

IN THE SUPREME COURT OF THE STATE OF NEVADA

JENNIFER GORDON,
Appellant,

vs.

MATTHEW GEIGER,
Respondent.

) Supreme Court No. 67955
) District Court No. D-10-430639-D
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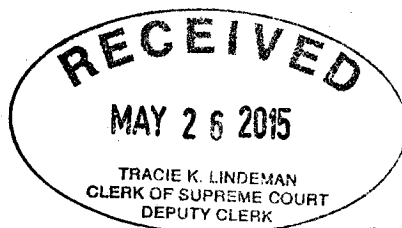
FILED

MAY 27 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY [Signature]
DEPUTY CLERK

**MOTION FOR APPLICATION AND AFFIDAVIT TO PROCEED ON APPEAL IN
FORMA PAUPERIS**

Pursuant to NRS 12.015, and based on the following Affidavit, I request permission from this Court to proceed without paying court costs or other costs and fees as provided in NRS 12.015, because I lack sufficient financial ability.



15-16129

1 AFFIDAVIT IN SUPPORT OF MOTION TO PROCEED ON

2 APPEAL IN FORMA PAUPERIS

3 STATE OF NEVADA

4
5 ss.

6 COUNTY OF CLARK

7
8 I, Jennifer Gordon being first duly sworn, depose and say that I am the Defendant in the
9 above-entitled case; that in support of my motion to proceed on appeal without being required
10 to prepay fees, cost or give security therefor, I state that because of my poverty I am unable to
11 pay the costs of said proceeding or to give security therefor; that I believe I am entitled to
12 redress; and that the issues which I desire to present on appeal are the following:
13

- 14
- 15 • Did it violate the Defendant's due process rights when the Court sua sponte introduced
16 for the first time documentary evidence to the litigants at the start of a evidentiary
17 hearing leaving the litigants no time to prepare for the validity, veracity, or credibility of
18 the evidence, over the objection of the Defendant and a request for a continuance?
 - 19 • Is it error for the Court to expand the scope of an evidentiary hearing, i.e. turning a
20 motion hearing into an evidentiary hearing on the day of the motion hearing that was
21 being held in conjunction with a limited scope evidentiary hearing, without prior notice
22 to the litigants?
 - 23 • Did the District Court err when it changed the Defendant's custodial rights, i.e. gave the
24 Plaintiff more visitation time and made a ruling that the Defendant's boyfriend was not
25 allowed around the subject minor children unsupervised even though the Defendant and
26 her boyfriend have a child together and live together, all without a full and fair hearing?
 - 27 • Did the Court commit any other error that rises to the level of an abuse of discretion?
- 28

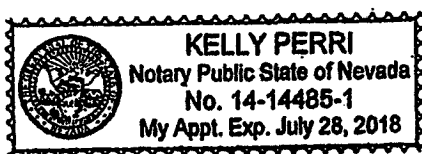
25 I further swear that the responses which I have made to the questions and instructions
26 below relating to my ability to pay the cost of prosecuting the appeal are true.
27
28

- 1 1. I am not presently employed and have not been employed since March 30, 2013. My
2 income while I was employed was approx. \$6000 a month gross income and I was paid
3 on a weekly basis at \$33 per hour, and approx \$1000 a week net income. I initially took
4 time off for maternity but since have not been able to return to work because of the
5 restrictions against my fiancé from the order filed March 20, 2015, that makes it
6 impossible for us both to be employed.
7
8 2. In the past twelve months I have not received any income from a business, profession,
9 or other form of self-employment, or in the form of rent payments, interest, dividends,
10 or other source. My sole source of income is my fiancé.
11
12 3. I do share partial ownership on a checking and a savings account with my fiancé.
13 However, there is no "value" to either account.
14
15 4. I co-own two vehicles with my fiancé: 1997 Cadillac Deville, and a 2000 Chevrolet
16 Express 3500.
17
18 5. My fiancé of 5 years is our sole provider. We, together, support 6 children on his one
19 income. There are 3 children which are solely his, 2 are solely mine and we have a 20
20 month old child together. I am a "mother" to ALL of the children in the house.

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

23 
JENNIFER GORDON

24
25 SUBSCRIBED AND SWORN to before me this 5th day of May, 2015.




NOTARY PUBLIC

IN THE SUPREME COURT OF THE STATE OF NEVADA

JENNIFER GORDON,
Appellant,

vs.

MATTHEW GEIGER,
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) Supreme Court No. 67955
) District Court No. D-430639

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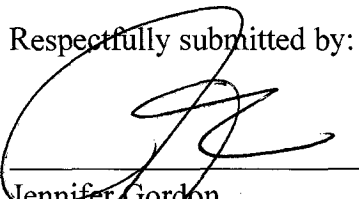
ORDER TO PROCEED ON APPEAL IN FORMA PAUPERIS

Let the applicant proceed without prepayment of costs or fees or the necessity of giving security therefor.

DATED this _____ day of _____, 2015.

SUPREME COURT JUSTICE

Respectfully submitted by:



Jennifer Gordon
91 Autumn Day Street
Henderson, NV 89012
(702) 234-9673
Elise433@gmail.com

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IN THE SUPREME COURT OF THE STATE OF NEVADA

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)
vs.)
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MATTHEW GEIGER,)
Respondent.)
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CERTIFICATE OF MAILING

Pursuant to Nevada Rule of Civil Procedure 5(b), I certify service of Defendant's MOTION FOR APPLICATION AND AFFIDAVIT TO PROCEED ON APPEAL IN FORMA PAUPERIS, and AFFIDAVIT OF JENNIFER GORDON WITH EXHIBIT was made this 19 day of May 2015, by depositing a true copy, first class mail, in a sealed envelope, postage prepaid at Henderson, Nevada, addressed as follows:

Peter Bellon, Esq.
732 South Sixth Street, #102
Las Vegas, NV 89101
Attorney for Respondent


JENNIFER GORDON
91 Autumn Day Street
Henderson, NV 89012
(702) 234-9673
Elise433@gmail.com

IN THE SUPREME COURT OF THE STATE OF NEVADA

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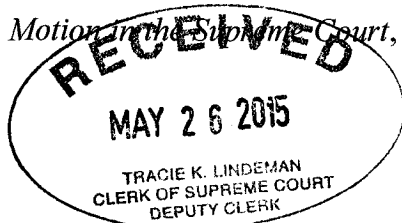
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AFFIDAVIT OF JENNIFER GORDON

Pursuant to the Nevada Rules of Appellate Procedure on Proceedings in forma pauperis, Rule 24(a)(2) states "If the district court denies the motion, it must state its reason in writing." Under Rule 24(a)(4) *Notice of district court's denial*, it states " The district court clerk shall immediately notify the parties and the Supreme Court when the district court does any of the following:

- (A) denies a motion to proceed on appeal in forma pauperis;
- (B) certifies that the appeal is not taken in good faith; or
- (C) finds that the party is not otherwise entitled to proceed in forma pauperis."

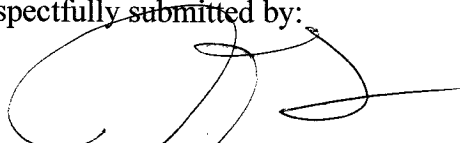
On May 18, 2015 I received my original **Motion For Application and Affidavit to Proceed On Appeal in Forma Pauperis**, and my denied **Order to Proceed on Appeal in Forma Pauperis** in the mail. (Attached as Exhibit 1) There has been no explanation given or statement received from district court to why the motion was denied. I called the Supreme Court clerk on Tuesday May 19, 2015 and asked if there had been any notice given to them or anything filed. There had not, so I requested that a note be made that I was notifying the Supreme Court of my denial, the postmark on the envelope from district court family division regarding when the denial was sent to me, and that I would be filing said motion to the Supreme Court. Pursuant to Rule 24(a)(5) *Motion in the Supreme Court*, I am required to submit a copy of the district court's statement of



reasons for its action with my motion to the Supreme Court. I am not able to provide that with my motion, as there is no statement from the district court.

Dated this 19th day of May, 2015.

Respectfully submitted by:

A handwritten signature in black ink, appearing to be 'J. Gordon', written over a horizontal line.

Jennifer Gordon
91 Autumn Day Street
Henderson, NV 89012
(702) 234-9673
ELISE433@GMAIL.COM

EXHIBIT 1

1 **ORDR**

2 JENNIFER GORDON

3 91 Autumn Day Street

4 Henderson, NV 89012

(702) 234-9673

5 Elise433@gmail.com

6 Defendant in Proper Person

**DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

7 MATTHEW GEIGER,

8 Plaintiff,

9 vs.

10 JENNIFER GORDON,

11 Defendant.

CASE NO. D-10-430639-D

DEPT. NO. T

ORDER TO PROCEED ON APPEAL IN FORMA PAUPERIS

15 Let the applicant proceed without prepayment of costs or fees or the necessity of giving security
16 therefor.

17 DATED this _____ day of _____, 2015.

18
19 DISTRICT COURT JUDGE

20 Respectfully submitted by:

21
22 
23 _____

24 JENNIFER GORDON

25 91 Autumn Day Street

26 Henderson, NV 89012

(702) 234-9673

27 Elise433@gmail.com

RECEIVED

MAY 06 2015

FAMILY COURT

Details of filing: Motion For Application And Affidavit to Proceed On Appeal In Forma Pauperis
Filed in Case Number: D-10-430639-D

E-File ID: 6938714

Lead File Size: 1065748 bytes

Date Filed: 2015-05-05 17:37:51.0

Case Title: D-10-430639-D

Case Name: Matthew Robert Gelger, Plaintiff vs. Jennifer Elise Gordon, Defendant.

Filing Title: Motion For Application And Affidavit to Proceed On Appeal In Forma Pauperis

Filing Type: EFS

Filer's Name: Jennifer Gordon

Filer's Email: elise433@gmail.com

Account Name: Jennifer Gordon

Filing Code: MOT

Amount: \$ 3.50

Court Fee: \$ 0.00

Card Fee: \$ 0.00

Payment: Filing still processing. Payment not yet captured.

Comments:

Courtesy Copies:

Firm Name: Jennifer Gordon

Your File Number:

Status: Pending - (P)

Date Accepted:

Review Comments:

Reviewer:

File Stamped Copy:

Documents: Cover Document:

Lead Document: 2015-05-05 Motion Informa Pauperis Appeal.pdf 1065748 bytes

Data Reference ID:

Credit Card Response: System Response: AU0CD192D1DD
Reference:

1 **MOT**

2 JENNIFER GORDON

3 91 Autumn Day Street

4 Henderson, NV 89012

(702) 234-9673

5 Elise433@gmail.com

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**FAMILY COURT
DEPARTMENT T
Motion**

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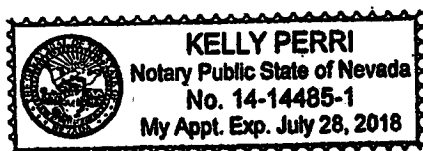
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JENNIFER GORDON

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NOTARY PUBLIC