

1 that he was asked to leave the home.

2 MR. TOTI: Yes, Judge.

3 THE COURT: And he did leave their home. So I'm not  
4 interested in what specifically was said, but what happened.  
5 Okay?

6 Sir, you can answer the question.

7 Overruled.

8 THE WITNESS: Yes, sir.

9 I was just asked to leave if it was getting too  
10 late; or if we were arguing, it was just uncomfortable.

11 Q BY MR. STRANGE: Would it be fair to say there is a  
12 high level of conflict --

13 A Yes.

14 Q -- between you and her family?

15 A Yes.

16 Q Okay. And -- let's see here. So between when you  
17 -- str -- strike that.

18 After Ryder's birth and until you came to court  
19 here, would Paige ever contact you about the child, how he's  
20 doing, medical issues, anything of that nature?

21 A No, not unless it was asked.

22 Q Okay. You -- you would have to inquire of Paige?

23 A Yes.

24 Q Okay. Would she tell you about doctors

1 appointments?

2 A Only before the child was born.

3 Q Prior to birth?

4 A Yes.

5 Q Not after, okay. Did you ever inquire to her why  
6 she's not keeping you advised?

7 A No.

8 Q Okay. When you first had the supervised visitation  
9 with Ryder at Donna's House, how was he? Can you describe his  
10 condition?

11 A Yeah, he was crying a lot. It was really difficult  
12 to create a bond because he was crying so much because I was  
13 unfamiliar to him.

14 Q And how is he doing now?

15 A He doesn't cry. He laughs and plays with -- with me  
16 and my family. He has a good time when he comes to my house.  
17 He eats a lot. He's always -- he's always in a good mood.

18 Q Have there been any issues you've noticed with Ryder  
19 since you've started having visitation?

20 A Yes.

21 Q What sort of issues have you noticed?

22 A He has a lot of scratches and stuff when he comes  
23 over to my house. He'll have a bruise. Like, he had a bruise  
24 on his head one time. He was sick. I had to -- I had to

1 notify Paige that he was sick because she had no idea. I --  
2 there was also -- he's underweight.

3 Q Did you communicate any of these issues to Paige?

4 A Yes.

5 Q And what was her response?

6 A We had a brief discussion in front of her house when  
7 I asked her to sign some receipts, and she under -- she said  
8 that she knew he was underweight. And she would always beat  
9 around the bush when it came to the injuries that were on the  
10 child.

11 Q Kevin, I want you to -- to direct you to the binder  
12 that's marked Plaintiff's Exhibits; and I want you to flip to  
13 tab number 5, please.

14 A Yes.

15 Q And I want you to look at, you know, tab 5. Do you  
16 recognize that?

17 A Yes.

18 Q What -- what is that?

19 A It's a scratch on the back of his heel.

20 Q Of whose heel?

21 A Of Ryder.

22 Q And did you take this picture?

23 A Yes.

24 Q Do you know when you took this picture

1 approximately?

2 A It was about a month ago.

3 Q Okay. And is that picture a true and accurate  
4 representation of what his foot looked like at the time?

5 A Yes.

6 MR. STRANGE: Your Honor, I'd move to admit Exhibit 5  
7 into evidence.

8 MR. TOTI: No objection, Judge.

9 THE COURT: Thank you.

10 5's admitted.

11 (Whereupon Plaintiff's Exhibit 5 was admitted.)

12 Q BY MR. STRANGE: Kevin, I'll have you -- to speed  
13 this up, if you could look at tab 7 -- or 6, 7, 8, 9, 10, 11  
14 and 12 and 13 through -- and 14. We'll go one at a time. But  
15 look at those for a minute.

16 In terms of Exhibit Number 6, do you recognize that  
17 as well?

18 A Yes.

19 Q And what is that, Kevin?

20 A That was -- is -- that would be his right heel.

21 Q And is that the same injury as the previous picture,  
22 or is that a different injury?

23 A It's a different injury.

24 Q Okay. When was this picture taken?



1 A Same day.

2 Q Same day, so -- okay. And did you take this  
3 picture?

4 A Yes.

5 Q Okay.

6 MR. STRANGE: Your Honor, I would move to have Exhibit 6  
7 admitted into evidence.

8 THE COURT: Why don't you just have him iden -- identify  
9 all of them and then I'll (indiscernible).

10 MR. STRANGE: Okay.

11 THE COURT: Do you have any objection to 6 through 14?

12 MR. TOTI: No, Judge.

13 THE COURT: All right.

14 You can -- they'll be admitted by agreement without  
15 the foundation. You can cover them however you want.

16 MR. STRANGE: Okay.

17 (Whereupon Plaintiff's Exhibits  
18 6 through 14 were admitted.)

19 Q BY MR. STRANGE: And so, Kevin, let's look at number  
20 7. And do you recognize this?

21 A Yes.

22 Q And what -- what -- what is this picture of?

23 A It's a bruise on his head.

24 Q Okay. Of whose head?

1 A Ryder's head.

2 Q Okay. Did you take this picture?

3 A Yes.

4 Q Okay. Let's look at number 8. Do you recognize

5 this picture?

6 A Yes.

7 Q And what is this picture?

8 A It's the same picture as number 8.

9 Q Okay.

10 A And it's just a copy.

11 Q Okay. And do you know when this picture was

12 approximately taken?

13 A Yes, this is about a week after 6 and 7.

14 Q Okay. And so let's just, as we proceed through,

15 forward, let's look at number 9. Is that just a different

16 view of that picture?

17 A Yes.

18 Q Okay. And how about number 11 -- I'm sorry, 10.

19 Excuse me, 10.

20 A Number 10 is a cut he has on his -- that Ryder has

21 on his chin.

22 Q And when was this picture from?

23 A This was about two weeks -- about -- maybe within a

24 week of number 10.

1 Q A week after, you mean?

2 A Yes.

3 Q Okay. And as to number 11?

4 A It's a cut behind his ear.

5 Q Is that from the same time?

6 A Yes.

7 Q Okay. And how about 12, 13 and 14, Kevin?

8 A These are scratches and abrasions that he had. On  
9 number 13, it's on (indiscernible). He has a bruise on his --  
10 on the bridge of his nose. He has a bruise on his eye, cuts  
11 on his head and a bruise above his eyebrow.

12 Q And were these from separate instances?

13 A I'm not sure.

14 Q Okay.

15 A I -- that's how I received Ryder.

16 Q Okay. Meaning, from different visitations, is what  
17 I'm saying.

18 A Yes.

19 Q Okay. And each time you would notice these, would  
20 you bring it up with Paige?

21 A Yes.

22 Q And did she respond as to what she thought the cause  
23 was?

24 A Yes, she did.

1 Q What did she tell you she thought the cause was?

2 A She had said the abrasions on the back of his heels  
3 were from being in the stroller. But I feel like Ryder's too  
4 small to even reach the tires for them to cut him.

5 Q Okay. You -- you had mentioned earlier that you  
6 believe Ryder was underweight.

7 A Yes.

8 Q How did you come to this belief?

9 A My mom is a special ed facilitator. She deals with  
10 children all the time. And I had also taken his doctor his  
11 medical records because I felt as though he was underweight  
12 because the baby should of -- he should be a little bit  
13 heavier than what he is.

14 Q Uh-huh. And so since you discovered that, have you  
15 taken any steps to remedy that situation?

16 A Yes.

17 Q What -- what have you done?

18 A I feed the child as he's hungry, whenever he's  
19 hungry. I don't limit his food. I let him take in as much as  
20 he would like until he's full and he's done eating.

21 Q How is his weight now?

22 A It's gone up.

23 Q Okay. Have -- have you communicated that issue with  
24 -- or about that to Paige?

1 A Yes.

2 Q And is she in agreement, not in agreement?

3 A She's not in agreement.

4 Q Why is she not in agreement?

5 A She -- she likes to limit his food and know how much

6 he is eating and exact amounts. She will only give him exact

7 amounts of everything.

8 Q Kevin, would you please flip to number 16?

9 A Yes.

10 Q Do you know what that -- that is?

11 A Yes.

12 Q Wh -- what is this, Kevin?

13 A This is a certificate of -- this is the affidavit

14 from the custodian of records that I requested documents

15 regarding his -- all of his medical records.

16 Q Okay. And you -- you obtained these?

17 A Yes.

18 Q Okay.

19 MR. STRANGE: Your Honor, I'd move to admit Exhibit 16

20 into evidence.

21 THE COURT: Any objection?

22 MR. TOTI: No, Judge.

23 THE COURT: Thank you.

24 16 is admitted.

1 (Whereupon Plaintiff's Exhibit 16 was admitted.)

2 Q BY MR. STRANGE: You indicated earlier that after  
3 the birth, you hadn't been advised of when he was going to the  
4 doctor; correct?

5 A Yes.

6 Q Did you go to any of the doctors appointments after  
7 Ryder's birth?

8 A Yes, one.

9 Q Which one did you go to?

10 A The very first one.

11 Q Okay.

12 A It was about a week after he had left the NICU  
13 (indiscernible).

14 Q If you had known about the other visits, would you  
15 have gone?

16 A Yes.

17 Q Okay. Would -- so ob -- you would like to obviously  
18 be advised if he's going to the doctor so you could attempt to  
19 --

20 A Yes.

21 Q -- go as well. Would that be correct?

22 A Yes, sir.

23 Q Okay. Kevin, let's talk about the incident they're  
24 -- the alleged regarding taking the child. Are you familiar

1 with the incident they're referring to?

2 A Yes.

3 Q Wh -- what are they referring to, Kevin?

4 A They're referring to the incident on October 17<sup>th</sup>.

5 Q Can you describe for me what -- what transpired?  
6 What happened?

7 A Yes. Me and Paige had been texting the day or two  
8 before that she was going to allow Ryder to come over for a  
9 visit. And instead, she chose not to or to even respond. And  
10 I had asked her continuously where Ryder was, and she wasn't  
11 telling me where he was. So I went to her house. And when I  
12 grabbed -- I had gotten -- I asked her to see Ryder. And I  
13 had been advised by Las Vegas Metro Police Department that I  
14 did not need permission to take my child home for a visit, and  
15 I told her I was going to leave with Ryder and that I was  
16 going to return and bring him back to her. And she proceeded  
17 to pull on me and on Ryder, and she proceeded to hit me as I  
18 was holding Ryder.

19 Q Paige proceeded to hit you?

20 A Yes.

21 Q Okay. Did you contact the police?

22 A Yes.

23 Q And did they respond?

24 A Yes.

1 Q Can you please flip to Exhibits 14 and 15? Are you  
2 familiar with this?

3 A Yes.

4 Q Wh -- what are -- what are Exhibits 14 and 15,  
5 Kevin?

6 A 14 is the police report and the documentation of  
7 what had happened that night and my voluntary statement. 15  
8 are the photos that the police officers took. It was -- the  
9 Sergeant was called out for the incident.

10 MR. STRANGE: Your Honor, I'd move to admit Exhibits 14  
11 and 15 into evidence.

12 MR. TOTI: No objection, Judge.

13 THE COURT: Thank you.

14 14 and 15 are admitted.

15 (Whereupon Plaintiff's Exhibit 14 and 15 were admitted.)

16 Q BY MR. STRANGE: Kevin, was it your intent to take  
17 the child and not return Ryder?

18 A No.

19 Q What was your intent?

20 A To take him to meet his family.

21 Q Okay. But not to permanently remove?

22 A No, of course not.

23 Q Okay. How would you describe your relationship  
24 between yourself and Paige's family?



1 A Very, very hostile.

2 Q Are they rude to you?

3 A Yes.

4 Q How are they rude to you?

5 A They all make remarks and different things. I mean,  
6 just for example, when we had the visitation at their house,  
7 the first supervised visitation, there was a lot of arguing  
8 and fighting going on amongst myself, Paige, her father, her  
9 mother; and just a lot of things were said that just -- I  
10 would -- I would rather not repeat it.

11 Q Okay. But suffice it to say, it -- it's a ten -- a  
12 tense situation.

13 A Yes.

14 Q Would that be accurate? And is one of your requests  
15 of the Court, for the exchanges to be moved to a neutral  
16 location?

17 A Yes.

18 Q Do you have a neutral location in mind?

19 A Yes. I --

20 Q Would you please tell the Court what the location  
21 you have in mind is?

22 A Yes. It's a gas station that is between me and  
23 Paige. It's in the middle. So we can both meet up there.

24 Q Do you know the address?

1 A I do not. I had -- I had sent it.

2 Q I believe it -- is it the one at the 8096 South  
3 Durango?

4 A Yes.

5 Q Okay. And that's where you would like the exchanges  
6 to take place, correct?

7 A Yes.

8 Q Or some other neutral location if -- if all else  
9 fails?

10 A Yes.

11 Q Okay. Are you also asking the Court for the  
12 receiving parent to pick up?

13 A Yes.

14 Q Okay. And in this case, if it goes to a neutral  
15 location, then obviously you would meet every time; correct?

16 A Yes, sir.

17 Q Okay. When you have Ryder, do you leave him with  
18 anybody else?

19 A No.

20 Q You exercise your entire time, correct?

21 A Yes.

22 Q Okay. You don't leave him with your mom and run  
23 out?

24 A No.

1 Q Okay. You don't leave him and go to work?

2 A No, never.

3 Q Okay. When you transport him, does he have a -- a  
4 baby seat?

5 A Yes.

6 Q Is it properly installed?

7 A Yes.

8 Q Okay. Do you exercise due care when operating your  
9 vehicle in transporting Ryder?

10 A Yes.

11 Q Do you speed?

12 A Not when the child's in the car.

13 Q Okay. But you have sped in the past?

14 A Yes.

15 Q Okay. And are you advising the Court that you  
16 obviously would not speed with the child in the car?

17 A Yes.

18 Q Okay. You've requested the Court for a name change  
19 of the minor child?

20 A Yes.

21 Q What's the name you're requesting the child's name  
22 be changed to?

23 A I would like the name to be changed to my last name.  
24 It -- I would also be willing to consolidate with a hyphenated

1 last name.

2 Q And -- and why is that important to you?

3 A It's important in my culture, and I would like my  
4 son to know where he comes from.

5 Q Wh -- what culture are you?

6 A I'm Hispanic.

7 Q And -- and can you describe for the Court why that  
8 would be important?

9 A Yes, in Hispanic families, usually most children  
10 have their father's last name first and their mother's second.

11 Q Okay. We had also discussed -- is one of your  
12 requests as well, of the Court, for a behavioral order to be  
13 issued?

14 A Yes.

15 Q Okay.

16 MR. STRANGE: No further questions at this time, Your  
17 Honor.

18 THE COURT: Mr. Toti, your witness.

19 MR. TOTI: Thank you, Judge.

20 CROSS-EXAMINATION

21 BY MR. TOTI:

22 Q Sir, first you indicated that you currently reside  
23 with your parents?

24 A Yes.

1 Q And that's the Richmar address?

2 A Yes.

3 Q Do you have your driver's license on you?

4 A No, I do not.

5 Q You're not carrying your driver's license?

6 A No, I'm not.

7 Q Okay. Are there any other residences that you have?

8 A No.

9 Q Okay. Do you remember providing my office your  
10 temporary driver's license?

11 A Yes.

12 Q Do you remember the address on that temporary  
13 license?

14 A No.

15 Q If I told you it was 6521 Kell Lane, would that  
16 refresh your memory?

17 A Yes.

18 Q What address is that?

19 A It's a friend's.

20 Q Whose?

21 A It's one of my friends. It's a mutual friend that I  
22 have.

23 Q Who is your friend, sir?

24 A My friend is -- her name is Alejandrea (ph).

1 Q Uh-huh. What's her last name, sir?

2 A Cuevas.

3 Q What is -- I'm sorry?

4 A Cuevas.

5 Q Could you spell that?

6 A C-U-E-V-A-S.

7 Q Okay. And she is a friend of yours?

8 A Yes.

9 Q Do you reside at that residence?

10 A No.

11 Q Did you reside at that residence at the time?

12 A No.

13 Q Why did you put down that address as your address on

14 your temporary license?

15 A It was going to be my mailing address. I had

16 switched the two by accident.

17 Q Okay. And if you did have your license today, would

18 it be the Kell address residence on that driver's license?

19 A I requested a new one.

20 Q That's not my question, sir. If you had your

21 driver's license on you today, would it be the Kell address --

22 A Yes.

23 Q -- or would it be the Richmar? Which one?

24 A The Kell.

1 Q Okay. So at least with regards to the DMV, your  
2 address is the Kell Lane address?

3 A Yes.

4 Q Okay. But you're telling this Court, you live at  
5 Richmar with your parents?

6 A Yes.

7 Q Okay. And not the Kell address, which is what your  
8 driver's license says?

9 A Yes.

10 Q How many people reside in the Kell address  
11 residence?

12 A I believe it's just her mother and her and her  
13 father.

14 Q Okay. Have you ever stayed the night there?

15 A No.

16 Q And it's -- it was a mistake or a misunderstanding  
17 that that address is the address on your driver's license?

18 A Yes.

19 Q Okay. You stated that your current work schedule is  
20 Tuesday through Saturday from 10:00 a.m. to 4:00 p.m.,  
21 correct?

22 A Yes.

23 Q And that you're off on Sunday and Monday?

24 A Yes.

1 Q And you've indicated that it hasn't happened yet,  
2 but there might be a circumstance wherein you go to on call?

3 A Yes.

4 Q I generally don't like to talk about things that  
5 haven't happened; but what exactly would going on call --  
6 because you said it wouldn't change things but, yet, it would.  
7 So could you please give us a little bit better idea of what  
8 you're talking about?

9 A Yes. So when they say on call, it would be that  
10 you'd call at 8:00 in the morning to see if you're going to  
11 work the midday shift; and then you'd call again at 12:00 to  
12 see if you're gonna work the night shift.

13 Q So would there be times that you're not working  
14 Tuesday through Saturday from 10:00 a.m. to 4:00 p.m., or  
15 would this just increase your time?

16 A It would be -- there would be times where I'm not  
17 working.

18 Q Okay. And, again, that's just speculative. It  
19 hasn't happened yet?

20 A Yes.

21 Q You indicated that after the birth of the child,  
22 Paige never reached out to you to have contact with the child?

23 A Yes, unless it was on her terms and conditions.

24 Q Okay. So she did contact you to come and see the



1 child on several occasions, correct?

2 A A few.

3 Q Okay. Not the zero, like you testified to earlier?

4 A Yes.

5 Q Yes, I -- I'm correct?

6 A Yes, you are.

7 Q Okay. So you're changing your testimony that Paige  
8 did reach out to you after the birth of the child to come and  
9 see the child, correct?

10 A Yes.

11 Q Okay. Isn't it true that the very first time Paige  
12 brought the child home from the hospital and contacted you to  
13 come see the child, you declined?

14 A Yes.

15 Q Why did you decline?

16 A Because the -- the situation with our families was  
17 already in a hostile environment.

18 Q Okay. Now previously when you testified and your  
19 attorney was asking you questions, and he asked you why you  
20 were seeing the child so little at the beginning or at the  
21 offset right after the child was born, you had indicated that  
22 you were working a lot.

23 A Yes.

24 Q What were you doing at the time?

1 A I was doing construction.

2 Q Okay. And what were your work hours at that time?

3 A They would range from anywhere from 5:00 in the

4 morning to 2:00 in the afternoon, and then we would have to

5 unload and reload for the next day.

6 Q Okay. And how late would that take you to?

7 A Well, we would go home for a few hours. We'd come

8 back. So we would be there till about (indiscernible)

9 o'clock.

10 Q Till about -- I'm sorry?

11 A 8:00.

12 Q 8:00 in the evening?

13 A We would leave at 2:00, come back, and finish

14 loading for the next day.

15 Q Okay. So you admit that because of your work

16 schedule, you didn't see the child very often after the child

17 was born and brought home from the hospital.

18 A Yes.

19 Q Okay. You also testified that her parents

20 interfered with your visitation.

21 A Yes.

22 Q And then when your attorney asked you specifically

23 what you meant, you said, that they brought food.

24 A Yes, because they were --

1 Q That was -- how was that interfering?

2 A -- they were -- they were just coming to  
3 continuously check over and over and over as to what I was  
4 doing with the child.

5 Q You were in their home, correct?

6 A Yes.

7 Q Okay. And you testified that they brought food.

8 A Yes, they did.

9 Q Okay. Then you testified that they would ask you to  
10 leave. And you said, if it was getting late.

11 A Yes, they would -- they would ask me to leave.

12 Q So after if was a certain hour of the evening, they  
13 would finally say, okay, that's enough for tonight and ask you  
14 to leave?

15 A Yes.

16 Q Okay. Was that unreasonable?

17 A At the hour that it was, yes.

18 Q What time was it?

19 A About 8:00 (indiscernible) --

20 Q Weren't you unloading the -- the -- the trucks at  
21 that time in your construction job?

22 A It wasn't every day that we would do it.

23 Q Okay. So you -- you -- in your opinion, you being  
24 in their home at 8:00 or later wasn't a problem?

1 A No.

2 Q Okay. Did you ever ask them to stay longer?

3 A No.

4 Q Okay. And you indicated that you were only told of  
5 medical appointments that Paige went to prior to the child's  
6 birth. Is that correct?

7 A Yes.

8 Q Okay. And that she didn't tell you about any  
9 doctors appointments afterwards?

10 A Yes.

11 Q How many times did you ask her about doctors  
12 appointments after the child's birth?

13 A I wasn't aware that he was even going to the -- to  
14 the doctor, besides the one time that he had gone; and I had  
15 gone with him.

16 Q Okay. So the only doctors appointment that you knew  
17 about, you went to?

18 A Yes.

19 Q And then you never reached out to find out any  
20 subsequent doctors appointments?

21 A I didn't know that there was any.

22 Q That's not my question, sir. You never reached out  
23 to find out if there were any subsequent doctors appointments?

24 A No.

1 Q Now, in October -- and I believe October 17<sup>th</sup>, 2013,  
2 this is the incident that you testified to wherein the police  
3 were called; correct?

4 A Yes.

5 Q Okay. Could you turn to your Exhibit 14?

6 A Yes.

7 Q And could you look at the second full paragraph that  
8 starts, Kevin states that? Do you see that?

9 A Yes.

10 Q Could you read that paragraph, sir?

11 A Yes. Kevin states that they've never lived  
12 together. He still lives with his mother and just got a job.  
13 He admitted that this -- that his intent was to take the baby  
14 away from -- that his bab -- to take the baby away from Paige  
15 and take him home. Even though the baby was being breast fed,  
16 he has no breast milk at his house. He also never cared for  
17 the baby yet. It only take -- it's only three-week -- three-  
18 weeks' old. I asked him -- I asked him if it would be better  
19 for the baby to stay wi -- for -- with mom for now and to make  
20 arrangements for another time to take the baby for an hour or  
21 so. He a -- he agreed that would have been a better plan  
22 instead of just running away with his son. His mother  
23 pressuring him to do things other -- to do things he should  
24 not be doing. He needs to address concerns with Paige and

1 Paige only.

2 Q So looking at that paragraph, the first thing I  
3 would ask you is, it states that he just got a job. Is that  
4 the construction job we're talking about?

5 A At the moment, no.

6 Q Okay. What job are they talking about on October  
7 17?

8 A On October 17<sup>th</sup>, I -- I don't recall.

9 Q You don't recall what you're -- where you were  
10 working on October 17 --

11 A No.

12 Q -- 2013?

13 A No.

14 Q Okay. The construction job, when did you start that  
15 job?

16 A I don't recall.

17 Q How old are you sir?

18 A 21.

19 Q Okay. Did you graduate high school?

20 A No.

21 Q Okay. When did you stop wor -- or when did you stop  
22 going to high school?

23 A 12<sup>th</sup> grade.

24 Q 12<sup>th</sup> grade?

1 A Yes.

2 Q Were you 18?

3 A Yes.

4 Q Okay. Between 18 and today, how many jobs have you  
5 had?

6 A Sir, I don't know.

7 Q 100?

8 A No.

9 Q 50?

10 A No.

11 Q 25?

12 A No.

13 Q 10?

14 A No.

15 Q 5?

16 A Maybe around 5.

17 Q Okay. You work construction --

18 A Yes.

19 Q -- yes? You currently do tattoos, correct?

20 A No.

21 Q What do you do at the tattoo parlor?

22 A I'm a clerk, and I'm apprenticing.

23 Q Okay. And I believe, if I remember correctly, the  
24 first time we were here, you did something with windows.

1 A Yes, that's a construction.

2 Q That was a construction job?

3 A Yes.

4 Q Okay. So you've had about five jobs. You can only  
5 recall two of them, correct?

6 A On the -- yes.

7 Q Okay. Do you have any medical -- medical condition  
8 or issues with your memory?

9 A No.

10 Q And yet you can only remember two of the five jobs  
11 that you've had in the last three years?

12 A Yes.

13 Q Okay. Now going back to the paragraph, when you and  
14 Paige finally determined that you'd be coming over on that  
15 day, you had indicated to her that you were just going to come  
16 by and see the baby; correct?

17 A No.

18 Q What did you say, sir?

19 A We had discussed that he was going to come over for  
20 a visitation at my house.

21 Q Right. And then ultimately she said, when you guys  
22 were going back and forth, that she didn't feel comfortable  
23 and that instead you could just come for a visitation;  
24 correct?



1 A Correct.

2 Q And so you went over there, having agreed to just  
3 come over for a visitation; correct?

4 A No.

5 Q When you and Paige had this meeting of the minds  
6 that you would come over on this day for visitation, it was  
7 after Paige had indicated she did not feel comfortable with  
8 you taking the baby that day; correct?

9 A Correct.

10 Q And you still agreed to come over and see the baby,  
11 correct?

12 A Incorrect.

13 Q You didn't go over and see the baby that day?

14 A I did, but not because of that.

15 Q Did you agree to go see the baby on October 17<sup>th</sup>?

16 A Yes.

17 Q Knowing that Paige had indicated that the only way  
18 you would be allowed to do that is if you didn't leave with  
19 the child, correct?

20 A In -- yes, correct.

21 Q Okay. And yet you did so anyway, correct -- or  
22 attempted to, correct?

23 A Yes.

24 Q Okay. You had never had the baby alone before,

1 correct?

2 A Correct.

3 Q And ultimately, in talking to the police officer  
4 here, it indicates that you agreed that it was a dumb idea for  
5 you to try do that; correct?

6 A Yes.

7 Q Okay. It also indicated that now -- what is it --  
8 what is -- what did you mean when you indicated that your  
9 mother was pressuring you to do things you should not be  
10 doing?

11 A I didn't -- I didn't write that. That's a -- I  
12 didn't say that. That's a personal -- that was a personal  
13 input.

14 Q This is your exhibit, right?

15 A Yes.

16 Q This is your document you're introducing to the  
17 Court?

18 A Yes.

19 Q It's incorrect?

20 A Yes, that's why it was amended.

21 Q Okay. You didn't testify to that until just now.  
22 You understand that, right?

23 A Yes.

24 Q Okay.

1 A But you were asking me on this paragraph  
2 specifically.

3 Q That's correct. So --

4 A Yes, sir.

5 Q -- the comment here, where it says, his mother is  
6 pressuring him to do things he shouldn't be doing, you don't  
7 recall making any type of statement like that?

8 A No.

9 Q It's just written here incorrectly, according to  
10 your testimony?

11 A No, I feel as though that was a personal opinion  
12 that was interjected.

13 Q My question, sir, is, do you think it's just a -- it  
14 was written --

15 A No.

16 Q -- even though it was never said or done?

17 A No.

18 Q No what? What do you mean by no?

19 A No, it wasn't just written.

20 Q Okay. So did you -- so did you say something to the  
21 officer that led him to believe that you were doing something  
22 you shouldn't be doing because of your mother's influence?

23 A No.

24 Q What happened? How -- in your opinion, how did the

1 police officer, who didn't write this incorrectly, according  
2 to your testimony, come to write that statement?

3 A I feel as though it was a personal -- it's a  
4 personal interjection.

5 Q Correct. You've testified to that.

6 A Right.

7 Q But my question to you is, can you recall saying  
8 anything to the police officer that would have led him to  
9 write that statement?

10 A No.

11 Q No. Did he know you had a mother?

12 A Yes.

13 Q How did he know you had a mother?

14 A She was present.

15 Q Did your mother say anything to the officer to your  
16 knowledge?

17 A Yes.

18 Q But to your recollection, you never indicated that  
19 your mother was pressuring you to do -- to do things that you  
20 shouldn't be doing?

21 A No.

22 Q Do you have any idea what the things you shouldn't  
23 be doing are alluding to in that paragraph?

24 A Can you clarify the question for me?

1 Q According to the tenor of this document, it sounds  
2 as if you did something wrong; and you realized it was wrong  
3 but that it was your mother pressuring you to do something  
4 wrong. Do you know what that something is referring to?

5 A My mother didn't pressure me to do anything.

6 Q That wasn't my question, sir. You've already  
7 testified that that statement is, in your opinion, a personal  
8 interjection from the police officer --

9 A Yes.

10 Q -- correct? And I asked you, where in the world  
11 would he even know you had a mother? And now we've realized  
12 that your mother was actually there, correct?

13 A Yes.

14 Q So now I'm asking you, can you think of anything  
15 that that something you should not be doing is alluding to?

16 A Yes.

17 Q What's that?

18 A Going to her house.

19 Q And attempting to take the baby maybe?

20 A Yes.

21 Q Now after October 17<sup>th</sup>, you hadn't seen the baby  
22 again until we came into court; and the Court ordered the  
23 supervised contact down at Donna's House. And I believe that  
24 visitation occurred either in late February or early March of

1 2014. Is that correct?

2 A Yes.

3 Q So November, December, January, February, about  
4 four-and-a-half, five months with no contact?

5 A Yes.

6 Q Okay. Now you filed your action in late December of  
7 2013. Does that sound right to you?

8 A Yes.

9 Q So a little bit more than two full months after your  
10 last contact with the child, you decided to file an action for  
11 divorce and for custody and visitation; correct?

12 A Yes.

13 Q Why the delay, sir?

14 A I was saving my money.

15 Q For what, sir?

16 A For the cost.

17 Q The cost of what?

18 A All the -- all the fees that you have to pay for --  
19 for putting in documents.

20 Q Okay. Now you did this on your own, correct?

21 A Yes.

22 Q So there were no attorney's fees?

23 A Yes. There was none.

24 Q There were none. So you're referring to the -- the

1 filing costs?

2 A Yes.

3 Q Do you recall what those were?

4 A It was about 6 to \$700.

5 Q 6 to \$700 to file the papers?

6 A Yes, to file all my motions.

7 Q 6 to \$700?

8 A I believe so.

9 Q Okay. And the job that you can't remember, that you  
10 just got, on or around October 17<sup>th</sup> that's alluded to in the  
11 police report, were you still working that job in December?

12 A I can't recall.

13 Q Okay.

14 A In December? No, I was not.

15 Q What were you doing at that time?

16 A I was unemployed.

17 Q Did you think to borrow the funds to file the papers  
18 so you could maybe have contact sooner?

19 A No.

20 Q That never crossed your mind?

21 A It did.

22 Q So you didn't? It crossed your mind, but you never  
23 actually did it?

24 A Yes.

1 Q Okay. Did you ever perhaps think to file or request  
2 to have the filing costs waived?

3 A I didn't know you could do that, sir.

4 Q Now even though you filed these papers in proper  
5 person, did you seek any assistance from any third party in  
6 the formation of these papers in the preparation of them?

7 A No.

8 Q You created all the documents on your own without  
9 any assistance?

10 A Yes, other than my mother, who advised; but I -- I  
11 wrote everything; and I did everything myself.

12 Q And you -- you don't have any legal background do  
13 you?

14 A No.

15 Q Did you ever work in a law office?

16 A No.

17 Q Okay. How did you come to figure out how to file  
18 these papers and what to write and what to prepare?

19 A It was all online.

20 Q Okay. What website? Do you recall?

21 A I used Google as a search engine, and whatever it  
22 led me to is what I would, you know, reference and look at  
23 what other people had written.

24 Q Okay. And it was specific for Nevada?



1 A Yes. I was following the NRS, statutes.

2 Q Okay. And you never cra -- came across the statute  
3 that said that you could waive the filing fees?

4 A No, I didn't even know that that's possible.

5 Q Okay. Now you filed your motion in late December of  
6 2013, correct?

7 A Yes.

8 Q And the hearing was in February of 2014, correct?

9 A Yes.

10 Q Okay. Why didn't you file for an order shortening  
11 time to have your motion heard sooner?

12 A I did it with an emergency -- I filed a -- I -- I  
13 filed for an emergency thing, but they sa -- they had said  
14 that there was no emergency that was needed. There was  
15 nothing -- that the child wasn't in danger and there was no  
16 danger to this child.

17 Q Who told you that?

18 A The clerk.

19 Q Which clerk, sir?

20 A I can't recall.

21 Q Do you have any documentation that shows that your  
22 request for an order shortening time was rejected?

23 A No, I never filed it.

24 Q So, sir, I'm gonna ask the question again.

1 A Yes.

2 Q Why -- you -- I -- I just asked you if you filed for  
3 an order shortening time.

4 A Yes.

5 Q And you said, yes. And now I'm asking you for -- to  
6 -- some verification or proof of that. Now you're saying you  
7 didn't actually file them?

8 A I didn't never put it through because the -- the  
9 clerk had told me that I would be wasting the money to file  
10 it. So I -- yes, I did the paperwork; but I never put it  
11 through.

12 Q So you -- you don't have that paperwork here, do  
13 you?

14 A No, I do not.

15 Q Okay. So you have no proof that you ever filed any  
16 type of order shortening time in this case for your motion,  
17 correct?

18 A No.

19 Q Okay. And other than your hearsay comments that a  
20 clerk allegedly told you that it would make no sense for you  
21 to file this order shortening time, you have no proof that any  
22 clerk told you not to file the order shortening time; correct?

23 A Correct.

24 Q And you went four-and-a-half months without contact

1 -- without seeing the child?

2 A Yes.

3 Q Through my office, Paige filed an opposition to your  
4 motion; correct?

5 A Yes.

6 Q And that motion was filed in early January 2013 --  
7 or 2014, correct?

8 A Yes.

9 Q And a copy of that document was mailed to you?

10 A Yes.

11 Q And you received that document?

12 A Yes.

13 Q Did you ever contact my office in effort to try to  
14 work out some type of visitation pending the February hearing?

15 A No.

16 Q Why not?

17 A I figured it would just be decided here in court.

18 Q So, sir, you've went four-and-a-half months without  
19 contacting your -- without having any contact with your child.  
20 And you had last seen the child when the child was  
21 approximately one month old?

22 A Yes.

23 Q And it's your testimony that you were not  
24 indifferent about seeing your child during that period of

1 time?

2 A Can you break that up for me, give me a definition?

3 Q I -- I'm requesting whether or not you were  
4 indifferent towards seeing your child during that period of  
5 time.

6 A You mean -- I -- that's what -- I'm not  
7 understanding what you're asking me.

8 Q The word indifferent means you could care less  
9 either way.

10 A No.

11 Q Okay. And yet, other than filing the motion two  
12 months after the last time you'd had contact with the child  
13 and then waiting another two-and-a-half months to go to court,  
14 you did nothing in an attempt to see your child; correct?

15 A Incorrect.

16 Q What else did you do?

17 A I had texted her several times asking her, phone  
18 calls, vari -- various phone calls, asking if I could see him.

19 Q Okay. And what was her response?

20 A That it would have to be at her house --

21 Q Okay.

22 A -- underneath her rules.

23 Q Okay. Did you find that to be unreasonable?

24 A Yes.

1 Q Unreasonable even considering that the last time you  
2 were at her house, you attempted to take off to abscond with  
3 the child?

4 A Yes.

5 Q You still find it to be unreasonable?

6 A Yes.

7 Q So your testimony is not that Paige denied you  
8 access to the child after October 17<sup>th</sup>, it was just that she  
9 said it would have to occur at her residence?

10 A Yes.

11 Q And you found that to be unacceptable?

12 A Yes.

13 Q So instead you went four-and-a-half months without  
14 having contact with your -- with your child, who you had not  
15 seen since the child was one-month old?

16 A Well, then that would make it three.

17 Q I'm sorry, sir?

18 A That would make it three months.

19 Q The last time you saw your child was on October 17<sup>th</sup>,  
20 2013. When was your child born, sir?

21 A September 22<sup>nd</sup>.

22 Q So the last time you had seen your child, was when  
23 the child was basically one-month old; correct?

24 A Yes.

1 Q And you waited four-and-a-half months to see the  
2 child, correct?

3 A Yes.

4 Q Even though Paige had offered you on several  
5 occasions to come to the house to see the child.

6 A Yes.

7 Q Do you believe that not seeing the child for those  
8 four-and-a-half months was in the child's best interest?

9 A No.

10 Q Then why in the world did you not accept her offer  
11 to go see the child?

12 A Because I didn't want to be in a hostile  
13 environment. And I didn't want to -- I didn't want Ryder to  
14 be around any kind of hostility.

15 Q So your testimony is that you felt it better to not  
16 have contact with your child than to have contact with your  
17 child in a hostile environment?

18 A No.

19 Q What is your testimony, sir?

20 A My testimony is that I didn't want to be in a  
21 hostile environment where Ryder would have to feel  
22 uncomfortable, where I'd feel uncomfortable around with my  
23 son. Was it -- was it okay for me to not be in contact for --  
24 to see my son? No. Did I want to? Yes. But I didn't wanna

1 -- I didn't wanna hinder myself -- because I was gonna put  
2 these motions in, I didn't want any -- any kind of  
3 altercations or anything that had already -- for example, on  
4 the 17<sup>th</sup>, when they did occur, I didn't want anything else like  
5 that to occur again.

6 Q Well, according to your testimony, sir, Paige was  
7 the one at fault on October 17<sup>th</sup>, 2013, not you; correct?

8 A Correct.

9 Q So why would you not want something that would  
10 benefit you -- that could benefit you, happen again?

11 A Because I really didn't want to put myself in harm's  
12 way.

13 Q And now you've testified that you were putting these  
14 motions in, but you had already put the motions in; correct?

15 A The motions weren't in till December.

16 Q Uh-huh. And Paige's response was in January. And  
17 you testified that after that, you reached out to Paige; and  
18 she texted you that the only way you'd see the -- the child  
19 was if you came to the house.

20 A Also prior to that.

21 Q Okay. But after as well?

22 A Yes.

23 Q So why does the fact that you were pending filing  
24 these motions when they were already filed, have anything to

1 do with you going to see the child?

2 A I didn't want to be in that environment.

3 Q Okay. You didn't want to be in that environment.

4 A I didn't want my visitations happening in a hostile  
5 environment.

6 Q I understand, sir. You didn't want to be in -- in  
7 that environment. Now, sir, you testified that when you  
8 requested to this clerk that you've testified about, about  
9 filing for an order shortening time --

10 A Uh-huh.

11 Q -- the -- strike that.

12 Sir, you've provided exhibits here; and they are  
13 pictures of your son; correct? And you've testified to those?

14 A Yes.

15 Q I think there was a scratch?

16 A Yes.

17 Q And there was a bruise?

18 A Multiple scratches, yes, multiple bruises.

19 Q Okay. Approximately when were those pictures taken?

20 A Approximately, it was some of them within the month,  
21 month and a half.

22 Q Within the last month and a half?

23 A Yes.

24 Q Okay. And you indicated that you contacted Paige



1 about them, correct?

2 A Yes.

3 Q Okay. Did you ever contact CPS?

4 A No.

5 Q Did you ever contact the police?

6 A No.

7 Q Did you ever contact your attorney?

8 A Yes.

9 Q Okay. Did you ask about perhaps filing a motion on  
10 an order shortening time to find out what the issues were with  
11 these scratches and bruises?

12 A No.

13 MR. STRANGE: Objection, privilege.

14 THE COURT: Yeah. Yeah, the form of the question would  
15 ask him to talk about his attorney-client privileges.

16 MR. TOTI: I appreciate that. That's withdrawn.

17 THE COURT: Sustained.

18 MR. TOTI: Judge --- strike this, Judge.

19 Q BY MR. TOTI: Sir, why didn't you call CPS?

20 A I -- I had thought about it.

21 Q That's not my question, sir. Why didn't you call  
22 CPS?

23 A Because I didn't want to elongate the case.

24 Q You didn't want to elongate the case?

1 A No.

2 Q What does that mean, sir?

3 A I didn't want to drag this out any more than what it  
4 needed to be.

5 Q Do you think that that's what would have happened?

6 A Yes.

7 Q Please elaborate on your -- on your theory.

8 A The reason why I felt as though that would happen is  
9 because that -- when you -- I feel as though if CPS would have  
10 gotten involved and that would've pushed court dates a little  
11 bit further. And I want to see my son as soon as possible.  
12 Just because they would have to do home -- they would have to  
13 come into your home, views -- view you with the child and  
14 different things. And they have their own set dates that  
15 they're gonna do it, which might conflict with our court date.

16 Q Now you've introduced these pictures into evidence.  
17 You understand that, correct?

18 A Yes.

19 Q You're the one who's -- who's -- who's testified to  
20 these pictures?

21 A Yes.

22 Q What is your concern about these pictures? Why did  
23 -- why did you decide to bring them to court today?

24 A I feel as though since Paige doesn't work and Paige

1 doesn't -- she has no job, she's -- if she's at home with my  
2 son, he's -- he can't even walk. He doesn't have long nails.  
3 How is he getting these scratches and abrasions on his head?  
4 To me, that -- it makes me feel as though he's not being cared  
5 for.

6 Q So you think he's unsafe in her care.

7 A Yes.

8 Q Okay. And because you think the child is unsafe in  
9 Paige's care, you didn't call the police?

10 A No.

11 Q You didn't call CPS?

12 A No.

13 Q Are you a concerned parent?

14 A Yes.

15 Q You just testified that your child is unsafe in  
16 Paige's care, correct?

17 A Yes.

18 Q And you did nothing, correct?

19 A Yes.

20 Q How is that a concerned parent, sir?

21 A Well, I didn't want -- I didn't want -- I don't want  
22 to take Paige away from Ryder. I don't want Paige to be out  
23 of Ryder's life. I don't want anything to happen to Paige.  
24 Paige is his mom. And I feel as though, you know, yes, I

1 don't like what happened; and he -- and when you asked me if  
2 he was safe or not, it was a yes or no question; but I feel as  
3 though, he's not safe in the sense that he's getting these  
4 abrasions; but they're not extremely serious.

5 Q So either you're concerned or your not, sir.

6 A I am concerned.

7 Q And yet you did nothing.

8 A Yes.

9 Q And that is how you show your concern? If your  
10 child -- strike that.

11 Sir, if the Court decides to give you substantive  
12 time with this child in the future, will you be able to  
13 protect the child?

14 A Yes.

15 Q Even though you've just testified that you think the  
16 child is unsafe in Paige's care, and you've done nothing about  
17 it, you still are saying to this Court, you can trust me with  
18 this child?

19 A Yes.

20 Q Are you finding any inconsistency there with that  
21 testimony, sir?

22 A No.

23 Q Okay. 'Cause you just testified that the child is  
24 unsafe in Paige's care but because she's mom, you wouldn't

1 want to take the child away from her. Is -- was that your  
2 testimony just a moment ago?

3 A Yes.

4 Q So even if there is somebody harming the child, if  
5 you think they should be involved in the child's life, you're  
6 not gonna do anything to prevent that person from being in the  
7 child's life? That's your testimony?

8 A No.

9 Q What's your testimony then?

10 A My testifom -- testimony is, I did -- I am a  
11 concerned parent. That's why I brought it up to Paige. You  
12 had asked me if I brought it up to her, and I did. I --

13 Q And what did Paige say?

14 A She was a -- she was aware of it and that they had  
15 happened from -- from his stroller. The abrasions on the back  
16 of his legs were from his stroller.

17 Q Okay.

18 A The other abrasions, she did not give me an  
19 explanation to.

20 Q Okay. And did those explanations satisfy you?

21 A No.

22 Q And again, as a result, you did nothing; correct?

23 A No, I went to my lawyer.

24 Q You didn't call CPS, correct?

1 A No.

2 Q You didn't call the police?

3 A No.

4 Q You then testified, sir, that you believe the child  
5 is underweight.

6 A Yes.

7 Q And I think you testified that this was a conclusion  
8 that you came to with the assistance of your mother?

9 A No. My mother is the one that advised me that he is  
10 a little under, and I had ob -- obtained his medical records.

11 Q Okay.

12 A And the medical records are the ones that confirmed  
13 my beliefs.

14 Q Okay. Did you ever talk to his doctor directly  
15 about this issue?

16 A No.

17 Q Why not?

18 A I was unable to get a hold of his doctor.

19 Q For what period of time did you -- have you believed  
20 that the child's been underweight?

21 A I believe when he started coming -- when I started  
22 getting the visitations with him after Donna's House.

23 Q So in late March?

24 A I believe so.

1 Q Okay. So for the last two, two-and-a-half months,  
2 you believe the child is underweight?

3 A Yes.

4 Q And yet, you haven't talked to his doctor about it?

5 A Yes, I've tried getting in contact with him.

6 Q It wasn't my question, sir. You haven't --

7 A No.

8 Q -- talked to his doctor?

9 A No.

10 Q How many times did you attempt to call the doctor?

11 A Several.

12 Q How many is several, sir?

13 A At least ten.

14 Q And who did you speak to?

15 A His -- the representatives that answer the phone.

16 Q Okay.

17 A He works for a -- for a consulting -- a -- in a  
18 health group. So it's --

19 Q Did you ever think of scheduling an appointment?

20 A No.

21 Q Why not?

22 A It just didn't cross my mind.

23 Q It didn't cross your mind to take the child to the  
24 hospital, to a doctors appointment?

1 A No.

2 Q Sir, again, if this Judge, if this Court were to  
3 determine that it would be safe for this child to be in your  
4 care for extended periods of time after today, would it -- and  
5 the child fell ill or required medical attention, would you  
6 take the child to the doctor?

7 A Yes.

8 Q And yet, your testimony is that for the last two  
9 months, while the child has been in your care, you believe  
10 that the child is underweight; and yet, you did nothing;  
11 correct?

12 A Correct.

13 Q So how are we to believe that you will take the  
14 child to receive medical care in the future?

15 A Because I -- I need to obtain documents to  
16 substantiate my suspicion. And when I did obtain the  
17 documents, which was in -- which was yesterday, it had  
18 substantiated what I brought up.

19 Q I thought you just said you called the doctor ten  
20 times.

21 A Right, and I couldn't get a hold of him.

22 Q Okay. Well, what were you gonna say to the doctor?

23 A I was gonna ask to speak about his records and the  
24 different -- from his visits, what he had found and his



charts, his growth charts and different things.

Q So for two months you believe the child is underweight, but you were only able to confirm your suspicions yesterday as a result of getting the records?

A Yes.

Q And because you didn't have these records before yesterday, you didn't feel that it was important or prudent to do anything medically with the child. Is that your testimony?

A I didn't -- I didn't feel as though it was as bad as the medical records had shown.

Q Sir, your testimony a little while ago was about this weight issue; correct?

A Yes.

Q Okay. You brought it up, correct?

A Yes.

Q And now you're saying it's not really a big deal?

A No, at the moment I didn't understand -- before I received the medical records, I didn't understand how much of a weight issue it was. I believed he was underweight; but I didn't know to what extent, which is why I brought it up to your client, Paige.

Q You're dad, right?

A Yes.

Q You're here saying that you want equal rights to

1 your child, correct?

2 A Yes.

3 Q But when it came time about this conce -- well,  
4 strike that.

5 You brought it up to my client, correct?

6 A Yes.

7 Q What did she say?

8 A That she was well aware of it.

9 Q Okay. And did she think of it as a problem?

10 A She really didn't respond to me after that.

11 Q Okay. And so after that conversation, in your  
12 opinion, you didn't get anywhere with Paige regarding the  
13 weight issue; correct?

14 A Correct.

15 Q Okay. So then you did nothing, correct?

16 A No, I tried getting a hold of the -- of the doctor.

17 Q But you -- you tried, but you didn't; correct?

18 A Correct.

19 Q Did you ever take the child to the emergency room?

20 A No.

21 Q And you didn't think of making an appointment with  
22 the doctor?

23 A No.

24 Q Didn't think about it?

1 MR. TOTI: I have nothing else at this time, Your Honor.

2 THE COURT: Redirect?

3 MR. STRANGE: Yes, Your Honor.

4 REDIRECT EXAMINATION

5 BY MR. STRANGE:

6 Q Kevin.

7 A Yes?

8 Q In terms of testifying as to the delay of why you  
9 filed, if you had to do it over again, would you have filed  
10 immediately?

11 A Yes.

12 MR. TOTI: Objection, Your Honor, calls for speculation.

13 THE COURT: Overruled.

14 Q BY MR. STRANGE: Would it be fair to say you felt  
15 over your head in the process?

16 A Yes.

17 Q You had testified that after you had gotten Paige --  
18 Paige's opposition -- let me rephrase. Strike that.

19 You had testified that you hadn't contacted Mr. Toti  
20 regarding resolving and after getting their opposition,  
21 correct?

22 A Correct.

23 Q But you had contacted Paige?

24 A Yes.

1 Q Did Paige at any time tell you, hey, talk to my  
2 attorney? Let's settle this?

3 A No.

4 Q Did she ever say, you gotta talk to my attorney? I  
5 got an attorney?

6 A No.

7 Q If she had said that, would you have contacted his  
8 office?

9 A Yes.

10 Q In terms -- let's talk about the scratches again.  
11 Is part of it, you just want a -- a straight answer from Paige  
12 as to how they occurred? Would that be a fair statement?

13 A Yes.

14 Q Would it be an issue where if you got a straight  
15 answer that your concerns probably would be alleviated?

16 A Yes.

17 Q Okay. Would you say part of the frustration is her  
18 lack of communication with you about the child?

19 A Yes.

20 Q Would it be fair to say that if she communicated  
21 with you more about the child, whether it be an injury or  
22 doctors appointment that things might go a little bit better  
23 between the two of you?

24 A Yes.

1 Q Let's go back in terms of talking about the OST and  
2 whatnot. Was part of your concern that you didn't have a  
3 Court order about visitation? Was that a concern?

4 A Yes.

5 Q You didn't want to have another issue with the  
6 police. Would that be accurate?

7 A Correct.

8 Q You wanted to have a Court order. That way you knew  
9 what your rights were?

10 A Yes.

11 MR. TOTI: Your Honor, I know this is redirect; but I'm  
12 gonna have to --

13 THE COURT: (Indiscernible) sustained.

14 MR. TOTI: Thank you, Judge.

15 Q BY MR. STRANGE: Is your intent to comply with any  
16 of the orders of this Court?

17 A Yes.

18 MR. STRANGE: No further questions, Your Honor.

19 THE COURT: Mr. Toti, anything?

20 MR. TOTI: Just very briefly, Judge.

21 RECROSS EXAMINATION

22 BY MR. TOTI:

23 Q Sir, just so I'm clear on your testimony, you're  
24 testifying that after the incident that occurred on October

1 17<sup>th</sup> and prior to your filing your motion in late December  
2 2013, you did attempt -- or -- I -- strike that.

3 You did contact Paige in effort to see the child?

4 A Yes.

5 Q Okay.

6 MR. TOTI: Nothing else, Judge.

7 THE COURT: Anything else?

8 MR. STRANGE: No, Your Honor.

9 THE COURT: I just wanna confirm. In March, a little  
10 less than three months ago, we had an order that provided for  
11 you to have visits from noon to 3:00 on Sunday and 10:00 a.m.  
12 to 1:00 p.m. on Mondays. Have you had those visits?

13 THE WITNESS: Yes, Your Honor.

14 THE COURT: How -- how are the visits going?

15 THE WITNESS: Great, Your Honor.

16 THE COURT: And the -- are those still the days that you  
17 have off work?

18 THE WITNESS: Yes, Your Honor.

19 THE COURT: Have you thought about what type of time  
20 share you think is in the best interest of the child?

21 THE WITNESS: Yes, Your Honor.

22 THE COURT: What are -- what are you asking the Court to  
23 consider?

24 THE WITNESS: I would like to split him.

1 THE COURT: What does that mean?

2 THE WITNESS: Maybe a three, four.

3 THE COURT: I -- I don't know what that means.

4 THE WITNESS: Three days, me; four days with -- with

5 Paige.

6 THE COURT: Okay. Have you -- I -- have you looked at a

7 calendar or been specific as to what type of time share you

8 think is in the best interest of the child?

9 THE WITNESS: Yes, Your Honor.

10 THE COURT: Okay. When is it?

11 THE WITNESS: Monday -- Sunday, Monday as -- from

12 Saturday to Monday, having an overnight -- two overnights and

13 then one -- one more 24 during the week.

14 THE COURT: Okay. All right. You can step down.

15 The -- who's your next witness, Mr. Strange?

16 MR. STRANGE: The plaintiff's mother.

17 THE COURT: Okay. What's her name?

18 MR. STRANGE: Maddie Adrianzen.

19 THE COURT: Okay.

20 THE MARSHAL: What's her name?

21 MR. STRANGE: Maddie Adrianzen.

22 THE COURT: Good morning, ma'am.

23 THE MARSHAL: (Indiscernible) watch your step, please.

24 Stand right here. Raise your right hand. Face the clerk,

1 please.

2 THE CLERK: You do solemnly swear the testimony you're  
3 about to give in this action shall be the truth, the whole  
4 truth and nothing but the truth, so help you God?

5 MS. ADRIANZEN: I do.

6 THE CLERK: Thank you. You may be seated.

7 THE MARSHAL: Ma'am, if you'll scoot all the way up. You  
8 have a microphone right here.

9 MS. ADRIANZEN: Okay.

10 THE COURT: Whenever you're ready, Mr. Strange.

11 MR. STRANGE: Thank you, Your Honor.

12 MADDIE ADRIANZEN,

13 having been duly sworn, testified as follows:

14 DIRECT EXAMINATION

15 BY MR. STRANGE:

16 Q Hello, Maddie.

17 A Hello.

18 Q State your name for the record.

19 A Maddie Adrianzen.

20 Q And you are the mother of the plaintiff, correct?

21 A Correct.

22 Q Are you familiar with both parties in this case?

23 A I am.

24 Q Okay. Have you observed my client with the minor



1 child during his unsupervised visitation?

2 A I have.

3 Q How -- how is he with the child?

4 A He's very nurturing. At first, when Ryder still  
5 wasn't use to being with him as long as the three hours that  
6 he has with him now, he was a little fussy; and he was adamant  
7 to be the one to be the caretaker; and eventually, that has  
8 dropped off; and they have -- they have a great bond. He  
9 doesn't much let me do anything.

10 Q Kevin changes the diapers?

11 A He does everything.

12 Q Okay. Kevin doesn't leave the child alone during  
13 his time?

14 A No, he doesn't.

15 Q Does he leave him with any family members during  
16 this time?

17 A Not to my knowledge, no.

18 Q Doesn't leave to go to work?

19 A No, those are his days off.

20 Q So he -- when he has the child, he has the child for  
21 the entire period?

22 A Correct.

23 Q Okay. Have you been present at any of the custody  
24 exchanges between the parties?

1 A I have, a few.

2 Q And how -- how would you describe how the exchanges

3 go?

4 A They're hostile.

5 Q In -- in what way are they hostile?

6 A The defendant likes to tell Kevin what he should be

7 doing or what to do. Kevin doesn't take that well. And --

8 and those -- those are the issues that I've seen.

9 Q So she doesn't just hand the child to Kevin and --

10 and walk away?

11 A No.

12 Q Okay. You observed Kevin -- he has a proper baby

13 seat in the car, correct?

14 A Correct.

15 Q He makes sure the child's safely buckled in?

16 A Yes, I -- I taught him; and we actually went online;

17 and we've read through the manual.

18 Q Okay. You were present at some of the supervised

19 visitations at Paige's house, correct?

20 A The first one, yes.

21 Q And how did that one go?

22 A Not well.

23 Q Can you describe what happened?

24 A We -- the -- the plain -- the defendant, myself and

1 Kevin were sitting on the couch; and I had not seen the baby.  
2 I think the baby was about five months at that time. And  
3 Kevin was with the baby, and at one point he passed the baby  
4 over to me, since I hadn't seen him since he was three weeks  
5 old. And Paige then said, I would prefer that you do not  
6 carry him and that only carry -- Kevin carry him.

7 And I said -- I believe I said something to the  
8 effect that, I didn't ask you. You're just here to watch and  
9 make sure that the baby is okay. And then her father did jump  
10 in and was a little aggressive, pointing his finger in my face  
11 and telling me that that's his house and that I had to get out  
12 and -- and we just got a little out of hand.

13 Q Would -- would it be fair to say that it -- it's an  
14 extremely volatile relationship between the two families?

15 A Absolutely.

16 Q Is it something where it's likely they're not gonna  
17 be able to cooperate on much of anything or --

18 A I hope at some point. Not right now.

19 Q Okay. Were you ever threatened at that exchange?

20 A I was threatened to be kicked out of the house and  
21 just his finger in my face really.

22 Q Okay.

23 A Not that he was gonna hit me or anything to that  
24 effect.

1 Q Okay. Have you seen some of these scratches that  
2 are on Ryder --

3 A Yes.

4 Q -- during the visitations?

5 A I have.

6 Q Okay. Has Kevin relayed his concerns to you about  
7 them?

8 A Yes. He asked me if that's normal for a baby of  
9 that age. And I said, well, when they're crawling and  
10 walking, perhaps. But he wasn't crawling or walking yet.

11 Q Kevin -- scratch that.

12 Does Kevin make sure the baby's well-fed during his  
13 time?

14 A He does.

15 Q He does. Have you --

16 A He also bathes him at times.

17 Q -- have you noticed if the child's gained any weight  
18 during Kevin's visitations or over the period he's had the  
19 child?

20 A I would say yes.

21 Q Okay.

22 MR. STRANGE: No further questions at this time.

23 THE COURT: Your witness, Mr. Toti.

24 MR. TOTI: Thank you, Judge.

CROSS-EXAMINATION

BY MR. TOTI:

Q Ma'am, you indicated that you're, in the incident wherein you had the supervised contact -- or your son had the supervised contact and you were present, you said that that was your first contact with the child since he was approximately three weeks old. Is that correct?

A That is correct.

Q Was that -- the last time you had had contact with the child when he was around three weeks old, which is -- which is what you were referring to, is that the incident wherein the police were called?

A No, I was not present for that.

Q So on or about October 17<sup>th</sup> when your son traveled to my client's residence and the police were called as a result, you weren't present that day?

A I was not present in their altercation. I was present later; but not at the altercation, no. I did not witness what happened.

Q But you were there?

A No, I was not.

Q Okay. You -- you gotta pick a side.

A Okay. They had an altercation.

Q Right.

1 A Police were called. Once police arrived, I was  
2 called by my son --

3 Q Okay.

4 A -- and then I drove there.

5 Q Okay. So you subsequently went after the incident  
6 occurred?

7 A Correct.

8 Q You didn't accompany him?

9 A No.

10 Q Okay. Did your son, prior to traveling to that  
11 visit on October 17<sup>th</sup>, say anything to you regarding his visit  
12 on October 17<sup>th</sup>?

13 A If I recall correctly, he said that he was bringing  
14 the baby for -- that -- that they had agreed that he was  
15 coming for another visit that day.

16 Q Okay. That he was -- I -- I apologize. Could you  
17 -- that he was --

18 A That he was going to pick up Ryder --

19 Q Uh-huh.

20 A -- for another visit, for a second visit because he  
21 had been to our house one time.

22 Q Okay. All right. And did your son ever indicate to  
23 you that Paige had subsequently said that he was not going to  
24 be allowed to take the child on October 17<sup>th</sup>?

( L L

1 A No. I was at work that day. I saw him as I was  
2 coming home and he was leaving. He said, I'm going to pick up  
3 Ryder for the visit. I said, okay.

4 Q Ma'am, in any capacity, have you pressured or  
5 otherwise influenced your son in bringing this action before  
6 the court?

7 A I have encouraged him when he was not able to see  
8 Ryder independently outside of Paige's parents' homes. Yes --

9 Q Okay.

10 A -- I have.

11 Q Okay. When you say --

12 A But ultimately, it was his decision.

13 Q Okay. And I guess that's my question. How -- how  
14 do you encourage him?

15 A I told him, Kevin, you need to define this  
16 situation. If you're not going to go see the baby at his --  
17 her parents' house, you need to do something. What -- what  
18 would you like to do? 'Cause you don't want to go to her  
19 house to see -- her parents' house, to see the child. You  
20 need to do something.

21 Q Okay. Now that conversation obviously occurred  
22 after October 17<sup>th</sup>, 2013; correct?

23 A I --

24 Q The -- the date of the --

1 A -- don't --

2 Q -- incident when the police were called?

3 A It might have. I -- I don't necessarily recall if  
4 it was before or after.

5 Q Okay. It was definitely before your son filed the  
6 motion, the paperwork, though; correct?

7 A Yes.

8 Q Okah. The paperwork, I can tell you was filed in  
9 late December of 2013.

10 A Correct.

11 Q Do you recall the first time you and your son had a  
12 conversation regarding him possibly filing paperwork?

13 A A month or two before because I know that he was  
14 working to save for the filing fees.

15 Q Okay. Okay. Did you at any time offer to pay for  
16 the filing fees?

17 A No.

18 Q Why not?

19 A Because he needs to be responsible for his son, and  
20 I need to teach him responsibility. So he saved it up, gave  
21 it to me; and I filed for him.

22 Q All right. And -- strike that.

23 MR. TOTI: Nothing else, Judge.

24 THE COURT: Okay.



1 Any other redirect, Mr. Strange?

2 MR. STRANGE: One moment, Your Honor. I apologize.

3 THE COURT: Your -- while they're waiting, what's the  
4 address where you reside?

5 THE WITNESS: 9145 West Richmar.

6 THE COURT: Where exactly is that residence?

7 THE WITNESS: In Mountain's Edge, the southwest area of  
8 Las Vegas.

9 THE COURT: So off of Blue Diamond?

10 THE WITNESS: Blue Diamond, El -- El Capitan, Durango  
11 area.

12 THE COURT: All right. And who do you live with?

13 THE WITNESS: My husband, my son -- both my sons and my  
14 daughter.

15 THE COURT: And when you talk about your sons, you're  
16 talking about the plaintiff?

17 THE WITNESS: Right. And I have a younger son.

18 THE COURT: Is he -- how long has he lived with you?

19 THE WITNESS: Well, at that residence since we moved here  
20 and then --

21 THE COURT: Oh, no, I didn't say (indiscernible). Does  
22 -- does he live with you?

23 THE WITNESS: Currently, yeah.

24 THE COURT: Is it your understanding that he plans to

1 live with you indefinitely?

2 THE WITNESS: I hope not indefinitely.

3 THE COURT: Okay. Have you talked to him about when he  
4 would be moving out?

5 THE WITNESS: Ye -- when he can afford that.

6 THE COURT: Okay. What's your understanding about where  
7 mom lives?

8 THE WITNESS: She lives about three-and-a-half miles from  
9 our home, with her parents.

10 THE COURT: So you're not on opposite sides of the valley  
11 then?

12 THE WITNESS: No, we're not. We're relatively close.

13 THE COURT: All right.

14 Mr. Strange, any kind of question for her?

15 MR. STRANGE: Just briefly, Your Honor.

16 REDIRECT EXAMINATION

17 BY MR. STRANGE:

18 Q Maddie, just to clarify in terms of what you just  
19 testified earlier, you in no way typed or prepared any of the  
20 paperwork that Kevin filed in this case; correct?

21 A Correct.

22 Q Kevin prepared that all by himself?

23 A Correct.

24 Q Okay.

1 A He did ask me to proofread it, but that was it.

2 Q But in terms of the creative process, that was  
3 entirely Kevin?

4 A Correct.

5 Q Okay.

6 MR. STRANGE: No further questions, Your Honor.

7 THE COURT: Okay.

8 Mr. Toti, any kind of questions?

9 RECROSS EXAMINATION

10 BY MR. TOTI:

11 Q Ma'am --

12 MR. TOTI: Briefly, Judge.

13 Q BY MR. TOTI: Ma'am, do you know the address 6521  
14 Kell Lane?

15 A No.

16 MR. TOTI: Nothing, Judge.

17 THE COURT: All right.

18 Thank you. You don't have to leave. You can stay  
19 if you like, but you're excused.

20 THE WITNESS: Okay.

21 THE COURT: Okay.

22 THE WITNESS: Thank you.

23 THE COURT: Okay. Mr. Toti, one of the things that is on  
24 my plate is this issue of exchange.

1 MR. TOTI: Yes, Judge.

2 THE COURT: And I -- I didn't really know where they  
3 lived in relationship to each other, but do you accept that  
4 they're at least in the similar area of town where she -- her  
5 parents live and where his parents live?

6 MR. TOTI: Well, Judge, and that -- that would be  
7 specifically what I say. I know that the two parents' homes  
8 are --

9 THE COURT: Okay.

10 MR. TOTI: -- within five miles.

11 THE COURT: Obviously, you know, where they live is one  
12 of the considerations that we have to deal with.

13 MR. TOTI: Yes, Judge.

14 THE COURT: Do you rest, or do you have another witness  
15 you want to call first?

16 MR. STRANGE: The only two would be possibly for  
17 rebuttal. So I can -- I can rest at this time.

18 THE COURT: All right. So -- all right. Good. You're  
19 not gonna call mom in your case? You're just gonna ask her  
20 questions when Mr. To -- after Mr. Toti does?

21 MR. STRANGE: Yes.

22 THE COURT: All right. Good.

23 Mr. Toti, who would you like to call first?

24 MR. TOTI: Judge, I'm gonna call my client; but if -- if

1 -- if you mind, if we can take a ten-minute break.

2 THE COURT: We can take a comfort break right now. We're  
3 okay. We're on track to finish the hearing in another, what,  
4 hour, hour and a half?

5 MR. TOTI: I would think mom's testimony with cross will  
6 take about an hour, and then I -- I may call dad one more  
7 time, or I may just rest after that.

8 THE COURT: Very good. Try to be ready to go in about  
9 five to seven minutes.

10 MR. TOTI: Yes. Thanks, Judge.

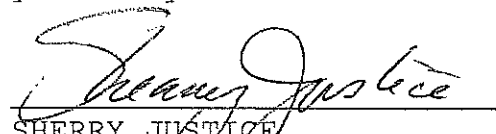
11 THE COURT: All right.

12 THE MARSHAL: Court's in recess, folks. If you want to  
13 step out to break and go to the bathroom. (Indiscernible)  
14 outside.

15 (PROCEEDING ENDED AT 03:01:44.)

17 \* \* \* \* \*

18 ATTEST: I do hereby certify that I have truly and  
19 correctly transcribed the digital proceedings in the above-  
entitled case to the best of my ability.

20   
21 SHERRY JUSTICE,  
22 Transcriber II  
23  
24

◀ Back    +1 (702) 767-7283    Contact

Okay well I want to work it out to where we get an annulment. And yeah cause you haven't concerned yourself with me in months. Just explain to me why so I know

No I'm not telling you and the only way I'll allow you to get an annulment is in one condition you have to sit down with me and make schedule for visitations and it needs to be completely equal

< Back

+1 (702) 767-7283

Contact

Why do you have to be around

Cause like I've told you I'm not leaving him

Why WTF tell me why

Cause he is too young for me to be leaving him. I've told you this a million times

He doesn't need you or your tit he needs milk

< Messages (2) **Paige**

Contact

if you wanted this to work  
you'd try my way before  
ring just done

No because I want my son  
in my life

he is your choosing not to  
see him

Nope cause I'm not being  
supervised

It's okay I'm just going to  
have primary custody of  
him just watch and please  
stop texting me I'm at the  
court house



< Messages (2) Paige

Contact

Hi Paige, Obviously we sadly aren't going to work out ever as being a couple. But because of Ryder we need to figure out how to both be able to parent him, share time with him, and be an important part of his life. As his parents, we both deserve that. What I'm trying to say is that I haven't been able to see Ryder for two months and I want to file for divorce because it's probably what's best for us and for Ryder. We can either try to do what's best for us and

Ryder by sitting down and agreeing and/or finding a way to at least settle for what is best for Ryder that we are both okay with and willing to live with because it's what is best for Ryder and still fair to us both. That would be an uncontested divorce. On the other hand, we can file for a contested divorce as let a judge, who doesn't know us or Ryder, decide what he or she thinks is best for us. I need to know what you want to do because I am not waiting

< Messages (2) Paige

Contact

any longer because I think our relationship has sadly run it's course and hopefully at some point we could be over the past and be able to just focus on what's best for Ryder. So please let me know if you are willing to sit down this weekend and try to agree to all the components involved in a divorce involving a child. If we can't agree I will just file for a contested divorce, but I think we can agree to an uncontested divorce with Ryder's best instead.

Are you willing to meet this

RA000000078

< Messages (2) Paige

Contact

Are you willing to meet this weekend to agree to the necessary parts of an uncontested divorce?

Tue, Dec 10, 6:16 PM

what did you have in mind for custody?

Of course joint custody as we had always discussed. One week 4 days with you and 3 days with me. The following week 4 days with me and 3 days with you and no child support from none of us to the other

RA000000079

< Messages (2) Paige

Contact

and no child support from  
none of us to the other  
since we would be splitting  
custody evenly.

Tue, Dec 10, 7:25 PM

is the reason why you want  
50/50 so you dont have to  
pay me child support?

Tue, Dec 10, 9:19 PM

No because this is what  
agreed on before he was  
born an he's half mine too.  
But why are you asking  
that?

< Messages (2) Paige

Contact

Load Earlier Messages

iMessage

Tue, Dec 10, 10:11 PM

So what do you agree on?

Nothing that you would  
want

Well tell me maybe we can  
find a middle ground

I've told you what I wanted  
before so there's no point  
in trying to work something  
out cause you won't agree  
with what I'm wanting.

< Messages (2) Paige

Contact

it that you aren't agreeing to. Joint custody or the no child support?

It doesnt matter since we wont be able to agree on it.

Well the judge will make you agree you don't get a choice at that point

Id rather try than settle on something that I dont agree upon.

So what do you agree on?

< Back +1 (702) 767-7283 Contact

If you have insurance find out the information for it and give it to me. Either way we are splitting all of his medical costs so we will both be paying half. So if you have insurance through your job or whatever find out

Well even if I have insurance through my job your paying me half of it

Like I said we both will be paying half and half.



< Messages (2) **Paige**

Contact

Tue, Dec 17, 7:37 PM

We have discussed this plenty of times before and its been the same. You have been able to see him when ever you'd like, since you had tried stealing him from me you can come over here to see him.

Stealing him and bringing him home with me are two different things I can't steal my own son your sound ridiculous

And stop acting like we

< Messages (2) **Paige**

Contact

Load Earlier Messages

iMessage

Tue, Dec 17, 8:03 PM

You lying to me and taking  
and trying to run with him  
is stealing.

Taking him ummm no you  
put him in my arms idiot  
and run lol I wouldn't run  
any where holding my son  
I was trying to walk off as  
you kept pushing me

So I guess since you took  
him from my arms you  
stole him an have been  
kidnapping him ever since

< Messages (2) Paige

Contact

You will see what it's like  
when some keeps there  
word and stays true to  
what they say

I don't know what you're  
talking about.

Really cause the person  
who served you your  
paper work today called to  
notify me that you have  
been served

We are now getting a  
divorce

I never talked to anyone

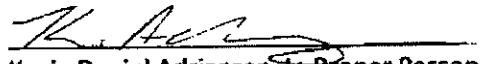
**Affidavit of Kevin Daniel Adrianzen**

STATE OF NEVADA                    )  
COUNTY OF CLARK                )

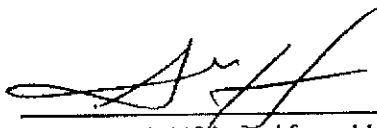
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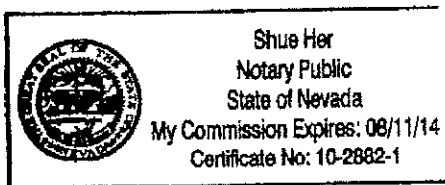
Kevin Daniel Adrianzen , being first duly sworn, upon his oath deposes and says that:

1. I am the Plaintiff in the above entitled action.
2. I have read the foregoing Motion, know the contents thereof, and the same are true of my own knowledge, except as to matters therein stated upon information and belief as to those matters, I believe them to be true. I specifically incorporate those statements, as if they were set forth in full herein.
3. Based upon the foregoing, I respectfully request that this court not grant the relief requested by the Defendant.

  
Kevin Daniel Adrianzen, In Proper Person

SUBSCRIBED and SWORN to before  
me this 27<sup>th</sup> day of January, 2014.

  
\_\_\_\_\_  
NOTARY PUBLIC in and for said County and State



  
CLERK OF THE COURT

1 MOT

2 (Your Name) Kevin Daniel Adrianzen

3 (Address) 9145 West Richman Ave

4 Las Vegas, NV 89178

5 (Telephone) (702) 499-8895

6 (Email Address) kip1011@yahoo.com

7 In Proper Person

8 **DISTRICT COURT**  
9 **CLARK COUNTY, NEVADA**

10 Kevin Daniel Adrianzen

11 Plaintiff,

12 vs.

13 Paige Elizabeth Petit

14 Defendant.

CASE NO.: D-13-489540-N

DEPT NO.: H

02/26/2014  
10:00 AM

**MOTION FOR** (specify what the motion  
is for) Waiver of Consent to  
Name Change by the  
child's Mother

17 COMES NOW (circle one) Plaintiff Defendant Kevin Daniel Adrianzen

18 in Proper Person, and moves this Honorable Court for an Order granting the relief requested. This  
19 motion is brought in good faith and is based on the attached Points and Authorities, Affidavit of  
20 Movant, the papers and pleadings on file herein, and such further evidence and argument that may  
21 be requested at the hearing.

23 DATED this (day) 27<sup>th</sup> day of (month) January, (year) 2014.

26 

(Your Signature)

POINTS AND AUTHORITIES

I. LEGAL ARGUMENT (include all relevant laws and cases that support your argument.  
Add additional pages as needed)

I would like my son, Ryder Blake Petit, to have his name changed to Ryder Blake Adrienzen. I am his natural father and was married to his natural mother at the time of his birth. She wavered back and forth on what last name to give him and feel she named him Petit instead of Adrienzen out of spite after an argument prior to leaving the hospital. Now that we have separated and I've filed for divorce she is not willing to consent even though she was willing to change it if we stayed together.

1 **II. STATEMENT OF FACTS** (include any relevant facts. Add additional pages as needed)

2 I am listed as his father on his current  
3 birth certificate.  
4  
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1 **III. CONCLUSION**

2 Based on the law set forth and the pleadings on file herein, this party should be granted the  
3 following relief: (be specific and list what you want the Court to order or change)

- 4 1. Name change of minor child to Ryder Blake Adrianzen  
5 2. Order for a new birth certificate.  
6 3. \_\_\_\_\_  
7 4. \_\_\_\_\_  
8 5. \_\_\_\_\_  
9 6. For other relief this court deems just and proper.

10 WHEREFORE, MOVANT respectfully requests this Court enter an Order granting his/her  
11 motion and for other such relief that this court deems just and proper.

12 DATED this 27<sup>th</sup> day of (month) January, (year) 2014.

13 By:

14 (Your name) Kevin Daniel Adrianzen

15 (Your signature) K. Adrianzen  
16  
17  
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22  
23  
24  
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26  
27  
28



**AFFIDAVIT IN SUPPORT OF MOTION:**

COMES NOW Kevin Daniel Adrianoze (your name), who states as follows:

1. That Affiant is the movant in the above-titled matter.
2. That I have personal knowledge of the facts contained in this Motion and in this Affidavit and I am competent to testify to these facts. The statements in this Motion and Affidavit are true and correct to the best of my knowledge.
3. Additional facts to support my requests: (Write N/A if there are no additional facts)

N/A

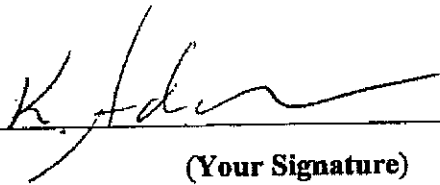
4. (Complete only if you are attaching exhibits to the motion). I have attached the following exhibits: (Describe exhibits or write N/A on any blank lines)

a. N/A

b. N/A

c. N/A

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

  
(Your Signature)

MOFI

DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA

Kevin Daniel Adrianzen  
Plaintiff/Petitioner

-vs-

Raige Elizabeth Pettit  
Defendant/Respondent

CASE NO. D-13-489540-N

DEPT. H

FAMILY COURT MOTION/OPPOSITION  
FEE INFORMATION SHEET (NRS 19.0312)

Party Filing Motion/Opposition: ☒ Plaintiff/Petitioner ☐ Defendant/Respondent

MOTION FOR/OPPOSITION TO Waiver of Consent

Notice

Motions and Oppositions to  
Motions filed after entry of  
final Decree or Judgment  
(pursuant to NRS 125,  
125B & 125C)  
are subject to the Re-open  
Filing Fee of \$25.00, unless  
specifically excluded.  
(See NRS 19.0312)

Excluded Motions/Oppositions

- ☒ Motions filed before final Divorce/Custody Decree entered  
(Divorce/Custody Decree NOT final)
- ☐ Child Support Modification ONLY
- ☐ Motion/Opposition For Reconsideration (Within 10 days of Decree)  
Date of Last Order \_\_\_\_\_
- ☐ Request for New Trial (Within 10 days of Decree)  
Date of Last Order \_\_\_\_\_
- ☐ Other Excluded Motion \_\_\_\_\_  
(Must be prepared to defend exclusion to Judge)

NOTE: If no boxes are checked, filing fee **MUST** be paid.

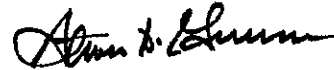
☐ Motion/Opp IS subject to \$25.00 filing fee ☒ Motion/Opp IS NOT subject to filing fee

Date: January 27, 2014

Kevin Daniel Adrianzen  
Printed Name of Preparer

K. Adrianzen  
Signature of Preparer

RA000000093



CLERK OF THE COURT

ORDR

FRANK J TOTI 005804  
AUDREY J BEESON 010511  
6900 Westcliff Drive #500  
Las Vegas Nevada 89145  
p 702.364.1604 f 702.364.1603  
frank@fjtesq.com  
audrey@fjtesq.com  
Attorney for Defendant

DISTRICT COURT  
CLARK COUNTY NEVADA

KEVIN ADRIANZEN,

Plaintiff,

v

PAIGE PETIT,

Defendant.

Case No.: D-13-489542-D

Dept No.: H

Family Court

**ORDER AFTER HEARING ON FEBRUARY 5, 2014**

This matter having come on for a hearing this 5<sup>th</sup> day of February, 2014, before the Court on Plaintiff's motion for temporary custody, visitation, child support, spousal support and/r exclusive possession, the Court also heard Defendant's motion for Sole Legal and Physical Custody of the Minor Child, for Child Support, for Temporary Spousal Support and for Attorney's Fees, scheduled for February 12, 2014 at 10:00 a.m. Plaintiff, Kevin Adrianzen present, appearing in proper person and Defendant, Paige Petit, present and appearing by and through her attorney, Frank J. Toti, Esq. The Court combined the hearings, vacating the February 12, 2014 hearing, Court heard statements from Plaintiff and argument from counsel.

With good cause appearing the Court orders:

**IT IS HEREBY ORDERED** that the parties referred to Family Mediation Center (FMC) for mediation of a Parenting Agreement.

**IT IS FURTHER ORDERED** that the parties were also referred to Donna's House for supervised visitation

1       **IT IS FURTHER ORDERED** that Defendant is responsible to provide transportation to and  
2 from Donna's House for Plaintiff's supervised visitation; however, she is not to remain within  
3 the area where the supervised visitation shall take place.

4       **IT IS FURTHER ORDERED** that on a temporary basis the Defendant is designated as  
5 Primary Physical Custodian.

6       **IT IS FURTHER ORDERED** that both parties will share joint legal custody.

7       **IT IS FURTHER ORDERED** that request for child support and support is deferred to  
8 Return Date.

9       **COURT FURTHER NOTED** the hearing for March 10, 2014, shall be moved to return date  
10 from Donna's House and Family Mediation. Department shall provide notice of the change to  
11 the parties.

12       **IT IS FURTHER ORDERED** that a return from Donna's House and Defendant's motion to  
13 consolidate is set for March 19, 2014 at 11:00 a.m.

14       **IT IS FURTHER ORDERED AND THE PARTIES ARE PUT ON NOTICE** that they are subject  
15 to the requirements of the following Nevada Revised Statutes:  
16 NRS 125.510(6) regarding abduction, concealment or detention of a child:

17                   **PENALTY FOR VIOLATION OF ORDER:**

18       THE ABDUCTION, CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF  
19 THIS ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED IN NRS  
20 193.190. NRS 200.359 provides that every person having a limited right of  
21 custody to a child or any parent having no right of custody to the child who  
22 willfully detains, conceals or removes the child from a parent, guardian or other  
23 person having lawful custody or a right of visitation of the child in violation of an  
24 order of this court, or removes the child from jurisdiction of the court without  
the consent of either the court or all persons who have the right to custody or  
visitation is subject to being punished for a category D felony as provided in NRS  
193.130.

25       **NOTICE IS HEREBY GIVEN** that the terms of the Hague Convention of October 25, 1980,  
26 adopted by the 14<sup>th</sup> Session of the Hague Conference on Private International Law apply if a  
27 parent abducts or wrongfully retains a child in a foreign country. The minor child is a habitual  
28

1 resident of Clark County, Nevada. The parties are also placed on notice of the following  
2 provisions in NRS 125.510(8):

3 If a parent of the child lives in a foreign country or has significant commitments  
4 in a foreign country:

5 (a) The parties may agree, and the court shall include in the order for custody of  
6 the child, that the United States is the country of habitual residence of the child  
7 for the purposes of applying the terms of the Hague Convention as set forth in  
8 subsection 7.

9 (b) Upon motion of one of the parties, the court may order the parent to post a  
10 bond if the court determines that the parent poses an imminent risk of  
11 wrongfully removing or concealing the child outside the country of habitual  
12 residence. The bond must be on an amount determined by the court and may be  
13 used only to pay for the cost of locating the child and returning him to his  
14 habitual residence if the child is wrongfully removed from or concealed outside  
15 the country of habitual residence. The fact that a parent has significant  
16 commitments in a foreign country does not create a presumption that the  
17 parent poses an imminent risk of wrongfully removing or concealing the child.

18 NRS 125C.200 regarding relocation with minor children:

19 If custody has been established and the custodial parent intends to move his  
20 residence to a place outside of this state and to take the child with him, he must,  
21 as soon as possible and before the planned move, attempt to obtain the written  
22 consent of the noncustodial parent to move the child from this state. If the  
23 noncustodial parent refuses to give that consent, the custodial parent shall,  
24 before he leaves this state with the child, petition the court for permission to  
25 move the child. The failure of a parent to comply with the provisions of this  
26 section may be considered as a factor if a change of custody is requested by the  
27 noncustodial parent.

28 NRS 125.450 regarding the collection of child support payments through mandatory wage  
withholding or assignment of income.

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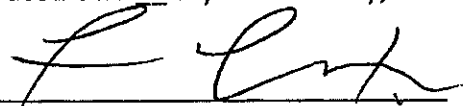
1 NRS 31A regarding the enforcement of a child support obligation and the collection of  
2 delinquent child support.

3 NRS 125B.145 regarding the review of child support at any time due to changed circumstances  
4 and at least every three years following the entry of the child support order.

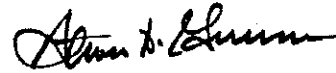
5  
6 Dated this 18 day of February, 2014.

7  
8   
9 DISTRICT COURT JUDGE  
10 T ART RITCHIE, JR.  
11

12 Dated this \_\_\_ day of February, 2014

13   
14

15 FRANK TOTI, ESQ.  
16 Nevada Bar No. 005804  
17 6900 Westcliff Drive #500  
18 Las Vegas Nevada 89145  
19 702.364.1604  
20 Attorney for Defendant  
21  
22  
23  
24  
25  
26  
27  
28



CLERK OF THE COURT

NEO

FRANK J TOTI 005804  
AUDREY J BEESON 010511  
6900 Westcliff Drive #500  
Las Vegas Nevada 89145  
p 702.364.1604 f 702.364.1603  
frank@fjtesq.com  
audrey@fjtesq.com  
Attorney for Defendant

DISTRICT COURT FAMILY DIVISION  
CLARK COUNTY NEVADA

KEVIN ADRIANZEN,

Plaintiff,

v

PAIGE PETIT,

Defendant.

Case No.: D-13-489542-D and  
D-13-489540-N  
Dept No.: H

NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that an Order after Hearing on February 26, 2014 was entered in the above-entitled matter on March 4, 2014, a copy of which is attached hereto.

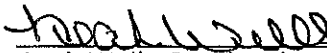
Respectfully submitted:

/s/ Frank J. Toti, Esq  
**FRANK J. TOTI, ESQ.**  
Nevada Bar No. 005804  
6900 Westcliff Drive #500  
Las Vegas, Nevada 89145

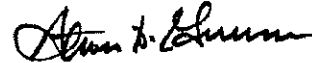
1  
2 CERTIFICATE OF MAILING

3 The undersigned, hereby certifies that on the 4<sup>th</sup> day of March 2014, I deposited in the  
4 United States Mail, first class postage pre-paid, certified mail, return receipt requested, a true  
5 and correct copy of Notice of Entry or Order and Order after Hearing on February 26, 2014, as  
6 follows  
7

8 Kevin Adrianzen  
9 9145 West Richmar Avenue  
10 Las Vegas, NV 89178

11   
12 Leah Wells, Paralegal to Frank J. Toti, Esq. and  
13 Audrey J. Beeson, Esq.  
14  
15  
16  
17  
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28





CLERK OF THE COURT

ORDR  
FRANK J TOTI 005804  
AUDREY J BEESON 010511  
6900 Westcliff Drive #500  
Las Vegas Nevada 89145  
p 702.364.1604 f 702.364.1603  
frank@fjtesq.com  
audrey@fjtesq.com  
Attorney for Defendant

DISTRICT COURT  
CLARK COUNTY NEVADA

KEVIN ADRIANZEN,  
Plaintiff,

v

PAIGE PETIT,  
Defendant.

Case No.: D-13-489542-D and  
D-13-489540-N

Dept No.: H

Family Court

ORDER AFTER HEARING ON FEBRUARY 26, 2014

This matter having come on for a hearing this 26<sup>th</sup> day of February, 2014, before the Court on Defendant's Motion to Consolidate and the Court also heard Case D-13-489540-N Petitioner Kevin Andrianzen's Motion for Waiver of Consent to Name Change by the Child's Mother. Plaintiff's Petitioner Kevin Andrianzen's Motion for Waiver of Consent to Name Change by the Child's Mother, Plaintiff, Kevin Adrianzen present and appearing by and through his attorney Michael Strange, Esq., appearing in an unbundled capacity and Defendant, Paige Petit, present and appearing by and through her attorney, Frank J. Toti, Esq. Discussion between the parties and Counsel.

The Court noted that the parties were referred to Family Mediation at the previous hearing and that Plaintiff has visitation with the minor child at Donna's House and a return hearing is set for March 19, 2014. Defendant needs to understand that Plaintiff needs to be able to bond with their child, and it is her responsibility to foster and encourage frequent and meaningful contact.

With good cause appearing the Court orders:

1       **IT IS HEREBY ORDERED** that Defendant's motion to consolidated is granted and cases D-  
2 13-489542-D and D-13-489540-N will be linked pursuant to the one Judge, one Family rule  
3 (EDCR 5.42) and NRS 3.025(3).

4       **IT IS FURTHER ORDERED** that the hearing date of March 19, 2014 at 11:00 a.m. stands.

5       **IT IS FURTHER ORDERED AND THE PARTIES ARE PUT ON NOTICE** that they are subject  
6 to the requirements of the following Nevada Revised Statutes:  
7 NRS 125.510(6) regarding abduction, concealment or detention of a child:

8                               **PENALTY FOR VIOLATION OF ORDER:**

9       THE ABDUCTION, CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF  
10 THIS ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED IN NRS  
11 193.190. NRS 200.359 provides that every person having a limited right of  
12 custody to a child or any parent having no right of custody to the child who  
13 willfully detains, conceals or removes the child from a parent, guardian or other  
14 person having lawful custody or a right of visitation of the child in violation of an  
15 order of this court, or removes the child from jurisdiction of the court without  
16 the consent of either the court or all persons who have the right to custody or  
17 visitation is subject to being punished for a category D felony as provided in NRS  
18 193.130.

19       **NOTICE IS HEREBY GIVEN** that the terms of the Hague Convention of October 25, 1980,  
20 adopted by the 14<sup>th</sup> Session of the Hague Conference on Private International Law apply if a  
21 parent abducts or wrongfully retains a child in a foreign country. The minor child is a habitual  
22 resident of Clark County, Nevada. The parties are also placed on notice of the following  
23 provisions in NRS 125.510(8):

24       If a parent of the child lives in a foreign country or has significant commitments  
25 in a foreign country:

26       (a) The parties may agree, and the court shall include in the order for custody of  
27 the child, that the United States is the country of habitual residence of the child  
28 for the purposes of applying the terms of the Hague Convention as set forth in  
subsection 7.

      (b) Upon motion of one of the parties, the court may order the parent to post a  
bond if the court determines that the parent poses an imminent risk of  
wrongfully removing or concealing the child outside the country of habitual  
residence. The bond must be on an amount determined by the court and may be  
used only to pay for the cost of locating the child and returning him to his

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2 the country of habitual residence. The fact that a parent has significant  
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parent poses an imminent risk of wrongfully removing or concealing the child.

4 NRS 125C.200 regarding relocation with minor children:


5 If custody has been established and the custodial parent intends to move his  
6 residence to a place outside of this state and to take the child with him, he must,  
7 as soon as possible and before the planned move, attempt to obtain the written  
8 consent of the noncustodial parent to move the child from this state. If the  
9 noncustodial parent refuses to give that consent, the custodial parent shall,  
10 before he leaves this state with the child, petition the court for permission to  
move the child. The failure of a parent to comply with the provisions of this  
section may be considered as a factor if a change of custody is requested by the  
noncustodial parent.

11  
12 NRS 125.450 regarding the collection of child support payments through mandatory wage  
13 withholding or assignment of income.

14 NRS 31A regarding the enforcement of a child support obligation and the collection of  
15 delinquent child support.

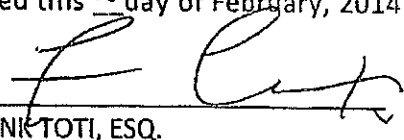
16 NRS 125B.145 regarding the review of child support at any time due to changed circumstances  
17 and at least every three years following the entry of the child support order.

18  
19 Dated this 28 day of February, 2014.

20  
21   
DISTRICT COURT JUDGE

T ART RITCHIE, JR.

22 Dated this 27 day of February, 2014

23   
24

25 FRANK TOTI, ESQ.

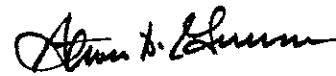
26 Nevada Bar No. 005804

27 6900 Westcliff Drive #500

28 Las Vegas Nevada 89145

702.364.1604

Attorney for Defendant



CLERK OF THE COURT

1 NEO  
2 FRANK J TOTI 005804  
3 AUDREY J BEESON 010511  
4 6900 Westcliff Drive #500  
5 Las Vegas Nevada 89145  
6 p 702.364.1604 f 702.364.1603  
7 frank@fjtesq.com  
8 audrey@fjtesq.com  
9 Attorney for Defendant

DISTRICT COURT FAMILY DIVISION  
CLARK COUNTY NEVADA

10 KEVIN ADRIANZEN,  
11 Plaintiff,

12 v

13 PAIGE PETIT,  
14 Defendant.

Case No.: D-13-489542-D  
Dept No.: H

17 NOTICE OF ENTRY OF ORDER

18 PLEASE TAKE NOTICE, that an Order after Hearing on March 19, 2014 was  
19 entered in the above-entitled matter on April 10, 2014, a copy of which is attached  
20 hereto.  
21

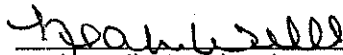
22 Respectfully submitted:

23  
24 /s/ Frank J. Toti, Esq.  
25 FRANK J. TOTI, ESQ.  
26 Nevada Bar No. 005804  
27 6900 Westcliff Drive #500  
28 Las Vegas, Nevada 89145

1 CERTIFICATE OF MAILING

2 The undersigned, hereby certifies that on the 11<sup>th</sup> day of April, 2014, I deposited in the  
3 United States Mail, first class postage pre-paid, certified mail, return receipt requested, a true  
4 and correct copy of Notice of Entry of Order and Order after Hearing on March 19, 2014 of, as  
5 follows  
6

7 Michael S. Strange, Esq.  
8 633 South 4<sup>th</sup> Street #10  
9 Las Vegas, NV 89101

10   
11 Leah Wells, Paralegal to  
12 Frank J. Toti, Esq. and Audrey J. Beeson, Esq.  
13  
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CLERK OF THE COURT

1 **ORDR**  
2 FRANK J TOTI 005804  
3 AUDREY J BEESON 010511  
4 6900 Westcliff Drive #500  
5 Las Vegas Nevada 89145  
6 p 702.364.1604 f 702.364.1603  
7 frank@fjtesq.com  
8 audrey@fjtesq.com  
9 Attorney for Defendant

DISTRICT COURT  
CLARK COUNTY NEVADA

10 KEVIN ADRIANZEN,

11 Plaintiff,

12 v

13 PAIGE PETIT,

14 Defendant.

Case No.: D-13-489542-D

Dept No.: ● H

Family Court

**ORDER AFTER HEARING ON MARCH 19, 2014**

15 This matter having come on for a hearing this 19<sup>th</sup> day of March 2014, before the  
16 Honorable Arthur T. Ritchie of the above entitled court a return from mediation and Donna's  
17 House hearing, Plaintiff, Kevin Adrianzen present, appearing by and through his attorney,  
18 Michael S. Strange, Esq., and Defendant, Paige Petit, present, appearing by and through her  
19 attorney, Frank J. Toti, Esq.

20 The Court reviewed case history, noting the parties were referred to Family Mediation  
21 and Donna's House for Supervised Visitation in February, 2014. Correspondence from Family  
22 Mediation Center (FMC) indicated the parties were unable to mediate a plan. Court noted the  
23 Plaintiff has had four visits with the child through Donna's House. Reports indicate that Plaintiff  
24 was appropriate with the child, that the child was uncomfortable and cried frequently at the  
25 first two visits, but the child recognizes Plaintiff now and is more comfortable. Court heard  
26 argument from counsel. With good cause appearing the Court orders  
27  
28

APR 07 2014

1       **IT IS HEREBY ORDERED** that an evidentiary hearing set for May 19, 2014, at 1:30 p.m.  
2 This will give time for depositions, interrogatories, written discovery.

3       **IT IS FURTHER ORDERED** that discovery on-going, no cut off.

4       **IT IS FURTHER ORDERED** the parties will share Joint Legal Custody of the minor child,  
5 Ryder, born September 22, 2013.

6       **IT IS FURTHER ORDERED** that Plaintiff's temporary timeshare will be from 5:30 p.m.  
7 until 7:00 p.m. on Thursday, March 20, 2014 and March 27, 2014 at the Defendant's home so  
8 Defendant will be able to feel more comfortable about Plaintiff's contact with the child. **IT IS**  
9 **FURTHER ORDERED** that following those two visits. Plaintiff's timeshare will be each Sunday  
10 from noon until 3:00 p.m.; and each Monday from 10:00 a.m. to 1:00 p.m. This visitation is not  
11 supervised.

12       **IT IS FURTHER ORDERED** that Plaintiff will make sure he has appropriate car seat for the  
13 child and will be responsible to pick up and drop off the child to Defendant at the proper time.

14       **IT IS FURTHER ORDERED** that Defendant will provide Plaintiff with a copy of the child's  
15 Social Security Card for the purpose of Plaintiff enrolling the child on his insurance.

16       **IT IS FURTHER ORDERED** that Plaintiff will pay child support to Defendant, in the  
17 amount of \$220.00 per month, which is 18% of Plaintiff's gross monthly income, of \$12.00 per  
18 hour.

19       **IT IS FURTHER ORDERED** that when and if Plaintiff obtains new employment he will  
20 update his Financial Disclosure Form (FDF).

21       **IT IS FURTHER ORDERED** that Plaintiff will let the Court know the cost of the health  
22 insurance for the child, when the child is covered.

23       **IT IS FURTHER ORDERED** that Plaintiff will provide either insurance cards, or claim forms  
24 to Defendant.

25       **IT IF FURTHER ORDERED AND THE PARTIES ARE PUT ON NOTICE** that they are subject  
26 to the requirements of the following Nevada Revised Statutes:

27       NRS 125.510(6) regarding abduction, concealment or detention of a child:

28       ///.

1 **PENALTY FOR VIOLATION OF ORDER:**

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7 person having lawful custody or a right of visitation of the child in violation of an  
8 order of this court, or removes the child from jurisdiction of the court without  
9 the consent of either the court or all persons who have the right to custody or  
10 visitation is subject to being punished for a category D felony as provided in NRS  
11 193.130.

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14 parent abducts or wrongfully retains a child in a foreign country. The minor child is a habitual  
15 resident of Clark County, Nevada. The parties are also placed on notice of the following  
16 provisions in NRS 125.510(8):

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18 in a foreign country:

19 (a) The parties may agree, and the court shall include in the order for custody of  
20 the child, that the United States is the country of habitual residence of the child  
21 for the purposes of applying the terms of the Hague Convention as set forth in  
22 subsection 7.

23 (b) Upon motion of one of the parties, the court may order the parent to post a  
24 bond if the court determines that the parent poses an imminent risk of  
25 wrongfully removing or concealing the child outside the country of habitual  
26 residence. The bond must be on an amount determined by the court and may be  
27 used only to pay for the cost of locating the child and returning him to his  
28 habitual residence if the child is wrongfully removed from or concealed outside  
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commitments in a foreign country does not create a presumption that the  
parent poses an imminent risk of wrongfully removing or concealing the child.

NRS 125C.200 regarding relocation with minor children:

If custody has been established and the custodial parent intends to move his  
residence to a place outside of this state and to take the child with him, he must,  
as soon as possible and before the planned move, attempt to obtain the written  
consent of the noncustodial parent to move the child from this state. If the  
noncustodial parent refuses to give that consent, the custodial parent shall,



1 before he leaves this state with the child, petition the court for permission to  
2 move the child. The failure of a parent to comply with the provisions of this  
3 section may be considered as a factor if a change of custody is requested by the  
noncustodial parent.

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5 withholding or assignment of income.

6 NRS 31A regarding the enforcement of a child support obligation and the collection of  
7 delinquent child support.

8 NRS 125B.145 regarding the review of child support at any time due to changed circumstances  
9 and at least every three years following the entry of the child support order.

10  
11 Dated this 8 day of April, 2014.

12  
13  
14   
15 DISTRICT COURT JUDGE

16 T ART RITCHIE, JR.

17 Dated this        day of March, 2014

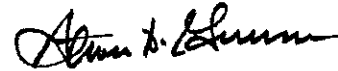
18   
19

20 FRANK TOTI, ESQ.  
21 Nevada Bar No. 005804  
22 6900 Westcliff Drive #500  
23 Las Vegas Nevada 89145  
702.364.1604  
Attorney for Defendant

24 Dated this 2 day of <sup>April</sup> ~~March~~, 2014

25   
26

27 MICHAEL S. STRANGE, ESQ.  
28 Nevada Bar No. 009429  
633 South 4<sup>th</sup> Street #10  
Las Vegas, Nevada 89101  
702.456-4357  
Attorney for Defendant



CLERK OF THE COURT

NEO  
FRANK J TOTI 005804  
AUDREY J BEESON 010511  
6900 Westcliff Drive #500  
Las Vegas Nevada 89145  
p 702.364.1604 f 702.364.1603  
frank@fjtesq.com  
audrey@fjtesq.com  
Attorney for Defendant

DISTRICT COURT FAMILY DIVISION  
CLARK COUNTY NEVADA

KEVIN ADRIANZEN,

Plaintiff,

v

PAIGE PETIT,

Defendant.

Case No.: D-13-489542-D  
Dept No.: H

NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that an Amended Order after Hearing on March 19, 2014 entered in the above-entitled matter on April 28, 2014, a copy of which is attached hereto.


Respectfully submitted:

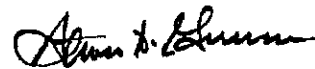
/s/ Frank J. Toti, Esq.  
FRANK J. TOTI, ESQ.  
Nevada Bar No. 005804  
6900 Westcliff Drive #500  
Las Vegas, Nevada 89145

1  
2 CERTIFICATE OF MAILING

3 The undersigned, hereby certifies that on the 1<sup>st</sup> day of May, 2014 I deposited in the  
4 United States Mail, first class postage pre-paid, certified mail, return receipt requested, a true  
5 and correct copy of Notice of Order and Amended Order after Hearing on March 19, 2014, as  
6 follows

7 Michael S. Strange, Esq.  
8 633 S. 4<sup>th</sup> Street Suite 10  
9 Las Vegas, Nevada 89101

10   
11 Leah Wells, Paralegal to  
12 Frank J. Toti, Esq and Audrey J. Beeson, Esq.  
13  
14  
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16  
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CLERK OF THE COURT

1 ORDR  
2 FRANK J TOTI 005804  
3 AUDREY J BEESON 010511  
4 6900 Westcliff Drive #500  
5 Las Vegas Nevada 89145  
6 p 702.364.1604 f 702.364.1603  
7 frank@fjtesq.com  
8 audrey@fjtesq.com  
9 Attorney for Defendant

DISTRICT COURT  
CLARK COUNTY NEVADA

9 KEVIN ADRIANZEN,  
10 Plaintiff,

11 v

12 PAIGE PETIT,  
13 Defendant.

Case No.: D-13-489542-D  
Dept No.: 8H  
Family Court

AMENDED ORDER AFTER HEARING ON MARCH 19, 2014

15 This matter having come on for a hearing this 19<sup>th</sup> day of March 2014, before the  
16 Honorable Arthur T. Ritchie of the above entitled court a return from mediation and Donna's  
17 House hearing, Plaintiff, Kevin Adrianzen present, appearing by and through his attorney,  
18 Michael S. Strange, Esq., and Defendant, Paige Petit, present, appearing by and through her  
19 attorney, Frank J. Toti, Esq.

20 The Court reviewed case history, noting the parties were referred to Family Mediation  
21 and Donna's House for Supervised Visitation in February, 2014. Correspondence from Family  
22 Mediation Center (FMC) indicated the parties were unable to mediate a plan. Court noted the  
23 Plaintiff has had four visits with the child through Donna's House. Reports indicate that Plaintiff  
24 was appropriate with the child, that the child was uncomfortable and cried frequently at the  
25 first two visits, but the child recognizes Plaintiff now and is more comfortable. Court heard  
26 argument from counsel. With good cause appearing the Court orders  
27  
28

RECEIVED

APR 23 2014

DEPT. S

1 **ORDR**

2 FRANK J TOTI 005804  
3 AUDREY J BEESON 010511  
4 6900 Westcliff Drive #500  
5 Las Vegas Nevada 89145  
6 p 702.364.1604 f 702.364.1603  
7 frank@fjtesq.com  
8 audrey@fjtesq.com  
9 Attorney for Defendant

6 DISTRICT COURT  
7 CLARK COUNTY NEVADA

8  
9 KEVIN ADRIANZEN,

10 Plaintiff,

11 v

12 PAIGE PETIT,

13 Defendant.

) Case No.: D-13-489542-D

) Dept No.: *SH*

) Family Court

14  
15 **AMENDED ORDER AFTER HEARING ON MARCH 19, 2014**

16 This matter having come on for a hearing this 19<sup>th</sup> day of March 2014, before the  
17 Honorable Arthur T. Ritchie of the above entitled court a return from mediation and Donna's  
18 House hearing, Plaintiff, Kevin Adrianzen present, appearing by and through his attorney,  
19 Michael S. Strange, Esq., and Defendant, Paige Petit, present, appearing by and through her  
20 attorney, Frank J. Toti, Esq.

21 The Court reviewed case history, noting the parties were referred to Family Mediation  
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24 Plaintiff has had four visits with the child through Donna's House. Reports indicate that Plaintiff  
25 was appropriate with the child, that the child was uncomfortable and cried frequently at the  
26 first two visits, but the child recognizes Plaintiff now and is more comfortable. Court heard  
27 argument from counsel. With good cause appearing the Court orders  
28

RECEIVED

APR 23 2014

DEPT. S

1       **IT IS HEREBY ORDERED** that an evidentiary hearing set for May 19, 2014, at 1:30 p.m.  
2 This will give time for depositions, interrogatories, written discovery.

3       **IT IS FURTHER ORDERED** that discovery on-going, no cut off.

4       **IT IS FURTHER ORDERED** the parties will share Joint Legal Custody of the minor child,  
5 Ryder, born September 22, 2013.

6       **IT IS FURTHER ORDERED** that Plaintiff's temporary timeshare will be from 5:30 p.m.  
7 until 7:00 p.m. on Thursday, March 20, 2014 and March 27, 2014 at the Defendant's home so  
8 Defendant will be able to feel more comfortable about Plaintiff's contact with the child.

9       **IT IS FURTHER ORDERED** that following those two visits. Plaintiff's timeshare will be  
10 each Thursday from 5:30 p.m. until 7:00 p.m.; each Sunday from noon until 3:00 p.m.; and each  
11 Monday from 10:00 a.m. to 1:00 p.m. This visitation is not supervised.

12       **IT IS FURTHER ORDERED** that Plaintiff will make sure he has appropriate car seat for the  
13 child and will be responsible to pick up and drop off the child to Defendant at the proper time.

14       **IT IS FURTHER ORDERED** that Defendant will provide Plaintiff with a copy of the child's  
15 Social Security Card for the purpose of Plaintiff enrolling the child on his insurance.

16       **IT IS FURTHER ORDERED** that Plaintiff will pay child support to Defendant, in the  
17 amount of \$220.00 per month, which is 18% of Plaintiff's gross monthly income, of \$12.00 per  
18 hour.

19       **IT IS FURTHER ORDERED** that when and if Plaintiff obtains new employment he will  
20 update his Financial Disclosure Form (FDF).

21       **IT IS FURTHER ORDERED** that Plaintiff will let the Court know the cost of the health  
22 insurance for the child, when the child is covered.

23       **IT IS FURTHER ORDERED** that Plaintiff will provide either insurance cards, or claim forms  
24 to Defendant.

25       **IT IF FURTHER ORDERED AND THE PARTIES ARE PUT ON NOTICE** that they are subject  
26 to the requirements of the following Nevada Revised Statutes:

27       NRS 125.510(6) regarding abduction, concealment or detention of a child:

28     ///.

1 **PENALTY FOR VIOLATION OF ORDER:**

2 THE ABDUCTION, CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF  
3 THIS ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED IN NRS  
4 193.190. NRS 200.359 provides that every person having a limited right of  
5 custody to a child or any parent having no right of custody to the child who  
6 willfully detains, conceals or removes the child from a parent, guardian or other  
7 person having lawful custody or a right of visitation of the child in violation of an  
8 order of this court, or removes the child from jurisdiction of the court without  
9 the consent of either the court or all persons who have the right to custody or  
10 visitation is subject to being punished for a category D felony as provided in NRS  
11 193.130.

12 **NOTICE IS HEREBY GIVEN** that the terms of the Hague Convention of October 25, 1980,  
13 adopted by the 14<sup>th</sup> Session of the Hague Conference on Private International Law apply if a  
14 parent abducts or wrongfully retains a child in a foreign country. The minor child is a habitual  
15 resident of Clark County, Nevada. The parties are also placed on notice of the following  
16 provisions in NRS 125.510(8):

17 If a parent of the child lives in a foreign country or has significant commitments  
18 in a foreign country:

19 (a) The parties may agree, and the court shall include in the order for custody of  
20 the child, that the United States is the country of habitual residence of the child  
21 for the purposes of applying the terms of the Hague Convention as set forth in  
22 subsection 7.

23 (b) Upon motion of one of the parties, the court may order the parent to post a  
24 bond if the court determines that the parent poses an imminent risk of  
25 wrongfully removing or concealing the child outside the country of habitual  
26 residence. The bond must be on an amount determined by the court and may be  
27 used only to pay for the cost of locating the child and returning him to his  
28 habitual residence if the child is wrongfully removed from or concealed outside  
the country of habitual residence. The fact that a parent has significant  
commitments in a foreign country does not create a presumption that the  
parent poses an imminent risk of wrongfully removing or concealing the child.

NRS 125C.200 regarding relocation with minor children:

If custody has been established and the custodial parent intends to move his  
residence to a place outside of this state and to take the child with him, he must,  
as soon as possible and before the planned move, attempt to obtain the written  
consent of the noncustodial parent to move the child from this state. If the  
noncustodial parent refuses to give that consent, the custodial parent shall,

1 before he leaves this state with the child, petition the court for permission to  
2 move the child. The failure of a parent to comply with the provisions of this  
3 section may be considered as a factor if a change of custody is requested by the  
4 noncustodial parent.

5 NRS 125.450 regarding the collection of child support payments through mandatory wage  
6 withholding or assignment of income.


7 NRS 31A regarding the enforcement of a child support obligation and the collection of  
8 delinquent child support.

9 NRS 125B.145 regarding the review of child support at any time due to changed circumstances  
10 and at least every three years following the entry of the child support order.

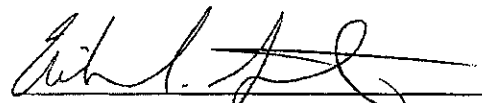
11 Dated this 24 day of April, 2014.

12  
13   
14 DISTRICT COURT JUDGE  
15 T ART RITCHIE, JR.  
16

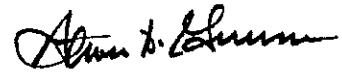
17 Dated this 21 day of April, 2014

18   
19  
20 FRANK TOTI, ESQ.  
21 Nevada Bar No. 005804  
22 6900 Westcliff Drive #500  
23 Las Vegas Nevada 89145  
24 702.364.1604  
25 Attorney for Defendant  
26  
27  
28

Dated this 21<sup>st</sup> day of April, 2014

  
MICHAEL S. STRANGE, ESQ.  
Nevada Bar No. 009429  
633 South 4<sup>th</sup> Street #10  
Las Vegas, Nevada 89101  
702.456-4357  
Attorney for Defendant





CLERK OF THE COURT

1 **NEOJ**  
2 Michael S. Strange, Esq.  
3 Nevada Bar No. 9429  
4 **Michael S. Strange & Associates, LLC**  
5 633 S. 4<sup>th</sup> Street; Suite 10  
6 Las Vegas, NV 89101  
7 Telephone: (702) 456-4357  
8 Fax: (702) 464-3042  
9 mstrange@mikestrangelaw.com  
10 Attorney for Plaintiff

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

10 KEVIN DANIEL ADRIANZEN,  
11 Plaintiff,  
12 vs.  
13 PAIGE ELIZABETH PETIT,  
14 Defendant.

CASE NO.: D-13-489542-D  
DEPT. NO.: H

15 **NOTICE OF ENTRY OF ORDER**

16 TO: KEVIN DANIEL ADRIANZEN, Plaintiff  
17 TO: PAIGE ELIZABETH PETIT, Defendant  
18 TO: FRANK J. TOTI, ESQ., Attorney for Defendant

19 **PLEASE TAKE NOTICE** that a Stipulation and Order to Continue the Evidentiary  
20 Hearing was duly entered in the above entitled matter on the 23<sup>rd</sup> of May, 2014.  
21

22 Dated this 23<sup>rd</sup> day of May, 2014

23  
24 By: /s/ Michael S. Strange  
25 MICHAEL S. STRANGE, ESQ.  
26 633 S. 4<sup>th</sup> Street; Suite 10  
27 Las Vegas, NV 89101  
28 (702) 456-4357  
Attorney for Plaintiff

MICHAEL S. STRANGE & ASSOCIATES, LLC  
633 S. 4<sup>th</sup> STREET; SUITE 10  
LAS VEGAS, NEVADA 89101  
PHONE: (702) 456-4357; FAX (702) 464-3042

MICHAEL S. STRANG, ASSOCIATES, LLC  
633 S. 4<sup>TH</sup> STREET, SUITE 10  
LAS VEGAS, NEVADA 89101  
PHONE: (702) 456-4357; FAX (702) 464-3042

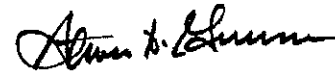
**CERTIFICATE OF MAILING**

I hereby certify that on the 23<sup>rd</sup> day of May, 2014, I placed a true and correct copy of the foregoing NOTICE OF ENTRY OF ORDER and STIPULATION AND ORDER TO CONTINUE THE EVIDENTIARY HEARING in the above-entitled matter, via U.S. Mail, postage prepaid and addressed as follows:

Frank J. Toti, Esq.  
6900 Westcliff Drive; #500  
Las Vegas, NV 89145  
Attorney for Defendant

I declare under penalty of perjury that the foregoing is true and correct.

By: /s/ Michael S. Strange  
MICHAEL S. STRANGE, ESQ.  
633 S. 4<sup>th</sup> Street; Suite 10  
Las Vegas, NV 89101  
(702) 456-4357  
Attorney for Plaintiff



CLERK OF THE COURT

1 SAO  
2 Michael S. Strange, Esq.  
3 Nevada Bar No. 9429  
4 Michael S. Strange & Associates, LLC  
5 633 S. 4<sup>th</sup> Street, Suite 10  
6 Las Vegas, NV 89101  
7 Telephone: (702) 456-4357  
8 Fax: (702) 464-3042  
9 [mstrange@mikesstrangelaw.com](mailto:mstrange@mikesstrangelaw.com)  
10 Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

11 KEVIN DANIEL ADRIANZEN,

12 Plaintiff,

13 vs.

14 PAIGE ELIZABETH PETIT,

15 Defendant.

CASE NO.: D-13-489542-D  
DEPT. NO.: H

16 STIPULATION AND ORDER TO CONTINUE THE EVIDENTIARY HEARING

17 COMES NOW Plaintiff, KEVIN DANIEL ADRIANZEN, by and through his attorneys of  
18 record, MICHAEL S. STRANGE, ESQ. of the law offices of MICHAEL S. STRANGE &  
19 ASSOCIATES, LLC, and Defendant, PAIGE ELIZABETH PETIT, by and through her attorney  
20 of record FRANK J. TOTI, ESQ. and hereby stipulate to the following:

21 IT IS HEREBY STIPULATED AND AGREED that the evidentiary hearing in this matter  
22 is hereby continued from May 19, 2014 at 1:30pm until June 10<sup>th</sup>, 2014 at 1:30pm (am/pm)  
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///

///

MICHAEL S. STRANGE & ASSOCIATES, LLC  
633 S. 4<sup>th</sup> STREET, SUITE 10  
LAS VEGAS, NEVADA 89101  
PHONE: (702) 456-4357; FAX (702) 464-3042

MICHAEL S. STRANGE & ASSOCIATES, LLC  
633 S. 4<sup>TH</sup> STREET, SUITE 10  
LAS VEGAS, NEVADA 89101  
PHONE: (702) 456-4357 FAX (702) 464-3642

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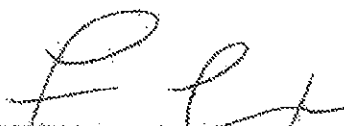
IT IS HEREBY FURTHER ORDERED that the evidentiary hearing in this matter is hereby continued from May 19, 2014 at 1:30pm until June 10<sup>th</sup>, 2014 at 1:30 am (pm).

IT IS SO ORDERED.

DATED THIS \_\_\_\_ DAY OF MAY, 2014.

DISTRICT COURT JUDGE

By:   
MICHAEL S. STRANGE, ESQ.  
633 S. 4<sup>TH</sup> Street, Suite 10  
Las Vegas, NV 89101  
(702) 456-4357  
Attorney for Plaintiff

By:   
FRANK J. TOTI, ESQ.  
6900 Westcliff Drive; #500  
Las Vegas, NV 89145  
(702) 364-1604  
Attorney for Defendant

MICHAEL S. STRANGE - ASSOCIATES, LLC  
633 S. 4<sup>TH</sup> STREET, SUITE 10  
LAS VEGAS, NEVADA 89101  
PHONE: (702) 456-4357; FAX (702) 464-3042

1 IT IS HEREBY FURTHER ORDERED that the evidentiary hearing in this matter is  
2 hereby continued from May 19, 2014 at 1:30pm until June 10<sup>th</sup>, 2014 at 1:30am (pm).

3 IT IS SO ORDERED.

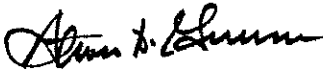
4 DATED THIS 20 DAY OF MAY, 2014.

5  
6   
7 DISTRICT COURT JUDGE *TR*

8 T. ART RITCHIE, JR.

9  
10  
11 By:   
12 MICHAEL S. STRANGE, ESQ.  
13 633 S. 4<sup>TH</sup> Street; Suite 10  
14 Las Vegas, NV 89101  
15 (702) 456-4357  
16 Attorney for Plaintiff

17  
18 By: See pg. 2A  
19 FRANK J. TOTI, ESQ.  
20 6900 Westcliff Drive; #500  
21 Las Vegas, NV 89145  
22 (702) 364-1604  
23 Attorney for Defendant

  
CLERK OF THE COURT

1 MOT

2 (Your Name) Kevin Adrianza

3 (Address) 9145 W. Richman Ave.

4 Las Vegas, NV 89178

5 (Telephone) (702) 617-0319

6 (Email Address) niplott@phoe.com

7 In Proper Person

8 DISTRICT COURT  
9 CLARK COUNTY, NEVADA

10 Kevin Adrianza

11 Plaintiff,

12 vs.

13 Raige Petit

14 Defendant.

CASE NO.: D13489540 N

DEPT NO.: 4

MOTION FOR (specify what the motion  
is for) To return a filing  
fee that the clerk  
made me pay for that  
was an error.

17 COMES NOW (circle one) Plaintiff Defendant Kevin Adrianza

18 in Proper Person, and moves this Honorable Court for an Order granting the relief requested. This  
19 motion is brought in good faith and is based on the attached Points and Authorities, Affidavit of  
20 Movant, the papers and pleadings on file herein, and such further evidence and argument that may  
21 be requested at the hearing.

23 DATED this (day) 29<sup>th</sup> day of (month) July, (year) 2014.

26   
27 (Your Signature)  
28

MC

RA000000121

POINTS AND AUTHORITIES

I. LEGAL ARGUMENT (include all relevant laws and cases that support your argument.  
Add additional pages as needed)

When I filed for divorce in December of 2012 I was also wanting to change my son's last name. I believed that it would all fall under the divorce case, but the clerks at the Lewis Court House, including a supervisor, stated that they were two separate cases. That was an error on their part.

The cases were eventually combined into 1 case, just the divorce case. So, since I paid the \$290 filing fee for the name change case based on erroneous information from the clerk, I would like to be reimbursed for the filing fee.

II. STATEMENT OF FACTS (include any relevant facts. Add additional pages as needed)

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1 **III. CONCLUSION**

2 Based on the law set forth and the pleadings on file herein, this party should be granted the  
3 following relief: (be specific and list what you want the Court to order or change)

4 1. Return of the \$290 filing fee

5 2. —

6 3. —

7 4. —

8 5. —

9 6. For other relief this court deems just and proper.

10 WHEREFORE, MOVANT respectfully requests this Court enter an Order granting his/her  
11 motion and for other such relief that this court deems just and proper.

12 DATED this 29<sup>th</sup> day of (month) July, (year) 2014.

13 By:

14 (Your name) Kevin Adrisman

15 (Your signature) 

1  
2 **AFFIDAVIT IN SUPPORT OF MOTION:**

3  
4 COMES NOW Marta Adrianza (your name), who states as follows:

- 5 1. That Affiant is the movant in the above-titled matter.  
6 2. That I have personal knowledge of the facts contained in this Motion and in this  
7 Affidavit and I am competent to testify to these facts. The statements in this Motion  
8 and Affidavit are true and correct to the best of my knowledge.  
9 3. Additional facts to support my requests: (Write N/A if there are no additional facts)

10 N/A  
11  
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14

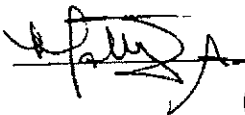
- 15 4. (Complete only if you are attaching exhibits to the motion). I have attached the  
16 following exhibits: (Describe exhibits or write N/A on any blank lines)

17 a. N/A

18 b. —

19 c. —  
20

21 I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true  
22 and correct.

23  
24   
25 (Your Signature)  
26  
27  
28

MOFI

DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA

Kevin Adrianzen  
Plaintiff/Petitioner

-vs-

Raige Petit  
Defendant/Respondent

CASE NO. D13489540 N

DEPT. H

FAMILY COURT MOTION/OPPOSITION  
FEE INFORMATION SHEET (NRS 19.0312)

Party Filing Motion/Opposition: ☐ Plaintiff/Petitioner ☐ Defendant/Respondent

MOTION FOR/OPPOSITION TO \_\_\_\_\_

Notice

**Motions and Oppositions to  
Motions filed after entry of  
final Decree or Judgment  
(pursuant to NRS 125,  
125B & 125C)  
are subject to the Re-open  
Filing Fee of \$25.00, unless  
specifically excluded.  
(See NRS 19.0312)**

Excluded Motions/Oppositions

- ☒ Motions filed before final Divorce/Custody Decree entered  
(Divorce/Custody Decree NOT final)
- ☐ Child Support Modification ONLY
- ☐ Motion/Opposition For Reconsideration (Within 10 days of Decree)  
Date of Last Order \_\_\_\_\_
- ☐ Request for New Trial (Within 10 days of Decree)  
Date of Last Order \_\_\_\_\_
- ☐ Other Excluded Motion \_\_\_\_\_  
(Must be prepared to defend exclusion to Judge)

**NOTE:** If no boxes are checked, filing fee **MUST** be paid.

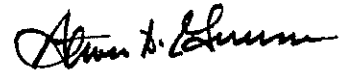
☐ Motion/Opp IS subject to \$25.00 filing fee ☒ Motion/Opp IS NOT subject to filing fee

Date: 7/29<sup>th</sup> 2014

Martha Adrianzen  
Printed Name of Preparer

[Signature]  
Signature of Preparer

RA000000126



CLERK OF THE COURT

1 **ORDER**

2 Michael S. Strange, Esq.  
3 Nevada Bar No. 9429  
4 Michael S. Strange & Associates, LLC  
5 633 S. 4<sup>th</sup> Street, Suite 10  
6 Las Vegas, NV 89101  
7 Telephone: (702) 456-4357  
8 Fax: (702) 464-3042  
9 [mstrange@mikestrangelaw.com](mailto:mstrange@mikestrangelaw.com)  
10 Attorney for Petitioner

11 **DISTRICT COURT**  
12 **CLARK COUNTY, NEVADA**

13 In the Matter of the Application of  
14 **KEVIN DANIEL ADRIANZEN,**  
15 **Petitioner**  
16 **For Change of Name of:**  
17 **RYDER BLAKE PETTE,**  
18 **A Minor Child.**

CASE NO.: D-13-489540-N  
DEPT. NO.: H

Date of Hearing: June 10, 2014  
Time of Hearing: 1:30 PM

19 **ORDER FOR CHANGE OF NAME OF MINOR CHILD**

20 This matter having come on for hearing on the 10<sup>th</sup> day of June, 2014 at 1:30 p.m. before  
21 the Honorable T. Arthur Ritchie, with MICHAEL S. STRANGE, ESQ. of the law offices of  
22 MICHAEL S. STRANGE & ASSOCIATES, LLC appearing on behalf of the Petitioner, KEVIN  
23 DANIEL ADRIANZEN. This case is linked to Domestic Case D-13-489542-D on Calendar  
24 today for Evidentiary Hearing and name change of child. The Court being fully advised in the  
25 premises, both as to the subject matter as well as the party thereto, the Court finds that in the best  
26 interest of the child, the child's name shall be changed to Ryder Blake Petit-Adrianzen.

27 ///

28 ///

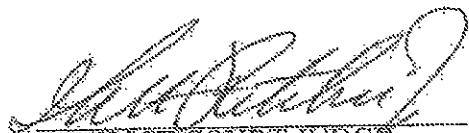
///

MICHAEL S. STRANGE ASSOCIATES, LLC  
633 S. 4<sup>th</sup> STREET, SUITE 10  
LAS VEGAS, NEVADA 89101  
PHONE: (702) 456-3337; FAX (702) 464-3042

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Minor child  
2 RYDER BLAKE PETIT, born on September 22, 2013, is hereby granted a change of name from  
3 RYDER BLAKE PETIT to RYDER BLAKE PETIT-ADRIANZEN.

4 IT IS HEREBY FURTHER ORDERED that the Department of Vital Statistics shall  
5 issue a new birth certificate for the Minor child with the name of RYDER BLAKE PETIT-  
6 ADRIANZEN.  
7

8 Dated this B day of August, 2014  
9

  
DISTRICT COURT JUDGE *ML for JB*  
T. ANT RITCHIE, JR.

10  
11  
12  
13 Submitted By  
14   
15 MICHAEL S. STRANGE, ESQ.  
16 633 S. 4<sup>th</sup> Street, Suite 10  
17 Las Vegas, NV 89101  
18 Attorney for Petitioner  
19  
20  
21  
22  
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24  
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1 TRANS

FILED

NOV 25 2015

*John L. Williams*  
CLERK OF COURT

2 COPY

3 EIGHTH JUDICIAL DISTRICT COURT

4 FAMILY DIVISION

5 CLARK COUNTY, NEVADA

6 KEVIN DANIEL ADRIANZEN, ) CASE NO. D-13-489542-D  
7 ) DEPT. H  
8 Plaintiff, )

9 vs. )

10 PAIGE ELIZABETH PETIT, )  
11 )  
12 Defendant. )

13 IN THE MATTER OF THE ) CASE NO. D-13-489540-N  
14 PETITION FOR CHANGE ) DEPT. H  
15 OF NAME BY: )

16 KEVIN DANIEL ADRIANZEN, ) APPEAL NO. 66565  
17 )  
18 Petitioner. )

19 BEFORE THE HONORABLE T. ARTHUR RITCHIE, JR.,  
20 DISTRICT COURT JUDGE

21 PARTIAL TRANSCRIPT RE: EVIDENTIARY HEARING

22 TUESDAY, JUNE 10, 2014

1 APPEARANCES:

2 The Plaintiff: KEVIN DANIEL ADRIANZEN  
3 For The Plaintiff: MICHAEL STRANGE, ESQ.  
4 633 S. 4<sup>th</sup> St., #10  
Las Vegas, Nevada 89101  
(702) 456-4357

5 The Defendant: PAIGE ELIZABETH PETIT  
6 For The Defendant: FRANK J. TOTI, ESQ.  
7 Toti Law Offices  
8 6900 Westcliff Dr., #500  
9 Las Vegas, Nevada 89145  
10 (702) 364-1604  
11  
12  
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24

I N D E X O F W I T N E S S E S

DIRECT      CROSS      REDIRECT      RECROSS

TUESDAY, JUNE 10, 2014

PLAINTIFF'S WITNESSES

KEVIN DANIEL ADRIANZEN

By Mr. Strange	11	--	74	--
By Mr. Toti	--	35	--	76

MADDIE ADRIANZEN

By Mr. Strange	79	--	89	--
By Mr. Toti	--	84	--	90

DEFENDANT'S WITNESSES

(None offered)



I N D E X   O F   E X H I B I T S

<u>PLAINTIFF'S EXHIBITS</u>	<u>IDENTIFIED</u>	<u>ADMITTED</u>
5	Photograph	23
6	Photograph	24
7	Photograph	24
8	Photograph	24
9	Photograph	24
10	Photograph	24
11	Photograph	24
12	Photograph	24
13	Police report/ Voluntary statement	31
15	Photographs	31
16	Custodian of records Affidavit	29

DEFENDANT'S EXHIBITS  
(None offered)

OPENING STATEMENTS

BY MR. STRANGE, page 7

BY MR. TOTI, page 8

1 LAS VEGAS, NEVADA

TUESDAY, JUNE 10, 2014

2 PROCEEDINGS

3 (THE PROCEEDING BEGAN AT 01:38:11.)

4 THE COURT: For the video record, please confirm  
5 appearance.

6 MR. STRANGE: Good afternoon, Your Honor. Michael S.  
7 Strange, Bar Number 9429, on behalf of the plaintiff, Kevin  
8 Adrianzen, who's also present.

9 MR. TOTI: And, Your Honor, Frank Toti, Bar Number 5804,  
10 here for defendant.

11 THE COURT: All right. Thank you for being on time and  
12 ready. Today is the time set to resolve the child custody  
13 portion of the complaint for divorce filed on December 16,  
14 2013 and counter claim filed on January 13, 2014.

15 As it was explained at hearings on February 26,  
16 2014, and March 19, 2014, we need an agreement or we need a  
17 Court ruling concerning child custody portion of this case  
18 before we can close the matter. There are actually two cases  
19 involved with these folks that deal with the same or related  
20 issues that are linked.

21 And the Court is aware that there is a petition for  
22 change of name that -- I don't know if consolidated is the  
23 right word, but one of the issues the Court has to determine  
24 that's related to custody is the petition to address the name

1 of the child.

2 We intend to hear from the parties today and any  
3 other witnesses, who are necessary for the Court to hear. The  
4 best interest is the sole consideration of the establishment  
5 of custodial order, (indiscernible) 125.480.

6 Counsel, will you please state your appearance? And if  
7 you need to make an opening statement, do so. Also, are we  
8 going to be needing witnesses besides the parties?

9 MR. TOTI: Judge, depending on how it goes, we may or may  
10 not call --

11 THE COURT: Okay. Well, I just need to --

12 MR. TOTI: -- one or two other --

13 THE COURT: -- make sure that if we are gonna have any  
14 witnesses, they need to be excluded until they testify.

15 MR. TOTI: Nobody I have in the courtroom will be  
16 testifying, Your Honor.

17 THE COURT: All right.

18 Mr. Strange?

19 MR. STRANGE: I do, and they're in the hall because my  
20 client was asking if it would be a closed hearing.

21 THE COURT: Yeah, the -- well, if they're gonna testify,  
22 then they don't come in until they actually testify. If  
23 they're not gonna testify, they're welcome to come in and  
24 watch the proceedings. That's a rule of evidence. Okay?

1 Mr. Strange, do you want to make an opening  
2 statement?

3 MR. STRANGE: Thank you, Your Honor, yes. I'll make a  
4 brief one.

5 OPENING STATEMENT

6 MR. STRANGE: Your Honor, my client is the natural father  
7 of the minor child. Obviously, since this Court's temporary  
8 order, he has maintained his visitation. The evidence is  
9 going to show that he's exercised all of that visitation since  
10 the temporary order.

11 The evidence should also show that, you know, my  
12 client's a good and caring parent, who is providing for the  
13 minor child. The evidence will also show that, you know,  
14 prior to the temporary order that my client wasn't allowed to  
15 see the minor child, other than upon the terms of the  
16 defendant. The evidence should also show the failure of the  
17 defendant to cooperate with my client in terms of care, issues  
18 with the minor child, et cetera.

19 And at the conclusion, the Court should conclude  
20 that it's in the best interest of the child for the parties to  
21 share joint legal and joint physical custody, along with a  
22 minor child's name change to be Adrianzen-Petit, which is also  
23 one of the requests as well.

24 THE COURT: Okay. Are there -- I'm looking at the

1 financial information in my notes from the financial  
2 information. Is there -- are there any issues besides custody  
3 in this case?

4 MR. STRANGE: No, Judge.

5 THE COURT: So we have an affidavit regarding the  
6 residency allegation. We can get some testimony to support  
7 the grounds of incompatibility or no-fault grounds for  
8 divorce, and maybe we find ourselves a couple of hours from  
9 now with enough evidence, we'll be closing the entire case.  
10 Okay?

11 Mr. Toti, do you want to make an opening statement?

12 MR. TOTI: Very briefly, Judge.

13 OPENING STATEMENT

14 MR. TOTI: And, Judge, what the evidence will show today  
15 is that in -- in this matter the child has been through --  
16 it's obviously a very, very young child. And the first  
17 several months of the child's life, plaintiff will be shown as  
18 a indifferent parent; not a loving parent; not a caring  
19 parent; an indifferent parent; a parent who acted contrary to  
20 the child's best interest; a parent who attempted to abscond  
21 with the child; a parent who showed anger issues and -- and  
22 concerns.

23 And -- and as a result of those things, Judge, we  
24 will show that it's actually in the child's best interest to

1 be primarily with mom and that prior to the plaintiff  
2 receiving any type of substantive contact with the child, that  
3 he undergo some type of anger management counseling and some  
4 type of, perhaps, parenting courses in a -- an effort to show  
5 this Court that he is able to be a parent to this child.

6 THE COURT: Has anything changed concerning the financial  
7 circumstances of the parties? He had filed a financial  
8 disclosure in December stating that he was employed, making  
9 \$12 an hour. Is that still true?

10 Have you changed jobs since December?

11 THE PLAINTIFF: Yes.

12 THE COURT: You have? Okay.

13 THE PLAINTIFF: Yes, sir.

14 THE COURT: So you'll have to elicit testimony concerning  
15 where he works and what he earns.

16 Your client filed an affidavit in January stating  
17 that she was a student, and has that circumstance changed?

18 MR. TOTI: No, Judge, it's still current.

19 THE COURT: All right. So you'll have to give me some  
20 indication of her (indiscernible) capacity or what her  
21 circumstances are.

22 All right. Good. Both of you got the same burden.  
23 Because he's the plaintiff, he'll put his evidence on first;  
24 and then you'll get a chance to put your evidence on.

1           How do you want to start your case, Mr. Strange?

2       MR. STRANGE: I -- I call my client.

3       THE COURT: All right.

4           Come on up, sir. You're next to me up here.

5       THE MARSHAL: Raise your right hand. Face the clerk,

6       please.

7       THE CLERK: You do solemnly swear the testimony you're

8       about to give in this action shall be the truth, the whole

9       truth and nothing but the truth, so help you God?

10       THE PLAINTIFF: Yes, ma'am.

11       THE CLERK: Thank you. You may be seated, sir.

12       THE PLAINTIFF: Thank you.

13       THE MARSHAL: Your seat, scoot all the way up. There's a

14       microphone right here in front of you.

15       THE PLAINTIFF: Yes, sir.

16       MR. STRANGE: Should I go to the podium, Your Honor?

17       THE COURT: Whatever you --

18       MR. STRANGE: Okay.

19       THE COURT: -- feel comfortable with. It's --

20       MR. STRANGE: Is it --

21       THE COURT: -- no concern.

22       MR. STRANGE: -- is it a little easier to hear?

23       THE COURT: Actually, the microphones work both.

24       MR. STRANGE: Oh.

1 THE COURT: It just depends on what you feel comfortable  
2 with as far as whether you want to stand at the podium or sit.

3 MR. STRANGE: Sure.

4 THE COURT: It's completely up to you.

5 MR. STRANGE: I -- I'll speak loud.

6 KEVIN DANIEL ADRIANZEN,

7 having been duly sworn, testified as follows:

8 DIRECT EXAMINATION

9 BY MR. STRANGE:

10 Q Kevin, state your name for the record.

11 A It's Kevin Daniel Adrianzen.

12 Q And are you the plaintiff in this action?

13 A Yes.

14 Q Okay. Kevin, where do you currently reside?

15 A At 9145 West Richmar Avenue.

16 Q And who do you reside with?

17 A My parents.

18 Q Okay. Can you describe the residence for the Court?

19 A Yeah, it's a two-story bedroom -- two-story house,  
20 five bedrooms. My son has his own bedroom in there as well.  
21 I have my own bedroom. It's very -- it's pretty big. It's  
22 nice.

23 Q Do you work?

24 A Yes.



1 Q Where do you currently work?  
2 A At Diversity Tatoos.  
3 Q And how long have you worked there?  
4 A Six months.  
5 Q And what is your job title there?  
6 A I am an apprentice and a clerk.  
7 Q And how are you paid?  
8 A Hourly.  
9 Q And what do you make an hour?  
10 A 8.25.  
11 Q Okay. Are there any tips or bonuses?  
12 A No.  
13 Q Is that a 40-hour work week?  
14 A No.  
15 Q Okay. How many hours do you work a week?  
16 A About 36 --  
17 Q Okay.  
18 A -- to 30.  
19 Q What -- what's your current work schedule?  
20 A Monday through Friday -- Monday through -- I mean,  
21 Tuesday through Saturday, 10:00 to -- 10:00 to 4:00.  
22 Q So you're off Sunday and Monday?  
23 A Uh-huh.  
24 Q Is that likely to change in the near future?

1 A Yes.

2 Q How is that going to change?

3 A The company is trying to change into on-call shifts  
4 during the week. And they're gonna give you about one or two  
5 set schedules.

6 Q And so will that affect what days off you have?

7 A Not the Sunday and Monday. It would just add a sec  
8 -- a third day.

9 Q And so you would end up getting a third day off,  
10 then. Is that correct?

11 A Yes, sir.

12 Q Okay. But you don't know what set day that would  
13 be?

14 A No, sir.

15 Q Okay. When did you -- you (indiscernible) -- you  
16 know the defendant in this case, correct?

17 A Yes, sir.

18 Q When -- when did you meet the defendant?

19 A In high school.

20 Q Okay. And when was that?

21 A Freshman year would be 2007.

22 Q Okay. You dated for a while?

23 A Not in high school, after.

24 Q When did you first start dating?

1 A In October of 2013.

2 Q Okay. And how long did you date before you two got  
3 married?

4 A Six -- six months.

5 Q Okay. Did you guys live together?

6 A No.

7 Q Okay. Did you live together at a point prior to  
8 getting married?

9 A Yes.

10 Q At -- what period did you guys live together?

11 A Oh, prior to getting married, no. I'm sorry.

12 Q Okay. So you -- just to re -- you didn't live  
13 together anytime prior to the marriage?

14 A No.

15 Q All right. When were you married?

16 A April 19<sup>th</sup> of 2013.

17 Q Okay. Did you guys live together after getting  
18 married?

19 A Yes.

20 Q How -- how long did you guys reside together?

21 A About two weeks.

22 Q Okay. What happened after the two weeks?

23 A She went back home.

24 Q To her parents' place?

1 A Yes.

2 Q Okay. Did that remain that way?

3 A Yes.

4 Q Okay. And when did you find out she was pregnant?

5 A Found out she was pregnant two months into our  
6 relationship. So that would be December -- about December  
7 17<sup>th</sup>, December 18<sup>th</sup>.

8 Q And you were living apart at that time, correct?

9 A Yes.

10 Q Okay. All right.

11 THE COURT: Again, we're dealing with a bunch of  
12 different years. I mean, you said, they dated in October of  
13 2013. They married on October 19, 2013. I think that's a  
14 mistake or conflict. Also the child was born in April two  
15 thou -- or September 2013. So, I believe, he's talking about  
16 December 2012; right?

17 THE WITNESS: Yes, yes, Your Honor.

18 Q BY MR. STRANGE: Let's --

19 A Sorry.

20 Q -- let's -- so you're familiar with what -- just --  
21 the Court just said. So --

22 A Yes.

23 Q -- are the months correct, just your year was wrong?

24 A Yes, sir.

1 Q Okay. All right. When Ryder was born, were you  
2 guys living together?

3 A She -- when he was born, she did reside in my house  
4 for a few days.

5 Q Okay. And then she left?

6 A Yes.

7 Q Where -- where did she go?

8 A Back to her parents' house.

9 Q Okay. Why -- why was she residing at your parents'  
10 place?

11 A Well, the plan was to move in together. And I was  
12 helping her because she had just gotten out of surgery and  
13 different things.

14 Q Okay. After Ryder was born, did you contact her to  
15 see him?

16 A Yes.

17 Q When did you first contact her to see Ryder?

18 A The day that they took him home --

19 Q Okay.

20 A -- from the hospital because he has ten days in the  
21 NICU.

22 Q And what did they say?

23 A That I was -- that pretty much I couldn't go.

24 Q Okay. Did you continually follow up with her --

1 A Yes.

2 Q -- to ask? And how many times would you say you --  
3 you asked?

4 A Countless.

5 Q Okay. And what was the answer they gave you every  
6 time?

7 A It was either a no, or it was on her terms and  
8 conditions that --

9 MR. TOTI: Your Honor, I'm going to object. The question  
10 is "they." If --

11 MR. STRANGE: Fair enough.

12 MR. TOTI: -- he's referring to my client, then it's not  
13 hearsay; but if it's anybody else, I would object as to  
14 hearsay.

15 THE COURT: Right. The -- counsel's asking the question  
16 very carefully because some of the statements that aren't  
17 yours might come in. If he asks you, what happened, and your  
18 answer is specific to something that she said, make sure you  
19 identify that. Okay?

20 THE WITNESS: Yes, sir.

21 THE COURT: Why don't you state the question again and  
22 get an answer?

23 MR. STRANGE: Sure.

24 THE COURT: You asked, what happened? Some -- he said,

1 sometimes she said no or sometimes on their terms and  
2 conditions. Be more specific.

3 MR. STRANGE: Sure.

4 THE WITNESS: Her parents would give terms and  
5 conditions, and she would relay the message to me via text  
6 message.

7 Q BY MR. STRANGE: But you would always relate your  
8 request to Paige, correct?

9 A Yes.

10 Q And Paige would respond back?

11 A Yes, sir.

12 Q Okay. And so every time you asked Paige she would  
13 respond?

14 A That it would -- it would have to be at her home on  
15 -- when she had time, and it couldn't be too late.

16 Q Did you ever go over to her residence to exercise  
17 visitation?

18 A Yes.

19 Q What dates did you go over to exercise visitation?

20 A When -- when it was the first month he was born, I  
21 went a few times just because I had a lot of job things going  
22 on. I was switching jobs. And then there -- they just kind  
23 of dwindled down from there because of altercations that  
24 happened.

1 Q So describe what happened at -- when you would go  
2 over to visit with Ryder.

3 A When I go over to visit, it was supervised  
4 visitation the entire time. She wouldn't leave me and him  
5 alone, at all. We couldn't have any alone time to spend to  
6 build a bond between us. They were always checking up on what  
7 we were doing or where I was.

8 Q When you say "they" are you referring to her  
9 parents?

10 A Yes.

11 Q Okay. And so would the -- would her parents be  
12 involved in the visitation and the supervision?

13 A Yes.

14 Q Okay. Did they inter -- intervene when you were  
15 visiting with Ryder?

16 A In the visitations, yes, just to bring food or  
17 different things.

18 Q Okay. Did they ever attempt to prevent you from  
19 visiting Ryder or asking you to leave early?

20 A Yes.

21 Q When was this?

22 MR. TOTI: I'm gonna object as to hearsay, Your Honor.

23 THE COURT: The -- you -- they're not asking about the  
24 specific statements. I'm taking the answer in the context



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

2  
3  
4                   **Paige Elizabeth Petit,**

5                                   Appellant,

6  
7                   vs.

8                   **Kevin Daniel Adrianzen,**

9                                   Respondent.  
10

Electronically Filed  
Dec 24 2015 12:58 p.m.  
Supreme Ct. Case No. 66565  
Tracie K. Lindeman  
District Ct. Case No. D-13-489542-D  
Clerk of Supreme Court  
(Consolidated with D-13-489542-D)

11  
12                   An Appeal, Following a Final Order Changing the Name  
13                   of Minor Child; Eighth Judicial District Court, Clark  
14                   County, Nevada; Honorable T. Arthur Ritchie, Jr.

15                                   **RESPONDENT'S APPENDIX**

16                   **Bruce I. Shapiro, Esq.**

17                   Nevada Bar No. 004050

18                   **Shann D. Winesett, Esq.**

19                   Nevada Bar No. 005551

20                   PECOS LAW GROUP

21                   South Pecos Road, Suite 14A

22                   Henderson, Nevada 89074

23                   (702) 388-1851

24                   Email@pecoslawgroup.com

25                   Attorneys for Respondent

26                   **Telia U. Williams, Esq.**

27                   Nevada Bar No. 009359

28                   LAW FIRM OF TELIA U. WILLIAMS

10161 Park Run Drive, Suite 150

Las Vegas, Nevada 89145

(702) 835-6866

Teliauwilliams@telialaw.com

Attorney for Appellant

## **CHRONOLOGICAL INDEX OF RESPONDENT'S APPENDIX**

<b>DESCRIPTION</b>	<b>DATE FILED</b>	<b>VOL./PAGE No.</b>
Motion for Temporary Custody, Visitation, Child Support, Spousal Support, and/or Exclusive Possession	12/20/13	RA1-RA21
Plaintiff's Motion Opposing Defendant's Motion for Sole and Physical Custody of the Minor Child, for Child Support, for Temporary Spousal Support, and Attorney's Fees	01/27/14	RA22-RA87
Motion for Waiver of Consent to Name Change by the Child' Mother	01/27/14	RA88-RA93
Order from February 5, 2014 hearing	02/20/14	RA94-RA97
Order from February 26, 2014 hearing	03/04/14	RA100-RA102
Notice of Entry of Order from February 26, 2014 hearing	03/04/14	RA98-RA102
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Amended Order from March 19, 2014 hearing	04/28/14	RA111-RA115
Notice of Entry of Amended Order from March 19, 2014 hearing	05/01/14	RA109-RA115
Stipulation and Order to Continue Evidentiary Hearing	05/23/14	RA118-RA120
Notice of Entry of Order to Continue Evidentiary Hearing	05/23/14	RA116-RA120
Motion to Return a Filing Fee that the Clerk Made Me Pay for that was an Error	07/29/14	RA121-RA126
Order for Change of Name of Minor Child	08/18/14	RA127-RA128
Partial Transcript Re: Evidentiary Hearing June 10, 2014	11/25/15	RA129-RA220

## **ALPHABETICAL INDEX OF PETITIONER'S APPENDIX**

<b>DESCRIPTION</b>	<b>DATE FILED</b>	<b>VOL./PAGE No.</b>
Amended Order from March 19, 2014 hearing	04/28/14	RA111-RA115
Motion to Return a Filing Fee that the Clerk Made Me Pay for that was an Error	07/29/14	RA121-RA126
Motion for Waiver of Consent to Name Change by the Child' Mother	01/27/14	RA88-RA93
Motion for Temporary Custody, Visitation, Child Support, Spousal Support, and/or Exclusive Possession	12/20/13	RA1-RA21
Notice of Entry of Order from February 26, 2014 hearing	03/04/14	RA98-RA102
Notice of Entry of Order to Continue Evidentiary Hearing	05/23/14	RA116-RA120
Notice of Entry of Order from March 19, 2014 hearing	04/11/14	RA103-RA108
Notice of Entry of Amended Order from March 19, 2014 hearing	05/01/14	RA109-RA115
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Order from February 5, 2014 hearing	02/20/14	RA94-RA97
Order from March 19, 2014 hearing	04/10/14	RA105-RA108
Order for Change of Name of Minor Child	08/18/14	RA127-RA128
Plaintiff's Motion Opposing Defendant's Motion for Sole and Physical Custody of the Minor Child, for Child Support, for Temporary Spousal Support, and Attorney's Fees	01/27/14	RA22-RA87
Stipulation and Order to Continue Evidentiary Hearing	05/23/14	RA118-RA120
Partial Transcript Re: Evidentiary Hearing June 10, 2014	11/25/15	RA129-RA220

**FILED****DEC 20 2013***Amie L. Blum*  
**CLERK OF COURT**

1 MOT

2 (Your Name) Kevin Daniel Adrianzen

3 (Address) 9145 West Richmar Avenue

4 (Telephone) (702) 499-8895

5 (Email Address) hip1071@yahoo.com

6 In Proper Person

7 **DISTRICT COURT**8 **CLARK COUNTY, NEVADA**9 **KEVIN DANIEL ADRIANZEN**

CASE NO.: D-13-489-542-D

10 Plaintiff, /

DEPT NO.: Q

11 vs.

12 **PAIGE ELIZABETH PETIT**DATE OF HEARING: 1/28/2014

13 Defendant.

TIME OF HEARING: 10:00 AM14 Oral Argument Requested: ☐ Yes/ ☐ No15 **MOTION FOR TEMPORARY CUSTODY, VISITATION, CHILD SUPPORT, SPOUSAL  
SUPPORT, AND/OR EXCLUSIVE POSSESSION**16 COMES NOW (☒ check one) ☒ Plaintiff/ ☐ Defendant (your name) KEVIN17 DANIEL ADRIANZEN, in Proper Person, and moves this Honorable Court for an  
18 Order granting temporary custody, visitation, child support, spousal support, and/or exclusive  
19 possession. This motion is brought in good faith pursuant to NRS 125, NRS 125B, and NRS  
20 125C, and is based upon the attached Points and Authorities, Affidavit of Movant, the papers and  
21 pleadings on file herein, and any evidence or argument heard at the time of hearing.22 **POINTS AND AUTHORITIES**23 **I. LEGAL ARGUMENT**24 Regarding the temporary custody of the parties' minor child(ren), NRS 125.480 states in  
25 pertinent part:26 1. In determining custody of a minor child in an action brought  
27 under this chapter, the sole consideration of the court is the best interest of  
28

1 the child. If it appears to the court that joint custody would be in the best  
2 interest of the child, the court may grant custody to the parties jointly.

3 2. Preference must not be given to either parent for the sole reason  
4 that the parent is the mother or the father of the child.

5 3. The court shall award custody in the following order of  
6 preference unless in a particular case the best interest of the child requires  
7 otherwise:

8 (a) To both parents jointly pursuant to NRS 125.490 or to either  
9 parent...When awarding custody to either parent, the court shall consider,  
10 among other factors, which parent is more likely to allow the child to have  
11 frequent associations and a continuing relationship with the noncustodial  
12 parent.

13 (b) To a person or persons in whose home the child has been living  
14 and where the child has had a wholesome and stable environment.

15 ...  
16 4. In determining the best interest of the child, the court shall  
17 consider, among other things:

18 (a) The wishes of the child if the child is of sufficient age and  
19 capacity to form an intelligent preference as to his custody;

20 (b) Any nomination by a parent of a guardian for the child; and

21 (c) Whether either parent or any other person seeking custody has  
22 engaged in an act of domestic violence against the child, a parent of the  
23 child or any other person residing with the child.

24 ...

25 Additionally, NRS 125.510 states in pertinent part:

26 1. In determining the custody of a minor child in an action brought  
27 pursuant to this chapter, the court may, except as otherwise provided in this  
28 section and chapter 130 of NRS:

(a) During the pendency of the action, at the final hearing or at any  
time thereafter during the minority of any of the children of the marriage,  
make such an order for the custody, care, education, maintenance and  
support of the minor children as appears in their best interest; and

...

4. A party may proceed pursuant to this section without counsel.

Regarding child support for the parties' minor child(ren), NRS 125.040 states, in  
pertinent part:

1. In any suit for divorce the court may, in its discretion, upon  
application by either party and notice to the other party, require either party to  
pay moneys necessary to assist the other party in accomplishing one or more  
of the following:

...

(b) To provide temporary support for children of the parties;

...

1           2. The court may make any order affecting property of the parties, or  
2 either of them, which it may deem necessary or desirable to accomplish the  
3 purposes of this section. Such orders shall be made by the court only after  
4 taking into consideration the financial situation of each of the parties.

5           ...  
6 NRS 125C.010 states, in pertinent part:

7           1. Any order awarding a party a right of visitation of a minor child must:

8           (a) Define that right with sufficient particularity to ensure that the rights of the  
9 parties can be properly enforced and that the best interest of the child is achieved; and

10           (b) Specify that the State of Nevada or the state where the child resides within the  
11 United States of America is the habitual residence of the child.

12           The order must include all specific times and other terms of the right of visitation.

13           2. As used in this section, "sufficient particularity" means a statement of the  
14 rights in absolute terms and not by the use of the term "reasonable" or other similar term  
15 which is susceptible to different interpretations by the parties.

16           The statutory guidelines for child support are set forth in NRS 125B.070 and NRS  
17 125B.080. Child support should be set at the following levels of the non-custodial  
18 parent's gross monthly income: 1) For one minor child – 18%; 2) For two minor children  
19 – 25%; 3) For three minor children – 29%; 4) For four minor children – 31%; and 5) For  
20 each additional minor child – an additional 2%. The non-custodial parent is obligated to  
21 pay a minimum of \$100.00 per month per child. The maximum amount per month per  
22 child varies according to that parent's gross monthly income. However, the court can  
23 deviate from these sums based upon the factors listed in NRS 125B.080.

24           Regarding temporary spousal support, NRS 125.040 states, in pertinent part:

25           1. In any suit for divorce the court may, in its discretion, upon application by  
26 either party and notice to the other party, require either party to pay moneys necessary to  
27 assist the other party in accomplishing one or more of the following:

28           (a) To provide temporary maintenance for the other party  
29 ...

30           Additionally, regarding temporary exclusive possession of the marital residence, NRS  
31 125.040 states, in pertinent part:

32           2. The court may make any order affecting property of the parties, or either of  
33 them, which it may deem necessary or desirable to accomplish the purposes of this  
34 section. Such orders shall be made by the court only after taking into consideration the  
35 financial situation of each of the parties.

36           ...  
37 Lastly, Eighth Judicial District Court Rule 5.21 states as follows:

38           (a) Except as provided in paragraph (c), if both parties to a domestic relations  
39 matter are living in the community residence at the time the order is requested, or if the  
40 other party is in sole possession of the community residence at such time, a motion by a  
41 party for immediate temporary exclusive possession of the community residence or for a  
42 preliminary injunction requesting the same relief will only be considered after notice to

1 the other party. The motion must be supported by an affidavit upon personal knowledge  
2 setting forth in detail the facts in justification of such motion.

3 (b) If the other party is not living in the community residence at the time a  
4 party makes a request for exclusive possession of that residence, an appropriate ex parte  
5 restraining order will be considered by the court, subject to modification upon motion  
6 noticed as required in paragraph (a) of this rule. Such application must be supported by an  
7 affidavit upon personal knowledge setting forth in detail the facts in justification of such  
8 motion.

9 (c) Ex parte motions for restraining orders granting temporary exclusive  
10 possession of the community residence where both parties are residing therein will be  
11 considered only in cases of extreme emergency, supported by an affidavit setting forth in  
12 detail facts establishing the existence of an emergency to the satisfaction of the judge or  
13 referee. In applying for an ex parte restraining order, no party or attorney shall request  
14 another party to be removed from his or her usual residence if the property or interest  
15 therein is the separate property of the other party, nor may any person be required to leave  
16 any premises where he or she is residing unless given sufficient time (at least 12 hours)  
17 from the service of said order to remove his or her wearing apparel and personal effects  
18 therefrom.

## 14 II. FACTS AND ARGUMENT

- 15 1. **Number of Minor Children.** That Plaintiff and Defendant have ONE (1) minor  
16 child in common who is either biological or adopted. *(If no children, write the*  
17 *number zero "0")*
- 18 2. **Children's Residency.** The minor children's names, dates of birth, states and lengths of  
19 residence are as follows: *(If no children, write "N/A")*

20

Child's Name:	Child's Date of Birth:	State of Residence:	Length of Time Child has Lived in the State:
Ryder Blake Petit	9-22-13	NY	Since birth
N/A			
N/A			
N/A			

21  
22  
23  
24  
25  
26 //

1     **3. Jurisdiction. (☒ check one)**

- 2         ☐ That Plaintiff and Defendant do not have minor children in common.
- 3         ☒ The children are residents of Nevada and have lived in this State for at least the past
- 4             six (6) months and, as such, this Court has the necessary UCCJEA jurisdiction to
- 5             enter orders regarding custody.
- 6         ☐ The children are not residents of Nevada and have not lived in this State for at least
- 7             the past six (6) months and, as such, this Court does NOT have the necessary
- 8             UCCJEA jurisdiction to enter orders regarding custody.

9                     **A. Request for Temporary Custody and Visitation**

10     **4. Legal Custody.** Legal Custody involves having basic legal responsibility for a child and

11         making major decisions about the child like the child's health, education and religious

12         upbringing. (☒ check one)

- 13         ☐ That Plaintiff and Defendant do not have minor children in common or the children
- 14             are not residents of Nevada.
- 15         ☐ The Plaintiff and Defendant should be granted joint legal custody of the minor
- 16             children.
- 17         ☒ The Plaintiff should be granted sole legal custody of the minor children.
- 18         ☐ The Defendant should be granted sole legal custody of the minor children.

19     **5. Holiday Visitation. (☒ check one)**

- 20         ☐ That Plaintiff and Defendant do not have minor children in common or the children
- 21             are not residents of Nevada.
- 22         ☒ A copy of the proposed holiday visitation schedule is attached as Exhibit 2 and should
- 23             take precedence when in conflict with the regular visitation schedule.
- 24         ☐ A copy of the proposed holiday visitation schedule is attached as Exhibit 2 and should
- 25             NOT take precedence when in conflict with the regular visitation schedule.

26     //

27     //

28     //



1 6. **Physical Custody.** Physical custody refers to the amount of time the child spends in the  
2 care of each parent. (☒ check one)

3 Joint physical custody exists when each parent has physical custody of the children  
4 at least 40% (146 days) of the time calculated over a one year period.

5 Primary physical custody exists when one parent has physical custody of the  
6 children more than 60% (219 days) of the time calculated over a one year period.

- 7 ☐ That Plaintiff and Defendant do not have minor children in common or the children  
8 are not residents of Nevada.
- 9 ☐ The Plaintiff and Defendant should be granted joint physical custody of the minor  
10 children with a timeshare as proposed in Exhibit 1.
- 11 ☒ The Plaintiff should be awarded primary physical custody of the minor children with  
12 Defendant having visitation as proposed in Exhibit 1.
- 13 ☐ The Defendant should be awarded primary physical custody of the minor children  
14 with Plaintiff having visitation as proposed in Exhibit 1.

14 7. **Best Interest of the Children.** (☒ check one)

- 15 ☐ The Plaintiff and Defendant do not have minor children in common or the children  
16 are not residents of Nevada.
- 17 ☐ The proposed temporary legal custody, physical custody, and visitation arrangements  
18 are in the children's best interest because (*explain*) the mother of our son, PAIGE  
19 PETIT has not allowed me to see our son since October 12, 2013. Prior to  
20 that date, the mother would only allow me to see him at her parents' house  
21 where she was residing to receive help on how to care for our son. I was only  
22 allowed to see him at the times that were acceptable to her parents and for  
23 however long they deemed appropriate. I did not feel that I was able to exercise  
24 my right as a father/husband and have an independent relationship with our son that  
25 would allow for him and I to bond and nurture emotional ties as most father/son  
26 relationships do. Therefore, I informed the mother that I would be taking him to  
27 my place of residence, where I reside with my parents for visits. She allowed 1 visit  
28 for 2 hours and sat outside of my parents home in her vehicle. Since I wanted to  
have my own individual time with our son, she said that the only way I would  
be able to see our son was at her parents' house. I feel as though I have lost  
valuable time with our son because I chose to save money for a lawsuit rather  
than be limited on when, where and how long I could see our son.

1 **B. Request for Temporary Child Support**

2  
3 **8. Amount of Child Support.** *Fill out the Child Support Worksheet that applies to your*  
4 *custody arrangement (Worksheet A or Worksheet B) BEFORE you answer this question.*

5 (☒ *check one*)

6 ☐ That Plaintiff and Defendant do not have minor children in common.

7 ☒ Based upon my proposed physical custody arrangement, I request that the (☒ *check*  
8 *one*) ☒ Plaintiff/☐ Defendant be ordered to pay \$148.00 dollars per month for the  
9 support of the parties' minor child.

10 **9. Calculation of Child Support.** The amount of child support requested is based upon the  
11 following: (☒ *check one*)

12 ☐ That Plaintiff and Defendant do not have minor children in common.

13 ☐ The statutory minimum of \$100 per month, per child;

14 ☒ The calculation for a primary physical custody arrangement as shown on the attached  
15 Worksheet A ;

16 ☐ The calculation for a joint physical custody arrangement as shown on the attached  
17 Worksheet B; or

18 ☒ Other: Imputing minimum wage and full time hours for defendant towards support.

19  
20 **C. Request for Temporary Spousal Support**

21 **10. (☒ *check one*)**

22 ☐ The Plaintiff and Defendant were never married.

23 ☒ I am not requesting temporary spousal support.

24 ☐ The Plaintiff and Defendant are married and I am requesting temporary spousal  
25 support in the amount of \$ N/A dollars per month. (*If you ARE*  
26 *requesting temporary spousal support complete questions "a-h"*)

27 a. My gross monthly income is \$ N/A dollars.

28 b. My spouse's gross monthly income is \$ N/A dollars. I am  
N/A years old.

- 1 c. My spouse is N/A years old.
- 2 d. My spouse and I have been married for N/A years.
- 3 e. Describe your work history, level of education, and any additional
- 4 training/education you believe is/are necessary to obtain your employment
- 5 goals. N/A
- 6
- 7
- 8
- 9 f. I should be granted temporary spousal support because (Explain why you are in
- 10 need of support. Be specific.) N/A
- 11
- 12
- 13
- 14
- 15 g. I believe my spouse is able to pay the requested support because (explain)
- 16 N/A
- 17
- 18
- 19
- 20 h. (☒ check all that apply)
- 21 ☐ I live with my spouse.
- 22 ☒ I do not live with my spouse.
- 23 ☐ I am responsible for paying the community debts (car payments,
- 24 mortgage/rent, insurance, etc...).
- 25 ☐ My spouse is responsible for paying the community debts (car payments,
- 26 mortgage, rent, insurance, etc...).
- 27 ☐ My spouse and I are both responsible for paying the community debts.
- 28

**D. Request for Exclusive Possession of the Marital Residence.**

**11. (☒ check one)**

- ☐ The Plaintiff and Defendant were never married.
- ☒ I am not requesting exclusive possession of the marital residence.
- ☐ The Plaintiff and Defendant are married and I am requesting exclusive possession of the marital residence located at: N/A

*(If you ARE requesting temporary exclusive possession, complete questions "a-e".)*

- a. The marital property is (☒ check one) ☐ owned/☐ rented/☐ leased.
- b. My gross monthly income is \$ N/A dollars.
- c. My spouse's gross monthly income is \$ N/A dollars.
- d. There (☒ check one) ☐ are/☐ are not domestic violence issues between the spouses.
- e. (☒ check all that apply)
- ☐ I live without my spouse in the marital residence.
- ☐ My spouse lives without me in the marital residence.
- ☐ I live with my spouse in the marital residence
- ☐ I believe it is easier for my spouse to find alternative housing because:  
(explain) N/A

☒ Other:

**both my spouse and I live in the homes of our respective parents**

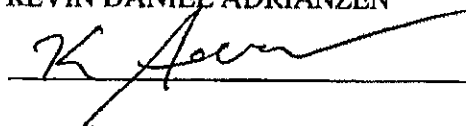
**III. CONCLUSION**

WHEREFORE, based upon the law set forth and the pleadings on file herein, Movant respectfully requests that this Court grant the relief requested in this Motion and for such other relief as the Court finds just and proper.

DATED this 18th day of (month) December, (year) 2013.

Submitted By: (Print your name) KEVIN DANIEL ADRIANZEN

(Your signature) ▶



1  
2 **AFFIDAVIT IN SUPPORT OF MOTION FOR TEMPORARY CUSTODY,**  
3 **VISITATION, CHILD SUPPORT, SPOUSAL SUPPORT, AND/OR EXCLUSIVE**  
4 **POSSESSION**

5 COMES NOW, (your name) KEVIN ADRIANZEN, and states as follows:

- 6 1. That Affiant has personal knowledge of the facts contained in the attached Motion  
7 and in this Affidavit and is competent to testify to same.  
8 2. That the statements in this Motion and Affidavit are true and correct to the best of  
9 Affiant's knowledge.  
10 3. Additional facts to support my requests include: I would like to request that the court  
11 respectfully allow me to have the additional time that I have lost with our son.  
12 4. That Affiant has attached the following exhibit to the Motion which supports the  
13 requests made therein: (Describe exhibit or write N/A on any blank lines.)

14 a. N/A

15 b. N/A

16 I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true  
17 and correct.

18 DATED this (day) 18th day of (month) December, 2013.  
19

20  
21 Submitted By: (your signature) ▶



22 (print your name) KEVIN DANIEL ADRIANZEN  
23  
24  
25  
26  
27  
28

# EXHIBIT 1

Week	Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
<i>Sample</i>	Mom Pick up at 11 a.m.	Mom	Dad Pick up after school at 3 p.m.	Dad	Dad	Mom Pick up after school at 3 p.m.	Mom
<i>Week #1</i>	DAD	DAD	MOM to pick up at 6PM	MOM	MOM	DAD to pick up at 6PM	DAD
<i>Week #2</i>	DAD	DAD	MOM to pick up at 6PM	MOM	MOM	DAD to pick up at 6PM	DAD
<i>Week #3</i>	DAD	DAD	MOM to pick up at 6PM	MOM	MOM	DAD to pick up at 6PM	DAD
<i>Week #4</i>	DAD	DAD	MOM to pick up at 6PM	MOM	MOM	DAD to pick up at 6PM	DAD

MOM does not work and DAD works Monday through Friday. This limits DAD's availability mostly to have the minor child on weekends and the MOM is available to have the minor child on weekdays.

# EXHIBIT 2

Check box if this holiday applies:	Holiday:	Time (circle a.m. or p.m.):	Every Year	Even Years	Odd Years
<input checked="" type="checkbox"/>	New Year's Eve	From: 10:00 (a.m./p.m.) To: 6:00 a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input checked="" type="checkbox"/> Dad	<input checked="" type="checkbox"/> Mom <input type="checkbox"/> Dad
<input checked="" type="checkbox"/>	New Year's Day	From: 10:00 (a.m./p.m.) To: 6:00 a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input checked="" type="checkbox"/> Dad	<input checked="" type="checkbox"/> Mom <input type="checkbox"/> Dad
<input checked="" type="checkbox"/>	Martin Luther King, Jr. Day	From: 10:00 (a.m./p.m.) To: 6:00 a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input checked="" type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input checked="" type="checkbox"/> Dad
<input checked="" type="checkbox"/>	Presidents' Day	From: 10:00 (a.m./p.m.) To: 6:00 a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input checked="" type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input checked="" type="checkbox"/> Dad
<input type="checkbox"/>	Passover	From: _____ a.m./p.m. To: _____ a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input type="checkbox"/> Dad
<input checked="" type="checkbox"/>	Easter	From: 10:00 (a.m./p.m.) To: 6:00 a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input checked="" type="checkbox"/> Dad	<input checked="" type="checkbox"/> Mom <input type="checkbox"/> Dad
<input checked="" type="checkbox"/>	Memorial Day	From: 10:00 (a.m./p.m.) To: 6:00 a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input checked="" type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input checked="" type="checkbox"/> Dad
<input checked="" type="checkbox"/>	Mother's Day	From: 10:00 (a.m./p.m.) To: 6:00 a.m./p.m.	<input checked="" type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input type="checkbox"/> Dad
<input checked="" type="checkbox"/>	Father's Day	From: 10:00 (a.m./p.m.) To: 6:00 a.m./p.m.	<input type="checkbox"/> Mom <input checked="" type="checkbox"/> Dad	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input type="checkbox"/> Dad
<input checked="" type="checkbox"/>	4 <sup>th</sup> of July	From: 12:00 a.m./p.m. To: 6:00 a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input checked="" type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input checked="" type="checkbox"/> Dad
<input checked="" type="checkbox"/>	Labor Day	From: 10:00 (a.m./p.m.) To: 6:00 a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input checked="" type="checkbox"/> Dad	<input checked="" type="checkbox"/> Mom <input type="checkbox"/> Dad
<input type="checkbox"/>	Rosh Hashanah	From: _____ a.m./p.m. To: _____ a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input type="checkbox"/> Dad
<input type="checkbox"/>	Yom Kippur	From: _____ a.m./p.m. To: _____ a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input type="checkbox"/> Dad
<input checked="" type="checkbox"/>	Nevada Day	From: 10:00 (a.m./p.m.) To: 6:00 a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input checked="" type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input checked="" type="checkbox"/> Dad
<input checked="" type="checkbox"/>	Halloween	From: 4:00 a.m./p.m. To: 6:00 a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input checked="" type="checkbox"/> Dad	<input checked="" type="checkbox"/> Mom <input type="checkbox"/> Dad
<input checked="" type="checkbox"/>	Veterans Day	From: 10:00 (a.m./p.m.) To: 6:00 a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input checked="" type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input checked="" type="checkbox"/> Dad
<input checked="" type="checkbox"/>	Thanksgiving Day	From: 12:00 a.m./p.m. To: 6:00 a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input checked="" type="checkbox"/> Dad	<input checked="" type="checkbox"/> Mom <input type="checkbox"/> Dad

# EXHIBIT 2 Continued

<input type="checkbox"/>	Chanukkah (Days):	From: _____ a.m./p.m. To: _____ a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input type="checkbox"/> Dad
<input type="checkbox"/>	Chanukkah (Days):	From: _____ a.m./p.m. To: _____ a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input type="checkbox"/> Dad
<input checked="" type="checkbox"/>	Christmas Eve	From: 10:00 (a.m./p.m.) To: 8:00 a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input checked="" type="checkbox"/> Dad	<input checked="" type="checkbox"/> Mom <input type="checkbox"/> Dad
<input checked="" type="checkbox"/>	Christmas	From: 10:00 (a.m./p.m.) To: 8:00 a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input checked="" type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input checked="" type="checkbox"/> Dad
<input checked="" type="checkbox"/>	Father's Birthday	From: 10:00 (a.m./p.m.) To: 8:00 a.m./p.m.	<input type="checkbox"/> Mom <input checked="" type="checkbox"/> Dad	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input type="checkbox"/> Dad
<input checked="" type="checkbox"/>	Mother's Birthday	From: 10:00 (a.m./p.m.) To: 8:00 a.m./p.m.	<input checked="" type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input type="checkbox"/> Dad
<input checked="" type="checkbox"/>	Child's Birthday	From: 10:00 (a.m./p.m.) To: 8:00 a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input checked="" type="checkbox"/> Dad	<input checked="" type="checkbox"/> Mom <input type="checkbox"/> Dad
<input checked="" type="checkbox"/>	Family Day (Fri. after Thanksgiving)	From: 10:00 (a.m./p.m.) To: 8:00 a.m./p.m.	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input checked="" type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input checked="" type="checkbox"/> Dad
<input checked="" type="checkbox"/>	Maternal Grandparent's B-day AND Paternal Grandparent's B-day	From: 10:00 (a.m./p.m.) To: 8:00 a.m./p.m.	<input checked="" type="checkbox"/> Mom <input checked="" type="checkbox"/> Dad	<input type="checkbox"/> Mom <input type="checkbox"/> Dad	<input type="checkbox"/> Mom <input type="checkbox"/> Dad



## Worksheet A -Primary Physical Custody Child Support Calculation Worksheet

You must fill out this worksheet and attach it to the document you are filing which asks for a primary physical custody arrangement. Primary physical custody exists when one parent has physical custody of the child more than 60% (219 days) of the time calculated over a one year period.

### ① : Determine Gross Monthly Income (GMI) of the non-custodial parent.

Hourly wage \$ 7.25	X	Hrs/Week 40	=	\$ 290	X	Pay Periods 52	=	Yearly income \$ 15,080	÷	Months 12	=	GMI \$ 1,257
------------------------	---	----------------	---	--------	---	-------------------	---	----------------------------	---	--------------	---	-----------------

### ② : Determine Obligation.

GMI \$ 1,257	X	Formula Percentage (0.18 for 1 child, 0.25 for 2 children, 0.29 for 3 children, 0.02 increase for each additional child) 0.18	=	Monthly child support (rounded to the nearest dollar) \$ 226
-----------------	---	--	---	---

### ③ : Apply the presumptive maximum if necessary. This amount changes every year on July 1<sup>st</sup>. Make sure you are using the most current chart.

Income Range		Presumptive Maximum Amount
<i>If the Parent's GMI is At Least</i>	<i>But Less Than</i>	<i>Usually, this is the maximum amount a parent may be required to pay per month per child.</i>
\$0	\$4,235	\$630
\$4,235	\$6,351	\$693
\$6,351	\$8,467	\$758
\$8,467	\$10,585	\$819
\$10,585	\$12,701	\$883
\$12,701	\$14,816	\$945
\$14,816	No Limit	\$1,010

### ④ : Deviations. If you are requesting an amount of child support that is lower or higher than the amount in ② or ③, if applicable, your reason(s) for requesting a different amount must be based upon one of the following factors. (☒ check all that apply)

<input type="checkbox"/> The cost of health insurance	<input type="checkbox"/> The cost of childcare	<input checked="" type="checkbox"/> The relative income of both parents
<input type="checkbox"/> Special educational needs of the child	<input checked="" type="checkbox"/> The amount of time the child spends with each parent	<input type="checkbox"/> Any other necessary expenses for the benefit of the child
<input type="checkbox"/> The age of the child	<input type="checkbox"/> Legal responsibility of the parent for the support of others	<input type="checkbox"/> The value of services contributed by either parent
<input type="checkbox"/> Any expenses reasonably related to the mother's pregnancy and confinement	<input type="checkbox"/> The cost of transportation of the child to and from visitation if the custodial parent moved with the child from the jurisdiction that ordered the support and the non-custodial parent remained	<input type="checkbox"/> Any public assistance paid to support the child

Explain: Defendant is not employed and does not have any income. Imputing minimum wage for 40 hours per week would make support for the minor child more equitable between the plaintiff and the defendant. In addition, plaintiff is seeking primary physical custody that will incur more expenses than the non-custodial parent, the defendant.

## Worksheet B - Joint Physical Custody Child Support Calculation Worksheet

You must fill out this worksheet and attach it the document you are filing which asks for a joint physical custody arrangement. A joint physical custody arrangement exists when each parent has physical custody of the child at least 40% (146 days) of the time calculated over a one year period.

### ①: Determine Each Parent's Gross Monthly Income (GMI).

Mom's Hourly Wage \$ 7.25	X	Hrs/Week 40	=	\$ 290	X	Pay Periods 52	=	Yearly income \$ 15,080	÷	Months 12	=	Mom's GMI \$ 1,257
Dad's Hourly Wage \$ 12	X	Hrs/Week 40	=	\$ 480	X	Pay Periods 52	=	Yearly income \$ 24,960	÷	Months 12	=	Dad's GMI \$ 2,080

### ②: Determine Each Parent's Child Support Obligation.

Mom's GMI \$ 1,257	X	Formula Percentage (0.18 for 1 child, 0.25 for 2 children, 0.29 for 3 children, 0.02 increase for each additional child) 0.18	=	Monthly child support (rounded to the nearest dollar) \$ 226
Dad's GMI \$ 2,080	X	Formula Percentage (0.18 for 1 child, 0.25 for 2 children, 0.29 for 3 children, 0.02 increase for each additional child) 0.18	=	Monthly child support (rounded to the nearest dollar) \$ 374

### ③: Subtract the higher amount of monthly child support in ② from the lower amount.

Higher \$ 374	-	Lower \$ 226	=	Child Support Obligation (paid by higher income parent) \$ 148
------------------	---	-----------------	---	---

### ④: Apply the presumptive maximum if necessary.

This amount changes every year on July 1<sup>st</sup>. Make sure you are using the most current chart.

Income Range		Presumptive Maximum Amount
If the Parent's GMI is At Least	But Less Than	Usually, this is the maximum amount a parent may be required to pay per month per child.
\$0	\$4,235	\$630
\$4,235	\$6,351	\$693
\$6,351	\$8,467	\$758
\$8,467	\$10,585	\$819
\$10,585	\$12,701	\$883
\$12,701	\$14,816	\$945
\$14,816	No Limit	\$1,010

### ⑤: Deviations. If you are requesting an amount of child support that is lower or higher than the amount in ③ or ④, if applicable, your reason(s) for requesting a different amount must be based upon one of the following factors. (✓ check all that apply)

<input type="checkbox"/> The cost of health insurance	<input type="checkbox"/> The cost of childcare	<input checked="" type="checkbox"/> The relative income of both parents
<input type="checkbox"/> Special educational needs of the child	<input type="checkbox"/> The amount of time the child spends with each parent	<input type="checkbox"/> Any other necessary expenses for the benefit of the child
<input type="checkbox"/> The age of the child	<input type="checkbox"/> Legal responsibility of the parent for the support of others	<input type="checkbox"/> The value of services contributed by either parent
<input type="checkbox"/> Any expenses reasonably related to the mother's pregnancy and confinement	<input type="checkbox"/> The cost of transportation of the child to and from visitation if the custodial parent moved with the child from the jurisdiction that ordered the support and the non-custodial parent remained	<input type="checkbox"/> Any public assistance paid to support the child

◆ Explain: Defendant does not work or have any income. Imputing the minimum wage at 40 hours per week would make support for the minor child more equitable between the parents in a joint custody arrangement.

Name Kevin Daniel Adrianzen  
Nevada State Bar No.: N/A  
Law Firm N/A  
Address 9145 West Richmar Avenue  
City/State/Zip Las Vegas, NV 89178  
Tel: (702) 499-8895  
Attorney for SELF REPRESENTED

FILED

DEC 16 4 01 PM '13

*Ann. L. Schum*  
CLERK OF THE COURT

EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA

vs. Plaintiff, Kevin Daniel Adrianzen  
  
Defendant, Paige Elizabeth Petit

) Case No.

) Dept. No.

D-13-489542-1

Q

GENERAL FINANCIAL DISCLOSURE FORM

The judge uses this form to understand the financial position of the Plaintiff and the Defendant. You must fill this form out completely and truthfully.

A. Personal Information:

1. What is your full name? (*first, middle, last*) Kevin Daniel Adrianzen
2. How old are you? 20
3. What is your date of birth? 4/8/93
4. What is your occupation? Window Installer
5. What is your highest level of education? some college

B. Employment Information: (☒ check one)

1. Are you currently employed?  
☐ No  
☒ Yes If yes, what is the name of your employer? BM Windows  
What date were you hired on? (mm/dd/yy) 10/17/13

2. Are you disabled? (☒ check one)

- ☒ No  
☐ Yes If yes, what is the level of your disability? N/A  
What agency certified you disabled? N/A  
What is the nature of your disability? N/A

C. Attorney Information: Complete the following sentence :

1. An Attorney (*has/has not*) has not been retained on my behalf for this case.
2. As of today, the attorney has been paid a total of \$ N/A on my behalf.
3. I have a credit with my attorney in the amount of \$ N/A.
4. I currently owe my attorney a total of \$ N/A.
5. I owe my prior attorney a total of \$ N/A.

### Section 1: Personal Income

Before you can complete the next section you need to figure out your pay frequency.  
Your pay frequency is determined by the number of time you are paid each month.

**Pay Frequency Table**  
1.00 = Paid one time per month  
2.00 = Paid two times per month  
2.17 = Paid every two weeks  
4.00 = Paid every week

A. Fill in the line that applies to you. Only complete line 1 OR line 2.

Line #	Income Question	Amount Earned		Number of Hours Worked per Week		Pay Frequency (1.00, 2.00, 2.17, or 4.00)		Monthly Income
1	I am paid a hourly wage in the amount of	\$12.00	x	40	x	4.00	+	1920
2	I am paid a base salary in the amount of			N/A	x			0

B. Fill in the amount of money you receive each month for the following types of income:

Line #	Income Question	Amount Received Monthly
3	I regularly work overtime and each month earn an average of	0
4	I receive bonuses, commissions, or tips in the amount of	0
5	I receive a car, gas, housing, or other allowance in the amount of	0
6	I receive spousal support in the amount of	0
7	I receive social security in the amount of	0
8	I receive social security disability in the amount of	0
9	I receive workman's compensation benefits in the amount of	0
10	I receive unemployment benefits in the amount of	0
11	I receive pension or retirement income in the amount of	0
12	I receive net rental income in the amount of	0
13	I receive income from other sources in the amount of	0
14	Total Income Received (add lines 3-13)	0

C. Total monthly income from all sources:

Line #		
15	Total from Line 1 OR 2	1920
16	Total from Line 14	0
17	Total Gross Monthly Income (Add lines 15-16)	1920

**Section 2: Personal Deductions**

A. Fill in the amount of money that is taken out of every paycheck for each of the following deductions:

Line #	Name of Deduction	Amount Deducted Monthly
18	Court Ordered Child Support is deducted from every paycheck in the amount of	0
19	Federal Income Tax is deducted from every paycheck in the amount of	128.00
20	Social Security Tax is deducted from every paycheck in the amount of	119.04
21	Medicare is deducted from every paycheck in the amount of	27.84
22	Union Dues are deducted from every paycheck in the amount of	0
23	Health Insurance Cost is deducted from every paycheck in the amount of	0
24	Life, Disability, or Other Insurance Premiums are deducted from every paycheck in the amount of	0
25	Federal Health Savings Plan contribution is deducted from every paycheck in the amount of	0
26	Retirement, Pension, IRA, or 401(k) contributions are deducted from every paycheck in the amount of	0
27	Savings are deducted from every paycheck in the amount of	0
28	Other:	0
29	Other:	
30	<b>Total Monthly Deductions (add lines 18-29)</b>	<b>274.88</b>

**Section 3: Income Summary**

Line #		
31	Total from Line 17	1920.00
32	Total from Line 30	274.88
	<b>Net Monthly Income (subtract line 32 from line 31)</b>	<b>2194.88</b>

**Section 4: Child Information**

A. Fill in the table below with the name and date of birth of each of your children, parent the child is living with, and whether the child is from this marriage or relationship:

	Child's Name:	Child's Date of Birth	Whom is child living with? (Mom, Dad, or Both)	Is this child from this marriage / relationship? (Yes or No)
1st	Ryder Blake Pelit	September 22, 2013	Mom	Yes
2nd	N/A			
3rd	N/A			
4th	N/A			
5th	N/A			

B. Fill in the table below with the amount of money you spend each month on the following expenses for the children:

	Children's Expenses	1st Child	2nd Child	3rd Child	4th Child	5th Child
1	Clothes, Shoes and Accessories	\$50	N/A	N/A	N/A	N/A
2	Unreimbursed Medical Expenses	0				
3	Telephone and Internet	0				
4	Entertainment	0				
5	Food	0				
6	Insurance (other than health)	0				
7	Education Related Expenses	0				
8	Summer Camp/Programs	0				
9	Vehicle	0				
10	Transportation Cost for Visitation	0				
11	Total Monthly Expenses for Children (add lines 1-11)	50	0	0	0	0

#### Section 5: Household Information

A. I live with (number) TWO other adults, including children over the age of eighteen, who contribute to or pay the household expenses in the amount of \$ 6,000.

#### Section 6: Personal Expenses

Fill in the table with the amount of money you spend each month on the following expenses and check whether you pay the expense for you, for the other party, or for both of you.

Expense	Monthly Amount of Expense	For Me	For the Other Party	For Both
<b>Home</b>				
Mortgage/Rent/Lease	200	X		
Property Taxes	0			
HOA	0			
Home Owner's Insurance	0			
Lawn Care	0			
Pest Control	0			
Pool Service	0			
Security	0			
Other	0			
<b>Utilities</b>				
Water	0			
Electric	0			
Gas	0			
Sewer	0			
Home Phone	0			
Internet/Cable	0			
Other	0			
<b>Medical</b>				
Health Insurance	0			
Unreimbursed Medical Expenses	0			
Other	0			
<b>Transportation</b>				
Car Loan/Lease Payment	211	X		
Fuel	120	X		
Auto Insurance	113	X		
Other	0			
<b>Personal</b>				
Food (groceries and restaurants)	400	X		
Pets	0			
Cell phone	90	X		
Membership Fees	0			
Clothing, Shoes, etc.	50	X		
Dry Cleaning	0			
Other	150	X		
<b>Debts</b>				
Credit Card Payments	25	X		
Child Support	0			
Alimony/Spousal Support	0			
Student Loans	20	X		
Other	0			
<b>Total Monthly Expenses</b>	<b>1379</b>			

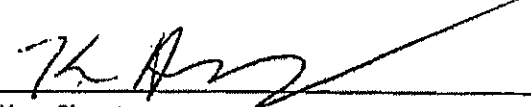
**Section 7: Asset and debt Chart**

Complete the chart below by listed all assets and debts, the value of each, the amount owed on each, and whose name the asset or debt is under (You, the Other Party, or Both).

Line #	Description of Asset or Debt	Gross Value		Amount Owed		Net Value	Whose Name is on the Account? (Me, the Other Party or Both)
1	N/A	N/A	-	N/A	=	0	N/A
2						0	
3						0	
4						0	
5						0	
6						0	
7						0	
8						0	
9						0	
10						0	
11						0	
12						0	
13						0	
14						0	
15						0	
16						0	
17						0	
18						0	
19						0	
20						0	
Total Value of Assets (add lines 1-20)		0		0		0	

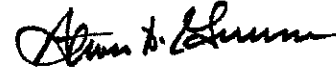
**IMPORTANT:** Read the following paragraph carefully.

I am the (☒ check one ) ☒ Plaintiff / ☐ Defendant in the above action. I swear or affirm under penalty of perjury that I have read and followed all instructions in completing this Financial Disclosure Form. I understand that, by my signature, I guarantee the truthfulness of the information on this Form. I also understand that if I knowingly make false statements I may be subject to punishment, including contempt of court.

  
Your Signature

11/19/2013  
Date





CLERK OF THE COURT

Kevin Daniel Adrianzen  
9145 West Richmar Avenue  
Las Vegas, NV 89178  
(702) 499-8895  
hip1071@yahoo.com

DISTRICT COURT  
CLARK COUNTY, NEVADA

KEVIN DANIEL ADRIANZEN,  
  
Plaintiff,  
  
vs.  
  
PAIGE ELIZABETH PETIT,  
  
Defendant

Case No.: D-13-489542-D

Dept.: H

FAMILY COURT

Plaintiff's Motion Opposing Defendant's Motion for Sole and Physical Custody of the  
Minor Child, for Child Support, for Temporary Spousal Support, and Attorney's Fees

Comes now, Plaintiff, Kevin Daniel Adrianzen and hereby files this motion in opposition to motion filed by  
Defendant, Paige Elizabeth Petit, for sole and physical custody of the minor child, for child support, for temporary  
spousal support, and attorney's fees filed on January 13<sup>th</sup>, 2014.

This motion is made and based on the previously filed pleadings and papers previously submitted herein,  
the attached opposing points and authorities, the attached exhibits, the attached affidavit of Plaintiff, Kevin Daniel  
Adrianzen, and any oral argument which may be entertained at the time of the hearing on this matter previously set  
on February 12<sup>th</sup>, 2014, at 10:00 AM before the Family Court, 200 Lewis Avenue, Las Vegas, Nevada in  
Department H.

Dated this 27th day of January, 2014.

Submitted by:

  
Kevin Daniel Adrianzen, Plaintiff

FAMILY COURT - 1

RA000000022

1 **PLAINTIFF'S MEMORANDUM OF POINTS AND AUTHORITIES IN OPPOSITION TO DEFENDANT'S**  
2 **MOTION FOR SOLE LEGAL AND PHYSICAL CUSTODY OF THE MINOR CHILD, FOR CHILD**  
3 **SUPPORT, FOR TEMPORARY SPOUSAL SUPPORT, AND ATTORNEY'S FEES**

4 The parties of this action were married in the State of Nevada on April 19<sup>th</sup>, 2013. This marriage occurred  
5 during Plaintiff's two week medical leave from his Army Boot Camp Training. Plaintiff did not return from his  
6 military assignment until late May of 2013. Upon Plaintiff's return, the parties cohabitated for two weeks at the  
7 Plaintiff's family's residence when Defendant subsequently and abruptly decided to leave around or about mid June  
8 of 2013. Defendant's reason to Plaintiff for abandoning their marriage and going back to her family home was that  
9 she felt more comfortable there. This decision in turn caused many problems between the parties because Plaintiff  
10 was not permitted by Defendant's parents to move into their home with his wife. The separate living arrangements  
11 initiated the problems between the parties and they decided to separate in the hopes that they could work their  
12 differences out and reunite as a family at some point.

13 On September 22nd, 2013, when Defendant was in labor with the minor child, the parties decided to reunite  
14 as a family and cohabitate in the Plaintiff's family's home until they could afford to move out on their own. It was  
15 agreed upon by the parties that the Defendant would stay home caring for their minor child until he was three  
16 months old. At that point she would be gainfully employed, contributing to the family expenses, and saving towards  
17 their own family's residence. On or about September 25, 2013, the Defendant was released from the hospital and  
18 moved in with the Plaintiff to the Plaintiff's family's residence. However, the minor child was born with some  
19 complications and stayed in the NICU for approximately ten days. Throughout those ten days, Plaintiff took time off  
20 work to be the sole caretaker of both the Defendant, who was recuperating from a Cesarean Section, and the minor  
21 child other than the medical staff at the NICU.

22 The day the minor child was to be released from the hospital, the Defendant informed the Plaintiff that she  
23 would be going back to her family's residence to have assistance from her mother to care for the minor child since  
24 the Defendant's mother had taken a month off of work. The Plaintiff reluctantly accepted the Defendant's decision  
25 even though that was not what they had agreed on. They had agreed on living together at the Plaintiff's family's  
26 residence and the Defendant's mother would come over daily while everyone other than the Defendant were at work.  
27 Otherwise, the alternative would mean that the Plaintiff could not live with his wife and his minor child once again.  
28 The Plaintiff visited his minor child daily after his work shifts. Some of his work shifts ended later and the

1 Defendant's family would ask the Defendant to cut his visit short. When these issues were discussed, the Defendant  
2 mentioned in one of their conversations that she was not planning on moving back into the Plaintiff's family's  
3 residence and that she was not planning to go back to work as they had originally planned. The Defendant informed  
4 the Plaintiff that he would have to work and save the money necessary to obtain a residence for the three of them on  
5 his own and without her contributing. The Plaintiff informed the Defendant that it would take long without her  
6 contributing and that he didn't want to live apart from his family that long. The Defendant told the Plaintiff that  
7 those were the terms if he wanted to live with her and their minor child. Once again, the Defendant's broken  
8 agreement with the Plaintiff caused problems between the parties and it was not clear where the marriage stood  
9 because the Plaintiff felt deceived again by the Defendant. On October 6<sup>th</sup>, 2013, the Plaintiff informed the  
10 Defendant he would be taking the minor child to the Plaintiff's family's residence for a few hours. The Defendant  
11 parked and sat in her vehicle outside of the Plaintiff's family's residence the entire visit. The visit had to be cut  
12 short because the Defendant was and currently is breast-feeding the minor child, but she refused to pump and  
13 provide the Plaintiff with a bottle of breast milk. It was time for a feeding and even though the Plaintiff had formula  
14 the minor child had been drinking while in the hospital, the plaintiff returned the minor child to the Defendant.  
15 Plaintiff recognizes that breast milk is healthier for the minor child, but she can pump and provide the milk.

16 On October 7<sup>th</sup>, 2013, there was a party to welcome the minor child to the world at the Defendant's  
17 family's residence and the Plaintiff was not invited causing additional friction between the parties because the  
18 Plaintiff was being omitted from the minor child's life celebrations. During the following week the Plaintiff visited  
19 the minor child after work when it was not too late, but the visits were still being cut short and sometimes even  
20 denied. The Plaintiff then asked to have the minor child over for another visit on the weekend of the 12th again at  
21 his family's residence. Defendant said no and that the only way Plaintiff could see the minor child ever would be at  
22 her family's residence until he had a place for them to live together at. This situation was the turning point of the  
23 parties' marriage.

24 The Plaintiff then decided to pick up more work shifts in order to save more money, but both parties  
25 realized that the Plaintiff would not be able to see the minor child as much in addition to it being uncomfortable for  
26 the Plaintiff to be told not only how long he could stay for a visit, but when he could and could not visit the minor  
27 child as well. Due to these issues, the Plaintiff was in daily contact with the Defendant by phone or by text to see

1 how the minor child was. On October 17<sup>th</sup>, 2013, Defendant would not answer Plaintiff's phone calls or texts  
2 because he wanted to see the minor child as they had texted about days prior.

3 After many tries, the Defendant finally picked up one of his phone calls and the Plaintiff expressed his  
4 desire to take the baby for a visit as they had discussed in days prior, but the Defendant refused to inform the  
5 Plaintiff where she was with the minor child or when she would be home. Plaintiff then decided at about 9:00 PM to  
6 wait at her family's residence for her to return to pick up the minor child since that was his day off and they had  
7 discussed him taking the baby to his family's residence for a visit. When the Defendant got home at  
8 approximately 10:00 PM, the Defendant asked the Plaintiff to hold the minor child. The Plaintiff told the Defendant  
9 he was taking the minor child to his family's residence for a visit with or without her permission. When Plaintiff  
10 turned around, the Defendant started to push the Plaintiff. The Defendant called out for her brother and mother, and  
11 the Plaintiff was pushed into a corner where Defendant and her mother started hitting, pushing, and scratching the  
12 Plaintiff. They both were grabbing and yanking the minor child, so the Plaintiff handed over the minor child for his  
13 Safety and to avoid any possible injuries to the minor child. During this incident, the Defendant's brother was  
14 calling the police (Exhibit 1, Page 3) not as claimed by the Defendant that she called the police. The  
15 Plaintiff also called the police after he turned the baby over and walked to his car. The 911 dispatcher told the  
16 Plaintiff to drive his vehicle down the block to prevent any further incidents. Plaintiff did as told.

17 Two officers reported to the scene. One officer stayed with the Defendant and the other with the Plaintiff.  
18 The officer that was with the Plaintiff called his sergeant to take pictures of the domestic violence injuries the  
19 Defendant had inflicted on the Plaintiff (Exhibit 1, Pages 7-10). The Police Report in the Defendant's  
20 motion is incorrect (naming Paige as victim and Kevin as suspect) and had to be amended (Exhibit 2, Page 1) by the  
21 detective assigned to the case. The narrative (Exhibit 2, Page 3) is also incorrect and was written as well by the  
22 officer that was with the Defendant. This officer interjected false information that were provided to him by the  
23 Defendant and his own personal opinions. For example, the narrative states that the parties were married because  
24 the Plaintiff was going into boot camp. The parties were married in April of 2013 and the Plaintiff went into boot  
25 camp in January of 2013. The entire 2nd paragraph of this Narrative is allegedly information stated by the Plaintiff.  
26 The Plaintiff adamantly denies making any of these statements to Officer Bunitsky. The Plaintiff's conversations  
27 were with Officer Hutchings and Sergeant Newberry and they were the one's who took his written statement as well

1 (Exhibit 2, Page 4). Officer Bunitsky only came over to the Plaintiff to yell at the Plaintiff without asking the  
2 Plaintiff for his side of the events leading up to the incident and only having the Defendant's version of the incident  
3 and apparently of their marriage.

4 Paragraph three of the Narrative states that the Plaintiff had "dumped her during her pregnancy and was  
5 seeing other girls" when in reality the Defendant had decided to move back to her family's home on her own and  
6 they both decided to separate at that time. The Narrative also states that the marriage was agreed upon "for the  
7 benefits only" which could be what the Defendant's interest in the marriage was for, but not that of the Plaintiff.  
8 The Narrative states that the Defendant said the their marriage was "loveless" of which I direct the courts to the  
9 Defendant's texts to the Plaintiff in Exhibit . The Defendant is either dishonest to the law enforcement officer or to  
10 the Plaintiff. Either way the Narrative and the texts are contradictory and show deception on the part of the  
11 Defendant. The Defendant also stated to Officer Bunitsky who reported in his Narrative that the Plaintiff is "jealous  
12 due to the mother getting all the time with his son" which is a mean spirited comment. Of course the Plaintiff  
13 wanted and still wants to spend equal time with their son. It seems as the Defendant was trying to set a precedence  
14 the entire time to make a legal claim that the Plaintiff had never cared for the minor child, which from previous  
15 information in this summary is false. This narrative also states that "no real battery occurred and no crime was  
16 committed" which again, I refer you to the amended LVMPD Domestic Violence Report naming the Plaintiff as the  
17 victim (Exhibit 2, Pages 1-2) and the pictures from the LVMPD (Exhibit 1, Pages 7-10). Unfortunately, protocol is  
18 for only one officer to write the narrative and this narrative is biased and should be stricken from the record and  
19 from any consideration of this court. The pictures are evidence of who the victim of domestic violence was that  
20 night and who committed that crime against the Plaintiff.

21 The Plaintiff decided at that point that he would save his money to file for divorce and custody of the minor  
22 child. The Plaintiff will not subject himself or the minor child to being put into a violent situation again or even  
23 being told when he can or cannot visit the minor child and for how long he can visit the minor child until a fair and  
24 just court order was made. The Plaintiff has requested to pick up the minor child on numerous occasions and the  
25 Defendant always says no that he must visit at her family's residence (See Defendant's Exhibit 2, Page 5-6 and  
26 Plaintiff's Exhibit 3). As can be seen in all pages of the Defendant's Exhibit 3, the Plaintiff merely wants to have  
27 separate time with the minor child that is not supervised or in a controlled environment since he is not a criminal.  
28

1 Moreover, he was not the one who committed an act of domestic violence towards the other parent, which is a  
2 crime. Nowhere in the Defendant's exhibits does the Plaintiff threaten to abscond or acknowledge that he was  
3 trying to abscond with the minor child as alleged. The word abscond means to leave quickly and secretly to avoid  
4 being caught or arrested for an unlawful action such as a theft. Until the court has an order in place it is not illegal  
5 for the Plaintiff to visit with his child even if the Defendant says no since they are still legally married. However,  
6 the Plaintiff has not followed through with his equal right to see the minor child to avoid any further trauma to the  
7 minor child who is of Plaintiff's utmost concern.

8 Plaintiff would like to have sole custody since he realizes the importance of the minor child having both  
9 parents in his life. He would never prevent, deny, or alienate the Defendant from spending time with the minor child  
10 as Plaintiff believes Defendant has done to Plaintiff. Plaintiff has offered on approximately five separate occasions  
11 to meet the Defendant at a neutral location to provide her with money for the minor child's care if she would just  
12 bring the minor child to the neutral location. Defendant declined each time.

#### 13 **Reply to Legal Argument**

##### 14 **a. Plaintiff should be awarded sole legal and physical custody of the minor child.**

15  
16 NRS 125.480 Best interests of child; preferences; presumptions when court determines parent or  
17 person seeking custody is perpetrator of domestic violence or has committed act of abduction  
18 against child or any other child.

19 1. In determining custody of a minor child in an action brought under this chapter, the sole  
20 consideration of the court is the best interest of the child. If it appears to the court that joint  
21 custody would be in the best interest of the child, the court may grant custody to the parties  
22 jointly.

23 2. Preference must not be given to either parent for the sole reason that the parent is the mother  
24 or the father of the child.

25 3. The court shall award custody in the following order of preference unless in a particular case  
26 the best interest of the child requires otherwise:

27 (a) To both parents jointly pursuant to NRS 125.490 or to either parent. If the court does not  
28 enter an order awarding joint custody of a child after either parent has applied for joint custody,  
the court shall state in its decision the reason for its denial of the parent's application.

1 (b) To a person or persons in whose home the child has been living and where the child has had a  
2 wholesome and stable environment.

3 (c) To any person related within the fifth degree of consanguinity to the child whom the court  
4 finds suitable and able to provide proper care and guidance for the child, regardless of whether  
the relative resides within this State.

5 (d) To any other person or persons whom the court finds suitable and able to provide proper care  
6 and guidance for the child.

7 4. In determining the best interest of the child, the court shall consider and set forth its specific  
8 findings concerning, among other things:

9 (a) The wishes of the child if the child is of sufficient age and capacity to form an intelligent  
10 preference as to his or her custody.

11 (b) Any nomination by a parent or a guardian for the child.

12 (c) Which parent is more likely to allow the child to have frequent associations and a continuing  
13 relationship with the noncustodial parent.

14 (d) The level of conflict between the parents.

15 (e) The ability of the parents to cooperate to meet the needs of the child.

16 (f) The mental and physical health of the parents.

17 (g) The physical, developmental and emotional needs of the child.

18 (h) The nature of the relationship of the child with each parent.

19 (i) The ability of the child to maintain a relationship with any sibling.

20 (j) Any history of parental abuse or neglect of the child or a sibling of the child.

21 (k) Whether either parent or any other person seeking custody has engaged in an act of domestic  
22 violence against the child, a parent of the child or any other person residing with the child.

23 (l) Whether either parent or any other person seeking custody has committed any act of  
24 abduction against the child or any other child.

25  
26 5. Except as otherwise provided in subsection 6 or NRS 125C.210, a determination by the court  
27 after an evidentiary hearing and finding by clear and convincing evidence that either parent or  
28 any other person seeking custody has engaged in one or more acts of domestic violence against  
the child, a parent of the child or any other person residing with the child creates a rebuttable

1 presumption that sole or joint custody of the child by the perpetrator of the domestic violence is  
2 not in the best interest of the child. Upon making such a determination, the court shall set forth:

3 (a) Findings of fact that support the determination that one or more acts of domestic violence  
4 occurred; and

5 (b) Findings that the custody or visitation arrangement ordered by the court adequately protects  
6 the child and the parent or other victim of domestic violence who resided with the child.

7 6. If after an evidentiary hearing held pursuant to subsection 5 the court determines that each  
8 party has engaged in acts of domestic violence, it shall, if possible, then determine which person  
9 was the primary physical aggressor. In determining which party was the primary physical  
10 aggressor for the purposes of this section, the court shall consider:

11 (a) All prior acts of domestic violence involving either party;

12 (b) The relative severity of the injuries, if any, inflicted upon the persons involved in those prior  
13 acts of domestic violence;

14 (c) The likelihood of future injury;

15 (d) Whether, during the prior acts, one of the parties acted in self-defense; and

16 (e) Any other factors which the court deems relevant to the determination.

17 In such a case, if it is not possible for the court to determine which party is the primary physical  
18 aggressor, the presumption created pursuant to subsection 5 applies to both parties. If it is  
19 possible for the court to determine which party is the primary physical aggressor, the  
20 presumption created pursuant to subsection 5 applies only to the party determined by the court to  
21 be the primary physical aggressor.

22 7. A determination by the court after an evidentiary hearing and finding by clear and convincing  
23 evidence that either parent or any other person seeking custody has committed any act of  
24 abduction against the child or any other child creates a rebuttable presumption that sole or joint  
25 custody or unsupervised visitation of the child by the perpetrator of the abduction is not in the  
26 best interest of the child. If the parent or other person seeking custody does not rebut the  
27 presumption, the court shall not enter an order for sole or joint custody or unsupervised visitation  
28 of the child by the perpetrator and the court shall set forth:

(a) Findings of fact that support the determination that one or more acts of abduction occurred;  
and

(b) Findings that the custody or visitation arrangement ordered by the court adequately protects  
the child and the parent or other person from whom the child was abducted.



1 8. For purposes of subsection 7, any of the following acts constitute conclusive evidence that an  
2 act of abduction occurred:

3 (a) A conviction of the defendant of any violation of NRS 200.310 to 200.340, inclusive, or  
4 200.359 or a law of any other jurisdiction that prohibits the same or similar conduct;

5 (b) A plea of guilty or nolo contendere by the defendant to any violation of NRS 200.310 to  
6 200.340, inclusive, or 200.359 or a law of any other jurisdiction that prohibits the same or similar  
7 conduct; or

8 (c) An admission by the defendant to the court of the facts contained in the charging document  
9 alleging a violation of NRS 200.310 to 200.340, inclusive, or 200.359 or a law of any other  
10 jurisdiction that prohibits the same or similar conduct.

11 9. If, after a court enters a final order concerning custody of the child, a magistrate determines  
12 there is probable cause to believe that an act of abduction has been committed against the child  
13 or any other child and that a person who has been awarded sole or joint custody or unsupervised  
14 visitation of the child has committed the act, the court shall, upon a motion to modify the order  
15 concerning custody, reconsider the previous order concerning custody pursuant to subsections 7  
16 and 8.

17 10. As used in this section:

18 (a) "Abduction" means the commission of an act described in NRS 200.310 to 200.340,  
19 inclusive, or 200.359 or a law of any other jurisdiction that prohibits the same or similar conduct.

20 (b) "Domestic violence" means the commission of any act described in NRS 33.018.

## 21 NRS 200.310

22 1. A person who willfully seizes, confines, inveigles, entices, decoys, abducts, conceals, kidnaps  
23 or carries away a person by any means whatsoever with the intent to hold or detain, or who holds  
24 or detains, the person for ransom, or reward, or for the purpose of committing sexual assault,  
25 extortion or robbery upon or from the person, or for the purpose of killing the person or inflicting  
26 substantial bodily harm upon the person, or to exact from relatives, friends, or any other person  
27 any money or valuable thing for the return or disposition of the kidnapped person, and a person  
28 who leads, takes, entices, or carries away or detains any minor with the intent to keep, imprison,  
or confine the minor from his or her parents, guardians, or any other person having lawful  
custody of the minor, or with the intent to hold the minor to unlawful service, or perpetrate upon  
the person of the minor any unlawful act is guilty of kidnapping in the first degree which is a  
category A felony.

2. A person who willfully and without authority of law seizes, inveigles, takes, carries away or  
kidnaps another person with the intent to keep the person secretly imprisoned within the State, or  
for the purpose of conveying the person out of the State without authority of law, or in any

1 manner held to service or detained against the person's will, is guilty of kidnapping in the second  
2 degree which is a category B felony.

3 NRS 33.018 Acts which constitute domestic violence.

4 1. Domestic violence occurs when a person commits one of the following acts against or upon  
5 the person's spouse or former spouse, any other person to whom the person is related by blood or  
6 marriage, any other person with whom the person is or was actually residing, any other person  
7 with whom the person has had or is having a dating relationship, any other person with whom the  
8 person has a child in common, the minor child of any of those persons, the person's minor child  
9 or any other person who has been appointed the custodian or legal guardian for the person's  
10 minor child:

11 (a) A battery.

12 (b) An assault.

13 (c) Compelling the other person by force or threat of force to perform an act from which the  
14 other person has the right to refrain or to refrain from an act which the other person has the right  
15 to perform.

16 (d) A sexual assault.

17 (e) A knowing, purposeful or reckless course of conduct intended to harass the other person.  
18 Such conduct may include, but is not limited to:

19 (1) Stalking.

20 (2) Arson.

21 (3) Trespassing.

22 (4) Larceny.

23 (5) Destruction of private property.

24 (6) Carrying a concealed weapon without a permit.

25 (7) Injuring or killing an animal.

26 (f) A false imprisonment.

27 (g) Unlawful entry of the other person's residence, or forcible entry against the other person's  
28 will if there is a reasonably foreseeable risk of harm to the other person from the entry.

2. As used in this section, "dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement. The term does not include a casual relationship or an ordinary association between persons in a business or social context.

Plaintiff would like to have sole custody since he realizes the importance of the minor child having both parents in his life. He would never prevent, deny, or alienate the Defendant from spending time with the minor child as the Plaintiff believes the Defendant has done since the day the minor child was taken home from the hospital.

Plaintiff has asked to have independent time with the minor child on countless occasions and the Defendant never allows him by giving him a denial unless she is present or saying that she doesn't know when. Based upon Defendant's actions, the Plaintiff has not been given the opportunity to exercise his right as a father and take care of the minor child. It is more often than not in the best interest of the child to have both parents in their life. To date, this has been impossible due to the Defendant denying, preventing, and alienating the Plaintiff from caring for the minor child. In addition the Defendant is obviously a volatile person who has committed an act of domestic violence towards the Plaintiff and should be ordered to anger management classes, additional co-parenting classes, and not allowed to be the primary and sole care taker of the minor child since she does not have the skills necessary to be a positive role model in the minor child's life.

**b. The Defendant and Plaintiff should equally share the cost of supporting the minor child.**

NRS 125B.020 Obligation of parents.

1. The parents of a child (in this chapter referred to as "the child") have a duty to provide the child necessary maintenance, health care, education and support.
2. They are also liable, in the event of the child's death, for its funeral expenses.
3. The father is also liable to pay the expenses of the mother's pregnancy and confinement.
4. The obligation of the parent to support the child under the laws for the support of poor relatives applies to children born out of wedlock.

NRS 425.450 Adjustment of orders for support.

1. The Division shall adopt regulations establishing a formula for:

1 (a) The adjustment of court orders for the support of children based upon changes in the cost of  
2 living; and

3 (b) The times at which such an adjustment is appropriate.

4 2. If a request for the review of a court order for the support of a child has not been filed pursuant  
5 to NRS 125B.145 for such a time as the Division establishes pursuant to subsection 1, the Chief  
6 may, as provided in this section, order the responsible parent to pay monthly the amount the  
7 responsible parent is required to pay pursuant to the court order plus an additional amount to  
8 compensate for changes in the cost of living.

9 3. Upon request by the responsible parent, the person to whom support is owed or the enforcing  
10 authority, the Chief shall:

11 (a) Determine, in accordance with the formula established pursuant to subsection 1, the amount  
12 of the additional payments; and

13 (b) Notify the responsible parent, by first-class mail to the last known address of the responsible  
14 parent, of the amount of the additional payments and that the additional payments must be made  
15 within 30 days after the mailing of the notice to the parent unless a request for a review of the  
16 court order is filed pursuant to NRS 125B.145 within that time.

17 4. If a request for a review of the court order:

18 (a) Is filed pursuant to NRS 125B.145 within those 30 days, the court shall proceed pursuant to  
19 that section and the Chief shall not enter an order pursuant to this section.

20 (b) Is not filed pursuant to NRS 125B.145 within those 30 days, the Chief shall order the  
21 responsible parent to pay the additional amount.

22 5. An order entered by the Chief pursuant to this section expires upon modification or  
23 adjustment, pursuant to NRS 125B.145, of the court order upon which the order entered by the  
24 Chief is based.

25 6. The provisions of NRS 125B.080 do not apply to the entry of an order by the Chief pursuant  
26 to this section.

27 7. As used in this section, "court order" means an order that a court of this state has jurisdiction  
28 to modify pursuant to chapter 130 of NRS.

NRS 125B.070 Amount of payment: Definitions; adjustment of presumptive maximum  
amount based on change in Consumer Price Index.

1. As used in this section and NRS 125B.080, unless the context otherwise requires:

(a) "Gross monthly income" means the total amount of income received each month from any source of a person who is not self-employed or the gross income from any source of a self-employed person, after deduction of all legitimate business expenses, but without deduction for personal income taxes, contributions for retirement benefits, contributions to a pension or for any other personal expenses.

(b) "Obligation for support" means the sum certain dollar amount determined according to the following schedule:

- (1) For one child, 18 percent;
- (2) For two children, 25 percent;
- (3) For three children, 29 percent;
- (4) For four children, 31 percent; and
- (5) For each additional child, an additional 2 percent,

of a parent's gross monthly income, but not more than the presumptive maximum amount per month per child set forth for the parent in subsection 2 for an obligation for support determined pursuant to subparagraphs (1) to (4), inclusive, unless the court sets forth findings of fact as to the basis for a different amount pursuant to subsection 6 of NRS 125B.080.

2. For the purposes of paragraph (b) of subsection 1, the presumptive maximum amount per month per child for an obligation for support, as adjusted pursuant to subsection 3, is:

PRESUMPTIVE MAXIMUM AMOUNT			
The Presumptive Maximum Amount the			
INCOME RANGE		Parent May Be Required to Pay	
If the Parent's Gross	But	per Month per Child Pursuant to	
Monthly Income Is at Least	Less Than	Paragraph (b) of Subsection 1 Is	
\$0	\$4,168	\$500	
4,168	6,251	550	

6,251	-	8,334	600
8,334	-	10,418	650
10,418	-	12,501	700
12,501	-	14,583	750

If a parent's gross monthly income is equal to or greater than \$14,583, the presumptive maximum amount the parent may be required to pay pursuant to paragraph (b) of subsection 1 is \$800.

3. The presumptive maximum amounts set forth in subsection 2 for the obligation for support must be adjusted on July 1 of each year for the fiscal year beginning that day and ending June 30 in a rounded dollar amount corresponding to the percentage of increase or decrease in the Consumer Price Index (All Items) published by the United States Department of Labor for the preceding calendar year. On April 1 of each year, the Office of Court Administrator shall determine the amount of the increase or decrease required by this subsection, establish the adjusted amounts to take effect on July 1 of that year and notify each district court of the adjusted amounts.

4. As used in this section, "Office of Court Administrator" means the Office of Court Administrator created pursuant to NRS 1.320.

NRS 125B.080 Amount of payment: Determination. Except as otherwise provided in NRS 425.450:

1. A court of this State shall apply the appropriate formula set forth in NRS 125B.070 to:

(a) Determine the required support in any case involving the support of children.

(b) Any request filed after July 1, 1987, to change the amount of the required support of children.

2. If the parties agree as to the amount of support required, the parties shall certify that the amount of support is consistent with the appropriate formula set forth in NRS 125B.070. If the amount of support deviates from the formula, the parties must stipulate sufficient facts in accordance with subsection 9 which justify the deviation to the court, and the court shall make a written finding thereon. Any inaccuracy or falsification of financial information which results in an inappropriate award of support is grounds for a motion to modify or adjust the award.

3. If the parties disagree as to the amount of the gross monthly income of either party, the court shall determine the amount and may direct either party to furnish financial information or

1 other records, including income tax returns for the preceding 3 years. Once a court has  
2 established an obligation for support by reference to a formula set forth in NRS 125B.070, any  
3 subsequent modification or adjustment of that support, except for any modification or adjustment  
4 made pursuant to subsection 3 of NRS 125B.070 or NRS 425.450 or as a result of a review  
5 conducted pursuant to subsection 1 of NRS 125B.145, must be based upon changed  
6 circumstances.

7 4. Notwithstanding the formulas set forth in NRS 125B.070, the minimum amount of  
8 support that may be awarded by a court in any case is \$100 per month per child, unless the court  
9 makes a written finding that the obligor is unable to pay the minimum amount. Willful  
10 underemployment or unemployment is not a sufficient cause to deviate from the awarding of at  
11 least the minimum amount.

12 5. It is presumed that the basic needs of a child are met by the formulas set forth in NRS  
13 125B.070. This presumption may be rebutted by evidence proving that the needs of a particular  
14 child are not met by the applicable formula.

15 6. If the amount of the awarded support for a child is greater or less than the amount which  
16 would be established under the applicable formula, the court shall:

17 (a) Set forth findings of fact as to the basis for the deviation from the formula; and

18 (b) Provide in the findings of fact the amount of support that would have been established  
19 under the applicable formula.

20 7. Expenses for health care which are not reimbursed, including expenses for medical,  
21 surgical, dental, orthodontic and optical expenses, must be borne equally by both parents in the  
22 absence of extraordinary circumstances.

23 8. If a parent who has an obligation for support is willfully underemployed or unemployed  
24 to avoid an obligation for support of a child, that obligation must be based upon the parent's true  
25 potential earning capacity.

26 9. The court shall consider the following factors when adjusting the amount of support of a  
27 child upon specific findings of fact:

28 (a) The cost of health insurance;

(b) The cost of child care;

(c) Any special educational needs of the child;

(d) The age of the child;

(e) The legal responsibility of the parents for the support of others;

1 (f) The value of services contributed by either parent;

2 (g) Any public assistance paid to support the child;

3 (h) Any expenses reasonably related to the mother's pregnancy and confinement;

4  
5 (i) The cost of transportation of the child to and from visitation if the custodial parent moved  
6 with the child from the jurisdiction of the court which ordered the support and the noncustodial  
parent remained;

7 (j) The amount of time the child spends with each parent;

8 (k) Any other necessary expenses for the benefit of the child; and

9 (l) The relative income of both parents.

10 NRS 125B.085 Order for support to include provision regarding medical support for child.

11  
12 1. Except as otherwise provided in NRS 125B.012, every court order for the support of a  
13 child issued or modified in this State on or after June 2, 2007, must include a provision  
14 specifying that one or both parents are required to provide medical support for the child and any  
details relating to that requirement.

15 2. As used in this section, "medical support" includes, without limitation, coverage for  
16 health care under a plan of insurance that is reasonable in cost and accessible, including, without  
17 limitation, the payment of any premium, copayment or deductible and the payment of medical  
expenses. For the purpose of this subsection:

18 (a) Payments of cash for medical support or the costs of coverage for health care under a  
19 plan of insurance are "reasonable in cost" if:

20 (1) In the case of payments of cash for medical support, the cost to each parent who is  
21 responsible for providing medical support is not more than 5 percent of the gross monthly  
income of the parent; or

22 (2) In the case of the costs of coverage for health care under a plan of insurance, the cost  
23 of adding a dependent child to any existing coverage for health care or the difference between  
24 individual and family coverage, whichever is less, is not more than 5 percent of the gross  
monthly income of the parent.

25 (b) Coverage for health care under a plan of insurance is "accessible" if the plan:

26 (1) Is not limited to coverage within a geographical area; or



1 (2) Is limited to coverage within a geographical area and the child resides within that  
2 geographical area.

3 NRS 125B.090 Manner of payment for judgment or order issued by court in Nevada. A  
4 judgment or order of a court of this State for the support of a child ordinarily must be for  
5 periodic payments which may vary in amount. In the best interest of the child, a lump-sum  
6 payment or the purchase of an annuity may be ordered in lieu of periodic payments of support.

7 As set forth above, it is in the minor child's best interest that the Plaintiff be awarded sole legal and  
8 physical custody of the minor child with the visitation schedule for the Defendant outlined in the Complaint for  
9 Divorce (Exhibit 1) and Holiday Schedule (Exhibit 2). As a result, Defendant should be ordered to provide a  
10 monthly amount equal to eighteen percent of imputed earnings, which at minimum should be \$8.25 per hour for 40  
11 hours per week ( $\$8.25 \times 40 = \$330 \times 52 = \$17,160 / 12 = \$1,430 \times .18 = \$257.40$ ) towards the support of the  
12 minor child. Pursuant to Defendant's Financial Disclosure Form Defendant indicates that she is a student and does  
13 not work. Mothers are equally responsible for the support of their children and Defendant actually has a higher level  
14 of schooling than Plaintiff and could probably earn more wages than the Plaintiff. Breast feeding the minor child is  
15 nothing out of the ordinary and many mothers in all lines of professions work and pump during their lunch break to  
16 provide milk for their children in their absence. This is not a valid reason to not support the minor child. In addition,  
17 since the Defendant refused to meet the Plaintiff at neutral locations with the minor child to provide her money, then  
18 she has no reason to ask for arrears.

19 c. Ms. Petit should not be awarded temporary spousal support.

20 NRS 125.040 Orders for support and cost of suit during pendency of action.

21 1. In any suit for divorce the court may, in its discretion, upon application by either party and  
22 notice to the other party, require either party to pay moneys necessary to assist the other party in  
23 accomplishing one or more of the following:

24 (a) To provide temporary maintenance for the other party;

25 (b) To provide temporary support for children of the parties; or

26 (c) To enable the other party to carry on or defend such suit.  
27

1 2. The court may make any order affecting property of the parties, or either of them, which it  
2 may deem necessary or desirable to accomplish the purposes of this section. Such orders shall be  
3 made by the court only after taking into consideration the financial situation of each of the  
parties.

4 3. The court may make orders pursuant to this section concurrently with orders pursuant to NRS  
5 125.470.

6 The Defendant is choosing not to currently work especially since her original agreement with the Plaintiff  
7 was that she would start working when the minor child was three months of age. As previously mentioned, it is not  
8 out of the ordinary for mothers who are breast feeding to work, so her claim that "her ability to work is limited" is a  
9 very weak argument at best. In addition, there are text messages (Exhibit 3) where Plaintiff offered to meet  
10 with Defendant to try to resolve all divorce, custody, visitation, and child support issues before filing a contested  
11 divorce. Unfortunately, the Defendant refused. In addition, if the Defendant earns no money and the Plaintiff is  
12 representing himself because he cannot afford an attorney, there is no reason for him to have to pay for her attorney  
13 and put himself at a legal disadvantage. Lastly, the Plaintiff recently asked the Defendant to attend Family  
14 Mediation and the Defendant declined, which will only cause her legal fees to accrue unnecessarily. Thus she  
15 should be required to pay for her own attorney fees. The parties would not be at opposite ends of the financial  
16 spectrum if the Defendant were gainfully employed because she has more education than the Plaintiff has. If we  
17 take into consideration the quality of Mr. Toti's work in this case, he filed motions after a Default had already been  
18 submitted and his answer and counterclaim does not mention the Plaintiff in the counterclaim. He mentioned some  
19 counter defendant named Kim Jensen. Additionally, in the Defendant's Affidavit, he names the Defendant as the  
20 Plaintiff in this case. Obviously, these technical errors are not good examples of what an attorney who has practiced  
21 law for 18 years of which 98% of his cases are family law. This is a typical family law case that involves a minor  
22 child that can easily be resolved with a mediation process and a Defendant who is willing to cooperate and work  
23 together in the best interest of the minor child as Plaintiff is willing and ready to do.  
24  
25

26 ///

27 ///


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3 ///  
4 ///  
5 ///

### Conclusion

For the aforementioned reasons, the Plaintiff respectfully requests that this court not grant the Defendant the following relief:

- a. Sole legal and physical custody.
- b. Child support arrears.
- c. No responsibility in obtaining and maintaining medical, dental, and vision insurance for the minor child and any additional medical, dental, and/or vision expenses incurred on behalf of the minor child's medical, dental, or vision care. Defendant offered to pay for half of minor child's medical insurance (Exhibit 3). To date, the Defendant has never asked for any medical expenses incurred during her pregnancy or birth of the minor child nor has the defendant produced any medical bills of alleged expenses.
- d. Temporary spousal support.
- e. Any attorney's fees.
- f. Any other relief requested that Defendant is not entitled to.

Dated this 27<sup>th</sup> Day of January, 2014



Kevin Daniel Adrianzen, In Proper Person

MOFI

DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA

Kevin Daniel Adrianzen  
Plaintiff/Petitioner )

-vs- )

Paige Elizabeth Pettit  
Defendant/Respondent )

CASE NO. D-13-489542-D

DEPT. 4

**FAMILY COURT MOTION/OPPOSITION  
FEE INFORMATION SHEET (NRS 19.0312)**

Party Filing Motion/Opposition: ☒ Plaintiff/Petitioner ☐ Defendant/Respondent

MOTION FOR/OPPOSITION TO Defendant's Motion for Sole Custody et al.

**Notice**

Motions and Oppositions to  
Motions filed after entry of  
final Decree or Judgment  
(pursuant to NRS 125,  
125B & 125C)  
are subject to the Re-open  
Filing Fee of \$25.00, unless  
specifically excluded.  
(See NRS 19.0312)

**Excluded Motions/Oppositions**

- ☒ Motions filed before final Divorce/Custody Decree entered  
(Divorce/Custody Decree NOT final)
- ☐ Child Support Modification ONLY
- ☐ Motion/Opposition For Reconsideration (Within 10 days of Decree)  
Date of Last Order \_\_\_\_\_
- ☐ Request for New Trial (Within 10 days of Decree)  
Date of Last Order \_\_\_\_\_
- ☐ Other Excluded Motion \_\_\_\_\_  
(Must be prepared to defend exclusion to Judge)

**NOTE :If no boxes are checked, filing fee MUST be paid.**

☐ Motion/Opp IS subject to \$25.00 filing fee ☒ Motion/Opp IS NOT subject to filing fee

Date: 1/27/, 2014

Matt Adrianzen  
Printed Name of Preparer

[Signature]  
Signature of Preparer

RA000000041

<b>LAS VEGAS METROPOLITAN POLICE DEPARTMENT</b> <b>PHOTOGRAPHIC LABORATORY CRIME SCENE EVENT REQUEST FORM</b>									
<input type="radio"/> Internal <input type="radio"/> DA <input checked="" type="radio"/> Other			Date: 1/21/2014						
Person / Officer Requesting: KELLY TINKER			Phone: 702 828-4118						
Bureau / Agency / Company: cayf/lvmpd			Detail: domestic violence						
Event # LLV131017003627									
<input type="checkbox"/> Thumbnail Sheet			<input checked="" type="checkbox"/> CD			<input type="checkbox"/> DVD			
<input checked="" type="radio"/> Include All Photos for Event			<input type="radio"/> Include Only Select Photos						
<b>Special Instructions:</b> Please release photos to victim, Kevin Adrianzen. He can be reached at 499-8895									
<b>PHOTOGRAPHIC LABORATORY USE ONLY</b> <b>Rimage File Type Selection</b> (Only one option may be selected per request. Option selected applies to items in 'Selected' list only.) <input checked="" type="radio"/> JPG Only <input type="radio"/> CR2(RAW) Only <input type="radio"/> JPG & CR2(RAW) <input type="radio"/> All <input type="radio"/> Other									
0	0	0	0	0	0	0	0	0	1
Thumbnail Sheet	3x5	4x6	5x7	8x10(12)	11x14	12x18	CD	DVD	
Fee \$: 10.00					Photo Tech: J7010W				
Check No/Date: #1523711872 <sup>TH</sup> 1/21/14 Date Stamp-In:					Date Completed: 01/21/2014				
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# Las Vegas

Metropolitan Police Department

Event # LLV13101700362



Disk 1 of 1

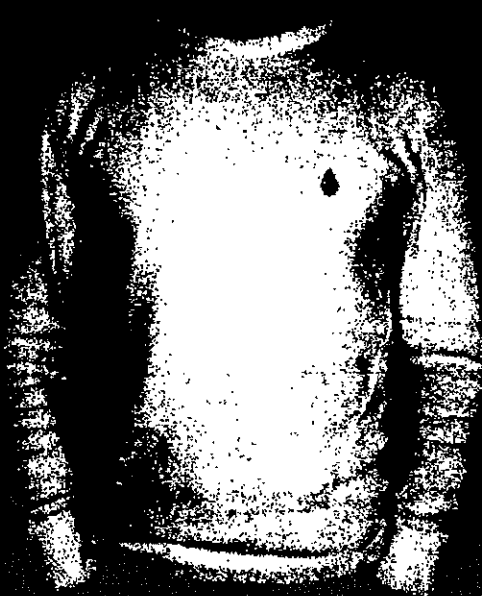
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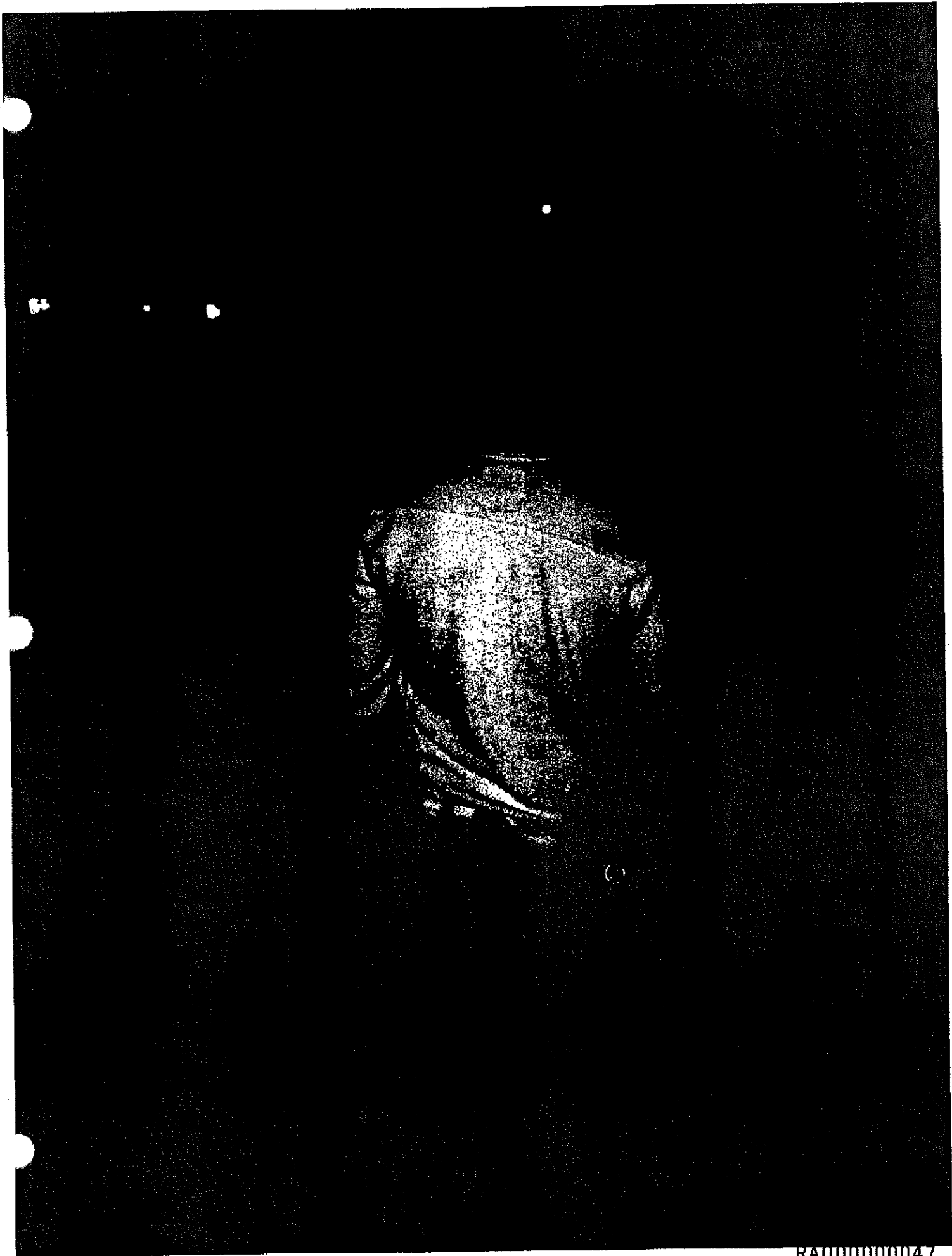


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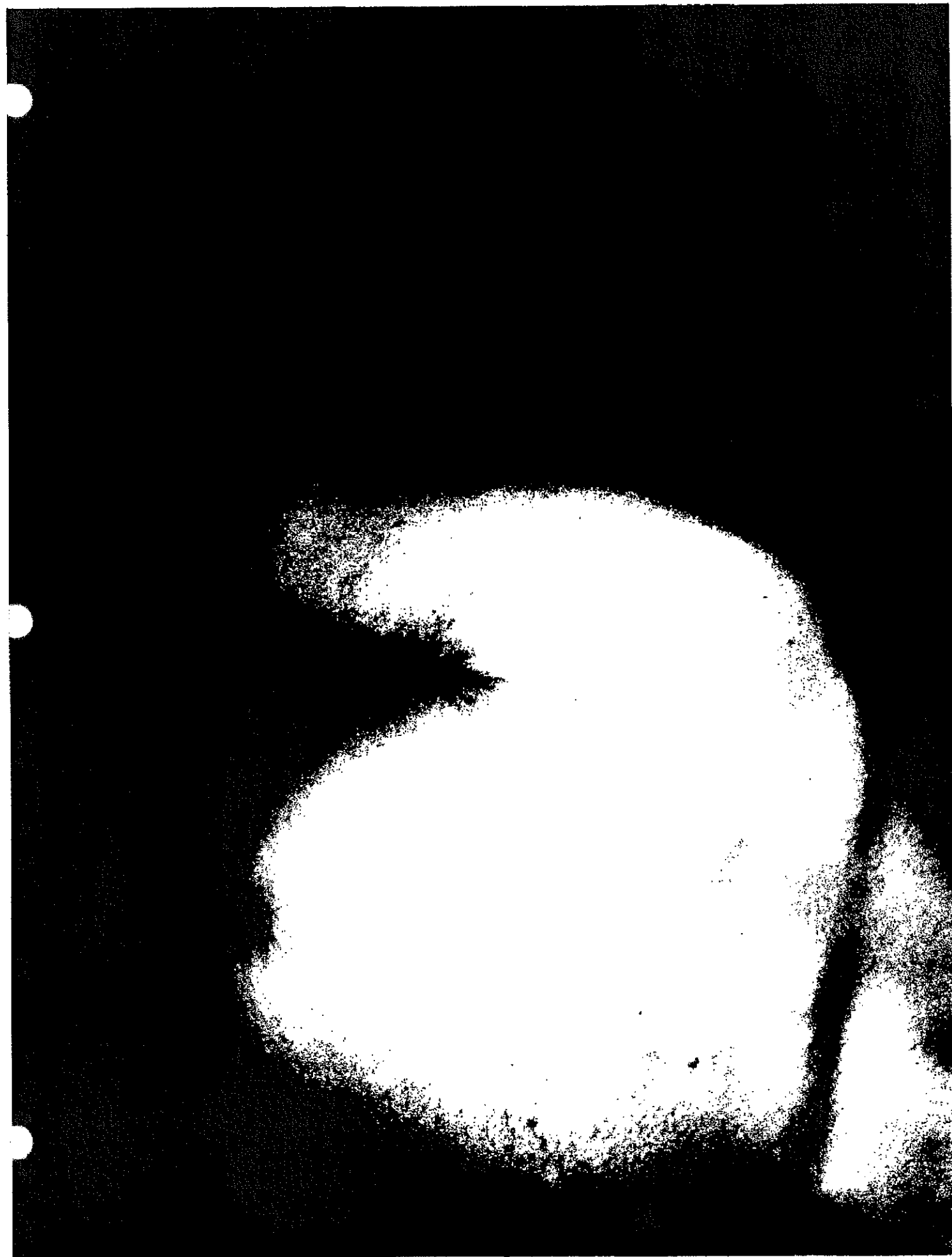


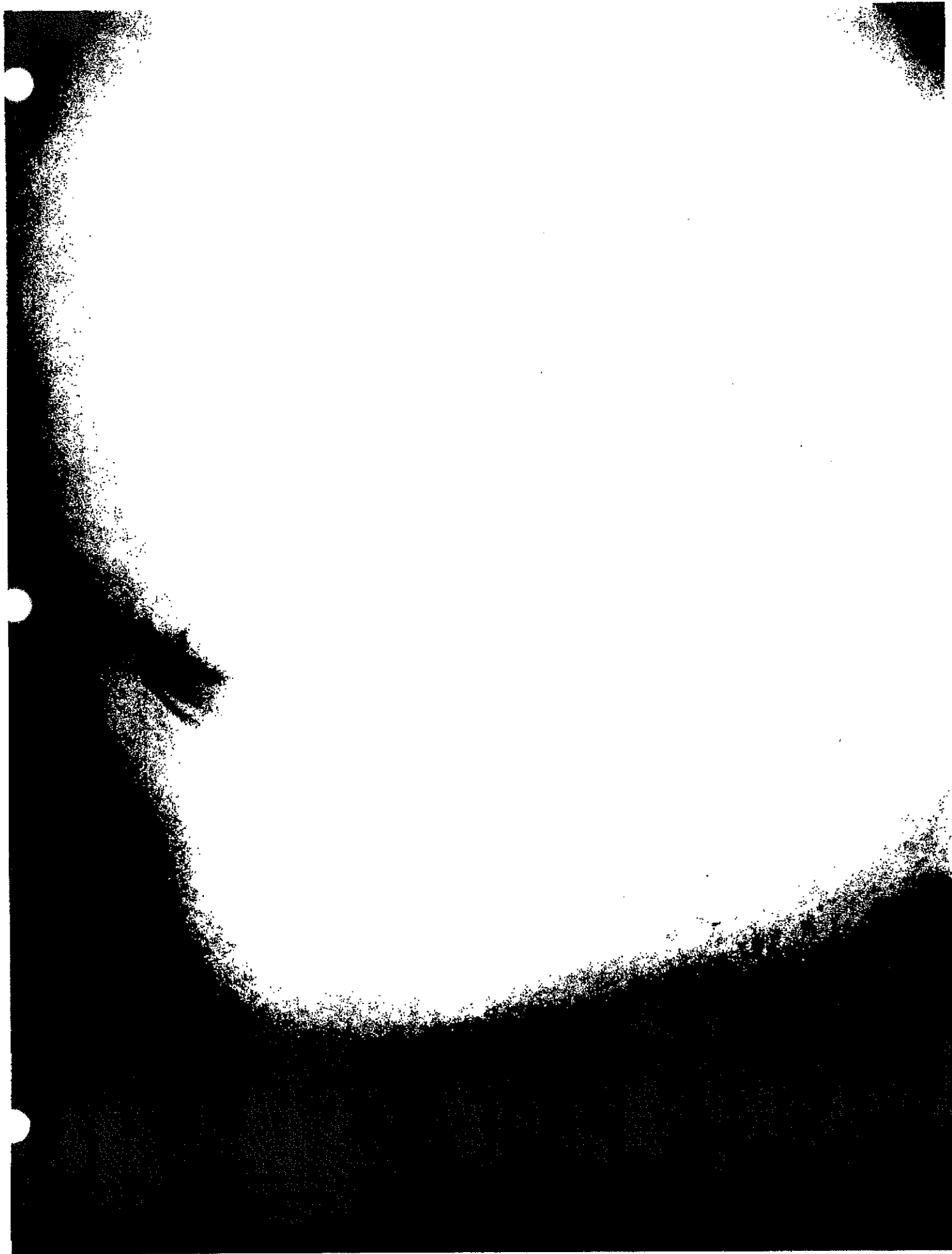
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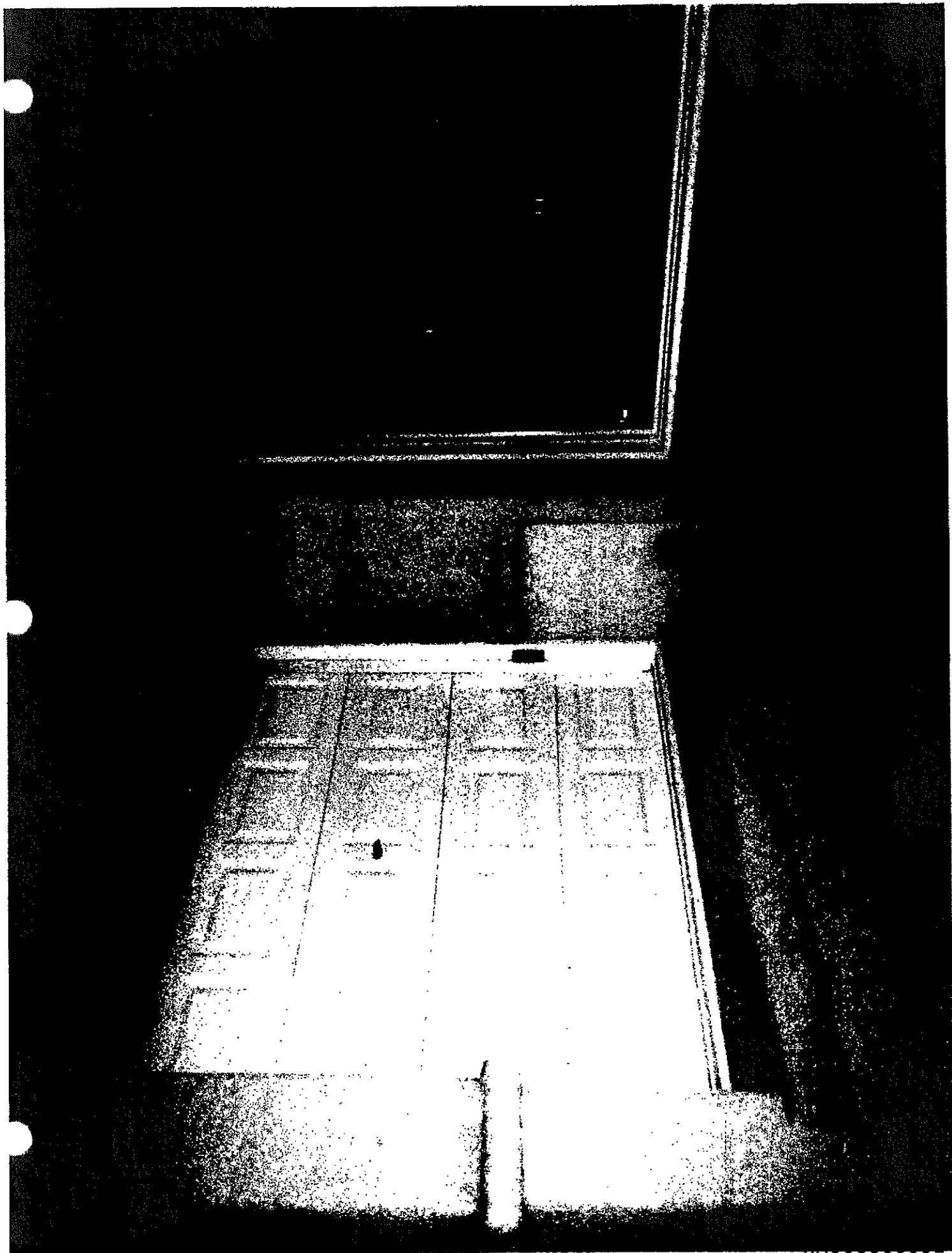
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Page 1 of 3	<b>Las Vegas Metropolitan Police Department Domestic Violence Report</b>	Event# <b>LLV131017003627</b>
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Specific Crimes	Jurisdiction	Crime Category	Sector/Beat
<b>BATTERY / DOMESTIC VIOLENCE</b>	<b>Clark County</b>		<b>02</b>

Location of Incident: (Number & Street)	City, ST Zip
<b>7645 Stetson Bluff Ave</b>	<b>LV, NV 89113</b>

Occurred	Date/Time	Day	Report Taken	Date/Time	Connecting Report
	<b>10/17/2013 10:06:40 PM</b>	<b>Thursday</b>		<b>10/17/2013 10:06:11 PM</b>	

Was there a witness?	Yes	Is there physical evidence present? (i.e., visible injury, weapons, etc.)	No	Reporting Officer	Squad	Follow-Up
				<b>06541 - Bunitsky, B.</b>	<b>EA31</b>	
Has victim requested temporary housing?	No	Is there a T.P.O. in effect? T#	No	Supervisor Approving		Follow-Up
				<b>04956 - Newberry, D.</b>		

Assisting Officers
<b>08535 - Hutchings, D.</b> <b>Officer</b>
<b>04956 - Newberry, Daniel A</b> <b>SGT</b>

**Persons (List Victims First)**

Victims								
Name (Last, First Middle)						Non English Speaking	Language	
<b>PETIT, PAIGE</b>						<b>No</b>		
Date of Birth	SSN	Race	Sex	Ht.	Wt.	Hair	Eyes	DV Information Card
<b>11/30/1993</b>		<b>White</b>	<b>Female</b>	<b>5' 0" - 6' 0"</b>	<b>135</b>	<b>Brown</b>	<b>Blue</b>	
Address Type		Address				CSZ	Country	
<b>Residence</b>		<b>7645 Stetson Bluff Ave</b>				<b>LV, NV 89113</b>	<b>USA</b>	
Phone Type		Phone Number						
<b>Cellular</b>		<b>767-7283</b>						

Victim / Suspect Relationship		Victim Demeanor	
Voluntary Statement		Drugs / Alcohol	
		Photographs	

Victim Injuries		
Injury Location	Injury Type	Injury Description

Children Present				
Name	Age	Location	Witness	Statement

Name (Last, First Middle)								Non English Speaking	Language
<b>ADRIANZEN, KEVIN</b>									
Date of Birth	SSN	Race	Sex	Ht.	Wt.	Hair	Eyes	DV Information Card	
<b>4/18/1993</b>		<b>White</b>	<b>Male</b>					<b>Yes</b>	
Address Type		Address				CSZ	Country		
		<b>5419 W Tropicana #2909</b>				<b>LAS VEGAS, NV 89103</b>			
Phone Type		Phone Number							

Victim / Suspect Relationship	<b>Spouse</b>	Victim Demeanor	
Voluntary Statement	<b>Yes</b>	Drugs / Alcohol	<b>Unknown</b>
		Photographs	<b>Digital Photos</b>

Victim Injuries		
Injury Location	Injury Type	Injury Description

Children Present				
Name	Age	Location	Witness	Statement

The Use and Dissemination of this Record is Regulated by Law. Secondary Dissemination of any kind is Prohibited and could subject the offender to Criminal and Civil Liability.  
 This Information Released To: **ADRIANZEN, Kevin**  
 By: **7255** Date: **1-23-14**  
 Las Vegas Metro Police Dept

RA000000053



# Las Vegas Metropolitan Police Department Domestic Violence Report

 Event#  
**LLV131017003627**
**Suspects**

Name (Last, First Middle)						Non English Speaking		Language	
PETIT, PAIGE								DV Information Card	
Date of Birth	SSN	Race	Sex	Ht.	Wt.	Hair	Eyes	Unknown	
11/30/1993		White	Female		135	Brown	Blue		

Address Type		Address		CSZ		Country	
		7645 Stetson Bluff Ave		LAS VEGAS, NV 89113			

Phone Type		Phone Number	
		702 767-7283	

Voluntary Statement	Drugs / Alcohol	Photographs	Suspect Demeanor

Suspect Injuries		Injury Type		Injury Description	

Injury Location		Injury Type		Injury Description	

**Arrestees****Witnesses**

Name (Last, First Middle)		Date of Birth	Written Statement
PETIT, DEBORAH		11/23/1965	Yes

Address Type		Address		CSZ		Country	
Residence		7645 Stetson Bluff Ave		LV, NV 89113		USA	
Phone Type		Phone Number					
Cellular		340-4458					

Received	Dispatched	Arrived	Caller
10/17/2013 8:22:30 PM	10/17/2013 9:07:51 PM	10/17/2013 10:08:13 PM	Victim
Primary Aggressor	Mitigating Factors	Arrested Both Parties	Medical Release
Not Determined			
Corroborating Witness		Medical Attention	
Background Noise on Arrival			

Responding Agencies	Unit Number

RA000000054

Las Vegas Metropolitan Police Department  
Domestic Violence ReportEvent#  
LLV131017003627

PAIGE STATES THAT HER HUSBAND OF 6 MONTHS, ON PAPER ONLY DUE TO KEVIN GOING INTO BOOT CAMP FOR THE ARMY, CAME OVER TODAY TO SEE THEIR 3 WEEK OLD BABY SON. SHE ASKED HIM TO STEP INSIDE TO HOLD THE BABY. HE SAID NO I WANT TO HOLD HIM OUT HERE IN THE GARAGE. SHE DIDN'T THINK MUCH OF IT OTHER THEN ITS COLD OUT AND DIDN'T MAKE SENSE, BUT SHE HANDED HIM THEIR SON. KEVIN THEN SAID I'M LEAVING AND STARTED WALKING SWIFTLY TO HIS CAR WHICH HE LEFT RUNNING WITH THE DRIVERS SIDE DOOR OPEN. PAIGE YELLED FOR HER MOM AND RAN AFTER KEVIN. SHE STOPPED HIM AT HIS CAR AND THEY BOTH WERE GRABBING FOR THE BABY. DEBORAH, PAIGE'S MOTHER CAME OUT AND HELPED GRAB THE BABY FROM KEVIN. PAIGE HAD THE BABY BACK AND RAN INSIDE AND CALLED THE POLICE. KEVIN DROVE DOWN THE STREET AND CALLED HIS MOM, AND THEN THE POLICE.

KEVIN STATES THAT THEY HAVE NOT EVER LIVED TOGETHER. HE STILL LIVES WITH HIS MOTHER AND JUST GOT A JOB. HE ADMITTED THAT HIS INTENT WAS TO TAKE THE BABY AWAY FROM PAIGE AND TAKE HIM HOME. EVEN THOUGH THE BABY IS BEING BREAST FED AND HE HAS NO BREAST MILK AT HIS HOUSE. HE ALSO HAS NEVER CARED FOR THE BABY YET. IT IS ONLY 3 WEEKS OLD. I ASKED HIM IF IT WOULD BE BETTER FOR THE BABY TO STAY WITH MOM FOR NOW AND FOR HIM TO MAKE ARRANGEMENTS ANOTHER TIME TO TAKE THE BABY FOR AN HOUR OR SO. HE AGREED THAT WOULD'VE BEEN A BETTER PLAN INSTEAD OF JUST RUNNING AWAY WITH HIS SON. HIS MOTHER IS PRESSURING HIM TO DO THINGS HE SHOULD NOT BE DOING. HE NEEDS TO ADDRESS HIS CONCERNS WITH PAIGE AND PAIGE ONLY.

PAIGE STATED ALSO THAT KEVIN DUMPED HER DURING HER PREGNANCY AND WAS SEEING OTHER GIRLS. SHE SAID THEIR MARRIAGE WAS VERY MUCH AGREED UPON FOR THE BENEFITS ONLY. IT IS A LOVELESS MARRIAGE. KEVIN IS JEALOUS DUE TO THE MOTHER GETTING ALL THE TIME WITH HIS SON.

REPORT TAKEN FOR INFORMATIONAL PURPOSES ONLY. NO REAL BATTERY OCCURRED AND NO CRIME WAS COMMITTED. THE DV LAWS WERE EXPLAINED IN GRAVE DETAIL ABOUT HOW THEY NEED TO ACT TOWARDS EACH OTHER IN THE FUTURE. THEY WILL BOTH GET LAWYERS INVOLVED FOR THE CIVIL PART OF THIS CASE WHICH IS THE PARENTAL RIGHTS OF BOTH PARTIES. THEY ALSO NEED TO AGREE UPON WHAT IS BEST FOR THE BABY AT THIS STAGE OF HIS LIFE.

I, Officer 06541 - Bunitsky, B. of the Las Vegas Metropolitan Police Department for \_\_\_\_\_, declare, subject to [penalty of perjury, that the above information is true and correct to the best of my knowledge or information and belief as identified. The above described information gives me probable cause to believe that on 10/17/2013 10:06:40 PM, \_\_\_\_\_ (name @ booking) also known as \_\_\_\_\_ (true name per SCOPE), committed the crime(s) of:

In the location of 7645 Statson Bluff Ave., LV, NV 89113 within Clark County. Declarant prays that your Honorable Magistrate finds that probable cause exists to hold the above-named person to answer such charge(s).

Dated this 23 Day of January, 2014

## Officers Preferred Court Time

M	T	W	T	F	<input type="checkbox"/> a.m.	<input type="checkbox"/> p.m.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Connecting Documents		<input type="checkbox"/>	Vol. St.		<input type="checkbox"/>	<input type="checkbox"/> Other
Secondary Event #		Evid./Veh. _____				

Declarant (Sign and Print) \_\_\_\_\_

Supervisor Name (Sign and Print)  
(Must be signed by Supervisor if Felony)

RA000000055

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
VOLUNTARY STATEMENTEvent #  
131017-3627

## THIS PORTION TO BE COMPLETED BY OFFICER

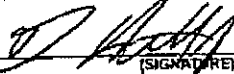
Specific Crime <b>BATTERY DV.</b>	Date Occurred <b>10-17-13</b>	Time Occurred <b>2022</b>
Location of Occurrence <b>7645 STETSON BLUFF AVE LV, NV 89113</b>	Sector/Beat <b>0/2</b>	<input type="checkbox"/> City <input checked="" type="checkbox"/> County

Your Name (Last / First / Middle) <b>ADRIANZEN KEVIN DANIEL</b>						Date of Birth <b>04/08/93</b>		Social Security #	
Race <b>White</b>	Sex <b>Male</b>	Height <b>5'6</b>	Weight <b>156</b>	Hair <b>BROWN</b>	Eyes <b>BROWN</b>	Work Sched. (Hours) <b>Mon-Fri</b>	(Days Off) <b>SAT-SUN</b>	Business / School <b>Construction</b>	
Residence Address: (Number & Street) <b>9145 West Richman Ave</b>				Bldg/Apt. #	City <b>Las Vegas</b>	State <b>NV</b>	Zip Code <b>89128</b>	Res. Phone: <b>702-612-2319</b>	
Bus: (Local) Address: (Number & Street)				Bldg/Apt. #	City	State	Zip Code	Bus. Phone: <b>702-444-8995</b>	
Best place to contact you during the day <b>Home</b>						Best time to contact you during the day <b>Any</b>		Can You Identify the Suspect? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

DETAILS I came over to my wife's house to pick up my son. I stepped in the garage and she handed him to me. I told her I was leaving and did not need her permission to do so. I then proceeded to walk down the driveway. When Paige Perit began to scream and yell at the child, Ryder Blake Perit, her brother Austin Perit. Then came out and said that he was going to call the police. I told him to then her mother came out and they both (Paige Perit, Deborah Perit) began to push me and corner me. They then started bending my finger back and striking at Ryder the entire time. I released for my son's safety.


I HAVE READ THIS STATEMENT AND I AFFIRM TO THE TRUTH AND ACCURACY OF THE FACTS CONTAINED HEREIN. THIS STATEMENT WAS COMPLETED AT (LOCATION) **7645 STETSON BLUFF AVE** ON THE **17** DAY OF **OCTOBER** AT **12:05 (AM/PM)** **2013**.

Witness/Officer:


Witness/Officer:  
LVMPD 85 (REV. 6-08)
**D. HITCHINGS**  
(PRINTED)
P# **8535**


SIGNATURE OF PERSON GIVING STATEMENT

RA000000056

 Back    +1 (702) 767-7283    Contact

Can you answer me I want  
to know about my son not  
you

He is good

I want to see him

Mon, Oct 21, 4:13 PM

Hello

You going to answer me?

Mon, Oct 21, 9:34 PM

Give me a few days. I'll  
text you.

< Messages (2) Paige

Contact

If you would like to see him  
you can tell me and can do  
so.

Okay I would like to see  
him and bring him to my  
house tomorrow

You can come over here to  
see him.

Okay so then that's a no  
thank you that's all I  
needed

Since you tried to run and  
take him from me and

< Messages (2) **Paige**

Contact

wrong at all. you have

Really not letting me and my family have a relationship with Ryder isn't wrong lol you have serious issues please just don't talk to me I don't like you

your family has no right to him. and you can come see him whenever you'd like, you're choosing not to. oh you don't like me when yesterday you loved me? get out of here

< Back

+1 (702) 767-7283

Contact

Bye

Mon, Oct 28, 5:24 PM

Hey buddy

Hey

How's my son

He's good

When can I see him since  
you hold him from me

I dont know yet.

Tue, Oct 29, 3:57 PM

RA000000060

< Back +1 (702) 767-7283 Contact

He's good

When can I see him since  
you hold him from me

I dont know yet.

Tue, Oct 29, 3:57 PM

Hey

hey

When can I see my son  
this is getting ridiculous

idk

RA000000061



## < Messages (2) Paige

Contact

to do anything to hurt your own son? You and your mother are fucking idiots you don't love him at all. A father wouldn't do that to a child. Your not a father at all it's a shame you call yourself one. Don't you ever try to hurt my kid!

Lol it's a shame you call yourself a mother cause I true mother would understand the importance of a father son relationship and how you not your family can ever do that for him

< Messages (2) Paige

Contact

family can ever do that for him

I never said they could. I'm being a good mother by not letting anyone take my baby. You choose not to see him that is your decision.

No one wants to take him from you yet

You tried taking him from me so if you want to see him you can come over at see him when you'd like.

< Messages

Paige

Contact

Your meeting me in public I  
don't want to be there and  
I don't have to be

No I'm not you can come  
here to see him

No I don't have too

Then that's your choice

I'm here to pick him bring  
him out or I'm having the  
police come down

Call the police idc

◀ Back (1) +1 (702) 767-7283 Contact

Bring Ryder over for  
thanks giving please I  
would like to spend some  
time with my son

im not leaving him kevin

Well meet me at a park so I  
can spend time with him

You can come too

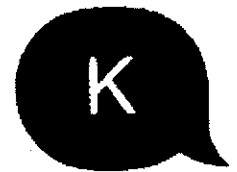
idk kevin

Are you serious! See this  
another reason why I don't  
want to be with you! You

## ◀ Messages (2) Paige

Contact

off the face of the earth  
you'd probably enjoy it. I  
love you unconditionally  
and you don't. I'm in love  
with you and it's honestly  
true love and you've never  
felt the same about me.  
You don't get it



its just sad. i wish you  
loved me the way that i  
love you 😊 if i knew it  
wouldve ended this way i  
wouldnt have gotten so  
attached to you

< Messages (2) Paige

Contact

K enjoy the tears then you  
know how I felt

I actually cared! It's like  
you wouldn't care if I fell  
off the face of the earth  
you'd probably enjoy it. I  
love you unconditionally  
and you don't. I'm in love  
with you and it's honestly  
true love and you've never  
felt the same about me.  
You don't get it

K

its just sad. i wish you

RA000000067

◀ Back +1 (702) 767-7283 Contact

what's knew I have already  
learned to accept it cause I  
don't fucking care.....I  
wouldn't want you to be  
there any ways cause you  
have no business being  
around me....plus I had my  
girl there to take care of  
me :) why are you crying  
you fucking loser?

Idc it's what your being!!  
And I told the cops that we  
were in love and that  
we've just been  
disagreeing of things  
about Ryder and that was  
it you idiot.. Yeah whatever

◀ Back (1) +1 (702) 767-7283 Contact

seen or spoken to each other in a while. And I want you to be fully committed to me, I want my husband to be in love with me and to think I'm the most beautiful girl and he doesn't need anyone else. it's always your way or no way and marriage is about compromise

Okay well I'm okay with talking but no we need to move in together no questions asked that's all I've wanted out of you since we got married



< Back

+1 (702) 767-7283

Contact

No cause you don't act like a wife and we don't even spend time together or live together

Well then you shouldn't have asked me to marry you if you couldn't handle any circumstance that occurred

No you made it this way

No I didn't you did you completely cut me from your life

< Back (1) +1 (702) 767-7283 Contact

Kevin what's wrong? Why  
did you start to cry :/

Because I just miss you  
and Ryder so much

Kevin I don't want you to  
cry. You don't have to ;/

It just hurts a lot every day  
I pray for him....idk I'm just  
very depressed

I don't want you to be sad  
Kevin. I dont like when you  
cry :(

< Back (1) +1 (702) 767-7283 Contact

You can come too

idk kevin

Are you serious! See this  
another reason why I don't  
want to be with you! You  
hold my fucking son from  
me

I'm done with this bullshit  
I'm just going to file as  
soon as I get off work I  
can't handle you...your to  
much I don't care to try  
any more you've officially  
pissed me off