

WESLEY ALLEN LEWIS,  
  
Appellant,  
  
vs.  
  
MARIA DANIELA LEWIS A/K/A  
MARIA DANIELA PERDOMO,  
Respondent,

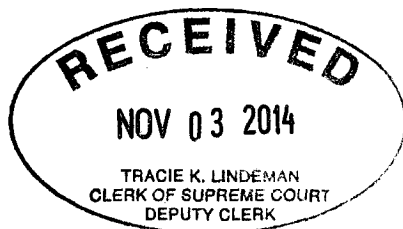
**FILED**

NOV 04 2014

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

Frances-Ann Fine  
Fine Law Group  
8975 S. Pecos Rd., Ste 5  
Henderson, NV 89074

**Respondent:**  
Maria Daniela Perdomo



14-36449

**Judgment or Order You Are Appealing.** List the judgment or order that you are appealing from and the date that the judgment or order was filed in the district court.

Filed Date                      Name of Judgment or Order

9/2/14                          Order

9/4/14                          Supplemental Order

**Notice of Appeal.** Give the date you filed your notice of appeal in the district court:

9/9/14

**Related Cases.** List all other court cases related to this case. Provide the case number, title of the case and name of the court where the case was filed.

Case No.	Case Title	Name of Court
D-12-465141-D	Looney v. Looney	Clark County District

**Issues on Appeal.** Does your appeal concern any of the following issues?

Check all that apply.

☐ divorce    ☒ child custody/visitation    ☒ child support  
☐ relocation    ☐ termination of parental rights    ☒ attorney fees  
☐ paternity    ☐ marital settlement agreement    ☐ division of property  
☐ adoption    ☐ prenuptial agreement    ☐ spousal support

☒ other - briefly explain: (1) non-mandatory education costs ordered by court in spite of evidence father could not afford this, and did not desire this; and (2) child support arrears calculations; (3) Judges interference and involvement in case essentially pleading case for Respondent; (4) excessive contempt charges (Looney v. Looney); (5) Counseling without a goal or objective of counseling.

**Statement of Facts.** Explain the facts of your case. (Your answer must be provided in the space allowed.)

The parties were divorced on or about 7/15/2011. There is one minor child the issue of the parties, to wit: ISABELLA SARA LEWIS (DOB: 8/10/06). The parties were awarded joint legal and shared physical custody at the time of the divorce. At the time of divorce, although the Parenting Agreement confirms shared legal and physical custody of the child, Appellant was ordered to pay statutory child support with an offset for medical insurance.

Although this matter appeals from the Order filed 9/2/14, it cannot be separated from the preceding Order, filed 12/27/13, entitled FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGMENT. At that time, it was clearly apparent that the Court was overly involving itself in the proceedings. The matter was regarding Respondent's motion for contempt. However, at the end of the court order, the court laid out an argument for Respondent to modify the shared physical custody and seek primary physical custody, which was ultimately awarded, and from which Appellant appeals.

#### JUDGE'S INVOLVEMENT/PLEADING OF CASE

It is known that Judge Gayle Nathan has not prevailed in the primary election, and she is, for all intents and purposes, a lame duck judge. It would not surprise ANYONE if, upon completing her ONLY term in office, she were to be employed by the Fine Law Group, who represents Respondent in this matter. The political element of it was so apparent that Appellant's former counsel withdrew, informing Appellant the judge already had her mind made up.

A review of the tape shows more than a transcript could show. However, even the transcript will demonstrate the level of personal involvement by the judge in this matter. In fact, on May 1, 2014, the Judge stated "I have a personal interest in this case" and words to the effect that she knows more about this case than you think! A judge is to remain impartial to preserve the integrity of the judicial process. That simply did not occur in this matter. Appellant believes there was misconduct by the court, and that it was clear there was bias and impropriety on the part of the judge. When Appellant's attorney withdrew, leaving him without representation, it was more like Appellant was litigating against both Respondent AND the court.

It is clear in the court minutes from the 10/14/13 hearing that the court pled the mother's entire case for a change of custody - which was NOT before the court. The hearing was solely

regarding child support and contempt.

Appellant must question why he has been treated so differently from other parties in similar situations. This matter presents a clear bias and appearance of impropriety, which is evident to an unbiased viewer.

### CHILD SUPPORT ISSUE

It is inappropriate to note that child support was not offset under Wright v. Osburn and Rivero v. Rivero, for 18% of Mother's income, although it is stated she has two part time jobs at the time. This is relevant herein because the court RETROACTIVELY modified the child support in the present order, but refused to allow an offset from 8/12, when Appellant requested an offset. His child support should never have been set without the appropriate offset. From the date of divorce, 7/15/11, until his request to modify child support in 8/12, Appellant was paying statutory support for a child for whom he had shared custody. When the matter of child support came before the District Attorney for Child Support in 8/12, and Appellant sought modification - to obtain an offset for shared custody - the court set aside any modification, alleging Appellant "tricked" the child support division into a modification. In fact, since Appellant had shared custody until the order recently filed, it is appropriate that child support should be calculated with the offset from mother's income if not all the way back to the date of divorce, at least back to when Appellant requested modification in August, 2012.

More troubling is that when the court retroactively modified the child support and set the child support arrears at \$9,012.38, it CLEARLY failed to OFFSET the payments made to the child support division, which were available to the court at the time of hearing. Exhibit "1" shows Appellant paid the sum of \$6,145.53 before the \$9,012.38 was added to his arrears. This does not give him an offset for the \$6,145.53 he paid. Exhibit "2" shows the addition of

\$9,012.38 - as if this is ADDITION to the monies already paid.

In the Order appealed from, Appellant was found in contempt of court for each month he did not make full payment as stated by Respondent's attorney (rather than the evidence) - even though he had requested a modification, even though he had been paying the full 18% of his income without offset of Respondent's income; and even though he provided his actual income to the court.

In another issue with the court order, Appellant was found to be willfully unemployed because he was working 26 hours per week, rather than 40 hours per week. The court states, "The Court finds that Defendant [Appellant] had a duty to financially support his daughter by working a full time job as the Mother of his child does ...." There is no statutory authority that a parent work 40 hours per week, and in fact, it was because work was not available 40 hours per week. Appellant worked 26 hours, rather than none. His job at Gregory Shoes had terminated due to closing the business, and he had not been able to obtain full time employment. Yes, he has personal turmoil that he had to process, but adding obligations that would be impossible to live up to does not improve that situation. Appellant had minimized his expenses to the best of his ability, by living with his parents. (Which Respondent complained about, and inaccurately alleges that meant Appellant had a 'built in babysitter.' Untrue). Appellant tried to get the child support properly established since 8/12. However, while in court, the ARGUMENT on the record (and in the transcript) was "look at him. He should be able to get a job anywhere!" Thus, he was declared 'willfully underemployed.' Such is not an appropriate determination, and surely a court that reached the same bias looking at a nice looking woman would be charged with discrimination. This is no different.

In addition to imputing his income from 26 hours per week to 40 hours per week, the

court arbitrarily and capriciously took two months of commissions, and imputed it throughout the year. Commissions vary. The outcome was imputing income to Appellant in the sum of \$1,998 per month - much higher than his actual income.

#### ADDITIONAL EDUCATION AT KUMON'S

An issue of the parties was the child's attendance at Kumon's. Mother scheduled this during Father's time, without consulting Father. This was to restrict Father's time with the child. She initially paid for it. The child did repeat first grade. The court acknowledged that Mother paid for the education at Kumon's through 10/13, then ordered the parties share the expense until the child is at or above grade level. In fact, by 5/1/13, the child was at or above grade level. This appeared to be PUNITIVE to Appellant as well.

Finally, in the Order filed 12/27/13 (from 10/14/13 minutes), the court made such putative orders that it would be impossible for Appellant to comply, including:

1. A finding of contempt for EACH AND EVERY missed child support payment for a total of 11 sanctions x \$500 = \$5,500.

2. 10 days incarceration for each sanction, totaling 110 days, stayed, but to be imposed on any single missed payment in the future.

3. ½ cost of Kumon extra education until tested at or above grade level - which she did by 5/1/13, or finding of contempt. [In fact, Kumon's director keeps no record of attendance or absences. Father asked for attendance record and learned this. Yet Respondent alleged Appellant did not bring the child to Kumons frequently, which was not true, and clearly not supported by evidence.

Thereafter, Respondent filed another motion, this time to change custody since the judge intervened in the prior motion which was solely for contempt. At the evidentiary hearing in this

matter, on 8/5/12, the court made the following contempt findings against Appellant:

1. The court found Appellant to be in contempt for not taking the child to her tutoring at Kumon, rather than having Respondent change the days at Kumons to her custodial days.

Further, there was no evidence of attendance records substantiating this - and Kumons does not keep attendance records, according to the director.

2. The court found Appellant to e in contempt in October, 2013 for failure to pay child support in June, July, August, and September of 2011, and in January, May, June, July, August, September, October and November, 2012.

3. Appellant is also in contempt of court for failing to pay his child support in October, November, December, and January, 2013.

4. The Court found Appellant in contempt of failing to pay ½ cost of Kumon's. Again, records for costs were not kept by Kumons. When Father inquired of proof of costs, the director pointed to his head and said they were all "right here." This is inappropriate!

The court had previously denied Appellant's request for continuance to obtain counsel. The hearing of 8/5/14, from which Appellant appealed, indicated that if Respondent is to come back on an Order to Show Cause, the contempts for incarceration would be IMPOSED.

#### EXCESSIVE SANCTIONS

The court in this matter has held sentencing of 110 days incarceration over Appellant is excessive. Moreover, it is inherently unjust. Appellant is not a criminal - or he was not until he came before this court. He was a father with shared custody of his child for the first two years of the divorce. There was no issue of injury or harm to the child. There were no issues of drugs, alcohol, or domestic violence. This court has ordered Appellant into contempt. He could not possibly comply with the orders set forth by this court. And the court ordered Respondent's

attorney to do the math. He was ordered to pay child support based upon imputed income; ½ medical insurance; ½ counseling fees; ½ uncovered medical costs; child support arrears; and attorney fees in the sum of approximately \$4,500 - on arrears alleged to be \$2,700! Punitive.

Appellant believes that this is a fundamentally and structurally defective criminal contempt order. Appellant, unable to afford counsel, was forced to represent himself, in violation of his Constitutional right to counsel if incarceration occurs - which was repeatedly threatened by the Judge. Appellant did not voluntarily waive his right to counsel, and any threats by the court for criminal contempt proceedings should be set aside. The Court committed clear error by threatening criminal contempt against an uncounseled party who could not afford counsel and did not voluntarily waive his right to counsel. This is a violation of Appellant's sixth and fourteenth amendment rights to the Constitution.

Appellant does not doubt Respondent will attempt to return the matter to court. Her entire intent in this matter was to remove the child from Nevada to California, which first required her to obtain custody; then to proceed to file a motion to relocate.

#### COUNSELING ISSUE

First, it should be noted that Respondent UNILATERALLY placed the child in counseling although the parties had shared legal and physical custody. There was no communication regarding choosing a counseling, or the goal or purpose of the counseling. Notice was not provided to Appellant pursuant to E.D.C.R. 5.11. It was never clear WHY the child was in counseling. The testimony of Respondent was the child was angry with mother, and kicked the mother and live in boyfriend of the time. The child is six years old. Testimony of the counselor was basically that he feels "everyone" needs counseling; no objective was made for the purpose of the counseling, or guidelines when counseling should end. The court should not



allow counseling for counseling's sake, and SHOULD have an objective of the counseling. In spite of these facts, the court allowed Respondent to use the fact the child was in counseling to somehow put blame or fault on Appellant, who does not have behavioral issues with the child, to lessen Appellant as a parent.

### CUSTODY ISSUE

Appellants reason for the appeal is the modification of custody. Custody was modified from joint legal and shared physical custody to allow Mother primary physical custody with Appellant's visitation reduced to every OTHER Friday - Sunday, and each Monday and Tuesday after school from 3 p.m. - 7 p.m. While Appellant believes there are issues with communication between the parties, Respondent is not faultless, and evidence in the record supports this. Further, the modification does not lessen the contacts between the parties, which might have been helpful. It merely appears punitive against the Appellant in every regard.

Apparently, Appellant is fit enough to have the child every other weekend, but not every weekend, and two after school visitations - during which time the mother schedules Kumons or extracurricular activities which Appellant is REQUIRED to transport the child to and from. This caveat was added during an Ex Parte Application by Respondent. AFTER the hearing, the court arbitrarily and without just cause, required Appellant to give up his time to any activities Mother enrolled the child in - which the mother immediate did after the Ex Parte Order. The child is now enrolled in Spanish class - which she does not want to take! This Ex Parte Application basically further modifies the custody order, allowing Respondent to schedule activities on Appellant's timeshare - and is entirely inappropriate - both procedurally, and regarding the child's best interest.

## FAILURE TO ALLOW APPELLANT ANY WITNESSES

Respondent's witnesses were presented, and Respondent's attorney indicated after 5 p.m. that this matter would end for the day - yes, Respondent's attorney controlled the show. With that being said, Appellant believed his witnesses would go another day. The Judge did ask if he had anything more "for today." He did not. But his witnesses were outside. The judge than announced she was ready to rule on the matter, and granted a change of custody! The entire process was trial by AMBUSH, with the Judge taking an active role. **This is not justice.**

**Statement of District Court Error.** Explain why you believe the district court was wrong. Also state what action you want the Nevada Supreme Court to take.

1. The court erred by ordering the parties to share costs of the child's extra education at Kumon. The child was no longer testing below grade level, and did not need this. Mother desired this so the child would have all "A's" in school. While wonderful for the child, the cost should not have been ordered of Father given the facts herein, especially Fathers financial inability to afford the extra education; and further, this was used as a weapon by mother, and further cut into Father's timeshare.
2. The court erred by unilaterally amending the order, after ex parte application by Respondent. This ex parte application had the effect of forcing Appellant to transport the child to extracurricular activities scheduled by the mother! This is a modification of custody, after the evidentiary hearing for custody, and completely inappropriate. Any extracurricular activities scheduled by mother should be during her timeshare.
3. The court erred by failing to hold Respondent accountable for unilaterally obtaining a child counseling, and awarding shared costs, when the purpose of the counseling, and the goal of the counseling was never determined. Counseling for counseling's sake is not appropriate.
4. The court erred by involving itself in the case, plain and simple. The court plead Respondent's case for her, and immediately after the initial hearing for contempt - and NOT to modify custody - Respondent filed for change of custody. The court loses the appearance of propriety by its degree of involvement in this matter, and it is appropriate that this matter be remanded, with the order set aside, and the action pled before a NEUTRAL and UNBIASED judge. It is undisputed this judge has a bias that the mother always wins custody. (A review of all cases she has heard clearly supports this allegation. Moreover, she is habitually removed by preemptory challege for all cases by the Father's Rights groups due to her KNOWN bias.)
5. The court failed to allow Appellant testimony of any witnesses, who were waiting outside the courtroom.

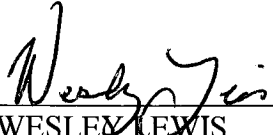
## CERTIFICATE OF SERVICE

I certify that on the date indicated below, I served a copy of this completed appeal statement upon all parties to the appeal as follows:

- ☐ By personally serving it upon him/her; or  
☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es) (list names and address(es) of parties served by mail):

Frances-Ann Fine  
Fine Law Group  
8975 S. Pecos Rd. Ste 5  
Henderson, NV 89074

DATED this 28<sup>th</sup> day of October, 2014.

  
\_\_\_\_\_  
WESLEY LEWIS  
Appellant in Proper Person

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

WESLEY ALLEN LEWIS,

Appellant,

vs.

MARIA DANIELA LEWIS A/K/A

MARIA DANIELA PERDOMO,

Respondent,

Supreme Court Case No. 66497

Case No. D427054

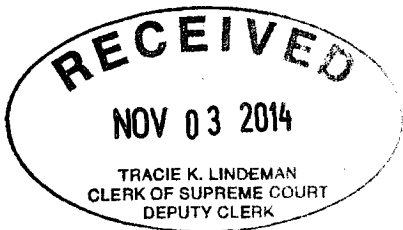
**APPEAL STATEMENT EXHIBITS**

Wesley Allen Lewis  
4650 Idaho Ave.  
Las Vegas, NV 89104

*Appellant in Proper Person*

Frances-Ann Fine  
Fine Law Group  
8975 S. Pecos Rd., Ste 5  
Henderson, NV 89074

**Respondent:**  
Maria Daniela Perdomo



**Masters Recommendations/Order**

MRAO  
STEVEN B. WOLFSON  
DISTRICT ATTORNEY  
Nevada Bar No. 001565  
FAMILY SUPPORT DIVISION  
1900 East Flamingo Road, Suite 100  
Las Vegas, Nevada 89119-5168  
(702) 671-9200  
TDD (702) 385-7486 (for the hearing impaired)  
800342200A

*Ann L. Johnson*

CLERK OF THE COURT

**District Court**  
**CLARK COUNTY, NEVADA**

Nv DHS Div Of Welfare & Supp Services, and (Maria  
Daniela Lewis),  
vs.  
Wesley Allen Lewis,  
Respondent.

Case No. RJ1161532R

Department No. CHILD SUPPORT

**MASTER'S RECOMMENDATION**

This matter having been heard on FEBRUARY 05, 2013 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations:

Parties present: ☒ Respondent ☒ Respondent's attorney ☒ Petitioner ☐ Petitioner's attorney

☐ PATERNITY ☒ PATERNITY PREVIOUSLY DECIDED

☒ FINANCIALS; ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS).

Respondent's gross monthly income (GMI) : ; formula amount % of GMI=

Basis for deviation from state formula: \_\_\_\_\_

Respondent is to pay current support for the child(ren), Isabella Sara Lewis.

**CHILD SUPPORT**

Respondent is to pay monthly:

\$0.00 child support  
medical support (in lieu of health insurance)  
spousal support  
\$30.00 arrearage payment

☒ ARREARAGES ☐ ARREARAGES NOT ADDRESSED AT THIS HEARING

Arrears/Obligation period is \_\_\_\_\_ through 09/30/12.

Arrears, interest, penalty calculated through 09/30/12 by audit. For accounting purposes next payment falls due 10/01/12.

child support arrearage of	\$2,521.00	plus interest of	\$100.07	penalty of	\$399.10
medical support arrearage of		plus interest of		penalty of	
spousal support arrearage of		plus interest of			
medical expense arrearage of					
genetic test costs of					
total arrearages of	\$2,521.00	total interest	\$100.07	total penalty	\$399.10

GRAND TOTAL (arrears + interest + penalty) = \$3,020.17

*[Handwritten signature]*

FILED  
FEB 27 2013  
CLERK OF COURT

☐ The total arrears are hereby confirmed

☒ The total arrears, interest and penalties are reduced to judgment. This supersedes prior Nevada judgments, if any, awarded under this case number. Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant to NRS 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay support for a child, pursuant to NRS 125B.095.

☐ Arrears of \$\_\_\_\_\_ subject to modification until \_\_\_\_\_, and arrears of \$\_\_\_\_\_ reduced to judgment.

☒ Arrears listed above are reduced to judgment. This supersedes prior Nevada judgments, if any, awarded under this case number.

☐

\$ 30.00

TOTAL monthly payment is due on the 1<sup>st</sup> day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.

Respondent's **INCOME SHALL BE WITHHELD** for the payment of support.

☐ Good cause to stay income withholding is based on: \_\_\_\_\_. Said withholding shall be postponed until Respondent becomes delinquent in an amount equal to 30 days support.

☐ **ENFORCEMENT OF CONTROLLING ORDER:** The registered order from \_\_\_\_\_, dated \_\_\_\_\_, # \_\_\_\_\_, is hereby confirmed and is the controlling order for the following reasons: ☐ only order \_\_\_\_\_.

☐ **ESTABLISHMENT OF CONTROLLING ORDER:** This is the first order establishing a child support obligation for this noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian.

☐ Respondent is referred to Employment Services for an appointment on \_\_\_\_\_ at \_\_\_\_\_ AM.

☒ Health insurance coverage for the minor child(ren) herein:

☒ Respondent to provide: ☐ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:

☒ if available through employer. ☐ shall provide per court order.

☒ Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support Division within 90 days of today's date

☐ **CONTEMPT OF COURT** ☒ **NOT A SHOW CAUSE HEARING**

☒ **MODIFICATION OF PRIOR ORDER:**

☒ Modification effective: 2-1-2013.

☒ This order modifies a previously existing, previously controlling support order. By this modification, this tribunal assumes or retains continuing, exclusive jurisdiction of the child support obligation for the child(ren) and parties identified in this order. Modification is proper for the following reason(s):

☒ The previously controlling order is from CLARK COUNTY, NV, dated 7-15-2011, #D-10-427054-D.

☒ An individual party, WESLEY LEWIS, has requested modification of the previously controlling Nevada support order.

☐ An individual party, \_\_\_\_\_, has requested modification; this tribunal has personal jurisdiction over the non-movant and the issuing state (the state whose order controlled prior to this modification) is no longer the residence of any individual party/contestant or child(ren).

☐ An individual party, \_\_\_\_\_, has requested modification; all individual parties and children now reside in Nevada.

☐ All parties have filed written consent with the tribunal whose order controlled prior to this modification for this tribunal to modify the support obligation and assume continuing, exclusive jurisdiction.

☐ **SUSPENSION OF LICENSES:**

**PAYMENTS**

1 All mailed payments MUST be made in the form of a cashier's check, money order or business check ONLY, made  
2 payable to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit card are  
also accepted.

3 **Payments can be mailed to:**

State Collection and Disbursement Unit (SCaDU)  
4 P.O. Box 98950  
5 Las Vegas, Nevada 89193-8950

6 **Payments can be made in person at:**

State Collection and Disbursement Unit (SCaDU)  
7 1900 East Flamingo Road  
8 Las Vegas, Nevada 89119-5168

9 Additionally, the following information must be included with each payment: name (first, middle, last) of person  
responsible for paying child support, social security number of person responsible for paying child support, child  
support case number, and name of petitioner (first and last name of person receiving child support).

10 **NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.**

11 **NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT**

12 **NOTICE:** Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant  
to NRS 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay  
13 support for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full  
obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between  
14 the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the  
Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these  
15 additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order,  
Nevada interest and penalties will only be calculated to the date of the new order and will be enforced

16 **NOTICE:** Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and  
Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the  
17 support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this  
purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168.

18 **NOTICE:** Objections/Appals are governed by EDCR 1.40(e) and (f). You have ten (10) days from receipt of this Master's  
19 Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final  
Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless  
20 signed and filed by a Judge.

21 **NOTICE:** Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written  
Notice of Entry of Judgment.

22 **NOTICE:** Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address,  
23 change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10)  
days of such change.

24 Respondent to bring new financial statement and proof of income next date.

25 This order does not stay collection of support arrears by execution or any other means allowed by law.

\*\*\*\*\*

26 **MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS:**

27 Motion for modification per NRS 125B.145(4). Pursuant to Wright v. Osburn, Petitioner's income is \$1,605 18% of  
her GMI is \$288.90. Respondent's income is \$1,353.58 and 18% is \$243.64. Subtracting the lesser amount from the  
28



1 greater amount results in a difference of \$45.26 which petitioner should pay to respondent. At this time, respondent has  
2 no obligation of support.

3 **NEXT HEARING DATE IS Off Calendar in Courtroom in Child Support Court at Child**  
4 **Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further**  
5 **proceedings.**

6 **DATED: FEBRUARY 05, 2013**

7 **MASTER**

8  
9 **Respondent/Respondent's Attorney**  
10 **Receipt of this document is**  
11 **acknowledged by my signature.**

12 **ORDER/JUDGMENT**

13 ☒ The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed  
14 within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court  
15 pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies  
16 that the ten-day objection period has expired without an objection having been filed and that the District Court deems the  
17 Master's Recommendation to be approved as an **ORDER/JUDGMENT** of the District Court, effective with the file stamp  
18 date, without need of a District Court Judge's signature affixed hereto. **The parties are ordered to comply with this**  
19 **Order/Judgment.**

20 ☐ The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and  
21 considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause  
22 appearing,

23 ☐ **IT IS HEREBY ORDERED** that the Master's Recommendation IS affirmed and adopted as an  
24 **ORDER/JUDGMENT** of the District Court this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

25 ☐ **IT IS HEREBY ORDERED** that the Master's Recommendation IS NOT affirmed and adopted this \_\_\_\_\_ day of  
26 \_\_\_\_\_, 20\_\_\_\_\_ and this matter is remanded to Child Support Court on \_\_\_\_\_, 20\_\_\_\_\_ at  
27 \_\_\_\_\_ M.

28 **District Court Judge, Family Division**

**STEVEN B. WOLFSON, Clark County District Attorney**  
**Nevada Bar No. 001565**

By: 

**DEPUTY DISTRICT ATTORNEY**  
**FAMILY SUPPORT DIVISION**  
**1900 East Flamingo Road, Suite 100**  
**Las Vegas, Nevada 89119-5168**

# Proof of Payments

Exhibit "1"



# Nevada Child Support Enforcement

PAYMENT RECORD as of 07-28-2014

Payments Received between 01-01-1999 and 07-28-2014

Total Number of Cases Retrieved: 1

Payee:	<b>PERDOMO, MARIA DANIELA</b>	Case ID:	800342200A
NCP Name:	<b>LEWIS, WESLEY ALLEN</b>	Case Status:	ACTIVE
Docket Number:	D-10-427054-D	Statement prepared by:	COPADOP
Cur Order Eff Date:	12-27-2013	Payment Total for	<b>\$6,145.53</b>
		Requested Time frame:	

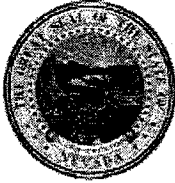
## CURRENT MONTH OBLIGATION

Provision Type	Current Support	Arrears	Total Monthly Amount
Child Support	\$91.00	\$100.00	\$191.00
Medical Cash	\$50.00	\$0.00	\$50.00

## PAYMENTS RECEIVED BETWEEN 01-01-1999 AND 07-28-2014

#	Distribution Date	Distribution Amount	Order Eff Date	Applied to Provision	Disbursed To
1	07-28-2014	\$85.46	12-27-2013	Child Support	CUSTODIAN
2	07-28-2014	\$27.77	12-27-2013	Medical Cash	CUSTODIAN
3	07-11-2014	\$91.00	12-27-2013	Child Support	CUSTODIAN
4	07-11-2014	\$22.23	12-27-2013	Medical Cash	CUSTODIAN
5	06-30-2014	\$113.23	12-27-2013	Child Support	CUSTODIAN
6	06-16-2014	\$85.46	12-27-2013	Child Support	CUSTODIAN
7	06-16-2014	\$27.77	12-27-2013	Medical Cash	CUSTODIAN
8	06-02-2014	\$91.00	12-27-2013	Child Support	CUSTODIAN
9	06-02-2014	\$22.23	12-27-2013	Medical Cash	CUSTODIAN
10	05-19-2014	\$85.46	12-27-2013	Child Support	CUSTODIAN
11	05-19-2014	\$27.77	12-27-2013	Medical Cash	CUSTODIAN
12	05-05-2014	\$91.00	12-27-2013	Child Support	CUSTODIAN
13	05-05-2014	\$22.23	12-27-2013	Medical Cash	CUSTODIAN
14	04-29-2014	\$500.00	12-27-2013	Child Support	CUSTODIAN
15	04-21-2014	\$85.46	12-27-2013	Child Support	CUSTODIAN
16	04-21-2014	\$27.77	12-27-2013	Medical Cash	CUSTODIAN
17	04-18-2014	\$500.00	12-27-2013	Child Support	CUSTODIAN
18	04-07-2014	\$91.00	12-27-2013	Child Support	CUSTODIAN
19	04-07-2014	\$22.23	12-27-2013	Medical Cash	CUSTODIAN
20	03-24-2014	\$85.46	12-27-2013	Child Support	CUSTODIAN
21	03-24-2014	\$27.77	12-27-2013	Medical Cash	CUSTODIAN
22	03-10-2014	\$91.00	12-27-2013	Child Support	CUSTODIAN
23	03-10-2014	\$22.23	12-27-2013	Medical Cash	CUSTODIAN
24	02-26-2014	\$150.00	12-27-2013	Child Support	CUSTODIAN
25	02-26-2014	\$50.00	12-27-2013	Medical Cash	CUSTODIAN
26	10-07-2013	\$15.85	02-05-2013	Child Support	CUSTODIAN
27	09-23-2013	\$15.85	02-05-2013	Child Support	CUSTODIAN
28	09-09-2013	\$15.85	02-05-2013	Child Support	CUSTODIAN
29	08-26-2013	\$15.85	02-05-2013	Child Support	CUSTODIAN
30	08-12-2013	\$15.85	02-05-2013	Child Support	CUSTODIAN
31	07-29-2013	\$15.85	02-05-2013	Child Support	CUSTODIAN





# Nevada Child Support Enforcement

PAYMENT RECORD as of 07-28-2014

Payments Received between 01-01-1999 and 07-28-2014

Total Number of Cases Retrieved: 1

Payee:	<b>PERDOMO, MARIA DANIELA</b>	Case ID:	800342200A
NCP Name:	<b>LEWIS, WESLEY ALLEN</b>	Case Status:	ACTIVE
Docket Number:	D-10-427054-D	Statement prepared by:	COPADOP
Cur Order Eff Date:	12-27-2013	Payment Total for	
		Requested Time frame:	<b>\$6,145.53</b>

## CURRENT MONTH OBLIGATION

Provision Type	Current Support	Arrears	Total Monthly Amount
Child Support	\$91.00	\$100.00	\$191.00
Medical Cash	\$50.00	\$0.00	\$50.00

## PAYMENTS RECEIVED BETWEEN 01-01-1999 AND 07-28-2014

#	Distribution Date	Distribution Amount	Order Eff Date	Applied to Provision	Disbursed To
32	07-15-2013	\$15.85	02-05-2013	Child Support	CUSTODIAN
33	07-01-2013	\$15.85	02-05-2013	Child Support	CUSTODIAN
34	06-17-2013	\$15.85	02-05-2013	Child Support	CUSTODIAN
35	06-03-2013	\$15.85	02-05-2013	Child Support	CUSTODIAN
36	05-20-2013	\$15.85	02-05-2013	Child Support	CUSTODIAN
37	05-06-2013	\$15.85	02-05-2013	Child Support	CUSTODIAN
38	04-22-2013	\$15.85	02-05-2013	Child Support	CUSTODIAN
39	04-08-2013	\$15.85	02-05-2013	Child Support	CUSTODIAN
40	03-26-2013	\$15.85	02-05-2013	Child Support	CUSTODIAN
41	03-12-2013	\$157.54	02-05-2013	Child Support	CUSTODIAN
42	02-26-2013	\$157.54	07-15-2011	Child Support	CUSTODIAN
43	02-12-2013	\$157.54	07-15-2011	Child Support	CUSTODIAN
44	01-29-2013	\$157.54	07-15-2011	Child Support	CUSTODIAN
45	01-15-2013	\$157.54	07-15-2011	Child Support	CUSTODIAN
46	01-02-2013	\$157.54	07-15-2011	Child Support	CUSTODIAN
47	12-18-2012	\$140.66	07-15-2011	Child Support	CUSTODIAN
48	08-23-2012	\$308.00	07-15-2011	Child Support	CUSTODIAN
49	03-19-2012	\$1,147.35	07-15-2011	Child Support	CUSTODIAN
50	11-10-2011	\$921.00	07-15-2011	Child Support	CUSTODIAN
<b>Grand Total:</b>		<b>\$6,145.53</b>			



PAYMENT RECORD as of 2014-07-28

Payments Received between 1999-01-01 and 2014-07-28

SUMMARY for PERDOMO, MARIA DANIELA

Case ID	NCP Full Name	Total Monthly Amount Owed	Total Disbursed to Custodian	Total Retained by the State
800342200A	LEWIS, WESLEY ALLEN	\$241.00	\$6,145.53	\$0.00
		Sum:	\$6,145.53	\$0.00

EXHIBIT 15

Arrears with Lump Sum by Court

Exhibit "2"

Report Date: 07/29/2014

**Account Balance Summary Report  
for Wesley Lewis, Non Custodial Parent**

	<b>Case Total</b>	<b>Docket Total</b>	<b>Arrears</b>	<b>Credit Balance</b>	<b>Interest</b>	<b>Penalty</b>
<b>Grand Total For NCP</b>	<b>14535.35</b>	<b>14535.35</b>	<b>13869.30</b>	<b>0.00</b>	<b>616.23</b>	<b>49.82</b>
<b>800342200A: Perdomo, Maria</b>	<b>14535.35</b>		13869.30	0.00	616.23	49.82
R11161532R / 02		<b>14535.35</b>	13869.30	0.00	616.23	49.82
<b>Grand Total For NCP</b>	<b>14535.35</b>	<b>14535.35</b>	<b>13869.30</b>	<b>0.00</b>	<b>616.23</b>	<b>49.82</b>

These figures have been calculated using information in the possession of the District Attorney's Office

CLARK COUNTY DISTRICT ATTORNEY  
FAMILY SUPPORT DIVISION  
1900 E FLAMINGO RD  
SUITE #100  
LAS VEGAS, NV 89119

CLARK COUNTY DISTRICT ATTORNEY  
FAMILY SUPPORT DIVISION  
1900 E FLAMINGO RD  
SUITE #100  
LAS VEGAS, NV 89119  
PHONE (S) (702) 671-9200

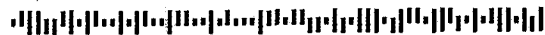
SEPTEMBER 02, 2014

\*\* CONTACT ADDRESS ABOVE \*\*

140825

007957

MR AND/OR MS WESLEY LEWIS  
4650 IDAHO AVE  
LAS VEGAS NV 89104-5910



SSN  
\*\*\*-\*\*-7093

CASE NUMBER  
800342200

LOCAL ID  
003

PAST DUE AMOUNT CLAIMED  
\$13,869.00 (NON-TANF)

The agency identified above has determined that you owe past-due child and/or spousal support. Our records show that you owe at least the amount shown above. If your case was submitted to the United States Department of the Treasury for collection in the past, this amount is subject to collection at any time by Administrative Offset and/or Federal Tax Refund Offset. If your case has not already been submitted to the United States Department of the Treasury and you do not pay in full within 30 days from the date of this notice, this amount will be referred for collection by Administrative Offset and/or Federal Tax Refund Offset. Under Administrative Offset (31 U.S.C.3716), certain Federal payments that might otherwise be paid to you will be intercepted, either in whole or in part, to pay past-due child and/or spousal support. Under Federal Tax Refund Offset (42 U.S.C.664;26 U.S.C.6402), any Federal Income Tax Refund to which you may be entitled will be intercepted to satisfy your debt. The amount of your past-due support will also be reported to consumer reporting agencies.

If you owe or owed arrearages of child support in an amount exceeding \$2,500, the agency identified above will certify your debt to the State Department pursuant to 42 USC 654(31). Once you are certified, the Secretary of State will refuse to issue a passport to you, and may revoke, restrict or limit a passport that was previously issued.

Your debt will remain subject to Federal Tax Refund Offset, Administrative Offset, and/or passport certification until it is paid in full. Important: If you owe current support, any further arrears accruing due to payments missed may be added to your debt and will be subject to collection by Federal Tax Refund Offset and/or Administrative Offset now or in the future without further notice. To determine additional amounts owed or the total amount past-due which the agency has submitted for collection, you may contact us at the address or phone number listed above.

You have a right to contest our determination that this amount of past-due support is owed, and you may request an administrative review. To request an administrative review, you must contact us at the address or phone number listed above within 30 days of the date of this notice. If your support order was not issued in our state, we can conduct the review or, if you prefer, the review can be conducted in the state that issued the support order. If you request, we will contact that state within 10 days after we receive your request and you will be notified of the time and place of your administrative review by the state that issued the order. All requests for administrative review, or any questions regarding this notice or your debt, must be made by contacting the agency identified above.

If you are married, filing a joint income tax return, and you incurred this debt separately from your spouse, who has no legal responsibility for the debt and who has income and withholding and/or estimated tax payments, your spouse may be entitled to receive his or her portion of any joint Federal Tax Refund. If your spouse meets these criteria, he or she may receive his or her portion of the joint refund by filing a Form 8379 - Injured Spouse Claim and Allocation. Form 8379 should be attached to the top of the Form 1040 or 1040A when you file, or filed according to other instructions as indicated on the Form 8379.

140825-007957