

**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:	06/15/2011	Page 1 of 15	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.*

*June 15, 2011 11:00 AM Motion
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*

Canceled: June 28, 2011 10:00 AM Motion

**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

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Moss, Cheryl B

Courtroom 13

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June 15, 2011 11:00 AM Motion

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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

Canceled: June 28, 2011 10:00 AM Motion

**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:

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Duckworth, Bryce C.

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Duckworth, Bryce C.

June 15, 2011 11:00 AM Motion

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

Canceled: June 28, 2011 10:00 AM Motion

**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:

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Courtroom 13

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Canceled: June 16, 2011 9:30 AM Non-Jury Trial
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Courtroom 13

Canceled: June 28, 2011 10:00 AM Motion

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

JOURNAL ENTRIES

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

INTERIM CONDITIONS:

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Courtroom 13
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June 15, 2011 11:00 AM Motion
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Clerk
Moss, Cheryl B
Courtroom 13

Canceled: June 28, 2011 10:00 AM Motion

**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

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Courtroom 01

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Courtroom 01

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June 15, 2011 11:00 AM Motion

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

Moss, Cheryl B

Courtroom 13

Canceled: June 28, 2011 10:00 AM Motion

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

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

CALEB O. HASKINS,

Plaintiff(s),

vs.

LISA MYERS,

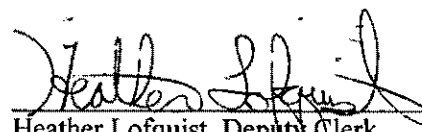
Defendant(s),

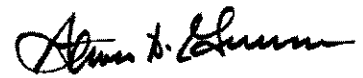
)
)
) Case No: D434495
) Dept No: Q
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now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 16 day of June 2011.

Steven D. Grierson, Clerk of the Court


Heather Lofquist, Deputy Clerk



CLERK OF THE COURT

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

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

11 **CALEB HASKINS,**

12 Plaintiff,

13 v.

14 **LISA MYERS,**

15 Defendant.

) Case No: D-10-434495-D

) Dept No: Q

16 **NOTICE OF ENTRY OF ORDER**

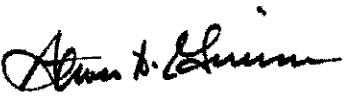
17 Please take notice that an Order Shortening Time was duly entered in the above
18 referenced case on the 6th day of June, 2011, a copy of which is attached hereto and by reference
19 fully incorporated herein.

20 Dated this 6th day of June, 2011.

21 **ROBERTS STOFFEL FAMILY LAW GROUP**

22 By: 

23 Amanda M. Roberts, Esq.
24 State Bar of Nevada No. 9294
25 2011 Pinto Lane, Suite 100
26 Las Vegas, Nevada 89106
27 PH: (702) 474-7007
28 FAX: (702) 474-7477
Email: attorneys@lvfamilylaw.com
Attorney for the Plaintiff, Caleb Haskins


CLERK OF THE COURT

1 **OST**
2 Amanda M. Roberts, Esq.
3 State of Nevada Bar No. 9294
4 **ROBERTS STOFFEL FAMILY LAW GROUP**
5 2011 Pinto Lane, Suite 100
6 Las Vegas, Nevada 89106
7 PH: (702) 474-7007
8 FAX: (702) 474-7477
9 EMAIL: attorneys@lvfamilylaw.com
10 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.
14

) Case No: D-10-434495-D

) Dept No: Q

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ORDER SHORTENING TIME

RECEIVED

MAY 31 2011

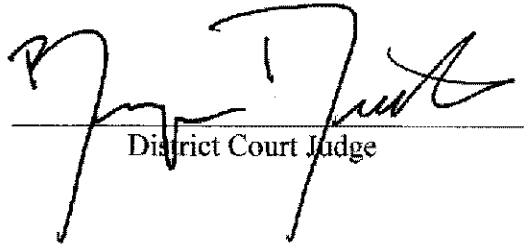
FAMILY COURT
DEPARTMENT Q

1 It appears to the satisfaction of this Court and good cause appearing therefore;

2 IT IS HEREBY ORDERED the time for the hearing on Plaintiff's Motion for the Court to
3 Agree to hear this Motion Pursuant to *Honeycut*; Sole Legal Custody, Primary Physical Custody,
4 an Independent Medical Evaluation, the Issuance of an Order to Show Cause against Lisa; and for
5 Attorney Fees and Costs; Affidavit of Caleb Haskins, currently set for June 28, 2011, at 10:00
6 a.m., is hereby shortened to the 15th day of June, 2011, at
7 11:00 (a.m.) p.m. in Department "Q" of the Family Court at 601 North Pecos Road,
8 Las Vegas, Nevada.
9

10 IT IS FURTHER ORDERED the Defendant, Lisa Myers, shall be personally served at the
11 residence of her parents, Brent and Sharon Myers, located at 9999 W. Katie Avenue, Las Vegas,
12 Nevada, 89147, which is the address where the Defendant was served at the commencement of
13 this action.

14 IT IS SO ORDERED this _____ day of JUN 03 2011, 2011.
15

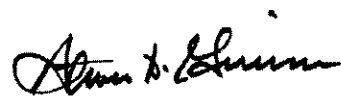
16
17
18 
District Court Judge

19 Respectfully submitted by:

20 **ROBERTS STOFFEL FAMILY LAW GROUP**

21 By: Amanda M. Roberts

22 Amanda M. Roberts, Esq.
23 State of Nevada Bar No. 9294
24 2011 Pinto Lane, Suite 100
25 Las Vegas, Nevada 89106
26 PH: (702) 474-7007
27 FAX: (702) 474-7477
28 EMAIL: attorneys@lvfamilylaw.com
Attorney for the Plaintiff, Caleb Haskins


CLERK OF THE COURT

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

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

10 CALEB HASKINS,

11 Plaintiff,

12 v.

13 LISA MYERS,

14 Defendant.
15

) Case No: D-10-434495-D

) Dept No: Q

) **EX PARTE APPLICATION FOR AN**
) **ORDER SHORTENING TIME.**

16
17 COMES NOW Plaintiff, Caleb Haskins, by and through his attorney of record, Amanda
18 M. Roberts, Esq., of Roberts Stoffel Family Law Group, hereby moves this Court for an Ex Parte
19 Order Shortening Time.

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1 This Application for an Ex Parte Order Shortening Time is based upon the Affidavit of
2 Amanda M. Roberts, Esq. Moreover, this Application is made and based upon all the papers,
3 pleadings and records on file herein, as well as the Points and Authorities attached hereto.

4 DATED this 31st day of May, 2011.

5 **ROBERTS STOFFEL FAMILY LAW GROUP**

6
7 By: Amanda M. Roberts

8 Amanda M. Roberts, Esq.
9 State Bar of Nevada No. 9294
10 2011 Pinto Lane, Suite 100
11 Las Vegas, Nevada 89106
12 PH: (702) 474-7007
13 FAX: (702) 474-7477
14 EMAIL: attorneys@lvfamilylaw.com
15 Attorneys for Plaintiff, Caleb Haskins
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1 • Dr. John Paglini- who determined that if Lisa's child
2 was left in her care the child was in "serious danger"
3 and that Lisa's behaviors were "bizarre" and "extreme".
4 Despite these evaluations, Lisa has continued to refuse
5 to get help for her mental illness since 2001. Based
6 upon the foregoing, there can be no doubt that Lisa
7 suffers from a serious mental illness!
8

9 Now, Lisa has denied Caleb's Court Ordered custodial timeshare since May 7, 2011.
10 Additionally, Lisa has taken Sydney to at least five (5) pediatric appointments without notifying
11 Caleb all so that she can claim that Caleb is abusing the baby or the child has been exposed to
12 illegal drugs in Caleb's care. Lisa's behavior is mimicking the Gambini case and her behavior is
13 disturbing. Lisa has a complete disregard for the Court's Order and is not acting in Sydney's best
14 interest.
15

16 In order to avoid consequences for her violation of the Court's Orders, Lisa filed another
17 bogus Temporary Protection Order. According to Lisa's TPO Application, Sydney was in the
18 hospital on life support and Caleb demanded to hold Sydney. Thereafter, Caleb became irate and
19 slammed down the side of Sydney's crib and the child jumped and began trembling. Lisa's
20 statement does not make sense, if Sydney was on life support, she was not awake and could not
21 have jumped and trembled. Lisa is making mistakes and now her stories cannot even be factually
22 correct!
23

24 It is Caleb's position that Sydney is in danger in Lisa's care and the Court should take
25 immediate action to avoid further harm to the child. As such, Caleb requests the Court enter an
26 Order Shortening Time, but it not be set between June 3, 2011, and June 12, 2011, because his
27 Counsel will be outside the jurisdiction.
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II.
Conclusion

Based on the aforementioned reasons, it is respectfully requested that this Court enter an Order Shortening Time on the Plaintiff's Motion currently set for June 28, 2011, at 10:00 a.m.

DATED this 27th day of May, 2011.

ROBERTS STOFFEL FAMILY LAW GROUP

By: Amanda M. Roberts
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
Attorneys for Plaintiff, Caleb Haskins

AFFIDAVIT OF AMANDA M. ROBERTS, ESQ.

STATE OF NEVADA)
 ss
County of Clark)

1. I, Amanda M. Roberts, Esq., the Plaintiff's attorney in the above referenced matter and I can attest to the below reference facts as being true and correct to the best my knowledge as represented by my client.

2. The Parties to this action are Lisa Myers ("Lisa") and Caleb Haskins ("Caleb"). The Parties were married on the 21st day of September, 2009, in Las Vegas, Nevada. There is one (1) minor child who was conceived prior to the Parties' marriage and born shortly after the marriage, to wit: Sydney Rose Haskins, born the 30th day of March, 2010 (1 year old).

3. The Honorable Stefany Miley ("Judge Miley") entered an Order in case 00D260907 suspending Lisa's contact with her minor child in said action because of a mental health illness which had gone untreated for five (5) years. Judge Miley issued a finding that it was unlikely Lisa would ever comply with the Court Ordered psychological evaluation and therapy with Dr. Holland which resulted from the following findings:

- * Dr. Lenkeit- who stated that Lisa needed "to address serious problems in her life and get some help" and informed the Court that if her "behavior continued unchecked parental alienation would certainly take place".
- * Jennifer Elliot Tavano (now a member of the Family Court bench, Jennifer Elliot)- who determined there is "substantial evidence of Defendant's [Lisa's] psychological problems and distortion of reality".

1 * Dr. John Paglini- who determined that if Lisa's child
2 was left in her care the child was in "serious danger"
3 and that Lisa's behaviors were "bizarre" and "extreme".
4 Despite these evaluations, Lisa has continued to refuse
5 to get help for her mental illness since 2001. Based
6 upon the foregoing, there can be no doubt that Lisa
7 suffers from a serious mental illness!
8

9 4. Now, Lisa has denied Caleb's Court Ordered custodial timeshare since May 7,
10 2011. Additionally, Lisa has taken Sydney to at least five (5) pediatric appointments without
11 notifying Caleb all so that she can claim that Caleb is abusing the baby or the child has been
12 exposed to illegal drugs in Caleb's care. Lisa's behavior is mimicking the Gambini case and her
13 behavior is disturbing. Lisa has a complete disregard for the Court's Order and is not acting in
14 Sydney's best interest.
15

16 5. In order to avoid consequences for her violation of the Court's Orders, Lisa filed
17 another bogus Temporary Protection Order. According to Lisa's TPO Application, Sydney was
18 in the hospital on life support and Caleb demanded to hold Sydney. Thereafter, Caleb became
19 irate and slammed down the side of Sydney's crib and the child jumped and began trembling.
20 Lisa's statement does not make sense, if Sydney was on life support, she was not awake and
21 could not have jumped and trembled. Lisa is making mistakes and now her stories cannot even
22 be factually correct!
23

24 6. It is Caleb's position that Sydney is in danger in Lisa's care and the Court should
25 take immediate action to avoid further harm to the child. As such, Caleb requests the Court enter
26 an Order Shortening Time, but it not be set between June 3, 2011, and June 12, 2011, because his
27 Counsel will be outside the jurisdiction.
28

7. Good cause exists for the Court to grant Plaintiff's request for an Order Shortening Time and for this matter to be heard in a expedited fashion.

FURTHER AFFIANT SAYETH NAUGHT.

Amanda M. Roberts
Amanda M. Roberts, Esq.

Subscribed and Sworn to before me this
27th day of May, 2011.

Notary Public in and for said County
And State

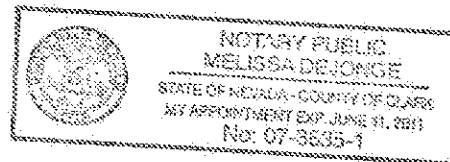


EXHIBIT "1"

ORIGINALDISTRICT COURT FILED IN OPEN COURT
CLARK COUNTY, NEVADA *August 8 20 08*CHARLES J. SHORT
CLERK OF THE COURTBY *Terry Sander*
DEPUTY

PAUL GAMBINI,

Plaintiff,

-vs-

LISA MYERS-GAMBINI

Defendant.

CASE NO: D260907
DEPT. FDECISION

The parties were last in Court on July 1, 2008 for a return hearing regarding Defendant's compliance with Dr. Holland. At the time of this hearing, Defendant had still failed to comply with this Court's Orders regarding Dr. Holland. Again, Defendant argued that she should not have to comply with Court orders dating back to December 1, 2003 regarding Dr. Holland. As in several prior hearings, Defendant requested her visitation be expanded notwithstanding her failure to see Dr. Holland. Again, Plaintiff disputed Defendant's request and asked that the Court suspend Defendant's visitation for her almost five-year failure to comply with Court orders.

COURT REVIEWED the tape from the December 1, 2003 hearing, in which Plaintiff was present with his counsel, John Lukens, and Defendant was present with her counsel, George Carter. The Honorable Robert Gaston presided. At the time of this hearing, Judge Gaston concluded that the Court would accept Dr. Paglini's recommendations to appoint Dr. Elizabeth Ritchett and Dr. Stephanie Holland to assist in this case. Per the recommendations, one of the doctors was to work as the treating therapist for Defendant and the other doctor was to work as the master clinician, who was to coordinate any issues with the Court, monitor Defendant's progress with the therapist, and make recommendations to the Court as to expanding Defendant's visitation with the child. Judge Gaston ordered that counsel was ordered to work together to determine what role each doctor was to have. At this hearing Judge Gaston further stated that the reasons for adopting Dr. Paglini's recommendations was to primarily protect the child, and secondly to encourage Defendant to seek serious ongoing psychotherapy.

Judge Gaston's rulings from the December 1, 2003 hearing was reduced to an Order and filed on December 30, 2003. The Notice of Entry of Order was filed December 31, 2003.

On January 22, 2004 Defendant, in Proper Person, filed an Appeal Statement & Notice of Appeal to Nevada Supreme Court (Docket No. 42701 - Defendant's proper person appeal). Immediately thereafter, Attorney Carter filed a Writ of Mandamus or Prohibition, challenging the District Court's oral ruling

STEFANY A. MILEY
DISTRICT JUDGEFAMILY DIVISION, DEPT. F
LAS VEGAS NV 89101-2058

1 concerning Child Custody, Visitation, Child Support, and an award of Attorney
2 Fees (Nevada Supreme Court Docket No. 42514).

3 COURT ALSO REVIEWED the tape from the March 15, 2004 status check
4 hearing, in which Plaintiff was present with his counsel, John Lukens, and
5 Defendant was also present with her counsel, George Carter. At this hearing,
6 Judge Gaston noted that this Court was limited in its jurisdiction as the case was
7 pending before the Supreme Court. Attorney Carter indicated that Defendant
8 prepared her own appeal document and Mr. Carter had submitted a Writ of
9 Mandamus on behalf of the defendant.

10 FURTHER, at the March 15, 2004 hearing, Judge Gaston informed the parties
11 that he had communicated with both Dr. Ritchett and Dr. Holland, as both
12 Plaintiff and Defendant waived any conflict regarding ex-parte communication,
13 and described to the doctors what their roles would be. Judge Gaston Ordered
14 that Dr. Ritchett would be the treating physician and Dr. Holland would be the
15 master clinician.

16 The Court file indicates that between the March 15, 2004 hearing and the next
17 several Court hearings, Defendant did not comply with Judge Gaston's Order
18 dated December 30, 2003 wherein Defendant was to meet with Dr. Holland in
19 her role as Master Clinician.

20 In its Order dated November 16, 2004 the Nevada Supreme Court AFFIRMED
21 the District Court's Order in Docket No. 42701. In support of its decision, the
22 Nevada Supreme Court stated that matters of child custody, support, and
23 visitation are within the district court's sound discretion. *Wallace vs. Wallace*,
24 112 Nev. 1015, 922 P.2d 541 (1996). The sole consideration in determining
25 child custody is the best interest of the child. NRS 125.480(1). "It is presumed
26 that a trial court has properly exercised its discretion in determining a child's
27 best interest." *Wallace*, 112 Nev. at 1019, 922 P.2d at 543. Having reviewed the
28 record, the Nevada Supreme Court concluded that the district court did not abuse
its discretion.

FURTHER, in the same Order dated November 16, 2004, the Nevada Supreme
Court DENIED the Writ of Mandamus or Prohibition (Docket No. 42514)
because Defendant had an adequate legal remedy in the form of the appeal she
filed in Docket No. 42701.

Thereafter, Defendant filed a Petition for En Banc Reconsideration with the
Nevada Supreme Court. In its Order dated June 7, 2005, the Nevada Supreme
Court DENIED Defendant's Petition for en banc reconsideration. The Nevada
Supreme Court stated that it had considered Defendant's Petition, Plaintiff's
Answer and Defendant's Reply arguments, and concluded that an en banc
reconsideration was not warranted.

No other hearings were held in this matter until October 11, 2006. At this
hearing, discussion was conducted regarding current case status and allegations
of abuse. The matter was set for an Evidentiary Hearing.

STEPHANY A. MILEY
DISTRICT JUDGE

FAMILY DIVISION, DEPT. F
LAS VEGAS NV 89101-2008

1 The Evidentiary Hearing was held on May 1, 2007. At that time, Defendant
2 requested an expansion or modification of her visitation. At this hearing, this
3 Court ordered that the 12/1/03 Order of Judge Gaston was a still valid Order of
4 the Court and thus Defendant was still expected to comply therewith. This Court
5 again ordered that Defendant was referred for an Outsource Evaluation with Dr.
6 Holland following which Dr. Holland would make her recommendations per
7 Judge Gaston's prior orders.

8 At the July 17, 2007 Hearing on Plaintiff's Motion for a Protective Order and
9 Defendant's Opposition and Countermotion for an Award of Attorney's Fees,
10 this COURT FOUND that the only issue pending before the Court at that time
11 was Defendant's compliance with previous Court Orders issued on 12/1/03 by
12 Judge Gaston for treatment with Dr. Holland, and Judge Miley's Order issued on
13 5/1/07 when Defendant was referred for an Outsource Psychological Evaluation
14 with recommendations. At this hearing the Court again indicated it would make
15 a determination regarding expansion of visitation time and/or change of custody
16 only after Defendant had complied with previous Orders. Again, this Court
17 indicated it was still waiting on a report from Dr. Holland. Despite finding that
18 Defendant had been given several opportunities to comply with Judge Gaston's
19 prior orders, this Court gave Defendant additional time to comply.

20 The matter was set for a status check on August 29, 2007 regarding the
21 outsource evaluation. Pursuant to a letter addressed to Chambers by Dr.
22 Holland, dated July 30, 2007 (copies sent to attorney Lukens and Attorney
23 Johnson), Dr. Holland requested a continuance based on the fact that Mom was
24 ordered to pay 100% of the cost of the services and was having difficulties
25 raising the finances to initiate the process. Dr. Holland requested a 90-day
26 continuance.

27 In a letter dated January 14, 2008, Dr. Holland again addressed the Court (copies
28 sent to attorney Lukens, Attorney Johnson and Plaintiff), stating that she
received a letter from Defendant dated January 10, 2008 wherein Defendant
indicated she was unwilling to complete the evaluation per the specifications of
Dr. Holland. In her correspondence, Dr. Holland indicated that she "wishes to
clarify that Ms. Gambini's parents and younger son were NOT to be evaluated
by this examiner. An evaluation involves clinical and psychosocial interviews,
psychological testing, and any other procedures necessary to gather essential
information (i.e. collateral interviews, record review, observations, home visits,
drug screenings, etc.) to address the referral question. In this case, it was
determined Ms. Gambini's medical records and those of her youngest son were
necessary to fully assess her psychological functioning, and render competent
and confident findings for the court. In addition, because *Custody and Visitation
Recommendations* were specifically ordered by the Court, family observations
(which generally include anyone living in the household with the parent), a
home visit, and collateral interviews with Lisa's parents were determined to be
necessary."

STEPHAN A. MILEY
DISTRICT JUDGE

FAMILY DIVISION, DEPT. F
LAS VEGAS NV 89101-3600

1 Dr. Holland concluded that "due to Ms. Gambini's decision to not participate in
2 all necessary evaluation procedures, this examiner is unable to proceed with the
Psychological Evaluation as ordered, and the file will be closed."

3 At the February 4, 2008 Hearing, COURT REPEATED its previous Order that
4 Defendant was to comply with the Court's prior valid order and to report to Dr.
Holland.

5 Plaintiff disclosed Dr. Holland as a witness in his List of Witnesses for
6 Evidentiary Hearing, which was filed on February 9, 2007, and in the Pre-Trial
7 Memorandum, which was filed on April 9, 2007.

8 At the February 11, 2008 Status Check Hearing regarding Defendant's
9 compliance with Dr. Holland, COURT ADVISED, adequate time had been
provided to Defendant regarding an evaluation being performed. Court again
10 advised Defendant of the need for her compliance with Dr. Holland and to
provide what was required for the evaluation to be completed. Again, it was
11 reiterated that this Court was still seeking compliance with Judge Gaston's prior
orders. Matter set for yet another return hearing.

12 In a letter from Dr. Holland dated May 14, 2008 (copies sent to Attorney
13 Lukens, Attorney Johnson and Defendant), this Court was informed that
Defendant still had not responded to a letter sent from Dr. Holland dated April 3,
14 2008, requesting that she schedule an appointment on or before April 22, 2008.
Dr. Holland further indicated that no attempts had been made to schedule an
15 appointment as of the date of the letter (May 14, 2008). Dr. Holland concluded
16 in her correspondence that she would not have adequate time to complete the
requested evaluation.

17 COURT FINDS Defendant has received almost five years to comply with Judge
18 Gaston's valid December 1, 2003 ruling that was reduced to an order on
December 30, 2003, requiring Defendant to meet with Dr. Holland. COURT
19 FINDS, Defendant has had ample opportunity to comply with this order and yet
has willfully declined to do so. COURT FINDS based upon Defendant's
20 historical actions that it is unlikely she will ever comply with these prior orders.
Thus, COURT ORDERS, Defendant's visitation is hereby SUSPENDED until
21 she has complied with Judge Gaston's valid order dated December 30, 2003.

22 IT IS SO ORDERED.

23
24 Dated this 8th day of August, 2008.



25
26
27
28
HONORABLE STEFANY A. MILEY
DISTRICT COURT JUDGE
DEPARTMENT F

STEFANY A. MILEY
DISTRICT JUDGE

FAMILY DIVISION, DEPT. F
LAS VEGAS NV 89101-2408

CERTIFICATE OF FACSIMILE

A copy of the foregoing Decision was faxed to John Lukens, Esq., at (702) 385-3474 and to Douglas Johnson, Esq., at (702) 362-0079.

By: 

CARMEN ALFER
JUDICIAL EXECUTIVE ASSISTANT
DEPARTMENT F

28
STEPHEN A. NILEY
DISTRICT JUDGE

FAMILY DIVISION, DEPT. F
LAS VEGAS NV 89101-2400

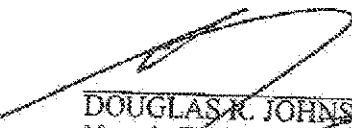
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AFFIRMATION
Pursuant to NRS 239B.030

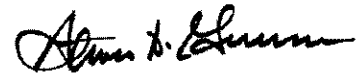
The undersigned does hereby affirm that the preceding **NOTICE OF ENTRY OF DECISION** filed in District Court Case No.: 00-D-260907-D does not contain the social security number of any person.

Dated this 17 day of August, 2008.

LAW OFFICES OF DOUGLAS R. JOHNSON


DOUGLAS R. JOHNSON, ESQ.
Nevada Bar No. 007765
JENNIFER E. SIMS, ESQ.
Nevada Bar No. 007913
1785 West Sahara Avenue, Suite 203
Las Vegas, Nevada 89117
Attorneys for Defendant Lisa S. Myers-Gambini

LAW OFFICES OF DOUGLAS R. JOHNSON
7785 W. Sahara Avenue, Suite 203
Las Vegas, Nevada 89117
Telephone: (702) 362-6777



CLERK OF THE COURT

MOT
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: Q

) **NOTICE OF MOTION AND MOTION**
) **FOR THE COURT TO AGREE TO HEAR**
) **THIS MATTER PURSUANT TO**
) **HUNEYCUTT; SOLE LEGAL CUSTODY,**
) **PRIMARY PHYSICAL CUSTODY, AN**
) **INDEPENDENT MEDICAL**
) **EVALUATION, THE ISSUANCE OF AN**
) **ORDER TO SHOW CAUSE AGAINST**
) **LISA; AND FOR ATTORNEY FEES AND**
) **COSTS; AFFIDAVIT OF CALEB**
) **HASKINS.**

) Date of Hearing: 6 / 28 / 2011

) Time of Hearing: 10 : 00 a m

TO: Defendant, Lisa Myers, *in proper person.*

YOU ARE REQUIRED TO FILE A WRITTEN RESPONSE TO THIS MOTION WITH THE CLERK OF THE COURT AND TO PROVIDE THE UNDERSIGNED WITH A COPY OF YOUR RESPONSE WITHIN TEN (10) DAYS OF YOUR RECEIPT OF THIS MOTION. FAILURE TO FILE A WRITTEN RESPONSE WITH THE CLERK OF THE COURT WITHIN TEN (10) DAYS OF YOUR RECEIPT OF THIS MOTION MAY RESULT IN THE REQUESTED RELIEF BEING GRANTED BY THE COURT WITHOUT A HEARING PRIOR TO THE SCHEDULED HEARING DATE.

PLEASE TAKE NOTICE that the undersigned will bring the foregoing Motion on for hearing before the Honorable Judge Duckworth in Dept. "Q" of the Eighth Judicial District Court,

Family Division located at 601 North Pecos Road, Las Vegas, Nevada, 89101, on the _____
 day of June, 2011, at 10:00 a.m. a.m./p.m., of said day, or as soon
 thereafter as Counsel may be heard.

COMES NOW the Plaintiff, Caleb Haskins, by and through his attorney, Amanda M.
 Roberts Esq., of Roberts Stoffel Family Law Group, and hereby moves the Court for the
 following:

1. An Order pursuant to the holding in *Huneycutt v. Huneycutt* indicating the District Court is inclined to grant the relief requested by Caleb which should be certified to the Nevada Supreme Court.
2. An Order awarding Caleb sole legal custody of Sydney;
3. An Order awarding Caleb primary physical custody of Sydney and setting supervised visitation for Lisa;
4. An Order for mental evaluation of Lisa to be scheduled within two (2) weeks of the hearing date;
5. The issuance of an Order to Show Cause and an evidentiary hearing on Lisa's contempt of Court;
6. An Order awarding the Plaintiff attorney fees and costs; and
7. Any and all related relief the Court deems just and proper.

Dated this 24th day of May, 2011.

ROBERTS STOFFEL FAMILY LAW GROUP

By: Amanda M. Roberts

Amanda M. Roberts, Esq.
 State of Nevada Bar 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 Plaintiff, Caleb Haskins

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MEMORANDUM OF POINTS AND AUTHORITIES

I.

Statement of Facts

The Parties to this action are Lisa Myers ("Lisa") and Caleb Haskins ("Caleb"). The Parties were married on the 21st day of September, 2009, in Las Vegas, Nevada. There is one (1) minor child who was conceived prior to the Parties' marriage and born shortly after the marriage, to wit: Sydney Rose Haskins, born the 30th day of March, 2010 (1 year old).

Relevant District Court/Supreme Court Procedural History

On August 20, 2010, Caleb filed his Complaint for divorce. On September 3, 2010, Lisa filed to extend the Temporary Protection Order, ("TPO") based upon made up facts and allegations. The hearing for the TPO was set for September 23, 2010, at 2:00 p.m. The TPO was dismissed *nunc pro tunc* based upon a stipulated agreement between the Parties, because it was acknowledged that Lisa was not truthful in her TPO Application. Additionally, due to Lisa's mental health problems as outlined herein more specifically, Caleb sought a stipulation for a Mutual Behavior Order which Lisa agreed to adopt (*same has been submitted to the Court for the Judge's signature because Lisa's prior Counsel refused to sign-off on same*).

On January 10, 2011, a hearing was held before the Honorable Judge Moss ("Judge Moss") for a Case Management Conference. At the time, Lisa indicated she tried to file a Peremptory Challenge of Judge Moss, but the Court Clerk refused to file same. Judge Moss took the matter under advisement and determined the proper procedure to resolve this matter.

On January 11, 2011, Judge Moss issued an Order denying Lisa's request pertaining to the Peremptory Challenge because it was untimely.

On January 19, 2011, a subsequent hearing was held for the Case Management Conference.¹ After hearing argument, Judge Moss issued an Order for the Parties to maintain joint legal and physical custody of Sydney. Essentially, Lisa and Caleb exchange Sydney every three (3) days at the entrance to Family Court during the week and at Donna's House on the

¹ A copy of the Order After Hearing is attached hereto as Exhibit "1" and is hereby fully incorporated herein by reference.

1 weekend (the timeshare started on January 19, 2011, with Caleb picking up Sydney at 4:00 p.m.).
2 Additional Orders were put into place that an outsource evaluation would be complete based upon
3 Lisa's long standing mental health issues to determine if Lisa was a danger to the child. The
4 Court also indicated it would obtain copies of the prior Court Ordered evaluations to aid the Court
5 in this matter.

6 On February 4, 2011, Lisa filed her first filing with the Nevada Supreme Court. Since this
7 filing, Lisa has filed approximately twenty-three (23) additional documents with the Nevada
8 Supreme Court including two (2) separate cases. *Lisa is using the filings with the Nevada*
9 *Supreme Court to avoid allow the Family Court to properly address her mental disorders and*
10 *safety concerns with the minor child.*

11 On March 10, 2011, Judge Moss entered a Minute Order wherein she voluntarily recused
12 herself because she had read a "List Serve" posting by Caleb's Counsel in reference to this case.
13 The Order of Recusal was filed on April 14, 2011.

14 Since this time, no hearings have gone forward in the District Court Family Division
15 because of Lisa's repetitive filings with the Nevada Supreme Court.

16 **Relevant Historical Information**

17 After the TPO was filed, Caleb learned that Lisa has a history of mental illness diagnosed
18 by physicians, which she never disclosed to Caleb. The diagnosed history of mental illness that
19 Lisa has dates back to her 2001 divorce case with her first husband, Paul Gambini, ("Paul"). Lisa
20 had accused Paul of sexual abusing the couples' child as well as committing domestic violence
21 against her. Both of these claims turned out to be false and completely unsubstantiated. This was
22 just the start of a pattern of lies that have now boiled over to false allegations against Caleb and a
23 pattern of false claims in an attempt to be awarded physical custody.

24 In an Order from her first divorce case, the Court found that based upon a report from Dr.
25 Lenkeit, Lisa has to "address some serious problems in her life and get some help".² Although
26

27 ² The Order from the Evidentiary Hearing held on December 1, 2003, filed with the Court on December 30, 2003.
28 The Order is attached hereto as Exhibit "2" and are hereby fully incorporated herein by reference.

1 the Court Ordered that Lisa get some mental help at that time, Lisa disobeyed the Court Order
2 and refused to acknowledge her mental illness or the effect her mental illness has on her children.

3 Thereafter, the Court appointed Dr. John Paglini to examine the Parties and his findings
4 were conclusive and supported by evidence which he obtained in meeting with Lisa. Dr. Paglini
5 stated in part that "the actions of the Defendant (Lisa) are bizarre and extreme..."³ Dr. Paglini
6 went on to states that the minor child ("Cameron", born to Lisa and her first husband Paul⁴) "is in
7 serious danger if left in the care and custody of the Defendant". The Court also awarded Paul
8 primary physical custody and sole legal custody of the minor child at that time. In addition, the
9 only visitation Lisa had was supervised through Donna's House.

10 The mental illness diagnosed by the doctors in Lisa's first divorce case went completely
11 untreated as Lisa did nothing to help herself get better. Not only did she ignore the
12 recommendations of the doctors and the Order of the Court, she never disclosed to Caleb any
13 history of mental illness. It took Lisa's brother, Steven Myers ("Steven"), to tell Caleb about his
14 sister's past and present mental illness. This mental health issue has caused Lisa to file a false
15 TPO against Caleb and then redact the TPO upon being presented with proof of her lies. Lisa is
16 completely unstable and Caleb cannot trust her to not make false allegation against him pertaining
17 to Sydney.

18 Since the TPO was dismissed *nunc pro tunc*, Caleb has attempted to have contact with
19 Lisa to gain visitation and access to Sydney, but Lisa refuses to cooperate. Caleb's Counsel
20 attempted to resolve these issues with Lisa's prior Counsel but no agreement could be reached.
21 Lisa is taking whatever steps are necessary to extricate Caleb from Sydney's life. All the while,
22 Lisa or a member of her family taunt Caleb by sending a photograph of Sydney via text message.
23 Coincidentally, the text message was sent immediately prior to the TPO hearing in what Caleb
24 believes was an attempt to get him to violate the TPO and then seek jail or criminal prosecution.

25 \ \ \

26
27 ³ *Id.*

28 ⁴ Lisa took Cameron when he was six (6) weeks old and denied Paul visitation with the baby. Lisa's history with Paul is a clear indicator that she cannot co-parent and does not believe that frequent association is important.

1 *Relevant Developments Since the Last Custodial Order*

2 On January 19, 2011, after the hearing, Caleb's Counsel was exchanging email addresses
3 with Lisa. Caleb was standing next to his Counsel, simply waiting, and Lisa's Father approached
4 and began badgering Caleb about "killing" Sydney ("don't let her die") and not doing anything to
5 hurt the baby when she was in Caleb's care. Counsel walked away with Caleb, but both were
6 concerned about the child based upon the statements and Lisa's mental illness. Quite frankly,
7 Lisa's medical records and mental evaluation seem to indicate a propensity that she suffers from
8 Munchausen by proxy.

9 Since the Court's Order, Caleb has recently learned that Lisa has taken Sydney to the
10 pediatrician and alleged Caleb was a drug addict.⁵ As a result of Lisa's untruthful statements,
11 Sydney underwent drug testing to determine her level of exposure. The most recent drug testing
12 of the minor child occurred on March 11, 2011. Caleb was not aware of the doctor appointments
13 in advance and was not informed after the fact of the doctor appointments.

14 But for obtaining Sydney's medical records, Caleb would have had no idea of Lisa's
15 continued unnecessary medical treatment. Caleb asked the doctor's staff to notify him whenever
16 Lisa scheduled an appointment for Sydney, but the doctor's staff said that was not possible and
17 were unwilling to aid in ensure Caleb received notice of appointment.

18 The medical records show that Lisa claims that Sydney had "black eyes" and Lisa took
19 pictures of the injuries (occurred at doctor appointment on March 24, 2011). Caleb has never
20 harmed the child and would never harm the child. Lisa is a sick individual who needs serious
21 medical care when she would make up vicious lies about Caleb hurting Sydney.

22 Of additional concern to Caleb is that Lisa continues to feed Sydney Stage Two baby food
23 which is specifically recommended for children who are six to nine (6-9) months old. Sydney is
24 more than double the recommended age, but Lisa refuses to provide her with table food which is
25 appropriate for her age group. Moreover, Lisa only allows the child to use a slow flow nipple
26 which is recommended for newborn to three (0-3) month old babies. Lisa claims if other nipples
27

28 ⁵ Caleb has copies of the medical records and will provide them to the Court at the hearing.

1 are used, Sydney will choke on the water although the child has never had this problem in Caleb's
2 care and is drinking from a sippy cup.

3 The exchanges in this case have not gone smoothly. Lisa refuses to turn over Sydney to
4 Caleb until she has the child so worked up that she is crying and upset. Lisa will hug Sydney and
5 tell her that she does not have to worry it is only three (3) days with "him". Lisa's family has
6 referred to Caleb as a "drug addict" at exchanges. Constantly, Lisa claims that Sydney is being
7 abused in Caleb's care. The Marshalls at the security station have witnessed Lisa's antics, her
8 refusal to cooperate at exchanges, and the fact she just plain does not show up.⁶

9 Despite the Court's Order for joint physical custody, Lisa has refused to turn over the
10 minor child on three (3) separate occasions: February 10, 2011; May 7, 2011; and May 13, 2011.
11 Caleb has not had physical custody of Sydney since May 4, 2011. Law enforcement have
12 attempted to intervene, but Lisa and the minor child cannot be located by law enforcement. At
13 this point, Caleb does not know the whereabouts of the minor child and is afraid for her safety
14 based upon Lisa's long standing history of mental illness.

15 On May 4, 2011, Caleb received a telephone call from Sydney's daycare provider
16 indicating the child's fever had spiked to 101 degrees. As such, Caleb notified Lisa and told her
17 he was transporting Sydney to the pediatrician for a check-up. The Parties' attend the doctor's
18 appointment and the pediatrician determines Sydney is suffering from a virus and she should be
19 fine, but to keep an eye on the child. Rather than return Sydney to daycare, Caleb offered to
20 allow Lisa to take the child home around 11:30 a.m., to avoid multiple exchanges that day.

21 At approximately 4:30 p.m., on May 4, 2011, Caleb received a telephone call from Lisa
22 indicated Sydney had a seizure and stopped breathing. As such, Lisa called an ambulance and
23 Sydney was transported to Summerlin Medical Center. Immediately, Caleb left work and rushed
24 to the hospital. The emergency room staff witnessed Sydney have a seizure in the emergency
25 room and therefore, she was admitted.

26
27
28 ⁶ A signed statement by Deputy Greg Bryant is attached hereto as Exhibit "3" and is hereby fully incorporated herein by reference.

1 While Sydney was in the hospital for a period of three (3) days, Caleb would frequently
2 visit the hospital. During the visits, Lisa refused to allow Caleb to hold Sydney despite the fact
3 the baby was waving and reaching for Caleb. Eventually, Caleb convinced a nurse to make Lisa
4 and her family leave the room and he was able to hold Sydney for thirty (30) minutes without
5 their constant badgering and name calling. Thereafter, Lisa made a complaint to security and
6 Caleb was not allowed to be in the hospital room without the supervision of the security guard.
7 Each time Caleb would visit Sydney, Lisa's parents would make snide comments to Caleb and
8 make the entire situation uncomfortable for Caleb.

9 Sydney was released from the hospital on Saturday, May 7, 2011, which should have been
10 the exchange day for Sydney. Lisa was fully aware of the exchange to occur on Saturday, but
11 called and cancelled. Lisa claims that because Sydney had just gotten out of the hospital, Caleb
12 was not fit to care for Sydney. Counsel addressed this issue in a letter to Lisa, but no response
13 was received.

14 At the next exchange, on Friday, May 13, 2011, Caleb arrived at the Family Court and
15 while waiting in the security entrance received a text from Lisa which stated "Under the
16 circumstances, the exchange will not be able to take place." The message was sent one (1)
17 minute before the exchange was supposed to occur. As a result, Caleb contacted the police to
18 facilitate the exchange, but Lisa and the minor child could not be located (*Caleb is obtaining a*
19 *copy of the police report and will supplement his Motion upon receipt*).

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Over the course of this litigation, Caleb has become friends with Paul. The similarities between their cases is eerie and cannot be ignored by the Court. A chart of some of the similarities is outlined as follows:

<i>GAMBINI</i>	<i>HASKINS</i>
Lisa made false allegations that Paul Gambini committed domestic violence against her during their marriage.	Lisa made false allegations that Caleb Haskins committed domestic violence against her during the marriage.
Lisa made false allegations that Paul Gambini abused their minor child (in the case it was sexual abuse and physical abuse).	Lisa made false allegations that Caleb Haskins abused their minor child (physically-leaving black eyes).
Lisa sought "excessive medical treatment" for her child with Paul Gambini which resulted in an award of sole legal custody to Paul Gambini.	Lisa, without Caleb's knowledge and consent, has frequently taken Sydney to doctor appointments and made untruthful to obtain medical treatment which was unnecessary and unwarranted.
It was determined if Lisa's behavior continued and went unchecked, parental alienation would occur. Due to the fact it went unchecked and untreated, Dr. Lenkeit determined parental alienation DID occur.	Lisa's behavior at exchanges, in waiting for Sydney to cry before she will turn the child over to Caleb show a level of manipulation and control similar to the conduct exhibited in the Gambini case.
Dr. Paglini determined the minor child in this case to be in "serious danger if left in the care and custody" of Lisa.	At this point, Caleb does not know where Lisa or the minor child are located. Lisa has refused to conduct exchanges and Caleb is fearful for Sydney's safety. Lisa has mental problems which cannot be ignored by the Court.

GAMBINI	HASKINS
Lisa took Cameron when he was six (6) weeks old and denied Paul visitation with the baby. Lisa's history with Paul is a clear indicator that she cannot co-parent and does not believe that frequent association is important.	Lisa took Sydney from Caleb when she was approximately four (4) months old and refused all contact until Sydney was approximately nine (9) months old and it was Ordered by Judge Moss.

If action is not taken to protect Sydney, Caleb is fearful of the end results. At this point, Lisa needs to produce the child and be placed on closely supervised visitation to protect Sydney pending completion of a psychological evaluation as Ordered by the Court.

II. Legal Analysis

A. Caleb's request for the District Court to hear this matter should be granted and the Court should certify to the Nevada Supreme Court that it is inclined to grant the relief requested by Caleb.

As this Court knows, Lisa has engaged in a course of conduct, in repeatedly filing cases and/or pleadings with the Nevada Supreme Court, which has essentially caused a stay of litigation in the instant matter. During this stay in the District Court matter, new information has come to light which indicates it is in the best interest of Sydney to modify legal and physical custody, awarding Lisa simply supervised visitation. The proper method to allow this Court to hear the new information and issue rulings is for Caleb to file his Motion at the District Court level and request the Court issue an Order stating it is inclined to grant the relief sought and said Order should be certified to the Nevada Supreme Court so the Appeal may be remanded to the District Court. *Huneycutt v. Huneycutt*, 94 Nev. 79, 575 P.2d 585 (1978).

B. Caleb's request for sole legal custody should be granted.

Lisa suffers from an untreated medical condition which multiple Judges at the District Court level have attempted to help Lisa address so that she can be actively involved with her children. Like the other Judges, Judge Moss was concerned about this issue and entered an Order

1 that she would retrieve the evaluations conducted by Court appointed experts (including Dr.
2 Lenkeit, Dr. Paglini, and Jennifer Elliot Tovanó (now a member of the Family Court bench,
3 Jennifer Elliot)) so that she could fully understand Lisa's mental health illnesses. Unfortunately,
4 before Judge Moss could obtain all of the evaluations, she voluntarily recused herself from the
5 case and it was transferred to the Honorable Judge Bryce C. Duckworth ("Judge Duckworth").
6 Due to the stay, it is unknown whether Judge Duckworth has secured the entire evaluation file as
7 Judge Moss indicated in her prior Orders.
8

9 Since the initial hearings before Judge Moss, Lisa's pattern of mental instability has
10 become more pronounced with Lisa taking Sydney to repeated pediatric appointments without
11 notifying Caleb in violation of the Court's Orders; claiming to Sydney's pediatrician that Caleb is
12 a "drug addict" who has used drugs during his visitations with Sydney thus resulting in the
13 pediatrician completing drug testing of the minor child; claiming Caleb is physically abusing the
14 minor child and attempting to document, through medical records, the alleged abuse through
15 stories rather than proof; and withholding the child during Caleb's custodial timeshare without
16 cause. *All of Lisa's actions in this case, parallel that Gambini case, and the Court needs to*
17 *take action to protect Sydney before it is too late!*
18

19 Lisa has violated the legal custody Orders of the Court on at least five (5) separate
20 occasions by taking Sydney to the pediatrician without notifying Caleb of the appointments. In
21 the *Gambini* case, Dr. Paglini determined that Lisa was a danger to her other child based upon
22 "excessive medical treatment". Lisa behavior in this case is exactly the type of behavior which
23 caused Dr. Paglini to recommend to the Court, which was adopted as an Order, that Gambini
24 receive sole legal custody to protect the minor child.
25

26 Here, Lisa cannot continue to have legal custody of Sydney because she will continue to
27 endanger the child. As such, Caleb requests the Court grant him sole legal custody of the minor
28

1 child and enter an Order that he provide Lisa with copies of all medical, professional, and
2 educational records.

3 C. Caleb's request for primary physical custody should be granted.

4 In entering orders with regard to custody and support of minor children, the Court's
5 paramount consideration in making such decisions should be the welfare of the children.
6 *Culbertson v. Culbertson*, 91 Nev. 230, 533 P.2d 768 (1974). Moreover, the guiding principle in
7 the court's exercise of discretion in cases affecting the rights and welfare of the children is the
8 best interests and the welfare of the children whose rights are involved. *Frenkell v. Frenkell*, 86
9 Nev. 397, 469 P.2d 701 (1970). Furthermore, Nevada law has stated that a determination for all
10 custody determinations lies in the particular facts and circumstances of each case. *Arnold v.*
11 *Arnold*, 95 Nev. 951, 604 P.2d 109 (1979).

12
13 When Parties' have joint physical custody the prevailing theory to modify the custodial
14 arrangement is an application of the best interest standard as set forth in *NRS* § 125.480. Pursuant
15 to *NRS* § 125.480 (4) best interest is defined as follows:

- 16
17 (a) The wishes of the child if the child is of sufficient age and
18 capacity to form an intelligent preference as to his custody.
19 (b) Any nomination by a parent or a guardian for the child.
20 (c) Which parent is more likely to allow the child to have frequent
21 associations and a continuing relationship with the non-
22 custodial parent.
23 (d) The level of conflict between the parents.
24 (e) The ability of the parents to cooperate to meet the needs of the
25 child.
26 (f) The mental and physical health of the parents.
27 (g) The physical, developmental and emotional needs of the child.
28 (h) The nature of the relationship of the child with each parent.
(i) The ability of the child to maintain a relationship with any
sibling.
(j) Any history of parental abuse or neglect of the child or a sibling
of the child.
(k) Whether either parent or any other person seeking custody has
engaged in an act of domestic violence against the child, a
parent of the child or any other person residing with the child.
(l) Whether either parent or any person seeking custody has

1 engaged in an act of abduction.

2 In the current action, we are dealing with a one (1) year old baby, Sydney. At this point,
3 Sydney is not of a sufficient age to talk let alone state a preference regarding her custodial
4 situation. Moreover, the parents have not nominated anyone to act as guardian of the minor child.
5 The other factor of NRS § 125.480 which is not relevant in this case is domestic violence.

6
7 *Mental Health of the Parents/Conflict of the Parents*

8 Lisa is mentally ill pursuant to finding of a number of professionals involved with the
9 Family Court including, but not limited to, the following: Dr. Lenkeit- who stated that Lisa
10 needed "to address serious problems in her life and get some help" and informed the Court that if
11 her "behavior continued unchecked parental alienation would certainly take place"; Jennifer Elliot
12 Tovano (now a member of the Family Court bench, Jennifer Elliot)- who determined there is
13 "substantial evidence of Defendant's [Lisa's] psychological problems and distortion of reality";
14 and Dr. John Paglini- who determined that if Lisa's child was left in her care the child was in
15 "serious danger" and that Lisa's behaviors were "bizarre" and "extreme". Despite these
16 evaluations, Lisa has continued to refuse to get help for her mental illness since 2001. Based
17 upon the foregoing, there can be no doubt that Lisa suffers from a serious mental illness!

18
19 Additionally, Lisa falsified an Application for a Temporary Protection Order which was
20 granted. Thereafter, Caleb was required to file an Opposition to Lisa's request to extend the
21 Temporary Protection Order with a Request to Dismiss the Temporary Protection Order *Nunc Pro*
22 *Tunc*. At the hearing, Counsels for the Parties met and discussed the facts, when faced with
23 credible evidence that she was lying, Lisa agreed to dismiss the Temporary Protection Order
24 *Nunc Pro Tunc*. Moreover, at Caleb's request, Lisa agreed to adopt a Mutual Behavioral Order in
25 this case.

26
27 Lisa's behavior has created unneeded conflict in this matter and cannot go unnoticed by
28

1 the Court. Lisa abused a system meant to protect those who cannot protect themselves which is
2 the worst kind of abuse. Lisa's behavior pulls into question whether or not she understands the
3 difference between right and wrong. Moreover, it questions whether she is able to make rational
4 choices or if she is once again "distorting reality". Either way, Lisa's behavior raises to the level
5 that is far beyond that of parents in a custody dispute.

6
7 Caleb is fearful that if Lisa is willing to make up lies against him to get a Temporary
8 Protection Order, when she knew full well that the police report would not support her
9 allegations, she may be willing to take additional steps to extricate him from Sydney's life. Caleb
10 has spoken with Paul and knows the lengths that Lisa will go to maintain the child, including
11 some of the things that have already occurred, such as filing a false Application for a Temporary
12 Protection Order. Caleb is not only fearful for the child's safety, but fearful for himself.

13 Caleb believes that all of these issues are related to Lisa's mental illness. However, Caleb
14 also believes that Lisa has the ability to seek assistance to aid her in addressing her mental illness.
15 Lisa has a very supportive family, although they have swept her mental illness under the rug, and
16 with their support, Caleb believes Lisa could get help. If Lisa gets help, it is Caleb's desire for
17 them to co-parent Sydney and share physical custody, but until this occurs, Caleb and Sydney
18 must be protected by the Court.

19 20 *History of Parent Abuse and Neglect/Ability to Maintain a Sibling Relationship*

21 Lisa previously argued that the other case she has pending in Clark County, the Gambini
22 matter, cannot be considered in this action. However, the Nevada legislature has specifically
23 made the issue of other cases relevant in custody proceedings including allowing the District
24 Court to review, "(j) Any history of parental abuse or neglect of the child or a sibling of the
25 child." As such, Lisa's mental health illness as determined in the Gambini matter cannot go
26 unnoticed by the Court, rather the Court is required to look at the other case and determine
27
28

1 Sydney's best interest based upon the abuse and neglect determined to have occurred in the prior
2 litigation.

3 In fact, Lisa's mental illness has caused her to lose custody of another child, Cameron.
4 Lisa lost custody because of her mental illness, but also because of prior physical and mental
5 abuse toward Cameron including seeking excessive medical treatment and falsely claiming the
6 child's Father sexually abuse him.

7
8 Here, Lisa has engaged in a pattern of conduct showing that she will abuse and/or neglect
9 Sydney in an attempt to make false allegations of Caleb. Quite frankly, Lisa prior allegations
10 against Cameron's dad are being mimicked in this case as set forth in the chart herein. Lisa has
11 shown in the Gambini matter that she is willing to do whatever is necessary to remove Paul from
12 Cameron's life and she is doing the same to Sydney. At this point, Sydney is not safe in Lisa's
13 care and custody.

14 Due to these issues, Lisa does not maintain contact with Cameron thus Lisa could not
15 introduce Sydney and Cameron. As such, Sydney and Cameron would lose the ability to build a
16 bond and maintain a relationship. However, Caleb is friendly with Cameron's Dad, Paul. Caleb
17 believes that he and Paul would be able to work out an arrangement to introduce the children and
18 allow them to be involved in each others lives. Caleb believes this is extremely important to
19 Sydney's development and growth.

20
21 *Frequent Association/Ability to Cooperate to Meet the Child's Needs*

22 Caleb believes as a result of her mental illness, Lisa refuses to involve Caleb in Sydney's
23 life and has refused all attempts by Caleb to maintain a relationship with the minor child. Lisa's
24 goal since the commencement of this action is to ~~do whatever is necessary~~ to extricate Caleb
25 from Sydney's life. Albeit Lisa may not believe that statement, due to her mental health illness,
26 Lisa's actions and conduct speak volumes to her desire to keep Caleb from Sydney.
27
28

1 Due to her mental health illness, Lisa cannot comprehend the importance of Caleb
2 maintaining a frequent relationship with Sydney and does not want that relationship to occur.
3 Lisa's behavior shows a complete disregard for Caleb in Sydney's life and her unwillingness to
4 foster a relationship between the infant and her Father. Since the initial hearing on custody, Lisa
5 has made up false allegations that Caleb is using drugs, while Sydney is present, during visitation;
6 claimed Caleb is physically abusing the child; and caused the exchanges of Sydney to be filled
7 with turmoil because of Lisa's unwillingness to cooperate.
8

9 Unlike Lisa, Caleb wants both Parties to be involved in Sydney's life. Caleb wants Lisa
10 to be mentally healthy and able to care for Sydney thus allowing them to co-parent. Even if Lisa
11 refuses to obtain mental health services, Caleb believes there are ways which would allow Lisa to
12 maintain a relationship with Sydney that protects both Caleb and Sydney. Let there be no
13 mistake, Caleb recognized, based upon attending COPE, reading books and participating in a
14 parenting class that Sydney needs a Mother and Father, but he also recognizes that Lisa cannot
15 help Sydney until she helps herself.
16

17 Abduction

18 NRS § 200.310 states in relevant part that the act of abduction occurs when a person
19 "carries away or *detains* any minor with the *intent to keep*, imprison, or confine the minor *from*
20 *his or her parents*, guardians, or any other person *having lawful custody of the minor*".
21 **{EMPHASIS ADDED}** In this action, Caleb alleges that Lisa has engaged in an act of abduction
22 which makes her unfit to have joint or primary physical custody of Sydney. Specifically, Lisa has
23 hidden the child from Caleb since her release from the hospital on May 7, 2011, and possibly
24 removed the child from the jurisdiction. At present, Caleb does not have a physical address for
25 Lisa because she continues to claim it is "confidential" thus Caleb's only manner in which to
26 locate Sydney is at Lisa's parents' house. The police have gone to the residence, in an attempt to
27
28

1 locate Lisa and the minor child to no avail.

2 Conclusion

3 Based upon the foregoing, Caleb requests the Court grant him the following temporary
4 relief: (1.) temporary physical custody; (2.) visitation for Lisa with supervision through Donna's
5 House; and (3.) a mental health examination of Lisa with follow through based upon the
6 recommendation of the mental health evaluator.

7
8 D. Caleb's request for a mental evaluation of Lisa should be granted.

9 Pursuant to NRCP § 35 (a), a Party may, by Motion, ask that the opposing side be
10 subjected to a physical or mental exam upon a showing of good cause. This is commonly called
11 an Independent Medical Exam or IME for short. Here, Lisa has a long standing history of mental
12 illness which has forced her to lose custody of one (1) child because experts found her to be a
13 danger to the child. As such, Caleb believes this Court should enter an Order requiring her to
14 complete a substantially similar evaluation with an equally qualified individual who should be
15 provided the prior reports to ensure Lisa's mental health illness has been properly addressed.

16
17 E. Caleb's request for an Order to Show Cause should be granted and an evidentiary
18 hearing should be set.

19 Chapter twenty-two (22) of the Nevada Revised Statutes is solely designed to deal with
20 issues of contempt in the Nevada Court. NRS § 22.040 states,

21 When the contempt is not committed in the immediate view and
22 presence of the court or judge, a warrant of attachment may be
23 issued to bring the person charged to answer, or, without a
24 previous arrest, a warrant of commitment may, upon notice, or
25 upon an order to show cause, be granted; and no warrant of
26 commitment shall be issued without such previous attachment to
27 answer, or such notice or order to show cause.

28 As such, when contempt is sought for a person who has not previously been arrested, the
proper procedure for the Court to hear the matter is for an Application to be made for the issuance

1 of an Order to Show Cause. If the Court then believes, based upon the Application and
2 accompanying Affidavit, that contempt may have occurred, an Order to Show Cause should be
3 issued.

4 Pursuant to *NRS* § 22.010 (1) and (3), acts or omissions constituting contempt including
5 the following:

- 6
- 7 1. Disorderly, contemptuous or insolent behavior toward the judge
8 while he is holding court, or engaged in his judicial duties at
9 chambers, or toward masters or arbitrators while sitting on a
10 reference or arbitration, or other judicial proceeding.
 - 11 3. Disobedience or resistance to any lawful writ, order, rule or
12 process issued by the court or judge at chambers.

13 Disobedience is defined as "lack of obedience or refusal to comply; disregard or
14 transgression"⁷ and resistance is defined as "the act or power of resisting, opposing, or
15 withstanding."⁸

16 Pursuant to *NRS* 22.100 (2), the penalty for contempt is as a fine of up to \$500.00 per
17 charge and/or imprisonment not to exceed twenty-five (25) days per violation. In addition,
18 according to *NRS* 22.100 (3), if contempt is found the Court may require reimbursement of fees
19 and costs resulting from the request for contempt.

20 Here, Lisa has violated the terms of the Court Orders on the following counts:

21 Count I- Denying Caleb's visitation on February 10, 2011.

22 Count II- Denying Caleb's visitation on May 7, 2011.

23 Count III- Denying Caleb's visitation on May 13, 2011.

24 Count IV- Failing to notify Caleb of a doctor's appointment for the minor child on
25 February 10, 2011.

26 ⁷ "[D]isobedience." *Dictionary.com Unabridged* (v 1.0.1). Based on the Random House Unabridged Dictionary, ©
Random House, Inc. 2006. 30 Oct. 2006. [Dictionary.com](http://dictionary.reference.com/search?r=2&q=disobedience)
27 <http://dictionary.reference.com/search?r=2&q=disobedience>.

28 ⁸ "[R]esistance." *Dictionary.com Unabridged* (v 1.0.1). Based on the Random House Unabridged Dictionary, ©
Random House, Inc. 2006. 30 Oct. 2006. [Dictionary.com](http://dictionary.reference.com/browse/resistance) <http://dictionary.reference.com/browse/resistance>.

1 Court V- Failing to notify Caleb of a doctor's appointment for the minor child on
2 March 1, 2011.

3 Count VI- Failing to notify Caleb of a doctor's appointment for the minor child on
4 March 14, 2011.

5 Count VII- Failing to notify Caleb of a doctor's appointment for the minor child on
6 March 24, 2011.

7 Count VIII- Failing to notify Caleb of a doctor's appointment for the minor child on
8 April 2, 2011.

9
10 Based upon the foregoing, Caleb requests the Court issue an Order to show cause on eight
11 (8) separate counts of contempt and that she receive two hundred (200) days in jail, a sanction of
12 \$4,000.00, and Caleb's attorney fees and costs for having to bring this Motion.

13 E. Caleb's request for attorney fees and costs should be granted

14 EDCR § 5.11, states in relevant part as follows:

15
16 (a) Before any family division motion is heard by the court, the
17 movant *must* attempt to contact and communicate with the
18 other party's counsel, or that party is unrepresented, in an
19 attempt to resolve the issues in dispute without necessity of
20 court intervention. Failure to comply with this provision may
21 result in sanctions being imposed against the movant and an
22 award of attorney's fees and costs to the non-movant is the
23 issues would have, in the opinion of the court been resolved if
24 the movant had attempted to resolve the issues prior to the
25 hearing. [*Emphasis added*]

26 Caleb's Counsel has sent a correspondence pursuant to EDCR § 5.11 attempting to resolve
27 these issues, but Lisa has not responded. At present, Caleb cannot wait for Lisa to have a lucid
28 moment and come to her senses, Caleb needs to protect Sydney and the only way to do so is to
ask the Court to intervene.

26 \ \ \

1 NRS § 22.100 (3) states,

2 In addition to the penalties provided in subsection 2, if a person is
3 found guilty of contempt pursuant to subsection 3 of NRS 22.010,
4 the court may require the person to pay to the party seeking to
5 enforce the writ, order, rule or process the reasonable expenses,
6 including, without limitation, attorney's fees, incurred by the party
7 as a result of the contempt.

8 Here, Caleb has been forced to seek the Court intervene on multiple issues including
9 contempt to protect the minor child. In less than six (6) months, Lisa has clearly violated the
10 Court's Orders on at least eight (8) separate occasions. Caleb is fearful if he does not hold Lisa's
11 feet to the fire on the violations, Lisa will continue to feel vindicated and will continue to
12 disregard the Court's Orders. The longer Lisa's behavior continues the more unstable she is
13 becoming which is placing Sydney in danger. Caleb needs the Court to act swiftly to protect the
14 minor child.

15 NRS § 18.010 states in relevant part as follows:

16 1. The compensation of an attorney and counselor for his services
17 is governed by agreement, express or implied, which is not
18 restrained by law.

19 2. In addition to the cases where an allowance is authorized by
20 specific statute, the court may make an allowance of attorney's
21 fees to a prevailing party:

22 (a) When he has not recovered more than \$20,000; or

23 (b) Without regard to the recovery sought, when the court
24 finds that the claim, counterclaim, cross-claim or third-
25 party complaint or defense of the opposing party was
26 brought or maintained without reasonable ground or to
27 harass the prevailing party. The court shall liberally
28 construe the provisions of this paragraph in favor of
 awarding attorney's fees in all appropriate situations. It is
 the intent of the Legislature that the court award attorney's
 fees pursuant to this paragraph and impose sanctions
 pursuant to Rule 11 of the Nevada Rules of Civil Procedure
 in all appropriate situations to punish for and deter
 frivolous or vexatious claims and defenses because such
 claims and defenses overburden limited judicial resources,
 hinder the timely resolution of meritorious claims and
 increase the costs of engaging in business and providing
 professional services to the public.

1
2 3. In awarding attorney's fees, the court may pronounce its
3 decision on the fees at the conclusion of the trial or special
4 proceeding without written motion and with or without
5 presentation of additional evidence.

6 Caleb understands that this is a very delicate situation because of Lisa's mental health
7 issues. Nevertheless, Caleb is not a rich man and he cannot afford a long protracted battle which
8 has ensued because of Lisa's continued violations of the Court's Order, lies and misuse of the
9 appear process. Caleb anticipates that the Court will require a mental evaluation of Lisa and in
10 lieu of preliminary attorney fees, Caleb is asking that Lisa be Ordered to pay the costs associated
11 with the IME. However, Caleb also requests the Court reserve additional attorney fees based
12 upon Lisa's inappropriate behavior in blocking contact with Sydney and unnecessarily increasing
13 the cost of this litigation.

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III.
Conclusion

Therefore, based upon the foregoing, the Caleb requests this Court to enter an Order:

1. Pursuant to the holding in *Honeycutt v. Honeycutt* indicating the District Court is inclined to grant the relief requested by Caleb which should be certified to the Nevada Supreme Court.
2. Awarding Caleb sole legal custody of Sydney;
3. Awarding Caleb primary physical custody of Sydney and setting supervised visitation for Lisa;
4. For a mental evaluation of Lisa to be scheduled within two (2) weeks of the hearing date;
5. Issuing an Order to Show Cause and an evidentiary hearing on Lisa's contempt of Court;
6. Awarding the Plaintiff attorney fees and costs; and
7. Any and all related relief the Court deems just and proper.

Dated this 24th day of May, 2011.

ROBERTS STOFFEL FAMILY LAW GROUP

By: Amanda M. Roberts

Amanda M. Roberts, Esq.
State of Nevada Bar No. 9294
Jason P. Stoffel, Esq.
State of Nevada Bar No. 8898
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

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1. I, Caleb Haskins, am the Plaintiff in the above referenced matter. I have read the foregoing and it is stated upon believe and true to the best of my knowledge.

3. On August 20, 2010, Caleb filed his Complaint for divorce. On September 3, 2010, Lisa filed to extend the Temporary Protection Order, ("TPO") based upon made up facts and allegations. The hearing for the TPO was set for September 23, 2010, at 2:00 p.m. The TPO was dismissed *nunc pro tunc* based upon a stipulated agreement between the Parties, because it was acknowledged that Lisa was not truthful in her TPO Application. Additionally, due to Lisa's mental health problems as outlined herein more specifically, Caleb sought a stipulation for a Mutual Behavior Order which Lisa agreed to adopt (*same has been submitted to the Court for the Judge's signature because Lisa's prior Counsel refused to sign-off on same*).

4. On January 10, 2011, a hearing was held before the Honorable Judge Moss ("Judge Moss") for a Case Management Conference. At the time, Lisa indicated she tried to file Peremptory Challenge of Judge Moss, but the Court Clerk refused to file same. Judge Moss took the matter under advisement and determine the proper procedure to resolve this matter.

5. On January 11, 2011, Judge Moss issued an Order denying Lisa's request pertaining to the Peremptory Challenge because it was untimely.

6. On January 19, 2011, a subsequent hearing was held for the Case Management Conference. After hearing argument, Judge Moss issued an Order for the Parties to maintain joint legal and physical custody of Sydney. Essentially, Lisa and Caleb exchange Sydney every three (3) days at the entrance to Family Court during the week and at Donna's House on the weekend

1 (the timeshare started on January 19, 2011, with Caleb picking up Sydney at 4:00 p.m.).

2 Additional Orders were put into place that an outsource evaluation would be complete based upon
3 Lisa's long standing mental health issues to determine if Lisa was a danger to the child. The
4 Court also indicated it would obtain copies of the prior Court Ordered evaluations to aid the Court
5 in this matter.

6 7. On February 4, 2011, Lisa filed her first filing with the Nevada Supreme Court.
7 Since this filing, Lisa has filed approximately twenty-three (23) additional documents with the
8 Nevada Supreme Court including two (2) separate cases. *Lisa is using the filings with the*
9 *Nevada Supreme Court to avoid allow the Family Court to properly address her mental*
10 *disorders and safety concerns with the minor child.*

11 8. On March 10, 2011, Judge Moss entered a Minute Order wherein she voluntarily
12 recused herself because she had read a "List Serve" posting by Caleb's Counsel in reference to
13 this case. The Order of Recusal was filed on April 14, 2011.

14 9. Since this time, no hearings have gone forward in the District Court Family
15 Division because of Lisa's repetitive filings with the Nevada Supreme Court.

16 10. After the TPO was filed, Caleb learned that Lisa has a history of mental illness
17 diagnosed by physicians, which she never disclosed to Caleb. The diagnosed history of mental
18 illness that Lisa has dates back to her 2001 divorce case with her first husband, Paul Gambini,
19 ("Paul"). Lisa had accused Paul of sexual abusing the couples' child as well as committing
20 domestic violence against her. Both of these claims turned out to be false and completely
21 unsubstantiated. This was just the start of a pattern of lies that have now boiled over to false
22 allegations against Caleb and a pattern of false claims in an attempt to be awarded physical
23 custody.

24 11. In an Order from her first divorce case, the Court found that based upon a report
25 from Dr. Lenkeit, Lisa has to "address some serious problems in her life and get some help".
26 Although the Court Ordered that Lisa get some mental help at that time, Lisa disobeyed the Court
27 Order and refused to acknowledge her mental illness or the effect her mental illness has on her
28

1 children.

2 12. Thereafter, the Court appointed Dr. John Paglini to examine the Parties and his
3 findings were conclusive and supported by evidence which he obtained in meeting with Lisa. Dr.
4 Paglini stated in part that "the actions of the Defendant (Lisa) are bizarre and extreme..." Dr.
5 Paglini went on to states that the minor child ("Cameron", born to Lisa and her first husband
6 Paul) "is in serious danger if left in the care and custody of the Defendant". The Court also
7 awarded Paul primary physical custody and sole legal custody of the minor child at that time. In
8 addition, the only visitation Lisa had was supervised through Donna's House.

9 13. The mental illness diagnosed by the doctors in Lisa's first divorce case went
10 completely untreated as Lisa did nothing to help herself get better. Not only did she ignore the
11 recommendations of the doctors and the Order of the Court, she never disclosed to Caleb any
12 history of mental illness. It took Lisa's brother, Steven Myers ("Steven"), to tell Caleb about his
13 sisters past and present mental illness. This mental health issue has caused Lisa to file a false
14 TPO against Caleb and then redact the TPO upon being presented with proof of her lies. Lisa is
15 completely unstable and Caleb cannot trust her to not make false allegation against him pertaining
16 to Sydney.

17 14. Since the TPO was dismissed *nunc pro tunc*, Caleb has attempted to have contact
18 with Lisa to gain visitation and access to Sydney, but Lisa refuses to cooperate. Caleb's Counsel
19 attempted to resolve these issues with Lisa's prior Counsel but no agreement could be reached.
20 Lisa is taking whatever steps are necessary to extricate Caleb from Sydney's life. All the while,
21 Lisa or a member of her family taunt Caleb by sending a photograph of Sydney via text message.
22 Coincidentally, the text message was sent immediately prior to the TPO hearing in what Caleb
23 believes was an attempt to get him to violate the TPO and then seek jail or criminal prosecution.

24 15. On January 19, 2011, after the hearing, Caleb's Counsel was exchanging email
25 addresses with Lisa. Caleb was standing next to his Counsel, simply waiting, and Lisa's Father
26 approached and began badgering Caleb about "killing" Sydney ("don't let her die") and not doing
27 anything to hurt the baby when she was in Caleb's care. Counsel walked away with Caleb, but
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1 both were concerned about the child based upon the statements and Lisa's mental illness. Quite
2 frankly, Lisa's medical records and mental evaluation seem to indicate a propensity that she
3 suffers from Munchausen by proxy.

4 16. Since the Court's Order, Caleb has recently learned that Lisa has taken Sydney to
5 the pediatrician and alleged Caleb was a drug addict. As a result of Lisa's untruthful statements,
6 Sydney underwent drug testing to determine her level of exposure. The most recent drug testing
7 of the minor child occurred on March 11, 2011. Caleb was not aware of the doctor appointments
8 in advance and was not informed after the fact of the doctor appointments.

9 17. But for obtaining Sydney's medical records, Caleb would have had no idea of
10 Lisa's continued unnecessary medical treatment. Caleb asked the doctor's staff to notify him
11 whenever Lisa scheduled an appointment for Sydney, but the doctor's staff said that was not
12 possible and were unwilling to aid in ensure Caleb received notice of appointment.

13 18. The medical records show that Lisa claims that Sydney had "black eyes" and Lisa
14 took pictures of the injuries (occurred at doctor appointment on March 24, 2011). Caleb has
15 never harmed the child and would never harm the child. Lisa is a sick individual who needs
16 serious medical care when she would make up vicious lies about Caleb hurting Sydney.

17 19. Lisa has failed to notify Caleb of doctor appointment for Sydney which occurred
18 on the following dates: February 10, 2011; March 1, 2011; March 14, 2011; March 24, 2011; and
19 April 2, 2011.

20 20. Of additional concern to Caleb is that Lisa continues to feed Sydney Stage Two
21 baby food which is specifically recommended for children who are six to nine (6-9) months old.
22 Sydney is more than double the recommended age, but Lisa refuses to provide her with table food
23 which is appropriate for her age group. Moreover, Lisa only allows the child to use a slow flow
24 nipple which is recommended for newborn to three (0-3) month old babies. Lisa claims if other
25 nipples are used, Sydney will choke on the water although the child has never had this problem in
26 Caleb's care and is drinking from a sippy cup.

27 21. The exchanges in this case have not gone smoothly, Lisa refuses to turn over
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1 Sydney to Caleb until she has the child so worked up that she is crying and upset. Lisa will hug
2 Sydney and tell her that she does not have to worry it is only three (3) days with "him". Lisa's
3 family has referred to Caleb as a "drug addict" at exchanges. Constantly, Lisa claims that Sydney
4 is being abused in Caleb's care. The Marshalls at the security station have witnessed Lisa's
5 antics, her refusal to cooperate at exchanges, and the fact she just plain does not show up.

6 22. Despite the Court's Order for joint physical custody, Lisa has refused to turn over
7 the minor child on three (3) separate occasions: February 10, 2011; May 7, 2011; and May 13,
8 2011. Caleb has not had physical custody of Sydney since May 4, 2011, and law enforcement
9 have attempted to intervene, but Lisa and the minor child cannot be located by law enforcement.
10 At this point, Caleb does not know the whereabouts of the minor child and is afraid for her safety
11 based upon Lisa's long standing history of mental illness.

12 23. On May 4, 2011, Caleb received a telephone call from Sydney's daycare provider
13 indicating the child's fever had spiked to 101 degrees. As such, Caleb notified Lisa and told her
14 he was transporting Sydney to the pediatrician for a check-up. The Parties' attend the doctor's
15 appointment and the pediatrician determines Sydney is suffering from a virus and she should be
16 fine, but to keep an eye on the child. Rather than return Sydney to daycare, Caleb offered to
17 allow Lisa to take the child home around 11:30 a.m., to avoid multiple exchanges that day.

18 24. At approximately 4:30 p.m., on May 4, 2011, Caleb received a telephone call from
19 Lisa indicated Sydney had a seizure and stopped breathing. As such, Lisa called an ambulance
20 and Sydney was transported to Summerlin Medical Center. Immediately, Caleb left work and
21 rushed to the hospital. The emergency room staff witnessed Sydney have a seizure in the
22 emergency room and therefore, she was admitted.

23 25. While Sydney was in the hospital for a period of three (3) days, Caleb would
24 frequently visit the hospital. During the visits, Lisa refused to allow Caleb to hold Sydney
25 despite the fact the baby was waving and reaching for Caleb. Eventually, Caleb convinced a
26 nurse to make Lisa and her family leave the room and he was able to hold Sydney for thirty (30)
27 minutes without their constant badgering and name calling. Thereafter, Lisa made a complaint to
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1 security and Caleb was not allowed to be in the hospital room without the supervision of the
2 security guard. Each time Caleb would visit Sydney, Lisa's parents would make snide comments
3 to Caleb and make the entire situation uncomfortable for Caleb.

4 26. Sydney was released from the hospital on Saturday, May 7, 2011, which should
5 have been the exchange day for Sydney. Lisa was fully aware of the exchange to occur on
6 Saturday, but called and cancelled. Lisa claims that because Sydney had just gotten out of the
7 hospital, Caleb was not fit to care for Sydney. Counsel addressed this issue in a letter to Lisa, but
8 no response was received.

9 27. At the next exchange, on Friday, May 13, 2011, Caleb arrived at the Family Court
10 and while waiting in the security entrance received a text from Lisa which stated "Under the
11 circumstances, the exchange will not be able to take place." The message was sent one (1)
12 minutes before the exchange was supposed to occur. As a result, Caleb contacted the police to
13 facilitate the exchange, but Lisa and the minor child could not be located (*Caleb is obtaining a*
14 *copy of the police report and will supplement his Motion upon receipt*).

15 28. Over the course of this litigation, Caleb has become friends with Paul. The
16 similarities between their cases is eerie and cannot be ignored by the Court. A chart of some of
17 the similarities is outlined as follows:


GAMBINI	HASKINS
Lisa made false allegations that Paul Gambini committed domestic violence against her during their marriage.	Lisa made false allegations that Caleb Haskins committed domestic violence against her during the marriage.
Lisa made false allegations that Paul Gambini abused their minor child (in the case it was sexual abuse and physical abuse).	Lisa made false allegations that Caleb Haskins abused their minor child (physically-leaving black eyes).

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<i>GAMBINI</i>	<i>HASKINS</i>
Lisa sought "excessive medical treatment" for her child with Paul Gambini which resulted in an award of sole legal custody to Paul Gambini.	Lisa, without Caleb's knowledge and consent, has frequently taken Sydney to doctor appointments and made untruthful to obtain medical treatment which was unnecessary and unwarranted.
It was determined if Lisa's behavior continued and went unchecked, parental alienation would occur. Due to the fact it went unchecked and untreated, Dr. Lenkeit determined parental alienation DID occur.	Lisa's behavior at exchanges, in waiting for Sydney to cry before she will turn the child over to Caleb show a level of manipulation and control similar to the conduct exhibited in the Gambini case.
Dr. Paglini determined the minor child in this case to be in "serious danger if left in the care and custody" of Lisa.	At this point, Caleb does not know where Lisa or the minor child are located. Lisa has refused to conduct exchanges and Caleb is fearful for Sydney's safety. Lisa has mental problems which cannot be ignored by the Court.
Lisa took Cameron when he was six (6) weeks old and denied Paul visitation with the baby. Lisa's history with Paul is a clear indicator that she cannot co-parent and does not believe that frequent association is important.	Lisa took Sydney from Caleb when she was approximately four (4) months old and refused all contact until Sydney was approximately nine (9) months old and it was Ordered by Judge Moss.

29. If action is not taken to protect Sydney, Caleb is fearful of the end results. At this point, Lisa needs to produce the child and be placed on closely supervised visitation to protect Sydney pending completion of a psychological evaluation as Ordered by the Court. Lisa's pattern of conduct is extremely concerning and shows an inability to do what is in Sydney's best interest.

FURTHER YOUR AFFLANT SAYETH NAUGHT.


Caleb Haskins

Subscribed and Sworn to before me this
7th day of May, 2011.

Notary Public in and for said County
And State

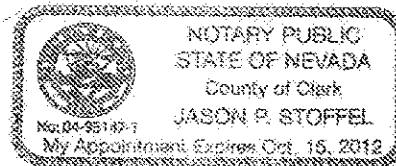
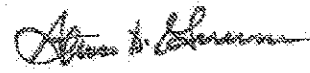


EXHIBIT 1



CLERK OF THE COURT

1 OAH
2 Amanda M. Roberts, Esq.
3 State of Nevada Bar No. 9294
4 ROBERTS STOFFEL FAMILY LAW GROUP
5 2011 Pinto Lane, Suite 100
6 Las Vegas, Nevada 89106
7 PH: (702) 474-7007
8 FAX: (702) 474-7477
9 EMAIL: attorneys@rlvfamilylaw.com
10 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

14 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 in nature, the Motion is currently set for March 8, 2011.

23 THE COURT FURTHER FINDS that the Orders issued by Judge Guston 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
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 forms 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: _____
Lisa Myers
Address: _____
PH: _____
FAX: _____
EMAIL: _____
Defendant In Proper Person

EXHIBIT 2

ORIGINAL

FILED

DEC 30 10 55 AM '03

Christy J. Longenecker
CLERK

1 ORDER
2 John P. Lukens, Esq.
3 Nevada Bar No.: 843
4 LUKENS & KENT, CHTD.
5 550 E. Charleston Blvd., Suite B
6 Las Vegas, Nevada 89104
7 (702)385-1100
8 Attorneys for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

9 PAUL GAMBINI,

Plaintiff,

vs.

11 LISA S. MYERS-GAMBINI,

Defendant.

Case No.: D260907
Dept No.: F

ORDER

15 This matter having come on for an Evidentiary Hearing on the 15th day of August, 2003 and
16 continued by the Court to allow for an expert to provide his opinion to the Court on all issues; and the
17 Court reconvening on the 1st day of December, 2003, with the Plaintiff, being physically present and
18 represented by his counsel, John P. Lukens, Esq., of the law firm of LUKENS & KENT, CHTD., and
19 the Defendant being physically present and represented by her counsel, George R. Carter, Esq., and
20 the Court having reviewed all issues; having reviewed portions of the reports by Dr. Lenkeit dated
21 August 20, 2001, Jennifer Elliott-Tavano dated November 8, 2002, and Dr. Paglini dated November
22 10, 2003; having heard the testimony of the parties and witnesses; and having heard the arguments
23 of Counsel, hereby renders the following FINDINGS OF FACT:

24 That this Court found on October 25th, 2001, more than two years ago that the Defendant had
25 "to address serious problems in her life and get some help." [Quoting from the previous Order of this
26 Court dated October 25, 2001.] This finding is found in the testimony of Dr. Lenkeit who testified at
27 the hearing in this matter. The Court finds Dr. Lenkeit a credible witness who was able to support his
28 finding detailed on page 12 of his report from August, 2001 wherein he found the Plaintiff to be

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COUNTY CLERK

1 normal but that the Defendant's behavior raised substantial concerns and that if her behavior continued
2 unchecked parental alienation would certainly take place. The Court specifically finds that the
3 Defendant's behavior continued unchecked and that alienation has, in fact, taken place. The very
4 problem that Dr. Lenkeit predicted in his August, 2001 report, has, in fact, taken place.

5 This Court finds that the Defendant did not "get some help," despite the Court at that time
6 finding that if the "Defendant does not commence treatment immediately, she may risk losing the
7 child and a change of custody may occur." [Quoting from the previous Order of this Court dated
8 October 25th, 2001.]

9 That this Court in August of 2002 "accepted" the report of Dr. William Sohr, and relieved the
10 Defendant from the obligation of seeking treatment. The Court now specifically finds that Dr. Sohr
11 did not address the problems which had previously concerned the Court and that the actions of the
12 Defendant which caused the initial concern continued unabated through the commencement of the
13 present action. At that time, August of 2002, the Court did order the parties for mediation and to work
14 on the issue of co-parenting. The mental health professional selected by the Court was Jennifer Elliot
15 Tovano (now a member of this bench).

16 That the parties did, in fact, as ordered meet with Ms. Tovano. Ms. Tovano, an expert in the
17 field of child custody, having been previously appointed by this Court on several occasions. Ms.
18 Tovano in her report found, and testified to, substantial evidence of the Defendant's psychological
19 problems and distortion of reality. Ms. Tovano recommended that the Defendant seek psychological
20 help. The Court finds Ms. Tovano credible and gives her evaluation substantially more weight than
21 the report by Dr. Sohr. Dr. Sohr met with the Defendant relatively briefly and not to the in-depth
22 extent that Ms. Tovano did.

23 The Court finds that the witnesses presented by the Defendant in the hearing were competent
24 and well qualified. However, the Court also finds that they did not address the concerns this Court
25 had for the behavior of the Defendant. The Defendant may be able to function in the work place, or
26 with her parents, but the Court finds that as a custodian of the child, the child would be in actual
27 danger.

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1 The Court determined that because of the conflict between the respective position, and
2 although the Defendant's witnesses were less relevant than were the Plaintiff's, that the Court would
3 appoint its own expert to examine the parties, the evidence, and make a recommendation to the Court.
4 The Court appointed Dr. John Paglini, Ph.D.

5 The Court finds that Dr. Paglini did, in fact, conduct a thorough investigation and a
6 comprehensive testing procedure to the satisfaction of the Court. The Court accepts the findings and
7 recommendations of Dr. Paglini, *in toto*. The Court further finds that Dr. Paglini's findings,
8 conclusions, as contained in his report, were fully in accord, and supported by all of the evidence
9 adduced at the evidentiary hearing held before this Court.

10 The Court finds that although both sides were given the opportunity to call Dr. Paglini as a
11 witness and cross-examine him or challenge his findings and conclusions, neither side availed
12 themselves of that opportunity.

13 The Court finds, then, based upon all of the evidence, and relying heavily upon the report of
14 Dr. Paglini, that the following facts are true and established by the evidence :

15 1) The parties minor child, Cameron, is in serious danger if left in the care and custody
16 of the Defendant;

17 2) The Defendant has had the opportunity to address her psychological problems over
18 the last two years, but has failed to do so;

19 3) The actions of the Defendant are bizarre, extreme, and as testified to by Ms.
20 Tovano, based upon a distortion of reality;

21 4) There has been a significant and major change of circumstances since the entry of
22 this Court's original custody order, in that the actions of the Defendant have continued
23 unabated and without the benefit of counseling all to the major detriment of the child;

24 **NOW THEREFORE :**

25 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the Court shall
26 accept the recommendations of Dr. Paglini primarily to protect the child and secondarily to encourage
27 the Defendant to seek serious, ongoing psychotherapy. Dr. Paglini suggests the ultimate goal for the
28 parties is shared physical custody; however, presently Defendant shall have supervised visitation so

1 as not to put the child at risk.

2 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, based upon the
3 recommendations of Dr. Paglini, the Plaintiff shall be awarded PRIMARY PHYSICAL CUSTODY
4 of the minor child, and SOLE LEGAL CUSTODY due to the excessive medical treatment of the child
5 by Defendant in the past. Sole legal custody is hereby ordered under the condition that Plaintiff
6 provide Defendant with copies of all medical, professional, and educational records for the child.

7 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Defendant shall have
8 SUPERVISED VISITATION with the child through Donna's House every Saturday and Sunday from
9 10:00 a.m. - 11:00 a.m. If the parties can agree on another supervisor, the Court will allow a change
10 in the supervisor. In addition, if the parties need to adjust the visitation times, that can also be done.
11 It is further ordered that in order to facilitate this visitation, either the Plaintiff or his designee may
12 either transport to or pick up from the designated visitation the parties minor child.

13 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, as recommended by
14 Dr. Paglini, Dr. Elizabeth Ritchett and Dr. Stephanie Holland shall be appointed to assist with the
15 case. One of the doctors shall work as the treating therapist for the Defendant and the other doctor
16 shall work as the master clinician who shall coordinate any issues with the Court, monitor Defendant's
17 progress with the therapist, and make recommendations to the Court as to expanding Defendant's
18 visitation with the child. Counsel shall work together to determine what role each doctor will have
19 and present their decision to the Court by December 5, 2003. The Court's staff shall then contact the
20 doctors and provide them with copies of the reports. Upon inquiry by the Court, counsel advised they
21 would stipulate to waive any conflict and allow the Court to have Ex Parte communication with the
22 doctor chosen as the master clinician. The master clinician may contact the Court when she feels
23 visitation may be expanded.

24 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that there shall be no further
25 videotaping between the parties as this has been detrimental to the child.

26 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Plaintiff shall be
27 awarded Attorney's Fees in the amount of \$1,500.00 which shall be paid by Defendant. Court advised
28 this is a nominal amount as the Court prefers Defendant to use her resources for her own

1 psychological treatment.

2 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that any costs associated
3 with therapy for the child shall be equally divided between the parties. Any costs associated with
4 therapy for Defendant shall be paid by the Defendant.

5 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the \$5,000.00 placed
6 in Mr. Lukens' Trust Account by the Plaintiff shall be returned to the Plaintiff.

7 **IT IS FURTHER, ORDERED, ADJUDGED AND DECREED** that Defendant's child
8 support obligation to Plaintiff shall be \$100.00 per month. The Court normally requires the non-
9 custodial parent to seek employment; however, the Court will not presently require that in this case
10 in order to allow the Defendant to seek therapy.

11 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that in accordance with this
12 change in custody and support, the prior child support order and wage garnishment of the Plaintiff is
13 hereby declared to be null and void.

14 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the parties are
15 admonished that pursuant to Nevada Revised Statute 125.510(6) that:

16 PENALTY FOR VIOLATION OF ORDER: THE ABDUCTION,
17 CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION
18 OF THIS ORDER IS PUNISHABLE AS A CATEGORY D FELONY
19 AS PROVIDED IN NRS 193.130. NRS 200.33359 provides that
20 every person having a limited right of custody to a child or any parent
21 having no right of custody to the child who willfully detains, conceals,
22 or removes the child from a parent, guardian or other person having
23 lawful custody or a right of visitation of the child in violation of an order
24 of this court, or removes the child from the jurisdiction of the court without
25 the consent of either the court or all persons who have the right
26 to custody or visitation is subject to being punished for a category D
27 felony as provided in NRS 193.130.

28 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the parties have been
advised regarding Nevada Revised Statute 125.510(7) and (8), regarding the terms of the Hague
Convention of October 25, 1980, adopted by the 14th Session of the Hague Conference on Private
International Law as follows:

Section 8. If a parent of a child lives in a foreign country or has
significant commitments in a foreign country:
(a) The parties may agree, and the Court shall include in the Order for
custody of the child that the United States is the country of habitual

1 residence of the child for the purposes of applying the terms of the
Hague convention as set forth in Subsection 7.

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

12 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that pursuant to NRS
13 125A.290, the parties acknowledge that the child's home state is Nevada, which is in the United States
14 of America.

15 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that this matter is set for a
16 Status Check regarding supervised visitation for March 1, 2004 at 11:00 a.m.

17 DATED AND DONE this 29 day of December, 2003.

18 
19 DISTRICT COURT JUDGE

20 Submitted by:

21 LUKENS & KENT, CHTD.

22 By: 

23 John P. Lukens, Esq.
24 Nevada Bar No.: 843
25 550 E. Charleston Blvd., Suite B
26 Las Vegas, Nevada 89104
27 (702)385-1100
28 Attorneys for Plaintiff

EXHIBIT 3

RECEIVED IN
EXPRESS BOX

2001 MAY 13 P 6 13

Debra L. Bryant
CLERK OF THE COURT

TO WHOM THIS MAY CONCERN
CALEB HASBINS WAS HERE AT
FAMILY COURT GOING AFTER FOR
CHILD EXCHANGE.

MR. HASBINS ARRIVED AT APPROX
1550 FOR HIS 1600 RELEASE.

LISA MYERS MOTHER DID NOT
SHOW FOR SAID EXCHANGE.

MDA IS KNOW FOR THIS AND MR.
HASBINS WAS ADVISED TO USE THE
ASSIST METRO ASSIST.

DEPUTY GREG BRYANT p8122 CT-156
CLARE COUNTY MARSHAL
824-2838 24/7/21

ORIGINAL

FILED

JUN 13 12 43 PM '11

Electronically Filed
JUN 17 2011 09:06 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

1 NOTC

2 Lisa Myers

3 9360 West Flamingo Road, No. 110-326

4 Las Vegas, Nevada 89147

(702) 401-4440

Defendant In Proper Person

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

8 CALEB O. HASKINS,

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

) DEPT NO.: I

9 Plaintiff,

11 vs.

12 LISA MYERS,

13 Defendant.

NOTICE OF APPEAL

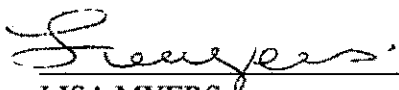
16 Notice is hereby given that LISA MYERS, Defendant In Proper Person above-named,
17 hereby appeals to the Supreme Court of Nevada from the Notice of Entry of Order of June 8,
18 2011. There is a lack of jurisdiction and lack of lawful justification with regard to this Order. As
19 such, Ms. Myers has no other legal remedy in this matter to protect her and her child's rights than
20 by filing this Notice of Appeal.

21 Additionally, See *Doolittle v. Doolittle*, 70 Nev. 163, 262 P.2d 955 (1953) relying upon
22 *Gammill v. Federal Land Bank*, 129 F.2d 502, and *Haley v. Eureka County Bank* 22 P. 1098
23 (Nev. 1889). See also *Stone v Powell*, 428 US 465, 483 n. 35, 96 Sct. 3037, 49 L. Ed. 2d 1067
24 (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."

25 Ms. Myers is appearing in proper person, as such, See *Haines v. Kerner*, 404 U.S. 519
26 (1972), *Hall v. Bellmon*, 935 F. 2d 1106 (10th Cir.) (1991), reference Supreme Court Rules and
27 F.R.C.P. 8. Attached herewith, the file-stamped Order To Proceed In Forma Pauperis, Exhibit "A".

1 Ms. Myers reserves her right to supplement additional information for this Appeal should it become
2 available or necessary.

3 Dated this 9th day of June, 2011.
4

5 
6

LISA MYERS

9360 West Flamingo Road, No. 110-326

Las Vegas, Nevada 89147

(702) 401-4440

Defendant In Proper Person

11 ///

12 ///

13 ///

EXHIBIT "A"

ORIGINAL

1 **ORDR**

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**

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

FILED

JAN 10 2 25 PM '11

Christina J. Harrison
CLERK OF THE COURT

8 **CALEB O. HASKINS,**

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

9 Plaintiff,

) DEPT NO.: I

10 vs.

11 **LISA MYERS,**

12 Defendant.

13 **ORDER TO PROCEED IN FORMA PAUPERIS**

14
15
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

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

6 **IT IS FURTHER ORDERED** that if LISA MYERS prevails in this action, the Court
7 shall enter an Order pursuant to NRS 12.015 requiring the opposing party to pay into the court,
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

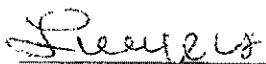
11 Dated this 10 day of January, 2011.

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

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FILED

JUN 16 2011

Amanda M. Roberts
CLERK OF COURT

1 ASTA

2
3
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: Misc. Order

5 11. Previous Appeal: Yes

6 Supreme Court Docket Number(s): 57825, 58306

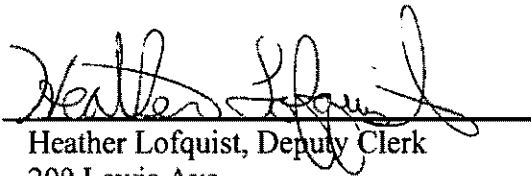
7 12. Child Custody or Visitation: Custody

8 13. Possibility of Settlement: Unknown

9 Dated This 16 day of June 2011.

10 Steven D. Grierson, Clerk of the Court

11
12 By:



13 Heather Lofquist, Deputy Clerk
14 200 Lewis Ave
15 PO Box 551601
16 Las Vegas, Nevada 89155-1601
17 (702) 671-0512
18
19
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21
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25
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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)
 T-11-133627-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 4033 Gaster Ave North Las Vegas, NV 89081	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

06/13/2011	 Notice of Appeal Filed by: Defendant Myers, Lisa
06/13/2011	 Affidavit of Service Filed by: Plaintiff Haskins, Caleb Obadiah Party 2: Defendant Myers, Lisa -ost
06/08/2011	 Notice of Entry of Order Filed by: Plaintiff Haskins, Caleb Obadiah -ost
06/08/2011	 Financial Disclosure Form Filed by: Plaintiff Haskins, Caleb Obadiah Plaintiff, Caleb Haskins, Financial Disclosure Form
06/06/2011	 Order Shortening Time Filed by: Plaintiff Haskins, Caleb Obadiah
06/02/2011	 Request Filed by: Defendant Myers, Lisa; Plaintiff Haskins, Caleb Obadiah

CASE SUMMARY

CASE No. D-10-434495-D

of Transcript

06/01/2011



Certificate of Service

Filed by: Plaintiff Haskins, Caleb Obadiah

Certificate of Service

05/27/2011



Affidavit

Filed by: Defendant Myers, Lisa

Emergency Affidavit in Support of Emergency Motion for Leave to Proceed

05/27/2011



Motion

Filed by: Defendant Myers, Lisa

For: Plaintiff Haskins, Caleb Obadiah

Emergency Motion for Leave to Proceed in Forma Pauperis

05/27/2011



Ex Parte Application

Filed by: Plaintiff Haskins, Caleb Obadiah

Ex Parte Application for Order Shortening Time

05/24/2011



Motion

Filed by: Plaintiff Haskins, Caleb Obadiah

Notice of Motion and Motion for the Court to Agree to Hear this Matter Pursuant to Huneycutt; Sole Legal Custody, Primary Physical Custody, and Independent Medical Evaluation, the Issuance of an Order to Show Cause Against Lisa; and for Attorney Fees and Costs; Affidavit of Caleb Haskins

05/09/2011



Case Appeal Statement

Filed by: Defendant Myers, Lisa

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

Notice of Entry of Order

04/14/2011



Order

Filed by: Plaintiff Haskins, Caleb Obadiah

Order of Recusal

03/30/2011



Order

Filed by: Plaintiff Haskins, Caleb Obadiah

Order After Hearing 1/19/11

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


















CASE SUMMARY

CASE NO. D-10-434495-D

	<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>
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 Evaluation, 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 Appllication 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

CASE SUMMARY


CASE No. D-10-434495-D


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 Filed by: Defendant Myers, Lisa <i>Answer and Counterclaim</i>
10/01/2010	 Notice of Department Reassignment
09/29/2010	 Notice of Intent to take Default Filed by: Plaintiff Haskins, Caleb Obadiah <i>Notice of Intent to Take Default</i>
09/28/2010	 Proof of Personal Service of Summons and Complaint Filed by: Plaintiff Haskins, Caleb Obadiah For: Defendant Myers, Lisa <i>Affidavit of Service</i>
09/23/2010	 Peremptory Challenge Filed by: Plaintiff Haskins, Caleb Obadiah


CASE SUMMARY


CASE No. D-10-434495-D

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

06/15/2011 **Motion** (11:00 AM) (Judicial Officer: Duckworth, Bryce C.)
Events: 05/24/2011 Motion
Pltf's Motion for Court to Agree to Hear This Matter Pursuant to Huneycutt, Sole Legal Custody, Primary Physical Custody, an Independent Medical Evaluation, the Issuance of an Order to Show Cause Against Lisa, and for Atty's Fees and Costs; Affidavit of Caleb Haskins

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

CASE SUMMARY

CASE No. D-10-434495-D

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 Outsourcing 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:

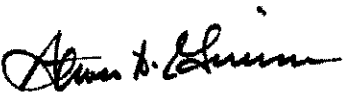
Atty Jason Stoffel, Bar #8898, present by telephone for Atty Amanda Roberts who was ill. Discussion by Parties and Counsel. COURT ORDERED the following: 1. Defendant shall file a Financial Disclosure Form and serve Atty Roberts forthwith. 2. Defendant's Order in Forma Pauperis is GRANTED and SIGNED IN 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.;

CASE SUMMARY

CASE No. D-10-434495-D


CLERK OF THE COURT

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

7 **DISTRICT COURT**

8 **CLARK COUNTY, NEVADA**

9	CALEB HASKINS,)	Case No: D-10-434495-D
10)	Dept No: Q
11	Plaintiff,)	
12	v.)	ORDER SHORTENING TIME
13	LISA MYERS,)	
14	Defendant.)	

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MAY 31 2011

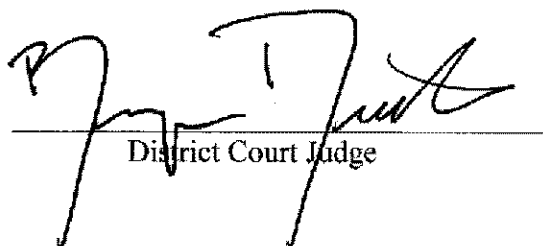
FAMILY COURT
DEPARTMENT Q

1 It appears to the satisfaction of this Court and good cause appearing therefore;

2 IT IS HEREBY ORDERED the time for the hearing on Plaintiff's Motion for the Court to
3 Agree to hear this Motion Pursuant to *Honeycut*; Sole Legal Custody, Primary Physical Custody,
4 an Independent Medical Evaluation, the Issuance of an Order to Show Cause against Lisa; and for
5 Attorney Fees and Costs; Affidavit of Caleb Haskins, currently set for June 28, 2011, at 10:00
6 a.m., is hereby shortened to the 15th day of June, 2011, at
7 11:00 (a.m.) p.m. in Department "Q" of the Family Court at 601 North Pecos Road,
8 Las Vegas, Nevada.
9

10 IT IS FURTHER ORDERED the Defendant, Lisa Myers, shall be personally served at the
11 residence of her parents, Brent and Sharon Myers, located at 9999 W. Katie Avenue, Las Vegas,
12 Nevada, 89147, which is the address where the Defendant was served at the commencement of
13 this action.

14 IT IS SO ORDERED this _____ day of JUN 03 2011, 2011.
15

16 
17 _____
18 District Court Judge

19 Respectfully submitted by:

20 **ROBERTS STOFFEL FAMILY LAW GROUP**

21 By: Amanda M. Roberts

22 Amanda M. Roberts, Esq.
23 State of Nevada Bar No. 9294
24 2011 Pinto Lane, Suite 100
25 Las Vegas, Nevada 89106
26 PH: (702) 474-7007
27 FAX: (702) 474-7477
28 EMAIL: attorneys@lvfamilylaw.com
Attorney for the Plaintiff, Caleb Haskins