses herself from Case Number D10-434495-D, and this case shall be randomly reassigned. IT IS FURTHER ORDERED that a copy of this Minute Order of Recusal shall be served on Plaintiff's counsel and Defendant In Proper Person. SO ORDERED. ;

03/09/2011

Return Hearing (10:00 AM) (Judicial Officer: Moss, Cheryl B)

CASE SUMMARY

CASE No. D-10-434495-D

Return Hearing re: ATIPolygraph Test (1 Hour)

Off Calendar; Return Hearing re: ATIPolygraph Test (1 Hour)

Journal Entry Details:

COURT ORDERED, matter OFF CALENDAR pending the Appeal to the Supreme Court. All Orders remain in effect;

03/08/2011

CANCELED Motion (10:30 AM) (Judicial Officer: Moss, Cheryl B)

Vacated - per Judge

hearing 1-19-2011

01/11/2011

Minute Order (1:30 PM) (Judicial Officer: Moss, Cheryl B)

Minute Order - No Hearing Held;

Journal Entry Details:

Judge Moss advised the parties and Dad's attorney this question would be submitted to the Presiding Judge. However, Judge Moss notes that after a closer review of the record and procedural history in this case, Mom's time frame to file a peremptory challenge already expired on November 5, 2010. Procedural Question: 1. Dad filed Complaint for Divorce on 8-20-10, assigned to Judge Potter. 2. Dad filed a TIMELY Peremptory Challenge on 9-23-10. 3. The Notice of Department reassignment from Judge Potter to Judge Moss was filed on 10-1-10. 4. Mom filed an Answer and Counterclaim on 10-5-10. 5. Mom's attorney, Preston Rezaee, withdrew on 12-23-10. 6. On 1-5-11, Mom prepared and executed a motion for in Forma Pauperis requesting her fees be waived. 7. Mom also wanted the Peremptory Challenge Fee waived for her. 8. Court finds the Peremptory Challenge fee is a Supreme Court fee and therefore lacks jurisdiction to waive such a fee. 9. Mom, however, asked if she still had time to file a Peremptory Challenge because she was trying to get her Peremptory Challenge fee waived. 10. Court finds that Mom asked her former attorney to file a Peremptory Challenge BEFORE her attorney withdrew from the case. 11. Mom's attorney never filed the Peremptory Challenge. 12. The Notice of Case Management Conference was sent out by the Court's JEA on October 18, 2010. 13. Service was completed after three mailing days on October 21, 2010. 14. Mom's attorney would have had 10 days from October 21, 2010 to file a timely Peremptory Challenge. 15. Court finds Mom's time period to file a Peremptory Challenge expired on November 5, 2010 pursuant to EDCR 1.14 (a). 16. Court further denies Mom's request for voluntary recusal because there is no basis to recuse. 17. in addition, pursuant to the Judicial Canons, a judge has a duty to sit and hear cases. 18. Court ORDERED the case shall remain in Department I and the date for the 16.2 CMC Conference shall be reset to January 19, 2011 at 9:00 a.m. ;


01/10/2011

CANCELED Motion for Withdrawal (10:30 AM) (Judicial Officer: Moss, Cheryl B)

Vacated

order to withdraw signed on 12/23/2010

11/22/2010

 **Case Management Conference** (1:30 PM) (Judicial Officer: Moss, Cheryl B)

11/22/2010, 01/10/2011, 01/19/2011

Off Calendar; Case Management Conference

Matter Continued; Case Management Conference

Non Jury Trial; Case Management Conference

Journal Entry Details:

Parties sworn and testified. Behavior Order SIGNED IN OPEN COURT. Discussions by Parties and Counsel. COURT ORDERED the following: 1. Plaintiff is REFERRED to American Toxicology Institute (ATI) for drug testing today. Defendant shall pay for the testing. 2. SCOPES shall be run on both Parties. 3. Plaintiff shall have a Polygraph Test done at his cost. 4. Both Parties shall sign HIPPA releases forthwith. 5. Defendant shall provide a list of 3-4 Outsource Evaluators to Atty Roberts within two (2) weeks. 6. Defendant shall request Plaintiff's VA medical records. 7. Parties shall share JOINT LEGAL and JOINT PHYSICAL CUSTODY of the minor child, with exchanges every three (3) days beginning day with Plaintiff at 4:00 p.m. Exchanges shall be at the Family Court Marshall's Station during the week and Donna's House on Saturdays and Sundays. Parties will split the cost of Donna's House. 8. There is to be NO SMOKING around the minor child. 9. Parties shall communicate by e-mail on child issues only. 10. TEMPORARILY without prejudice, Plaintiff's CHILD SUPPORT is SET at \$621.00 per month, with 1/2 due on the 15th and last day of each month by direct deposit into Defendant's bank account. January's payment is due by the last day of January. 11. CHILD SUPPORT ARREARES are DEFERRED. 12. Defendant provides health insurance for the minor child, with proof of the child's portion, within two (2) weeks, Plaintiff shall pay 1/2 of that cost. 13. Court shall obtain the doctor's reports from the Gambini case D260907, of which Defendant is a party to. 14. Plaintiff's Motion scheduled for March 8, 2011 is VACATED. 15. Return Hearing, Calendar Call and Trial dates SET. Case Management Order SIGNED and FILED IN OPEN COURT. Atty Roberts shall prepare the Order from today's hearing, Defendant to sign as to form and content. 3-9-2011 10:00 AM RETURN: ATIPOLYGRAPH 4-20-2011 10:00 AM CALENDAR CALL 6-16-2011 9:30 AM NON-JURY TRIAL #1 ;

Off Calendar; Case Management Conference

Matter Continued; Case Management Conference

Non Jury Trial; Case Management Conference

Journal Entry Details:

Atty Jason Stoffel, Bar #8898, present by telephone for Atty Amanda Roberts who was ill. Discussion by Parties

CASE SUMMARY

CASE No. D-10-434495-D

and Counsel. COURT ORDERED the following: 1. Defendant shall file a Financial Disclosure Form and serve Atty Roberts forthwith. 2. Defendant's Order in Forma Pauperis is GRANTED and SIGNED IN OPEN COURT. This Court will submit matter to Presiding Judge due to unusual circumstances; to see if Defendant is permitted to file the Peremptory Challenge. ;

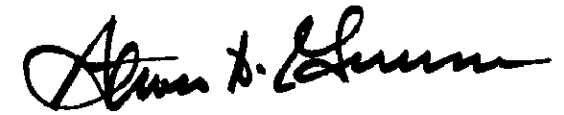
Off Calendar; Case Management Conference

Matter Continued; Case Management Conference

Non Jury Trial; Case Management Conference

Journal Entry Details:

Prior to today's hearing, Counsel submitted a Stipulation and Order to Continue, therefore, COURT ORDERED, MATTER OFF CALENDAR.;



CLERK OF THE COURT

1 **OAH**

Amanda M. Roberts, Esq.

2 State of Nevada Bar No. 9294

3 **ROBERTS STOFFEL FAMILY LAW GROUP**

2011 Pinto Lane, Suite 100

4 Las Vegas, Nevada 89106

PH: (702) 474-7007

5 FAX: (702) 474-7477

EMAIL: attorneys@lvfamilylaw.com

6 Attorney for the Plaintiff, Caleb Haskins

7 **DISTRICT COURT**

8 **CLARK COUNTY, NEVADA**

9 CALEB HASKINS,

10 Plaintiff,

11 v.

12 LISA MYERS,

13 Defendant.

) Case No: D-10-434495-D

) Dept No: X Q

) **ORDER AFTER HEARING**

) Date of Hearing: January 19, 2011

) Time of Hearing: 9:00 a.m.

15 This matter having come before this Court on the 19th day of January, 2011, for a Case
16 Management Conference and the Plaintiff, Caleb Haskins, being present and represented by and
17 through his attorney of record, Amanda M. Roberts, Esq., of Roberts Stoffel Family Law Group,
18 and the Defendant, Lisa Myers, being present and represented herself *in proper person*, and the
19 Court having reviewed files and pleadings herein, and having heard oral testimony of the Parties
20 hereto,

21 THE COURT HEREBY FINDS that the Plaintiff, Caleb Haskins, filed a Motion
22 pertaining to custody which is emergency is nature, the Motion is currently set for March 8, 2011.

23 THE COURT FURTHER FINDS that the Orders issued by Judge Gaston and Judge
24 Miley in the *Gambini* matter, case no. D260907, were final Orders. Thereafter, Judge Gonzalez
25 issued an Order to abide by those Orders.

26 THE COURT FURTHER FINDS that this case is ripe for an outsource evaluation down
27 the line.

1 THE COURT FURTHER FINDS that there is no evidence with the Temporary Protection
2 Order or Defendant's allegation of domestic violence that any altercation occurred that would
3 affect the custody outcome in this matter.

4 IT IS HEREBY ORDERED the Plaintiff, Caleb Haskins, shall appear today at ATI for
5 drug testing for hair and urine with the Defendant, Lisa Myers, shall pay for subject to
6 reimbursement based upon the results of the drug test.

7 IT IS FURTHER ORDERED that both Plaintiff and Defendant provide their personal
8 information for the Court to have SCOPE completed for each.

9 IT IS FURTHER ORDERED that the Plaintiff, Caleb Haskins, shall complete a polygraph
10 examination at his cost.

11 IT IS FURTHER ORDERED the Plaintiff and Defendant shall each execute a HIPAA
12 release forthwith, with a list of any and all health providers. The records obtained shall be
13 provided to the Court for only *in camera* inspection. The records shall be under a GAG order and
14 shall not be produced or discussed with any third Party.

15 IT IS FURTHER ORDERED the Defendant, Lisa Myers, shall provide a list of three to
16 four (3-4) outsource evaluators to Attorney Roberts within two (2) weeks of the date of the
17 hearing or by the close of business on February 2, 2011, and shall include pricing. The purpose
18 of the evaluation is to determine whether the Defendant, Lisa Myers, is a risk to the child. The
19 price of the evaluation shall be split equally between the Parties. The expert shall be permitted to
20 review the expert reports in the *Gambini* matter, case no. D260907, and shall obtain copies by
21 calling chambers.

22 IT IS FURTHER ORDERED the Defendant, Lisa Myers, shall be permitted to request the
23 Plaintiff's, Caleb Haskin's, VA medical records.

24 IT IS FURTHER ORDERED the Parties shall share joint legal custody.

25 IT IS FURTHER ORDERED the Parties shall share joint physical custody with exchanges
26 occurring every three (3) days beginning with the Plaintiff, Caleb Haskins, beginning his
27 timeshare on January 19, 2011, at 4:00 p.m.
28

1 IT IS FURTHER ORDERED the exchanges of the minor child shall occur at the Family
2 Court Marshal's station during the week, and if the Marshal's are not present on the weekends, at
3 Donna's House on Saturdays and/or Sundays with the fees for same being split equally between
4 the Parties.

5 IT IS FURTHER ORDERED that neither Party is permitted to smoke around the child or
6 allow any third Party to smoke around the child, including in the residence.

7 IT IS FURTHER ORDERED the Parties shall communicate regarding the minor child
8 only with the communication occurring through email, their email addresses should be exchanged
9 immediately following today's hearing. Neither parent shall block the other parent's email
10 address.

11 IT IS FURTHER ORDERED the requirement for COPE shall be waived for the
12 Defendant, Lisa Myers, because she previously completed same in the *Gambini* matter, case no.
13 D260907.

14 IT IS FURTHER ORDERED the Parties shall determine the most advantageous way to
15 file their 2010 tax return, whichever way will net the biggest refund shall be utilized.

16 IT IS FURTHER ORDERED on a temporary basis, without prejudice, the Plaintiff, Caleb
17 Haskins, shall pay to the Defendant, Lisa Myers, the sum of \$621.00 per month as and for child
18 support. The child support shall be paid in two (2) payments, on the 15th and the last day of each
19 month. The child support shall commence the last day of January of 2011, with a full payment of
20 \$621.00.

21 IT IS FURTHER ORDERED the Defendant, Lisa Myers, shall provide the Plaintiff, Caleb
22 Haskins, with her bank account information for child support to be directly deposited into her
23 bank account.

24 IT IS FURTHER ORDERED the Defendant's request for child support arrears is deferred
25 at this time.

26 IT IS FURTHER ORDERED that Defendant, Lisa Myers, alleges she cares medical
27 insurance for the minor child and she has two (2) weeks of the date of the hearing or by the close
28

1 of business on February 2, 2011, to provide proof of the child's portion of the health insurance. If
2 this information is provided, as Ordered, the Plaintiff, Caleb Haskins, shall pay one-half (1/2) the
3 cost of the child's health insurance.

4 IT IS FURTHER ORDERED that the Court shall obtain a copy of the confidential expert
5 reports and medical reports in the *Gambini* matter, case no. D260907, because the Defendant,
6 Lisa Myers, in this action is also a Party to the other action and the information is relevant to the
7 issues of custody herein. The Court shall review the reports *in camera*.

8 IT IS FURTHER ORDERED a Case Management Conference has been conducted today
9 and the Case Management Order was signed and provided to each Party or their respective
10 Counsel at today's hearing.

11 IT IS FURTHER ORDERED each Party is placed on notice of the following:

12 PENALTY FOR VIOLATION OF ORDER: THE ABDUCTION, CONCEALMENT OR
13 DETENTION OF A CHILD IN VIOLATION OF THIS ORDER IS PUNISHABLE AS A
14 CATEGORY "D" FELONY AS PROVIDED IN NRS 193.130. NRS 200.359 provides that every
15 person having a limited right of custody to a child or any parent having no right of custody to the
16 child who willfully detains, conceals or removes the child from a parent, guardian or other person
17 having lawful custody or a right of visitation of the child in violation of an order of this court, or
18 removes the child from the jurisdiction of the court without the consent of either the court or all
19 persons who have the right to custody or visitation is subject to being punished for a category "D"
20 felony as provided in NRS 193.130.

21 The State of Nevada, United States of America, is the habitual residence of the minor
22 child of the Parties hereto. The Parties are also put on notice that the terms of the Hague
23 Convention of October 25, 1980, adopted by the 14th Session of the Hague Conference on Private
24 International Law apply if a parent abducts or wrongfully retains a child in a foreign country.

25 The Parties are also put on notice of the following provisions in NRS 125.510(8):

26 If a parent of the child lives in a foreign country or has significant commitments in a
27 foreign country:
28

1 (a) The Parties may agree, and the court shall include in the order
2 for custody of the child, that the United States is the country of
3 habitual residence of the child for the purposes of applying the
terms of the Hague Convention as set forth in subsection 7.

4 (b) Upon motion of one of the Parties, the court may order the
5 parent to post a bond if the court determines that the parent
6 poses an imminent risk of wrongfully removing or concealing
7 the child outside of the country of habitual residence. The
8 bond must in an amount determined by the court and may be
9 used only to pay for the cost of locating the child and returning
him to his habitual residence if the child is wrongfully removed
from or concealed outside the country of habitual residence.
The fact that a parent has significant commitments in a foreign
country does not create a presumption that the parent poses an
imminent risk of wrongfully removing or concealing the child.

10 The Parties are also put on notice of the following provision of *NRS* 125C.200:

11 If custody has been established and the custodial parent or a parent
12 having joint custody intends to move his residence to a place
13 outside of this state and to take the child with him, he must, as
14 soon as possible and before the planned move, attempt to obtain
the written consent of the other parent to move the child from the
state. If the non-custodial parent or other parent having joint
15 custody refuses to give that consent, the parent planning the move
16 shall, before he leaves the state with the child, petition the court for
17 permission to move the child. The failure of a parent to comply
with the provisions of this section may be considered as a factor if
18 a change of custody is requested by the noncustodial parent or
other parent having joint custody.

19 The Parties are further put on notice that they are subject to the provisions of *NRS* 31A
20 and 125.450 regarding the collection of delinquent child support payments.

21 The Parties are further put on notice that either Party may request a review of child
22 support pursuant to *NRS* 125B.145.

23 The Parties shall submit the information required in *NRS* 125B.055, *NRS* 125.130 and
24 *NRS* 125.230 on a separate form to the Court and the Welfare Division of the Department of
25 Human Resources within ten (10) days from the date the Decree in this matter is filed. Such
26 information shall be maintained by the Clerk in a confidential manner and not part of the public
27 record. The Parties shall update the information filed with the Court and the Welfare Division of
28 the Department of Human Resources within ten (10) days should any of that information become

1 inaccurate.

2 IT IS FURTHER ORDERED that Attorney Roberts is to prepare the Order After Hearing
3 with the Defendant, Lisa Myers, to approve as to form and content.

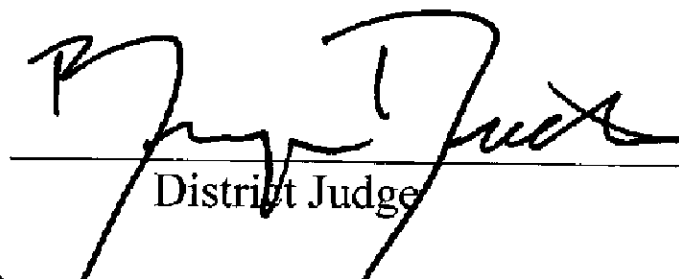
4 IT IS FURTHER ORDERED due to the emergency nature of the Plaintiff's Motion, it was
5 heard today and the hearing for March 8, 2011, is hereby vacated.

6 IT IS FURTHER ORDERED that a return hearing from ATI results and polygraph results
7 is set for March 9, 2011, at 10:00 a.m.

8 IT IS FURTHER ORDERED that a calendar call is set for April 20, 2011, at 10:00 a.m.

9 IT IS FURTHER ORDERED that a non-jury trial is set for June 16, 2011, at 9:30 a.m., on
10 stack #1.

11 IT IS SO ORDERED this _____ day of MAR 24 2011, 2011.

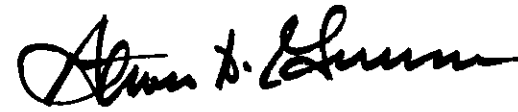
12 
13 District Judge *VR*
14 Approved this _____ day of March, 2011.

15 Respectfully submitted this 17th day
16 of March, 2011.

17 **ROBERTS STOFFEL FAMILY LAW
GROUP**

18 By: Amanda M. Roberts
19 Amanda M. Roberts, Esq.
20 Nevada Bar No. 9294
21 2011 Pinto Lane, Suite 100
22 Las Vegas, Nevada 89106
23 PH: (702) 474-7007
24 FAX: (702) 474-7477
25 EMAIL: attorneys@lvfamilylaw.com
26 Attorneys for Plaintiff

27 By: _____
28 Lisa Myers
Address: _____
PH: _____
FAX: _____
EMAIL: _____
Defendant *In Proper Person*



CLERK OF THE COURT

1 NEOJ
Amanda M. Roberts, Esq.
2 State of Nevada Bar No. 9294
3 **ROBERTS STOFFEL FAMILY LAW GROUP**
2011 Pinto Lane, Suite 100
4 Las Vegas, Nevada 89106
PH: (702) 474-7007
5 FAX: (702) 474-7477
EMAIL: attorneys@lvfamilylaw.com
6 Attorney for the Plaintiff, Caleb Haskins

7
8 **DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

10 CALEB HASKINS,

11 Plaintiff,

12 v.

13 LISA MYERS,

14 Defendant.

) Case No: D-10-434495-D

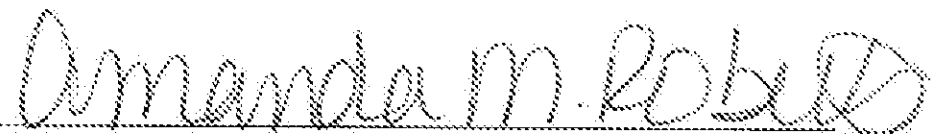
) Dept No: Q

) **NOTICE OF ENTRY OF ORDER**

15
16 Please take notice that an Order After Hearing was duly entered in the above referenced
17 case on the 30th day of March, 2011, a copy of which is attached hereto and by reference fully
incorporated herein.

18 Dated this 21st day of April, 2011.

19 **ROBERTS STOFFEL FAMILY LAW GROUP**

20
21 By: 

Amanda M. Roberts, Esq.
State Bar of Nevada No. 9294
2011 Pinto Lane, Suite 100
Las Vegas, Nevada 89106
PH: (702) 474-7007
FAX: (702) 474-7477
Email: attorneys@lvfamilylaw.com
Attorney for the Plaintiff, Caleb Haskins

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Roberts Stoffel Family Law Group, and on the 2 day of April, 2011, I placed a true and correct copy of the Notice of Entry of Order (with Order attached), in the United States Mail at Las Vegas, Nevada, with postage prepaid, and addressed as follows:

Caleb Haskins
4033 Gaster Ave.
N. Las Vegas, Nevada 89081

Lisa Myers-Haskins
9360 W. Flamingo Rd #110-326
Las Vegas, Nevada 89147

By: 
An Employee of Roberts Stoffel Family Law Group


CLERK OF THE COURT

OAH
Amanda M. Roberts, Esq.
State of Nevada Bar No. 9294
ROBERTS STOFFEL FAMILY LAW GROUP
2011 Pinto Lane, Suite 100
Las Vegas, Nevada 89106
PH: (702) 474-7007
FAX: (702) 474-7477
EMAIL: attorneys@lvfamilylaw.com
Attorney for the Plaintiff, Caleb Haskins

DISTRICT COURT

CLARK COUNTY, NEVADA

CALEB HASKINS,
Plaintiff,

v.

LISA MYERS,
Defendant.

Case No: D-10-434495-D
Dept No: X Q

ORDER AFTER HEARING

Date of Hearing: January 19, 2011
Time of Hearing: 9:00 a.m.

This matter having come before this Court on the 19th day of January, 2011, for a Case Management Conference and the Plaintiff, Caleb Haskins, being present and represented by and through his attorney of record, Amanda M. Roberts, Esq., of Roberts Stoffel Family Law Group, and the Defendant, Lisa Myers, being present and represented herself *in proper person*, and the Court having reviewed files and pleadings herein, and having heard oral testimony of the Parties hereto,

THE COURT HEREBY FINDS that the Plaintiff, Caleb Haskins, filed a Motion pertaining to custody which is emergency in nature, the Motion is currently set for March 8, 2011.

THE COURT FURTHER FINDS that the Orders issued by Judge Gaston and Judge Miley in the *Gambini* matter, case no. D260907, were final Orders. Thereafter, Judge Gonzalez issued an Order to abide by those Orders.

THE COURT FURTHER FINDS that this case is ripe for an outsource evaluation down the line.

1 THE COURT FURTHER FINDS that there is no evidence with the Temporary Protection
2 Order or Defendant's allegation of domestic violence that any altercation occurred that would
3 affect the custody outcome in this matter.

4 IT IS HEREBY ORDERED the Plaintiff, Caleb Haskins, shall appear today at ATI for
5 drug testing for hair and urine with the Defendant, Lisa Myers, shall pay for subject to
6 reimbursement based upon the results of the drug test.

7 IT IS FURTHER ORDERED that both Plaintiff and Defendant provide their personal
8 information for the Court to have SCOPE completed for each.

9 IT IS FURTHER ORDERED that the Plaintiff, Caleb Haskins, shall complete a polygraph
10 examination at his cost.

11 IT IS FURTHER ORDERED the Plaintiff and Defendant shall each execute a HIPAA
12 release forthwith, with a list of any and all health providers. The records obtained shall be
13 provided to the Court for only *in camera* inspection. The records shall be under a GAG order and
14 shall not be produced or discussed with any third Party.

15 IT IS FURTHER ORDERED the Defendant, Lisa Myers, shall provide a list of three to
16 four (3-4) outsource evaluators to Attorney Roberts within two (2) weeks of the date of the
17 hearing or by the close of business on February 2, 2011, and shall include pricing. The purpose
18 of the evaluation is to determine whether the Defendant, Lisa Myers, is a risk to the child. The
19 price of the evaluation shall be split equally between the Parties. The expert shall be permitted to
20 review the expert reports in the *Gambini* matter, case no. D260907, and shall obtain copies by
21 calling chambers.

22 IT IS FURTHER ORDERED the Defendant, Lisa Myers, shall be permitted to request the
23 Plaintiff's, Caleb Haskin's, VA medical records.

24 IT IS FURTHER ORDERED the Parties shall share joint legal custody.

25 IT IS FURTHER ORDERED the Parties shall share joint physical custody with exchanges
26 occurring every three (3) days beginning with the Plaintiff, Caleb Haskins, beginning his
27 timeshare on January 19, 2011, at 4:00 p.m.
28

1 IT IS FURTHER ORDERED the exchanges of the minor child shall occur at the Family
2 Court Marshal's station during the week, and if the Marshal's are not present on the weekends, at
3 Donna's House on Saturdays and/or Sundays with the fees for same being split equally between
4 the Parties.

5 IT IS FURTHER ORDERED that neither Party is permitted to smoke around the child or
6 allow any third Party to smoke around the child, including in the residence.

7 IT IS FURTHER ORDERED the Parties shall communicate regarding the minor child
8 only with the communication occurring through email, their email addresses should be exchanged
9 immediately following today's hearing. Neither parent shall block the other parent's email
10 address.

11 IT IS FURTHER ORDERED the requirement for COPE shall be waived for the
12 Defendant, Lisa Myers, because she previously completed same in the *Gambini* matter, case no.
13 D260907.

14 IT IS FURTHER ORDERED the Parties shall determine the most advantageous way to
15 file their 2010 tax return, whichever way will net the biggest refund shall be utilized.

16 IT IS FURTHER ORDERED on a temporary basis, without prejudice, the Plaintiff, Caleb
17 Haskins, shall pay to the Defendant, Lisa Myers, the sum of \$621.00 per month as and for child
18 support. The child support shall be paid in two (2) payments, on the 15th and the last day of each
19 month. The child support shall commence the last day of January of 2011, with a full payment of
20 \$621.00.

21 IT IS FURTHER ORDERED the Defendant, Lisa Myers, shall provide the Plaintiff, Caleb
22 Haskins, with her bank account information for child support to be directly deposited into her
23 bank account.

24 IT IS FURTHER ORDERED the Defendant's request for child support arrears is deferred
25 at this time.

26 IT IS FURTHER ORDERED that Defendant, Lisa Myers, alleges she cares medical
27 insurance for the minor child and she has two (2) weeks of the date of the hearing or by the close
28

1 of business on February 2, 2011, to provide proof of the child's portion of the health insurance. If
2 this information is provided, as Ordered, the Plaintiff, Caleb Haskins, shall pay one-half (1/2) the
3 cost of the child's health insurance.

4 IT IS FURTHER ORDERED that the Court shall obtain a copy of the confidential expert
5 reports and medical reports in the *Gambini* matter, case no. D260907, because the Defendant,
6 Lisa Myers, in this action is also a Party to the other action and the information is relevant to the
7 issues of custody herein. The Court shall review the reports *in camera*.

8 IT IS FURTHER ORDERED a Case Management Conference has been conducted today
9 and the Case Management Order was signed and provided to each Party or their respective
10 Counsel at today's hearing.

11 IT IS FURTHER ORDERED each Party is placed on notice of the following:

12 PENALTY FOR VIOLATION OF ORDER: THE ABDUCTION, CONCEALMENT OR
13 DETENTION OF A CHILD IN VIOLATION OF THIS ORDER IS PUNISHABLE AS A
14 CATEGORY "D" FELONY AS PROVIDED IN NRS 193.130. NRS 200.359 provides that every
15 person having a limited right of custody to a child or any parent having no right of custody to the
16 child who willfully detains, conceals or removes the child from a parent, guardian or other person
17 having lawful custody or a right of visitation of the child in violation of an order of this court, or
18 removes the child from the jurisdiction of the court without the consent of either the court or all
19 persons who have the right to custody or visitation is subject to being punished for a category "D"
20 felony as provided in NRS 193.130.

21 The State of Nevada, United States of America, is the habitual residence of the minor
22 child of the Parties hereto. The Parties are also put on notice that the terms of the Hague
23 Convention of October 25, 1980, adopted by the 14th Session of the Hague Conference on Private
24 International Law apply if a parent abducts or wrongfully retains a child in a foreign country.

25 The Parties are also put on notice of the following provisions in NRS 125.510(8):

26 If a parent of the child lives in a foreign country or has significant commitments in a
27 foreign country:
28

1 (a) The Parties may agree, and the court shall include in the order
2 for custody of the child, that the United States is the country of
3 habitual residence of the child for the purposes of applying the
terms of the Hague Convention as set forth in subsection 7.

4 (b) Upon motion of one of the Parties, the court may order the
5 parent to post a bond if the court determines that the parent
6 poses an imminent risk of wrongfully removing or concealing
7 the child outside of the country of habitual residence. The
8 bond must in an amount determined by the court and may be
9 used only to pay for the cost of locating the child and returning
10 him to his habitual residence if the child is wrongfully removed
11 from or concealed outside the country of habitual residence.
12 The fact that a parent has significant commitments in a foreign
13 country does not create a presumption that the parent poses an
14 imminent risk of wrongfully removing or concealing the child.

15 The Parties are also put on notice of the following provision of *NRS 125C.200*:

16 If custody has been established and the custodial parent or a parent
17 having joint custody intends to move his residence to a place
18 outside of this state and to take the child with him, he must, as
19 soon as possible and before the planned move, attempt to obtain
20 the written consent of the other parent to move the child from the
21 state. If the non-custodial parent or other parent having joint
22 custody refuses to give that consent, the parent planning the move
23 shall, before he leaves the state with the child, petition the court for
24 permission to move the child. The failure of a parent to comply
25 with the provisions of this section may be considered as a factor if
26 a change of custody is requested by the noncustodial parent or
27 other parent having joint custody.

28 The Parties are further put on notice that they are subject to the provisions of *NRS 31A*
and *125.450* regarding the collection of delinquent child support payments.

The Parties are further put on notice that either Party may request a review of child
support pursuant to *NRS 125B.145*.

The Parties shall submit the information required in *NRS 125B.055*, *NRS 125.130* and
NRS 125.230 on a separate form to the Court and the Welfare Division of the Department of
Human Resources within ten (10) days from the date the Decree in this matter is filed. Such
information shall be maintained by the Clerk in a confidential manner and not part of the public
record. The Parties shall update the information filed with the Court and the Welfare Division of
the Department of Human Resources within ten (10) days should any of that information become

1 inaccurate.

2
3 IT IS FURTHER ORDERED that Attorney Roberts is to prepare the Order After Hearing
4 with the Defendant, Lisa Myers, to approve as to form and content.

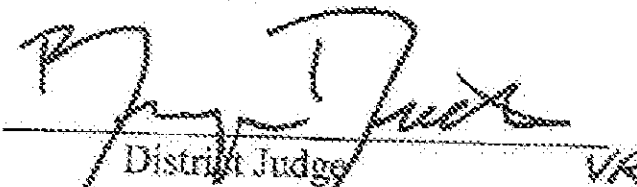
5 IT IS FURTHER ORDERED due to the emergency nature of the Plaintiff's Motion, it was
6 heard today and the hearing for March 8, 2011, is hereby vacated.

7 IT IS FURTHER ORDERED that a return hearing from ATI results and polygraph results
8 is set for March 9, 2011, at 10:00 a.m.

9 IT IS FURTHER ORDERED that a calendar call is set for April 20, 2011, at 10:00 a.m.

10 IT IS FURTHER ORDERED that a non-jury trial is set for June 16, 2011, at 9:30 a.m., on
11 stack #1.

12 IT IS SO ORDERED this day of MAR 24 2011, 2011.

13
14 
District Judge VR

15 Respectfully submitted this 17th day
16 of March, 2011.

Approved this day of March,
2011.

17 **ROBERTS STOFFEL FAMILY LAW
GROUP**

18 By: Amanda M. Roberts
19 Amanda M. Roberts, Esq.
20 Nevada Bar No. 9294
21 2011 Pinto Lane, Suite 100
22 Las Vegas, Nevada 89106
23 PH: (702) 474-7007
24 FAX: (702) 474-7477
25 EMAIL: attorneys@lvfamilylaw.com
26 Attorneys for Plaintiff

By:
27 Lisa Myers
28 Address:
PH:
FAX:
EMAIL:
Defendant In Proper Person

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

November 22, 2010

D-10-434495-D Caleb Obadiah Haskins, Plaintiff.
 vs.
 Lisa Myers, Defendant.

**November 22,
2010****1:30 PM****Case Management
Conference****Case Management
Conference****HEARD BY:** Moss, Cheryl B**COURTROOM:** Courtroom 13**COURT CLERK:** Valerie Riggs**PARTIES:**

Caleb Haskins, Plaintiff,
 Counter Defendant, not
 present
 Lisa Myers, Defendant,
 Counter Claimant, not present
 Sydney Haskins, Subject
 Minor, not present

Amanda Roberts, Attorney,
 not present

Pro Se

JOURNAL ENTRIES

- Prior to today's hearing, Counsel submitted a Stipulation and Order to Continue, therefore, COURT ORDERED, MATTER OFF CALENDAR.

INTERIM CONDITIONS:**FUTURE HEARINGS:**

*Canceled: January 10, 2011 10:30 AM Motion for Withdrawal
 Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated
 Moss, Cheryl B*

PRINT DATE:	05/09/2011	Page 1 of 14	Minutes Date:	November 22, 2010
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*Courtroom 13
Riggs, Valerie*

*Canceled: March 08, 2011 10:30 AM Motion
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per
Judge
Moss, Cheryl B
Courtroom 13*

*Canceled: April 20, 2011 10:00 AM Calendar Call
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per
Clerk
Moss, Cheryl B
Courtroom 13
Riggs, Valerie*

*Canceled: May 02, 2011 10:00 AM Return Hearing
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per
Judge
Courtroom 01
Padilla, Michael A.
Duckworth, Bryce C.*

*Canceled: May 02, 2011 10:00 AM Case Management Conference
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per
Judge
Courtroom 01
Padilla, Michael A.
Duckworth, Bryce C.*

*Canceled: June 16, 2011 9:30 AM Non-Jury Trial
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per
Clerk
Moss, Cheryl B
Courtroom 13*

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

January 10, 2011

D-10-434495-D Caleb Obadiah Haskins, Plaintiff.
vs.
Lisa Myers, Defendant.

January 10, 2011 10:30 AM

Case Management Conference

Case Management Conference

HEARD BY: Moss, Cheryl B

COURTROOM: Courtroom 13

COURT CLERK: Valerie Riggs

PARTIES:

Caleb Haskins, Plaintiff,
Counter Defendant, present
Lisa Myers, Defendant,
Counter Claimant, present
Sydney Haskins, Subject
Minor, not present

Amanda Roberts, Attorney,
not present
Pro Se

JOURNAL ENTRIES

- Atty Jason Stoffel, Bar #8898, present by telephone for Atty Amanda Roberts who was ill.

Discussion by Parties and Counsel.

COURT ORDERED the following:

1. Defendant shall file a Financial Disclosure Form and serve Atty Roberts forthwith.
2. Defendant's Order in Forma Pauperis is GRANTED and SIGNED IN OPEN COURT.

This Court will submit matter to Presiding Judge due to unusual circumstances; to see if Defendant is permitted to file the Peremptory Challenge.

INTERIM CONDITIONS:

FUTURE HEARINGS:

Canceled: January 10, 2011 10:30 AM Motion for Withdrawal

Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated

Moss, Cheryl B

Courtroom 13

Riggs, Valerie

Canceled: March 08, 2011 10:30 AM Motion

Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per Judge

Moss, Cheryl B

Courtroom 13

Canceled: April 20, 2011 10:00 AM Calendar Call

Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per Clerk

Moss, Cheryl B

Courtroom 13

Riggs, Valerie

Canceled: May 02, 2011 10:00 AM Return Hearing

Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per Judge

Courtroom 01

Padilla, Michael A.

Duckworth, Bryce C.

Canceled: May 02, 2011 10:00 AM Case Management Conference

Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per Judge

Courtroom 01

Padilla, Michael A.

Duckworth, Bryce C.

Canceled: June 16, 2011 9:30 AM Non-Jury Trial

Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per Clerk

Moss, Cheryl B

Courtroom 13

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

January 11, 2011

D-10-434495-D Caleb Obadiah Haskins, Plaintiff.
vs.
Lisa Myers, Defendant.

January 11, 2011 1:30 PM Minute Order

HEARD BY: Moss, Cheryl B

COURTROOM: Courtroom 13

COURT CLERK: Valerie Riggs

PARTIES:

Caleb Haskins, Plaintiff, Counter Defendant, not present	Amanda Roberts, Attorney, not present
Lisa Myers, Defendant, Counter Claimant, not present	Pro Se
Sydney Haskins, Subject Minor, not present	

JOURNAL ENTRIES

- Judge Moss advised the parties and Dad's attorney this question would be submitted to the Presiding Judge.

However, Judge Moss notes that after a closer review of the record and procedural history in this case, Mom's time frame to file a peremptory challenge already expired on November 5, 2010.

Procedural Question:

1. Dad filed Complaint for Divorce on 8-20-10, assigned to Judge Potter.

2. Dad filed a TIMELY Peremptory Challenge on 9-23-10.
3. The Notice of Department reassignment from Judge Potter to Judge Moss was filed on 10-1-10.
4. Mom filed an Answer and Counterclaim on 10-5-10.
5. Mom's attorney, Preston Rezaee, withdrew on 12-23-10.
6. On 1-5-11, Mom prepared and executed a motion for in Forma Pauperis requesting her fees be waived.
7. Mom also wanted the Peremptory Challenge Fee waived for her.
8. Court finds the Peremptory Challenge fee is a Supreme Court fee and therefore lacks jurisdiction to waive such a fee.
9. Mom, however, asked if she still had time to file a Peremptory Challenge because she was trying to get her Peremptory Challenge fee waived.
10. Court finds that Mom asked her former attorney to file a Peremptory Challenge BEFORE her attorney withdrew from the case.
11. Mom's attorney never filed the Peremptory Challenge.
12. The Notice of Case Management Conference was sent out by the Court's JEA on October 18, 2010.
13. Service was completed after three mailing days on October 21, 2010.
14. Mom's attorney would have had 10 days from October 21, 2010 to file a timely Peremptory Challenge.
15. Court finds Mom's time period to file a Peremptory Challenge expired on November 5, 2010 pursuant to EDCR 1.14 (a).
16. Court further denies Mom's request for voluntary recusal because there is no basis to recuse.
17. in addition, pursuant to the Judicial Canons, a judge has a duty to sit and hear cases.
18. Court ORDERED the case shall remain in Department I and the date for the 16.2 CMC Conference shall be reset to January 19, 2011 at 9:00 a.m.

INTERIM CONDITIONS:

FUTURE HEARINGS:

Canceled: March 08, 2011 10:30 AM Motion

Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per Judge

Moss, Cheryl B

Courtroom 13

Canceled: April 20, 2011 10:00 AM Calendar Call

Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per Clerk

Moss, Cheryl B

Courtroom 13

Riggs, Valerie

Canceled: May 02, 2011 10:00 AM Return Hearing

Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per Judge

Courtroom 01

Padilla, Michael A.

Duckworth, Bryce C.

Canceled: May 02, 2011 10:00 AM Case Management Conference

Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per Judge

Courtroom 01

Padilla, Michael A.

Duckworth, Bryce C.

Canceled: June 16, 2011 9:30 AM Non-Jury Trial

Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per Clerk

Moss, Cheryl B

Courtroom 13

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

January 19, 2011

D-10-434495-D Caleb Obadiah Haskins, Plaintiff.
vs.
Lisa Myers, Defendant.

January 19, 2011 9:00 AM

Case Management
ConferenceCase Management
Conference

HEARD BY: Moss, Cheryl B

COURTROOM: Courtroom 13

COURT CLERK: Valerie Riggs

PARTIES:

Caleb Haskins, Plaintiff,
Counter Defendant, present
Lisa Myers, Defendant,
Counter Claimant, present
Sydney Haskins, Subject
Minor, not present

Amanda Roberts, Attorney,
present
Pro Se

JOURNAL ENTRIES

- Parties sworn and testified.

Behavior Order SIGNED IN OPEN COURT.

Discussions by Parties and Counsel.

COURT ORDERED the following:

1. Plaintiff is REFERRED to American Toxicology Institute (ATI) for drug testing today. Defendant shall pay for the testing.

2. SCOPES shall be run on both Parties.
3. Plaintiff shall have a Polygraph Test done at his cost.
4. Both Parties shall sign HIPPA releases forthwith.
5. Defendant shall provide a list of 3-4 Outsource Evaluators to Atty Roberts within two (2) weeks.
6. Defendant shall request Plaintiff's VA medical records.
7. Parties shall share JOINT LEGAL and JOINT PHYSICAL CUSTODY of the minor child, with exchanges every three (3) days beginning day with Plaintiff at 4:00 p.m. Exchanges shall be at the Family Court Marshall's Station during the week and Donna's House on Saturdays and Sundays. Parties will split the cost of Donna's House.
8. There is to be NO SMOKING around the minor child.
9. Parties shall communicate by e-mail on child issues only.
10. TEMPORARILY without prejudice, Plaintiff's CHILD SUPPORT is SET at \$621.00 per month, with 1/2 due on the 15th and last day of each month by direct deposit into Defendant's bank account. January's payment is due by the last day of January.
11. CHILD SUPPORT ARREARES are DEFERRED.
12. Defendant provides health insurance for the minor child, with proof of the child's portion, within two (2) weeks, Plaintiff shall pay 1/2 of that cost.
13. Court shall obtain the doctor's reports from the Gambini case D260907, of which Defendant is a party to.
14. Plaintiff's Motion scheduled for March 8, 2011 is VACATED.
15. Return Hearing, Calendar Call and Trial dates SET.

Case Management Order SIGNED and FILED IN OPEN COURT.

Atty Roberts shall prepare the Order from today's hearing, Defendant to sign as to form and content.

3-9-2011 10:00 AM RETURN: ATI/POLYGRAPH

4-20-2011 10:00 AM CALENDAR CALL

6-16-2011 9:30 AM NON-JURY TRIAL #1

INTERIM CONDITIONS:

FUTURE HEARINGS:

Canceled: March 08, 2011 10:30 AM Motion
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per
Judge
Moss, Cheryl B
Courtroom 13

Canceled: April 20, 2011 10:00 AM Calendar Call
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per
Clerk
Moss, Cheryl B
Courtroom 13
Riggs, Valerie

Canceled: May 02, 2011 10:00 AM Return Hearing
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per
Judge
Courtroom 01
Padilla, Michael A.
Duckworth, Bryce C.

Canceled: May 02, 2011 10:00 AM Case Management Conference
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per
Judge
Courtroom 01
Padilla, Michael A.
Duckworth, Bryce C.

Canceled: June 16, 2011 9:30 AM Non-Jury Trial
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per
Clerk
Moss, Cheryl B
Courtroom 13

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

March 09, 2011

D-10-434495-D Caleb Obadiah Haskins, Plaintiff.
vs.
Lisa Myers, Defendant.

March 09, 2011	10:00 AM	Return Hearing	Return Hearing re: ATI/Polygraph Test (1 Hour)
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HEARD BY: Moss, Cheryl B

COURTROOM: Courtroom 13

COURT CLERK: Valerie Riggs

PARTIES:

Caleb Haskins, Plaintiff,
Counter Defendant, present
Lisa Myers, Defendant,
Counter Claimant, present
Sydney Haskins, Subject
Minor, not present

Amanda Roberts, Attorney,
present
Pro Se

JOURNAL ENTRIES

- COURT ORDERED, matter OFF CALENDAR pending the Appeal to the Supreme Court. All Orders remain in effect.

INTERIM CONDITIONS:

FUTURE HEARINGS:

*Canceled: April 20, 2011 10:00 AM Calendar Call
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per Clerk*

PRINT DATE:	05/09/2011	Page 11 of 14	Minutes Date:	November 22, 2010
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Moss, Cheryl B
Courtroom 13
Riggs, Valerie

Canceled: May 02, 2011 10:00 AM Return Hearing
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per
Judge
Courtroom 01
Padilla, Michael A.
Duckworth, Bryce C.

Canceled: May 02, 2011 10:00 AM Case Management Conference
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per
Judge
Courtroom 01
Padilla, Michael A.
Duckworth, Bryce C.

Canceled: June 16, 2011 9:30 AM Non-Jury Trial
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per
Clerk
Moss, Cheryl B
Courtroom 13

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES****March 10, 2011**

D-10-434495-D Caleb Obadiah Haskins, Plaintiff.
 vs.
 Lisa Myers, Defendant.

March 10, 2011 3:15 PM Minute Order

HEARD BY: Moss, Cheryl B**COURTROOM:** Courtroom 13**COURT CLERK:****PARTIES:**

Caleb Haskins, Plaintiff,	Amanda Roberts, Attorney,
Counter Defendant, not	not present
present	
Lisa Myers, Defendant,	Pro Se
Counter Claimant, not present	
Sydney Haskins, Subject	
Minor, not present	

JOURNAL ENTRIES

- MINUTE ORDER OF RECUSAL:

On March 9, 2011, the undersigned Judge received an email that was posted by Plaintiff's counsel intended to serve as a legal question to the family law bar and requesting feedback.

While Plaintiff's counsel may have inadvertently not realized that the undersigned Judge is on the List Serve (managed by the State Bar of Nevada) to receive emails and postings from the family bar, Plaintiff's counsel named Judge Moss in the email and discussed specific items that clearly identified the case to this Judge.

Consequently, this appears to be an ex parte communication pursuant to the Judicial Code of Conduct mandating disqualification pursuant to Rule 2.11(A), "A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned[.]"

In addition, while the email posting could have been procedural in nature and not ex parte, the undersigned Judge still believes that she can no longer be impartial in this case.

Therefore, IT IS HEREBY ORDERED that the undersigned Judge recuses herself from Case Number D10- 434495-D, and this case shall be randomly reassigned.

IT IS FURTHER ORDERED that a copy of this Minute Order of Recusal shall be served on Plaintiff's counsel and Defendant In Proper Person.

SO ORDERED.

INTERIM CONDITIONS:

FUTURE HEARINGS:

Canceled: April 20, 2011 10:00 AM Calendar Call

Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per Clerk

Moss, Cheryl B

Courtroom 13

Riggs, Valerie

Canceled: May 02, 2011 10:00 AM Return Hearing

Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per Judge

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Padilla, Michael A.

Duckworth, Bryce C.

Canceled: May 02, 2011 10:00 AM Case Management Conference

Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per Judge

Courtroom 01

Padilla, Michael A.

Duckworth, Bryce C.

Canceled: June 16, 2011 9:30 AM Non-Jury Trial

Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per Clerk

Moss, Cheryl B

Courtroom 13

State of Nevada } **SS:**
County of Clark }

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; CONFIDENTIAL CIVIL COVER SHEET; ORDER AFTER HEARING; NOTICE
OF ENTRY OF ORDER; DISTRICT COURT MINUTES;

Case No: D434495
Dept No: I

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 9 day of May 2011.

Steven D. Grierson, Clerk of the Court

Heather Lofquist, Deputy Clerk