

ORIGINAL

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

Due Date: October 28, 2014

FILED

NOV 14 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *R. Malone*
DEPUTY CLERK

EX PARTE MOTION FOR LEAVE FOR WAIVER OF TRANSCRIPT COSTS

COMES NOW, WESLEY LEWIS, Defendant, in Proper Person, and moves this court for an Order permitting the applicant to obtain transcripts that are necessary in support of his appeal in the Nevada Supreme Court. This pertains to the above case, and transcripts for the following: 7/29/14 and 8/5/14, both entire hearing. There is no way the Supreme Court can see the extent the court involved itself without a transcript of these hearings, and the cost is \$1,100. Defendant's monthly income is approximately \$1,100 per month at this time.

This Motion is based upon the grounds that Appellant is unable to afford the costs of the necessary transcripts in this case, and that he is, nonetheless, entitled to redress.

This application is made and based upon Points and Authorities below and all of the pleadings and papers on file herein.

POINTS AND AUTHORITIES

In pertinent part, NRAP section 24 states as follows:


(a) Leave to proceed on appeal in forma pauperis from district court to Supreme Court. A party to an action in a district court who desires to proceed on appeal in forma pauperis shall file in the district court a motion for leave to so proceed, together with an affidavit showing, in the detail prescribed by Form 4 of the Appendix of Forms, his inability to pay fees and costs or to give security therefor, his belief that he is entitled to redress, and a statement of the issues which he intends to present on appeal...If the motion is denied, the District Court shall state in writing the reasons for the denial...If a motion for leave to proceed on appeal in forma pauperis is denied by the District Court, or if the District Court shall certify that the appeal is not taken in good faith, or shall find that the party is otherwise not entitled to proceed in forma pauperis, the clerk shall forthwith serve notice of such action. In the event this court denied this motion, which is presented in good faith, this court must pursuant to NRAP 24(b), state in writing the reasons for the denial, and the clerk must forthwith serve notice of such action.

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

14-37718

1 Based upon these facts, Appellant requests waive of transcript fees.

2 DATED this 10 day of Nov, 2014.

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5 WESLEY LEWIS
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AFFIDAVIT IN SUPPORT OF MOTION TO PROCEED ON APPEAL
IN FORMA PAUPERIS

STATE OF NEVADA

COUNTY OF CLARK

)
) ss.
)

That WESLEY LEWIS, being first duly sworn, deposes and says:

I am the Appellant in the above-entitled case; that in support of my motion to obtain transcripts without cost; that I believe I am entitled to redress; and that the issues which I desire to present on appeal are the following:

Abuse of discretion of District Court Judge in becoming personally involved in the case - stating so on the record - and making orders that are not in the best interest of the child, and that are an abuse of discretion, including ordering Appellant to bear 1/2 costs of child care, and allowing Respondent to reduce Appellant's time with the child by enrolling her in extracurricular activities and forcing Appellant to bear the cost of transportation in addition to the lost time.

I understand that a false statement or answer to any question in this affidavit will subject me to penalties for perjury.


WESLEY LEWIS

Subscribed and Sworn to
before me this 10 day of Nov 2014.


NOTARY PUBLIC

NOV 14 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

EMILY STEVENS
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 01-13-16
Certificate No: 00-62114-1

