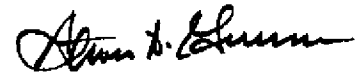


1 WESLEY ALLEN LEWIS  
2 4650 Idaho Ave.  
3 Las Vegas, NV 89104  
4 (702) 432-3996  
5 Defendant in Proper Person

  
CLERK OF THE COURT

6 **DISTRICT COURT**  
7 **CLARK COUNTY, NEVADA**

Electronically Filed  
Oct 02 2014 01:17 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

8 MARIA DANIELA LEWIS,  
9 aka MARIA DANIELA PERDOMO  
10 Plaintiff,

) Case No. D-10-427054-D  
) Dept No. T  
)

11 vs.

12 WESLEY ALLEN LEWIS,  
13 Defendant,

) **AMENDED NOTICE OF APPEAL**  
)  
)  
)  
)

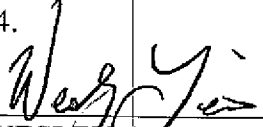
14 COMES NOW, Defendant, in Proper Person and gives notice that Defendant intends to  
15 file an Appeal in Case D-10-427054-D, Dept T, Eighth Judicial District Court, Clark County,  
16 Nevada.

17  
18 Defendant requests waiver of appeal bond in this matter, and to proceed in Proper Person.

19 This appeal is specifically related to the Order modifying shared custody and imputing  
20 income, filed on September 2, 2014. The trial was more of an AMBUSH by opposing counsel  
21 AND the court, than a trial. This appeal is amended to include an EX PARTE ORDER entitled  
22 "SUPPLEMENTAL ORDER" filed 9/4/14, which requires Defendant to transport the child for  
23 extracurricular activities. This modifies the prior order unilaterally, and again shows ambush.  
24  
25  
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28

1 Defendant believes the court made improper rulings with respect to child custody and  
2 support; and issues relating to the child's KUMON schooling, which Defendant could not afford,  
3 and extracurricular activities.  
4

5 Dated this 19 day of September 2014.

6   
7 WESLEY ALLEN LEWIS  
8 Defendant in Proper Person  
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28

# CASE SUMMARY

## CASE NO. D-10-427054-D

**Maria Daniela Lewis, Plaintiff**  
**vs.**  
**Wesley Allen Lewis, Defendant.**

§  
§  
§  
§  
§

Location: **Department T**  
 Judicial Officer: **Nathan, Gayle**  
 Filed on: **03/18/2010**

### CASE INFORMATION

#### Related Cases

R-11-161532-R (Linked - 1J11)

Case Type: **Divorce - Complaint**

Subtype: **Complaint Subject Minor(s)**

#### Statistical Closures

09/02/2014 Settled/Withdrawn With Judicial Conference or Hearing  
 10/18/2013 Settled/Withdrawn Without Judicial Conference or Hearing  
 07/15/2011 Decision with Hearing

Case Status: **09/02/2014 Closed**

Case Flags: **Order After Hearing Required**  
**Proper Person Mail Returned**  
**Proper Person Documents Mailed**  
**Appealed to the Nevada Supreme Court**









### PARTY INFORMATION

<b>Plaintiff</b>	<b>Lewis, Maria Daniela</b> 4555 E Sahara Ave 217 Las Vegas, NV 89104	<b>Finc, Frances-Ann, ESQ</b> Retained 702-384-8900(W)
<b>Defendant</b>	<b>Lewis, Wesley Allen</b> 3150 S. Nellis BLVD #1081 Las Vegas, NV 89121	<b>Pro Se</b> 702-432-3996(H)
<b>Subject Minor</b>	<b>Lewis, Isabella Sara</b>	

### DATE

















### EVENTS & ORDERS OF THE COURT

#### EVENTS

09/23/2014	 Certificate of Mailing Filed by: Defendant Lewis, Wesley Allen <i>Certificate of Mailing</i>
09/23/2014	 Amended Notice Filed by: Defendant Lewis, Wesley Allen <i>Amended Notice of Appeal</i>
09/15/2014	 Notice of Entry of Order Filed by: Plaintiff Lewis, Maria Daniela <i>Notice of Entry of Supplemental Order</i>
09/11/2014	 Case Appeal Statement Filed by: Defendant Lewis, Wesley Allen <i>Case Appeal Statement</i>
09/09/2014	 Notice of Appeal Filed by: Defendant Lewis, Wesley Allen
09/09/2014	 Request Filed by: Defendant Lewis, Wesley Allen <i>Request for Authorization to Proceed in Proper Person; Waiver of Appeal Bond; and to Transmit Entire Record on File</i>
09/09/2014	 Certificate of Mailing Filed by: Defendant Lewis, Wesley Allen <i>Certificate of Mailing</i>
09/04/2014	 Order

**CASE SUMMARY**

**CASE No. D-10-427054-D**

	Filed by: Plaintiff Lewis, Maria Daniela <i>Supplemental Order</i>
09/02/2014	 Notice of Entry of Order Filed by: Plaintiff Lewis, Maria Daniela <i>Notice of Entry of Order</i>
09/02/2014	 Order Filed by: Plaintiff Lewis, Maria Daniela <i>Order</i>
09/02/2014	 Certificate of Mailing Filed by: Plaintiff Lewis, Maria Daniela <i>Certificate of Mailing</i>
08/26/2014	 Ex Parte Filed by: Plaintiff Lewis, Maria Daniela <i>Ex Parte Request For Clarification And/Or Instructions</i>
07/29/2014	 Schedule of Arrearages Filed by: Plaintiff Lewis, Maria Daniela <i>Schedule of Arrearages</i>
07/29/2014	 Schedule of Arrearages Filed by: Plaintiff Lewis, Maria Daniela <i>Schedule of Arrearages</i>
07/23/2014	 Certificate of Mailing Filed by: Plaintiff Lewis, Maria Daniela <i>Certificate of Mailing</i>
07/22/2014	 Certificate of Mailing Filed by: Defendant Lewis, Wesley Allen For: Plaintiff Lewis, Maria Daniela <i>Certificate Of Mailing</i>
07/22/2014	 Financial Disclosure Form Filed by: Plaintiff Lewis, Maria Daniela <i>General Financial Disclosure Form</i>
07/22/2014	 Certificate of Mailing Filed by: Defendant Lewis, Wesley Allen <i>Certificate of Mailing - Injunction</i>
07/22/2014	 Certificate of Mailing Filed by: Defendant Lewis, Wesley Allen <i>Certificate of Mailing</i>
07/22/2014	 Notice of Change of Address Filed by: Defendant Lewis, Wesley Allen <i>Notice of Change of Address</i>
07/22/2014	 Affidavit Filed by: Defendant Lewis, Wesley Allen <i>Affidavit In Support Of Order Extending Time To Answer</i>
07/22/2014	 Brief Filed by: Plaintiff Lewis, Maria Daniela <i>Plaintiff's Pre-Evidentiary Hearing Brief</i>
07/18/2014	 Stricken Document Filed by: Defendant Lewis, Wesley Allen ****STRICKEN PER COURT MINUTES OF 08/05/14****
07/02/2014	 Stricken Document


**CASE SUMMARY**

**CASE NO. D-10-427054-D**

Filed by: Defendant Lewis, Wesley Allen

\*\*\*\*STRICKEN PER COURT MINUTES ON 07/29/14\*\*\*\*


06/27/2014

 Declaration

Filed by: Defendant Lewis, Wesley Allen

*Declaration in Support of Order to Extend Time to Answer*


06/26/2014

 Document Filed

Filed by: Defendant Lewis, Wesley Allen

*Discover: and Motion for Temporary Custody Pending Trial and Motion to Have Plaintiff Held in Contempt and for Attorney's Fees be Awarded to Defendant*

06/19/2014

 Notice of Entry of Order

Filed by: Plaintiff Lewis, Maria Daniela

*Notice of Entry Of Order*


06/16/2014

 Order

Filed by: Plaintiff Lewis, Maria Daniela


*Order*

05/27/2014

 Order Setting Evidentiary Hearing

*Order Setting Evidentiary Hearing*


05/16/2014

 Certificate of Service

Filed by: Defendant Lewis, Wesley Allen

*Certificate of Service*


05/15/2014

 Witness List

Filed by: Plaintiff Lewis, Maria Daniela

*Plaintiff's Initial List of Witnesses*

05/13/2014

 Order

Filed by: Defendant Lewis, Wesley Allen

*Order*


04/28/2014

 Reply

Filed by: Plaintiff Lewis, Maria Daniela

*Plsintiff's Reply to Defendant's Opposition To Motion To Modify Custody; To Enforce Order of December 27, 2013 And An Award Of Attorney's Fees And Countermotion For Fees; To Order Therapy For Plaintiff; To Hold Plaintiff in Contempt And For Related Relief*


04/24/2014

 Opposition and Countermotion

Filed by: Defendant Lewis, Wesley Allen

*Opposition to Motion to Modify Custody and Defendant's Countermotion for Fees; to Order Therapy for Plaintiff; to Hold Plaintiff in Contempt; and for Related Relief.*


04/15/2014

 Certificate of Service

Filed by: Defendant Lewis, Wesley Allen

*Certificate of Service*

04/14/2014

 Acknowledgment

Filed by: Defendant Lewis, Wesley Allen

*Acknowledgment of Substitution In Proper Person*


04/09/2014

 Motion

Filed by: Defendant Lewis, Wesley Allen

*Motion to Withdraw as Attorney for Defendant on Order Shortening Time*


04/02/2014

 Proof of Service

Filed by: Plaintiff Lewis, Maria Daniela

*Proof of Service*

04/01/2014

















 Notice of Entry of Order

Filed by: Plaintiff Lewis, Maria Daniela

*Notice Of Entry Of Order To Show Cause*

**CASE SUMMARY**

**CASE NO. D-10-427054-D**

03/27/2014	 Order Filed by: Plaintiff Lewis, Maria Daniela <i>Order To Show Cause</i>
03/25/2014	 Certificate of Mailing Filed by: Plaintiff Lewis, Maria Daniela <i>Certificate Of Mailing</i>
03/19/2014	 Motion Filed by: Plaintiff Lewis, Maria Daniela <i>Motion to Modify Custody; to Enforce Order of December 27, 2013 and an Award of Attorney's Fees</i>
03/19/2014	 Ex Parte Application for Order Party: Plaintiff Lewis, Maria Daniela <i>Ex Parte Application for Order Shortening Time</i>
01/06/2014	 Notice of Entry of Order Filed by: Plaintiff Lewis, Maria Daniela <i>Notice Of Entry Of Findings Of Fact, Conclusions Of Law And Order</i>
12/27/2013	 Findings of Fact, Conclusions of Law and Judgment Filed by: Plaintiff Lewis, Maria Daniela <i>Findings Of Fact, Conclusions Of Law And Order</i>
11/07/2013	 Memorandum Filed by: Plaintiff Lewis, Maria Daniela <i>Plaintiff's Memorandum Of Fees And Costs</i>
10/24/2013	 Notice of Entry Filed by: Plaintiff Lewis, Maria Daniela <i>Notice of Entry of Minute Order</i>
10/18/2013	 Order <i>Minute Order</i>
09/24/2013	 Notice of Entry of Order Filed by: Plaintiff Lewis, Maria Daniela <i>Notice Of Entry Of Discover Commissioner's Report And Recommended Order</i>
09/17/2013	 Discovery Commissioners Report and Recommendations Filed by: Plaintiff Lewis, Maria Daniela <i>Discover Commissioner's Report and Recommended Order</i>
09/10/2013	 Notice of Hearing Filed by: Plaintiff Lewis, Maria Daniela <i>Notice of Hearing</i>
08/28/2013	 Schedule of Arrearages Filed by: Plaintiff Lewis, Maria Daniela <i>Schedule Of Arrearages</i>
08/28/2013	 Receipt of Copy Filed by: Plaintiff Lewis, Maria Daniela <i>Receipt Of Copy</i>
08/22/2013	 Brief Filed by: Plaintiff Lewis, Maria Daniela <i>Plaintiff's Pre-Evidentiary Hearing Brief</i>
08/22/2013	 Notice of Entry of Order Filed by: Plaintiff Lewis, Maria Daniela <i>Notice Of Entry Of Consent Order Regarding Issuance Of Passport</i>

**CASE SUMMARY**

**CASE NO. D-10-427054-D**

08/22/2013	 Receipt of Copy Filed by: Plaintiff Lewis, Maria Daniela <i>Receipt Of Copy</i>
08/22/2013	 Pre-trial Memorandum Filed by: Defendant Lewis, Wesley Allen <i>Defendant's Pre Trial Memorandum</i>
08/22/2013	 Financial Disclosure Form Filed by: Defendant Lewis, Wesley Allen <i>General Financial Disclosure Form</i>
08/15/2013	 Witness List Filed by: Defendant Lewis, Wesley Allen <i>Defendant's Amended Witness List and Document Disclosure</i>
08/13/2013	 Order Filed by: Plaintiff Lewis, Maria Daniela <i>Consent Order Regarding Issuance of Passport</i>
08/08/2013	 Notice of Entry of Order Filed by: Plaintiff Lewis, Maria Daniela <i>Notice of Entry of Order Shortening Time</i>
08/08/2013	 Receipt of Copy Filed by: Plaintiff Lewis, Maria Daniela <i>Receipt of Copy</i>
08/06/2013	 Receipt of Copy Filed by: Plaintiff Lewis, Maria Daniela <i>Receipt of Copy</i>
08/06/2013	 Order Shortening Time Filed by: Plaintiff Lewis, Maria Daniela <i>Order Shortening Time</i>
08/06/2013	 Motion Filed by: Plaintiff Lewis, Maria Daniela <i>Motion to Compel Discovery Responses and for Award of Attorney's Fees and Ex Parte Application for Order Shortening Time</i>
07/24/2013	 Acceptance of Service Filed by: Plaintiff Lewis, Maria Daniela <i>Acceptance of Service</i>
07/24/2013	 Proof of Service Filed by: Plaintiff Lewis, Maria Daniela <i>Proof of Service</i>
07/19/2013	 Notice of Entry of Order Filed by: Plaintiff Lewis, Maria Daniela <i>Notice of Entry of Order</i>
07/16/2013	 Notice of Entry of Order Filed by: Plaintiff Lewis, Maria Daniela <i>Notice of Entry of Order to Show Cause</i>
07/15/2013	 Order Filed by: Plaintiff Lewis, Maria Daniela <i>Order</i>
07/11/2013	 Order to Show Cause Filed by: Plaintiff Lewis, Maria Daniela <i>Order to Show Cause</i>

**CASE SUMMARY**

**CASE NO. D-10-427054-D**

06/17/2013	 Notice of Entry of Order Filed by: Plaintiff Lewis, Maria Daniela <i>Notice of Entry of Order regarding issuance of passport</i>
06/14/2013	 Witness List Filed by: Plaintiff Lewis, Maria Daniela <i>Plaintiff's Initial Evidentiary Hearing Witness List</i>
06/13/2013	 Order Filed by: Plaintiff Lewis, Maria Daniela <i>Order Regarding Issuance of Passport</i>
06/07/2013	 Order Setting Evidentiary Hearing <i>Order Setting Evidentiary Hearing</i>
05/31/2013	 Supplemental Filed by: Plaintiff Lewis, Maria Daniela <i>Supplemental Certificate of Service</i>
05/31/2013	 Reply Filed by: Plaintiff Lewis, Maria Daniela <i>Plaintiff's Reply to Defendant's Response and Countermotion for Attorney's Fees and Related Relief</i>
05/29/2013	 Certificate of Mailing Filed by: Plaintiff Lewis, Maria Daniela <i>Certificate of Mailing</i>
05/29/2013	 Financial Disclosure Form Filed by: Defendant Lewis, Wesley Allen <i>Financial Disclosure Form</i>
05/29/2013	 Notice of Appearance Party: Defendant Lewis, Wesley Allen <i>Notice of Appearance</i>
05/28/2013	 Response Filed by: Defendant Lewis, Wesley Allen <i>Defendant's Response and Countermotion for Attorney's Fees and Related Relief</i>
05/17/2013	 Certificate of Mailing Filed by: Plaintiff Lewis, Maria Daniela For: Defendant Lewis, Wesley Allen
05/08/2013	 Financial Disclosure Form Filed by: Plaintiff Lewis, Maria Daniela <i>General Financial Disclosure Form</i>
05/06/2013	 Schedule of Arrearages Filed by: Plaintiff Lewis, Maria Daniela <i>Schedule of Arrearages</i>
05/03/2013	 Certificate of Mailing Filed by: Plaintiff Lewis, Maria Daniela <i>Certificate of Mailing</i>
05/02/2013	 Motion Filed by: Plaintiff Lewis, Maria Daniela <i>Plaintiff's Motion to Have Defendant held in Contempt of Court, to enforce Decree of Divorce, to Reduce child support Arrears to Judgment, and for award of attorney Fees</i>
10/11/2011	 Notice of Withdrawal Filed by: Plaintiff Lewis, Maria Daniela <i>Notice of Withdrawal</i>















**CASE SUMMARY**

**CASE NO. D-10-427054-D**

07/26/2011	 Notice of Withdrawal Filed by: Plaintiff Lewis, Maria Daniela <i>of Attorney</i>
07/26/2011	 Notice of Entry of Decree Party: Plaintiff Lewis, Maria Daniela <i>Notice of Entry of Decree of Divorce</i>
07/15/2011	 Decree of Divorce Filed by: Plaintiff Lewis, Maria Daniela <i>Decree of Divorce</i>
06/22/2011	 Child Support and Welfare Party Identification Sheet Filed by: Defendant Lewis, Wesley Allen; Plaintiff Lewis, Maria Daniela; Subject Minor Lewis, Isabella Sara
05/26/2011	 Parenting Agreement Filed by: Defendant Lewis, Wesley Allen; Plaintiff Lewis, Maria Daniela
05/25/2011	 Certificate of Mailing Filed by: Defendant Lewis, Wesley Allen <i>Certificate of Mailing and Fax</i>
05/25/2011	 Financial Disclosure Form Filed by: Defendant Lewis, Wesley Allen <i>Defendant's Financial Disclosure Form</i>
04/07/2011	 NRCP 16.2 Case Management Conference Filed by: Plaintiff Lewis, Maria Daniela <i>NRCP 16.2 Case Management Conference</i>
03/29/2011	 Financial Disclosure Form Filed by: Plaintiff Lewis, Maria Daniela
03/29/2011	 Certificate of Mailing Filed by: Plaintiff Lewis, Maria Daniela <i>Certificate of Mailing</i>
03/14/2011	 Notice of Seminar Completion EDCR 5.07 Filed by: Defendant Lewis, Wesley Allen
03/14/2011	 Notice of Appearance Party: Defendant Lewis, Wesley Allen <i>Notice of Appearance</i>
03/09/2011	 Notice of Seminar Completion EDCR 5.07 Filed by: Plaintiff Lewis, Maria Daniela
01/01/2011	Administrative Reassignment to Department T <i>Case reassigned from Department P</i>
11/29/2010	 Statement of Legal Aid Representation and Fee Waiver Filed by: Plaintiff Lewis, Maria Daniela
11/29/2010	 Notice of Appearance Party: Plaintiff Lewis, Maria Daniela <i>of Counsel</i>
06/12/2010	 FMC Request and Order for Mediation - NRS 3.475 Filed by: Plaintiff Lewis, Maria Daniela <i>FMC Request and Order for Mediation</i>
06/03/2010	 Certificate of Mailing Filed by: Plaintiff Lewis, Maria Daniela For: Defendant Lewis, Wesley Allen

**CASE SUMMARY**

**CASE NO. D-10-427054-D**

06/02/2010	 Financial Disclosure Form Filed by: Plaintiff Lewis, Maria Daniela <i>Financial Disclosure Form</i>
06/02/2010	 Notice of Early Case Conference Filed by: Plaintiff Lewis, Maria Daniela <i>Notice of Early Case Conference</i>
04/19/2010	 Reply to Counterclaim Filed by: Plaintiff Lewis, Maria Daniela For: Defendant Lewis, Wesley Allen
04/19/2010	 Certificate of Mailing <i>Certificate of Mailing</i>
04/12/2010	 Answer and Counterclaim Filed by: Defendant Lewis, Wesley Allen Party 2: Plaintiff Lewis, Maria Daniela <i>Answer to Complaint for Divorce and Counterclaim</i>
04/12/2010	 Certificate of Mailing Filed by: Defendant Lewis, Wesley Allen For: Plaintiff Lewis, Maria Daniela <i>Answer and Counterclaim</i>
03/31/2010	 Summons Issued Only Filed by: Plaintiff Lewis, Maria Daniela <i>Summons</i>
03/31/2010	 Joint Preliminary Injunction Filed by: Plaintiff Lewis, Maria Daniela For: Defendant Lewis, Wesley Allen
03/31/2010	 Proof of Personal Service of Summons and Complaint Filed by: Plaintiff Lewis, Maria Daniela For: Defendant Lewis, Wesley Allen <i>Affidavit of Service</i>
03/31/2010	 Affidavit of Resident Witness <i>Affidavit of Resident Witness</i>
03/18/2010	 Affidavit of Resident Witness Filed by: Plaintiff Lewis, Maria Daniela
03/18/2010	 Complaint for Divorce

**DISPOSITIONS**

09/02/2014	<b>Judgment</b> (Judicial Officer: Nathan, Gayle) Judgment (\$14,535.35, In Full , Child Support Arrearages (in favor of plaintiff)) Judgment (\$950.00, In Full , Half of Mr. Wheatley's Bill (against defendant))
12/27/2013	<b>Judgment</b> (Judicial Officer: Nathan, Gayle) Judgment (\$5,500.00, In Full , Sanctions) Judgment (\$15,000.00, In Full , Attorneys Fees and Costs)
10/18/2013	<b>Judgment</b> (Judicial Officer: Nathan, Gayle) Judgment (\$5,500.00, In Full , Child Support Arrears)


**HEARINGS**

10/16/2014	<b>CANCELLED Evidentiary Hearing (1:30 PM) (Judicial Officer: Nathan, Gayle)</b> <i>Vacated</i> <b>CUSTODY ONLY</b>
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**CASE SUMMARY**

**CASE NO. D-10-427054-D**

08/28/2014


 **Minute Order** (11:30 AM) (Judicial Officer: Nathan, Gayle)

Minute Order - No Hearing Held;

Journal Entry Details:

*An Evidentiary Hearing was conducted in this case on August 5, 2014, wherein the Court ordered Defendant's visitation with the minor child would include a dinner date with the child on Mondays and Tuesdays every week, from after school until 7:00 p.m. To FURTHER CLARIFY the Court's order, in the event the minor child has an extra-curricular activity scheduled during Defendant's visitation on Monday and Tuesday evenings, he shall be responsible for transporting the minor child to and from the scheduled activity. The child's Monday tutoring classes at Kumon were discussed at the Evidentiary Hearing on August 5, 2014, and Defendant was found to be in CONTEMPT for failing to take the child to Kumon for her tutoring classes, and for failing to pay his share of the tuition fees. The minor child is still scheduled to attend tutoring classes at Kumon after school on Mondays; therefore, it is Defendant's responsibility to make sure she gets to her tutoring classes, and to any other scheduled after school activity during his timeshare. If Defendant fails to take the minor child to her tutoring classes at Kumon, or to any other scheduled after school activity which occurs during his visitation time, his Monday visitation with the minor child shall be VACATED. Defendant shall continue to be responsible for one half the cost of tutoring; he shall pay for Monday's sessions when he brings the minor child. Said tutoring shall continue until KUMON finds that the child is testing at grade level. The Plaintiff's Motion for Clarification filed on 8/26/14 has been resolved with this minute order. Plaintiff shall prepare an Order for the Court's signature. IT IS SO ORDERED. CLERK'S NOTE: A copy of the Minute Order was faxed to Ms. Fine's office, and a copy was mailed to Defendant. KB 8/29/14;*

08/05/2014

 **All Pending Motions** (1:30 PM) (Judicial Officer: Nathan, Gayle)

**MINUTES**

Matter Heard;

Journal Entry Details:


*EVIDENTIARY HEARING - CUSTODY ORDER TO SHOW CAUSE: ORDER TO SHOW CAUSE (DAY 2) Testimony presented. Exhibits offered and admitted. (See worksheets). The Court advised Defendant he could not admit exhibits, which had not been disclosed during Discovery. Closing arguments. The COURT made its FINDINGS and ORDERED, the following: 1. Defendant's 7/18/14 Motion to Declare Item or Material Obscene and Obtain Injunction for Dismissal shall be STRICKEN as a FUGITIVE DOCUMENT. 2. In October, 2013 Defendant had child support arrearages amounting to \$9,012.38. The Court also ordered Defendant to pay half of the cost of the child's medical insurance, and made a finding he was not credible. The Court did not find Defendant to be credible when he testified he spent two hours with the child going over her homework. The Court also had concerns about him not charging the child's phone so Mom could have daily access to the child. The emails attached as an exhibit by Plaintiff confirmed she was unable to have daily contact with the minor child. The Court was also concerned at the 10/13/13 hearing the Defendant was not taking the child for her tutoring at Kumon, after school, and the Court FOUND Defendant to be in CONTEMPT for failing to take the minor child to her tutoring classes. In addition, the Court FOUND Defendant to be in CONTEMPT in October 2013, for his failure to pay his child support in June, July, August, and September of 2011, and January, May, June, July, August, September, October, and November, in 2012. Defendant is also in CONTEMPT for failing to pay his child support in October, November, December and January, in compliance with the Court's November order. In addition, Defendant is in CONTEMPT for not paying half of the tuition for Kumon, from November to July in the amount of \$1,000.00, and for failing to take the child to her tutoring classes during the summer. Therefore, the amounts set forth in the two Schedules of Arrearages (exhibits 17 and 18), which included child support arrearages in the amount of \$14,535.35, shall be REDUCED TO JUDGMENT. 3. Defendant shall be responsible for half of Mr. Wheatley's bill, in the amount of \$950.00, which shall be REDUCED TO JUDGMENT. 4. For failing to bring the minor child to tutoring on Mondays during his custodial time, the Court FINDS Defendant to be in CONTEMPT of Court, and he is SANCTIONED to twenty (20) days in the Clark County Detention Center, which shall be STAYED. 5. For each of the missed child support payments for December, January, and February Defendant is SANCTIONED to twenty (20) days in the Clark County Detention Center, totaling sixty (60) days, which shall be STAYED. 6. In the future, if Defendant fails to follow the Orders of the Court, and the matter comes back before the Court on an Order to Show Cause, the stayed jail time will be IMPOSED by the Court. 7. As to the timeshare, the Court FINDS based on Defendant's conduct over the past ten (10) months, it is in the best interest of the minor child for the Court to change the custodial arrangement; therefore, going forward Defendant's timeshare will be every other Friday from after school to Sunday at 5:00 p.m., when she will be picked up by Plaintiff. Defendant shall make sure the child is ready to leave with Plaintiff at 5:00 p.m. Defendant shall*

# CASE SUMMARY

CASE NO. D-10-427054-D

make sure all of the papers in the child's back pack remain in the back pack so Plaintiff has a chance to look at the papers when the child is returned. In addition, Defendant shall have dinner with the minor child on Mondays and Tuesdays every week from after school until 7:00 p.m., when Plaintiff will pick up the child from Defendant's residence. 8. The current holiday schedule shall remain AS IS. 9. Plaintiff shall have telephone contact with the minor child while she is with Defendant on weekends, and Defendant shall have telephone contact with the minor child every evening at 7:00 p.m., with the exception of Mondays and Tuesdays. 10. Based on 18% of his gross monthly income of \$1,998.00. Defendant's child support shall be SET at \$360.00 per month. effective August, 2014. 11. Medical insurance for the minor child shall be continued to be provided as per the Court's previous order. 12. Ms. Fine shall prepare the Order, which shall include findings. ;

08/05/2014


 **Evidentiary Hearing** (1:30 PM) (Judicial Officer: Nathan, Gayle)

Events: 05/27/2014 Order Setting Evidentiary Hearing

DAY 2 - CUSTODY

Decision Made;

07/29/2014


 **All Pending Motions** (1:30 PM) (Judicial Officer: Nathan, Gayle)

Matter Heard;

Journal Entry Details:

*EVIDENTIARY HEARING: DAY 1 - CUSTODY...ORDER TO SHOW CAUSE EXCLUSIONARY RULE INVOKED BY MS. FINE. Parties SWORN and TESTIFIED. The Court noted Ms. Fine was requesting relief, since Defendant had failed to participate in Discovery. Counsel requested Defendant's pleadings be stricken. Defendant said he had responded to the production requests, and produced copies of the documents he had mailed to Ms. Fine on 6/26/14. Testimony presented. Exhibits offered and admitted. (See worksheets). COURT ORDERED. the Opposition to the Notice of Entry of Order and Order filed on 7/2/2014 is deemed to be a FUGITIVE DOCUMENT, since it was not authorized and it shall be STRICKEN. Plaintiff's request to deem the admissions admitted is GRANTED. Defendant shall produce the email he disclosed in his testimony, with regard to the end of the skin treatment for the minor child, at the 8/5/14 hearing. This matter shall be CONTINUED to 8/5/14 at 1:30 p.m. ;*

07/29/2014

 **Evidentiary Hearing** (1:30 PM) (Judicial Officer: Nathan, Gayle)

Events: 05/27/2014 Order Setting Evidentiary Hearing

DAY 1 - CUSTODY

Matter Continued;

07/29/2014

**Order to Show Cause** (1:30 PM) (Judicial Officer: Nathan, Gayle)

07/29/2014, 08/05/2014

Order to Show Cause

Matter Continued;

Granted;

Matter Continued;

Granted;


05/22/2014

**CANCELED Motion** (9:00 AM) (Judicial Officer: Nathan, Gayle)

Vacated - Moot

Motion to Withdraw as Attorney for Defendant on Order Shortening Time

05/01/2014

 **All Pending Motions** (9:30 AM) (Judicial Officer: Nathan, Gayle)

## MINUTES

Matter Heard;

Journal Entry Details:

*MOTION TO MODIFY CUSTODY; TO ENFORCE ORDER OF DECEMBER 27, 2013 AND AN AWARD OF ATTORNEY FEES...OPPOSITION TO MOTION TO MODIFY CUSTODY AND DEFENDANT'S COUNTERMOTION FOR FEES; TO ORDER THERAPY FOR PLAINTIFF; TO HOLD PLAINTIFF IN CONTEMPT; AND FOR RELATED RELIEF Patricia Marr, Bar #8846, appeared in an unbundled capacity to represent Defendant. The Court reviewed its notes on the case, and FINDS Plaintiff has established adequate cause for the Court to set an Evidentiary Hearing. The Court reviewed the allegations made by Plaintiff. Ms. Marr advised the Court she had filed a Motion to Withdraw on an Order Shortening Time; however, she was still served with the Motion. Ms. Marr said she had reviewed the paperwork and noted Defendant was more laid back than Plaintiff with regard to the treatment of the minor child. Ms. Marr asked the Court to review the emails from Plaintiff to Defendant at the time of the Evidentiary Hearing. Defendant said he met with Warren Wheatley on 4/1/14.*

## CASE SUMMARY

CASE NO. D-10-427054-D

Response by Ms. Fine. Ms. Marr tendered a money gram in the amount of \$84.50 to Plaintiff IN OPEN COURT. COURT ORDERED, the following: 1. An Evidentiary Hearing will be conducted on 7/29/14 and 8/5/14 at 1:30 p.m., to determine custody. The standard is best interest of the minor child. 2. Pre-trial Memorandums and tabbed exhibits will be presented one week prior to the 7/29/14 trial date. 3. Initial witness lists will be submitted by 5/12/14, and supplemented thereafter. 4. Discovery will close thirty (30) days prior to the first day of trial. 5. The Court's Judicial Executive Assistant will prepare a Trial Management Order. 6. The Order to Show Cause will be heard on 7/29/14, and the 5/21/14 order shall be VACATED. 7. The minor child shall remain in counseling until the mental health professional deems it is no longer helpful to the child, and therefore, the parents may not remove her from counseling. 8. The attorney fees previously awarded to Ms. Fine, shall be REDUCED TO JUDGMENT subject to any offsets for payments made. 9. TEMPORARILY until the Evidentiary Hearing Defendant's timeshare will be modified to commence on Monday after school through Wednesday at 6:00 p.m. while school is in session. When school is out of session, the timeshare will commence on Monday at 9:00 a.m. and conclude on Wednesday at 6:00 p.m. 10. If there are any medical episodes, Defendant shall obtain written instructions from the physician, and if there is evidence he is not following the medical protocol, this matter can be placed on calendar and the Court will hear it for further orders. 11. If the allegations against Defendant are proved, Plaintiff will be awarded primary custody of the minor child. The standard is best interest of the child. 11. Ms. Marr's Motion to Withdraw as Attorney of Record is GRANTED. Ms. Marr shall submit the Order. 12. Ms. Fine shall prepare the Order. 7/29/14 1:30 P.M. EVIDENTIARY HEARING: CUSTODY 7/29/14 1:30 P.M. ORDER TO SHOW CAUSE 8/5/14 1:30 P.M. EVIDENTIARY HEARING: CUSTODY (DAY 2) ;

05/01/2014

**Opposition & Countermotion** (9:30 AM) (Judicial Officer: Nathan, Gayle)


Opposition to Motion to Modify Custody and Defendant's Countermotion for Fees; to Order Therapy for Plaintiff; to Hold Plaintiff in Contempt; and for Related Relief.  
Evidentiary Hearing;

05/01/2014

**Motion** (9:30 AM) (Judicial Officer: Nathan, Gayle)

Events: 03/19/2014 Motion  
Motion to Modify Custody; to Enforce Order of December 27, 2013 and an Award of Attorney's Fees  
Evidentiary Hearing;

10/14/2013

 **Minute Order** (10:00 AM) (Judicial Officer: Nathan, Gayle)

re: Findings and Order from Evidentiary Hearing (continued) Second part  
Minute Order - No Hearing Held;  
Journal Entry Details:


MINUTE ORDER RE: FINDINGS AND ORDER FROM EVIDENTIARY HEARING (CONTINUED...PART 2) 11. The Court finds that Defendant has lived with his parents since August of 2012, hence he has built in daycare, when needed. Additionally, his rent is listed at \$300 per month; the Court infers that it is unlikely he would be evicted if he was late or missed a rent payment. The Court finds that Defendant's monthly expenses are minimal. 12. The Court finds that Defendant is in contempt for his non-payment of child support as follows: In 2011; for June, July, August, September ; In 2012 for January, May, June, July, September, October and November. 13. For his contempt the Defendant is sanctioned the sum of \$500 for each and every missed payment as set forth above, for a total sanction of 11 x \$500 = \$5500. Said sum is herein reduced to Judgment and may be collected by any and all lawful means. The Court is also imposing a 10 day jail sentence for each of the 11 contempt s for a total sentence of 110 days; said jail sentence is stayed ; jail will be imposed on any future missed payments. 14. Additionally, the Court finds that Defendant is responsible for some if not all of Plaintiff's attorney fees. While the Court finds that both counsel meet the Brunzell factors as set forth in that case and applied herein, the Plaintiff has met her burden and established contempt. Ms. Fine will draft the final Order and forward it to Ms. Marrs for approval and signature and Ms. Fine will submit a Memorandum of Fees and Costs for the Court to review in determining an attorney award. 15. The Court finds it is in Bella's best interest, and an appropriate expense under NRS 125B.080(k) that both parties share in the cost of Bella's tutoring as she is currently being serviced through Kuman Tutoring; as Plaintiff has paid for October, 2013. Defendant is ORDERED to pay for November's tutoring, in FULL by the due date for November ; failure to pay will be a contempt of Court and Plaintiff may submit an Order to Show Cause with a supporting Affidavit/Declaration detailing the missed payment(s) to obtain an evidentiary hearing re contempt. Thereafter the parties will equally share the cost, paying on the due date so there is no break in the delivery of tutoring services. Bella will continue to receive tutoring services until she is testing at or above grade level as tested by Kuman, or if they do not test by the CRT's administered by CCSD, or the parents mutually decide to terminate the service. If she is testing at or above grade level and one parent wishes to continue the tutoring, that will

## CASE SUMMARY

CASE NO. D-10-427054-D

be at that parent's expense. If she needs tutoring again in the future, based upon her grades or a teacher recommendation, this ORDER stands: to wit, the cost will be equally borne. 16. The Court declines to award any costs the Plaintiff has borne in the past for extra curricular activities or the cell phone; the Court is denying the request they equally bear the cost of gymnastics and cheer or any other recreational activity. 17. Other than the tutoring the Parties are ORDERED not to enroll the child in an activity during the other parent's timeshare without that parents WRITTEN AGREEMENT to the activity. IT IS SO ORDERED. ;

10/14/2013

 **Minute Order** (10:00 AM) (Judicial Officer: Nathan, Gayle)

re: Findings and Order after Evidentiary Hearing

Minute Order - No Hearing Held;

Journal Entry Details:

**MINUTE ORDER RE: FINDINGS AND ORDER AFTER EVIDENTIARY HEARING** This matter came before the Court on Plaintiff's Order to Show Cause on August 28, 2013 which was continued to October 8, 2013 because of a power outage that impacted the video recording system; On both dates, Plaintiff was present and represented by Frances-Ann Fine, Esq.; Defendant was present and represented by Patricia Marrs, Esq.; the Court heard testimony and took evidence and makes the following FINDINGS and ORDER: 1. The Court has personal and subject matter in this post-decree matter; 2. On October 8, 2013, the Court found that Exhibit 16 was not consistent with the testimony presented so no weight was given to that exhibit; Exhibit 22 was admitted only for the purpose of establishing that Plaintiff paid Ms. Flores for eight tutoring sessions; The Court ORDERED that Defendant take the minor child Isabella Lewis (Bella), dob 8/10/2006 to the Kuman Tutoring Class that is paid for by mom on Mondays immediately after school; the Court finds this to be in Bella's best interest. 3. The Court had previously set aside the Master's Recommendation and Order under R-11161532-R as the arrears set by that Court did not accurately reflect the correct arrears based upon the child support that was ordered to be paid, to wit, the sum of \$440 for all but three months as the Defendant father failed to maintain the medical insurance for the minor child; As Welfare is on this case the Court ORDERS that the District Attorney's Office shall make a new Judgment consistent with this Order, to wit, that Defendant was ordered to pay \$440 monthly in child support; he was afforded an offset of \$133.00 for insurance, thus his child support for the months of June 2011; July 2011 and August 2011, ONLY is set at \$307 per month; and that the TOTAL ARREARS up to and including August 2013 is \$9012.38 with interest and penalty. For each and every month thereafter his child support is set at \$440 per month through August, 2013. 4. The Court finds that the Defendant's testimony that he is working only 26 hours per week so that he can care for Bella on his days off is not compelling to the Court as Bella is now in her second year of elementary school (albeit repeating the first grade). There was no testimony that Defendant was physically or mentally impaired or disabled or unable to work. The Court finds that the Defendant has a duty to financially support his daughter by working a full time job as the Mother of his child does and it was apparent from the testimony and evidence that he does not meet his financial obligations on 26 hours per week; the Court accepts the Plaintiff's testimony that she has, at times, worked three jobs to support herself and Bella. The Court finds that, based upon the Defendant's continuing failure since 2011 to pay his Court Ordered Child Support on a consistent monthly basis, that 26 hours of work per week is not sufficient to meet the financial needs of his child. The Court declines to set aside the Child Support Order of 2011 that set the child support at \$440 or to make this Order retroactive to August 2012 when he made application to have his Child Support reviewed in Child Support Court. See below on Credibility. 5. Whether Defendant chooses to work 40 hours is up to him, however, the Court finds that he is willfully underemployed and is imputing another 16 hours of wages at this time; A review of the Defendant's paystubs reflects that he is paid an hourly wage of \$9 per hour and is paid commission as well. Although his July and August 2013 paystubs do not reflect commission, his May 2013 paystubs reflect commission; Additionally, on the Pay Stub for Pay Date 8/2/2013 his year to date for commissions was \$3069; for 7 months that is \$438.42 per month in income for commissions; this could be looked at in several ways, even breaking down to an increased hourly amount to calculate income on, however the Court will calculate 40 hours per week at \$9 per hour for a gross monthly of \$1560; adding in \$438 in average commissions, his gross monthly is set at \$1998 per month. 6. Plaintiff's income is \$1495 per month; 18% of that is \$269.00. Defendant's income is \$1998 per month; 18% of that is \$360.00. The difference is \$91.00 with Defendant the obligor. Additionally, Plaintiff maintains insurance for the minor child at a cost to her of \$100 per month. Defendant is ordered to pay one half of that, increasing his child support to \$141.00 per month. 7. On ARREARS: Once the District Attorney's Office has calculated arrears based upon paragraph 3, to which interest and penalties must be calculated; Defendant shall pay the sum of \$100 on the arrears until said sum is paid in full. 8. Therefore, Defendant's Child Support Obligation, with insurance and a payment on Arrears is a total of \$241 per month commencing October 2013. Until the full amount is deducted from his paycheck the Defendant is responsible for paying the Plaintiff the full amount each and every month; In October the full amount is due

# CASE SUMMARY

CASE NO. D-10-427054-D

to Plaintiff by October 31, 2013; in November he may pay \$120.50 on the 5th of the month and \$120.50 on the 20th of the month, and every month thereafter until there is a wage assignment in place for the full amount. Failure to make any one payment is a Contempt of Court and Plaintiff may submit an Order to Show Cause with a supporting Affidavit/Declaration detailing the missed payment(s) to obtain an evidentiary hearing re contempt. 9. On the issue of CREDIBILITY; the Defendant testified on several issues where the Court found his credibility suspect, or that he was motivated to act in a manner that was contrary to the best interest of his minor child; A. Defendant testified that his current income was \$900 per month; the Court found his income to be, at a minimum \$1481 per month, when looking at the year to date on his paystubs (noting that the calculation used to set child support uses his hourly on 40 hours and a sum that is equal to his average monthly commission as his gross monthly). The Court finds that his testimony, on his gross monthly income was not credible as it was not supported by the math in an analysis of his paystubs. B. Defendant testified that Plaintiff moved in with someone he didn't know which "affected" him and that it was hard for him to handle; the Court finds that he was motivated to not cooperate or co-parent or pay his child support based upon his feelings toward this third party and Plaintiff's new relationship. C. The Court did not find Defendant credible that he sits down for 2 hours every day to go over his first grade daughter's homework with her. D. The Court did not find Defendant credible when he testified that he did not know Bella was in gymnastics classes or mini-cheer; it defies the Court's understanding of children that Bella did not want to show off her tumbling and cheer skills to her daddy; additionally, he testified that he was asked to buy cheer shoes for Bella and he declined to do so. He was invited to events involving cheer/gymnastics but did not attend. All of this testimony underlined his credibility. 10. The Court has concerns about co-parenting issues that were not before it; these include Defendant not charging Bella's telephone so that Plaintiff has daily access to her daughter; not bringing Bella to Kumon Tutoring that Plaintiff is paying \$200 per month for; ignoring the activities that Plaintiff has Bella involved in and not sharing the activities he has Bella involved in with Plaintiff. Defendant is cautioned to actively engage in co-parenting with Plaintiff. CONTINUED (see page 2)...;

10/08/2013

## Evidentiary Hearing (10:30 AM) (Judicial Officer: Nathan, Gayle)

Events: 09/10/2013 Notice of Hearing

Continued from 08/29/13 due to power outage

### MINUTES

Under Advisement;

Journal Entry Details:

The Court noted this matter had been continued from 8/29/13, and the issues to be resolved were child support and child support arrearages. The Court heard continued testimony from Plaintiff and Defendant. Exhibits offered and admitted. (See worksheets). The Court FINDS exhibit 16 is not consistent with the testimony presented. Exhibit 22 was admitted only for the purpose of establishing that Plaintiff paid Ms. Flores for eight (8) tutoring sessions. Closing arguments. COURT ORDERED, the following: 1. This matter shall be taken UNDER ADVISEMENT. 2. Defendant shall take the minor child to Kumon Tutoring on Mondays after school. Discussion regarding Defendant's Motion to Modify, filed in August, 2012.;

08/29/2013

## All Pending Motions (1:30 PM) (Judicial Officer: Nathan, Gayle)

Matter Heard;

Journal Entry Details:

EVIDENTIARY HEARING: RE: CHILD SUPPORT...ORDER TO SHOW CAUSE COURT NOTED, the three (3) issues are the correct Child Support amount, arrears, and how much the District Attorney's office has collected and applied towards Defendant's Child Support amount. Arguments by counsel regarding whether testimony should or should not be heard, contempt issues, whether Defendant willfully refused to pay child support, and Plaintiff incurring the cell phone bill expense that Defendant had originally bought. Attorney Fine requested to INVOKE the EXCLUSIONARY RULE. COURT SO ORDERED. COURT NOTED, an Order to Show Cause was issued. Arguments by counsel regarding extra curriculum activities. Testimony and exhibits presented (see worksheets); both Counsel STIPULATED to Defendant's Exhibits A, B, C, E, F, H, K, M, and R. Matter TRAILLED at the request of Attorney Marr. Matter RECALLED with a sidebar at the request of Attorney Marr. Both Counsel also STIPULATED to Plaintiff's Exhibits 6, 15, 16, 17, 21, and 24. Due to the power outage, COURT ORDERED, matter CONTINUED. The Department's Judicial Executive Assistance (JEA) shall contact both counsel regarding setting a continuance date.;

08/29/2013

## Order to Show Cause (1:30 PM) (Judicial Officer: Nathan, Gayle)




Events: 07/11/2013 Order to Show Cause

Matter Continued;

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. D-10-427054-D**

08/29/2013	<p><b>Evidentiary Hearing</b> (1:30 PM) (Judicial Officer: Nathan, Gayle)  Events: 06/07/2013 Order Setting Evidentiary Hearing  <i>re: Child support</i>  Matter Continued;</p>
08/09/2013	<p> <b>Motion to Compel</b> (1:30 PM) (Judicial Officer: Beecroft, Chris A., Jr.)  Events: 08/06/2013 Motion  <i>Pltf's Motion to Compel Discovery Responses and for Award of Attorney's Fees and Ex Parte Application for An Order Shortening Time</i>  Granted;  Journal Entry Details:  <b>PLAINTIFF'S MOTION TO COMPEL DISCOVERY RESPONSES AND FOR AWARD OF ATTORNEY'S FEES AND EX PARTE APPLICATION FOR AN ORDER SHORTENING TIME</b> COURT NOTED no opposition was filed. Attorney Marr indicated that she only received the Motion yesterday and had no opportunity to respond. Arguments by Counsel as to the notice of the Motion and the notice provided outlining the deficiencies in the discovery responses. COMMISSIONER RECOMMENDED: 1. Plaintiff's Motion to Compel is GRANTED; the relief as set forth in Attorney Fine's July 24th letter is GRANTED; 2. Defendant shall provide SUPPLEMENTAL RESPONSES to all Interrogatories and Requests to Plaintiff prior to the close of business, August 16, 2013; 3. Decision on Plaintiff's request for ATTORNEY'S FEES shall be deferred to the District Court Judge. Attorney Fine shall prepare a Report and Recommendation; Attorney Marr to countersign. ;</p>
06/04/2013	<p> <b>All Pending Motions</b> (9:30 AM) (Judicial Officer: Nathan, Gayle)  Matter Heard;  Journal Entry Details:  <b>PLAINTIFF'S MOTION TO HAVE DEFENDANT HELD IN CONTEMPT OF COURT, TO ENFORCE DECREE OF DIVORCE, TO REDUCE CHILD SUPPORT ARREARS TO JUDGMENT AND FOR AWARD OF ATTORNEY FEES...DEFENDANT'S RESPONSE AND COUNTERMOTION FOR ATTORNEY'S FEES AND RELATED RELIEF</b> Court reviewed the matters at hand and reported she even reviewed the Child Support hearing video. COURT GRANTED Plaintiff's request for an Order to Show Cause. Parties STIPULATE that the other parent shall receive at least one phone call from minor child while in the other parent's custody and the cell phone shall travel with the minor child. Court agrees to construe mother's Motion as a 60B Motion. COURT ORDERED: District Attorney's Office to complete a new audit regarding case number R-11-161532-R, with CHILD SUPPORT calculated at \$440.00 per month as Ordered. Court authorizes the Clerk of the Court to sign off on Child's passport if father refuses to do so. Mother may only take children to visit in countries that have the HAGUE CONVENTION. Father to provide a copy of minor child's report card at the Evidentiary hearing. Child shall have her own bed at each parent's home. Matter set for EVIDENTIARY HEARING 8/29/13 at 1:30 pm. Both counsel shall file, submit to chambers and exchange their Pre Trial Memorandums and Tabbed Exhibits no later than the close of business, ONE week prior to the Hearing. Witness lists shall be filed and exchanged no later than the close of business, 6/14/13. Discovery shall conclude by the close of business, 11/11/13 days prior to the hearing. Failure to disclose any witnesses and/or provide the Court with tabbed exhibits will result in them not being permitted at the time of the Hearing. **A copy of this MINUTE ORDER was forwarded to the District Attorney's office regarding their case number R-11-161532-R by court clerk/**ct ;</p>
06/04/2013	<p><b>Opposition &amp; Countermotion</b> (9:30 AM) (Judicial Officer: Nathan, Gayle)  Events: 05/28/2013 Response  <i>Defl's Response And Countermotion For Attorney's Fees And Related Relief</i>  Evidentiary Hearing;</p>
06/04/2013	<p><b>Motion</b> (9:30 AM) (Judicial Officer: Nathan, Gayle)  Events: 05/02/2013 Motion  <i>Pltf's Motion to Have Defl Held in Contempt of Court, to Enforce Decree of Divorce, to Reduce Child Support Arrears to Judgment, and for Award of Atty's Fees</i>  Granted in Part;</p>
05/26/2011	<p> <b>Case Management Conference</b> (2:00 PM) (Judicial Officer: Nathan, Gayle)  Events: 04/07/2011 NRCP 16.2 Case Management Conference  Divorce Granted;  Journal Entry Details:  <b>CASE MANAGEMENT CONFERENCE</b> Court congratulated parents on reaching a Parenting Agreement through Family Mediation Center (FMC). PARENTING AGREEMENT</p>



**CASE SUMMARY**

**CASE No. D-10-427054-D**

EXECUTED and FILED IN OPEN COURT. COURT ORDERED, PARENTING AGREEMENT AFFIRMED and ADOPTED. Discussion regarding child support and matter moving forward with a possible Prove Up and Divorce today. COURT stated parents have JOINT PHYSICAL, JOINT LEGAL CUSTODY of minor child. Court reviewed parents Financial Disclosure Forms (FDF) and calculated that father's obligation to mother for CHILD SUPPORT shall be \$440.00 per month, effective June, 2011. Father shall communicate to Counsel which day or day(s) of the month he will pay his ORDERED child support to mother. Discussion regarding medical insurance for the child which father is currently paying. COURT ORDERED, father shall have an OFFSET for 1/2 of the medical insurance upon proof to Counsel and once confirmation is received, that amount shall be entered into the Order. Attorney Buche addressed the court and advised that just before Court, the father advised him he now has a new job and is making about \$1200.00 less a month than he was previously. COURT stated it BINDS Defendant to the FDF he signed on 5/24/11. Argument by Counsel regarding mother's income. Court reviewed her FDF and finds mother has two part time jobs. Following discussion, Parties SWORN and TESTIFIED. Parties have agreed, Plaintiff shall take her personal property and Defendant shall take his personal property. Father shall claim the minor child for tax purposes in EVEN years and mother shall claim the minor child for tax purposes in ODD years. Neither party shall be awarded SPOUSAL SUPPORT. Each party shall pay their own Attorney fees. Mother, Maria Daniela Lewis shall have her maiden name restored and shall now be known as MARIA DANIELA PERDOMO. COURT FINDS, it has personal and subject JURISDICTION and JURISDICTION over the minor child. COURT ORDERED, DIVORCE GRANTED. Attorney Lidia Rincon to prepare Divorce Decree and have Attorney Ernest Buche review and sign off by 6/17/11. CASE CLOSED upon Entry of Order. ;

**EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA  
FAMILY COURT COVER SHEET**

**D-10-427054-D**  
CASE NO. \_\_\_\_\_ (To be assigned by the Clerk's Office)

**P**

**Do you or any other party in this case (including any minor child) have any other current case(s) or past case(s) in the Family Court or Juvenile Court in Clark County?**

☒ **YES**      ☐ **NO**

**If yes, complete the other side of this form**

**PARTY INFORMATION (Please Print)**

<b>Plaintiff/Petitioner</b>		<b>Defendant/Respondent/Co-Petitioner/Ward/Decedent</b>	
Last Name: <b>LEWIS</b>		Last Name: <b>LEWIS</b>	
First Name: <b>MARIA</b>	Middle Name: <b>DANIELA</b>	First Name: <b>WESLEY</b>	Middle Name: <b>ALLEN</b>
Home Address: <b>4255 E. Sahara #217</b>		Home Address: <b>4650 Idaho Avenue</b>	
City, State, Zip: <b>Las Vegas NV 89104</b>		City, State, Zip: <b>Las Vegas NV 89104</b>	
Mailing Address: <b>Same</b>		Mailing Address: <b>Same</b>	
City, State, Zip: <b>Same</b>		City, State, Zip: <b>Same</b>	
Phone #: <b>273-0992</b>	Date of Birth: <b>6/5/79</b>	Phone #: <b>525-9490</b>	Date of Birth: <b>7/23/77</b>
<b>Attorney Information</b>		<b>Attorney Information</b>	
Name: <b>IN PROPER</b>	Bar No.:	Name:	Bar No.:
Address: <b>PERSON</b>		Address: <b>UNKNOWN</b>	
City, State, Zip:		City, State, Zip:	
Phone #:		Phone #:	

(Check one box only for the type of case being filed with this cover sheet)

<b>DOMESTIC</b>	<b>MISC. DOMESTIC RELATIONS PETITIONS</b>	<b>GUARDIANSHIP</b>	<b>PROBATE</b>
<b>Marriage Dissolution</b> <input type="checkbox"/> Annulment <input type="checkbox"/> Divorce - No minor child(ren) <input checked="" type="checkbox"/> Divorce - With minor child(ren) <input type="checkbox"/> Foreign Decree <input type="checkbox"/> Joint Petition - No minor child(ren) <input type="checkbox"/> Joint Petition - With minor child(ren) <input type="checkbox"/> Separate Maintenance	<input type="checkbox"/> Adoption - Minor <input type="checkbox"/> Adoption - Adult <input type="checkbox"/> Mental Health <input type="checkbox"/> Name Change <input type="checkbox"/> Paternity <input type="checkbox"/> Permission to Marry <input type="checkbox"/> Temporary Protective Order (TPO) <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Child Support/Custody <input type="checkbox"/> Other (identify) _____	<b>Guardianship of an Adult</b> <input type="checkbox"/> Person <input type="checkbox"/> Estate <input type="checkbox"/> Person and Estate  <b>Guardianship of a Minor</b> <input type="checkbox"/> Person <input type="checkbox"/> Estate <input type="checkbox"/> Person and Estate <input type="checkbox"/> Guardianship Trust	<input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside Estates <input type="checkbox"/> Trust/Conservatorships <input type="checkbox"/> Individual Trustee <input type="checkbox"/> Corporate Trustee <input type="checkbox"/> Other Probate
<b>MISC. JUVENILE PETITIONS</b>	<b>DA CHILD SUPPORT PETITIONS</b>		
<input type="checkbox"/> Emancipation	<input type="checkbox"/> DA - UIFSA <input type="checkbox"/> DA - Child Support In State		

List children involved in this case (If more than 3 children, please enter the information on the reverse side)

	<b>Last Name</b>	<b>First Name</b>	<b>Middle Name</b>	<b>Date of Birth</b>	<b>Relationship</b>
1.	<b>LEWIS</b>	<b>ISABELLA</b>		<b>8/10/06</b>	<b>daughter</b>
2.					
3.					

**MARIA DANIELA LEWIS**  
Printed Name of Preparer

**WS**  
Signature of Preparer

**3/12/10**  
Date

**CLERK**

*Alvin D. L...*

CLERK OF THE COURT

ORD  
The Fine & Price Law Group  
FRANCES-ANN FINE, ESQUIRE  
Nevada Bar No. 0025  
8975 South Pecos Road, Ste 5  
Henderson, Nevada 89074  
Telephone: 702/384-8900  
Facsimile: 702/384-6900  
[fran@thefinelawgroup.com](mailto:fran@thefinelawgroup.com)  
Attorney for Plaintiff  
MARIA DANIELA LEWIS nka  
MARIA DANIELA PERDOMO

DISTRICT COURT  
CLARK COUNTY, NEVADA

MARIA DANIELA LEWIS nka )  
MARIA DANIELA PERDOMO, )  
Plaintiff, ) CASE NO. D-10-4270<sup>54</sup>-D  
vs. ) DEPT NO. T  
WESLEY ALLEN LEWIS, ) DATE OF HEARING: 08/05/2014  
Defendant. ) TIME OF HEARING: 1:30 p.m.

ORDER

THIS matter having come before the Court on the 5<sup>th</sup> day of August, 2014 for Evidentiary Hearing on custodial issues and the Order To Show Cause; Plaintiff, MARIA PERDOMO, appearing personally and through her counsel, FRANCES-ANN FINE, ESQUIRE, of The Fine & Price Law Group; Defendant, WESLEY ALLEN LEWIS, appearing in Proper Person; the Court having reviewed all papers and pleadings on file herein and having considered the arguments presented and good cause appearing,

/ / /

Non-Trial Dispositions:  
☐ Other / / / ☐ Settled/Withdrawn:  
☐ Dismissed - Want of Prosecution ☐ Without Judicial Conf/Hrg  
☐ Involuntary (Statutory) Dismissal ☒ With Judicial Conf/Hrg  
☐ Default Judgment ☐ By ADR  
☐ Transferred  
Trial Dispositions:  
☐ Disposed After Trial Start ☐ Judgment Reached by Trial

**RECEIVED**

AUG 27 2014

FAMILY COURT  
DEPARTMENT T

1           **IT IS HEREBY FOUND AND ORDERED** that Defendant's July 18,  
2 2014 *Motion to Declare Item or Material Obscene and Obtain*  
3 *Injunction for Dismissal* shall be stricken as a fugitive document.

4           **IT IS FURTHER FOUND** that in October, 2013, Defendant had  
5 child support arrearages amounting to \$9,012.38. The Court also  
6 ordered Defendant to pay half of the cost of the child's medical  
7 insurance and made a finding that his testimony was not credible.  
8 The Court did not find Defendant to be credible when he testified  
9 he spent two hours with the child going over her homework. The  
10 Court also had concerns about him not charging the child's phone so  
11 that Mom could have daily access to the child. The e-mails attached  
12 as an exhibit by Plaintiff confirmed she was unable to have daily  
13 contact with the minor child. The Court was also concerned at the  
14 October 13, 2013 hearing that the Defendant was not taking the  
15 child for her tutoring at Kumon after school, and the Court found  
16 Defendant to be in contempt for failing to take the minor child to  
17 her tutoring classes.

18           **IT IS FURTHER FOUND AND ORDERED** that the Court found  
19 Defendant to be in contempt in October of 2013 for his failure to  
20 pay his child support in June, July, August, and September of 2011,  
21 and January, May, June, July, August, September, October, and  
22 November, in 2012. Defendant is also in contempt for failing to pay  
23 his child support in October, November, December and January, in  
24 compliance with the Court's November order. In addition, Defendant  
25 is in contempt for not paying half of the tuition for Kumon, from  
26 November to July, in the amount of \$1,000.00, and for failing to  
27 take the child to her tutoring classes during the summer.  
28 Therefore, the amounts set forth in the two Schedules of Arrearages

1 (Exhibits 17 and 18), which included child support arrearages in  
2 the amount of \$14,535.35, shall be reduced to judgment against  
3 Defendant, and in favor of Plaintiff, and are collectible by any  
4 and all lawful means.

5 **IT IS FURTHER FOUND AND ORDERED** that Defendant shall be  
6 responsible for half of Mr. Wheatley's bill, in the amount of  
7 \$950.00, which shall be reduced to judgment and collectible by any  
8 and all lawful means.

9 **IT IS FURTHER FOUND AND ORDERED** that Defendant is in  
10 contempt of court for failing to bring the minor child to tutoring  
11 on Mondays during his custodial time. Defendant is hereby  
12 sanctioned to twenty (20) days in the Clark County Detention  
13 Center, which shall be stayed.

14 **IT IS FURTHER FOUND AND ORDERED** that Defendant is in  
15 contempt of court for each of the missed child support payments for  
16 December, January, and February. Defendant is hereby sanctioned to  
17 twenty (20) days in the Clark County Detention Center, totaling  
18 sixty (60) days, which shall be stayed.

19 **IT IS FURTHER FOUND AND ORDERED** that in the future, if  
20 Defendant fails to follow the Orders of the Court, and the matter  
21 comes back before the Court on an Order to Show Cause, the above-  
22 referenced stayed jail time will be imposed by the Court.

23 **IT IS FURTHER FOUND AND ORDERED** that as to the timeshare,  
24 the Court finds, based on Defendant's conduct over the past ten  
25 (10) months, that it is in the best interest of the minor child for  
26 the Court to change the custodial arrangement. Therefore, going  
27 forward, Defendant's timeshare will be every other Friday from  
28 after school to Sunday at 5:00 p.m., when she will be picked up by

1 Plaintiff. Defendant shall make sure the child is ready to leave  
2 with Plaintiff at 5:00 p.m. Defendant shall make sure all of the  
3 papers in the child's back pack remain in the back pack so that  
4 Plaintiff has a chance to look at the papers when the child is  
5 returned. In addition, Defendant shall have dinner with the minor  
6 child on Mondays and Tuesdays every week from after school until  
7 7:00 p.m., when Plaintiff will pick up the child from Defendant's  
8 residence. Defendant remains responsible for transporting the  
9 minor child to her tutoring session each Monday and paying for  
10 same. Should he fail to do so, the Monday visits will be  
11 terminated.

12 **IT IS FURTHER FOUND AND ORDERED** that the current holiday  
13 schedule shall remain status quo.

14 **IT IS HEREBY FOUND AND ORDERED** that Plaintiff shall have  
15 telephone contact with the minor child while she is with Defendant  
16 on weekends, and Defendant shall have telephone contact with the  
17 minor child every evening at 7:00 p.m., with the exception of  
18 Mondays and Tuesdays.

19 **IT IS HEREBY FOUND AND ORDERED** that based on 18% of his  
20 gross monthly income of \$1,998.00 imputed to the Defendant, his  
21 child support shall be set at \$360.00 per month, effective August,  
22 2014.

23 / / /

24 / / /

25 / / /

26 / / /

27 / / /

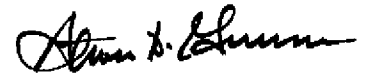
28 / / /

DATED this 24 day of Sept, 2014.

DISTRICT COURT JUDGE *KB*

GAYLE NATHAN

The Fine & Price Law Group  
FRANCES-ANN FINE, ESQUIRE  
Nevada Bar No. 0025  
Attorneys for Plaintiff  
Maria Perdomo



CLERK OF THE COURT

1 NEOJ  
2 THE FINE LAW GROUP  
3 FRANCES-ANN FINE, ESQUIRE  
4 Nevada Bar No. 0025  
5 8975 South Pecos Road, Suite 5  
6 Henderson, Nevada 89074  
7 Telephone: 702/384-8900  
8 Facsimile: 702/384-6900  
9 Attorney for Plaintiff  
10 MARIA DANIELA LEWIS nka  
11 MARIA DANIELA PERDOMO

DISTRICT COURT  
CLARK COUNTY, NEVADA

MARIA DANIELA LEWIS nka  
MARIA DANIELA PERDOMO,

Plaintiff,

vs.

WESLEY ALLEN LEWIS,

Defendant.

CASE NO. D-10-427054-D  
DEPT. NO. T

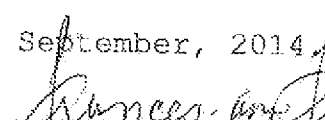
DATE OF HEARING: 8/5/2014  
TIME OF HEARING: 1:30 p.m.

NOTICE OF ENTRY OF ORDER

TO: WESLEY ALLEN LEWIS, Defendant in Proper Person:

YOU AND EACH OF YOU, WILL PLEASE TAKE NOTICE that an  
ORDER, a copy of which is attached hereto, was entered and filed in  
the above-entitled matter on the 2<sup>nd</sup> day of September, 2014.

DATED the 2<sup>nd</sup> day of September, 2014.



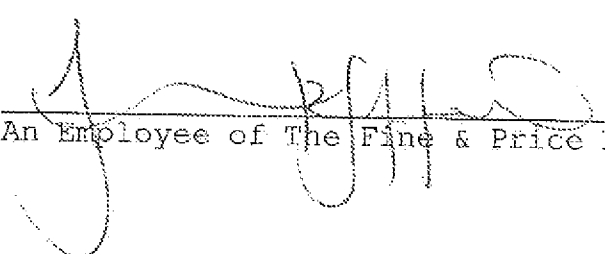
The Fine & Price Law Group  
FRANCES-ANN FINE, ESQUIRE  
Nevada Bar No. 0025  
8975 S. Pecos Road, Ste. 5  
Henderson, Nevada 89074  
Telephone: 702/384-8900  
Facsimile: 702/384-6900  
Attorney for Plaintiff  
MARIA DANIELA LEWIS nka  
MARIA DANIELA PERDOMO



1 CERTIFICATE OF MAILING

2 I hereby certify that on this 2nd day of September,  
3 2014, a copy of the foregoing NOTICE OF ENTRY OF ORDER was placed  
4 into the United States Mail, first class postage prepaid at Las  
5 Vegas, Nevada, addressed to:

6 Wesley Allen Lewis  
7 4650 Idaho Avenue  
8 Las Vegas, Nevada 89104  
9

10  
11   
12 An Employee of The Fine & Price Law Group  
13  
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28

**RECEIVED**

*Alvin L. Harrison*

CLERK OF THE COURT

1 ORD  
2 The Fine & Price Law Group  
3 FRANCES-ANN FINE, ESQUIRE  
4 Nevada Bar No. 0025  
5 8975 South Pecos Road, Ste 5  
6 Henderson, Nevada 89074  
7 Telephone: 702/384-8900  
8 Facsimile: 702/384-6900  
9 fran@thefinelawgroup.com  
10 Attorney for Plaintiff  
11 MARIA DANIELA LEWIS nka  
12 MARIA DANIELA PERDOMO

8 DISTRICT COURT

9 CLARK COUNTY, NEVADA

10 MARIA DANIELA LEWIS nka )  
11 MARIA DANIELA PERDOMO, )  
12 Plaintiff, ) CASE NO. D-10-4270<sup>54</sup>-D  
13 vs. ) DEPT NO. T  
14 WESLEY ALLEN LEWIS, )  
15 Defendant. )  
16

17 ORDER

18 THIS matter having come before the Court on the 5<sup>th</sup> day  
19 of August, 2014 for Evidentiary Hearing on custodial issues and the  
20 Order To Show Cause; Plaintiff, MARIA PERDOMO, appearing personally  
21 and through her counsel, FRANCES-ANN FINE, ESQUIRE, of The Fine &  
22 Price Law Group; Defendant, WESLEY ALLEN LEWIS, appearing in  
23 Proper Person; the Court having reviewed all papers and pleadings  
24 on file herein and having considered the arguments presented and  
25 good cause appearing,

26 / / /

Non-Trial Dispositions:  
☐ Dismissed - Want of Prosecution  
☐ Involuntary (Statutory) Dismissal  
☐ Default Judgment  
☐ Transferred  
☐ Settled/Withdrawn  
☐ Without Judicial Conf/Hrg  
☐ With Judicial Conf/Hrg  
☐ By ADR  
Trial Dispositions:  
☐ Disposed After Trial Start  
☐ Judgment Reached by Trial

**RECEIVED**

AUG 27 2014

FAMILY COURT  
DEPARTMENT T

1           IT IS HEREBY FOUND AND ORDERED that Defendant's July 18,  
2 2014 Motion to Declare Item or Material Obscene and Obtain  
3 Injunction for Dismissal shall be stricken as a fugitive document.

4           IT IS FURTHER FOUND that in October, 2013, Defendant had  
5 child support arrearages amounting to \$9,012.38. The Court also  
6 ordered Defendant to pay half of the cost of the child's medical  
7 insurance and made a finding that his testimony was not credible.  
8 The Court did not find Defendant to be credible when he testified  
9 he spent two hours with the child going over her homework. The  
10 Court also had concerns about him not charging the child's phone so  
11 that Mom could have daily access to the child. The e-mails attached  
12 as an exhibit by Plaintiff confirmed she was unable to have daily  
13 contact with the minor child. The Court was also concerned at the  
14 October 13, 2013 hearing that the Defendant was not taking the  
15 child for her tutoring at Kumon after school, and the Court found  
16 Defendant to be in contempt for failing to take the minor child to  
17 her tutoring classes.

18           IT IS FURTHER FOUND AND ORDERED that the Court found  
19 Defendant to be in contempt in October of 2013 for his failure to  
20 pay his child support in June, July, August, and September of 2011,  
21 and January, May, June, July, August, September, October, and  
22 November, in 2012. Defendant is also in contempt for failing to pay  
23 his child support in October, November, December and January, in  
24 compliance with the Court's November order. In addition, Defendant  
25 is in contempt for not paying half of the tuition for Kumon, from  
26 November to July, in the amount of \$1,000.00, and for failing to  
27 take the child to her tutoring classes during the summer.  
28 Therefore, the amounts set forth in the two Schedules of Arrearages

1 (Exhibits 17 and 18), which included child support arrearages in  
2 the amount of \$14,535.35, shall be reduced to judgment against  
3 Defendant, and in favor of Plaintiff, and are collectible by any  
4 and all lawful means.

5 **IT IS FURTHER FOUND AND ORDERED** that Defendant shall be  
6 responsible for half of Mr. Wheatley's bill, in the amount of  
7 \$950.00, which shall be reduced to judgment and collectible by any  
8 and all lawful means.

9 **IT IS FURTHER FOUND AND ORDERED** that Defendant is in  
10 contempt of court for failing to bring the minor child to tutoring  
11 on Mondays during his custodial time. Defendant is hereby  
12 sanctioned to twenty (20) days in the Clark County Detention  
13 Center, which shall be stayed.

14 **IT IS FURTHER FOUND AND ORDERED** that Defendant is in  
15 contempt of court for each of the missed child support payments for  
16 December, January, and February. Defendant is hereby sanctioned to  
17 twenty (20) days in the Clark County Detention Center, totaling  
18 sixty (60) days, which shall be stayed.

19 **IT IS FURTHER FOUND AND ORDERED** that in the future, if  
20 Defendant fails to follow the Orders of the Court, and the matter  
21 comes back before the Court on an Order to Show Cause, the above-  
22 referenced stayed jail time will be imposed by the Court.

23 **IT IS FURTHER FOUND AND ORDERED** that as to the timeshare,  
24 the Court finds, based on Defendant's conduct over the past ten  
25 (10) months, that it is in the best interest of the minor child for  
26 the Court to change the custodial arrangement. Therefore, going  
27 forward, Defendant's timeshare will be every other Friday from  
28 after school to Sunday at 5:00 p.m., when she will be picked up by

1 Plaintiff. Defendant shall make sure the child is ready to leave  
2 with Plaintiff at 5:00 p.m. Defendant shall make sure all of the  
3 papers in the child's back pack remain in the back pack so that  
4 Plaintiff has a chance to look at the papers when the child is  
5 returned. In addition, Defendant shall have dinner with the minor  
6 child on Mondays and Tuesdays every week from after school until  
7 7:00 p.m., when Plaintiff will pick up the child from Defendant's  
8 residence. Defendant remains responsible for transporting the  
9 minor child to her tutoring session each Monday and paying for  
10 same. Should he fail to do so, the Monday visits will be  
11 terminated.

12 **IT IS FURTHER FOUND AND ORDERED** that the current holiday  
13 schedule shall remain status quo.

14 **IT IS HEREBY FOUND AND ORDERED** that Plaintiff shall have  
15 telephone contact with the minor child while she is with Defendant  
16 on weekends, and Defendant shall have telephone contact with the  
17 minor child every evening at 7:00 p.m., with the exception of  
18 Mondays and Tuesdays.

19 **IT IS HEREBY FOUND AND ORDERED** that based on 18% of his  
20 gross monthly income of \$1,998.00 imputed to the Defendant, his  
21 child support shall be set at \$360.00 per month, effective August,  
22 2014.

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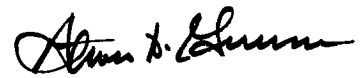
1 IT IS HEREBY FOUND AND ORDERED that medical insurance for  
2 the minor child shall continue to be provided as per the Court's  
3 previous order, to wit: Defendant provides the sum of \$50.00 per  
4 month as and for one-half of the minor child's health insurance.

5 DATED this 24 day of Sept, 2014.

6  
7  
8 DISTRICT COURT JUDGE RB  
9 GAYLE NATHAN

10 SUBMITTED BY:

11 Frances Ann Fine  
12 The Fine & Price Law Group  
13 FRANCES-ANN FINE, ESQUIRE  
14 Nevada Bar No. 0025  
15 Attorneys for Plaintiff  
16 Maria Perdomo  
17  
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27  
28



CLERK OF THE COURT

1 ORD  
The Fine & Price Law Group  
2 FRANCES-ANN FINE, ESQ.  
Nevada Bar No. 0025  
3 8975 South Pecos Road, Ste 5  
Henderson, Nevada 89074  
4 Telephone: 702/384-8900  
Facsimile: 702/384-6900  
5 fran@finepricelaw.com  
Attorney for Plaintiff  
6 MARIA DANIELA LEWIS nka  
MARIA DANIELA PERDOMO  
7

8 DISTRICT COURT

9 CLARK COUNTY, NEVADA

10 MARIA DANIELA LEWIS nka )  
11 MARIA DANIELA PERDOMO, )  
12 Plaintiff, ) CASE NO. D-10-427054-D  
13 vs. ) DEPT NO. T  
14 WESLEY ALLEN LEWIS, )  
15 Defendant. )  
16 )

17 SUPPLEMENTAL ORDER

18 THIS matter having come before the Court on Plaintiff's  
19 Ex Parte Request For Clarification And/Or Instructions filed on  
20 August 26, 2014; the Court having reviewed all papers and pleadings  
21 on file herein, and having issued Court Minutes on August 28, 2014,  
22 and good cause appearing,

23 IT IS HEREBY FOUND that at an Evidentiary Hearing  
24 conducted on August 5, 2014 this Court ordered that Defendant's  
25 visitation with the parties' minor child would include a dinner  
26 date with the child on Mondays and Tuesdays every week, from after  
27 school until 7:00 p.m.  
28

RECEIVED

SEP 02 2014

1           **IT IS HEREBY ORDERED** that in the event the parties' minor  
2 child has an extra-curricular activity scheduled during Defendant's  
3 visitation on Monday and Tuesday evenings, he shall be responsible  
4 for transporting the minor child to and from the scheduled  
5 activity.

6           **IT IS FURTHER FOUND** that the parties' minor child's  
7 tutoring classes at Kumon were discussed at the August 5, 2014  
8 Evidentiary Hearing, and Defendant was found to be in contempt for  
9 failing to take the minor child to Kumon for her tutoring classes  
10 and for failing to pay his share of the tuition fees.

11           **IT IS FURTHER FOUND** that the parties' minor child is  
12 still scheduled to attend tutoring classes at Kumon after school on  
13 Mondays.

14           **IT IS FURTHER ORDERED** that it is Defendant's  
15 responsibility to make sure that the parties' minor child gets to  
16 her tutoring classes and to any other scheduled after school  
17 activity during his timeshare. If Defendant fails to take the  
18 minor child to her tutoring classes at Kumon, or to any other  
19 scheduled after school activity which occurs during his visitation  
20 time, his Monday visitation with the minor child shall be vacated.

21           **IT IS FURTHER ORDERED** that Defendant shall continue to be  
22 responsible for one-half the cost of the parties' minor child's  
23 tutoring. Defendant shall pay for Monday's tutoring sessions when  
24 he brings the minor child to same.

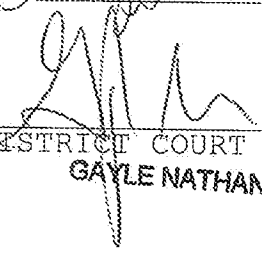

25           **IT IS FURTHER ORDERED** that the parties' minor child's  
26 tutoring shall continue until Kumon finds that the minor child is  
27 testing at grade level.

28

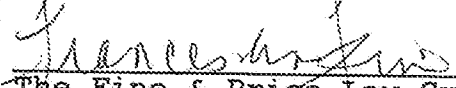


1 IT IS HEREBY FOUND AND ORDERED that Plaintiff's Ex Parte  
2 Request For Clarification And/Or Instructions filed on August 26,  
3 2014 has been resolved with the issuance of the Court's Minute  
4 Order on August 28, 2014 and the instant Order.

5 DATED this 3<sup>rd</sup> day of Sept, 2014.

6  
7  
8   
DISTRICT COURT JUDGE   
GAYLE NATHAN

9 SUBMITTED BY:

10   
11 The Fine & Price Law Group  
FRANCES-ANN FINE, ESQ.  
12 Nevada Bar No. 0025  
Attorneys for Plaintiff  
13 MARIA PERDOMO  
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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint****COURT MINUTES****May 26, 2011**

D-10-427054-D      Maria Daniela Lewis, Plaintiff  
vs.  
Wesley Allen Lewis, Defendant.

**May 26, 2011      2:00 PM      Case Management  
Conference**

**HEARD BY:** Nathan, Gayle**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Lucinda Tait**PARTIES:**

Isabella Lewis, Subject Minor, not present

Maria Lewis, Plaintiff, Counter Defendant,  
present

Lidia Rincon, Attorney, present

Wesley Lewis, Defendant, Counter Claimant,  
present      Pro Se

## JOURNAL ENTRIES

**- CASE MANAGEMENT CONFERENCE**

Court congratulated parents on reaching a Parenting Agreement through Family Mediation Center (FMC). PARENTING AGREEMENT EXECUTED and FILED IN OPEN COURT. COURT ORDERED, PARENTING AGREEMENT AFFIRMED and ADOPTED.

Discussion regarding child support and matter moving forward with a possible Prove Up and Divorce today.

COURT stated parents have JOINT PHYSICAL, JOINT LEGAL CUSTODY of minor child. Court reviewed parents Financial Disclosure Forms (FDF) and calculated that father's obligation to mother for CHILD SUPPORT shall be \$440.00 per month, effective June, 2011. Father shall communicate to Counsel which day or day(s) of the month he will pay his ORDERED child support to mother.

Discussion regarding medical insurance for the child which father is currently paying. COURT ORDERED, father shall have an OFFSET for 1/2 of the medical insurance upon proof to Counsel and

once confirmation is received, that amount shall be entered into the Order.

Attorney Buche addressed the court and advised that just before Court, the father advised him he now has a new job and is making about \$1200.00 less a month than he was previously. COURT stated it BINDS Defendant to the FDF he signed on 5/24/11.

Argument by Counsel regarding mother's income. Court reviewed her FDF and finds mother has two part time jobs.

Following discussion, Parties SWORN and TESTIFIED.

Parties have agreed, Plaintiff shall take her personal property and Defendant shall take his personal property.

Father shall claim the minor child for tax purposes in EVEN years and mother shall claim the minor child for tax purposes in ODD years.

Neither party shall be awarded SPOUSAL SUPPORT.

Each party shall pay their own Attorney fees.

Mother, Maria Daniela Lewis shall have her maiden name restored and shall now be known as MARIA DANIELA PERDOMO.

COURT FINDS, it has personal and subject JURISDICTION and JURISDICTION over the minor child. COURT ORDERED, DIVORCE GRANTED.

Attorney Lidia Rincon to prepare Divorce Decree and have Attorney Ernest Buche review and sign off by 6/17/11. CASE CLOSED upon Entry of Order.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

*Canceled: September 06, 2013 1:30 PM Motion to Compel*

*Canceled: May 21, 2014 2:00 PM Order to Show Cause*

*Canceled: May 22, 2014 9:00 AM Motion*

*Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - Moot Courtroom 05*

*Nathan, Gayle*

*Boyle, Kathleen*

*Canceled: October 16, 2014 1:30 PM Evidentiary Hearing*  
*Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated*  
*Nathan, Gayle*  
*Courtroom 05*  
*Boyle, Kathleen*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint**

**COURT MINUTES**

**June 04, 2013**

D-10-427054-D      Maria Daniela Lewis, Plaintiff  
vs.  
Wesley Allen Lewis, Defendant.

**June 04, 2013      9:30 AM      All Pending Motions**

**HEARD BY:** Nathan, Gayle      **COURTROOM:** Courtroom 14

**COURT CLERK:** Lucinda Tait

**PARTIES:**

Isabella Lewis, Subject Minor, not present  
Maria Lewis, Plaintiff, Counter Defendant,      Frances-Ann Fine, Attorney, present  
present  
Wesley Lewis, Defendant, Counter Claimant,      Pro Se  
present

<b>JOURNAL ENTRIES</b>
------------------------

- PLAINTIFF'S MOTION TO HAVE DEFENDANT HELD IN CONTEMPT OF COURT, TO ENFORCE DECREE OF DIVORCE, TO REDUCE CHILD SUPPORT ARREARS TO JUDGMENT AND FOR AWARD OF ATTORNEY FEES...DEFENDANT'S RESPONSE AND COUNTERMOTION FOR ATTORNEY'S FEES AND RELATED RELIEF

Court reviewed the matters at hand and reported she even reviewed the Child Support hearing video.

COURT GRANTED Plaintiff's request for an Order to Show Cause.

Parties STIPULATE that the other parent shall receive at least one phone call from minor child while in the other parent's custody and the cell phone shall travel with the minor child.

Court agrees to construe mother's Motion as a 60B Motion.

COURT ORDERED: District Attorney's Office to complete a new audit regarding case number R-11-161532-R, with CHILD SUPPORT calculated at \$440.00 per month as Ordered.

Court authorizes the Clerk of the Court to sign off on Child's passport if father refuses to do so.

Mother may only take children to visit in countries that have the HAGUE CONVENTION.

Father to provide a copy of minor child's report card at the Evidentiary hearing.

Child shall have her own bed at each parent's home.

Matter set for EVIDENTIARY HEARING 8/29/13 at 1:30 pm. Both counsel shall file, submit to chambers and exchange their Pre Trial Memorandums and Tabbed Exhibits no later than the close of business, ONE week prior to the Hearing. Witness lists shall be filed and exchanged no later than the close of business, 6/14/13. Discovery shall conclude by the close of business, FIFTEEN days prior to the hearing. Failure to disclose any witnesses and/or provide the Court with tabbed exhibits will result in them not being permitted at the time of the Hearing.

**\*\*A copy of this MINUTE ORDER was forwarded to the District Attorney's office regarding their case number R-11-161532-R by court clerk/\*\*ct**

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

*Canceled: September 06, 2013 1:30 PM Motion to Compel*

*Canceled: May 21, 2014 2:00 PM Order to Show Cause*

*Canceled: May 22, 2014 9:00 AM Motion*

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

*Courtroom 05*

*Nathan, Gayle*

*Boyle, Kathleen*

*Canceled: October 16, 2014 1:30 PM Evidentiary Hearing*

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

*Nathan, Gayle*

*Courtroom 05*

*Boyle, Kathleen*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint**

**COURT MINUTES**

August 09, 2013

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D-10-427054-D      Maria Daniela Lewis, Plaintiff  
                                 vs.  
                                 Wesley Allen Lewis, Defendant.

---

**August 09, 2013      1:30 PM      Motion to Compel**

**HEARD BY:**    Beecroft, Chris A, Jr.; Beecroft, Chris      **COURTROOM:**    Courtroom 13  
                                 A, Jr.

**COURT CLERK:**    Amy Lunsford

**PARTIES:**

Isabella Lewis, Subject Minor, not present  
Maria Lewis, Plaintiff, Counter Defendant, not present      Frances-Ann Fine, Attorney, present  
Wesley Lewis, Defendant, Counter Claimant,      Pro Se  
not present

<b>JOURNAL ENTRIES</b>
------------------------

- PLAINTIFF'S MOTION TO COMPEL DISCOVERY RESPONSES AND FOR AWARD OF ATTORNEY'S FEES AND EX PARTE APPLICATION FOR AN ORDER SHORTENING TIME

COURT NOTED no opposition was filed. Attorney Marr indicated that she only received the Motion yesterday and had no opportunity to respond. Arguments by Counsel as to the notice of the Motion and the notice provided outlining the deficiencies in the discovery responses.

**COMMISSIONER RECOMMENDED:**

1. Plaintiff's Motion to Compel is GRANTED; the relief as set forth in Attorney Fine's July 24th letter is GRANTED;
2. Defendant shall provide SUPPLEMENTAL RESPONSES to all Interrogatories and Requests to Plaintiff prior to the close of business, August 16, 2013;

3. Decision on Plaintiff's request for ATTORNEY'S FEES shall be deferred to the District Court Judge. Attorney Fine shall prepare a Report and Recommendation; Attorney Marr to countersign.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

*Canceled: September 06, 2013 1:30 PM Motion to Compel*

*Canceled: May 21, 2014 2:00 PM Order to Show Cause*

*Canceled: May 22, 2014 9:00 AM Motion*

*Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - Moot Courtroom 05*

*Nathan, Gayle*

*Boyle, Kathleen*

*Canceled: October 16, 2014 1:30 PM Evidentiary Hearing*

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

*Nathan, Gayle*

*Courtroom 05*

*Boyle, Kathleen*



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint**

**COURT MINUTES**

**August 29, 2013**

---

D-10-427054-D      Maria Daniela Lewis, Plaintiff  
vs.  
Wesley Allen Lewis, Defendant.

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**August 29, 2013      1:30 PM      Order to Show Cause**

**HEARD BY:** Nathan, Gayle      **COURTROOM:** Courtroom 14

**COURT CLERK:** Neida Parker

**PARTIES:**

Isabella Lewis, Subject Minor, not present

Maria Lewis, Plaintiff, Counter Defendant, not present      Frances-Ann Fine, Attorney, not present

Wesley Lewis, Defendant, Counter Claimant, Pro Se  
not present

<b>JOURNAL ENTRIES</b>
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**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

*Canceled: September 06, 2013 1:30 PM Motion to Compel*

*Canceled: May 21, 2014 2:00 PM Order to Show Cause*

*Canceled: May 22, 2014 9:00 AM Motion*

*Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - Moot  
Courtroom 05*

*Nathan, Gayle*

*Boyle, Kathleen*

*Canceled: October 16, 2014 1:30 PM Evidentiary Hearing*

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

<b>PRINT DATE:</b>	09/30/2014	<b>Page 8 of 29</b>	<b>Minutes Date:</b>	May 26, 2011
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*Nathan, Gayle*  
*Courtroom 05*  
*Boyle, Kathleen*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint**

**COURT MINUTES**

**August 29, 2013**

---

D-10-427054-D      Maria Daniela Lewis, Plaintiff  
vs.  
Wesley Allen Lewis, Defendant.

---

**August 29, 2013      1:30 PM      All Pending Motions**

**HEARD BY:** Nathan, Gayle      **COURTROOM:** Courtroom 14

**COURT CLERK:** Neida Parker

**PARTIES:**

Isabella Lewis, Subject Minor, not present  
Maria Lewis, Plaintiff, Counter Defendant,      Frances-Ann Fine, Attorney, present  
present  
Wesley Lewis, Defendant, Counter Claimant,      Pro Se  
present

<b>JOURNAL ENTRIES</b>
------------------------

- EVIDENTIARY HEARING: RE: CHILD SUPPORT...ORDER TO SHOW CAUSE

COURT NOTED, the three (3) issues are the correct Child Support amount, arrears, and how much the District Attorney's office has collected and applied towards Defendant's Child Support amount.

Arguments by counsel regarding whether testimony should or should not be heard, contempt issues, whether Defendant willfully refused to pay child support, and Plaintiff incurring the cell phone bill expense that Defendant had originally bought.

Attorney Fine requested to INVOKE the EXCLUSIONARY RULE. COURT SO ORDERED.

COURT NOTED, an Order to Show Cause was issued.

Arguments by counsel regarding extra curriculum activities.

Testimony and exhibits presented (see worksheets); both Counsel STIPULATED to Defendant's

Exhibits A, B, C, E, F, H, K, M, and R.

Matter TRAILED at the request of Attorney Marr. Matter RECALLED with a sidebar at the request of Attorney Marr.

Both Counsel also STIPULATED to Plaintiff's Exhibits 6, 15, 16,17, 21, and 24.

Due to the power outage, COURT ORDERED, matter CONTINUED. The Department's Judicial Executive Assistance (JEA) shall contact both counsel regarding setting a continuance date.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

*Canceled: September 06, 2013 1:30 PM Motion to Compel*

*Canceled: May 21, 2014 2:00 PM Order to Show Cause*

*Canceled: May 22, 2014 9:00 AM Motion*

*Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - Moot  
Courtroom 05*

*Nathan, Gayle*

*Boyle, Kathleen*

*Canceled: October 16, 2014 1:30 PM Evidentiary Hearing*

*Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated  
Nathan, Gayle  
Courtroom 05*

*Boyle, Kathleen*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint**

**COURT MINUTES**

October 08, 2013

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D-10-427054-D      Maria Daniela Lewis, Plaintiff  
vs.  
Wesley Allen Lewis, Defendant.

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**October 08, 2013      10:30 AM      Evidentiary Hearing**

**HEARD BY:** Nathan, Gayle

**COURTROOM:** Courtroom 14

**COURT CLERK:** Kathleen Boyle

**PARTIES:**

Isabella Lewis, Subject Minor, not present

Maria Lewis, Plaintiff, Counter Defendant,  
present

Frances-Ann Fine, Attorney, present

Wesley Lewis, Defendant, Counter Claimant,  
present

Pro Se

<b>JOURNAL ENTRIES</b>
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- The Court noted this matter had been continued from 8/29/13, and the issues to be resolved were child support and child support arrearages.

The Court heard continued testimony from Plaintiff and Defendant.

Exhibits offered and admitted. (See worksheets).

The Court FINDS exhibit 16 is not consistent with the testimony presented.

Exhibit 22 was admitted only for the purpose of establishing that Plaintiff paid Ms. Flores for eight (8) tutoring sessions.

Closing arguments.

COURT ORDERED, the following:

1. This matter shall be taken UNDER ADVISEMENT.
2. Defendant shall take the minor child to Kumon Tutoring on Mondays after school.

Discussion regarding Defendant's Motion to Modify, filed in August, 2012.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

*Canceled: May 21, 2014 2:00 PM Order to Show Cause*

*Canceled: May 22, 2014 9:00 AM Motion*

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

*Courtroom 05*

*Nathan, Gayle*

*Boyle, Kathleen*

*Canceled: October 16, 2014 1:30 PM Evidentiary Hearing*

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

*Nathan, Gayle*

*Courtroom 05*

*Boyle, Kathleen*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint****COURT MINUTES****October 14, 2013**

D-10-427054-D      Maria Daniela Lewis, Plaintiff  
vs.  
Wesley Allen Lewis, Defendant.

**October 14, 2013      10:00 AM      Minute Order**

**HEARD BY:** Nathan, Gayle**COURTROOM:** Courtroom 14**COURT CLERK:** Lucinda Tait**PARTIES:**

Isabella Lewis, Subject Minor, not present

Maria Lewis, Plaintiff, Counter Defendant, not present      Frances-Ann Fine, Attorney, not present

Wesley Lewis, Defendant, Counter Claimant, Pro Se  
not present

## JOURNAL ENTRIES

**- MINUTE ORDER RE: FINDINGS AND ORDER AFTER EVIDENTIARY HEARING**

This matter came before the Court on Plaintiff's Order to Show Cause on August 28, 2013 which was continued to October 8, 2013 because of a power outage that impacted the video recording system; On both dates, Plaintiff was present and represented by Frances-Ann Fine, Esq.; Defendant was present and represented by Patricia Marrs, Esq.; the Court heard testimony and took evidence and makes the following FINDINGS and ORDER:

1. The Court has personal and subject matter in this post-decree matter;
2. On October 8, 2013, the Court found that Exhibit 16 was not consistent with the testimony presented so no weight was given to that exhibit; Exhibit 22 was admitted only for the purpose of establishing that Plaintiff paid Ms. Flores for eight tutoring sessions; The Court ORDERED that Defendant take the minor child Isabella Lewis ( Bella ), dob 8/10/2006 to the Kuman Tutoring Class that is paid for by mom on Mondays immediately after school; the Court finds this to be in Bella's best interest.
3. The Court had previously set aside the Master's Recommendation and Order under R-11161532-R

as the arrears set by that Court did not accurately reflect the correct arrears based upon the child support that was ordered to be paid, to wit, the sum of \$440 for all but three months as the Defendant father failed to maintain the medical insurance for the minor child; As Welfare is on this case the Court ORDERS that the District Attorney's Office shall make a new Judgment consistent with this Order, to wit, that Defendant was ordered to pay \$440 monthly in child support; he was afforded an offset of \$133.00 for insurance, thus his child support for the months of June 2011; July 2011 and August 2011, ONLY is set at \$307 per month; and that the TOTAL ARREARS up to and including August 2013 is \$9012.38 with interest and penalty. For each and every month thereafter his child support is set at \$440 per month through August, 2013.

4. The Court finds that the Defendant's testimony that he is working only 26 hours per week so that he can care for Bella on his days off is not compelling to the Court as Bella is now in her second year of elementary school (albeit repeating the first grade). There was no testimony that Defendant was physically or mentally impaired or disabled or unable to work. The Court finds that the Defendant has a duty to financially support his daughter by working a full time job as the Mother of his child does and it was apparent from the testimony and evidence that he does not meet his financial obligations on 26 hours per week; the Court accepts the Plaintiff's testimony that she has, at times, worked three jobs to support herself and Bella. The Court finds that, based upon the Defendant's continuing failure since 2011 to pay his Court Ordered Child Support on a consistent monthly basis, that 26 hours of work per week is not sufficient to meet the financial needs of his child. The Court declines to set aside the Child Support Order of 2011 that set the child support at \$440 or to make this Order retroactive to August 2012 when he made application to have his Child Support reviewed in Child Support Court. See below on Credibility.

5. Whether Defendant chooses to work 40 hours is up to him, however, the Court finds that he is willfully underemployed and is imputing another 16 hours of wages at this time; A review of the Defendant's paystubs reflects that he is paid an hourly wage of \$9 per hour and is paid commission as well. Although his July and August 2013 paystubs do not reflect commission, his May 2013 paystubs reflect commission; Additionally, on the Pay Stub for Pay Date 8/2/2013 his year to date for commissions was \$3069; for 7 months that is \$438.42 per month in income for commissions; this could be looked at in several ways, even breaking down to an increased hourly amount to calculate income on, however the Court will calculate 40 hours per week at \$9 per hour for a gross monthly of \$1560; adding in \$438 in average commissions, his gross monthly is set at \$1998 per month.

6. Plaintiff's income is \$1495 per month; 18% of that is \$269.00. Defendant's income is \$1998 per month; 18% of that is \$360.00. The difference is \$91.00 with Defendant the obligor.

Additionally, Plaintiff maintains insurance for the minor child at a cost to her of \$100 per month. Defendant is ordered to pay one half of that, increasing his child support to \$141.00 per month.

7. On ARREARS: Once the District Attorney's Office has calculated arrears based upon paragraph 3, to which interest and penalties must be calculated; Defendant shall pay the sum of \$100 on the arrears until said sum is paid in full.

8. Therefore, Defendant's Child Support Obligation, with insurance and a payment on Arrears is a total of \$241 per month commencing October 2013. Until the full amount is deducted from his paycheck the Defendant is responsible for paying the Plaintiff the full amount each and every month; In October the full amount is due to Plaintiff by October 31, 2013; in November he may pay \$120.50 on the 5th of the month and \$120.50 on the 20th of the month, and every month thereafter until there



is a wage assignment in place for the full amount. Failure to make any one payment is a Contempt of Court and Plaintiff may submit an Order to Show Cause with a supporting Affidavit/Declaration detailing the missed payment(s) to obtain an evidentiary hearing re contempt.

9. On the issue of CREDIBILITY ; the Defendant testified on several issues where the Court found his credibility suspect, or that he was motivated to act in a manner that was contrary to the best interest of his minor child;

A. Defendant testified that his current income was \$900 per month; the Court found his income to be, at a minimum \$1481 per month, when looking at the year to date on his paystubs (noting that the calculation used to set child support uses his hourly on 40 hours and a sum that is equal to his average monthly commission as his gross monthly). The Court finds that his testimony, on his gross monthly income was not credible as it was not supported by the math in an analysis of his paystubs.

B. Defendant testified that Plaintiff moved in with someone he didn't know which "affected" him and that it was hard for him to handle; the Court finds that he was motivated to not cooperate or co-parent or pay his child support based upon his feelings toward this third party and Plaintiff's new relationship.

C. The Court did not find Defendant credible that he sits down for 2 hours every day to go over his first grade daughter's homework with her.

D. The Court did not find Defendant credible when he testified that he did not know Bella was in gymnastics classes or mini-cheer; it defies the Court's understanding of children that Bella did not want to show off her tumbling and cheer skills to her daddy; additionally, he testified that he was asked to buy cheer shoes for Bella and he declined to do so. He was invited to events involving cheer/gymnastics but did not attend. All of this testimony underlined his credibility.

10. The Court has concerns about co-parenting issues that were not before it; these include Defendant not charging Bella's telephone so that Plaintiff has daily access to her daughter; not bringing Bella to Kumon Tutoring that Plaintiff is paying \$200 per month for; ignoring the activities that Plaintiff has Bella involved in and not sharing the activities he has Bella involved in with Plaintiff. Defendant is cautioned to actively engage in co-parenting with Plaintiff.

CONTINUED (see page 2)...

#### **INTERIM CONDITIONS:**

#### **FUTURE HEARINGS:**

*Canceled: May 21, 2014 2:00 PM Order to Show Cause*

*Canceled: May 22, 2014 9:00 AM Motion*

*Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - Moot Courtroom 05*

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*Nathan, Gayle*  
*Boyle, Kathleen*

*Canceled: October 16, 2014 1:30 PM Evidentiary Hearing*  
*Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated*  
*Nathan, Gayle*  
*Courtroom 05*  
*Boyle, Kathleen*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint****COURT MINUTES****October 14, 2013**

D-10-427054-D      Maria Daniela Lewis, Plaintiff  
                                  vs.  
                                  Wesley Allen Lewis, Defendant.

**October 14, 2013      10:00 AM      Minute Order**

**HEARD BY:** Nathan, Gayle**COURTROOM:** Courtroom 14**COURT CLERK:** Lucinda Tait**PARTIES:**

Isabella Lewis, Subject Minor, not present

Maria Lewis, Plaintiff, Counter Defendant, not present      Frances-Ann Fine, Attorney, not present

Wesley Lewis, Defendant, Counter Claimant, Pro Se  
not present

## JOURNAL ENTRIES

- MINUTE ORDER RE: FINDINGS AND ORDER FROM EVIDENTIARY HEARING  
 (CONTINUED...PART 2)

11. The Court finds that Defendant has lived with his parents since August of 2012, hence he has built in daycare, when needed. Additionally, his rent is listed at \$300 per month; the Court infers that it is unlikely he would be evicted if he was late or missed a rent payment. The Court finds that Defendant's monthly expenses are minimal.

12. The Court finds that Defendant is in contempt for his non-payment of child support as follows: In 2011; for June, July, August, September ; In 2012 for January , May, June, July, September, October and November.

13. For his contempt the Defendant is sanctioned the sum of \$500 for each and every missed payment as set forth above, for a total sanction of  $11 \times \$500 = \$5500$ . Said sum is herein reduced to Judgment and may be collected by any and all lawful means. The Court is also imposing a 10 day jail sentence for each of the 11 contempt s for a total sentence of 110 days; said jail sentence is stayed ; jail will be imposed on any future missed payments.

14. Additionally, the Court finds that Defendant is responsible for some if not all of Plaintiff s

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attorney fees. While the Court finds that both counsel meet the Brunzell factors as set forth in that case and applied herein, the Plaintiff has met her burden and established contempt. Ms. Fine will draft the final Order and forward it to Ms. Marrs for approval and signature and Ms. Fine will submit a Memorandum of Fees and Costs for the Court to review in determining an attorney award.

15. The Court finds it is in Bella's best interest, and an appropriate expense under NRS 125B.080(k) that both parties share in the cost of Bella's tutoring as she is currently being serviced through Kuman Tutoring; as Plaintiff has paid for October, 2013, Defendant is ORDERED to pay for November's tutoring, in FULL by the due date for November; failure to pay will be a contempt of Court and Plaintiff may submit an Order to Show Cause with a supporting Affidavit/Declaration detailing the missed payment(s) to obtain an evidentiary hearing re contempt. Thereafter the parties will equally share the cost, paying on the due date so there is no break in the delivery of tutoring services. Bella will continue to receive tutoring services until she is testing at or above grade level as tested by Kunam, or if they do not test by the CRT's administered by CCSD, or the parents mutually decide to terminate the service. If she is testing at or above grade level and one parent wishes to continue the tutoring, that will be at that parent's expense. If she needs tutoring again in the future, based upon her grades or a teacher recommendation, this ORDER stands; to wit, the cost will be equally borne.
16. The Court declines to award any costs the Plaintiff has borne in the past for extra curricular activities or the cell phone; the Court is denying the request they equally bear the cost of gymnastics and cheer or any other recreational activity.
17. Other than the tutoring the Parties are ORDERED not to enroll the child in an activity during the other parent's timeshare without that parents WRITTEN AGREEMENT to the activity.

IT IS SO ORDERED.

#### INTERIM CONDITIONS:

#### FUTURE HEARINGS:

*Canceled: May 21, 2014 2:00 PM Order to Show Cause*

*Canceled: May 22, 2014 9:00 AM Motion*

*Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - Moot  
Courtroom 05  
Nathan, Gayle  
Boyle, Kathleen*

*Canceled: October 16, 2014 1:30 PM Evidentiary Hearing*

*Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated  
Nathan, Gayle  
Courtroom 05  
Boyle, Kathleen*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint**

**COURT MINUTES**

**May 01, 2014**

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D-10-427054-D      Maria Daniela Lewis, Plaintiff  
vs.  
Wesley Allen Lewis, Defendant.

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**May 01, 2014      9:30 AM      All Pending Motions**

**HEARD BY:** Nathan, Gayle      **COURTROOM:** Courtroom 05

**COURT CLERK:** Kathleen Boyle

**PARTIES:**

Isabella Lewis, Subject Minor, not present  
Maria Lewis, Plaintiff, Counter Defendant,      Frances-Ann Fine, Attorney, present  
present  
Wesley Lewis, Defendant, Counter Claimant,      Pro Se  
present

<b>JOURNAL ENTRIES</b>
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- MOTION TO MODIFY CUSTODY; TO ENFORCE ORDER OF DECEMBER 27, 2013 AND AN AWARD OF ATTORNEY FEES...OPPOSITION TO MOTION TO MODIFY CUSTODY AND DEFENDANT'S COUNTERMOTION FOR FEES; TO ORDER THERAPY FOR PLAINTIFF; TO HOLD PLAINTIFF IN CONTEMPT; AND FOR RELATED RELIEF

Patricia Marr, Bar #8846, appeared in an unbundled capacity to represent Defendant.

The Court reviewed its notes on the case, and FINDS Plaintiff has established adequate cause for the Court to set an Evidentiary Hearing. The Court reviewed the allegations made by Plaintiff.

Ms. Marr advised the Court she had filed a Motion to Withdraw on an Order Shortening Time; however, she was still served with the Motion. Ms. Marr said she had reviewed the paperwork and noted Defendant was more laid back than Plaintiff with regard to the treatment of the minor child. Ms. Marr asked the Court to review the emails from Plaintiff to Defendant at the time of the

Evidentiary Hearing. Defendant said he met with Warren Wheatley on 4/1/14.

Response by Ms. Fine.

Ms. Marr tendered a money gram in the amount of \$84.50 to Plaintiff IN OPEN COURT.

COURT ORDERED, the following:

1. An Evidentiary Hearing will be conducted on 7/29/14 and 8/5/14 at 1:30 p.m., to determine custody. The standard is best interest of the minor child.
2. Pre-trial Memorandums and tabbed exhibits will be presented one week prior to the 7/29/14 trial date.
3. Initial witness lists will be submitted by 5/12/14, and supplemented thereafter.
4. Discovery will close thirty (30) days prior to the first day of trial.
5. The Court's Judicial Executive Assistant will prepare a Trial Management Order.
6. The Order to Show Cause will be heard on 7/29/14, and the 5/21/14 order shall be VACATED.
7. The minor child shall remain in counseling until the mental health professional deems it is no longer helpful to the child, and therefore, the parents may not remove her from counseling.
8. The attorney fees previously awarded to Ms. Fine, shall be REDUCED TO JUDGMENT subject to any offsets for payments made.
9. TEMPORARILY until the Evidentiary Hearing Defendant's timeshare will be modified to commence on Monday after school through Wednesday at 6:00 p.m. while school is in session. When school is out of session, the timeshare will commence on Monday at 9:00 a.m. and conclude on Wednesday at 6:00 p.m.
10. If there are any medical episodes, Defendant shall obtain written instructions from the physician, and if there is evidence he is not following the medical protocol, this matter can be placed on calendar and the Court will hear it for further orders.
11. If the allegations against Defendant are proved, Plaintiff will be awarded primary custody of the minor child. The standard is best interest of the child.
11. Ms. Marr's Motion to Withdraw as Attorney of Record is GRANTED. Ms. Marr shall submit the Order.

12. Ms. Fine shall prepare the Order.

7/29/14 1:30 P.M. EVIDENTIARY HEARING: CUSTODY

7/29/14 1:30 P.M. ORDER TO SHOW CAUSE

8/5/14 1:30 P.M. EVIDENTIARY HEARING: CUSTODY (DAY 2)

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

*Canceled: May 21, 2014 2:00 PM Order to Show Cause*

*Canceled: May 22, 2014 9:00 AM Motion*

*Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - Moot  
Courtroom 05*

*Nathan, Gayle*

*Boyle, Kathleen*

*Canceled: October 16, 2014 1:30 PM Evidentiary Hearing*

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

*Nathan, Gayle*

*Courtroom 05*

*Boyle, Kathleen*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint****COURT MINUTES**

July 29, 2014

D-10-427054-D      Maria Daniela Lewis, Plaintiff  
vs.  
Wesley Allen Lewis, Defendant.

**July 29, 2014      1:30 PM      All Pending Motions**

**HEARD BY:** Nathan, Gayle**COURTROOM:** Courtroom 05**COURT CLERK:** Kathleen Boyle**PARTIES:**

Isabella Lewis, Subject Minor, not present

Maria Lewis, Plaintiff, Counter Defendant,  
present

Frances-Ann Fine, Attorney, present

Wesley Lewis, Defendant, Counter Claimant,  
present

Pro Se

<b>JOURNAL ENTRIES</b>
------------------------

- EVIDENTIARY HEARING: DAY 1 - CUSTODY...ORDER TO SHOW CAUSE

EXCLUSIONARY RULE INVOKED BY MS. FINE.

Parties SWORN and TESTIFIED.

The Court noted Ms. Fine was requesting relief, since Defendant had failed to participate in Discovery. Counsel requested Defendant's pleadings be stricken. Defendant said he had responded to the production requests, and produced copies of the documents he had mailed to Ms. Fine on 6/26/14.

Testimony presented. Exhibits offered and admitted. (See worksheets).

COURT ORDERED, the Opposition to the Notice of Entry of Order and Order filed on 7/2/2014 is deemed to be a FUGITIVE DOCUMENT, since it was not authorized and it shall be STRICKEN. Plaintiff's request to deem the admissions admitted is GRANTED. Defendant shall produce the email



he disclosed in his testimony, with regard to the end of the skin treatment for the minor child, at the 8/5/14 hearing. This matter shall be CONTINUED to 8/5/14 at 1:30 p.m.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

*Canceled: October 16, 2014 1:30 PM Evidentiary Hearing  
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated  
Nathan, Gayle  
Courtroom 05  
Boyle, Kathleen*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint****COURT MINUTES****August 05, 2014**

D-10-427054-D      Maria Daniela Lewis, Plaintiff  
vs.  
Wesley Allen Lewis, Defendant.

**August 05, 2014      1:30 PM      All Pending Motions**

**HEARD BY:** Nathan, Gayle**COURTROOM:** Courtroom 05**COURT CLERK:** Kathleen Boyle**PARTIES:**

Isabella Lewis, Subject Minor, not present

Maria Lewis, Plaintiff, Counter Defendant,  
present

Frances-Ann Fine, Attorney, present

Wesley Lewis, Defendant, Counter Claimant,  
present

Pro Se

<b>JOURNAL ENTRIES</b>
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- EVIDENTIARY HEARING - CUSTODY ORDER TO SHOW CAUSE: ORDER TO SHOW CAUSE  
(DAY 2)

Testimony presented.

Exhibits offered and admitted. (See worksheets).

The Court advised Defendant he could not admit exhibits, which had not been disclosed during  
Discovery.

Closing arguments.

The COURT made its FINDINGS and ORDERED, the following:

1. Defendant's 7/18/14 Motion to Declare Item or Material Obscene and Obtain Injunction for  
Dismissal shall be STRICKEN as a FUGITIVE DOCUMENT.

PRINT DATE:	09/30/2014	Page 25 of 29	Minutes Date:	May 26, 2011
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2. In October, 2013 Defendant had child support arrearages amounting to \$9,012.38. The Court also ordered Defendant to pay half of the cost of the child's medical insurance, and made a finding he was not credible. The Court did not find Defendant to be credible when he testified he spent two hours with the child going over her homework. The Court also had concerns about him not charging the child's phone so Mom could have daily access to the child. The emails attached as an exhibit by Plaintiff confirmed she was unable to have daily contact with the minor child. The Court was also concerned at the 10/13/13 hearing the Defendant was not taking the child for her tutoring at Kumon, after school, and the Court FOUND Defendant to be in CONTEMPT for failing to take the minor child to her tutoring classes. In addition, the Court FOUND Defendant to be in CONTEMPT in October 2013, for his failure to pay his child support in June, July, August, and September of 2011, and January, May, June, July, August, September, October, and November, in 2012. Defendant is also in CONTEMPT for failing to pay his child support in October, November, December and January, in compliance with the Court's November order. In addition, Defendant is in CONTEMPT for not paying half of the tuition for Kumon, from November to July in the amount of \$1,000.00, and for failing to take the child to her tutoring classes during the summer. Therefore, the amounts set forth in the two Schedules of Arrearages (exhibits 17 and 18), which included child support arrearages in the amount of \$14,535.35, shall be REDUCED TO JUDGMENT.

3. Defendant shall be responsible for half of Mr. Wheatley's bill, in the amount of \$950.00, which shall be REDUCED TO JUDGMENT.

4. For failing to bring the minor child to tutoring on Mondays during his custodial time, the Court FINDS Defendant to be in CONTEMPT of Court, and he is SANCTIONED to twenty (20) days in the Clark County Detention Center, which shall be STAYED.

5. For each of the missed child support payments for December, January, and February Defendant is SANCTIONED to twenty (20) days in the Clark County Detention Center, totaling sixty (60) days, which shall be STAYED.

6. In the future, if Defendant fails to follow the Orders of the Court, and the matter comes back before the Court on an Order to Show Cause, the stayed jail time will be IMPOSED by the Court.

7. As to the timeshare, the Court FINDS based on Defendant's conduct over the past ten (10) months, it is in the best interest of the minor child for the Court to change the custodial arrangement; therefore, going forward Defendant's timeshare will be every other Friday from after school to Sunday at 5:00 p.m., when she will be picked up by Plaintiff. Defendant shall make sure the child is ready to leave with Plaintiff at 5:00 p.m. Defendant shall make sure all of the papers in the child's back pack remain in the back pack so Plaintiff has a chance to look at the papers when the child is returned. In addition, Defendant shall have dinner with the minor child on Mondays and Tuesdays every week from after school until 7:00 p.m., when Plaintiff will pick up the child from Defendant's residence.

8. The current holiday schedule shall remain AS IS.
9. Plaintiff shall have telephone contact with the minor child while she is with Defendant on weekends, and Defendant shall have telephone contact with the minor child every evening at 7:00 p.m., with the exception of Mondays and Tuesdays.
10. Based on 18% of his gross monthly income of \$1,998.00, Defendant's child support shall be SET at \$360.00 per month, effective August, 2014.
11. Medical insurance for the minor child shall be continued to be provided as per the Court's previous order.
12. Ms. Fine shall prepare the Order, which shall include findings.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

*Canceled: October 16, 2014 1:30 PM Evidentiary Hearing  
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated  
Nathan, Gayle  
Courtroom 05  
Boyle, Kathleen*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint****COURT MINUTES****August 28, 2014**

D-10-427054-D      Maria Daniela Lewis, Plaintiff  
                                  vs.  
                                  Wesley Allen Lewis, Defendant.

**August 28, 2014      11:30 AM      Minute Order**

**HEARD BY:** Nathan, Gayle**COURTROOM:** Courtroom 05**COURT CLERK:** Kathleen Boyle**PARTIES:**

Isabella Lewis, Subject Minor, not present

Maria Lewis, Plaintiff, Counter Defendant, not present      Frances-Ann Fine, Attorney, not present

Wesley Lewis, Defendant, Counter Claimant, Pro Se  
not present

## JOURNAL ENTRIES

- An Evidentiary Hearing was conducted in this case on August 5, 2014, wherein the Court ordered Defendant's visitation with the minor child would include a dinner date with the child on Mondays and Tuesdays every week, from after school until 7:00 p.m. To FURTHER CLARIFY the Court's order, in the event the minor child has an extra-curricular activity scheduled during Defendant's visitation on Monday and Tuesday evenings, he shall be responsible for transporting the minor child to and from the scheduled activity.

The child's Monday tutoring classes at Kumon were discussed at the Evidentiary Hearing on August 5, 2014, and Defendant was found to be in CONTEMPT for failing to take the child to Kumon for her tutoring classes, and for failing to pay his share of the tuition fees. The minor child is still scheduled to attend tutoring classes at Kumon after school on Mondays; therefore, it is Defendant's responsibility to make sure she gets to her tutoring classes, and to any other scheduled after school activity during his timeshare. If Defendant fails to take the minor child to her tutoring classes at Kumon, or to any other scheduled after school activity which occurs during his visitation time, his Monday visitation with the minor child shall be VACATED.

Defendant shall continue to be responsible for one half the cost of tutoring; he shall pay for Monday's sessions when he brings the minor child. Said tutoring shall continue until KUMON finds that the child is testing at grade level.

The Plaintiff's Motion for Clarification filed on 8/26/14 has been resolved with this minute order. Plaintiff shall prepare an Order for the Court's signature.

IT IS SO ORDERED.

CLERK'S NOTE: A copy of the Minute Order was faxed to Ms. Fine's office, and a copy was mailed to Defendant. KB 8/29/14

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

*Canceled: October 16, 2014 1:30 PM Evidentiary Hearing  
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated  
Nathan, Gayle  
Courtroom 05  
Boyle, Kathleen*

## Exhibit List

Case: 0-10-427054-D Party: Sort Order: Status Case Maria Daniela Lewis, Plaintiff  
vs.  
Wesley Allen Lewis,  
Defendant.

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P-1	Plaintiff	Admitted 08/29/2013	Destroy 10/08/2015	Document Defendant's Financial Disclosure Form filed 5-25-11		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault
P-2	Plaintiff	Admitted 08/29/2013	Destroy 10/08/2015	Document 5-26-11 Court Minutes		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault
P-3	Plaintiff	Admitted 08/29/2013	Destroy 10/08/2015	Document Defendant's Financial Disclosure Form dated 5-25-13		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault
P-4	Plaintiff	Admitted 08/29/2013	Destroy 10/08/2015	Document Defendant's Response to Plaintiff's First Set of Interrogatories		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault
P-5	Plaintiff	Admitted 08/29/2013	Destroy 10/08/2015	Document United Healthcare coverage certificate		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault
P-6	Plaintiff	Admitted 08/29/2013	Destroy 10/08/2015	Document Plaintiff's Financial Disclosure Form filed 5-8-13		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault

## Exhibit List

Case: 0-10-427054-D Party: Sort Order: Status Case Maria Daniela Lewis, Plaintiff  
vs.  
Wesley Allen Lewis,  
Defendant.

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P-9	Plaintiff	Admitted 08/29/2013	Destroy 10/08/2015	Document Child's phone documents		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault
P-10	Plaintiff	Admitted 10/08/2013	Destroy 10/08/2015	Document Summer camp		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault
P-11	Plaintiff	Admitted 10/08/2013	Destroy 10/08/2015	Document AIMSweb		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault
P-12	Plaintiff	Admitted 10/08/2013	Destroy 10/08/2015	Document Individual Student Report		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault
P-13	Plaintiff	Admitted 10/08/2013	Destroy 10/08/2015	Document Star Reading Parent Report		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault
P-14	Plaintiff	Admitted 08/29/2013	Destroy 10/08/2015	Document 10-16-12 Student Progress Report		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault
P-15	Plaintiff	Admitted 08/29/2013	Destroy 10/08/2015	Document First Trimester Student Progress Report		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault



## Exhibit List

Case: 0-10-427054-D Party: Sort Order: Status Case Maria Daniela Lewis, Plaintiff  
vs.  
Wesley Allen Lewis,  
Defendant.

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P-16	Plaintiff	Admitted 08/29/2013	Destroy 10/08/2015	Document Second Trimester Student Progress Report		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault
P-17	Plaintiff	Admitted 08/29/2013	Destroy 10/08/2015	Document 5-16-13 Student Progress Report		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault
P-18	Plaintiff	Admitted 10/08/2013	Destroy 10/08/2015	Document 3-22-13 Light's Retention Scale		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault
P-19	Plaintiff	Admitted 10/08/2013	Destroy 10/08/2015	Document 4-16-13 Light's Retention Scale		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault
P-21	Plaintiff	Admitted 08/29/2013	Destroy 10/08/2015	Document Grade One report card		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault
P-22	Plaintiff	Admitted 10/08/2013	Destroy 10/08/2015	Document Note from Ms. Flores		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault
P-23	Plaintiff	Admitted 10/08/2013	Destroy 10/08/2015	Document Kumon documents		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault

# Exhibit List

Case: 0-10-427054-D Party: Sort Order: Status Case Maria Daniela Lewis, Plaintiff  
vs.  
Wesley Allen Lewis,  
Defendant.

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P-24	Plaintiff	Admitted 08/29/2013	Destroy 10/08/2015	Document Family Support Division child support audit		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault
P-25	Plaintiff	Admitted 10/08/2013	Destroy 10/08/2015	Document The Fine Law Group invoice		Fine, Frances-Ann, ESQ	Department T 11/08/2013	Evidence Vault
D-A	Defendant	Admitted 08/29/2013	Destroy 10/08/2015	Document Both parties' Financial Disclosure Forms on file herein		Marr, Patricia A., ESQ	Department T 11/08/2013	Evidence Vault
D-B	Defendant	Admitted 08/29/2013	Destroy 10/08/2015	Document Def't's W-2 forms, tax returns, earnings summary & pay statements		Marr, Patricia A., ESQ	Department T 11/08/2013	Evidence Vault
D-C	Defendant	Admitted 08/29/2013	Destroy 10/08/2015	Document 3-7-12 letter from Dept of Treasury		Marr, Patricia A., ESQ	Department T 11/08/2013	Evidence Vault
D-E	Defendant	Admitted 08/29/2013	Destroy 10/08/2015	Document Documentation incl. receipts re: expenses paid on of and for minor child as exhibit C to Def't's discovery responses & supplements		Marr, Patricia A., ESQ	Department T 11/08/2013	Evidence Vault

# Exhibit List

Case: 0-10-427054-D Party: Sort Order: Status Case  
 Maria Daniela Lewis, Plaintiff  
 vs.  
 Wesley Allen Lewis,  
 Defendant.

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
D-F	Defendant	Admitted 08/29/2013	Destroy 10/08/2015	Document Defendant's bank account statements		Marr, Patricia A., ESQ	Department T 11/08/2013	Evidence Vault
D-H	Defendant	Admitted 08/29/2013	Destroy 10/08/2015	Document Attorney's fees paid by Defendant		Marr, Patricia A., ESQ	Department T 11/08/2013	Evidence Vault
D-K	Defendant	Admitted 08/29/2013	Destroy 10/08/2015	Document 9-5-11 statement from State of Nevada DETR		Marr, Patricia A., ESQ	Department T 11/08/2013	Evidence Vault
D-L	Defendant	Admitted 08/29/2013	Destroy 10/08/2015	Document Defendant's 2011 & 2012 income tax returns		Marr, Patricia A., ESQ	Department T 11/08/2013	Evidence Vault
D-M	Defendant	Admitted 08/29/2013	Destroy 10/08/2015	Document Summary of Defendant's bank statements from 2011-2013		Marr, Patricia A., ESQ	Department T 11/08/2013	Evidence Vault
D-R	Defendant	Admitted 08/29/2013	Destroy 10/08/2015	Document Certification of Insurance Coverage		Marr, Patricia A., ESQ	Department T 11/08/2013	Evidence Vault



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE  
**NOTICE OF DEFICIENCY**  
ON APPEAL TO NEVADA SUPREME COURT

WESLEY LEWIS  
4650 IDAHO AVE.  
LAS VEGAS, NV 89104

DATE: October 1, 2014  
CASE: D427054

RE CASE: MARIA DANIELA LEWIS nka MARIA DANIELA PERDOMO vs. WESLEY ALLEN LEWIS

AMENDED NOTICE OF APPEAL FILED: September 23, 2014

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☐ \$250 – Supreme Court Filing Fee\*\*
  - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)\*\*
- ☐ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)\*\*
  - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☐ Case Appeal Statement
  - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☒ Notice of Entry of Order *Re: Supplemental Order filed 9/1/2014*

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NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

*Please refer to Rule 3 for an explanation of any possible deficiencies.*

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**\*Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.**

# 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):

AMENDED NOTICE OF APPEAL; DISTRICT COURT DOCKET ENTRIES;  
CIVIL COVER SHEET; ORDER; NOTICE OF ENTRY OF ORDER; SUPPLEMENTAL ORDER;  
DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

MARIA DANIELA LEWIS nka MARIA  
DANIELA PERDOMO,

Plaintiff(s),

vs.

WESLEY ALLEN LEWIS,

Defendant(s),

Case No: D427054  
Dept No: T

Amended

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 1 day of October 2014.

Steven D. Grierson, Clerk of the Court



Teodora Jones, Deputy Clerk

