

FILED

FEB 20 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *MacCagnolo*
DEPUTY CLERK

1 Robert Scotlund Vaile
2 2201 McDowell Avenue
3 Manhattan, KS 66502
4 (707) 633-4550
5 *Appellant in Proper Person*

6 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

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9
10 **ROBERT SCOTLUND VAILE,**
11 **Appellant,**

12 **vs.**

13
14 **CISILIE A. PORSBOLL,**
15 **Respondent.**

Supreme Court Case No: 61415
District Court Case No: 98D230385

**NOTICE OF KANSAS ORDER
CONFIRMING CALIFORNIA'S
DETERMINATION OF
CONTROLLING CHILD
SUPPORT ORDER**

16
17 **NOTICE**

18 On February 11, 2013 the Riley County District Court of Kansas entered an
19 order confirming the registration as well as the conclusion of the California
20 determination of controlling child support order, previously provided to this
21 Court. This order is attached as Exhibit 1.

22
23 Respectfully submitted this 15th day of February, 2013.

Robert Scotlund Vaile

24 Robert Scotlund Vaile
25 2201 McDowell Avenue
26 Manhattan, KS 66502
27 (707) 633-4550
28 *Appellant in Proper Person*

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FEB 19 2013

TRACIE K. LINDEMAN
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Marshal S. Willick, Esq.
 Willick Law Group
 3591 E. Bonanza Road, Suite 200
 Las Vegas, NV 89110-2101
Attorney for Respondent

[Handwritten signature]

- 2 -

Exhibit 1

FILED

2013 FEB 11 AM 9:13

DISTRICT COURT
RILEY CO., KS.

**TWENTY-FIRST JUDICIAL DISTRICT
DISTRICT COURT FOR RILEY COUNTY, KANSAS**

CASE NO: 2012-DM-000775

ROBERT S. VAILE,

Plaintiff/Petitioner,

vs.

CISILIE A. PORSBOLL,

Defendant/Respondent.

**ORDER ON
REGISTRATION OF SISTER
STATE CHILD SUPPORT
ORDER WITH
DETERMINATION OF
CONTROLLING ORDER
AND
PERMANENT INJUNCTION**

Judge: Honorable Meryl D. Wilson

Division: II

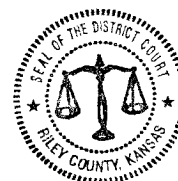
Hearing Date: 02/11/2013

Hearing Time: 9:00AM

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FEB 19 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
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CERTIFIED COPY

The above is a true and correct
copy of the document which is
on file or of record in this Court.
Dated this 11 day of

Feb 20 13
Suzanne Pennell

Clerk of the District Court of
Riley County, Kansas

INTRODUCTION

This matter was heard by this Court on January 14, 2013 and February 11, 2013 before the Honorable Judge Meryl D. Wilson on ROBERT VAILE's *MOTION FOR REGISTRATION OF SISTER STATE CHILD SUPPORT ORDER WITH DETERMINATION OF CONTROLLING ORDER AND MOTION FOR PERMANENT INJUNCTION*. Petitioner was present at the hearings. Respondent CISILIE A. PORSBOLL was properly served but was not present at the hearings.

Mr. Vaile has requested registration in accordance with the Uniform Interstate Family Support Act (K.S.A. 23-36,601 et. al.) and the Full Faith and Credit of Child Support Orders Act (28 U.S.C. §1738B) of a California child support order file-dated November 1, 2012. The California order contains a determination of controlling child support order finding that a Norwegian child support order with an effective date of April 1, 2002 *is controlling* over a 1998 Nevada decree of divorce containing provisions for child support. The California order also sets forth remaining child support payments due under the Norwegian order. Because the Nevada tribunal has not honored the California order as a sister state judgment and has continued to attempt enforcement of its order by intercepting Mr. Vaile's salary in Kansas, Mr. Vaile has also requested an injunction in support of the California order.

ORDER

Having reviewed the filings and evidence provided by Petitioner, and having received no contest from Respondent under K.S.A. 23-36,606-607, the Court hereby confirms the registration of the California child support order as a valid sister state judgment. Furthermore, having reviewed the California order, the Norwegian orders, and the relevant law, the Court finds that the California court properly determined that the Norwegian child support order is controlling over the Nevada decree in accordance with the Uniform Interstate Family Support Act

1 (UIFSA) (see K.S.A. 23-36,101 to 23-36,903). As such, the California order shall be
2 honored and enforced as if issued originally in Kansas.

3 **A. CHILD SUPPORT FULFILLMENT**

4 The November 1, 2012 California child support order found that Mr. Vaile
5 owed child support under the Norwegian order in the amount of \$3,919.00. On
6 December 21, 2012, Mr. Vaile paid \$1,682.00 in child support leaving a balance of
7 \$2237.00. On January 4, 2013, (prior to implementation of this Court's injunction)
8 Mr. Vaile's employer withheld \$1,324.68 from his salary for child support leaving a
9 balance of \$912.32. On February 8, 2013, Mr. Vaile made his last payment in the
10 amount of \$912.32, and has, therefore, fulfilled his child support obligations under
11 the controlling Norwegian order.
12

13 **B. PERMANENT INJUNCTION**

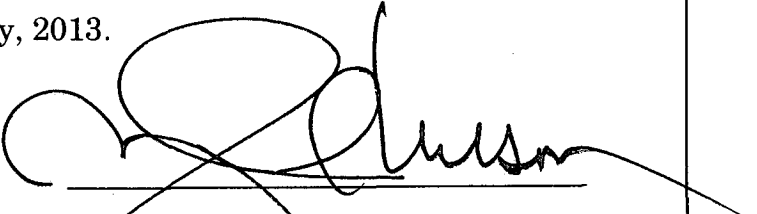
14 The California order recites a number of prohibitions on the enforcement of
15 child support orders contrary to the Norwegian child support order which it found
16 to be controlling. Those prohibitions shall be incorporated into this order, relative
17 to Kansas. While this Court has no jurisdiction to decide matters before the
18 Nevada courts, it is apparent that the Nevada court lost jurisdiction in this matter
19 when the Norwegian order sought by Porsboll in Norway became effective on April
20 1, 2002. As such, orders from the Nevada district court contrary to the California
21 order shall not be enforceable in Kansas.
22

23 **WHEREFORE, IT IS HEREBY ORDERED:**

- 24 1. Petitioner's request to register the November 1, 2012 California child support
25 order with a determination of controlling order is granted;
26 2. The California child support order shall be honored as if issued originally in
27 the State of Kansas;
28 3. Petitioner's request for a permanent injunction is granted; and

1 4. No agency, enforcement officer, or employer in the State of Kansas shall
2 demand or collect child support from Petitioner contrary to this order, or
3 based on child support orders other than the California child support order
4 registered in Riley County pursuant to this order.

5
6 Dated this 11th day of February, 2013.

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9
10 Honorable Meryl D. Wilson
11 *Chief Judge*
12 RILEY COUNTY DISTRICT COURT
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