

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF: THE GUARDIANSHIP)
OF THE PERSON AND ESTATE OF JEAN)
RUTH ECHEVARRIA, AN ADULT WARD.)

) NO: 65598

) Electronically Filed
) Jul 16 2015 11:30 a.m.
) Tracie K. Lindeman
) Clerk of Supreme Court

MICHAEL A. ECHEVARRIA,

)
)
) Appellant,
)
)

vs.)
)
)

ROBERT L. ANSARA and ANGEL)
ECHEVARRIA,)
)

) Respondents.
)
)

MOTION TO MODIFY RECORD ON APPEAL BY FILING APPENDIX
TO INCLUDE DISTRICT COURT PLEADINGS AND MINUTES POST-
DATING THE PREPARATION OF THE ORIGINAL RECORD

Respondent, ROBERT L. ANSARA, by and through his counsel, ELYSE M. TYRELL, ESQ., of the law firm of Trent, Tyrell & Associates, hereby submits the instant Motion to Modify Record on Appeal by Filing Appendix to Include District Court Pleadings and Minutes Post-Dating the Preparation of the Original Record, and who respectfully reports the following for this Honorable Court's consideration:

1. On or about the 11th day of July, 2014, the District Court Clerk, Steven

D. Grierson, submitted his Certification of Copy and Transmittal of Record pursuant to the Order of this Honorable Court dated July 7, 2014.

2. The foregoing Certification reported that the Record on Appeal for this proceeding, at that time, consisted of nine volumes with pages numbered 1 through 1957 which, in Respondent's estimation, included all documents, minutes and transcripts which were of record in the District Court up to that point.

3. Respondent reports that, since the transmission of the Record on Appeal, the following events have occurred in this matter in the District Court proceeding:

- a. On the 22nd day of July, 2014, Respondent filed his Objection to Motion by Judgment Creditor for an Order Directing the Issuance of a Writ of Execution.
- b. On the 30th day of July, 2014, Respondent, ANGEL ECHEVARRIA, filed her Joinder to Robert L. Ansara's Objection to Motion by Judgment Creditor for an Order Directing the Issuance of a Writ of Execution.
- c. On the 31st day of July, 2014, a hearing upon the Motion was conducted and the minutes from that hearing were duly prepared and posted.

- d. On the 4th day of August, 2014, an Application in Support of Extension of Time in Which to File Final Account and Report was filed by Respondent.
- e. On the 11th day of August, 2014, an Order Granting Extension of Time for Filing Final Account and Report was entered, the Notice of Entry of Order for which was filed on August 12, 2014.

4. The Objection to Motion by Judgment Creditor for an Order Directing the Issuance of a Writ of Execution was filed by Respondent in answering the Motion filed by MICHAEL A. ECHEVARRIA, the Appellant herein. Therefore, Respondent asserts that the inclusion of the case activity at the District Court level which post-date the submission of the Record on Appeal is relevant and important, as Respondent's Objection, the Joinder in the Objection, and the minutes from that hearing, all relate to the subject matter of the appeal that is presently before this court.

5. In light of the foregoing, Respondent seeks permission from this Honorable Court to modify the Record on Appeal pursuant to N.R.A.P. 10(c) so that the record includes all activity which occurred in this matter at the District Court level subsequent to the July 11, 2014 submission.

5. Respondent seeks authority to supplement the Record on Appeal by submitting the above-referenced pleadings and minutes to the court in the form of an appendix pursuant to N.R.A.P. 30(4).

Respectfully submitted this 14th day of July, 2015.

TRENT, TYRELL & ASSOCIATES



ELYSE M. TYRELL, ESQ.

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CERTIFICATE OF SERVICE

1. Electronic Service through the Court e-filing system:

I hereby certify that, on this 15 day of July, 2015, I submitted the foregoing Motion to Modify Record on Appeal by Filing Appendix to Include District Court Pleadings and Minutes Post-Dating the Preparation of the Original Record for filing and service via the Court's electronic filing system. Electronic notification will be sent to the following:

Elizabeth Brickfield, Esq.

Beau Sterling, Esq.

Mark Solomon, Esq.

Elyse M. Tyrell, Esq.

Jeanette E. McPherson, Esq.

Jason A. Imes, Esq.

A handwritten signature in black ink, appearing to read "Elyse Tyrell". The signature is written in a cursive, flowing style.

ELYSE M. TYRELL, ESQ.

Counsel for Respondent,
Robert L. Ansara