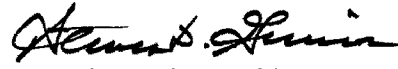


The Grigsby Law Group
624 S. 10th Street,
Las Vegas, Nevada 89101
Tel: (702) 202-5235

Electronically Filed
11/13/2015


CLERK OF THE COURT

NOTC
The Grigsby Law Group
A Professional Corporation
Aaron D. Grigsby, Esq.
Nevada Bar No. 9043
624 S. 10th Street,
Las Vegas, Nevada 89101
(702) 202-5235
(702) 944-7856
aaron@grigsbylawgroup.com
Attorney for Mistie Peterson

Electronically Filed
Nov 20 2015 11:56 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

In the Matter of the Parental Rights as to:

MYREON MARTELLI LATTIMORE Case No. D-14-497399-R
Dept. No. O

A Minor

NOTICE OF APPEAL

Notice is hereby given that Mistie Peterson, Respondent
above named, hereby appeals to the Supreme Court of Nevada
from the Findings of Fact, Conclusions of Law and Order
Terminating Parental Rights of Mistie Lee Peterson entered in
this action on or about October 8, 2015

DATED this 13th day of November, 2015

THE GRIGSBY LAW GROUP
A Professional Corporation

By: /s/ Aaron Grigsby
Aaron D. Grigsby, Esq.
Bar No. 9043
624 S. 10th Street
Las Vegas, Nevada 89101

The Grigsby Law Group
624 S. 10th Street,
Las Vegas, Nevada 89101
Tel: (702) 202-5235

CERTIFICATE OF SERVICE

I hereby certify that service of the Notice of Appeal was made on the 13th day of November, 2015, pursuant to NRCP 5(b) by serving electronically addressed as follows:

James D. Vitale, Esq
330 S. Third Street, 8th Floor
Las Vegas, Nevada 89101

Romeo Perez, Esq
3100 E. Charleston, #112
Las Vegas, Nevada 89104

Frank J. Toti, Esq
6900 WestCliff Ave, #500
Las Vegas, Nevada 89145

Stephanie Richter
601 N. Pecos
Las Vegas, Nevada 89101

Myeron Lattimore
ID# 1107281
P.O. Box 208
Indian Springs, Nevada 89070

/s/ Jackson Newark
Jackson Newark

CASE SUMMARY

CASE NO. D-14-497399-R



In the Matter of the Parental Rights of:
Myreon Lattimore,
Minor(s).

§
§
§
§
§

Location: Family Juvenile
Judicial Officer: Sullivan, Frank P.
Hearing Master: Femiano, Jane
Filed on: 05/22/2014
Cross-Reference Case Number: D497399

CASE INFORMATION

Related Cases

 J-13-329616-P1 (Juvenile Related Cases)
 J-13-329616-PC (Juvenile Related Cases)

Case Type: Termination of Parental Rights - State

Case Status: 10/08/2015 Closed

Statistical Closures

10/08/2015 Judgment Reached (Bench Trial)

Case Flags: Appealed to the Nevada Supreme Court
4 & Under A Unit

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number D-14-497399-R
Court Family Juvenile
Date Assigned 05/22/2014
Judicial Officer Sullivan, Frank P.
Hearing Master Femiano, Jane





PARTY INFORMATION

Petitioner	State of Nevada	Wolfson, Steven B <i>Retained</i> 702-671-9200(W)
Respondent	Lattimore, Myreon DOB: 09/11/1982	
	Peterson, Mistie DOB: 03/15/1977	Pro Se 702-305-6135(H)
Subject Minor	Lattimore, Myreon Jr. DOB: 11/12/2012	

DATE

EVENTS & ORDERS OF THE COURT

EVENTS

05/22/2014	 Petition for Termination of Parental Rights - State Party: Petitioner State of Nevada <i>LATTIMORE, Myreon - Petition to Terminate Parental Rights</i>
05/23/2014	 Affidavit for Service by Publication Filed By: Petitioner State of Nevada <i>Affidavit for Service by Publication</i>
06/02/2014	 Order for Publication Notice Party: Petitioner State of Nevada <i>LATTIMORE, Myreon - Order for Publication</i>
06/06/2014	 Notice of Hearing Filed By: Petitioner State of Nevada <i>LATTIMORE, Myreon - Notice of Hearing to Terminate Parental Rights</i>


CASE SUMMARY

CASE NO. D-14-497399-R

06/10/2014	 Certificate of Mailing Filed By: Petitioner State of Nevada <i>Certificate of Mailing</i>
06/10/2014	 Affidavit of Mailing Filed By: Petitioner State of Nevada <i>Affidavit of Service by Certified Mailing</i>
07/02/2014	 Affidavit of Publication Filed By: Petitioner State of Nevada <i>Affidavit of Publication</i>
07/21/2014	 Affidavit of Service Filed By: Petitioner State of Nevada <i>Affidavit of Service</i>
07/23/2014	 Affidavit of Attempted Service Filed by: Petitioner State of Nevada <i>Myreon Lattimore: Affidavit of Attempted Service</i>
10/23/2014	 Order Filed By: Respondent Lattimore, Myreon <i>Order to Transport</i>
11/03/2014	Hearing Master Reassignment <i>Juvenile Court Hearing Master Reassignment 2014</i>
01/21/2015	 Order Filed By: Petitioner State of Nevada <i>Order to Transport</i>
01/26/2015	 Witness List Filed by: Petitioner State of Nevada <i>Myreon Lattimore: Notice of Witnesses and Exhibit List</i>
03/04/2015	 Witness List Filed by: Petitioner State of Nevada <i>Myreon Lattimore: Notice of Amended Witnessess and Exhibit List</i>
05/15/2015	 Order Filed By: Petitioner State of Nevada <i>Myreon Lattimore, Jr.: Order for Medical Records</i>
09/29/2015	 Notice of Withdrawal of Counsel <i>Notice of Withdrawal of Counsel</i>
10/08/2015	 Findings of Fact, Conclusions of Law and Judgment Party: Petitioner State of Nevada <i>Myreon Lattimore: Findings of Fact, Conclusions of Law and Order Terminating Parental Rights of Mistie Lee Peterson</i>
10/08/2015	 Notice of Entry of Order Filed By: Petitioner State of Nevada <i>Myreon Lattimore: Notice of Entry of Order</i>
10/13/2015	 Notice of Entry of Order Filed By: Petitioner State of Nevada <i>Myreon Lattimore: Notice of Entry of Order</i>
10/13/2015	 Findings of Fact, Conclusions of Law and Judgment Party: Petitioner State of Nevada <i>Myreon Lattimore: Findings of Fact, Conclusions of Law and Order Terminating Parental Rights of Myreon Lattimore</i>
11/03/2015	


CASE SUMMARY

CASE NO. D-14-497399-R

 Notice of Withdrawal

Filed by: Respondent Peterson, Mistie
Notice of Withdrawal


11/13/2015

 Notice of Appeal

Filed By: Respondent Peterson, Mistie
Notice of Appeal

HEARINGS

08/13/2014

 **Hearing for Termination of Parental Rights** (10:00 AM) (Hearing Master: Gibson, David, Jr.)

Resource: Court Clerk Hillhouse, Lillian

Resource: Courtroom Courtroom 20

Hearing Set;

Journal Entry Details:

This matter heard concurrently with case #J-13-329616-P1 (Myreon Lattimore) Department of Family Services (DFS) represented by Angelique Gray. Atty. Vitale confirmed as counsel for the father and requested that the matter be set for trial. Atty. Perez requested that the matter be set for trial and that a Guardian ad Litem be appointed to the mother. COURT RECOMMENDED, Atty. Frank Toti is APPOINTED as Guardian ad Litem for the mother.

Matter set for trial. ;

Hearing Set

<i>Parties Present: Attorney</i>	<i>Perez, Romeo R.</i>
<i>Attorney</i>	<i>Calderon, Christina</i>
<i>Petitioner</i>	<i>State of Nevada</i>
<i>Attorney</i>	<i>Vitale, James, ESQ</i>

11/07/2014

 **Trial** (10:30 AM) (Judicial Officer: Sullivan, Frank P.)

Resource: Court Clerk Hillhouse, Lillian

Resource: Courtroom Courtroom 21

Termination of Parental Rights

MINUTES

 **Status Check** (12/10/2014 at 10:00 AM) (Judicial Officer: Sullivan, Frank P.)

Resource: Court Clerk Hillhouse, Lillian

Resource: Courtroom Courtroom 21

Father's relinquishment/Mother's status/trial setting

Hearing Set

<i>Parties Present: Guardian Ad Litem</i>	<i>Toti, Frank</i>
<i>Attorney</i>	<i>Perez, Romeo R.</i>
<i>Attorney</i>	<i>Messmore, Jeffrey W.</i>
<i>Petitioner</i>	<i>State of Nevada</i>
<i>Attorney</i>	<i>Vitale, James, ESQ</i>
<i>Respondent</i>	<i>Lattimore, Myreon</i>

Matter Heard;

Journal Entry Details:

(Myreon Lattimore, Jr.) Department of Family Services (DFS) represented by Angelique Gray. Father present in custody. DA Messmore advised that the mother is at Lakes Crossing who will not transport. The mother's release date is unknown. Atty. Toti advised that he last had communication with the mother ten days ago and she was lucid at that time. Atty. Vitale advised that the father is willing to consider relinquishing his rights as part of an open adoption agreement and requested that the matter be set for status check. COURT ORDERED, matter set for status check. ;

Matter Heard

<i>Parties Present: Guardian Ad Litem</i>	<i>Toti, Frank</i>
<i>Attorney</i>	<i>Perez, Romeo R.</i>
<i>Attorney</i>	<i>Messmore, Jeffrey W.</i>
<i>Petitioner</i>	<i>State of Nevada</i>
<i>Attorney</i>	<i>Vitale, James, ESQ</i>
<i>Respondent</i>	<i>Lattimore, Myreon</i>

SCHEDULED HEARINGS

CASE SUMMARY

CASE NO. D-14-497399-R



Status Check (12/10/2014 at 10:00 AM) (Judicial Officer: Sullivan, Frank P.)

Resource: Court Clerk Hillhouse, Lillian

Resource: Courtroom Courtroom 21

*Father's relinquishment/Mother's status/trial setting
Hearing Set*

<i>Parties Present:</i>	<i>Guardian Ad Litem</i>	<i>Toti, Frank</i>
	<i>Attorney</i>	<i>Perez, Romeo R.</i>
	<i>Attorney</i>	<i>Messmore, Jeffrey W.</i>
	<i>Petitioner</i>	<i>State of Nevada</i>
	<i>Attorney</i>	<i>Vitale, James, ESQ</i>
	<i>Respondent</i>	<i>Lattimore, Myreon</i>

12/10/2014



Status Check (10:00 AM) (Judicial Officer: Sullivan, Frank P.)

Resource: Court Clerk Hillhouse, Lillian

Resource: Courtroom Courtroom 21

Father's relinquishment/Mother's status/trial setting

MINUTES



Trial (02/06/2015 at 10:30 AM) (Judicial Officer: Sullivan, Frank P.)

02/06/2015, 02/12/2015, 03/11/2015

Resource: Court Clerk Jenkins, Kristan

Resource: Courtroom Courtroom 21

*Termination of Parental Rights
Continued Due to Non-Appearance of Litigant*

<i>Parties Present:</i>	<i>Attorney</i>	<i>Perez, Romeo R.</i>
	<i>Attorney</i>	<i>Messmore, Jeffrey W.</i>
	<i>Petitioner</i>	<i>State of Nevada</i>
	<i>Attorney</i>	<i>Vitale, James, ESQ</i>
	<i>Respondent</i>	<i>Lattimore, Myreon</i>
	<i>Attorney</i>	<i>Perez, Romeo R.</i>
	<i>Attorney</i>	<i>Messmore, Jeffrey W.</i>
	<i>Petitioner</i>	<i>State of Nevada</i>
	<i>Attorney</i>	<i>Vitale, James, ESQ</i>
	<i>Respondent</i>	<i>Lattimore, Myreon</i>
	<i>Attorney</i>	<i>Perez, Romeo R.</i>
	<i>Attorney</i>	<i>Messmore, Jeffrey W.</i>
	<i>Petitioner</i>	<i>State of Nevada</i>
	<i>Attorney</i>	<i>Vitale, James, ESQ</i>
	<i>Respondent</i>	<i>Lattimore, Myreon</i>

Hearing Set;

Journal Entry Details:

(Myreon Lattimore, Jr.) Department of Family Services (DFS) not represented. Father present in custody. Atty. Perez advised that the mother has competency trial scheduled for 12/17/14 and requested a thirty day status check or that the matter be continued. Atty. Vitale had no objections to the matter being continued and advised he still needed to meet with the foster parents about an open adoption agreement. Father stated he would like to take the matter to trial. COURT entered DENIALS on behalf of the mother and father and ORDERED, matter set for trial. ;

Hearing Set

<i>Parties Present:</i>	<i>Guardian Ad Litem</i>	<i>Toti, Frank</i>
	<i>Attorney</i>	<i>Perez, Romeo R.</i>
	<i>Attorney</i>	<i>Messmore, Jeffrey W.</i>
	<i>Petitioner</i>	<i>State of Nevada</i>
	<i>Attorney</i>	<i>Vitale, James, ESQ</i>
	<i>Respondent</i>	<i>Lattimore, Myreon</i>

SCHEDULED HEARINGS



Trial (02/06/2015 at 10:30 AM) (Judicial Officer: Sullivan, Frank P.)

02/06/2015, 02/12/2015, 03/11/2015

Resource: Court Clerk Jenkins, Kristan

Resource: Courtroom Courtroom 21

Termination of Parental Rights

CASE SUMMARY

CASE NO. D-14-497399-R

Continued Due to Non-Appearance of Litigant

Parties Present: Attorney Perez, Romeo R.
 Attorney Messmore, Jeffrey W.
 Petitioner State of Nevada
 Attorney Vitale, James, ESQ
 Respondent Lattimore, Myreon
 Attorney Perez, Romeo R.
 Attorney Messmore, Jeffrey W.
 Petitioner State of Nevada
 Attorney Vitale, James, ESQ
 Respondent Lattimore, Myreon
 Attorney Perez, Romeo R.
 Attorney Messmore, Jeffrey W.
 Petitioner State of Nevada
 Attorney Vitale, James, ESQ
 Respondent Lattimore, Myreon

02/06/2015



Trial (10:30 AM) (Judicial Officer: Sullivan, Frank P.)

02/06/2015, 02/12/2015, 03/11/2015

Resource: Court Clerk Jenkins, Kristan

Resource: Courtroom Courtroom 21

Termination of Parental Rights

Continued Due to Non-Appearance of Litigant;
 Continued for Necessary Witness Attendance;
 Continued for Necessary Witness Attendance;
 Journal Entry Details:

SEE MINUTES IN ALL PENDING MATTERS.....;

Continued Due to Non-Appearance of Litigant;
 Continued for Necessary Witness Attendance;
 Continued for Necessary Witness Attendance;
 Journal Entry Details:

(Myreon Lattimore Jr) Department of Family Services (DFS) represented by Angelique Gray. Father, present and in the custody of the Nevada Department of Corrections (NDOC). Court noted counsel indicated concerns about mother's competency. Attorney Frank Toti is mothers appointed Guardian Ad Litem and he had to leave due to an appearance in another courtroom. Court further noted Attorney Toti does not think mother is competent to go to trial in this case. Mother has a competency hearing set for 2/20/15 in her criminal case. Court advised parties going forward today as to mother would invite an appeal. Court further advised mother has indicated to her counsel she is afraid of father and the matter should be bi-furcated as well. Court noted the State can proceed as to father today. Matter trailed until 1:30pm. Matter recalled. Parties present: DDA Jeffrey Messmore, DFS Specialist Angelique Gray, Special Public Defender (SPD) James Vitale and father. SPD James Vitale invoked the exclusionary rule. Court noted due to time constraints counsel has opted to defer opening statements at this time. Witnesses SWORN and TESTIFIED per worksheet. Exhibits MARKED and ADMITTED per worksheet. COURT ORDERED, Matter CONTINUED, Matter SET for STATUS CHECK: MOTHER'S COMPETENCY. ;

Continued Due to Non-Appearance of Litigant;
 Continued for Necessary Witness Attendance;
 Continued for Necessary Witness Attendance;
 Journal Entry Details:

(Myreon Lattimore Jr) Department of Family Services (DFS) represented by Angelique Gray. father, present and in the custody of High Desert State Prison (HDSP). Court noted there was a transport order sent however, mother was not transported for today's hearing. Court further noted mother had a competency hearing on 12/17/2014 and was deemed competent to go to trial. At mother's trial it was set for another competency hearing which is scheduled for 2/20/2015. State advised the minor has been in care for 2 years. State requested to proceed with the trial. Special Public Defender (SPD) James Vitale advised he is not prepared to go forward today and requested a one week continuance. Court noted we will proceed forward with father at the continuance date. If mother is competent then we will proceed forward with her as well. COURT ORDERED, Matter CONTINUED. ;

Continued Due to Non-Appearance of Litigant

Parties Present: Attorney Perez, Romeo R.
 Attorney Messmore, Jeffrey W.
 Petitioner State of Nevada

CASE SUMMARY**CASE NO. D-14-497399-R**

Attorney Vitale, James, ESQ
 Respondent Lattimore, Myreon
 Attorney Perez, Romeo R.
 Attorney Messmore, Jeffrey W.
 Petitioner State of Nevada
 Attorney Vitale, James, ESQ
 Respondent Lattimore, Myreon
 Attorney Perez, Romeo R.
 Attorney Messmore, Jeffrey W.
 Petitioner State of Nevada
 Attorney Vitale, James, ESQ
 Respondent Lattimore, Myreon

03/11/2015

Status Check (9:00 AM) (Judicial Officer: Sullivan, Frank P.)

Resource: Court Clerk Jenkins, Kristan

Resource: Courtroom Courtroom 21

Mother's Competency

Matter Heard;

Journal Entry Details:

*SEE MINUTES IN ALL PENDING MATTERS....;**Matter Heard*

Parties Present: Attorney Perez, Romeo R.
 Attorney Messmore, Jeffrey W.
 Petitioner State of Nevada
 Attorney Vitale, James, ESQ
 Respondent Lattimore, Myreon

03/11/2015

**All Pending Matters (9:00 AM)** (Judicial Officer: Sullivan, Frank P.)

Resource: Court Clerk Jenkins, Kristan

Resource: Courtroom Courtroom 21

Matter Heard;

Journal Entry Details:

(Myreon Lattimore Jr) Department of Family Services (DFS) represented by Angelique Gray. Court noted there were concerns with mother's competency at the last hearing. Attorney Romeo Perez advised mother was deemed competent and there is a calendar call set in her criminal case for 4/7/2015. Attorney Perez requested to be excused from the remainder of the hearing. Special Public Defender (SPD) James Vitale objected to Detective Schmidt and Officer Darrington testifying as they were not listed on the original witness list. State advised after the last hearing it was deemed necessary for them to testify and an amended witness was filed and served almost 1 month ago. Court advised parties based on the amended witness list being filed a month ago he will allow the witnesses to testify. Witnesses SWORN and TESTIFIED per worksheet. COURT ORDERED, Matter SET for STATUS CHECK: MOTHER'S COMPETENCY. Matter in RECESS until 4/14/15. ;

Matter Heard

Parties Present: Attorney Perez, Romeo R.
 Attorney Messmore, Jeffrey W.
 Petitioner State of Nevada
 Attorney Vitale, James, ESQ
 Respondent Lattimore, Myreon

04/14/2015

**Trial (9:00 AM)** (Judicial Officer: Sullivan, Frank P.)

Resource: Court Clerk Jenkins, Kristan

Resource: Courtroom Courtroom 21

Under Advisement;

Journal Entry Details:

*SEE MINUTES IN ALL PENDING MATTERS....;**Under Advisement*

Parties Present: Attorney Messmore, Jeffrey W.
 Petitioner State of Nevada
 Attorney Vitale, James, ESQ
 Respondent Lattimore, Myreon

04/14/2015

**Status Check (9:00 AM)** (Judicial Officer: Sullivan, Frank P.)**04/14/2015, 05/13/2015, 07/15/2015**

CASE SUMMARY

CASE NO. D-14-497399-R

Resource: Court Clerk Jenkins, Kristan

Resource: Courtroom Courtroom 21

Mother's Competency/Medical Records

Continued Due to Non-Appearance of Litigant;

Matter Continued;

Decision Made;

Journal Entry Details:

(Myreon Lattimore Jr) Department of Family Services (DFS) represented by Angelique Gray. Special Public Defender (SPD) James Vitale advised father's rights have been provisionally terminated pending the outcome of mother's trial. State advised he did receive mother's records from Lake's Crossing and forwarded a copy to all counsel. State requested the matter be set for trial. Attorney Romeo Perez advised he received the medical records and they are quite lengthy. Attorney Perez requested the trial be set out 45-60 days so he can prepare for trial. Attorney Perez noted Lake's Crossing will not transport mother for the trial. COURT ORDERED, Matter SET for TRIAL. ;

Continued Due to Non-Appearance of Litigant;

Matter Continued;

Decision Made;

Journal Entry Details:

(Myreon Lattimore, Jr.) Department of Family Services (DFS) represented by Angelique Gray. Attorney Frank Toti, Guardian Ad Litem (GAL) for mother, present. Attorney Romeo Perez indicated that the mother was found not competent at Lake's Crossing. State advised that it would like to subpoena the mother's medical records at Lake's Crossing for the trial. Attorney Frank Toti was in agreement with obtaining the mother's medical records and setting the matter for a status check. COURT advised he would set the matter for a status check in 60 days to allow time to obtain the medical records as to mother's competency. COURT ORDERED, Request for Medical Records is GRANTED. Matter SET for STATUS CHECK:MEDICAL RECORDS. ;

Continued Due to Non-Appearance of Litigant;

Matter Continued;

Decision Made;

Journal Entry Details:

SEE MINUTES IN ALL PENDING MATTERS....;

Continued Due to Non-Appearance of Litigant

Parties Present: Guardian Ad Litem Toti, Frank

Attorney Perez, Romeo R.

Attorney Messmore, Jeffrey W.

Petitioner State of Nevada

Attorney Vitale, James, ESQ

Respondent Lattimore, Myreon

Guardian Ad Litem Toti, Frank

Attorney Perez, Romeo R.

Attorney Messmore, Jeffrey W.

Petitioner State of Nevada

Attorney Vitale, James, ESQ

Attorney Perez, Romeo R.

Attorney Messmore, Jeffrey W.

Petitioner State of Nevada

Attorney Vitale, James, ESQ

04/14/2015



All Pending Matters (9:00 AM) (Judicial Officer: Sullivan, Frank P.)

Resource: Court Clerk Jenkins, Kristan

Resource: Courtroom Courtroom 21

Matter Heard for all Pending Matters;

Journal Entry Details:

STATUS CHECK (MOTHER'S COMPETENCY)....TRIAL.... (Myreon Lattimore Jr) Department of Family Services (DFS) represented by Angelique Gray. Father, present and in the custody of the Nevada Department of Corrections (NDOC). Attorney Romeo Perez advised mother was not transported for today's hearing. Attorney Perez further advised mother is awaiting another competency hearing in her criminal case which is scheduled for May 8, 2015. Attorney Perez requested this matter be continued as to mother until after May 8. COURT ORDERED, Matter CONTINUED as to mother only. Attorney Romeo Perez and Attorney Frank Toti were excused from the courtroom. Special Public Defender (SPD) James Vitale invoked the exclusionary rule. Witnesses SWORN and TESTIFIED per worksheet. Matter

CASE SUMMARY**CASE NO. D-14-497399-R**

trailed for lunch. Matter recalled. Parties present: DDA Jeff Messmore, DFS Specialist Angelique Gray, SPD James Vitale and father. Witnesses SWORN and TESTIFIED per worksheet. Exhibits MARKED and ADMITTED per worksheet. Closing Arguments. COURT ORDERED, Matter taken UNDER ADVISEMENT. Matter SET for DECISION. ;

Matter Heard for all Pending Matters

Parties Present:	Guardian Ad Litem	Toti, Frank
	Attorney	Perez, Romeo R.
	Attorney	Messmore, Jeffrey W.
	Petitioner	State of Nevada
	Attorney	Vitale, James, ESQ
	Respondent	Lattimore, Myreon

04/28/2015



Decision (11:00 AM) (Judicial Officer: Sullivan, Frank P.)

Resource: Court Clerk Hillhouse, Lillian

Resource: Courtroom Courtroom 21

Granted;

Journal Entry Details:

(Myreon Lattimore, Jr.) Department of Family Services (DFS) represented by Angelique Gray. Father present, in custody from the Southern Desert Correctional Center (SDCC). COURT reviewed the case and stated FINDINGS. COURT FURTHER FINDS, the State has met its burden by clear and convincing evidence. The best interest of the subject minors would be served by termination of parental rights on the grounds of unfitness, failure of parental adjustment, and token efforts. COURT ORDERED, the Petition to Terminate Parental Rights shall be TERMINATED as to Respondent father Myreon Lattimore. The State shall file the Order. ;

Granted

Parties Present:	Attorney	Messmore, Jeffrey W.
	Petitioner	State of Nevada
	Attorney	Vitale, James, ESQ
	Respondent	Lattimore, Myreon

09/10/2015



Trial (9:00 AM) (Judicial Officer: Sullivan, Frank P.)

Resource: Court Clerk Jenkins, Kristan

Resource: Courtroom Courtroom 21

Mother - FIRM

Under Advisement;

Journal Entry Details:

(Myreon Lattimore Jr) Department of Family Services (DFS) represented by Angelique Gray. Court noted the Petition for Termination of Parental Rights (TPR) was granted as to father on 4/28/2015 and was continued multiple times due to mother's competency. Attorney Romeo Perez advised mother was just transported to Lake's Crossing last Thursday. Attorney Perez requested a continuance for mother to be present to assist with her defense. Attorney Frank Toti joined in Attorney Perez's request for a continuance as he has not had a chance to speak with mother and is not even sure she is aware of what is happening. State objected to a continuance as the minor needs permanency and this matter has been continued numerous times. State advised mother has been appointed counsel and a guardian ad litem. State noted mother has been deemed incompetent to stand trial in the criminal case however, criminal protections do not apply in civil cases. Attorney Perez advised even though mother was deemed incompetent by the criminal court she still has the right to due process and moving forward today would violate that right. Attorney Perez noted he needs mother's assistance preparing for trial. Discussion regarding mother's competency. Court advised the TPR Petition was filed 5/22/2014 and the minor has the right to permanency. Court further advised trial will move forward today as to mother. COURT ORDERED, Request for Continuance is DENIED. Opening Statements WAIVED. Witnesses SWORN and TESTIFIED per worksheet. Exhibits MARKED and ADMITTED per worksheet. Matter TRAILED for lunch. Matter RECALLED with same parties present. Closing Arguments by counsel. COURT ORDERED, Matter taken UNDER ADVISEMENT. ;

Under Advisement

Parties Present:	Guardian Ad Litem	Toti, Frank
	Attorney	Perez, Romeo R.
	Petitioner	State of Nevada
	Attorney	Vitale, James, ESQ
	Attorney	Richter, Stephanie N

09/21/2015



Decision (9:00 AM) (Judicial Officer: Sullivan, Frank P.)

CASE SUMMARY

CASE NO. D-14-497399-R

Resource: Court Clerk Jenkins, Kristan

Resource: Courtroom Courtroom 21

Granted;

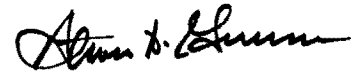
Journal Entry Details:

(Myreon Lattimore Jr) Department of Family Services (DFS) represented by Angelique Gray. Court reviewed case history, trial testimony and trial exhibits. Court advised he continued this matter numerous times based on mother's competency issues and they never resolved and she was not able to assist her counsel in this case. COURT FINDS, based on clear and convincing evidence the State has met its burden and the presumption of NRS 128.109.1b apply, the minor has been outside the home for 14 of 20 consecutive months. COURT ORDERED, the Petition is GRANTED as to Respondent mother, Mistie Peterson on grounds of Token Efforts, Failure of Parental Adjustment, Neglect, Unfitness and Best Interest of the minor. Exhibit 1 shall be held in a CONFIDENTIAL envelope due to the nature of the documentation. Attorney Frank Toti shall be permitted to WITHDRAW as Guardian Ad Litem for mother. State to submit the Order. ;

Granted

<i>Parties Present:</i>	<i>Guardian Ad Litem</i>	<i>Toti, Frank</i>
	<i>Attorney</i>	<i>Perez, Romeo R.</i>
	<i>Petitioner</i>	<i>State of Nevada</i>
	<i>Attorney</i>	<i>Smith, Gwynneth F.</i>

FFCL
STEVEN B. WOLFSON
District Attorney
Nevada State Bar No.1565
By: Stephanie Richter
Deputy District Attorney
Juvenile Division
Nevada Bar No. 12075
601 N. Pecos
Las Vegas, NV 89101
(702) 455-5320



CLERK OF THE COURT

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

In the Matter of the Parental Rights as to)

MYREON MARTELLI LATTIMORE, JR.,)

A Minor(s).)

Case No. D-14-497399-R
Department 0
Courtroom 21

FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER TERMINATING PARENTAL RIGHTS OF MISTIE LEE PETERSON

The above-entitled matter came on for a trial before the Court on the 10th day of September, 2015. Present at the hearing were the Petitioners, the Department of Family Services (DFS), by and through Case Manager Angelique Gray, and Clark County District Attorney STEVEN B. WOLFSON, by and through his Deputy District Attorney Stephanie Richter. Romeo Perez, Esq., was present on behalf of Respondent mother, Mistie Lee Peterson, who was not present. Frank Toti was present as the Guardian ad Litem for Mistie Lee Peterson. James Vitale, Esq., was present on behalf of Respondent legal or legally presumed father, Myreon Lattimore Sr., who was not present. All notices required by law and orders of this Court were served as proved by the pleadings on file herein. The State has met its burden by clear and convincing evidence, and the Court, being fully advised in the premises on the facts and the law, makes its Findings of Fact, Conclusions of Law and final Order as follows:

FINDINGS OF FACT

I

The Court has jurisdiction of the subject matter involved and of the parties.

Non-Trial Dispositions:

- | | |
|--|--|
| <input type="checkbox"/> Other | <input type="checkbox"/> Settled/Withdrawn: |
| <input type="checkbox"/> Dismissed - Want of Prosecution | <input type="checkbox"/> Without Judicial Conf/Hrg |
| <input type="checkbox"/> Involuntary (Statutory) Dismissal | <input type="checkbox"/> With Judicial Conf/Hrg |
| <input type="checkbox"/> Default Judgment | <input type="checkbox"/> By ADR |
| <input type="checkbox"/> Transferred | |

Trial Dispositions:

- 1- ☐ Disposed After Trial Start ☒ Judgment Reached by Trial

II

MYREON MARTELLI LATTIMORE, JR. was born on November 12, 2012 in Las Vegas, Clark County, Nevada.).

III

MYREON MARTELLI LATTIMORE, JR. currently resides in foster care in Clark County, Nevada, licensed by the Clark County Department of Family Services.

IV

MYREON MARTELLI LATTIMORE, JR. was adjudicated a neglected child and made a Ward of the Eighth Judicial Court, Juvenile Division, in Case No. J-13-329616-P1, and placed into the custody of the Department of Family Services. MYREON MARTELLI LATTIMORE, JR. was placed into physical custody on January 25, 2013 and the Clark County Department of Family Services has maintained legal custody of MYREON MARTELLI LATTIMORE, JR. since March 7, 2013.

V

The birth certificate for MYREON MARTELLI LATTIMORE, JR., issued by the State of Nevada - Division of Health, Section of Vital Statistics lists MISTIE LEE PETERSON as the mother and MYREON MARTELLI LATTIMORE as the father. It is unknown if MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE PERTERSEN, was married at the time of the birth of MYREON MARTELLI LATTIMORE, JR.. Therefore, pursuant to NRS 126.051, NRS 126.053, or NRS 126.161, MYREON MARTELLI LATTIMORE, aka MYREON LATTIMORE, aka MYREON M LATTIMORE, aka MYRSON M LATTIMORE, aka DONALD MARTELLO BAILEY, aka MYRON M LATTIMORE, aka MOOK-G, aka MYRON MARTELLI LATTIMOORE, aka MYREON MARTELLO LATTIMORE, aka MYRON M LATTMORE, aka MYREON M LATIMORE is the legal or legally presumed father of MYREON MARTELLI LATTIMORE, JR.

VI

MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE PERTERSEN is a necessary and proper parties to these proceedings.

VII

When MYREON MARTELLI LATTIMORE, JR. was born on November 12, 2012, MISTIE

1 LEE PETERSON indicated that MYREON MARTELLI LATTIMORE, JR. was not her child and
2 attempted to take another child from the NICU. As a result, MISTIE LEE PETERSON was placed on a
3 Legal 2000 psychiatric hold. MYREON MARTIELLI LATTIMORE, JR. was placed with his father in
4 the home with a safety plan.

5 VIII

6 On or about January 24, 2013, MISTIE LEE PETERSON took MYREON MARTELLI
7 LATTIMORE, JR. to the hospital indicating that the child was communicating with her at two months
8 of age. MISTIE LEE PETERSON was placed on a Legal 2000 psychiatric hold and MYREON
9 MARTELLI LATTIMORE, JR. was removed from the care of his father.

10 IX

11 MISTIE LEE PETERSON received a case plan filed approved by the court on May 7, 2013.
12 They key component of the case plan was mental health. According to medical records, MISTIE LEE
13 PETERSON has had approximately 72 admissions to mental health hospitals since age 13 including at
14 least six inpatient hospitalizations since January 2013. MISTIE LEE PETERSON had a diagnosis of
15 schizoaffective disorder and cocaine abuse. MISTIE LEE PETERSON suffers from auditory
16 hallucinations and paranoid delusions.

17 X

18 When MYREON MARTELLI LATTIMORE, JR. was approximately ten months old, MISTIE
19 LEE PETERSON indicated that MYREON was communicating telepathically with her.

20 XI

21 From November 2013 through May 2015, MISTIE LEE PETERSON maintained that the child
22 in the custody of the Department of Family Services was not her child. At various times MISTIE LEE
23 PETERSON maintained that the child had been switched, died in an accident, had been adopted or that
24 she did not have a child.

25 XII

26 While the child was in the custody of the Department of Family Services, MISTIE LEE
27 PETERSON was arrested for first degree kidnapping of a child. MISTIE LEE PETERSON is currently
28 at Lake's Crossing. She was most recently found incompetent in May 2015 based on the evaluations

1 Dr. Mortillaro and Dr. Colosimo.

2 XIII

3 The Petition to Terminate Parental Rights was filed on May 22, 2014. The trial concerning
4 MISTIE LEE PETERSON'S parental rights was continued multiple times to allow MISTIE LEE
5 PETERSON time to attempt to become competent so that she could assist counsel in this matter.
6 MISTIE LEE PETERSON is currently at Lake's Crossing as she has been determined incompetent to
7 stand trial in a criminal case.

8 XIV

9 Pursuant to NRS 128.014, MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE
10 PERTERSEN has neglected MYREON MARTELLI LATTIMORE, JR., in that she has failed to
11 provide this child with proper parental care by reason of her faults or habits, has neglected or refused to
12 provide proper or necessary subsistence, education, medical or surgical care, or other care necessary for
13 the child's health, morals or well-being. MISTIE LEE PETERSON has been unable to care for
14 MYREON MARTELLI LATTIMORE, JR. throughout this life.

15 XV

16 Pursuant to NRS 128.105(2)(c), MISTIE LEE PETERSON, aka MISTIE PETERSON, aka
17 MISTIE PERTERSEN is an unfit parent in that she has by reason of her faults, habits or conduct, failed
18 to provide MYREON MARTELLI LATTIMORE, JR., with proper care, guidance and support.
19 MISTIE LEE PETERSON has been unable to care for the needs of MYREON MARTELLI
20 LATTIMORE, JR. for extended periods of time.

21 XVI

22 Pursuant to NRS 128.105(2)(d), MISTIE LEE PETERSON, aka MISTIE PETERSON, aka
23 MISTIE PERTERSEN has failed within a reasonable period of time to remedy substantially conditions
24 which led to MYREON MARTELLI LATTIMORE, JR.,'s foster placement, even though appropriate
25 and reasonable efforts have been made on the part of state agencies and others to return and to reunite
26 with MYREON MARTELLI LATTIMORE, JR.

27 ...

28 ...

1 XVII

2 Pursuant to NRS 128.105(2)(f), MISTIE LEE PETERSON, aka MISTIE PETERSON, aka
3 MISTIE PERTERSEN has made only token efforts to support or communicate with MYREON
4 MARTELLI LATTIMORE, JR. to prevent neglect of this child; to avoid being an unfit parent and to
5 eliminate the risk of serious physical, mental and emotional injury to this child. MISTIE LEE
6 PETERSON does not know acknowledge MYREON MARTELLI LATTIMORE, JR., as her child due
7 to her mental health and has failed to maintain contact with either her child or the Department of Family
8 Services.

9 XVIII

10 The presumptions of NRS 128.109(1)(a), 128.109(1)(b), and 128.109(2) apply to the detriment
11 of MISTIE LEE PETERSON. MYREON MARTELLI LATTIMORE, JR. has remained out of the
12 home for fourteen (14) of the previous twenty (20) months, and MISTIE LEE PETERSON failed to
13 comply substantially with the terms and conditions of her case plan within six months after MYREON
14 MARTELLI LATTIMORE, JR. was placed or the plan commenced. The Court found that MISTIE LEE
15 PETERSON did not rebut the presumptions.

16 XIX

17 Pursuant to NRS 128.105 (1), 128.107 and 128.108, the best interests of MYREON MARTELLI
18 LATTIMORE, JR. will be served by terminating the parental rights of MISTIE LEE PETERSON.
19 MYREON MARTELLI LATTIMORE, JR. has been in his foster placement since two months of age.
20 MISTIE PETERSON has not bonded with MYREON due to her mental health and failure to acknowledge
21 MYREON as her child.

22 XX

23 Any finding of fact construed to constitute a conclusion of law is hereby adopted as a conclusion of
24 law to the same effect as if it had been so designated.

25 CONCLUSIONS OF LAW

26 I

27 The Court has jurisdiction of the subject matter and of the parties pursuant to NRS 128.020.

28 ...

II

MISTIE LEE PETERSON is the natural mother of MYREON MARTELLI LATTIMORE, JR.

III

Pursuant to NRS 128.014, MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE PERTERSEN has neglected MYREON MARTELLI LATTIMORE, JR., in that she has failed to provide this child with proper parental care by reason of her faults or habits, has neglected or refused to provide proper or necessary subsistence, education, medical or surgical care, or other care necessary for the child's health, morals or well-being.

IV

Pursuant to NRS 128.105(2)(c), MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE PERTERSEN is an unfit parent in that she has by reason of her faults, habits or conduct, failed to provide MYREON MARTELLI LATTIMORE, JR., with proper care, guidance and support.

V

Pursuant to NRS 128.105(2)(d), MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE PERTERSEN has failed within a reasonable period of time to remedy substantially conditions which led to MYREON MARTELLI LATTIMORE, JR.'s foster placement, even though appropriate and reasonable efforts have been made on the part of state agencies and others to return and to reunite with MYREON MARTELLI LATTIMORE, JR.

VI

Pursuant to NRS 128.105(2)(f), MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE PERTERSEN has made only token efforts to support or communicate with MYREON MARTELLI LATTIMORE, JR., to prevent neglect of this child; to avoid being an unfit parent and to eliminate the risk of serious physical, mental and emotional injury to this child.

VII

The presumptions of NRS 128.109(1)(a), 128.109(1)(b), and 128.109(2) apply to the detriment of MISTIE LEE PETERSON. MYREON MARTELLI LATTIMORE, JR. has remained out of the home for fourteen (14) of the previous twenty (20) months, and MISTIE LEE PETERSON failed to comply substantially with the terms and conditions of her case plan within six months after MYREON

1 MARTELLI LATTIMORE, JR. was placed or the plan commenced. The Court found that MISTIE LEE
2 PETERSON did not rebut the presumptions.

3 VIII

4 Pursuant to NRS 128.105 (1), 128.107 and 128.108, the best interests of MYREON MARTELLI
5 LATTIMORE, JR. will be served by terminating the parental rights of MISTIE LEE PETERSON.

6 IX

7 Petitioner has proved by clear and convincing evidence that the interests of MYREON
8 MARTELLI LATTIMORE, JR. would be best served by the termination of the parent-child relationship
9 absolutely and forever and that parental fault exists.

10 X

11 Petitioner has proved by clear and convincing evidence that MISTIE LEE PETERSON, aka
12 MISTIE PETERSON, aka MISTIE PERTERSEN is an unsuitable parent based on neglect, unfitness,
13 failure of parental adjustment and token efforts.

14 XI

15 The parental rights of MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE
16 PERTERSEN should be terminated, and the minor child should be declared free from the custody, care
17 and control of the parents.

18 XII

19 Any conclusion of law construed to constitute a finding of fact is hereby adopted as a finding of
20 fact to the same extent as if it had been so designated.

21 **ORDER AND DECREE**

22 In view of the foregoing Findings of Fact and Conclusions of Law, it is hereby

23 **ORDERED, ADJUDGED AND DECREED** that the parental rights of MISTIE LEE
24 PETERSON, aka MISTIE PETERSON, aka MISTIE PERTERSEN are terminated absolutely and forever;
25 it is further

26 **ORDERED, ADJUDGED AND DECREED** that MYREON MARTELLI LATTIMORE, JR. is
27 declared free from the custody and control of MISTIE LEE PETERSON, aka MISTIE PETERSON, aka
28 MISTIE PERTERSEN is a necessary and proper parties to these proceedings; it is further

1 **ORDERED, ADJUDGED AND DECREED** that the custody and control of MYREON
2 MARTELLI LATTIMORE JR. is vested in the Department of Family Services of the State of Nevada
3 with authority to place the minor child/children for adoption; it is further

4 **ORDERED, ADJUDGED AND DECREED** that the County of Clark pay the costs and expenses
5 in connection with this proceeding particularly including the costs of publication of notice heretofore
6 ordered by this Court and such Findings of Fact and Recommendations are hereby made an Order of the
7 Eighth Judicial District Court of Nevada, Juvenile Division.

8 Dated this 7 day of October, 2015 .



DISTRICT COURT JUDGE (PS)

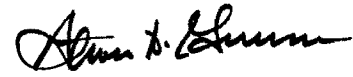
FRANK P SULLIVAN

9
10 Submitted by:

11 STEVEN B. WOLFSON
12 District Attorney

13 By: Stephanie Richter
14 Stephanie Richter
15 Deputy District Attorney
16 Juvenile Division
17 Nevada Bar No. 12075 12075
18 601 N. Pecos Road, #470
19 Las Vegas, NV 89101
20 (702) 455-5320
21
22
23
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27
28

NEOJ
STEVEN B. WOLFSON
District Attorney
Nevada State Bar No.1565
By: STEPHANIE RICHTER
Deputy District Attorney
Nevada Bar No. 12075
601 N. Pecos
Las Vegas, NV 89101
(702) 455-5320


CLERK OF THE COURT

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

In the Matter of the Parental Rights as to:

MYREON MARTELLI LATTIMORE, JR.,

A Minor.

Case No. D-14-497399-R
Department O

NOTICE OF ENTRY OF ORDER

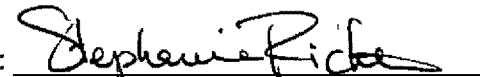
TO: Mistie Peterson and Myreon Lattimore.

PLEASE TAKE NOTICE that a Findings of Fact, Conclusions of Law and Order Terminating Parental Rights of Mistie Lee Peterson was entered by the Court in the above-captioned case on October 8, 2015 and the attached is a true copy thereof.

DATED this 8th day of October, 2015.

Submitted by:

STEVEN B. WOLFSON
District Attorney

By: 

STEPHANIE RICHTER
Nevada Bar No. 12075
Deputy District Attorney
601 N. Pecos
Las Vegas, NV 89101

SR/trr

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CERTIFICATE OF MAILING

I hereby certify that service of Findings of Fact, Conclusions of Law and Order Terminating Parental Rights was made this 8th day of October, 2015, via electronic mail and/or by depositing a copy in the U.S. Mail, postage prepaid addressed to the following:

ROMEO PEREZ, Esq.
3100 E. Charleston, #112
Las Vegas, Nevada 89104
romeorperez@hotmail.com

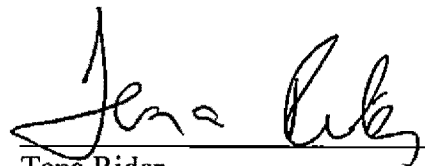
JAMES D. VITALE, ESQ.
Deputy Special Public Defender
330 S. Third Street, 8th Floor
Las Vegas, Nevada 89101

James.Vitale@ClarkCountyNV.gov

FRANK J. TOTI, ESQ.
6900 Westcliff Avenue, #500
Las Vegas, Nevada 89145
frank@fjtesq.com

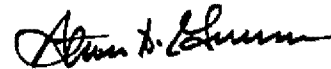
MISTIE LEE PETERSON
1705 Yale St., #104
North Las Vegas, Nevada 89030

MYREON MARTELLI LATTIMORE,
ID#1107281
Southern Desert Correctional Center
P.O. Box 208
Indian Springs, Nevada 89070



Tena Rider
Legal Secretary II
District Attorney - Juvenile Division

FFCL
STEVEN B. WOLFSON
District Attorney
Nevada State Bar No. 1565
By: Stephanie Richter
Deputy District Attorney
Juvenile Division
Nevada Bar No. 12075
601 N. Pecos
Las Vegas, NV 89101
(702) 455-5320



CLERK OF THE COURT

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

In the Matter of the Parental Rights as to

MYREON MARTELLI LATTIMORE, JR.,

A Minor(s).

Case No. D-14-497399-R
Department 0
Courtroom 21

**FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER TERMINATING PARENTAL RIGHTS OF MISTIE LEE PETERSON**

The above-entitled matter came on for a trial before the Court on the 10th day of September, 2015. Present at the hearing were the Petitioners, the Department of Family Services (DFS), by and through Case Manager Angelique Gray, and Clark County District Attorney STEVEN B. WOLFSON, by and through his Deputy District Attorney Stephanie Richter. Romeo Perez, Esq., was present on behalf of Respondent mother, Mistie Lee Peterson, who was not present. Frank Toti was present as the Guardian ad Litem for Mistie Lee Peterson. James Vitale, Esq., was present on behalf of Respondent legal or legally presumed father, Myreon Lattimore Sr., who was not present. All notices required by law and orders of this Court were served as proved by the pleadings on file herein. The State has met its burden by clear and convincing evidence, and the Court, being fully advised in the premises on the facts and the law, makes its Findings of Fact, Conclusions of Law and final Order as follows:

FINDINGS OF FACT

I

The Court has jurisdiction of the subject matter involved and of the parties.

Non-Trial Dispositions:

- | | |
|--|--|
| <input type="checkbox"/> Other | <input type="checkbox"/> Settled/Withdrawn: |
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| <input type="checkbox"/> Transferred | |

Trial Dispositions:

- 1- ☐ Disposed After Trial Start ☐ Judgment Reached by Trial

1 II

2 MYREON MARTELLI LATTIMORE, JR. was born on November 12, 2012 in Las Vegas,
3 Clark County, Nevada.).

4 III

5 MYREON MARTELLI LATTIMORE, JR. currently resides in foster care in Clark County,
6 Nevada, licensed by the Clark County Department of Family Services.

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8 MYREON MARTELLI LATTIMORE, JR. was adjudicated a neglected child and made a Ward of
9 the Eighth Judicial Court, Juvenile Division, in Case No. J-13-329616-P1, and placed into the custody of
10 the Department of Family Services. MYREON MARTELLI LATTIMORE, JR. was placed into physical
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12 custody of MYREON MARTELLI LATTIMORE, JR. since March 7, 2013.

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14 The birth certificate for MYREON MARTELLI LATTIMORE, JR., issued by the State of
15 Nevada - Division of Health, Section of Vital Statistics lists MISTIE LEE PETERSON as the mother
16 and MYREON MARTELLI LATTIMORE as the father. It is unknown if MISTIE LEE PETERSON,
17 aka MISTIE PETERSON, aka MISTIE PERTERSEN was married at the time of the birth of MYREON
18 MARTELLI LATTIMORE, JR.. Therefore, pursuant to NRS 126.051, NRS 126.053, or NRS 126.161,
19 MYREON MARTELLI LATTIMORE, aka MYREON LATTIMORE, aka MYREON M
20 LATTIMORE, aka MYRSON M LATTIMORE, aka DONALD MARTELLO BAILEY, aka MYRON
21 M LATTIMORE, aka MOOK-G, aka MYRON MARTELLI LATTIMOORE, aka MYREON
22 MARTELLO LATTIMORE, aka MYRON M LATTMORE, aka MYREON M LATIMORE is the legal
23 or legally presumed father of MYREON MARTELLI LATTIMORE, JR.

24 VI

25 MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE PERTERSEN is a necessary
26 and proper parties to these proceedings.

27 VII

28 When MYREON MARTELLI LATTIMORE, JR. was born on November 12, 2012, MISTIE

1 LEE PETERSON indicated that MYREON MARTELLI LATTIMORE, JR. was not her child and
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15 XV

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17 MISTIE PERTERSEN is an unfit parent in that she has by reason of her faults, habits or conduct, failed
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27 ...

28 ...

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17 Pursuant to NRS 128.105 (1), 128.107 and 128.108, the best interests of MYREON MARTELLI
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23 Any finding of fact construed to constitute a conclusion of law is hereby adopted as a conclusion of
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25 CONCLUSIONS OF LAW

26 I

27 The Court has jurisdiction of the subject matter and of the parties pursuant to NRS 128.020.

28 ...

II

MISTIE LEE PETERSON is the natural mother of MYREON MARTELLI LATTIMORE, JR.

III

Pursuant to NRS 128.014, MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE PERTERSEN has neglected MYREON MARTELLI LATTIMORE, JR., in that she has failed to provide this child with proper parental care by reason of her faults or habits, has neglected or refused to provide proper or necessary subsistence, education, medical or surgical care, or other care necessary for the child's health, morals or well-being.

IV

Pursuant to NRS 128.105(2)(c), MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE PERTERSEN is an unfit parent in that she has by reason of her faults, habits or conduct, failed to provide MYREON MARTELLI LATTIMORE, JR., with proper care, guidance and support.

V

Pursuant to NRS 128.105(2)(d), MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE PERTERSEN has failed within a reasonable period of time to remedy substantially conditions which led to MYREON MARTELLI LATTIMORE, JR.'s foster placement, even though appropriate and reasonable efforts have been made on the part of state agencies and others to return and to reunite with MYREON MARTELLI LATTIMORE, JR.

VI

Pursuant to NRS 128.105(2)(f), MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE PERTERSEN has made only token efforts to support or communicate with MYREON MARTELLI LATTIMORE, JR., to prevent neglect of this child; to avoid being an unfit parent and to eliminate the risk of serious physical, mental and emotional injury to this child.

VII

The presumptions of NRS 128.109(1)(a), 128.109(1)(b), and 128.109(2) apply to the detriment of MISTIE LEE PETERSON. MYREON MARTELLI LATTIMORE, JR. has remained out of the home for fourteen (14) of the previous twenty (20) months, and MISTIE LEE PETERSON failed to comply substantially with the terms and conditions of her case plan within six months after MYREON

1 MARTELLI LATTIMORE, JR. was placed or the plan commenced. The Court found that MISTIE LEE
2 PETERSON did not rebut the presumptions.

3 VIII

4 Pursuant to NRS 128.105 (1), 128.107 and 128.108, the best interests of MYREON MARTELLI
5 LATTIMORE, JR. will be served by terminating the parental rights of MISTIE LEE PETERSON.

6 IX

7 Petitioner has proved by clear and convincing evidence that the interests of MYREON
8 MARTELLI LATTIMORE, JR. would be best served by the termination of the parent-child relationship
9 absolutely and forever and that parental fault exists.

10 X

11 Petitioner has proved by clear and convincing evidence that MISTIE LEE PETERSON, aka
12 MISTIE PETERSON, aka MISTIE PERTERSEN is an unsuitable parent based on neglect, unfitness,
13 failure of parental adjustment and token efforts.

14 XI

15 The parental rights of MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE
16 PERTERSEN should be terminated, and the minor child should be declared free from the custody, care
17 and control of the parents.

18 XII

19 Any conclusion of law construed to constitute a finding of fact is hereby adopted as a finding of
20 fact to the same extent as if it had been so designated.

21 **ORDER AND DECREE**

22 In view of the foregoing Findings of Fact and Conclusions of Law, it is hereby

23 **ORDERED, ADJUDGED AND DECREED** that the parental rights of MISTIE LEE
24 PETERSON, aka MISTIE PETERSON, aka MISTIE PERTERSEN are terminated absolutely and forever;
25 it is further

26 **ORDERED, ADJUDGED AND DECREED** that MYREON MARTELLI LATTIMORE, JR. is
27 declared free from the custody and control of MISTIE LEE PETERSON, aka MISTIE PETERSON, aka
28 MISTIE PERTERSEN is a necessary and proper parties to these proceedings; it is further

1 **ORDERED, ADJUDGED AND DECREED** that the custody and control of MYREON
2 MARTELLI LATTIMORE JR. is vested in the Department of Family Services of the State of Nevada
3 with authority to place the minor child/children for adoption; it is further

4 **ORDERED, ADJUDGED AND DECREED** that the County of Clark pay the costs and expenses
5 in connection with this proceeding particularly including the costs of publication of notice heretofore
6 ordered by this Court and such Findings of Fact and Recommendations are hereby made an Order of the
7 Eighth Judicial District Court of Nevada, Juvenile Division.

8 Dated this 7 day of October, 2015.



DISTRICT COURT JUDGE (FS)

FRANK P SULLIVAN

9
10 Submitted by:

11 STEVEN B. WOLFSON
12 District Attorney

13
14 By: Stephanie Richter
15 Stephanie Richter
16 Deputy District Attorney
17 Juvenile Division
18 Nevada Bar No. 12075 12075
19 601 N. Pecos Road, #470
20 Las Vegas, NV 89101
21 (702) 455-5320
22
23
24
25
26
27
28

**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Termination of Parental
Rights - State**

COURT MINUTES

August 13, 2014

D-14-497399-R In the Matter of the Parental Rights of: Myreon Lattimore, Minor(s).

August 13, 2014	10:00 AM	Hearing for Termination of Parental Rights
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HEARD BY:	Gibson, David, Jr.	COURTROOM:	Courtroom 23
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INTAKE OFFICER:	
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PARTIES:

Petitioner: State of Nevada

Attorney: Calderon, Christina

Not Present: Lattimore, Myreon

Attorney: Vitale, James, ESQ

COURT CLERK:	Lillian Hillhouse
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CHARGES:

PLEAS:

DISPOSITION:

SENTENCE:

JOURNAL ENTRIES

- This matter heard concurrently with case #J-13-329616-P1

(Myreon Lattimore) Department of Family Services (DFS) represented by Angelique Gray.

Atty. Vitale confirmed as counsel for the father and requested that the matter be set for trial.

Atty. Perez requested that the matter be set for trial and that a Guardian ad Litem be appointed to the mother.

COURT RECOMMENDED, Atty. Frank Toti is APPOINTED as Guardian ad Litem for the mother. Matter set for trial.

FUTURE HEARINGS:	
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Termination of Parental
Rights - State**

COURT MINUTES

November 07, 2014

D-14-497399-R In the Matter of the Parental Rights of: Myreon Lattimore, Minor(s).

November 07, 2014	10:30 AM	Trial
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HEARD BY:	Sullivan, Frank P.	COURTROOM:	Courtroom 21
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INTAKE OFFICER:	
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PARTIES:	
Guardian Ad Litem: Toti, Frank Petitioner: State of Nevada Respondent: Lattimore, Myreon	Attorney: Messmore, Jeffrey W. Attorney: Vitale, James, ESQ

COURT CLERK:	Lillian Hillhouse
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CHARGES:	
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PLEAS:	
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DISPOSITION:	
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SENTENCE:

JOURNAL ENTRIES

- (Myreon Lattimore, Jr.) Department of Family Services (DFS) represented by Angelique Gray. Father present in custody.

DA Messmore advised that the mother is at Lakes Crossing who will not transport. The mother's release date is unknown.

Atty. Toti advised that he last had communication with the mother ten days ago and she was lucid at that time.

Atty. Vitale advised that the father is willing to consider relinquishing his rights as part of an open adoption agreement and requested that the matter be set for status check.

COURT ORDERED, matter set for status check.

FUTURE HEARINGS:	
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Termination of Parental
Rights - State**

COURT MINUTES

December 10, 2014

D-14-497399-R In the Matter of the Parental Rights of: Myreon Lattimore, Minor(s).

December 10, 2014	10:00 AM	Status Check
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HEARD BY:	Sullivan, Frank P.	COURTROOM:	Courtroom 21
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INTAKE OFFICER:	
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PARTIES:	
Guardian Ad Litem: Toti, Frank Petitioner: State of Nevada Respondent: Lattimore, Myreon	Attorney: Messmore, Jeffrey W. Attorney: Vitale, James, ESQ

COURT CLERK:	Lillian Hillhouse
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CHARGES:	
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PLEAS:	
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DISPOSITION:	
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SENTENCE:

JOURNAL ENTRIES

- (Myreon Lattimore, Jr.) Department of Family Services (DFS) not represented. Father present in custody.

Atty. Perez advised that the mother has competency trial scheduled for 12/17/14 and requested a thirty day status check or that the matter be continued.

Atty. Vitale had no objections to the matter being continued and advised he still needed to meet with the foster parents about an open adoption agreement.

Father stated he would like to take the matter to trial.

COURT entered DENIALS on behalf of the mother and father and ORDERED, matter set for trial.

FUTURE HEARINGS:	
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Termination of Parental
Rights - State**

COURT MINUTES

February 06, 2015

D-14-497399-R In the Matter of the Parental Rights of: Myreon Lattimore, Minor(s).

February 06, 2015	10:30 AM	Trial
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HEARD BY:	Sullivan, Frank P.	COURTROOM:	Courtroom 21
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INTAKE OFFICER:	
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PARTIES:	
Petitioner: State of Nevada	Attorney: Messmore, Jeffrey W.
Respondent: Lattimore, Myreon	Attorney: Vitale, James, ESQ

COURT CLERK:	Kristan Jenkins
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CHARGES:	
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PLEAS:	
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DISPOSITION:	
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SENTENCE:

JOURNAL ENTRIES

- (Myreon Lattimore Jr) Department of Family Services (DFS) represented by Angelique Gray. father, present and in the custody of High Desert State Prison (HDSP).

Court noted there was a transport order sent however, mother was not transported for today's hearing. Court further noted mother had a competency hearing on 12/17/2014 and was deemed competent to go to trial. At mother's trial it was set for another competency hearing which is scheduled for 2/20/2015.

State advised the minor has been in care for 2 years. State requested to proceed with the trial.

Special Public Defender (SPD) James Vitale advised he is not prepared to go forward today and requested a one week continuance.

Court noted we will proceed forward with father at the continuance date. If mother is competent then we will proceed forward with her as well.

COURT ORDERED, Matter CONTINUED.

FUTURE HEARINGS:	
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Termination of Parental
Rights - State**

COURT MINUTES

February 12, 2015

D-14-497399-R In the Matter of the Parental Rights of: Myreon Lattimore, Minor(s).

February 12, 2015	10:00 AM	Trial
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HEARD BY:	Sullivan, Frank P.	COURTROOM:	Courtroom 21
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INTAKE OFFICER:	
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PARTIES:	
Petitioner: State of Nevada	Attorney: Messmore, Jeffrey W.
Respondent: Lattimore, Myreon	Attorney: Vitale, James, ESQ

COURT CLERK:	Kristan Jenkins
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CHARGES:

PLEAS:

DISPOSITION:

SENTENCE:

JOURNAL ENTRIES

- (Myreon Lattimore Jr) Department of Family Services (DFS) represented by Angelique Gray. Father, present and in the custody of the Nevada Department of Corrections (NDOC).

Court noted counsel indicated concerns about mother's competency. Attorney Frank Toti is mothers appointed Guardian Ad Litem and he had to leave due to an appearance in another courtroom. Court further noted Attorney Toti does not think mother is competent to go to trial in this case. Mother has a competency hearing set for 2/20/15 in her criminal case.

Court advised parties going forward today as to mother would invite an appeal. Court further advised mother has indicated to her counsel she is afraid of father and the matter should be bi-furcated as well. Court noted the State can proceed as to father today.

Matter trailed until 1:30pm.

Matter recalled. Parties present: DDA Jeffrey Messmore, DFS Specialist Angelique Gray, Special Public Defender (SPD) James Vitale and father.

SPD James Vitale invoked the exclusionary rule.

Court noted due to time constraints counsel has opted to defer opening statements at this time.

Witnesses SWORN and TESTIFIED per worksheet.

Exhibits MARKED and ADMITTED per worksheet.

COURT ORDERED, Matter CONTINUED, Matter SET for STATUS CHECK: MOTHER'S COMPETENCY.

FUTURE HEARINGS:	
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Termination of Parental
Rights - State**

COURT MINUTES

March 11, 2015

D-14-497399-R In the Matter of the Parental Rights of: Myreon Lattimore, Minor(s).

March 11, 2015	9:00 AM	Status Check
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HEARD BY:	Sullivan, Frank P.	COURTROOM:	Courtroom 21
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INTAKE OFFICER:	
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PARTIES:	
Petitioner: State of Nevada	Attorney: Messmore, Jeffrey W.
Respondent: Lattimore, Myreon	Attorney: Vitale, James, ESQ

COURT CLERK:	Kristan Jenkins
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CHARGES:	
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PLEAS:	
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DISPOSITION:	
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SENTENCE:

JOURNAL ENTRIES	
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- SEE MINUTES IN ALL PENDING MATTERS.....

FUTURE HEARINGS:	
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Termination of Parental
Rights - State**

COURT MINUTES

March 11, 2015

D-14-497399-R In the Matter of the Parental Rights of: Myreon Lattimore, Minor(s).

March 11, 2015	9:00 AM	Trial
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HEARD BY:	Sullivan, Frank P.	COURTROOM:	Courtroom 21
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INTAKE OFFICER:	
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PARTIES:	
Petitioner: State of Nevada	Attorney: Messmore, Jeffrey W.
Respondent: Lattimore, Myreon	Attorney: Vitale, James, ESQ

COURT CLERK:	Kristan Jenkins
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CHARGES:	
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PLEAS:	
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DISPOSITION:	
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SENTENCE:

JOURNAL ENTRIES	
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- SEE MINUTES IN ALL PENDING MATTERS.....

FUTURE HEARINGS:	
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Termination of Parental
Rights - State**

COURT MINUTES

March 11, 2015

D-14-497399-R In the Matter of the Parental Rights of: Myreon Lattimore, Minor(s).

March 11, 2015	9:00 AM	All Pending Matters
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HEARD BY:	Sullivan, Frank P.	COURTROOM:	Courtroom 21
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INTAKE OFFICER:	
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PARTIES:	
Petitioner: State of Nevada	Attorney: Messmore, Jeffrey W.
Respondent: Lattimore, Myreon	Attorney: Vitale, James, ESQ

COURT CLERK:	Kristan Jenkins
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CHARGES:

PLEAS:

DISPOSITION:

SENTENCE:

JOURNAL ENTRIES

- (Myreon Lattimore Jr) Department of Family Services (DFS) represented by Angelique Gray.

Court noted there were concerns with mother's competency at the last hearing.

Attorney Romeo Perez advised mother was deemed competent and there is a calendar call set in her criminal case for 4/7/2015. Attorney Perez requested to be excused from the remainder of the hearing.

Special Public Defender (SPD) James Vitale objected to Detective Schmidt and Officer Darrington testifying as they were not listed on the original witness list.

State advised after the last hearing it was deemed necessary for them to testify and an amended witness was filed and served almost 1 month ago.

Court advised parties based on the amended witness list being filed a month ago he will allow the witnesses to testify.

Witnesses SWORN and TESTIFIED per worksheet.

COURT ORDERED, Matter SET for STATUS CHECK: MOTHER'S COMPETENCY. Matter in RECESS until 4/14/15.

FUTURE HEARINGS:	
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Termination of Parental
Rights - State**

COURT MINUTES

April 14, 2015

D-14-497399-R In the Matter of the Parental Rights of: Myreon Lattimore, Minor(s).

April 14, 2015	9:00 AM	Trial
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HEARD BY:	Sullivan, Frank P.	COURTROOM:	Courtroom 21
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INTAKE OFFICER:	
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PARTIES:	
Petitioner: State of Nevada	Attorney: Messmore, Jeffrey W.
Respondent: Lattimore, Myreon	Attorney: Vitale, James, ESQ

COURT CLERK:	Kristan Jenkins
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CHARGES:	
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PLEAS:	
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DISPOSITION:	
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SENTENCE:

JOURNAL ENTRIES	
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- SEE MINUTES IN ALL PENDING MATTERS....

FUTURE HEARINGS:	
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Termination of Parental
Rights - State**

COURT MINUTES

April 14, 2015

D-14-497399-R In the Matter of the Parental Rights of: Myreon Lattimore, Minor(s).

April 14, 2015	9:00 AM	Status Check
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HEARD BY: Sullivan, Frank P.	COURTROOM: Courtroom 21
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INTAKE OFFICER:	
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PARTIES:	
Guardian Ad Litem: Toti, Frank Petitioner: State of Nevada Respondent: Lattimore, Myreon	Attorney: Messmore, Jeffrey W. Attorney: Vitale, James, ESQ

COURT CLERK:	Kristan Jenkins
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CHARGES:	
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PLEAS:	
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DISPOSITION:	
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SENTENCE:

	JOURNAL ENTRIES
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- SEE MINUTES IN ALL PENDING MATTERS....

FUTURE HEARINGS:	
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Termination of Parental
Rights - State**

COURT MINUTES

April 14, 2015

D-14-497399-R In the Matter of the Parental Rights of: Myreon Lattimore, Minor(s).

April 14, 2015	9:00 AM	All Pending Matters
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HEARD BY:	Sullivan, Frank P.	COURTROOM:	Courtroom 21
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INTAKE OFFICER:	
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PARTIES:	
Guardian Ad Litem: Toti, Frank Petitioner: State of Nevada Respondent: Lattimore, Myreon	Attorney: Messmore, Jeffrey W. Attorney: Vitale, James, ESQ

COURT CLERK:	Kristan Jenkins
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CHARGES:	
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PLEAS:	
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DISPOSITION:	
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SENTENCE:

JOURNAL ENTRIES	
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- STATUS CHECK (MOTHER'S COMPETENCY)....TRIAL....

(Myreon Lattimore Jr) Department of Family Services (DFS) represented by Angelique Gray. Father, present and in the custody of the Nevada Department of Corrections (NDOC).

Attorney Romeo Perez advised mother was not transported for today's hearing. Attorney Perez further advised mother is awaiting another competency hearing in her criminal case which is scheduled for May 8, 2015. Attorney Perez requested this matter be continued as to mother until after May 8.

COURT ORDERED, Matter CONTINUED as to mother only.

Attorney Romeo Perez and Attorney Frank Toti were excused from the courtroom.

Special Public Defender (SPD) James Vitale invoked the exclusionary rule.

Witnesses SWORN and TESTIFIED per worksheet.

Matter trailed for lunch.

Matter recalled. Parties present: DDA Jeff Messmore, DFS Specialist Angelique Gray, SPD James Vitale and father.

Witnesses SWORN and TESTIFIED per worksheet.

Exhibits MARKED and ADMITTED per worksheet.

Closing Arguments.

COURT ORDERED, Matter taken UNDER ADVISEMENT. Matter SET for DECISION.

FUTURE HEARINGS:	
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Termination of Parental
Rights - State**

COURT MINUTES

April 28, 2015

D-14-497399-R In the Matter of the Parental Rights of: Myreon Lattimore, Minor(s).

April 28, 2015	11:00 AM	Decision
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HEARD BY:	Sullivan, Frank P.	COURTROOM:	Courtroom 21
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INTAKE OFFICER:	
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PARTIES:	
Petitioner: State of Nevada	Attorney: Messmore, Jeffrey W.
Respondent: Lattimore, Myreon	Attorney: Vitale, James, ESQ

COURT CLERK:	Lillian Hillhouse
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CHARGES:	
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PLEAS:	
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DISPOSITION:	
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SENTENCE:

JOURNAL ENTRIES

- (Myreon Lattimore, Jr.) Department of Family Services (DFS) represented by Angelique Gray. Father present, in custody from the Southern Desert Correctional Center (SDCC).

COURT reviewed the case and stated FINDINGS.

COURT FURTHER FINDS, the State has met its burden by clear and convincing evidence. The best interest of the subject minors would be served by termination of parental rights on the grounds of unfitness, failure of parental adjustment, and token efforts. COURT ORDERED, the Petition to Terminate Parental Rights shall be TERMINATED as to Respondent father Myreon Lattimore. The State shall file the Order.

FUTURE HEARINGS:	
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Termination of Parental
Rights - State**

COURT MINUTES

May 13, 2015

D-14-497399-R In the Matter of the Parental Rights of: Myreon Lattimore, Minor(s).

May 13, 2015	10:00 AM	Status Check
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HEARD BY: Sullivan, Frank P.	COURTROOM: Courtroom 21
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INTAKE OFFICER:	
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PARTIES:	
Guardian Ad Litem: Toti, Frank Petitioner: State of Nevada Not Present: Lattimore, Myreon	Attorney: Messmore, Jeffrey W. Attorney: Vitale, James, ESQ

COURT CLERK:	Lenda Murnane
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CHARGES:	
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PLEAS:	
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DISPOSITION:	
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SENTENCE:

	JOURNAL ENTRIES
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- (Myreon Lattimore, Jr.) Department of Family Services (DFS) represented by Angelique Gray. Attorney Frank Toti, Guardian Ad Litem (GAL) for mother, present.

Attorney Romeo Perez indicated that the mother was found not competent at Lake's Crossing.

State advised that it would like to subpoena the mother's medical records at Lake's Crossing for the trial.

Attorney Frank Toti was in agreement with obtaining the mother's medical records and setting the matter for a status check.

COURT advised he would set the matter for a status check in 60 days to allow time to obtain the medical records as to mother's competency.

COURT ORDERED, Request for Medical Records is GRANTED. Matter SET for STATUS CHECK:MEDICAL RECORDS.

FUTURE HEARINGS:	
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Termination of Parental
Rights - State**

COURT MINUTES

July 15, 2015

D-14-497399-R In the Matter of the Parental Rights of: Myreon Lattimore, Minor(s).

July 15, 2015	10:00 AM	Status Check
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HEARD BY:	Sullivan, Frank P.	COURTROOM:	Courtroom 21
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INTAKE OFFICER:	
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PARTIES:	
Petitioner: State of Nevada	Attorney: Messmore, Jeffrey W.
Not Present: Lattimore, Myreon	Attorney: Vitale, James, ESQ

COURT CLERK:	Kristan Jenkins
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CHARGES:	
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PLEAS:	
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DISPOSITION:	
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SENTENCE:

JOURNAL ENTRIES	
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- (Myreon Lattimore Jr) Department of Family Services (DFS) represented by Angelique Gray.

Special Public Defender (SPD) James Vitale advised father's rights have been provisionally terminated pending the outcome of mother's trial.

State advised he did receive mother's records from Lake's Crossing and forwarded a copy to all counsel. State requested the matter be set for trial.

Attorney Romeo Perez advised he received the medical records and they are quite lengthy. Attorney Perez requested the trial be set out 45-60 days so he can prepare for trial. Attorney Perez noted Lake's Crossing will not transport mother for the trial.

COURT ORDERED, Matter SET for TRIAL.

FUTURE HEARINGS:	
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Termination of Parental
Rights - State**

COURT MINUTES

September 10, 2015

D-14-497399-R In the Matter of the Parental Rights of: Myreon Lattimore, Minor(s).

September 10, 2015	9:00 AM	Trial
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HEARD BY:	Sullivan, Frank P.	COURTROOM:	Courtroom 21
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INTAKE OFFICER:	
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PARTIES:	
Guardian Ad Litem: Toti, Frank Petitioner: State of Nevada Not Present: Lattimore, Myreon	Attorney: Richter, Stephanie N Attorney: Vitale, James, ESQ

COURT CLERK:	Kristan Jenkins
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CHARGES:	
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PLEAS:	
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DISPOSITION:	
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SENTENCE:

JOURNAL ENTRIES

- (Myreon Lattimore Jr) Department of Family Services (DFS) represented by Angelique Gray.

Court noted the Petition for Termination of Parental Rights (TPR) was granted as to father on 4/28/2015 and was continued multiple times due to mother's competency.

Attorney Romeo Perez advised mother was just transported to Lake's Crossing last Thursday. Attorney Perez requested a continuance for mother to be present to assist with her defense.

Attorney Frank Toti joined in Attorney Perez's request for a continuance as he has not had a

chance to speak with mother and is not even sure she is aware of what is happening.

State objected to a continuance as the minor needs permanency and this matter has been continued numerous times. State advised mother has been appointed counsel and a guardian ad litem. State noted mother has been deemed incompetent to stand trial in the criminal case however, criminal protections do not apply in civil cases.

Attorney Perez advised even though mother was deemed incompetent by the criminal court she still has the right to due process and moving forward today would violate that right. Attorney Perez noted he needs mother's assistance preparing for trial.

Discussion regarding mother's competency.

Court advised the TPR Petition was filed 5/22/2014 and the minor has the right to permanency. Court further advised trial will move forward today as to mother.

COURT ORDERED, Request for Continuance is DENIED.

Opening Statements WAIVED.

Witnesses SWORN and TESTIFIED per worksheet.

Exhibits MARKED and ADMITTED per worksheet.

Matter TRAILED for lunch.

Matter RECALLED with same parties present.

Closing Arguments by counsel.

COURT ORDERED, Matter taken UNDER ADVISEMENT.

FUTURE HEARINGS:	
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Termination of Parental
Rights - State**

COURT MINUTES

September 21, 2015

D-14-497399-R In the Matter of the Parental Rights of: Myreon Lattimore, Minor(s).

September 21, 2015	9:00 AM	Decision
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HEARD BY:	Sullivan, Frank P.	COURTROOM:	Courtroom 21
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INTAKE OFFICER:	
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PARTIES:	
Guardian Ad Litem: Toti, Frank Petitioner: State of Nevada	Attorney: Smith, Gwynneth F.

COURT CLERK:	Kristan Jenkins
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CHARGES:	
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PLEAS:	
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DISPOSITION:	
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SENTENCE:

JOURNAL ENTRIES

- (Myreon Lattimore Jr) Department of Family Services (DFS) represented by Angelique Gray.

Court reviewed case history, trial testimony and trial exhibits.

Court advised he continued this matter numerous times based on mother's competency issues and they never resolved and she was not able to assist her counsel in this case.

COURT FINDS, based on clear and convincing evidence the State has met its burden and the presumption of NRS 128.109.1b apply, the minor has been outside the home for 14 of 20 consecutive months. COURT ORDERED, the Petition is GRANTED as to Respondent mother, Mistie Peterson on grounds of Token Efforts, Failure of Parental Adjustment,

Neglect, Unfitness and Best Interest of the minor. Exhibit 1 shall be held in a CONFIDENTIAL envelope due to the nature of the documentation. Attorney Frank Toti shall be permitted to WITHDRAW as Guardian Ad Litem for mother. State to submit the Order.

FUTURE HEARINGS:	
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EXHIBITS

CASE NO: D-14-497399-R

[illegible]

EXHIBITS

OFFERED

ADMITTED

DATE _____

OBJ

DATE _____

[illegible]



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

AARON D. GRIGSBY, ESQ.
624 S. 10TH STREET
LAS VEGAS, NV 89101

DATE: November 18, 2015
CASE: D497399

RE CASE: In the Matter of the Parental Rights of: MYREON LATTIMORE

NOTICE OF APPEAL FILED: November 13, 2015

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS NOT TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)**
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☒ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

***Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.**

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; DISTRICT COURT DOCKET ENTRIES; FAMILY COURT COVER SHEET; FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER TERMINATING PARENTAL RIGHTS OF MISTIE LEE PETERSON; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

In the Matter of the Parental Rights of:

MYREON LATTIMORE, Minor(s).

Case No: D497399

Dept No: O

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 18 day of November 2015.

Steven D. Grierson, Clerk of the Court

Mary Kielty

Mary Kielty, Deputy Clerk