# IN THE SUPREME COURT OF THE STATE OF NEVADA

\* \* \* \* \*

ROBERT SCOTLUND VAILE,

Petitioner,

VS.

CISILIE A. PORSBOLL F/K/A CISILIE A. VAILE,

Respondent.

S.C. Flectronically Filed D.C. Sep 2982012309838 a.m. Tracie K. Lindeman Clerk of Supreme Court

# SUPPLEMENT TO RESPONDENT'S OPPOSITION TO "EMERGENCY MOTION TO STAY PROCEEDINGS AND ENFORCEMENT IN THIS CASE PENDING APPEAL"

### I. INTRODUCTION

This matter has been under submission for some time, during which Scotlund's *Motion for Leave to Proceed In Forma Pauperis* filed in the Family Court has been heard and ruled upon. This *Supplement* is intended to bring to this Court's attention the District Court's ruling.<sup>1</sup>

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<sup>&</sup>lt;sup>1</sup> A copy of the court's minutes are attached as Exhibit 1, as the signed and filed order has not been filed at this time.

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The purpose of this filing is to allow the Court to deal with the current filings before the Court by Mr. Vaile as expeditiously as possible, and with a full record. Respectfully submitted,

WILLICK LAW GROUP

MARSHAL S. WILLICK, ESQ. Nevada Bar No. 002515 3591 E. Bonanza Road, Suite 200 Las Vegas, Nevada 89110-2101 (702) 438-4100 email@willicklawgroup.com Attorneys for Respondent

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## **CERTIFICATE OF SERVICE**

I hereby certify that service of the foregoing was made on the 20th day of September, 2012, pursuant to EDCR 7.26(a), by U.S. Mail addressed as follows:

Mr. Robert Scotlund Vaile P.O. Box 727 Kenwood, California 95452 Applellant In Proper Person

That there is regular communication between the place of mailing and the place so addressed.

An Employee of the WILLICK LAW GROUP

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## DISTRICT COURT **CLARK COUNTY, NEVADA**

Divorce - Complaint

**COURT MINUTES** 

September 18, 2012

98D230385

Robert S Vaile, Plaintiff.

Cisilie A Vaile, Defendant.

September 18,

1:30 PM

Minute Order

2012

**HEARD BY:** 

Moss, Cheryl B

COURTROOM: Courtroom 13

COURT CLERK: Valerie Riggs

PARTIES:

Cisilie Vaile, Defendant, not present

Deloitte & Touche, LLP, Other, not

present

Kaia Vaile, Subject Minor, not present

Kamilla Vaile, Subject Minor, not

present

Parties Receiving Notice, Other, not

present

Robert Vaile, Plaintiff, not present

Marshal Willick, Attorney, not present Raleigh Thompson, Attorney, not

present

Pro Se

#### **JOURNAL ENTRIES**

### - COURT'S MINUTE ORDER

On 8/13/12, Plaintiff filed a Motion for Leave to Proceed In Forma Pauperis. On 8/23/12, Defendant filed an Opposition. Plaintiff states in his motion that the purpose of requesting an In Forma Pauperis is for him to proceed with filing an appeal. The trial court denies Plaintiff's motion. Plaintiff admits he earned \$86,878.20 in gross wages through April 3, 2012, or approximately \$11,900.00 per month. Defendant argues that Plaintiff earned in excess of \$130,000.00 per year for four years prior to the Court's last Decision and Order filed July 10, 2012. Defendant also argues that Plaintiff owes Defendant substantial attorney's fees and sanctions that he has not paid over many years of litigation. The Court finds Plaintiff is not indigent. His recent historical earnings are well

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| PRINT DATE:  | 09/18/2012 | D 1 (2      | MOLETA        | 0 1 1 10 0010      |
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#### 98D230385

above the Nevada average wage and extremely above the state poverty guidelines. Plaintiff has a college degree and a law degree. Plaintiff worked jobs that paid well in excess of over \$100,000.00 for several years. Given Plaintiff's educational and employment background, Plaintiff is capable of earning substantial income. Plaintiff's motion and request for an Order In Forma Pauperis is denied.

Attorney Willick to submit an order in accordance with the findings herein.

#### **INTERIM CONDITIONS:**

**FUTURE HEARINGS:** 

October 22, 2012 1:30 PM Evidentiary Hearing

Moss, Cheryl B Courtroom 13 Riggs, Valerie