

# EXHIBIT 3

ORIGINAL

FILED

Nov 6 1 39 PM '06

*Handwritten signature*

1 COMD  
2 HOFLAND/ECCLES  
3 Bradley J. Hofland, Esq.  
4 Nevada State Bar No. 6343  
5 4495 South Pecos Road Suite A  
6 Las Vegas, Nevada 89121  
7 (702) 895-6760  
8 Attorneys for Plaintiff, Chris Brain Davidson

EIGHTH JUDICIAL DISTRICT COURT

FAMILY DIVISION

CLARK COUNTY, NEVADA

9 CHRISTOPHER BRIAN DAVIDSON,

10 Plaintiff,

11 vs.

12 DAWNETTE RACHEAL DAVIDSON,

13 Defendant.

) Case Number:  
) Dept No:

**D365382**  
*e*

) COMPLAINT FOR DIVORCE

14 COMES NOW the Plaintiff, Christopher Brian Davidson, by and through his attorneys,  
15 Bradley J. Hofland, Esq. of Hofland/Eccles, and for cause of action, alleges as follows:

16 1. For more than six (6) weeks immediately preceding the commencement of this  
17 action, Plaintiff has been, and now is, a bona fide and actual resident and domiciliary of the State  
18 of Nevada and has been actually and corporeally present in the State of Nevada for more than six  
19 (6) weeks immediately prior to the commencement of this action, and has had and still has the  
20 intent to make said State of Nevada his home, residence and domicile for an indefinite period of  
21 time.

22 2. The Plaintiff and Defendant were duly and legally married on or about September  
23 15, 1984 in Las Vegas, Clark County, Nevada, and ever since said date have been and now are  
24 husband and wife. The parties separated on October 21, 2006.

25 3. There are four (4) minor children born of this issue, to wit: Blake Christopher,  
26 born October 24, 1990; Blair Christopher, born March 17, 1992; Dominique Aubrielle, born April  
27 13, 1996; and, Drew Christopher, born June 9, 1999. There are no adopted children by the Parties  
28

CES4

1

COUNTY CLERK

NOV 06 2006

RECEIVED

1 hereto. To the best of Plaintiff's knowledge and belief, Defendant is not now pregnant.

2 4. Plaintiff is a fit and proper person to have legal and primary physical custody of  
3 the minor children.

4 5. That Plaintiff waives child support; that this represents a deviation from the  
5 statutory child support formula as set forth in NRS 125B.070 (which states that child support for  
6 four (4) children shall be thirty-one percent (31%) of the non-custodial parent's income).

7 In the event the Defendant was to pay child support, said child support would be at least  
8 one hundred dollars (\$100.00) per month, per child, with the presumptive maximum amount of  
9 five hundred sixty six dollars (\$566.00) per child, per month.

10 6. Plaintiff shall maintain medical insurance on the minor children until said children  
11 reach the age of eighteen (18), or if still in high school, until the age of nineteen (19), or become  
12 emancipated. Plaintiff shall each be responsible for any and all medical costs and deductibles not  
13 covered by insurance.

14 7. Defendant will also need to complete the Court Education Program pursuant to  
15 EDCR 5.07. Upon satisfactory completion and filing the Certificate of Completion with this  
16 Court, Defendant may have visitation which shall be defined in accordance with the following  
17 specific visitation schedule:

18 Defendant is to have visitation every other weekend, defined as Saturday at 10:00  
19 a.m. until Sunday at 5:00 p.m.

20 8. The following holiday visitation schedule shall be as follows:

21 New Year's shall be divided into two periods. The first period shall begin at 6:00 p.m.  
22 December 31 and conclude at 12:00 p.m. January 1. The second period shall begin at 12:00 p.m.  
23 and conclude at 9:00 p.m. January 1. These periods shall be alternated on a yearly basis, with the  
24 children residing with the Father the first period in odd numbered years and with the Mother in  
25 even numbered years; and with Father the second period in even numbered years and with the  
26 Mother in odd numbered years.

27 Easter shall be divided into two periods. The first period shall begin at 7:00 a.m. and  
28

1 conclude at 2:00 p.m. Easter Sunday. The second period shall begin at 2:00 p.m. and conclude at  
2 9:00 p.m. Easter Sunday. These periods shall be alternated on a yearly basis with the children  
3 residing with the Mother the first period in even numbered years and with the Father in odd  
4 numbered years; and with Mother the second period in odd numbered years and with the Father in  
5 even numbered years.

6 Memorial Day shall be defined as beginning at 8:00 a.m. the Saturday before Memorial  
7 Day and concluding at 8:00 p.m. on Memorial Day. Memorial Day shall be alternated on a yearly  
8 basis, with the children residing with the Mother in odd numbered years and with the Father in  
9 even numbered years.

10 The Mother shall have the children every year for Mother's Day; the Father shall have the  
11 children every year for Father's Day. Said Mother's Day and Father's Day shall begin at 7:00  
12 a.m. and conclude at 9:00 p.m. of said day.

13 Labor Day shall be defined as beginning at 8:00 a.m. the Saturday before Labor Day and  
14 concluding at 8:00 p.m. on Labor Day. Labor Day shall be alternated on a yearly basis, with the  
15 children residing with the Father in odd numbered years and with the Mother in even numbered  
16 years.

17 Halloween shall be defined as beginning at 3:00 p.m. and concluding at 9:00 p.m. on  
18 October 31 every year. The children shall reside with the Father in even numbered years and with  
19 the Mother in odd numbered years.

20 Thanksgiving shall be divided into two periods. The first period shall begin at 7:00 a.m.  
21 and conclude at 2:00 p.m. Thanksgiving Day. The second period shall begin at 2:00 p.m. and  
22 conclude at 10:00 p.m. Thanksgiving Day. These periods shall be alternated on a year basis, with  
23 the children residing with the Mother the first period in even numbered years and with the Father  
24 in odd numbered years; and with the Mother the second period in odd numbered years and with  
25 the Father in even numbered years.

26 \\\

27 \\\

28



1 Christmas shall be divided into two periods. The first period shall begin at 8:00 a.m. and  
2 conclude at 8:00 p.m. December 24. The second period shall begin at 8:00 p.m. December 24 and  
3 conclude at 8:00 p.m. December 25. These periods shall be alternated on a yearly basis, with the  
4 children residing with the Father the first period in odd numbered years and with the Mother in  
5 even numbered years; and with the Father the second period in even numbered years and with the  
6 Mother in odd numbered years.

7 The Mother shall have the children every year for her birthday; and the Father shall have  
8 the children every year for his birthday. Said parent's birthdays shall be defined as beginning at  
9 7:00 a.m. and concluding at 10:00 p.m. on the parent's birthday.

10 The children's birthday shall be divided into two periods. The first period shall begin at  
11 7:00 a.m. and conclude at 12:00 p.m. on each child's birthday. The second period shall begin at  
12 12:00 p.m. and conclude at 10:00 p.m. on each child's birthday. The children shall reside with  
13 the Mother the first period and the Father the second period every year.

14 Any other holiday or special occasion not specifically mentioned herein shall be celebrated  
15 with the party who is normally scheduled to parent on that day.

16 Vacations shall take precedence over the regular time share arrangement but not over the  
17 holiday time share arrangement. Providing that it causes no disruption with the children's  
18 schooling, both Plaintiff and Defendant shall be allowed to have the children during their  
19 respective vacations for a period of two weeks. The parties shall provide the other party at least  
20 two (2) weeks advance notice of said vacation.

21 9. Pursuant to NRS 125.510(6), the parties are hereby put on notice of the following:

22 PENALTY FOR VIOLATION OF ORDER: THE ABDUCTION,  
23 CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF THIS  
24 ORDER IS PUNISHABLE AS A CATEGORY "D" FELONY AS PROVIDED IN  
25 NRS 193.130. NRS 200.359 provides that every person having a limited right of  
26 custody to a children or any parent having no right of custody to the children who  
27 willfully detains, conceals or removes the children from a parent, guardian or other  
28 person having lawful custody or a right of visitation of the children in violation of  
an order of this court, or removes the children from the jurisdiction of the court  
without the consent of either the court or all persons who have the right to custody

\\

1 or visitation is subject to being punished for a category "D" felony as provided in  
2 NRS 193.130.

3 The State of Nevada, United States of America, is the habitual residence of the  
4 minor children of the Parties hereto. The parties are also put on notice that the terms of the Hague  
5 Convention of October 25, 1980, adopted by the 14<sup>th</sup> Session of the Hague Conference on Private  
6 International Law apply if a parent abducts or wrongfully retains a children in a foreign country.

7 The parties are also put on notice of the following provisions in NRS 125.510(8):  
8 If a parent of the children lives in a foreign country or has significant commitments  
9 in a foreign country:

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

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

23 That the parties are also put on notice of the following provision of NRS  
24 125C.200:

25 If custody has been established and the custodial parent or a parent having joint custody  
26 intends to move her residence to a place outside of this state and to take the children with her, she  
27 must, as soon as possible and before the planned move, attempt to obtain the written consent of  
28 the other parent to move the children from the state. If the non-custodial parent or other parent  
having joint custody refuses to give that consent, the parent planning the move shall, before she  
leaves the state with the children, petition the court for permission to move the children. The  
failure of a parent to comply with the provisions of this section may be considered as a factor if a  
change of custody is requested by the non-custodial parent or other parent having joint custody.

\\

1           10.     The parties are further put on notice that they are subject to the provisions of NRS  
2 31A and 125.450 regarding the collection of delinquent children support payments.

3           11.     The parties are further put on notice that either party may request a review of  
4 children support pursuant to NRS 125B.145.

5           12.     The Parties shall submit the information required in NRS 125B.055, NRS 125.130  
6 and NRS 125.230 on a separate form to the Court and the Welfare Division of the Department of  
7 Human Resources within ten (10) days from the date the Decree in this matter is filed. Such  
8 information shall be maintained by the Clerk in a confidential manner and not part of the public  
9 record. The Parties shall update the information filed with the Court and the Welfare Division of  
10 the Department of Human Resources within ten (10) days should any of that information become  
11 inaccurate.

12           13.     Plaintiff shall claim said minor children on his income tax each year.

13           14.     Plaintiff and Defendant shall each be responsible for one half (1/2) of the 2006 tax  
14 debt.

15           15.     Alimony shall be awarded to Defendant in a one time payment of fifty thousand  
16 dollars (\$50,000.00).

17           16.     Plaintiff shall pay for Defendant's medical insurance premiums for one and a half  
18 (1 ½) years and from date of Decree. Defendant shall be responsible for any and all medical costs  
19 and deductibles not covered by insurance.

20           17.     There is community property to be adjudicated by this Court as follows:

21           Plaintiff shall be awarded as his sole and separate property, the following:

- 22           a.     Real property located at 4683 Clay Peak Drive, Las Vegas, Nevada, as more fully  
23                 set forth hereinbelow, subject to any and all encumbrances thereagainst;  
24           b.     All furnishings and appliances currently located at 4683 Clay Peak Drive, Las  
25                 Vegas, Nevada;  
26           c.     The 1991 Mercedes Benz, 420 SEL, VIN WDBCA35E4MA595353, subject to  
27                 encumbrances thereagainst, if any;  
28           d.     The 1991 Mercedes Benz 560 SEL, VIN WDBCA39E4MA609715, subject to  
              encumbrances thereagainst, if any;  
              e.     1957 Chevy Bel Air, VIN VC57K108471, subject to encumbrances thereagainst, if  
                      any;

- 1 f. The 2003 Ferrari, VIN ZFFYT53A330133580, subject to encumbrances  
2 thereagainst, if any;  
3 401k with LFP;  
4 g. CKX Note;  
5 h. All Elvis Memorabilia;  
6 i. Bank West of Nevada, account number ending in 3261;  
7 j. Memorabilia at Hot Boat;  
8 k. GEVM Stock;  
9 l. Hawaii option;  
10 m. Catalyst LLC;  
11 n. All cash on hand of six thousand dollars (\$6,000.00);  
12 o. All of the children's personal effects and furniture; and  
13 p. All of his personal effects, jewelry and clothing.

14 Defendant shall be awarded as her sole and separate property, the following:

- 15 a. The 2000 American Dream, VIN 4VZBN2494YCO35843, subject to  
16 encumbrances thereagainst, if any;  
17 b. Morgan Stanley account;  
18 c. Cash Disbursement TCB;  
19 d. CKX note;  
20 e. Moku Kauhale LLC;  
21 f. The 2003 Cadillac Escalade, VIN 3GYFK66N23G227176, subject to any  
22 encumbrances thereagainst, if any;  
23 g. Cash on hand of six thousand dollars (\$6,000.00);  
24 h. All bank accounts in her name; and  
25 i. All of her personal effects, jewelry and clothing.

26 Blake Davidson shall be awarded the 2001 Chevrolet Suburban,

27 VIN 1GNEC16T11J305756, subject to any encumbrances thereagainst, if any.

28 The Parties shall be ordered to execute a Bill of Sale and Title to the vehicles being  
conveyed to each respective Party herein, thereby transferring said vehicles accordingly. In the  
event either Party should fail to do so, the State of Nevada Department of Motor Vehicles shall be  
ordered to transfer said titles to said vehicles accordingly.

18. The Parties own certain real property located at 4683 Clay Peak Drive, Las Vegas,  
Nevada, more particularly described as follows:

Tucson Ridge-Unit 3 Plat Book 75, Page 96, Lot 18 GEOID: PT N2 NE4 SEC 05 20 60.

Parcel No. 138-05-511-001

1 Defendant shall be ordered to execute a quitclaim deed, thereby releasing all her right, title  
2 and interest in and to said real property to Plaintiff. An appraisal of said property shall be  
3 performed and the Plaintiff shall pay Defendant one half (1/2) the equity based on said appraisal.  
4 In the event Defendant should fail or refuse to execute said Quitclaim Deed within thirty (30) days  
5 of entry of this Decree of Divorce, then and in that event, the Clark County, Nevada Treasurer's  
6 Office and Recorder's Office shall be authorized, directed and ordered to transfer said property to  
7 Plaintiff.

8 19. Each party shall be ordered to execute any and all legal documents, certificates of  
9 title, bills of sale, deeds or other evidence of transfer necessary to effectuate this Decree within  
10 five (5) days of being presented with such transfer documentation, unless otherwise defined  
11 herein. Should either party fail to execute any of said documents to transfer interest to the other,  
12 then it is agreed that this Decree will constitute a full transfer of the interest of one to the other, as  
13 herein provided, and it is further agreed that pursuant to NRCP 70, the Clerk of the Court, Shirley  
14 B. Parraguirre, will be deemed to have hereby been appointed and empowered to sign, on behalf  
15 of the non-signing party, any of the said documents of transfer which have not been executed by  
16 the party otherwise responsible for such.

17 20. There are community debts of the parties to be adjudicated by this Court as  
18 follows:

19 Plaintiff shall be ordered to pay and be responsible for the following debts, and to hold  
20 Defendant harmless therefrom:

- 21 a. All mortgages, taxes, insurance and other obligations concerning the real property  
22 to be awarded to him;  
23 b. All obligations securing the vehicles to be awarded to him;  
24 c. All credit cards and other obligations in his name; and  
25 d. All debts incurred by him since the date of separation, i.e., October 21, 2006.

26 Defendant shall be ordered to pay and be responsible for the following debts, and hold  
27 Plaintiff harmless therefrom:

- 28 a. All obligations securing the vehicles to be awarded to her;  
c. All credit cards and other obligations in her name; and

1 d. All debts incurred by her since the date of separation, i.e., October 21, 2006.

2 Neither party shall charge, or cause or permit to be charged, to or against the other any  
3 purchase or purchases which either of them may hereafter make, and shall not hereafter create any  
4 engagements or obligations in the name of or against the other, and shall never hereafter secure or  
5 attempt to secure any credit upon or in connection with the other, or his or her name, and each of  
6 them will promptly pay all debts and discharge all financial obligations which each may incur for  
7 himself or herself, and each of them will hereafter hold the other free and harmless from any and  
8 all debts and other obligations which the other may incur.

9 21. Plaintiff believes Defendant will desire to maintain her married name and continue  
10 to be known as Dawnette Racheal Davidson as her full and legal name.

11 22. The Parties shall submit the information required in NRS 125B.055, NRS 125.130  
12 and NRS 125.230 on a separate form to the Court and the Welfare Division of the Department of  
13 Human Resources within ten (10) days from the date the Decree in this matter is filed. Such  
14 information shall be maintained by the Clerk in a confidential manner and not part of the public  
15 record. The Parties shall update the information filed with the Court and the Welfare Division of  
16 the Department of Human Resources within ten (10) days should any of that information become  
17 inaccurate.

18 23. The parties hereto are incompatible in marriage.

19 **WHEREFORE**, Plaintiff prays for Judgment as follows:

20 A. That the bonds of matrimony now and heretofore existing between Plaintiff and  
21 Defendant be dissolved, set forever held for naught, and that the parties hereto, and each of them,  
22 be restored to their single, unmarried status.

23 B. Plaintiff is awarded legal and primary physical custody of the four (4) minor  
24 children born of this issue, to wit: Blake Christopher, born October 24, 1990; Blair Christopher,  
25 born March 17, 1992; Dominique Aubrielle, born April 13, 1996; and, Drew Christopher, born  
26 June 9, 1999. There are no adopted children by the Parties hereto. To the best of Plaintiff's  
27 knowledge and belief, Defendant is not now pregnant.

28



1 C. Plaintiff waives child support; that this represents a deviation from the statutory  
2 child support formula as set forth in NRS 125B.070 (which states that child support for four (4)  
3 children shall be thirty-one percent (31%) of the non-custodial parent's income).

4 In the event the Defendant was to pay child support, said child support would be at least  
5 one hundred dollars (\$100.00) per month, per child, with the presumptive maximum amount of  
6 five hundred sixty six dollars (\$566.00) per child, per month.

7 D. Plaintiff to maintain medical insurance on the minor children until said children  
8 reach the age of eighteen (18), or if still in high school, until the age of nineteen (19), or become  
9 emancipated. Plaintiff to be responsible for any and all medical costs and deductibles not covered  
10 by insurance.

11 E. Defendant to complete the Court Education Program pursuant to EDCR 5.07.  
12 Upon satisfactory completion and filing the Certificate of Completion with this Court, Defendant  
13 may have visitation which shall be defined in accordance with the following specific visitation  
14 schedule:

15 Defendant is to have visitation every other weekend, defined as Saturday at 10:00  
16 a.m. until Sunday at 5:00 p.m.

17 F. The following holiday visitation schedule to be as follows:

18 New Year's to be divided into two periods. The first period to begin at 6:00 p.m.  
19 December 31 and conclude at 12:00 p.m. January 1. The second period to begin at 12:00 p.m.  
20 and conclude at 9:00 p.m. January 1. These periods to be alternated on a yearly basis, with the  
21 children residing with the Father the first period in odd numbered years and with the Mother in  
22 even numbered years; and with Father the second period in even numbered years and with the  
23 Mother in odd numbered years.

24 Easter to be divided into two periods. The first period to begin at 7:00 a.m. and conclude  
25 at 2:00 p.m. Easter Sunday. The second period to begin at 2:00 p.m. and conclude at 9:00 p.m.  
26 Easter Sunday. These periods to be alternated on a yearly basis with the children residing with the  
27 Mother the first period in even numbered years and with the Father in odd numbered years; and  
28

1 with Mother the second period in odd numbered years and with the Father in even numbered  
2 years.

3 Memorial Day to be defined as beginning at 8:00 a.m. the Saturday before Memorial Day  
4 and concluding at 8:00 p.m. on Memorial Day. Memorial Day to be alternated on a yearly basis,  
5 with the children residing with the Mother in odd numbered years and with the Father in even  
6 numbered years.

7 The Mother is awarded the children every year for Mother's Day; the Father awarded the  
8 children every year for Father's Day. Said Mother's Day and Father's Day to begin at 7:00 a.m.  
9 and conclude at 9:00 p.m. of said day.

10 Labor Day to be defined as beginning at 8:00 a.m. the Saturday before Labor Day and  
11 concluding at 8:00 p.m. on Labor Day. Labor Day to be alternated on a yearly basis, with the  
12 children residing with the Father in odd numbered years and with the Mother in even numbered  
13 years.

14 Halloween to be defined as beginning at 3:00 p.m. and concluding at 9:00 p.m. on October  
15 31 every year. The children will reside with the Father in even numbered years and with the  
16 Mother in odd numbered years.

17 Thanksgiving to be divided into two periods. The first period to begin at 7:00 a.m. and  
18 conclude at 2:00 p.m. Thanksgiving Day. The second period to begin at 2:00 p.m. and conclude  
19 at 10:00 p.m. Thanksgiving Day. These periods to be alternated on a year basis, with the children  
20 residing with the Mother the first period in even numbered years and with the Father in odd  
21 numbered years; and with the Mother the second period in odd numbered years and with the  
22 Father in even numbered years.

23 Christmas to be divided into two periods. The first period to begin at 8:00 a.m. and  
24 conclude at 8:00 p.m. December 24. The second period to begin at 8:00 p.m. December 24 and  
25 conclude at 8:00 p.m. December 25. These periods to be alternated on a yearly basis, with the  
26 children residing with the Father the first period in odd numbered years and with the Mother in

27 \\\

28



1 even numbered years; and with the Father the second period in even numbered years and with the  
2 Mother in odd numbered years.

3 The Mother to have the children every year for her birthday; and the Father to have the  
4 children every year for his birthday. Said parent's birthdays to be defined as beginning at 7:00  
5 a.m. and concluding at 10:00 p.m. on the parent's birthday.

6 The children's birthdays to be divided into two periods. The first period to begin at 7:00  
7 a.m. and conclude at 12:00 p.m. on each child's birthday. The second period to begin at 12:00  
8 p.m. and conclude at 10:00 p.m. on each child's birthday. The children to reside with the Mother  
9 the first period and the Father the second period every year.

10 Any other holiday or special occasion not specifically mentioned herein will be celebrated  
11 with the party who is normally scheduled to parent on that day.

12 Vacations will take precedence over the regular time share arrangement but not over the  
13 holiday time share arrangement. Providing that it causes no disruption with the children's  
14 schooling, both Plaintiff and Defendant to be allowed to have the children during their respective  
15 vacations for a period of two weeks. The parties to provide the other party at least two (2) weeks  
16 advance notice of said vacation.

17 G. Pursuant to NRS 125.510(6), the parties are hereby put on notice of the following:

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

25 The State of Nevada, United States of America, is the habitual residence of the  
26 minor children of the Parties hereto. The parties are also put on notice that the terms of the Hague  
27 Convention of October 25, 1980, adopted by the 14<sup>th</sup> Session of the Hague Conference on Private  
28

1 International Law apply if a parent abducts or wrongfully retains a children in a foreign country.

2 The parties are also put on notice of the following provisions in NRS 125.510(8):  
3 If a parent of the children lives in a foreign country or has significant commitments  
4 in a foreign country:

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

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

18 That the parties are also put on notice of the following provision of NRS  
19 125C.200:

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

28 H. The parties are further put on notice that they are subject to the provisions of NRS  
31A and 125.450 regarding the collection of delinquent children support payments.

J. The parties are further put on notice that either party may request a review of  
children support pursuant to NRS 125B.145.

K. The Parties to submit the information required in NRS 125B.055, NRS 125.130  
and NRS 125.230 on a separate form to the Court and the Welfare Division of the Department of

1 Human Resources within ten (10) days from the date the Decree in this matter is filed. Such  
2 information shall be maintained by the Clerk in a confidential manner and not part of the public  
3 record. The Parties shall update the information filed with the Court and the Welfare Division of  
4 the Department of Human Resources within ten (10) days should any of that information become  
5 inaccurate.

6 L. Defendant to claim said minor children on his income tax each year.

7 M. Plaintiff and Defendant ordered to each be responsible for one half (1/2) of the  
8 2006 tax debt.

9 N. Alimony is awarded to Defendant as a one time payment of fifty thousand dollars  
10 (\$50,000.00).

11 O. Plaintiff to pay for Defendant's medical insurance premiums for one and a half (1  
12 ½) years and from date of Decree. Defendant to be responsible for any and all medical costs and  
13 deductibles not covered by insurance.

14 P. There is community property to be adjudicated by this Court as follows:

15 Plaintiff is awarded as his sole and separate property, the following:

- 16 a. Real property located at 4683 Clay Peak Drive, Las Vegas, Nevada, as more fully
- 17 set forth hereinbelow, subject to any and all encumbrances thereagainst;
- 18 b. All furnishings and appliances currently located at 4683 Clay Peak Drive, Las
- 19 Vegas, Nevada;
- 20 c. The 1991 Mercedes Benz, 420 SEL, VIN WDBCA35E4MA595353, subject to
- 21 encumbrances thereagainst, if any;
- 22 d. The 1991 Mercedes Benz 560 SEL, VIN WDBCA39E4MA609715, subject to
- 23 encumbrances thereagainst, if any;
- 24 e. The 1957 Chevy Bel Air, VIN VC57K108471, subject to encumbrances
- 25 thereagainst, if any;
- 26 f. The 2003 Ferrari, VIN ZFFYT53A330133580, subject to encumbrances
- 27 thereagainst, if any;
- 28 g. The 401k with LFP;
- h. The CKX Note;
- i. All Elvis Memorabilia;
- j. The Bank West of Nevada, account number ending in 3261;
- k. The memorabilia at Hot Boat;
- l. The GEVM Stock;
- m. The Hawaii option;
- n. The Catalyst LLC;
- o. All cash on hand of six thousand dollars (\$6,000.00);

- 1 p. All of the children's personal effects and furniture; and  
2 q. All of his personal effects, jewelry and clothing.

3 Defendant shall be awarded as her sole and separate property, the following:

- 4 a. The 2000 American Dream, VIN 4VZBN2494YCO35843, subject to  
encumbrances thereagainst, if any;  
5 b. The Morgan Stanley account;  
6 c. The cash Disbursement TCB;  
7 d. The CKX note;  
8 e. The Moku Kauhale LLC;  
9 f. The 2003 Cadillac Escalade, VIN 3GYFK66N23G227176, subject to any  
encumbrances thereagainst, if any;  
10 g. Cash on hand of six thousand dollars (\$6,000.00);  
11 h. All bank accounts in her name; and  
12 i. All of her personal effects, jewelry and clothing.

13 Blake Davidson shall be awarded the 2001 Chevrolet Suburban,

14 VIN 1GNEC16T11J305756, subject to any encumbrances thereagainst, if any.

15 The Parties shall be ordered to execute a Bill of Sale and Title to the vehicles being  
16 conveyed to each respective Party herein, thereby transferring said vehicles accordingly. In the  
17 event either Party should fail to do so, the State of Nevada Department of Motor Vehicles shall be  
18 ordered to transfer said titles to said vehicles accordingly.

19 Q. The Parties own certain real property located at 4683 Clay Peak Drive, Las Vegas,  
20 Nevada, more particularly described as follows:

21 Tucson Ridge-Unit 3 Plat Book 75, Page 96, Lot 18GEOID: PT N2 NE4 SEC 05 20 60.

22 Parcel No. 138-05-511-001

23 Defendant is ordered to execute a quitclaim deed, thereby releasing all her right, title and  
24 interest in and to said real property to Plaintiff. An appraisal of said property is to be conducted  
25 and the Plaintiff to pay Defendant one half (1/2) the equity based on said appraisal. In the event  
26 Defendant should fail or refuse to execute said Quitclaim Deed within thirty (30) days of entry of  
27 this Decree of Divorce, then and in that event, the Clark County, Nevada Treasurer's Office and  
28 Recorder's Office shall be authorized, directed and ordered to transfer said property to Plaintiff.

1 R. Each party is ordered to execute any and all legal documents, certificates of title,  
2 bills of sale, deeds or other evidence of transfer necessary to effectuate this Decree within five (5)  
3 days of being presented with such transfer documentation, unless otherwise defined herein.  
4 Should either party fail to execute any of said documents to transfer interest to the other, then it is  
5 agreed that this Decree will constitute a full transfer of the interest of one to the other, as herein  
6 provided, and it is further agreed that pursuant to NRCP 70, the Clerk of the Court, Shirley B.  
7 Parraguirre, will be deemed to have hereby been appointed and empowered to sign, on behalf of  
8 the non-signing party, any of the said documents of transfer which have not been executed by the  
9 party otherwise responsible for such.

10 S. There are community debts of the parties to be adjudicated by this Court as  
11 follows:

12 Plaintiff is ordered to pay and be responsible for the following debts, and to hold  
13 Defendant harmless therefrom:

- 14 a. All mortgages, taxes, insurance and other obligations concerning the real property  
15 to be awarded to him;  
16 b. All obligations securing the vehicles to be awarded to him;  
17 c. All credit cards and other obligations in his name; and  
18 d. All debts incurred by him since the date of separation, i.e., October 21, 2006.

19 Defendant is ordered to pay and be responsible for the following debts, and hold Plaintiff  
20 harmless therefrom:

- 21 a. All obligations securing the vehicles to be awarded to her;  
22 b. All credit cards and other obligations in her name; and  
23 c. All debts incurred by her since the date of separation, i.e., October 21, 2006.

24 Neither party shall charge, or cause or permit to be charged, to or against the other any  
25 purchase or purchases which either of them may hereafter make, and shall not hereafter create any  
26 engagements or obligations in the name of or against the other, and shall never hereafter secure or  
27 attempt to secure any credit upon or in connection with the other, or his or her name, and each of  
28 them will promptly pay all debts and discharge all financial obligations which each may incur for

29 \\\

1 himself or herself, and each of them will hereafter hold the other free and harmless from any and  
2 all debts and other obligations which the other may incur.

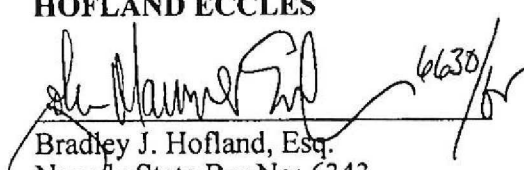
3 T. Defendant to maintain her married name and continue to be known as Dawnette  
4 Racheal Davidson as her full and legal name.

5 U. The Parties are ordered to submit the information required in NRS 125B.055, NRS  
6 125.130 and NRS 125.230 on a separate form to the Court and the Welfare Division of the  
7 Department of Human Resources within ten (10) days from the date the Decree in this matter is  
8 filed. Such information shall be maintained by the Clerk in a confidential manner and not part of  
9 the public record. The Parties are ordered to update the information filed with the Court and the  
10 Welfare Division of the Department of Human Resources within ten (10) days should any of that  
11 information become inaccurate.

12 V. For such other and further relief as the Court may deem just and proper in the  
13 premises.

14 Dated this 31st day of October, 2006.

15 **HOFLAND ECCLES**

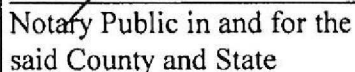
16   
17 Bradley J. Hofland, Esq.  
18 Nevada State Bar No: 6343  
19 4495 South Pecos Road Suite A  
20 Las Vegas, Nevada 89121  
21 (702) 895-6760  
22 Attorneys for Plaintiff  
23  
24  
25  
26  
27  
28



- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

Christopher Brian Davidson, being first duly sworn according to law, deposes and says: That the undersigned is the Plaintiff in the above entitled action; that he has read the above and foregoing Complaint for Divorce, and knows the contents thereof; that the same is true of his own knowledge, except for any matters therein stated upon information and belief, and as to those matters therein stated, he believes them to be true.

Subscribed and Sworn to before me  
this 1<sup>st</sup> day of ~~October~~, 2006.



STATE OF NEVADA           )  
County of Clark             ) ss.

On this 1 day of ~~October~~<sup>March</sup>, 2006, personally appeared before me, a Notary Public, Christopher Brian Davidson, known to me to be the person described in and who executed the foregoing instrument, Complaint for Divorce, he acknowledged to me that the instruments were executed freely and voluntarily and for the same uses and purposes therein mentioned.

Witness my hand and official seal the day and year in this certificate first above written.

Notary Public in and for the  
said County and State



# EXHIBIT 2



ORIGINAL

FILED

Nov 6 1 39 PM '06

*[Signature]*  
CLERK

EIGHTH JUDICIAL DISTRICT COURT

FAMILY DIVISION

CLARK COUNTY, NEVADA

CHRISTOPHER BRIAN DAVIDSON,

Plaintiff,

vs.

DAWNETTE RACHEAL DAVIDSON,

Defendant.

Case Number: D

Dept No: E

ANSWER TO COMPLAINT FOR DIVORCE

COMES NOW the Defendant, Dawnette Racheal Davidson, in proper person, and in answer to Plaintiff's Complaint for Divorce, answers as follows:

Defendant admits the allegations contained in Paragraphs 1 through 23 of Plaintiff's Complaint for Divorce.

**WHEREFORE**, Defendant prays for Judgment as follows:

A. That the bonds of matrimony now and heretofore existing between Plaintiff and Defendant be dissolved, set forever held for naught, and that the parties hereto, and each of them, be restored to their single, unmarried status.

B. That the Court enter a Decree of Divorce as set forth in Plaintiff's Complaint for Divorce on file herein.

\\

\\

\\

\\

\\

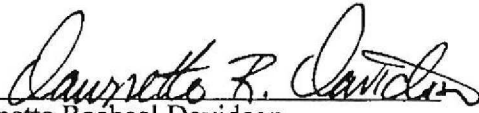
\\

CE36

RECEIVED  
NOV 6 2006  
COUNTY CLERK

1 C. For such other and further relief as the Court may deem just and proper in the  
2 premises.

3 Dated this 2 day of November, 2006.

4   
5 Dawnette Racheal Davidson  
6 4683 Clay Peak Drive  
7 Las Vegas, Nevada 89129  
8 Defendant in Proper Person  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28


1  
2 VERIFICATION

3 STATE OF NEVADA )  
4 )  
5 ss.  
6 County of Clark )

7 Dawnette Racheal Davidson, being first duly sworn according to law, deposes and  
8 says: That the undersigned is the Defendant in the above entitled action; that she has read  
9 the above and foregoing Answer to Complaint for Divorce, and knows the contents  
10 thereof; that the same is true of her own knowledge, except for any matters therein stated  
11 upon information and belief, and as to those matters therein stated, she believes them to be  
12 true.

13   
14 Dawnette Racheal Davidson

15 Subscribed and Sworn to before me  
16 this    day of November, 2006.

17   
18 Notary Public in and for the  
19 said County and State

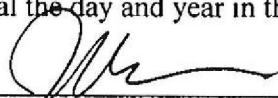


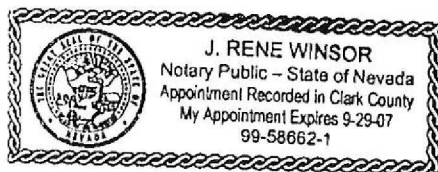
20 STATE OF NEVADA )  
21 )  
22 ss.  
23 County of Clark )

24 Acknowledgment

25 On this    day of November, 2006, personally appeared before me, a Notary  
26 Public, in and for the said County and State, Dawnette Racheal Davidson, known to me to  
27 be the person described in and who executed the foregoing instrument, Answer to  
28 Complaint for Divorce, she acknowledged to me that the instruments were executed freely  
and voluntarily and for the same uses and purposes therein mentioned.

Witness my hand and official seal the day and year in this certificate first above  
written.

29   
30 Notary Public in and for the  
said County and State



# EXHIBIT 1

  
CLERK OF THE COURT

DISTRICT COURT  
CLARK COUNTY, NEVADA

Christopher Davidson,  
Plaintiff

CASE NO. 06D365382  
DEPARTMENT S

Vs

Dawnette Davidson,  
Defendant


NOTICE OF ISSUANCE OF DECISION

TO: Bradley J. Hofland, Esq.  
Daniel W. Anderson, Esq.

The Court hereby enters its Decision and Order in the above-entitled matter on  
the Judicial Notes attached hereto.

Dated: this 20<sup>th</sup> day of February, 2015

Honorable VINCENT OCHOA

By:   
Linda Titsworth, Judicial Executive Assistant  
Family Court, Department S


1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

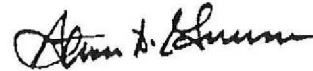
CERTIFICATE OF MAILING

A true and correct file stamped copy of the above and foregoing Decision and order was placed in the appropriate attorney folder in the Regional Justice Center:

Bradley J. Hofland, Esq.

Daniel W. Anderson, Esq.

  
Linda Titsworth, Judicial Executive Assistant to the  
Honorable Vincent Ochoa, Department S



CLERK OF THE COURT

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

CHRISTOPHER B. DAVIDSON,

Plaintiff,

CASE NO. : 06D365382

DEPT NO. : S

vs.

DAWNETTE R. DAVIDSON,

Defendant.

**DECISION AND ORDER**

The Court, having read and reviewed the pleadings on file, reviewed minutes of previous hearings, having heard and considered testimony of the Parties and Witnesses and good cause appearing, makes the following findings of facts, conclusions of law, decision and order.

**I. STATEMENT OF CASE**

This is an alleged nonpayment dispute, which Defendant DAWNETTE RACHEAL DAVIDSON (hereinafter "Dawnette") claims Plaintiff, CHRISTOPHER BRIAN DAVIDSON; (hereinafter "Christopher") did not provide her one half of the equity of their marital real property as ordered in the Decree of Divorce.

**II. ANALYSIS AND CONCLUSIONS OF LAW**

Dawnette and Christopher were divorced by Summary Decree of Divorce dated November 13, 2006. The Decree of Divorce contained the following relevant provisions relate to property distribution:

1 IT IS FURTHER ORDERED ADJUDGED AND DECREED that the parties:  
2 own certain real property located at 4683 Clay Peak Drive, Las Vegas, Nevada,  
3 ....Defendant is ordered to execute, a quitclaim deed thereby releasing all her  
4 right, title and interest in and to said real property to Plaintiff. An appraisal of  
said property is to be conducted and the Plaintiff to pay one half (1/2) the equity  
based on said appraisal.

5 See Decree of Divorce, page 9, 11. 4-5, 24-26.

6 Pursuant to the Decree, Christopher was awarded the residence located at 4683 Clay  
7 Peak Drive, Las Vegas, Nevada (the "Residence"). Dawnette was granted her marital share of  
8 the appraised value of the real property. Dawnette executed a quit claim to said property and  
9 Christopher refinanced the residence in his sole name a few months after the Decree was  
10 entered, in March of 2007. On September 11, 2014, Dawnette filed a motion seeking payment  
11 of her marital share: 50% of the 2006 appraised value of the residence located at 4683 Clay  
12 Peak Drive, Las Vegas Nevada.  
13

14 "An action upon a judgment or decree of any court of the United States, or of any state  
15 or territory within the United States, or the renewal thereof" may only be commenced if brought  
16 within 6 years. NRS §11.190(1)(a). See also NRS 11.220. Action for relief not otherwise  
17 provided for (Nev. Rev. Stat. Ann. § 11.220 (West)). As more than seven years has elapsed  
18 since the obligation was created and more than seven years after she quit claimed the property  
19 to Christopher, Dawnette's request for non-payment of an alleged debt is barred by the statute  
20 of limitations. Dawnette had knowledge of the relevant facts and there is no claim of deception  
21 or false assurances by Christopher.  
22

23 NRS 11.190 limits the filing of "an action upon a judgment, or decree" to six years. "A  
24 court can dismiss a complaint for failure to state a claim upon which relief can be granted if the  
25 action is barred by the statute of limitations." NRCP 12(b)(5); *Shupe & Yost, Inc. v. Fallon*  
26 *Nat'l Bank*, 109 Nev. 99, 100, 847 P.2d 720, 720 (1993). *Bemis v. Estate of Bemis*, 114 Nev.  
27  
28



1 1021, 1024, 967 P.2d 437, 439-40 (1998). A plaintiff must use due diligence in determining the  
2 existence of a cause of action., **Sierra Pacific Power Co. v. Nye**, 80 Nev. 88, 389 P.2d 387  
3 (1964). A primary purpose for a statute of limitations is to afford parties needed protection  
4 against the evidentiary problems associated with defending stale claims. **Nevada State Bank v.**  
5 **Jamison Family P'ship**, 106 Nev. 792, 798, 801 P.2d 1377, 1381 (1990).

7 While statutes of limitations are intended to protect a litigant against the  
8 evidentiary problems associated with defending a stale claim, these statutes are  
9 also enacted to "promote repose by giving security and stability to human  
10 affairs.... They stimulate to activity and punish negligence.

11 **ID.** at 798; quoting **Wood v. Carpenter**, 101 U.S. 135, 139, 25 L.Ed. 807 (1879).

12 "The policy supporting the finality of judgments recognizes that, 'in most instances  
13 society is best served by putting an end to litigation after a case has been tried and judgment  
14 entered.'" **NC-DSH**, 125 Nev. at 653, 218 P.3d at 858 (quoting **Hazel-Atlas Co. v. Hartford-**  
15 **Empire Co.**, 322 U.S. 238, 244, 64 S.Ct. 997, 88 L.Ed. 1250 (1944))." **Bonnell v. Lawrence**,  
16 128 Nev. Adv. Op. 37, 282 P.3d 712, 716 (2012)

17 Dawnette was granted her marital interest to the property by the decree of divorce in  
18 2006, the property was appraised in 2006, furthermore Dawnette provided a quit claim deed to  
19 Christopher in early 2007. Thereafter Christopher refinanced the home in his name in March of  
20 2007 and made payments on the mortgage. Dawnette knew these facts gave rise to her claim  
21 for payment, but did not take action until September of 2014. **Shupe v. Ham**, 98 Nev. 61, 65,  
22 639 P.2d 540, 543 (1982). Defendant had legal remedies available that she neglected.

23 NRS 125.090 requires that family law cases "conform to the Nevada Rules of Civil  
24 Procedure as nearly as conveniently possible." **Doan v. Wilkerson**, 130 Nev. Adv. Op. 48, 327  
25 P.3d 498, 501 (2014). In **Kramer v. Kramer**, the Nevada Supreme Court held that,  
26  
27  
28

1 NRCP 60(b)'s time limitation applied to a motion to modify the property  
2 distribution in a divorce decree, where that decree did not reserve continuing  
3 jurisdiction. We reasoned that '[i]f the legislature had intended to vest the courts  
4 with continuing jurisdiction over property rights; it would have done so expressly,  
5 as it did in NRS 125.140(2) concerning child custody and support.'

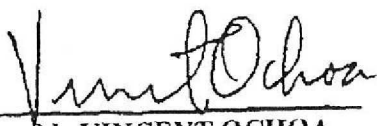
6 **Kramer v. Kramer**, 96 Nev. 759, 762, 616 P.2d 395, 397 (1980).

7 The policy in favor of finality and certainty underlying NRCP 60(b) applies  
8 equally, and some might say especially, to a divorce proceeding. Therefore, in  
9 accordance with NRS 125.090 and **Kramer**, we hold that NRCP 60(b)'s time  
10 limitation applies to a motion for relief from or modification of a divorce decree.

11 **Doan v. Wilkerson**, 130 Nev. Adv. Op. 48, 327 P.3d 498, 501 (2014).

12 Dawnette's request for an alleged non-payment of a debt is barred by the statute of  
13 limitations. Defendant's Motion to Enforce Decree of Divorce (filed Sept. 11, 2014.) is denied.

14 IT IS SO ORDERED this 20<sup>th</sup> day of February, 2015.

15   
16 Honorable VINCENT OCHOA  
17 District Court Judge, Department S

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

CERTIFICATE OF SERVICE

I hereby certify that I am an employ of the Eighth Judicial District Court, Family  
Division, Department S. I certify that service of the above and foregoing DECISION and  
ORDER was made by placing a copy in the appropriate attorney folder at the Regional Justice  
Center:

Bradley J. Hofland, Esq.

Daniel W. Anderson, Esq.

Linda Titsworth  
Linda Titsworth  
Judicial Executive Assistant

IN THE SUPREME COURT OF THE STATE OF NEVADA

INDICATE FULL CAPTION:

DAWNETTE R. DAVIDSON

Appellant,

v.

CHRISTOPHER DAVIDSON

Respondent

No. 67698

DOCKETING STATEMENT  
CIVIL APPEALS

Electronically Filed  
Apr 16 2015 03:16 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

GENERAL INFORMATION

All appellants not in proper person must complete this docketing statement. NRAP 14(a). The purpose of the docketing statement is to assist the Supreme Court in screening jurisdiction, classifying cases for en banc, panel, or expedited treatment, compiling statistical information and identifying parties and their counsel.

WARNING

This statement must be completed fully, accurately and on time. NRAP 14(c). The Supreme Court may impose sanctions on counsel or appellant if it appears that the information provided is incomplete or inaccurate. *Id.* Failure to fill out the statement completely or to file it in a timely manner constitutes grounds for the imposition of sanctions, including a fine and/or dismissal of the appeal.

A complete list of the documents that must be attached appears as Question 26 on this docketing statement. Failure to attach all required documents will result in the delay of your appeal and may result in the imposition of sanctions.

This court has noted that when attorneys do not take seriously their obligations under NRAP 14 to complete the docketing statement properly and conscientiously, they waste the valuable judicial resources of this court, making the imposition of sanctions appropriate. See KDI Sylvan Pools v. Workman, 107 Nev. 340, 344, 810 P.2d 1217, 1220 (1991). Please use tab dividers to separate any attached documents.

1. Judicial District Eighth Department S  
County CLARK Judge VINCENT OCHOA  
District Ct. Case No. D-11-451258-C

**2. Attorney filing this docketing statement:**

Attorney DANIEL W. ANDERSON, ESQ. Telephone 702-386-0030

Firm MILLS & MILLS LAW GROUP

Address

703 S. 8TH STREET  
LAS VEGAS, NEVADA 89101

Client(s) DAWNETTE DAVIDSON

If this is a joint statement by multiple appellants, add the names and addresses of other counsel and the names of their clients on an additional sheet accompanied by a certification that they concur in the filing of this statement.

**3. Attorney(s) representing respondents(s):**

Attorney BRADLEY HOFLAND, ESQ. Telephone 702-751-8818

Firm HOFLAND & TOMSHECK

Address

228 S. 4TH STREET, 1ST FLOOR  
LAS VEGAS, NEVADA 89101

Client(s) CHRISTOPHER DAVIDSON

Attorney \_\_\_\_\_ Telephone \_\_\_\_\_

Firm \_\_\_\_\_

Address

Client(s) \_\_\_\_\_

(List additional counsel on separate sheet if necessary)

**4. Nature of disposition below (check all that apply):**

- |   |  |
|---|--|
| <input type="checkbox"/> Judgment after bench trial         | <input type="checkbox"/> Dismissal:  |
| <input type="checkbox"/> Judgment after jury verdict        | <input type="checkbox"/> Lack of jurisdiction  |
| <input type="checkbox"/> Summary judgment                   | <input type="checkbox"/> Failure to state a claim  |
| <input type="checkbox"/> Default judgment                   | <input type="checkbox"/> Failure to prosecute  |
| <input type="checkbox"/> Grant/Denial of NRCP 60(b) relief  | <input type="checkbox"/> Other (specify): _____  |
| <input type="checkbox"/> Grant/Denial of injunction         | <input type="checkbox"/> Divorce Decree:   |
| <input type="checkbox"/> Grant/Denial of declaratory relief | <input type="checkbox"/> Original <input type="checkbox"/> Modification                    |
| <input type="checkbox"/> Review of agency determination     | <input checked="" type="checkbox"/> Other disposition (specify): <u>Decree enforcement</u> |

**5. Does this appeal raise issues concerning any of the following?**

- ☐ Child Custody  
☐ Venue  
☐ Termination of parental rights

**6. Pending and prior proceedings in this court.** List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal:

NONE

**7. Pending and prior proceedings in other courts.** List the case name, number and court of all pending and prior proceedings in other courts which are related to this appeal (e.g., bankruptcy, consolidated or bifurcated proceedings) and their dates of disposition:

CHRISTOPHER DAVIDSON V. DAWNETTE DAVIDSON  
CASE NO. D-06-365382  
ORDER ENTERED February 20, 2015

**8. Nature of the action.** Briefly describe the nature of the action and the result below:

Appellant filed a motion to enforce the property division in her decree of divorce filed in 2006, alleging that she had never been paid her interest in the marital residence. The Court denied her motion on the basis that she had not filed within six years of the entry of the judgment/decreed.

**9. Issues on appeal.** State specifically all issues in this appeal (attach separate sheets as necessary):

Appellant contends that enforcement of Decrees of Divorce are not governed by the general statute of limitations governing the enforcement of judgments. Defendant contends alternatively that if the statute of limitations does apply, it did not begin to run because no specific date for performance of the division of the marital residence was set by the Decree, which was drafted by counsel representing the respondent.

**10. Pending proceedings in this court raising the same or similar issues.** If you are aware of any proceedings presently pending before this court which raises the same or similar issues raised in this appeal, list the case name and docket numbers and identify the same or similar issue raised:

N/A

**11. Constitutional issues.** If this appeal challenges the constitutionality of a statute, and the state, any state agency, or any officer or employee thereof is not a party to this appeal, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

☒ N/A

☐ Yes

☐ No

If not, explain:

**12. Other issues.** Does this appeal involve any of the following issues?

☐ Reversal of well-settled Nevada precedent (identify the case(s))

☐ An issue arising under the United States and/or Nevada Constitutions

☐ A substantial issue of first impression

☐ An issue of public policy

☐ An issue where en banc consideration is necessary to maintain uniformity of this court's decisions

☐ A ballot question

If so, explain:

**13. Trial.** If this action proceeded to trial, how many days did the trial last? 1/2 day

Was it a bench or jury trial? Bench

**14. Judicial Disqualification.** Do you intend to file a motion to disqualify or have a justice recuse him/herself from participation in this appeal? If so, which Justice?



## TIMELINESS OF NOTICE OF APPEAL

**15. Date of entry of written judgment or order appealed from** February 20, 2015

If no written judgment or order was filed in the district court, explain the basis for seeking appellate review:

**16. Date written notice of entry of judgment or order was served** February 20, 2015

Was service by:

☐ Delivery

☒ Mail/electronic/fax

**17. If the time for filing the notice of appeal was tolled by a post-judgment motion (NRCP 50(b), 52(b), or 59)**

(a) Specify the type of motion, the date and method of service of the motion, and the date of filing.

☐ NRCP 50(b)      Date of filing \_\_\_\_\_

☐ NRCP 52(b)      Date of filing \_\_\_\_\_

☐ NRCP 59      Date of filing \_\_\_\_\_

**NOTE: Motions made pursuant to NRCP 60 or motions for rehearing or reconsideration may toll the time for filing a notice of appeal. See AA Primo Builders v. Washington, 126 Nev. \_\_\_, 245 P.3d 1190 (2010).**

(b) Date of entry of written order resolving tolling motion \_\_\_\_\_

(c) Date written notice of entry of order resolving tolling motion was served \_\_\_\_\_

Was service by:

☐ Delivery

☐ Mail

**18. Date notice of appeal filed** MARCH 19, 2015

If more than one party has appealed from the judgment or order, list the date each notice of appeal was filed and identify by name the party filing the notice of appeal:

**19. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(a) or other**

NRAP 4(A)

### **SUBSTANTIVE APPEALABILITY**

**20. Specify the statute or other authority granting this court jurisdiction to review the judgment or order appealed from:**

(a)

☒ NRAP 3A(b)(1)

☐ NRS 38.205

☐ NRAP 3A(b)(2)

☐ NRS 233B.150

☐ NRAP 3A(b)(3)

☐ NRS 703.376

☐ Other (specify) \_\_\_\_\_

(b) Explain how each authority provides a basis for appeal from the judgment or order:

This appeal is taken from a final judgment of the Court in which the action originated.

**21. List all parties involved in the action or consolidated actions in the district court:**

(a) Parties:

DAWNETTE DAVIDSON

CHRISTOPHER DAVIDSON

(b) If all parties in the district court are not parties to this appeal, explain in detail why those parties are not involved in this appeal, *e.g.*, formally dismissed, not served, or other:

**22. Give a brief description (3 to 5 words) of each party's separate claims, counterclaims, cross-claims, or third-party claims and the date of formal disposition of each claim.**

Appellant:

Request for payment of her interest in the marital residence and for attorney's fees.

Denied by the Court on February 20, 2015.

Respondent:

Request for attorney's fees. Denied by the Court on February 20, 2015.

**23. Did the judgment or order appealed from adjudicate ALL the claims alleged below and the rights and liabilities of ALL the parties to the action or consolidated actions below?**

☒ Yes

☐ No

**24. If you answered "No" to question 23, complete the following:**

(a) Specify the claims remaining pending below:

(b) Specify the parties remaining below:

(c) Did the district court certify the judgment or order appealed from as a final judgment pursuant to NRCP 54(b)?

☐ Yes

☐ No

(d) Did the district court make an express determination, pursuant to NRCP 54(b), that there is no just reason for delay and an express direction for the entry of judgment?

☐ Yes

☐ No

**25. If you answered "No" to any part of question 24, explain the basis for seeking appellate review (e.g., order is independently appealable under NRAP 3A(b)):**

**26. Attach file-stamped copies of the following documents:**

- The latest-filed complaint, counterclaims, cross-claims, and third-party claims
- Any tolling motion(s) and order(s) resolving tolling motion(s)
- Orders of NRCP 41(a) dismissals formally resolving each claim, counterclaims, cross-claims and/or third-party claims asserted in the action or consolidated action below, even if not at issue on appeal
- Any other order challenged on appeal
- Notices of entry for each attached order

## VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement. 2

DAWNETTE DAVIDSON

Name of appellant

April 14, 2015

Date

DANIEL W. ANDERSON, ESQ.

Name of counsel of record

Signature of counsel of record

Clark County, Nevada

State and county where signed

## CERTIFICATE OF SERVICE

I certify that on the 15<sup>th</sup> day of April, 2015, I served a copy of this completed docketing statement upon all counsel of record:

☐ By personally serving it upon him/her; or

☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attach a separate sheet with the addresses.)

Bradley Hofland, Esq.  
228 S. 4th Street, 1st Floor  
Las Vegas, NV 89101

Dated this

15<sup>th</sup> day of April, 2015

Signature