

ORIGINAL

FILED

2014 OCT 16 AM 10:36

1 Code: 2410
2 Name: JESUS FAZ JR
3 Address: 1084 ROCK #B SPARKS NV 89431
4 Telephone: 775-379-3892
5 Acting In Proper Person

ACTING CLERK OF THE COURT
Electronically Filed
BY: Dec 16 2014 04:07 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

6
7 IN THE FAMILY DIVISION
8 OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
9 IN AND FOR THE COUNTY OF WASHOE

10 IN The MATTER OF Perinatal
11 RIGHT Plaintiff/Petitioner

Case No. FV11-02393

Dept. No. 5

12 MARIA FAZ
13 Defendant/Respondent

14 Michael FAZ

15 NATHANIEL FAZ NOTICE OF APPEAL

16 Attached is NOTICE OF APPEAL and A Request For
17 An ATTORNEY.

18
19 Dated: 10-16-14

20
21 [Signature]
22 (Signature)
23 1084 ROCK #B
24 (Address)
25 SPARKS NV 89431
26 775-379-3892
27 (Telephone)
28


IN THE FAMILY DIVISION
IN THE SECOND JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR THE COUNTY OF
WASHOE

IN THE MATTER OF PARENTAL RIGHTS AS TO,
MARIA FAZ, MICHAEL FAZ AND NATHANIEL FAZ,
MINOR CHILDREN.

Case No. FV11-02393
Dept. No. 5

NOTICE OF APPEAL

Notice is hereby given that I, Jesus Faz Jr., the natural father of Maria, Michael, and Nathaniel Faz, hereby appeal to the Supreme Court of Nevada from the final order terminating my parental rights as to my children, Maria, Michael and NATHANIEL FAZ which was entered in this action of September 24, 2014.

Jesus Faz Jr. 
1084 Rock #B
SPARKS, NV 89431
10.16.14

REQUEST FOR APPOINTMENT OF ATTORNEY

I, Jesus Fae JR, state that I am indigent and can not afford to hire an attorney for my appeal, I request that an attorney be appointed for me.

10.16.2014



1084 ROCK # B

SPARK, NV.

89431

1 SECOND JUDICIAL DISTRICT COURT
2 COUNTY OF WASHOE, STATE OF NEVADA

3 AFFIRMATION
4 Pursuant to NRS 239B.030

5 The undersigned does hereby affirm that the preceding document, Notice of

6 Appeal And Request For An ATTORNEY,
7 CASE # FV. 11-02393

8 (Title of Document)

9 filed in case number: _____



11 Document does not contain the social security number of any person

12 - OR -



14 Document contains the social security number of a person as required by:



16 A specific state or federal law, to wit:

17 _____
(State specific state or federal law)

18 - or -



20 For the administration of a public program

21 - or -



23 For an application for a federal or state grant

24 - or -



26 Confidential Family Court Information Sheet
(NRS 123.130, NRS 125.230, and NRS 125B.055)

27 Date: 10-16-14

28 [Signature]
(Signature)

29 Jesus FAL Jr.
(Print Name)

30 _____
(Attorney for)

1 **Code 1310**

2
3
4
5
6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**

7 **IN AND FOR THE COUNTY OF WASHOE**

8 **IN RE PARENTAL RIGHTS AS TO**

9 **MARIA FAZ, MICHAEL FAZ &**

10 **NATHANIEL FAZ,**

11 **Minor Children,**

Case No. FV11-02393

Dept. No. 5

12 **/**

13 **CASE APPEAL STATEMENT**

14 This case appeal statement is filed pursuant to NRAP 3(f).

15 1. Appellant is Jesus Faz jr..

16 2. This appeal is from an order entered by the Honorable Judge Deborah
17 Schumacher.

18 3. Appellant is representing himself in Proper Person on appeal, the Appellant's
19 address is:

20 Jesus Faz Jr.

21 1084 Rock #B

22 Sparks, NV 89431

23 4. Respondent is Washoe County Department of Social Services. Respondent was
24 represented in District Court by:

25 Feffrey Martin #7080

26 Chief Deputy District Attorney

27 P.O. Box 30083

28 Reno, Nevada 89520

5. Respondent's attorney is not licensed to practice law in Nevada: n/a

6. Appellant was not represented by counsel in District Court.

- 1 7. Appellant is not represented by counsel on appeal.
- 2 8. Appellant filed an Application to Waive Fees & Cost on December 11, 2014 in the
- 3 District Court.
- 4 9. Proceeding commenced by the filing of a Petition to Terminate Parental Rights on
- 5 July 6, 2011.
- 6 10. This is a civil proceeding and the Appellant is appealing the Order Terminating
- 7 Parental Rights filed on September 24, 2014.
- 8 11. The case has not been the subject of a previous appeals to the Supreme Court.
- 9 12. This case does not involve child custody or visitation.
- 10 13. It is unknown if the case involves the possibility of a settlement.

Dated this 12th day of December 2014.

JACQUELINE BRYANT
CLERK OF THE COURT

By: /s/ Yvonne Vilorio
Yvonne Vilorio
Deputy Clerk

SECOND JUDICIAL DISTRICT COURT**STATE OF NEVADA****COUNTY OF WASHOE****Case History - FV11-02393****Case Description: TERM : JESUS FAZ, ETAL (D2)****Case Number: FV11-02393 Case Type: STATE INITIATED TPR PET (D.A.) - Initially Filed On: 7/6/2011****Parties**

<u>Party Type & Name</u>	<u>Party Status</u>
JUDG - EGAN WALKER - D2	Active
JUDG - DEBORAH E. SCHUMACHER - D5	Party ended on: 12/1/2014 12:00:00AM
ATTY - Michael Van Ness Roth, Esq. - 2365	Party ended on: 10/17/2014 12:00:00AM
ATTY - Michael L. Mahaffey, Esq. - 1436	Active
ATTY - Gemma Greene Waldron, Esq. - 4104	Party ended on: 2/25/2014 12:00:00AM
DA - Jeffrey Martin, Esq. - 7080	Active
DSS - . WC Dept. of Social Services - DSS	Active
FATH - JESUS FAZ - @67016	Active
MINR - MICHAEL FAZ - @201698	Active
MINR - NATHANIEL FAZ - @1177168	Active
MINR - MARIA FAZ - @201697	Active
MINR - ANGEL FAZ - @201696	Active
MINR - JESUS FAZ - @201694	Active
MINR - LOGAN FAZ - @201695	Active
MOTH - PENNIE STARR FAZ - @201475	Active
PETR - WASHOE COUNTY DEPT. OF SOCIAL SERVICES - WCDSS	Active

Disposed Hearings

- 1 Department: D5 -- Event: TERM PARENTAL RIGHTS UNCONTEST -- Scheduled Date & Time: 9/22/2011 at 15:00:00
Extra Event Text: UNCONTESTED TPR--1/2 HOUR
Event Disposition: D435 - 9/22/2011
- 2 Department: D5 -- Event: SETTLEMENT CONFERENCE -- Scheduled Date & Time: 1/10/2012 at 09:30:00
Extra Event Text: SETTLEMENT CONFERENCE--ONE HOUR
Event Disposition: D480 - 1/10/2012
- 3 Department: D5 -- Event: Request for Submission -- Scheduled Date & Time: 1/31/2012 at 16:00:00
Extra Event Text: ORDER AFTER SETTLEMENT CONFERENCE (NO PAPER ORDER)
Event Disposition: S200 - 2/2/2012
- 4 Department: D5 -- Event: TERM PARENTAL RIGHTS CONTESTED -- Scheduled Date & Time: 3/12/2012 at 09:00:00
Extra Event Text: CONTESTED TPR TRIAL--3 DAYS
Event Disposition: D850 - 1/10/2012
- 5 Department: D5 -- Event: TERM PARENTAL RIGHTS CONTESTED -- Scheduled Date & Time: 3/13/2012 at 09:00:00
Extra Event Text: CONTESTED TPR TRIAL--3 DAYS
Event Disposition: D850 - 1/10/2012
- 6 Department: D5 -- Event: TERM PARENTAL RIGHTS CONTESTED -- Scheduled Date & Time: 3/14/2012 at 09:00:00
Extra Event Text: CONTESTED TPR TRIAL--3 DAYS
Event Disposition: D850 - 1/10/2012

Report Does Not Contain Sealed Cases or Confidential Information

- 7 Department: D5 -- Event: TERM PARENTAL RIGHTS CONTESTED -- Scheduled Date & Time: 3/15/2012 at 09:00:00
Extra Event Text: CONTESTED TPR TRIAL--3 DAYS
Event Disposition: D850 - 1/10/2012
- 8 Department: D5 -- Event: STATUS HEARING -- Scheduled Date & Time: 6/6/2012 at 11:00:00
Extra Event Text: STATUS HEARING - 30 MINUTES
Event Disposition: D435 - 6/6/2012
- 9 Department: D5 -- Event: TERM PARENTAL RIGHTS CONTESTED -- Scheduled Date & Time: 6/18/2012 at 09:00:00
Extra Event Text: COMNTESTED TPR TRIAL--3 DAYS
Event Disposition: D857 - 6/6/2012
- 10 Department: D5 -- Event: TERM PARENTAL RIGHTS CONTESTED -- Scheduled Date & Time: 6/19/2012 at 09:00:00
Extra Event Text: COMNTESTED TPR TRIAL--3 DAYS
Event Disposition: D857 - 6/6/2012
- 11 Department: D5 -- Event: TERM PARENTAL RIGHTS CONTESTED -- Scheduled Date & Time: 6/20/2012 at 09:00:00
Extra Event Text: COMNTESTED TPR TRIAL--3 DAYS
Event Disposition: D857 - 6/6/2012
- 12 Department: D5 -- Event: TERM PARENTAL RIGHTS CONTESTED -- Scheduled Date & Time: 6/21/2012 at 09:00:00
Extra Event Text: COMNTESTED TPR TRIAL--3 DAYS
Event Disposition: D857 - 6/6/2012
- 13 Department: D5 -- Event: Request for Submission -- Scheduled Date & Time: 7/5/2012 at 08:59:00
Extra Event Text: ORDER AFTER STATUS CONFERENCE (NO PAPER ORDER PROVIDED)
Event Disposition: S200 - 7/5/2012
- 14 Department: D5 -- Event: TERM PARENTAL RIGHTS UNCONTEST -- Scheduled Date & Time: 12/18/2013 at 09:00:00
Extra Event Text: UNCONTESTED TPR - 15 MINUTES
Event Disposition: D360 - 12/18/2013
- 15 Department: D5 -- Event: SETTLEMENT CONFERENCE -- Scheduled Date & Time: 4/29/2014 at 10:00:00
Extra Event Text: SETTLEMENT CONFERENCE - 1 HOUR
Event Disposition: D480 - 4/29/2014
- 16 Department: D5 -- Event: TERM PARENTAL RIGHTS CONTESTED -- Scheduled Date & Time: 8/11/2014 at 09:00:00
Extra Event Text: CONTESTED TPR - 3 DAYS
Event Disposition: D832 - 8/11/2014
- 17 Department: D5 -- Event: TERM PARENTAL RIGHTS CONTESTED -- Scheduled Date & Time: 8/12/2014 at 09:00:00
Extra Event Text: CONTESTED TPR - 3 DAYS
Event Disposition: D832 - 8/12/2014
- 18 Department: D5 -- Event: TERM PARENTAL RIGHTS CONTESTED -- Scheduled Date & Time: 8/13/2014 at 09:00:00
Extra Event Text: CONTESTED TPR - 3 DAYS
Event Disposition: D832 - 8/13/2014
- 19 Department: D5 -- Event: TERM PARENTAL RIGHTS CONTESTED -- Scheduled Date & Time: 8/14/2014 at 09:00:00
Extra Event Text: CONTESTED TPR - 3 DAYS
Event Disposition: D435 - 8/14/2014
- 20 Department: D5 -- Event: TERM PARENTAL RIGHTS CONTESTED -- Scheduled Date & Time: 8/18/2014 at 09:00:00
Extra Event Text: CONTESTED TPR - 3 DAYS
Event Disposition: D845 - 8/6/2014

Actions

	<u>Filing Date</u>	<u>-</u>	<u>Docket Code & Description</u>
1	7/6/2011	-	COV - **Civil Cover Sheet <i>No additional text exists for this entry.</i>
2	7/6/2011	-	3637 - Pet Terminate Parental Rights <i>No additional text exists for this entry.</i>
3	7/7/2011	-	2550 - Notice of Hearing Additional Text: SEPTEMBER 22, 2011 @ 3:00PM
4	7/7/2011	-	1250 - Application for Setting Additional Text: SEPT. 22, 2011 @ 3:00 PM
5	7/15/2011	-	1040 - Affidavit of Mailing <i>No additional text exists for this entry.</i>
6	7/22/2011	-	3720 - Proof of Service Additional Text: AFFIDAVIT OF SERVICE JESUS FAZ JR. 07-20-2011 @ 17:04
7	7/22/2011	-	1067 - Affidavit of Service Additional Text: PENNIE FAZ 7/15/11
8	7/27/2011	-	1215 - Application Appoint Counsel <i>No additional text exists for this entry.</i>
9	7/27/2011	-	1740 - Financial Declaration ... Additional Text: FAZ, PENNIE STARR
10	8/1/2011	-	3720 - Proof of Service <i>No additional text exists for this entry.</i>
11	8/1/2011	-	2715 - Ord Appointing Counsel Additional Text: ORDER APPOINTING COUNSELFOR PENNIE FAZ - Transaction 2380167 - Approved By: NOREVIEW : 08-01-2011:14:53:35
12	8/1/2011	-	NEF - Proof of Electronic Service Additional Text: Transaction 2380191 - Approved By: NOREVIEW : 08-01-2011:14:55:11
13	8/3/2011	-	1215 - Application Appoint Counsel Additional Text: FATHER JESUS FAZ
14	8/3/2011	-	1740 - Financial Declaration ... <i>No additional text exists for this entry.</i>
15	8/4/2011	-	2610 - Notice ... Additional Text: PD CONFLICT LETTER
16	8/5/2011	-	2715 - Ord Appointing Counsel Additional Text: ORDER APPOINTING COUNSEL FOR JESUS FAZ - Transaction 2390996 - Approved By: NOREVIEW : 08-05-2011:11:29:38

- 17 8/5/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2391057 - Approved By: NOREVIEW : 08-05-2011:11:46:56
- 18 8/8/2011 - 4075 - Substitution of Counsel
Additional Text: WASHOE COUNTY ALTERNATE PUBLIC DEFENDER'S OFFICE SUBS OUT WASHOE COUNTY PUBLIC DEFENDERS OFFICE - Transaction 2394017 - Approved By: AZION : 08-08-2011:13:41:39
- 19 8/8/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2394128 - Approved By: NOREVIEW : 08-08-2011:13:43:36
- 20 8/9/2011 - 2610 - Notice ...
Additional Text: PD CONFLICT LETTER
- 21 9/23/2011 - MIN - ***Minutes
Additional Text: Uncontested Termination of Parental Rights September 22, 2011 - Transaction 2490619 - Approved By: NOREVIEW : 09-23-2011:16:08:09
- 22 9/23/2011 - NEF - Proof of Electronic Service
Additional Text: Transaction 2490639 - Approved By: NOREVIEW : 09-23-2011:16:11:31
- 23 10/27/2011 - 1250 - Application for Setting
Additional Text: SETTLEMENT CONFERENCE 1/10/12 AT 9:30 AM
CONTESTED TPR TRIAL--3 DAYS
1ST DAY 3/12/12 9:00 AM-5:00 PM
2ND DAY 3/13/12 9:00 AM-12:00 PM
3RD DAY 3/14/11 9:00 AM-12:00 PM
4TH DAY 3/15/11 9:00 AM-5:00 PM
- 24 12/30/2011 - 1040 - Affidavit of Mailing
No additional text exists for this entry.
- 25 1/9/2012 - 3935 - Settlement Conference Statemnt
Additional Text: Transaction 2689447 - Approved By: MLAWRENC : 01-09-2012:16:15:17
- 26 1/9/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 2689662 - Approved By: NOREVIEW : 01-09-2012:16:23:06
- 27 1/10/2012 - 1250 - Application for Setting
Additional Text: CONTESTED TPR TRIAL--3 DAYS
1ST DAY 6/18/12 9:00 AM-5:00 PM
2ND DAY 6/19/12 9:00 AM-12:00 PM
3RD DAY 6/20/12 9:00 AM-12:00 PM
4TH DAY 6/21/12 9:00 AM-5:00 PM
- 28 1/31/2012 - 3860 - Request for Submission
Additional Text: DOCUMENT TITLE: ORDER AFTER SETTLEMENT CONFERENCE (NO PAPER ORDER)
PARTY SUBMITTING: JEFREY MARTIN, DA
DATE SUBMITTED: 01/31/12
SUBMITTED BY: DJ
DATE RECEIVED JUDGE OFFICE:
- 29 2/2/2012 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 30 2/2/2012 - 3370 - Order ...
Additional Text: ORDER AFTER SETTLEMENT CONFERENCE - Transaction 2737871 - Approved By: NOREVIEW : 02-02-2012:10:27:57
- 31 2/2/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 2737879 - Approved By: NOREVIEW : 02-02-2012:10:29:33

- 32 2/3/2012 - 2540 - Notice of Entry of Ord
Additional Text: NOTICE OF ENTRY OF ORDER AFTER SETTLEMENT CONFERENCE
- 33 6/5/2012 - 1250 - Application for Setting
Additional Text: JUNE 6, 2012 @ 11:00
- 34 6/8/2012 - MIN - ***Minutes
Additional Text: HEARING HELD 6-6-12 - Transaction 3006018 - Approved By: NOREVIEW : 06-08-2012:14:13:17
- 35 6/8/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 3006037 - Approved By: NOREVIEW : 06-08-2012:14:15:17
- 36 6/11/2012 - 4240 - Vacate Sheet
No additional text exists for this entry.
- 37 6/13/2012 - 1040 - Affidavit of Mailing
No additional text exists for this entry.
- 38 6/14/2012 - 1120 - Amended ...
Additional Text: AMENDED AFFIDAVIT OF MAILING
- 39 7/2/2012 - 1325 - ** Case Reopened
No additional text exists for this entry.
- 40 7/2/2012 - 3860 - Request for Submission
Additional Text: DOCUMENT TITLE: ORDER AFTER STATUS CONFERENCE (NO PAPER ORDER PROVIDED)
PARTY SUBMITTING: RICHARD GAMMICK, DA.
DATE SUBMITTED: JULY 5, 2012
SUBMITTED BY: AEATON
DATE RECEIVED JUDGE OFFICE: 7-5-12 FORWARDED TO LAW CLERK (JS)
- 41 7/5/2012 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 42 7/5/2012 - 2700 - Ord After Hearing...
Additional Text: ORDER AFTER STATUS HEARING HELD ON 6-8-12 - Transaction 3060916 - Approved By: NOREVIEW : 07-05-2012:09:45:24
- 43 7/5/2012 - NEF - Proof of Electronic Service
Additional Text: Transaction 3060929 - Approved By: NOREVIEW : 07-05-2012:09:48:00
- 44 7/9/2012 - 2540 - Notice of Entry of Ord
No additional text exists for this entry.
- 45 8/24/2012 - 1040 - Affidavit of Mailing
No additional text exists for this entry.
- 46 10/3/2013 - 1110 - Amended Pet ...
Additional Text: AMENDED PETITION TO TERMINATE PARENTAL RIGHTS - Transaction 4042852 - Approved By: AZION : 10-03-2013:16:17:17
- 47 10/3/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4043153 - Approved By: NOREVIEW : 10-03-2013:16:30:21
- 48 10/8/2013 - 1040 - Affidavit of Mailing
Additional Text: Transaction 4052001 - Approved By: NOREVIEW : 10-08-2013:15:27:59

- 49 10/8/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4052101 - Approved By: NOREVIEW : 10-08-2013:15:36:44
- 50 10/15/2013 - 1520 - Declaration
Additional Text: DECLARATION OF SERVICE - JESUS FAZ ON 10/14/13 @ 8:25 AM - Transaction 4065723 - Approved By: MFERNAND : 10-15-2013:09:45:13
- 51 10/15/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4066375 - Approved By: NOREVIEW : 10-15-2013:09:47:50
- 52 10/17/2013 - 1040 - Affidavit of Mailing
Additional Text: Transaction 4072604 - Approved By: NOREVIEW : 10-17-2013:10:13:25
- 53 10/17/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4072619 - Approved By: NOREVIEW : 10-17-2013:10:16:23
- 54 10/22/2013 - 1520 - Declaration
Additional Text: NON-SERVICE ON PENNIE FAZ - Transaction 4084205 - Approved By: ACROGHAN : 10-22-2013:13:06:34
- 55 10/22/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4084406 - Approved By: NOREVIEW : 10-22-2013:13:07:58
- 56 11/5/2013 - 1250 - Application for Setting
Additional Text: Transaction 4113640 - Approved By: MELWOOD : 11-05-2013:11:02:47
- 57 11/5/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4114799 - Approved By: NOREVIEW : 11-05-2013:11:04:59
- 58 11/5/2013 - 2610 - Notice ...
Additional Text: NOTICE OF VOLUNTARY DISMISSAL (NRCP 41) AS TO MINOR CHILDREN, JESUS FAZ, ANGEL FAZ AND LOGAN FAZ - Transaction 4114833 - Approved By: ACROGHAN : 11-05-2013:14:13:39
- 59 11/5/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4115912 - Approved By: NOREVIEW : 11-05-2013:14:27:41
- 60 11/5/2013 - 2550 - Notice of Hearing
Additional Text: 12-18-13 AT 9:00 A.M.
- 61 12/13/2013 - 1005 - Acceptance of Service
Additional Text: Transaction 4198192 - Approved By: MCHOLICO : 12-13-2013:15:06:26
- 62 12/13/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4198423 - Approved By: NOREVIEW : 12-13-2013:15:08:19
- 63 12/30/2013 - MIN - ***Minutes
Additional Text: TPR HEARING MINUTES 12-18-2013 - Transaction 4224446 - Approved By: NOREVIEW : 12-30-2013:11:27:46
- 64 12/30/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4224459 - Approved By: NOREVIEW : 12-30-2013:11:29:48
- 65 2/25/2014 - 2520 - Notice of Appearance
Additional Text: MICHAEL MAHAFFEY APPEAR FOR PENNIE FAZ - Transaction 4318076 - Approved By: ADEGAYNE : 02-25-2014:11:53:42
- 66 2/25/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4318386 - Approved By: NOREVIEW : 02-25-2014:11:55:07

- 67 3/27/2014 - 1250 - Application for Setting
Additional Text: MEDIATION 4/21/14 9 AM
SC 4/29/14 10 AM
- 68 4/1/2014 - 3176 - Ord Refer Juv Dependency Med
Additional Text: Transaction 4367376 - Approved By: NOREVIEW : 04-01-2014:08:42:45
- 69 4/1/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4367380 - Approved By: NOREVIEW : 04-01-2014:08:43:42
- 70 4/23/2014 - 3835 - Report...
Additional Text: Memo RE Dependency Mediation - Transaction 4399629 - Approved By: MFERNAND : 04-23-2014:14:32:19
- 71 4/23/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4399857 - Approved By: NOREVIEW : 04-23-2014:14:33:27
- 72 4/25/2014 - 3935 - Settlement Conference Statemnt
Additional Text: WASHOE COUNTY DEPARTMENT OF SOCIAL SERVICES' SETTLEMENT CONFERENCE STATEMENT - Transaction 4404416 - Approved By: MFERNAND : 04-28-2014:08:37:01
- 73 4/28/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4404755 - Approved By: NOREVIEW : 04-28-2014:08:37:56
- 74 4/29/2014 - 1250 - Application for Setting
Additional Text: CONTESTED TPR - 3 DAYS
8/11/14 9 AM TO 5 PM
8/12/14 9 AM TO 12 PM
8/13/14 9 AM TO 12 PM
8/14/14 9 AM TO 12 PM
8/18/14 9 AM TO 5 PM
- 75 7/3/2014 - 2045 - Mtn for Discovery
No additional text exists for this entry.
- 76 7/3/2014 - 1580 - Demand for Jury
Additional Text: FATH: JESUS FAZ, JR.
DEMAND FOR JURY FEE WAS NOT COLLECTED
- 77 7/3/2014 - 2490 - Motion ...
Additional Text: MOTION TO DISQUALIFY JUDGE EGAN WALKER
- 78 7/14/2014 - 2650 - Opposition to ...
Additional Text: PETITIONER'S OPPOSITION TO DEMAND FOR JURY TRIAL - Transaction 4514715 - Approved By: APOMA : 07-14-2014:12:34:08
- 79 7/14/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4515162 - Approved By: NOREVIEW : 07-14-2014:12:35:17
- 80 7/15/2014 - 2645 - Opposition to Mtn ...
Additional Text: PETITIONER'S OPPOSITION TO MOTION TO DISQUALIFY JUDGE EGAN WALKER - Transaction 4516567 - Approved By: AZION : 07-15-2014:11:22:58
- 81 7/15/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4516873 - Approved By: NOREVIEW : 07-15-2014:11:23:55
- 82 7/24/2014 - 3370 - Order ...
Additional Text: Regarding Jury Demand - Transaction 4530949 - Approved By: NOREVIEW : 07-24-2014:08:37:20

83 7/24/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4530952 - Approved By: NOREVIEW : 07-24-2014:08:38:18

84 7/31/2014 - 2245 - Mtn in Limine
Additional Text: Transaction 4540670 - Approved By: MCHOLICO : 07-31-2014:09:07:23

85 7/31/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4540788 - Approved By: NOREVIEW : 07-31-2014:09:08:24

86 8/4/2014 - 4205 - Trial Statement...
Additional Text: PETITIONER'S TRIAL STATEMENT - Transaction 4545064 - Approved By: MFERNAND : 08-04-2014:10:46:22

87 8/4/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4545130 - Approved By: NOREVIEW : 08-04-2014:10:47:29

88 8/6/2014 - 3370 - Order ...
Additional Text: Regarding Trial Dates - Transaction 4549287 - Approved By: NOREVIEW : 08-06-2014:09:44:23

89 8/6/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4549296 - Approved By: NOREVIEW : 08-06-2014:09:45:22

90 8/7/2014 - 3105 - Ord Granting ...
Additional Text: Motion In Limine - Transaction 4551808 - Approved By: NOREVIEW : 08-07-2014:11:41:27

91 8/7/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4551814 - Approved By: NOREVIEW : 08-07-2014:11:42:26

92 8/13/2014 - MIN - ***Minutes
Additional Text: CONTESTED TPR MINUTES 8-11-0214 - Transaction 4560560 - Approved By: NOREVIEW : 08-13-2014:15:41:31

93 8/13/2014 - MIN - ***Minutes
Additional Text: CONTESTED TPR MINUTES 8-12-0214 - Transaction 4560565 - Approved By: NOREVIEW : 08-13-2014:15:42:18

94 8/13/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4560566 - Approved By: NOREVIEW : 08-13-2014:15:42:28

95 8/13/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4560569 - Approved By: NOREVIEW : 08-13-2014:15:43:18

96 8/14/2014 - MIN - ***Minutes
Additional Text: CONTESTED TPR MINUTES 8-13-0214 - Transaction 4560908 - Approved By: NOREVIEW : 08-14-2014:07:44:00

97 8/14/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4560909 - Approved By: NOREVIEW : 08-14-2014:07:44:50

98 8/14/2014 - 3370 - Order ...
Additional Text: Regarding Stipulation - Transaction 4562283 - Approved By: MFERNAND : 08-15-2014:08:56:49

99 8/14/2014 - 4050 - Stipulation ...
Additional Text: Transaction 4562283 - Approved By: MFERNAND : 08-15-2014:08:56:49

100 8/15/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4563114 - Approved By: NOREVIEW : 08-15-2014:08:59:58

- 101 8/15/2014 - MIN - ***Minutes
Additional Text: CONTESTED TPR MINUTES 8-14-0214 - Transaction 4563677 - Approved By: NOREVIEW : 08-15-2014:11:46:59
- 102 8/15/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4563684 - Approved By: NOREVIEW : 08-15-2014:11:47:57
- 103 8/15/2014 - COC - Evidence Chain of Custody Form
No additional text exists for this entry.
- 104 8/20/2014 - 1670 - Ex-Parte Mtn...
Additional Text: EX PARTE MTOIN FOR PAYMENT OF ATTORNEY'S FEES FILE UNDER SEAL
- 105 9/18/2014 - 2490 - Motion ...
Additional Text: EX PARTE MOTION REQUESTING WITHDRAWAL OF REQUEST FOR FEES
- 106 9/24/2014 - 3267 - Ord Terminate Par/Rights
Additional Text: Transaction 4621766 - Approved By: NOREVIEW : 09-24-2014:11:57:29
- 107 9/24/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4621775 - Approved By: NOREVIEW : 09-24-2014:11:58:45
- 108 9/24/2014 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 4622209 - Approved By: NOREVIEW : 09-24-2014:14:04:12
- 109 9/24/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4622219 - Approved By: NOREVIEW : 09-24-2014:14:05:07
- 110 10/16/2014 - 2515 - Notice of Appeal Supreme Court
Additional Text: NOTICE OF APPEAL AND A REQUEST FOR ATTY
- 111 10/17/2014 - 4300 - Withdrawal of Counsel
Additional Text: MICHAEL VAN NESS ROTH FOR JESUS FAZ JR.
- 112 11/5/2014 - 2585 - Notice of Voluntary Dismissal
Additional Text: Transaction 4682970 - Approved By: YLLOYD : 11-05-2014:14:29:57
- 113 11/5/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4683138 - Approved By: NOREVIEW : 11-05-2014:14:32:47
- 114 12/11/2014 - 3866 - Request/Waive Fees/Costs
Additional Text: APPLICATION TO WAIVE FEES AND COSTS - (NOTICE OF APPEAL FILED 10/16/14 - ATTACHED)
- 115 12/11/2014 - 3860 - Request for Submission
Additional Text: DOCUMENT TITLE: APPLICATION TO WAIVE FEES AND COSTS - (NOTICE OF APPEAL FILED 10/16/14 - ATTACHED)
PARTY SUBMITTING: JESUS FAZ, JR
DATE SUBMITTED: 12/11/14
SUBMITTED BY: ASMITH
DATE RECEIVED JUDGE OFFICE:
- 116 12/12/2014 - FIE - **Document Filed in Error
Additional Text: FILED IN ERROR - WRONG DATE USED
- 117 12/12/2014 - FIE - **Document Filed in Error
Additional Text: FILED IN ERROR - WRONG DATE USED

118 12/12/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4733149 - Approved By: NOREVIEW : 12-12-2014:09:53:32

119 12/12/2014 - 1350 - Certificate of Clerk

Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 4733192 - Approved By: NOREVIEW : 12-12-2014:10:06:42

120 12/12/2014 - 1310E - Case Appeal Statement

Additional Text: Transaction 4733192 - Approved By: NOREVIEW : 12-12-2014:10:06:42

121 12/12/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4733195 - Approved By: NOREVIEW : 12-12-2014:10:07:43

1 **CODE**

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IN THE FAMILY DIVISION

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IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7

IN AND FOR THE COUNTY OF WASHOE

8

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10 IN RE PARENTAL RIGHTS AS TO

Case. No.: FV11-02393

11 MARIA FAZ, MICHAEL FAZ &

12 NATHANIEL FAZ,

Dept. 5

13 Minor Children.

14 _____/

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16

ORDER TERMINATING PARENTAL RIGHTS

17

On August 11, 12, 13 and 14, 2014, a trial occurred on the Petition of Washoe

18

County Department of Social Services (WCDSS) to terminate the parental rights of Jesus

19

Faz (Mr. Faz) to Maria, Michael and Nathaniel Faz. Maria, Michael and Nathaniel's

20

Mother, Penny Faz, stipulated to a default being entered against her in this action and to

21

relinquishing her parental rights. Ms. Faz was represented by Michael Mahaffey, Esq.

22

23

during the stipulation process. This trial proceeded against the Father only.

24

WCDSS appeared through social worker Julia Bauer and was represented by Chief

25

Deputy District Attorney Jeffrey Martin. Mr. Faz appeared personally and through Michael

26

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28

1 Van Ness Roth, Esq. The children's Court Appointed Special Advocate ("CASA"), Katie
2 Sullivan, was required by family emergency to be absent from the court but provided
3 testimony via telephone.

4 This case is unusual and difficult. Maria, Michael and Nathaniel have three older
5 siblings with whom Mr. Faz successfully reunified after the older children had a lengthy
6 stay in foster care. Mr. Faz and the three older boys live in a 2 bedroom apartment that
7 Mr. Faz obtained in 2013. Despite this successful reunification, WCDSS argues that Mr.
8 Faz cannot successfully reunify with the three youngest children. This is a position rarely
9 taken and perhaps even more rarely sustained.
10

11 The five eldest Faz children had previously been in foster care between 2005 and
12 2007. With the addition of the after-born Nathaniel, the Faz children returned to foster care
13 in January 2010. The reasons for the 2010 removal of the children were Ms. Faz's
14 incarceration and ongoing methamphetamine use, the unsafe condition of the home due to
15 clutter, garbage and old food, the loss of power to the home and imminent eviction, and
16 Mr. Faz's inability to articulate a long-term plan for the children's supervision and care.
17

18 Ms. Faz was unable to ameliorate the substance abuse and other issues that made
19 her an unfit parent. Mr. and Ms. Faz separated after the children's second removal by
20 child protective services. Although reunification efforts were initially extended to both
21 parents, over time WCDSS looked only to Mr. Faz as the parent with whom the children
22 might be reunified successfully.
23

24 The children's foster care case dragged on through many review hearings and many
25 years with minimal positive progress. Mr. Faz struggled with the same basic needs issues
26

1 that had been one of the reasons for the children's removal from his care. More
2 specifically, Mr. Faz struggled to obtain minimally adequate income and appropriate
3 housing for his children. Mr. Faz resided in a motel room for two years of the case, which
4 was a residence unsuitable for the children due to size and lack of privacy. The children
5 lingered with an uncertain future. The Court appreciated the difficulties but questioned Mr.
6 Faz's diligence and/or capacity to truly solve these problems.
7

8 The Court, however, never questioned Mr. Faz's love for his children. Mr. Faz was
9 regular and constant in his contact and visitation with his children. The size of the sibling
10 group and the bond that Mr. Faz nurtured through his constancy led the children's
11 advocate, for years, to recommend against termination of parental rights. The same facts
12 led the Court to extend reunification opportunities to Mr. Faz far longer than the
13 approximate year that is provided for by the federal Adoption and Safe Families Act and
14 parallel Nevada law in Nevada Revised Statutes ("NRS"), Chapter 432B. At the time of
15 trial, Maria, Michael and Nathaniel had been in foster care for 54 of the last 54 months.
16

17 NRS 128.105 provides that the primary consideration in a termination of parental
18 rights case is whether severing the parents' rights serves the children's best interest.
19 Further, by statute grounded in Constitutional principles, it is necessary that parental fault
20 be shown before a person's fundamental right to parent can be stripped away. NRS
21 128.105(2).
22

23 The Petitioner must carry its burden of proof regarding parental fault and children's
24 best interest by clear and convincing evidence. NRS 128.105 through 128.109, inclusive,
25 state mandatory considerations in a termination action.
26

1 Pursuant to NRS 128.109, the fact that Maria, Michael and Nathaniel Faz have been
2 in foster care for 54 consecutive months creates the following applicable presumptions: (1)
3 that Mr. Faz has made only token efforts under NRS 125.105(f), and (2) that it is in the
4 children's best interest that Mr. Faz's rights be terminated. These presumptions are
5 rebuttable.

6
7 Mr. Faz did not rebut the presumption that it is in Maria's, Nathaniel's and Michael's
8 best interest that his rights be terminated. Most fundamentally, Mr. Faz failed to show that
9 there is a reasonable prospect, in a reasonable and foreseeable period of time, that he
10 could provide for the basic needs of any number of additional children. As discussed
11 above, more than three years elapsed between the inception of the most recent foster care
12 case and Mr. Faz obtaining minimally appropriate housing within which to reunify with his
13 three eldest children. In response to his counsel's questioning about potential housing to
14 accommodate three more children, he testified that he "will look into" low income housing.
15 He receives social security disability payments for two of the children now in his custody,
16 but stated that he does not receive but "will check" on the availability of food stamps. This
17 testimony is vague, insubstantial and not reassuring, in the context of the glacial pace of
18 progress of the juvenile dependency case.
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21 The evidence established that Mr. Faz is maintaining the reunified older children's
22 basic food and shelter needs, but that the household situation is tenuous when any
23 additional strain or need occurs. Specifically, he testified that one of his reunified sons was
24 not receiving recommended therapeutic care due to lack of funds. Further, the evidence
25 established that, when another of his sons had a medical procedure which caused Mr. Faz
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1 to have reduced work hours, the Faz household utilized financial assistance from WCDSS.

2 Given the extraordinary length of this case, Maria, Michael and Nathaniel regrettably
3 have been assigned numerous social workers, at least three of whom have gone on to
4 different positions either in or out of WCDSS, and a variety of other adults have come and
5 gone in their lives. Formerly and presently assigned social workers, foster parents and
6 clinical providers all provided testimony regarding the special needs, diagnoses and
7 behavioral issues of Maria, Michael and Nathaniel. The most comprehensive testimony
8 was provided by Danielle Osier-Tater, a Marriage and Family Therapist who has been
9 licensed for over twenty years. Ms. Osier-Tater provided services to these children from
10 April 2012 to July 2014, when she left the Koinania organization, through which she had
11 been providing services to the Faz children.
12

13 Per Ms. Osier-Tater, Maria initially received diagnoses of Post Traumatic Stress
14 Disorder ("PTSD"), depressive disorder NOS (not otherwise specified), sexual abuse of a
15 child and reactive attachment disorder ("RAD"). Among the causes of Maria's psychiatric
16 issues, according to her therapist, was Maria's sexual abuse by her older brother, who is
17 one of her older siblings who has been reunified with Mr. Faz. Ms. Osier-Tater testified
18 that Maria needs safety, validation of her perceptions and emotions, nurturing and
19 protective caregivers. Maria's therapist testified that Maria is confused regarding her
20 relationship with Mr. Faz; she both wants a family but fears he would not protect her and is
21 afraid of his anger. Ms. Osier-Tater stated that Maria needs a healthy attachment to a
22 permanent caregiver as soon as possible. Ms. Osier-Tater conveyed strongly her fear for
23 Maria's long-term emotional and mental health if these conditions were not met promptly.
24
25
26

1 More specifically, Ms. Osier-Tater is concerned about how Maria's "anger and self-loathing"
2 will play out across her life and about a re-emergence of age-inappropriate sexual conduct.
3 Ms. Osier-Tater indicated that Maria struggles with guilt and shame related to her sexual
4 victimization.

5 Per Ms. Osier-Tater, Michael had received the following diagnoses in a
6 neuropsychological assessment performed by Dr. Suzanne Aberasturri (who also testified):
7 Attention Deficit Hyperactivity Disorder, adjustment disorder, expressive language
8 disorder, and learning disorder, NOS. At the time of her first contact with Michael, he
9 demonstrated aggressiveness to siblings and others, irritability and temper tantrums
10 apparently related to inability to communicate effectively. Ms. Osier-Tater stated that he
11 had "extreme" difficulty in "self-advocating". He disclosed in therapy that he also had been
12 sexually molested by his older brother, who presently lives with Mr. Faz. Ms. Osier-Tater
13 testified that Michael needs patient, stable and predictable caregivers and a home in which
14 learning disabilities are understood and educational advocacy provided. His therapist
15 stated that Michael has made slow progress.

16 Per Ms. Osier-Tater, Nathaniel had been given the following diagnoses by Dr.
17 Aberasturri: Attention Deficit Hyperactivity Disorder, adjustment disorder, and
18 (provisionally) Reactive Attachment Disorder. She stated that she added the diagnosis of
19 Post Traumatic Stress Disorder. At the beginning of her work with him, Ms. Osier-Tater
20 stated Nathaniel showed impulsivity, high distractibility, physical aggression, liable and
21 explosive moods, some sexual behaviors and safety issues, such as darting into traffic. He
22 also had hurt animals in the foster home. Ms. Osier-Tater testified that Nathaniel needs a

1 home where he will receive line-of-sight supervision and low stimulation (i.e., not a large
2 number of other children). The home must be very structured and the routine predictable,
3 and his sense of safety must be fostered. Ms. Osier-Tater stated that she is also deeply
4 worried about his future if his needs are not met.

5 As outlined above, the evidence at trial established that each of the three children
6 has significant special needs. To rebut the presumption that termination of his rights
7 serves the children's best interest, the evidence would have had to show some likelihood
8 (in a reasonable time) that Mr. Faz could meet the basic needs and special needs of these
9 three children. Mr. Faz did not provide evidence sufficient to show either kind of need
10 would be met seasonably. To the contrary, multiple witnesses testified to their belief that
11 Mr. Faz minimized Maria's and Michael's sexual victimization and failed to provide or
12 understand the need for close supervision of the children during visitation. The evidence
13 established that Ms. Faz had termed Maria's concerns as "psychobabble".

14 As previously stated, the evidence established that Mr. Faz was not currently
15 meeting the therapeutic needs of one of the children in his home. This failure leads to the
16 reasonable concern that he would not or could not meet the very serious special needs of
17 these children.

18 Mr. Faz proposes to reunify all of his children (in a physical location not presently
19 obtained.) He provided no plausible plan for assuring the safety of sexual abuse victims
20 from the perpetrator, all of whom would reside together. It is important to note that this is
21 a discussion of safety only in the most superficial way, i.e., whether there would be
22 opportunities for additional physical victimization. It does not encompass the children's
23

1 need for emotional and psychological safety. Mr. Faz presently no evidence that Maria
2 and Michael would not be harmed emotionally or psychologically by sharing a home with
3 the brother who sexually assaulted them. According to her Court Appointed Special
4 Advocate, Maria wishes to not even see this brother. According to Ms. Osier-Tater, Maria
5 doubts her Father's willingness or ability to keep her safe and, further, that personal safety
6 is one of Maria's deepest needs.
7

8 Lindsey Maurins, an adoption recruitment worker with WCDSS, testified that the
9 children's legal status, i.e., their parents' rights being intact, is a significant barrier to the
10 successful recruitment of a prospective adoptive home for Maria, Michael and Nathaniel.
11 Put plainly, the Court has been told that most prospective adoptive parents prefer to be
12 matched with children where the legal issue of their availability to be adopted has been
13 settled.
14

15 The Court Appointed Special Advocate recommended that the children be freed for
16 adoption. She stated that her opinion was based partly on the children's great need for
17 individual attention. She testified that she doubted that there was sufficient physical space
18 or adequate resources for their needs to be met in Mr. Faz's home, where he would then
19 be parenting six children. She also raised the issue of safety.
20

21 Based on the foregoing described evidence, and all evidence presented at trial, the
22 Court finds the following with respect to parental fault.

23 Clear and convincing evidence demonstrates that there has been a failure of
24 parental adjustment (NRS 128.105(2)(d)) by Jesus Faz. He has no demonstrated current
25 or future ability to meet either the basic needs or special needs of Maria, Michael or
26

1 Nathaniel.

2 Clear and convincing evidence establishes that there is a risk of serious injury to
3 Maria, Michael and Nathaniel if they were returned to Jesus Faz's home (NRS
4 128.105(2)(e)) because it is the home of a sibling who is a sexual perpetrator and there is
5 no viable plan to assure their safety, and, further, that this perpetrator is presently not
6 receiving therapeutic services because Mr. Faz stated he cannot afford to obtain them.
7

8 Clear and convincing evidence establishes that Jesus Faz is an unfit parent (NRS
9 128.105(2)(c)) because he has failed, over a period of three years, to provide Maria,
10 Michael and Nathaniel with proper care and support. Even as late as the days of trial, Mr.
11 Faz's testimony was that he was looking into housing and food stamps. This is too little too
12 late and not the effort and advocacy these children need to assure their basic and special
13 needs are met.
14

15 Clear and convincing evidence establishes that Jesus Faz has neglected Maria,
16 Michael and Nathaniel. NRS 128.105(b). Mr. Faz has neglected or refused to provide the
17 necessary subsistence for his children, either through private employment or securing
18 public benefits. See also NRS 128.106(8).
19

20 Jesus Faz's weak efforts to stabilize his circumstances over a very long foster case
21 provided no basis for the Court to find that he had rebutted the presumption applicable
22 under NRS 128.109, that he has made only token efforts to care for these children
23 pursuant to NRS 128.105(2)(f).
24

25 Therefore, the Court finds that multiple grounds of parental fault were established by
26 clear and convincing evidence. The Court also finds that clear and convincing evidence
27
28

1 establishes that the best interest of Maria, Michael and Nathaniel Faz will be served by
2 termination of Mr. Faz's rights, so that they may obtain a permanent home that will meet
3 their needs and give them the best chance to obtain healthy lives.

4 It is ordered that Jesus Faz's parental rights are terminated as to Maria Faz, Michael
5 Faz, and Nathaniel Faz.

6
7 Upon the extinction of Pennie Faz's rights, Maria, Michael and Nathaniel Faz's
8 custody is vested with Washoe County Department of Social Services, which has the
9 authority to place the children for, and consent to, their adoption.

10 **NOTICE**

11 PENALTY FOR VIOLATION OF ORDER: THE ABDUCTION, CONCEALMENT OR
12 DETENTION OF A CHILD IN VIOLATION OF THIS ORDER IS PUNISHABLE AS A
13 CATEGORY D FELONY AS PROVIDED IN NRS 193.130. NRS 200.359 provides that
14 every person having a limited right of custody to a child or any parent having no right of
15 custody to the child who willfully detains, conceals or removes the child from a parent,
16 guardian or other person having lawful custody or a right of visitation of the child in
17 violation of an order of this court, or removes the child from the jurisdiction of the court
18 without the consent of either the court or all persons who have the right to custody or
19 visitation is subject to being punished for a category D felony as provided in NRS
20 193.130.
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23 Pursuant to NRS 125.510(7) the terms of the Hague Convention of October 25, 1980,
24 adopted by the 14th Session of the Hague Conference on Private International Law, apply if a
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1 parent abducts or wrongfully retains a child in a foreign country.

2 IT IS SO ORDERED.

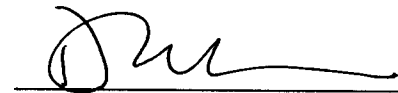
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5 Dated: Sept. 24, 2014

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DISTRICT JUDGE

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CERTIFICATE OF SERVICE

I certify that I am an employee of the Second Judicial District Court and that on the
24 day of September, 2014, I electronically filed the foregoing with the
Clerk of the Court system which will send a notice of electronic filing to following:

Jeffrey Martin, Chief Deputy District Attorney

Michael Roth, Esq.

Michael Mahaffey, Esq.

JBrooks

1 **2540**
Jeffrey Martin
2 Chief Deputy District Attorney
Nevada Bar No. 7080
3 P.O. Box 11130
Reno, Nevada 89520
4 (775) 337-5700

5 *Attorneys for Petitioner*

6
7 **IN THE FAMILY DIVISION**
8
9 **OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
10
11 **IN AND FOR THE COUNTY OF WASHOE**

12 IN THE MATTER OF PARENTAL RIGHTS:)
13)
14 as to,)
15) Case No. FV11-02393
16 MARIA FAZ,)
17 MICHAEL FAZ and) Dept. No. 5
18 NATHANIEL FAZ,)
19)
20 MINOR CHILDREN.)
21)

22 **NOTICE OF ENTRY OF ORDER**

23 TO: Pennie Faz; Mike Mahaffey, Esq., for Ms. Faz; Jesus Faz; Michael
24 Roth, Esq., for Mr. Faz:

25 YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE that an **ORDER**
26 **TERMINATING PARENTAL RIGHTS** was entered in the above entitled matter
on the 24th day of September, 2014, a copy of which is attached hereto.

Dated this 24th day of September, 2014.

RICHARD A. GAMMICK
Washoe County District Attorney

By: _

/s/ Jeffrey Martin
Jeffrey Martin
Chief Deputy District Attorney
Attorney for Petitioner

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IN THE FAMILY DIVISION

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IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

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IN AND FOR THE COUNTY OF WASHOE

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Case. No.: FV11-02393

11 MARIA FAZ, MICHAEL FAZ &

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13 Minor Children.

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ORDER TERMINATING PARENTAL RIGHTS

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24 WCDSS appeared through social worker Julia Bauer and was represented by Chief
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18 Ms. Faz was unable to ameliorate the substance abuse and other issues that made
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19 protective caregivers. Maria's therapist testified that Maria is confused regarding her
20 relationship with Mr. Faz; she both wants a family but fears he would not protect her and is
21 afraid of his anger. Ms. Osier-Tater stated that Maria needs a healthy attachment to a
22 permanent caregiver as soon as possible. Ms. Osier-Tater conveyed strongly her fear for
23 Maria's long-term emotional and mental health if these conditions were not met promptly.
24
25
26

1 More specifically, Ms. Osier-Tater is concerned about how Maria's "anger and self-loathing"
2 will play out across her life and about a re-emergence of age-inappropriate sexual conduct.
3 Ms. Osier-Tater indicated that Maria struggles with guilt and shame related to her sexual
4 victimization.

5 Per Ms. Osier-Tater, Michael had received the following diagnoses in a
6 neuropsychological assessment performed by Dr. Suzanne Aberasturri (who also testified):
7 Attention Deficit Hyperactivity Disorder, adjustment disorder, expressive language
8 disorder, and learning disorder, NOS. At the time of her first contact with Michael, he
9 demonstrated aggressiveness to siblings and others, irritability and temper tantrums
10 apparently related to inability to communicate effectively. Ms. Osier-Tater stated that he
11 had "extreme" difficulty in "self-advocating". He disclosed in therapy that he also had been
12 sexually molested by his older brother, who presently lives with Mr. Faz. Ms. Osier-Tater
13 testified that Michael needs patient, stable and predictable caregivers and a home in which
14 learning disabilities are understood and educational advocacy provided. His therapist
15 stated that Michael has made slow progress.

16 Per Ms. Osier-Tater, Nathaniel had been given the following diagnoses by Dr.
17 Aberasturri: Attention Deficit Hyperactivity Disorder, adjustment disorder, and
18 (provisionally) Reactive Attachment Disorder. She stated that she added the diagnosis of
19 Post Traumatic Stress Disorder. At the beginning of her work with him, Ms. Osier-Tater
20 stated Nathaniel showed impulsivity, high distractibility, physical aggression, liable and
21 explosive moods, some sexual behaviors and safety issues, such as darting into traffic. He
22 also had hurt animals in the foster home. Ms. Osier-Tater testified that Nathaniel needs a

1 home where he will receive line-of-sight supervision and low stimulation (i.e., not a large
2 number of other children). The home must be very structured and the routine predictable,
3 and his sense of safety must be fostered. Ms. Osier-Tater stated that she is also deeply
4 worried about his future if his needs are not met.

5 As outlined above, the evidence at trial established that each of the three children
6 has significant special needs. To rebut the presumption that termination of his rights
7 serves the children's best interest, the evidence would have had to show some likelihood
8 (in a reasonable time) that Mr. Faz could meet the basic needs and special needs of these
9 three children. Mr. Faz did not provide evidence sufficient to show either kind of need
10 would be met seasonably. To the contrary, multiple witnesses testified to their belief that
11 Mr. Faz minimized Maria's and Michael's sexual victimization and failed to provide or
12 understand the need for close supervision of the children during visitation. The evidence
13 established that Ms. Faz had termed Maria's concerns as "psychobabble".
14

15 As previously stated, the evidence established that Mr. Faz was not currently
16 meeting the therapeutic needs of one of the children in his home. This failure leads to the
17 reasonable concern that he would not or could not meet the very serious special needs of
18 these children.
19

20 Mr. Faz proposes to reunify all of his children (in a physical location not presently
21 obtained.) He provided no plausible plan for assuring the safety of sexual abuse victims
22 from the perpetrator, all of whom would reside together. It is important to note that this is
23 a discussion of safety only in the most superficial way, i.e., whether there would be
24 opportunities for additional physical victimization. It does not encompass the children's
25
26

1 need for emotional and psychological safety. Mr. Faz presently no evidence that Maria
2 and Michael would not be harmed emotionally or psychologically by sharing a home with
3 the brother who sexually assaulted them. According to her Court Appointed Special
4 Advocate, Maria wishes to not even see this brother. According to Ms. Osier-Tater, Maria
5 doubts her Father's willingness or ability to keep her safe and, further, that personal safety
6 is one of Maria's deepest needs.
7

8 Lindsey Maurins, an adoption recruitment worker with WCDSS, testified that the
9 children's legal status, i.e., their parents' rights being intact, is a significant barrier to the
10 successful recruitment of a prospective adoptive home for Maria, Michael and Nathaniel.
11 Put plainly, the Court has been told that most prospective adoptive parents prefer to be
12 matched with children where the legal issue of their availability to be adopted has been
13 settled.
14

15 The Court Appointed Special Advocate recommended that the children be freed for
16 adoption. She stated that her opinion was based partly on the children's great need for
17 individual attention. She testified that she doubted that there was sufficient physical space
18 or adequate resources for their needs to be met in Mr. Faz's home, where he would then
19 be parenting six children. She also raised the issue of safety.
20

21 Based on the foregoing described evidence, and all evidence presented at trial, the
22 Court finds the following with respect to parental fault.

23 Clear and convincing evidence demonstrates that there has been a failure of
24 parental adjustment (NRS 128.105(2)(d)) by Jesus Faz. He has no demonstrated current
25 or future ability to meet either the basic needs or special needs of Maria, Michael or
26

1 Nathaniel.

2 Clear and convincing evidence establishes that there is a risk of serious injury to
3 Maria, Michael and Nathaniel if they were returned to Jesus Faz's home (NRS
4 128.105(2)(e)) because it is the home of a sibling who is a sexual perpetrator and there is
5 no viable plan to assure their safety, and, further, that this perpetrator is presently not
6 receiving therapeutic services because Mr. Faz stated he cannot afford to obtain them.
7

8 Clear and convincing evidence establishes that Jesus Faz is an unfit parent (NRS
9 128.105(2)(c)) because he has failed, over a period of three years, to provide Maria,
10 Michael and Nathaniel with proper care and support. Even as late as the days of trial, Mr.
11 Faz's testimony was that he was looking into housing and food stamps. This is too little too
12 late and not the effort and advocacy these children need to assure their basic and special
13 needs are met.
14

15 Clear and convincing evidence establishes that Jesus Faz has neglected Maria,
16 Michael and Nathaniel. NRS 128.105(b). Mr. Faz has neglected or refused to provide the
17 necessary subsistence for his children, either through private employment or securing
18 public benefits. See also NRS 128.106(8).
19

20 Jesus Faz's weak efforts to stabilize his circumstances over a very long foster case
21 provided no basis for the Court to find that he had rebutted the presumption applicable
22 under NRS 128.109, that he has made only token efforts to care for these children
23 pursuant to NRS 128.105(2)(f).
24

25 Therefore, the Court finds that multiple grounds of parental fault were established by
26 clear and convincing evidence. The Court also finds that clear and convincing evidence
27
28

1 establishes that the best interest of Maria, Michael and Nathaniel Faz will be served by
2 termination of Mr. Faz's rights, so that they may obtain a permanent home that will meet
3 their needs and give them the best chance to obtain healthy lives.

4 It is ordered that Jesus Faz's parental rights are terminated as to Maria Faz, Michael
5 Faz, and Nathaniel Faz.

6 Upon the extinction of Pennie Faz's rights, Maria, Michael and Nathaniel Faz's
7 custody is vested with Washoe County Department of Social Services, which has the
8 authority to place the children for, and consent to, their adoption.
9

10 **NOTICE**

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

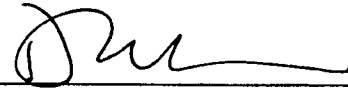
23 Pursuant to NRS 125.510(7) the terms of the Hague Convention of October 25, 1980,
24 adopted by the 14th Session of the Hague Conference on Private International Law, apply if a
25

parent abducts or wrongfully retains a child in a foreign country.

IT IS SO ORDERED.

Dated:

Sept. 24, 2014



DISTRICT JUDGE

CERTIFICATE OF SERVICE

I certify that I am an employee of the Second Judicial District Court and that on the
24 day of September, 2014, I electronically filed the foregoing with the
Clerk of the Court system which will send a notice of electronic filing to following:

Jeffrey Martin, Chief Deputy District Attorney

Michael Roth, Esq.

Michael Mahaffey, Esq.

Brooks

FILED

Electronically

09-23-2011:04:06:27 PM

Howard W. Conyers

IN RE: TERMINATION OF PARENTAL RIGHTS OF JESUS

FAZ, ET AL., MINOR CHILDREN
Transaction # 2490619

CASE NO. FV11-02393

IN RE: TERMINATION OF PARENTAL RIGHTS OF JESUS
FAZ, ET AL., MINOR CHILDREN

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

9/22/11

PETITION FOR TERMINATION OF PARENTAL RIGHTS

HONORABLE
DEBORAH E.
SCHUMACHER
DEPT. NO. 5
R. Brooks
(Clerk)
CD

The Petitioner, Washoe County Department of Social Services, was present with counsel, Janice Hubbard, Deputy District Attorney, and Katie Erickson, Social Worker. Jesus Faz, father, was present with counsel, Michael Roth Esq. Pennie Faz, mother, was present without counsel.

Court acknowledged receipt of a message indicating Gemma Waldron, Esq., counsel for Ms. Faz to be ill and unable to attend.

Ms. Faz indicated regardless of illness, she had not been successful in reaching Ms. Waldron.

Mr. Roth indicated Mr. Faz' contest to the Petition.

Ms. Faz indicated her contest.

COURT ORDERED matter will be set for trial.

**DATE, JUDGE
OFFICERS OF
COURT
PRESENT**

APPEARANCES - HEARING

06-06-2012
**HONORABLE
DEBORAH E.
SCHUMACHER**

DEPT. 5

**J. STODDARD
Court Clerk**

CD RECORD

BAILIFF

Page 1 of 1

STATUS HEARING

Jeffrey Martin, Esq. was present on behalf of Petitioner Washoe County Department of Social Services. Respondent Jesus Faz was present with counsel Michael Roth, Esq. Gemma Waldron, Esq. appeared on behalf of Respondent, Pennie Faz, who was not present. Also present was WCDSS social worker Jacinta Palmer and CASA Katie Sullivan.

Atty Waldron stated she was unable to notify Mother because Mother's phone is disconnected. Atty Martin stated recruitment efforts have been ongoing for over a year; an ICPC is pending for Father's relatives in Texas, but it doesn't seem it will be approved. The department would like one or two of the children placed with Father if Father's financially able to do so; Father has been visiting and he's involved. The department would like to hold the petition in abeyance while placement continues to be explored; it's important to focus on permanency for the children. *The Court requested the department explore the issue of the impact upon the children by placing some and not others.* CASA agrees with the department's recommendations; CASA has observed the majority of Father's visits for over a year and Father is doing his best; the children love him and he loves them; CASA doesn't believe a TPR at this time is in the children's best interests. Atty Waldron stated she met with Mother once for several hours in January to prepare for the settlement conference; Mother loves her children and recognizes it will be difficult to find someone to take on six special needs children. Atty Waldron will try to locate Mother to inform her of today's outcome and to encourage her to become more involved so she's not automatically ruled out as a placement. Mother knows she should be responsible for her own children conceptually, but she cannot do it physically. Atty Roth stated Father concurs with the Deputy District Attorney; Father has progressed and he's going to school; his felony was reduced to a gross misdemeanor which will assist him with housing. Father is seeing the children and the children have expressed their desire to remain together; it's disappointing to learn the ICPC in Texas hasn't progressed. Atty Martin stated both parents will have access to the ICPC report.

COURT ORDERED: Based upon the request of the Deputy District Attorney and Washoe County Department of Social Services, the Petition for Termination of Parental Rights will be held in abeyance for a period of six months. The trial set for June 18-21, 2012 is vacated.

CASE NO. FV11-02393 **TITLE: TERM: JESUS FAZ, ETAL**

**DATE, JUDGE
OFFICERS OF
COURT PRESENT**

APPEARANCES - HEARING

12-18-2013

**HONORABLE
DEBORAH E.
SCHUMACHER**

DEPT. 5

**T. GREENWELL
Court Clerk**

CD RECORD

**BAILIFF
A. BICKERTON**

Page 1 of 1

TERMINATION OF PARENTAL RIGHTS

Jeffrey Martin, Chief Deputy District Attorney, was present on behalf of the Petitioner, Washoe County Department of Social Services. Also present was social worker, Julia Bauer. Respondent, Pennie Starr Faz, the mother, was present. Jesus Faz, the father, was present with counsel, Michael Van Ness Roth, Esq. Also present was Delores Johnson, the maternal grandmother.

Proof was made that due and legal notice of this hearing had been given. Deputy confirmed the case was called in the lobby without further response.

Counsel Roth stated that father would be denying the Petition.

The Court noted there is no evidence of service regarding the mother.

Counsel Martin indicated they did not have evidence of service for Ms. Faz, only that that they were able to get a message to the mother regarding the hearing today. Gemma Waldron is still counsel of record for the mother.

Court indicated that it was believed that Ms. Waldron's license was suspended.

Counsel Martin stated he was unsure of Ms. Waldron's status. He will contact Mr. Bell's group and request the matter be reassigned. Once reassignment of counsel has taken place, counsel Martin will conduct service for the mother through her new attorney.

COURT ORDERED: Denial entered on behalf of the father, Jesus Faz, and the mother, Pennie Starr Faz. The matter shall be set for mediation and settlement conference.

Counsel to prepare order.

CASE NO. FV11-02393 **TITLE: TERM: JESUS FAZ, ET AL (D5)**

**DATE, JUDGE
OFFICERS OF
COURT
PRESENT**

APPEARANCES - HEARING

8-11-2014
**HONORABLE
DEBORAH E.
SCHUMACHER**

**DEPT. 5
T. GREENWELL
Court Clerk**

CD RECORD

**BAILIFF
A. BICKERTON**

Page 1 of 6

CONTESTED TERMINATION OF PARENTAL RIGHTS – DAY 1

Jeffrey Martin, Chief Deputy District Attorney, was present on behalf of Petitioner, Washoe County Department of Social Services. Also present were social workers, Julia Bauer and Michelle Rosencrantz. Michael Van Ness Roth, Esq., was present on behalf of the Respondent, Jesus Faz, who was also present.

Counsel Martin stated that Respondent, Pennie Faz, through her counsel, entered into a Stipulation with the Agency regarding potential relinquishment of her parental rights; the stipulation is conditional pending the outcome of the trial, although not expressly stated in the Stipulation.

Court addressed Counsel Martin regarding the stipulation.

Counsel Martin responded to the Court's concerns.

Court will refrain from signing the stipulation at this time, may revise last page.

Counsel Roth stated that he believes there will be some reduction of evidence in this matter as it relates to Pennie Faz since she is not presenting her case; however, there is no indication of a reduction of evidence, and he has not stipulated to that effect.

Court offered that the Stipulation indicates that Ms. Faz is waiving her right to trial, right to present evidence, subpoena witnesses and testify.

Counsel Roth inquired as to default, relinquishment processes.

Court addressed Counsel Roth regarding his concerns; Court would need to hear testimony as to best interests; stipulation alone is not enough.

Counsel Martin offered that some evidence will be presented as to Ms. Faz, as she is still a party.

Court addressed Counsel Roth regarding effect of stipulation in that it does not terminate the parental rights of Pennie Faz, absent an evidentiary hearing.

Counsel Martin affirmed the Court's statements.

**DATE, JUDGE
OFFICERS OF
COURT
PRESENT**

APPEARANCES - HEARING

CONTESTED TERMINATION OF PARENTAL RIGHTS – DAY 1

8-11-2014

Court addressed Counsel Roth and Mr. Faz regarding the effect of the stipulation, relating to potential outcomes of the hearing.

**HONORABLE
DEBORAH E.
SCHUMACHER**

Counsel Roth stated an objection to the evidence; prejudicial, relevance.

DEPT. 5

Court addressed Counsel Roth regarding objection – if objection is more prejudicial than probative, then an actual objection would be made as the exhibit is offered.

**T. GREENWELL
Court Clerk**

Counsel Roth stated an objection to the procedure regarding the Stipulation.

CD RECORD

Court and the parties discussed Counsel Roth's objection; Court addressed case handling; clarified purpose of stipulation.

**BAILIFF
A. BICKERTON**

Counsel Martin stated evidence and testimony will be presented as to both parties; affirmed if Mr. Faz prevails, the Agency will not seek termination of Ms. Faz's parental rights.

Page 2 of 6

Counsel Martin provided opening statement.

Counsel Roth provided opening statement.

Court addressed the parties as to presentation of the case as it related to the related juvenile case; when making findings, if facts exists that cannot be found in the evidence, although known to be true, will not be included in the decision.

Counsel Martin offered Exhibits A, B and C; affirmed counsel was unable to meet regarding exhibits.

Counsel Roth had no objections to admitting Exhibits A through C.

Court admits Exhibits A, B and C.

Counsel Martin offered Exhibits D-PP.

Counsel Roth inquired as to Exhibit D.

Counsel Martin offered that Exhibit I did not fall into the categories discussed.

Counsel Roth stipulated to admission of Exhibits through D-PP; affirmed stipulated as to admission of Exhibit I.

DATE, JUDGE
OFFICERS OF
COURT
PRESENT

8-11-2014

HONORABLE
DEBORAH E.
SCHUMACHER

DEPT. 5

T. GREENWELL
Court Clerk

CD RECORD

BAILIFF
A. BICKERTON

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CONTESTED TERMINATION OF PARENTAL RIGHTS – DAY 1

Court admits Exhibits D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, BB, CC, DD, EE, FF, GG, HH, II, JJ, KK, LL, MM, NN, OO and PP.

Amanda Seiferd was called by Counsel Martin. Ms. Seiferd, fka Amanda Crutcher, is a former employee of the Washoe County Department of Social Services and was employed as an assessment worker.

Amanda Seiferd was sworn and testified on direct, by telephone.

Counsel Roth stated objection, outside scope of Amended Petition.

Counsel Martin responded to objection; *Court overruled objection.*

Direct testimony of Amanda Seiferd, continued.

Counsel Roth stated objection as to term “they”; *Court sustained objection.*

Direct testimony of Amanda Seiferd, continued.

Counsel Roth stated objection as to term “they”; *Court sustained objection; directed witness to clarify as to who she is speaking about.*

Direct testimony of Amanda Seiferd, continued.

Canvassed by the Court.

Direct testimony of Amanda Seiferd, continued.

Counsel Roth, stated objection, immaterial and hearsay.

Counsel Martin responded to objection; *Court overruled objection.*

Direct testimony of Amanda Seiferd, continued.

Cross-Examination by Counsel Roth.

Canvassed by the Court.

Amanda Seiferd was excused from the stand.

Court recessed at 10:16 and reconvened at 10:25 a.m.

Katie Erickson was called by Counsel Martin. Ms. Erickson is a former employee of the Washoe County Department of Social Services and was employed as a caseworker.

Katie Erickson was sworn and testified on direct, by telephone.

Counsel Roth stated objection, lack of clear question and relevance.

**DATE, JUDGE
OFFICERS OF
COURT
PRESENT**

APPEARANCES – HEARING

8-11-2014

**HONORABLE
DEBORAH E.
SCHUMACHER**

DEPT. 5

**T. GREENWELL
Court Clerk**

CD RECORD

**BAILIFF
A. BICKERTON**

Page 4 of 6

CONTESTED TERMINATION OF PARENTAL RIGHTS- DAY 1

Counsel Martin will rephrase as to objection of clear question; responded to objection regarding relevance; *Court overruled objection.*

Direct testimony of Katie Erickson, continued.

Canvassed by the Court.

Direct testimony of Katie Erickson, continued.

Cross-Examination by Counsel Roth.

Canvassed by the Court.

Cross-Examination by Counsel Roth, continued.

Re-Direct by Counsel Martin.

Re-Cross-Examination by Counsel Roth.

Katie Erickson was excused from the stand.

Tamra Greenman-Reid was called by Counsel Martin. Ms. Greenman-Reid is the minor children's foster parent.

Tamra Greenman-Reid was sworn and testified on direct.

Court addressed witness regarding refraining from reviewing notes in her possession.

Counsel Roth stated objection, relevance.

Counsel Martin responded to objection; *Court sustained objection.*

Court struck comment made by witness.

Direct testimony of Tamra Greenman-Reid, continued.

Canvassed by the Court.

Direct testimony of Tamra Greenman-Reid, continued.

Canvassed by the Court.

Direct testimony of Tamra Greenman-Reid, continued.

Counsel Roth requested to cross-examine witness after the recess; time needed to consult with client; had no knowledge of witness testimony; alternatively, requested a short break.

Court addressed Counsel regarding docket.

Counsel Martin stated no objection to Counsel Roth consulting with his client.

Court addressed parties regarding time needed and available for trial.

Tamra Greenman-Reid was excused from the stand.

**DATE, JUDGE
OFFICERS OF
COURT
PRESENT**

APPEARANCES – HEARING

8-11-2014

**HONORABLE
DEBORAH E.
SCHUMACHER**

DEPT. 5

**T. GREENWELL
Court Clerk**

CD RECORD

**BAILIFF
M. NEVILLE**

Page 5 of 6

CONTESTED TERMINATION OF PARENTAL RIGHTS- DAY 1

Counsel Roth stated objection; a short summary regarding witness testimony is usually provided.

*Court addressed the parties regarding Counsel Roth's request.
Court recessed at 11:39 a.m.; Court reconvened at 2:15 p.m.*

Counsel Roth requested a short recess this afternoon to allow him to attend a previously scheduled hearing on an unrelated matter scheduled in JM1.

Tamra Greenman-Reid previously sworn, returned to the stand.

Cross-Examination by Counsel Roth, continued.

Re-direct by Counsel Martin.

Tamra Greenman-Reid excused from the stand.

Jacinta Palmer was called by Counsel Martin. Ms. Palmer is a Social Worker employed through the Washoe County Department of Social Services, previously assigned as a permanency worker to the case.

Counsel Martin affirmed Counsel Roth advised him regarding request for recess and had no objection.

Jacinta Palmer was sworn and testified on direct.

Court recessed at 3:00 p.m.; reconvened at 3:26 p.m.

Jacinta Palmer previously sworn, returned to the stand.

Direct testimony of Jacinta Palmer, continued.

Counsel Roth stated objection, asked and answered; *Court sustained objection.*

Direct testimony of Jacinta Palmer, continued. Questioned as to Court Report.

Cross-Examination by Counsel Roth, continued.

Canvassed by the Court.

Cross-Examination by Counsel Roth, continued.

Re-direct by Counsel Martin.

Jacinta Palmer was excused from the stand.

**DATE, JUDGE
OFFICERS OF
COURT
PRESENT**

APPEARANCES – HEARING

CONTESTED TERMINATION OF PARENTAL RIGHTS – DAY 1

8-11-2014

**HONORABLE
DEBORAH E.
SCHUMACHER**

DEPT. 5

**T. GREENWELL
Court Clerk**

CD RECORD

**BAILIFF
M. NEVILLE**

Page 6 of 6

Julia Bauer was called by Counsel Martin. Ms. Bauer is a Social Worker employed through the Washoe County Department of Social Services and was assigned as a permanency worker to the case.

Julia Bauer was sworn and testified on direct.

Canvassed by the Court.

Direct testimony of Julia Bauer, continued.

Counsel Roth stated objection, hearsay as to other people; requested response be stricken.

Counsel Martin responded to objection; *Court sustained objection.*

Direct testimony of Julia Bauer, continued. Questioned as to Exhibits LLL-YYY.

Counsel Martin offered Exhibits LLL-YYY.

Counsel Roth offered no objection to Exhibits LLL-YYY.

Court admits Exhibits LLL, MMM, NNN, OOO, PPP, QQQ, RRR, SSS, TTT, UUU, VVV, WWW, XXX and YYY.

Cross-Examination by Counsel Roth.

Court and the parties discussed docket, location of trial. Court recessed at 5:00 p.m.

CASE NO. FV11-02393 **TITLE: TERM: JESUS FAZ, ET AL (D5)**

**DATE, JUDGE
OFFICERS OF
COURT
PRESENT**

APPEARANCES - HEARING

8-12-2014
**HONORABLE
DEBORAH E.
SCHUMACHER**

DEPT. 5

**T. GREENWELL
Court Clerk**

CD RECORD

**BAILIFF
A. BICKERTON**

Page 1 of 3

CONTESTED TERMINATION OF PARENTAL RIGHTS – DAY 2

Jeffrey Martin, Chief Deputy District Attorney, was present on behalf of Petitioner, Washoe County Department of Social Services. Also present were social workers, Julia Bauer and Michelle Rosencrantz. Michael Van Ness Roth, Esq., was present on behalf of the Respondent, Jesus Faz, who was also present.

Court reconvened at 9:13 a.m.

Julia Bauer, previously sworn, returned to the stand.

Cross-Examination by Counsel Roth, continued. Questioned as to the Amended Petition for Termination of Parental Rights.

Court addressed Counsel Roth regarding questioning, appropriate for argument.

Cross-Examination by Counsel Roth, continued.

Re-direct by Counsel Martin.

Re-Cross-Examination by Counsel Roth.

Re-direct by Counsel Martin.

Julia Bauer excused from the stand.

Danielle Osier-Tater was called by Counsel Martin. Ms. Osier-Tater is the children's former therapist.

Danielle Osier-Tater was sworn and testified on direct.

Court directed the witness to refrain from reviewing the notes in her possession until directed to.

Direct testimony of Danielle Osier-Tater, continued. Witness referred to notes.

Canvassed by the Court.

Direct testimony of Danielle Osier-Tater, continued.

Court struck comment made by Counsel Martin.

Direct testimony of Danielle Osier-Tater, continued. Witness referred to notes.

Canvassed by the Court.

Direct testimony of Danielle Osier-Tater, continued.

Canvassed by the Court.

Direct testimony of Danielle Osier-Tater, continued.

Counsel Roth stated objection, referenced stipulation signed by Ms. Faz, requests testimony be limited as to Mr. Faz; *Court sustained objection.*

Direct testimony of Danielle Osier-Tater, continued.

**DATE, JUDGE
OFFICERS OF
COURT
PRESENT**

APPEARANCES - HEARING

8-12-2014

CONTESTED TERMINATION OF PARENTAL RIGHTS – DAY 2

Court recessed at 10:25; reconvened at 10:44 a.m.

**HONORABLE
DEBORAH E.
SCHUMACHER**

Danielle Osier-Tater, previously sworn, returned to the stand.

Cross-Examination by Counsel Roth.

Court struck comment made by Counsel Roth.

DEPT. 5

Cross-Examination by Counsel Roth, continued.

Danielle Osier-Tater excused from the stand.

**T. GREENWELL
Court Clerk**

Dr. Susan Aberasturi was called by Counsel Martin. Dr. Aberasturi completed a psychological/neuropsychological report on the children.

CD RECORD

Dr. Aberasturi was sworn and testified on direct.

**BAILIFF
A. BICKERTON**

Canvassed by the Court.

Direct testimony of Dr. Aberasturi, continued. Questioned as to Exhibits HHH, III and JJJ.

Page 2 of 3

Counsel Martin offered Exhibits HHH, III and JJJ.

Counsel Roth questioned witness as to completeness of Exhibits; counsel offered no objections to admission of Exhibits HHH, III or JJJ.

Court admits Exhibits HHH, III and JJJ.

Direct testimony of Dr. Aberasturi, continued.

Canvassed by the Court.

Direct testimony of Dr. Aberasturi, continued.

Canvassed by the Court.

Direct testimony of Dr. Aberasturi, continued.

Canvassed by the Court.

Direct testimony of Dr. Aberasturi, continued.

Counsel Roth chose not to cross examine witness.

Dr. Aberasturi was excused from the stand.

Lindsay Maurins was called by Counsel Martin. Ms. Maurins is an Adoption Recruiter employed through the Washoe County Department of Social Services.

Lindsay Maurins was sworn and testified on direct.

**DATE, JUDGE
OFFICERS OF
COURT PRESENT**

APPEARANCES - HEARING

CONTESTED TERMINATION OF PARENTAL RIGHTS – DAY 2

8-12-2014

**HONORABLE
DEBORAH E.
SCHUMACHER**

**Canvassed by the Court.
Direct testimony of Lindsay Maurins, continued.
Canvassed by the Court.
Direct testimony of Lindsay Maurins, continued.
Cross-Examination by Counsel Roth.**

DEPT. 5

Court addressed counsel regarding continuing cross-examination of witness.

**T. GREENWELL
Court Clerk**

Court recessed at 11:59 a.m.

CD RECORD

**BAILIFF
A. BICKERTON**

CASE NO. FV11-02393 **TITLE: TERM: JESUS FAZ, ET AL (D5)**

**DATE, JUDGE
OFFICERS OF
COURT
PRESENT**

APPEARANCES - HEARING

8-13-2014

**HONORABLE
DEBORAH E.
SCHUMACHER**

DEPT. 5

**T. GREENWELL
Court Clerk**

CD RECORD

**BAILIFF
A. BICKERTON**

Page 1 of 2

CONTESTED TERMINATION OF PARENTAL RIGHTS – DAY 3

Jeffrey Martin, Chief Deputy District Attorney, was present on behalf of Petitioner, Washoe County Department of Social Services. Also present were social workers, Julia Bauer and Michelle Rosencrantz. Michael Van Ness Roth, Esq., was present on behalf of the Respondent, Jesus Faz, who was also present.

Court reconvened at 9:06 a.m.

Lindsay Maurins, previously sworn, returned to the stand.

Canvassed by the Court.

Cross-Examination by Counsel Roth, continued. Questioned as to pages 16 and 17 of Exhibit HHH.

Canvassed by the Court.

Cross-Examination by Counsel Roth, continued. Questioned as to pages 12 and 13 of Exhibit III; Questioned as to pages 15 and 16 of Exhibit JJJ.

Re-direct by Counsel Martin.

Re-Cross-Examination by Counsel Roth.

Canvassed by the Court.

Lindsay Maurins excused from the stand.

Mikie Franklin was called by Counsel Martin. Mr. Franklin is an Adoption Supervisor employed through the Washoe County Department of Social Services.

Mikie Franklin was sworn and testified on direct.

Canvassed by the Court.

Direct testimony of Mikie Franklin, continued.

Canvassed by the Court.

Direct testimony of Mikie Franklin, continued.

Canvassed by the Court.

Direct testimony of Mikie Franklin, continued.

Cross-Examination by Counsel Roth.

Court noted that Ms. Maurins had remained in the Courtroom.

Counsel Roth stated he is not invoking the rule of exclusion.

Cross-Examination by Counsel Roth, continued.

Counsel Martin chose not to re-direct.

**DATE, JUDGE
OFFICERS OF
COURT PRESENT**

APPEARANCES - HEARING

8-13-2014

**HONORABLE
DEBORAH E.
SCHUMACHER**

DEPT. 5

**T. GREENWELL
Court Clerk**

CD RECORD

**BAILIFF
A. BICKERTON**

Page 2 of 2

CONTESTED TERMINATION OF PARENTAL RIGHTS – DAY 3

Counsel Martin requested leave to allow Ms. Maurins to return to the stand.

Counsel Roth stated no objection to Ms. Maurins returning to the stand.

Lindsay Maurins, previously sworn, returned to the stand.

Direct testimony of Lindsay Maurins, continued.

Canvassed by the Court.

Direct testimony of Lindsay Maurins, continued.

Cross-Examination by Counsel Roth.

Counsel Martin chose not to re-direct.

Lindsay Maurins excused from the stand.

Court recessed at 10:20 a.m.; reconvened at 10:40 a.m.

Katie Sullivan was called by Counsel Martin. Ms. Sullivan is a Court Appointed Special Advocate assigned to the related juvenile case.

Katie Sullivan was sworn and testified on direct, by telephone.

Cross-Examination by Counsel Roth. Questioned as to CASA Reports filed for the January 8, 2014 and July 9, 2014 hearings.

Re-direct by Counsel Martin.

Counsel Martin offered Exhibits QQ-GGG.

Counsel Roth stated objection to Exhibits pertaining to Mr. Faz; Exhibits BBB through EEE; prejudice outweighs any probative value, relevance and length of time.

Counsel Martin responded to objection.

Counsel Roth expanded on objection.

Court requested Counsel Martin expand on his response to Counsel Roth's objection.

Counsel Martin expanded on response to the objection.

Court referred the allegations of risk of harm and unfitness contained in the Amended Petition filed on 10-3-2013; exhibits shall be admitted over objection; subject to argument of their importance now, given there are other children in the home.

Court admits Exhibits QQ-GGG.

Counsel Roth requested to recess until tomorrow; will present and conclude tomorrow.

Counsel Martin has no objection to Counsel Roth's request; believes case will conclude tomorrow.

Court recessed at 11:16 a.m.

CASE NO. FV11-02393 **TITLE: TERM: JESUS FAZ, ET AL (D5)**

**DATE, JUDGE
OFFICERS OF
COURT
PRESENT**

APPEARANCES - HEARING

8-14-2014

**HONORABLE
DEBORAH E.
SCHUMACHER**

DEPT. 5

**T. GREENWELL
Court Clerk**

CD RECORD

**BAILIFF
GOMEZ**

Page 1 of 2

CONTESTED TERMINATION OF PARENTAL RIGHTS – DAY 4

Jeffrey Martin, Chief Deputy District Attorney, was present on behalf of Petitioner, Washoe County Department of Social Services. Also present were social workers, Julia Bauer and Michelle Rosencrantz. Michael Van Ness Roth, Esq., was present on behalf of the Respondent, Jesus Faz, who was also present.

Court reconvened at 9:06 a.m.

Jesus Faz, Sr., was called by Counsel Roth. Mr. Faz is the Respondent.

Jesus Faz, Sr., was sworn and testified on direct.

Canvassed by the Court.

Direct testimony of Jesus Faz, Sr., continued.

Canvassed by the Court.

Direct testimony of Jesus Faz, Sr., continued. Questioned as to a Court Report in the related dependency matter.

Counsel Roth offered Exhibits 1 and 2.

Counsel Martin stated objection to Exhibits 1 and 2; hearsay.

Counsel Roth responded to objection.

Exhibits 1 and 2 not admitted by the Court; *Court stated the author is not present; hearsay is allowed by statute in NRS 432B cases, but not allowed by statutes in termination of parental rights cases.*

Direct testimony of Jesus Faz, Sr., continued.

Canvassed by the Court.

Direct testimony of Jesus Faz, Sr., continued.

Court recessed at 10:21 a.m.; reconvened at 10:33 a.m.

Jesus Faz, Sr., previously sworn returned to the stand.

Cross-Examination by Counsel Martin.

Re-Direct by Counsel Roth.

Jesus Faz, Sr., excused from the stand.

Counsel Martin offered no rebuttal witnesses.

**DATE, JUDGE
OFFICERS OF
COURT PRESENT**

APPEARANCES - HEARING

CONTESTED TERMINATION OF PARENTAL RIGHTS – DAY 4

8-14-2014

Court recessed at 11:16 a.m.; reconvened at 11:20 a.m.

**HONORABLE
DEBORAH E.
SCHUMACHER**

Counsel Martin closing argument.
Counsel Roth closing argument.
Counsel Martin rebuttal.

DEPT. 5

**T. GREENWELL
Court Clerk**

Court addressed the parties as to decision; exhibits needs to be reviewed and matter shall be taken under submission. Court will consider only the grounds pled by the Washoe County Department of Social Services in written order; addressed need for showing of fault ground.

CD RECORD

Court recessed at 12:04 p.m.

**BAILIFF
GOMEZ**

Exhibits

Title: **TERM: JESUS FAZ, ET AL (D5)**

PETR: **Washoe County Department of Social Services**
RESP: **Jesus Faz**

ATTY: **Jeffrey Martin, Esq.**
ATTY: **Michael Van Ness Roth, Esq.**

Case No: **FV11-02393** Dept. No: **5** Clerk: **T. GREENWELL** Date: **8/11/2014**
8/12/2014
8/13/2014
8/14/2014

Exhibit No.	Party	Description	Marked	Offered	Admitted
A	Petitioner	Certificate of Live Birth – Maria de Carmen Dolores Faz	8/11/2014	w/out objection	8/11/2014
B	Petitioner	Certificate of Live Birth – Michael Allen Damon Faz	8/11/2014	w/out objection	8/11/2014
C	Petitioner	Certificate of Live Birth Nathaniel Christopher Faz	8/11/2014	w/out objection	8/11/2014
D	Petitioner	Master's Recommendations and Order for Protective Custody – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
E	Petitioner	Amended Petition for Hearing – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
F	Petitioner	Order Upon Petition Related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
G	Petitioner	Master's Findings and Recommendations After the Adjudicatory Hearing – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
H	Petitioner	Order Affirming and Adopting Master's Findings and Recommendations After the Adjudicatory Hearing– related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014

Exhibits

Title: **TERM: JESUS FAZ, ET AL (D5)**

PETR: **Washoe County Department of Social Services**

ATTY: **Jeffrey Martin, Esq.**

RESP: **Jesus Faz**

ATTY: **Michael Van Ness Roth, Esq.**

Case No: **FV11-02393**

Dept. No: **5**

Clerk: **T. GREENWELL**

Date: **8/11/2014**

8/12/2014

8/13/2014

8/14/2014

Exhibit No.	Party	Description	Marked	Offered	Admitted
I	Petitioner	Case Plan and Service Agreement – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
J	Petitioner	Master's Findings and Recommendations After the Continued Adjudicatory Hearing as to the Father, Jesus Faz Jr and the Dispositional Hearing – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
K	Petitioner	Washoe County Child Support Order – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
L	Petitioner	Washoe County Child Support Order – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
M	Petitioner	Order Affirming and Adopting Master's Findings and Recommendations after the Continued Adjudicatory Hearing as to the Father, Jesus Faz Jr. and the Dispositional Hearing and Washoe County Child Support Orders – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
N	Petitioner	Master's Findings and Recommendations After the Six-Month Review Hearing– related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014

Exhibits

Title: **TERM: JESUS FAZ, ET AL (D5)**

PETR: **Washoe County Department of Social Services**

ATTY: **Jeffrey Martin, Esq.**

RESP: **Jesus Faz**

ATTY: **Michael Van Ness Roth, Esq.**

Case No: **FV11-02393**

Dept. No: **5**

Clerk: **T. GREENWELL**

Date: **8/11/2014**

8/12/2014

8/13/2014

8/14/2014

Exhibit No.	Party	Description	Marked	Offered	Admitted
O	Petitioner	Order Affirming and Adopting Master's Findings and Recommendations After the Six-Month Review Hearing – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
P	Petitioner	Master's Findings and Recommendations After the 12-Month Permanency Hearing – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
Q	Petitioner	Master's Findings and Recommendations After the 12-Month Permanency Hearing – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
R	Petitioner	Order for Contempt - related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
S	Petitioner	Master's Findings and Recommendations After the 18-Month Review Hearing – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
T	Petitioner	Order Affirming and Adopting Master's Findings and Recommendations After the 18-Month Review Hearing – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
U	Petitioner	Order for Dismissal – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014

Exhibits

Title: **TERM: JESUS FAZ, ET AL (D5)**

PETR: **Washoe County Department of Social Services**

ATTY: **Jeffrey Martin, Esq.**

RESP: **Jesus Faz**

ATTY: **Michael Van Ness Roth, Esq.**

Case No: **FV11-02393**

Dept. No: **5**

Clerk: **T. GREENWELL**

Date: **8/11/2014**

8/12/2014

8/13/2014

8/14/2014

Exhibit No.	Party	Description	Marked	Offered	Admitted
V	Petitioner	Order for Protective Custody – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
W	Petitioner	Petition for Hearing – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
X	Petitioner	Order Upon Petition – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
Y	Petitioner	Order for Continuance – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
Z	Petitioner	Order After Continued Adjudicatory/Disposition Hearing – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
AA	Petitioner	Washoe County Child Support Order – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
BB	Petitioner	Washoe County Child Support Order – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
CC	Petitioner	Order After Semi-Annual Review Hearing – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
DD	Petitioner	Order After Permanency Hearing – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014

Exhibits

Title: **TERM: JESUS FAZ, ET AL (D5)**

PETR: **Washoe County Department of Social Services**

ATTY: **Jeffrey Martin, Esq.**

RESP: **Jesus Faz**

ATTY: **Michael Van Ness Roth, Esq.**

Case No: **FV11-02393**

Dept. No: **5**

Clerk: **T. GREENWELL**

Date: **8/11/2014**

8/12/2014

8/13/2014

8/14/2014

Exhibit No.	Party	Description	Marked	Offered	Admitted
EE	Petitioner	Order After Continued 15-Month Permanency Hearing– related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
FF	Petitioner	Order After 24-Month Permanency Hearing – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
GG	Petitioner	Order After 30-Month Semi-Annual Review Hearing – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
HH	Petitioner	Order After 33-Month Review Hearing – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
II	Petitioner	Order for Continuance – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
JJ	Petitioner	Order After Continued Permanency Hearing – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
KK	Petitioner	Order After 60-Day Review Hearing – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
LL	Petitioner	Order Rescheduling Hearing – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014

Exhibits

Title: **TERM: JESUS FAZ, ET AL (D5)**

PETR: **Washoe County Department of Social Services**
RESP: **Jesus Faz**

ATTY: **Jeffrey Martin, Esq.**
ATTY: **Michael Van Ness Roth, Esq.**

Case No: **FV11-02393**

Dept. No: **5**

Clerk: **T. GREENWELL**

Date: **8/11/2014**

8/12/2014

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Exhibit No.	Party	Description	Marked	Offered	Admitted
MM	Petitioner	Order After 60-Day Review Hearing – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
NN	Petitioner	Order After 42-Month Permanency Hearing Concerning Maria Faz, Michael Faz and Nathaniel Afz – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
OO	Petitioner	Order After 48-Month Review Hearing Concerning Maria Faz, Michael Faz and Nathaniel Afz – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
PP	Petitioner	Order After 54-Month Semi-Annual Review Hearing Concerning Maria Faz, Michael Faz and Nathaniel Afz – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/11/2014	Stipulation	8/11/2014
QQ	Petitioner	Information; Case CR05-1809 filed August 17, 2005	8/11/2014	w/out objection	8/13/2014
RR	Petitioner	Guilty Plea Memorandum Case CR05-1809 filed August 30, 2005	8/11/2014	w/out objection	8/13/2014
SS	Petitioner	Transcript of Proceedings Arraignment, August 30, 2005; Case CR05-1809	8/11/2014	w/out objection	8/13/2014
TT	Petitioner	Judgment; CR05-1809 filed October 4, 2005	8/11/2014	w/out objection	8/13/2014

Exhibits

Title: **TERM: JESUS FAZ, ET AL (D5)**

PETR: **Washoe County Department of Social Services**

ATTY: **Jeffrey Martin, Esq.**

RESP: **Jesus Faz**

ATTY: **Michael Van Ness Roth, Esq.**

Case No: **FV11-02393**

Dept. No: **5**

Clerk: **T. GREENWELL**

Date: **8/11/2014**

8/12/2014

8/13/2014

8/14/2014

Exhibit No.	Party	Description	Marked	Offered	Admitted
UU	Petitioner	Transcript of Proceedings Sentencing, October 4, 2005; Case CR05-1809	8/11/2014	w/out objection	8/13/2014
VV	Petitioner	Division of Parole and Probation Violation Report; Case CR05- 1809; filed November 8, 2007	8/11/2014	w/out objection	8/13/2014
WW	Petitioner	Order Revoking Probation; CR05- 1809 filed January 18, 2008	8/11/2014	w/out objection	8/13/2014
XX	Petitioner	Information; Case CR07-2910; filed November 27, 2007	8/11/2014	w/out objection	8/13/2014
YY	Petitioner	Guilty Plea Memorandum Case CR07-2910; filed November 29, 2007	8/11/2014	w/out objection	8/13/2014
ZZ	Petitioner	Judgment Case CR07-2910; filed January 18, 2008	8/11/2014	w/out objection	8/13/2014
AAA	Petitioner	Transcript of Proceedings, Probation Revocation and Sentencing – Case No. CR05- 1809; CR07-2910; filed February 20, 2008	8/11/2014	w/out objection	8/13/2014
BBB	Petitioner	Guilty Plea Memorandum; CR05- 1375; filed January 26, 2006	8/11/2014	Objection	8/13/2014
CCC	Petitioner	Judgment; CR05-1375; filed March 20, 2006	8/11/2014	Objection	8/13/2014
DDD	Petitioner	Guilty Plea Memorandum; CR05- 1375; filed June 30, 2011	8/11/2014	Objection	8/13/2014
EEE	Petitioner	Judgment; CR05-1375; filed July 1, 2011	8/11/2014	Objection	8/13/2014
FFF	Petitioner	Docket Sheet; Case No. 09 C 001637; City of Sparks vs. Pennie Starr Faz	8/11/2014	w/out objection	8/13/2014

Exhibits

Title: **TERM: JESUS FAZ, ET AL (D5)**

PETR: **Washoe County Department of Social Services**
RESP: **Jesus Faz**

ATTY: **Jeffrey Martin, Esq.**
ATTY: **Michael Van Ness Roth, Esq.**

Case No: **FV11-02393** Dept. No: **5** Clerk: **T. GREENWELL** Date: **8/11/2014**
8/12/2014
8/13/2014
8/14/2014

Exhibit No.	Party	Description	Marked	Offered	Admitted
GGG	Petitioner	Misdemeanor Judgment of Conviction Driving Under the Influence; Sparks Muni Court Case No. 09 C 001637 filed November 5, 2009	8/11/2014	w/out objection	8/13/2014
HHH	Petitioner	Confidential Psychological/Neuropsychological Report re: Maria Faz	8/11/2014	Stipulation	8/12/2014
III	Petitioner	Confidential Psychological/Neuropsychological Report re: Michael Faz	8/11/2014	Stipulation	8/12/2014
JJJ	Petitioner	Confidential Psychological/Neuropsychological Report re: Nathaniel Faz	8/11/2014	Stipulation	8/12/2014
KKK	Petitioner	Confidential Psychological/Neuropsychological Report re: Jesus "JC" Faz	8/11/2014		
LLL	Petitioner	Washoe County Department of Social Services Specialized Foster Care Pilot Program Incident Reporting Form dated 3-27-2013 <i>To be viewed by the parties in the matter only</i>	8/11/2014	w/out objection	8/11/2014
MMM	Petitioner	Washoe County Department of Social Services Specialized Foster Care Pilot Program Incident Reporting Form dated 4-6-2013 <i>To be viewed by the parties in the matter only</i>	8/11/2014	w/out objection	8/11/2014

Exhibits

Title: **TERM: JESUS FAZ, ET AL (D5)**

PETR: **Washoe County Department of Social Services**

ATTY: **Jeffrey Martin, Esq.**

RESP: **Jesus Faz**

ATTY: **Michael Van Ness Roth, Esq.**

Case No: **FV11-02393**

Dept. No: **5**

Clerk: **T. GREENWELL**

Date: **8/11/2014**

8/12/2014

8/13/2014

8/14/2014

Exhibit No.	Party	Description	Marked	Offered	Admitted
NNN	Petitioner	Washoe County Department of Social Services Specialized Foster Care Pilot Program Incident Reporting Form dated 4-16-2013 - <i>To be viewed by the parties in the matter only</i>	8/11/2014	w/out objection	8/11/2014
OOO	Petitioner	Washoe County Department of Social Services Specialized Foster Care Pilot Program Incident Reporting Form dated 4-18-2013 - <i>To be viewed by the parties in the matter only</i>	8/11/2014	w/out objection	8/11/2014
PPP	Petitioner	Washoe County Department of Social Services Specialized Foster Care Pilot Program Incident Reporting Form dated 4-17-2013 - <i>To be viewed by the parties in the matter only</i>	8/11/2014	w/out objection	8/11/2014
QQQ	Petitioner	Washoe County Department of Social Services Specialized Foster Care Pilot Program Incident Reporting Form dated 4-16-2013 - <i>To be viewed by the parties in the matter only</i>	8/11/2014	w/out objection	8/11/2014
RRR	Petitioner	Washoe County Department of Social Services Specialized Foster Care Pilot Program Incident Reporting Form dated 5-5-2013 - <i>To be viewed by the parties in the matter only</i>	8/11/2014	w/out objection	8/11/2014

Exhibits

Title: **TERM: JESUS FAZ, ET AL (D5)**

PETR: **Washoe County Department of Social Services**

ATTY: **Jeffrey Martin, Esq.**

RESP: **Jesus Faz**

ATTY: **Michael Van Ness Roth, Esq.**

Case No: **FV11-02393**

Dept. No: **5**

Clerk: **T. GREENWELL**

Date: **8/11/2014**

8/12/2014

8/13/2014

8/14/2014

Exhibit No.	Party	Description	Marked	Offered	Admitted
SSS	Petitioner	Washoe County Department of Social Services Specialized Foster Care Pilot Program Incident Reporting Form dated 5-4-2013 - <i>To be viewed by the parties in the matter only</i>	8/11/2014	w/out objection	8/11/2014
TTT	Petitioner	Washoe County Department of Social Services Specialized Foster Care Pilot Program Incident Reporting Form dated 8-14-2013 - <i>To be viewed by the parties in the matter only</i>	8/11/2014	w/out objection	8/11/2014
UUU	Petitioner	Washoe County Department of Social Services Specialized Foster Care Pilot Program Incident Reporting Form dated 7-9-2013 - <i>To be viewed by the parties in the matter only</i>	8/11/2014	w/out objection	8/11/2014
VVV	Petitioner	Washoe County Department of Social Services Specialized Foster Care Pilot Program Incident Reporting Form dated 12-5-2013 - <i>To be viewed by the parties in the matter only</i>	8/11/2014	w/out objection	8/11/2014
WWW	Petitioner	Washoe County Department of Social Services Specialized Foster Care Pilot Program Incident Reporting Form dated 6-13-2013 - <i>To be viewed by the parties in the matter only</i>	8/11/2014	w/out objection	8/11/2014

Exhibits

Title: **TERM: JESUS FAZ, ET AL (D5)**

PETR: **Washoe County Department of Social Services**

ATTY: **Jeffrey Martin, Esq.**

RESP: **Jesus Faz**

ATTY: **Michael Van Ness Roth, Esq.**

Case No: **FV11-02393**

Dept. No: **5**

Clerk: **T. GREENWELL**

Date: **8/11/2014**

8/12/2014

8/13/2014

8/14/2014

Exhibit No.	Party	Description	Marked	Offered	Admitted
XXX	Petitioner	Washoe County Department of Social Services Specialized Foster Care Pilot Program Incident Reporting Form dated 6-16-2013 - <i>To be viewed by the parties in the matter only</i>	8/11/2014	w/out objection	8/11/2014
YYY	Petitioner	Washoe County Department of Social Services Specialized Foster Care Pilot Program Incident Reporting Form dated 7-2-2014 - <i>To be viewed by the parties in the matter only</i>	8/11/2014	w/out objection	8/11/2014
1	Respondent	Report and Recommendations for the 54-Month Review Hearing , Reunification, and as to Angel Faz and Logan Faz – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/14/2014	Objection	
2	Respondent	Order After 54-Month Semi-Annual Review Hearing Concerning Angel Faz and Logan Faz/Order for Dismissal – related dependency matter - <i>To be viewed by the parties in the matter only</i>	8/15/2014	Objection	

1 **Code 1350**

2
3
4
5
6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**

7 **IN AND FOR THE COUNTY OF WASHOE**

8 **IN RE PARENTAL RIGHTS AS TO**

9 **MARIA FAZ, MICHAEL FAZ &**

Case No. FV11-02393

10 **NATHANIEL FAZ,**

Dept. No. 5

11 **Minor Children,**

12 _____/

13
14 **CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL**

15 I certify that I am an employee of the Second Judicial District Court of the State of
16 Nevada, County of Washoe; that on the 12th day of December, 2014, I electronically filed
17 the Notice of Appeal in the above entitled matter to the Nevada Supreme Court.

18 I further certify that the transmitted record is a true and correct copy of the original
19 pleadings on file with the Second Judicial District Court.

20 Dated this 12th day of December, 2014

21
22 JACQUELINE BRYANT
23 CLERK OF THE COURT

24 By /s/ Yvonne Vilorio
25 Yvonne Vilorio
26 Deputy Clerk
27
28