

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

**INDICATE FULL CAPTION:**

IN THE MATTER OF THE PARENTAL  
RIGHTS AS TO M.M.L., JR., A MINOR

No. 69210

Electronically Filed  
Dec 04 2015 10:04 a.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

DOCKETING STATEMENT  
CIVIL APPEALS

**GENERAL INFORMATION**

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

**WARNING**

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

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

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

1. Judicial District Eighth Department O  
County Clark Judge Frank Sullivan  
District Ct. Case No. D-14-497399-R

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

Attorney Aaron D. Grigsby Telephone (702) 202-5235  
Firm Grigsby Law Group  
Address 624 S. Tenth Street,  
Las Vegas, Nevada 89101

Client(s) Mistie Peterson

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

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

Attorney Stephanie Richter Telephone (702) 455-5320  
Firm Clark County District Attorney Office Juvenile Division  
Address 601 N. Pecos Road  
Las Vegas, Nevada 89101

Client(s) State of Nevada

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

Firm \_\_\_\_\_

Address \_\_\_\_\_

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

(List additional counsel on separate sheet if necessary)

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

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

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

- ☐ Child Custody  
☐ Venue  
☒ Termination of parental rights

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

N/A

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

In the Matter of Myreon Lattimore J-13-329616-P1, is currently open and pending

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

Petition for termination of parental rights D-14-497399-R. Natural father's rights terminated on May 15, 2015. Natural mother rights terminated on October 13, 2015

**9. Issues on appeal.** State concisely the principal issue(s) in this appeal (attach separate sheets as necessary):

1. Whether a parent has a constitutional right to be present and participate in a termination of parental rights action.
2. Whether a litigant deemed incompetent to proceed and involuntarily held in a state hospital by court order in a criminal matter is competent to proceed in a civil case.
3. Whether a parents inability to effectively communicate and assist counsel precludes proceeding to trial and a termination of parental rights action.

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

N/A



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

☒ N/A

☐ Yes

☐ No

If not, explain:

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

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

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

☒ A substantial issue of first impression

☒ An issue of public policy

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

☐ A ballot question

If so, explain:

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

Was it a bench or jury trial? bench trial

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

## TIMELINESS OF NOTICE OF APPEAL

15. Date of entry of written judgment or order appealed from October 13, 2015

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

16. Date written notice of entry of judgment or order was served October 13, 2015

Was service by:

☐ Delivery

☒ Mail/electronic/fax

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

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

☐ NRCP 50(b)      Date of filing N/A

☐ NRCP 52(b)      Date of filing N/A

☐ NRCP 59      Date of filing N/A

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

(b) Date of entry of written order resolving tolling motion N/A

(c) Date written notice of entry of order resolving tolling motion was served N/A

Was service by:

☐ Delivery

☐ Mail

18. Date notice of appeal filed November 13, 2015

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

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

NRAP 4(a)(1)

### SUBSTANTIVE APPEALABILITY

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

(a)

- |   |                                       |
|---|---------------------------------------|
| <input checked="" type="checkbox"/> NRAP 3A(b)(1) | <input type="checkbox"/> NRS 38.205   |
| <input type="checkbox"/> NRAP 3A(b)(2)            | <input type="checkbox"/> NRS 233B.150 |
| <input type="checkbox"/> NRAP 3A(b)(3)            | <input type="checkbox"/> NRS 703.376  |
| <input type="checkbox"/> Other (specify) _____    |                                       |

(b) Explain how each authority provides a basis for appeal from the judgment or order:  
NRAP 3A(b) permits an appeal to be taken from a final judgment in an action. Notice of Entry of Order was filed and served by mail on October 13, 2015

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

(a) Parties:

Petitioner: State of Nevada

Respondent: Mistie Peterson

Respondent: Myreon Lattimore

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

The parental rights of Myreon Lattimore were terminated in a separate trial on May 15, 2015. The time for Myreon Lattimore to appeal has already run.

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

Petition to terminate parental rights filed by the State of Nevada on May 22, 2014. A Contested Hearing was held before Honorable Judge Frank Sullivan on September 21, 2015. Findings of Fact and Order Terminating Parental Rights filed October 13, 2015.

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

☒ Yes

☐ No

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

(a) Specify the claims remaining pending below:



(b) Specify the parties remaining below:

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

☐ Yes

☐ No

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

☐ Yes

☐ No

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

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

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

## VERIFICATION

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

Mistie Peterson  
Name of appellant

Aaron D. Grigsby  
Name of counsel of record

December 3, 2015  
Date

\_\_\_\_\_  
Signature of counsel of record

\_\_\_\_\_  
State and county where signed

## CERTIFICATE OF SERVICE

I certify that on the 3rd day of December, 2015, I served a copy of this completed docketing statement upon all counsel of record:

- ☐ By personally serving it upon him/her; or
- ☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attach a separate sheet with the addresses.)

Stephanie Richter  
Clark County District Attorney Office  
Juvenile Division  
601 N. Pecos Road  
Las Vegas, Nevada 89101

Dated this 3rd day of December, 2015

\_\_\_\_\_  
Signature

  
CLERK OF THE COURT

PTPRS  
STEVEN B. WOLFSON  
DISTRICT ATTORNEY  
Nevada Bar No. 1565  
By: JENNIFER I. KUHLMAN  
Chief Deputy District Attorney  
Nevada Bar No. 10113  
601 N. Pecos Road, #470  
Las Vegas, NV 89101  
(702) 455-5320

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  
Courtroom 20 - HM Gibson

**PETITION TO TERMINATE PARENTAL RIGHTS**

The verified petition of ANGELIQUE GRAY, Case Worker for the Clark County Department of Family Services, Las Vegas, Nevada respectfully shows to the Court as follows:

I

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

II

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

III

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.



IV

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..

V

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

VI

The address of the Clark County Department of Family Services is Clark County, Nevada. The address of MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE PERTERSEN is 1705 Yale Street, #104, North Las Vegas, Nevada 89030. The address of 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 at Southern Desert Correctional Center, ID#1107281, 20825 Cold Creek Road, Indian Springs, Nevada 89070, and has a mailing address of P.O. Box 208, Indian Springs, Nevada 89070. The Clark County Department of Family Services does not



1 know any relatives' addresses in the State of Nevada.

2 VII

3 As defined in NRS 128.012, MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE  
4 PERTERSEN and MYREON MARTELLI LATTIMORE, aka MYREON LATTIMORE, aka  
5 MYREON M LATTIMORE, aka MYRSON M LATTIMORE, aka DONALD MARTELLO BAILEY,  
6 aka MYRON M LATTIMORE, aka MOOK-G, aka MYRON MARTELLI LATTIMOORE, aka  
7 MYREON MARTELLO LATTIMORE, aka MYRON M LATTMORE, aka MYREON M LATIMORE  
8 have abandoned MYREON MARTELLI LATTIMORE, JR., in that for at least the last six (6) months,  
9 they have conducted themselves in a manner that evinces a settled purpose to forego all parental custody  
10 and relinquish all claims to this child. Further, since the period of abandonment is in excess of six (6)  
11 months, it is presumed that MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE  
12 PERTERSEN and MYREON MARTELLI LATTIMORE, aka MYREON LATTIMORE, aka  
13 MYREON M LATTIMORE, aka MYRSON M LATTIMORE, aka DONALD MARTELLO BAILEY,  
14 aka MYRON M LATTIMORE, aka MOOK-G, aka MYRON MARTELLI LATTIMOORE, aka  
15 MYREON MARTELLO LATTIMORE, aka MYRON M LATTMORE, aka MYREON M LATIMORE  
16 intended to abandon MYREON MARTELLI LATTIMORE, JR..

17 VIII

18 Pursuant to NRS 128.014, MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE  
19 PERTERSEN and MYREON MARTELLI LATTIMORE, aka MYREON LATTIMORE, aka  
20 MYREON M LATTIMORE, aka MYRSON M LATTIMORE, aka DONALD MARTELLO BAILEY,  
21 aka MYRON M LATTIMORE, aka MOOK-G, aka MYRON MARTELLI LATTIMOORE, aka  
22 MYREON MARTELLO LATTIMORE, aka MYRON M LATTMORE, aka MYREON M LATIMORE  
23 have neglected MYREON MARTELLI LATTIMORE, JR., in that they have failed to provide this child  
24 with proper parental care by reason of their faults or habits, have neglected or refused to provide proper  
25 or necessary subsistence, education, medical or surgical care, or other care necessary for the child's  
26 health, morals or well-being.

27 ///

28 ///

IX

Pursuant to NRS 128.105(2)(c), MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE PERTERSEN and 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 are unfit parents in that they have by reason of their faults, habits or conduct, failed to provide MYREON MARTELLI LATTIMORE, JR. with proper care, guidance and support.

X

Pursuant to NRS 128.105(2)(d), MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE PERTERSEN and 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 have 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 MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE PERTERSEN and 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 with MYREON MARTELLI LATTIMORE, JR..

XI

Pursuant to NRS 128.105(2)(e), MISTIE LEE PETERSON, aka MISTIE PETERSON, aka MISTIE PERTERSEN and 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



1 pose the risk of serious physical, mental or emotional injury to MYREON MARTELLI LATTIMORE,  
2 JR. if he were to be returned to his parent or parents.

3 XII

4 Pursuant to NRS 128.105(2)(f), MISTIE LEE PETERSON, aka MISTIE PETERSON, aka  
5 MISTIE PERTERSEN and MYREON MARTELLI LATTIMORE, aka MYREON LATTIMORE, aka  
6 MYREON M LATTIMORE, aka MYRSON M LATTIMORE, aka DONALD MARTELLO BAILEY,  
7 aka MYRON M LATTIMORE, aka MOOK-G, aka MYRON MARTELLI LATTIMOORE, aka  
8 MYREON MARTELLO LATTIMORE, aka MYRON M LATTMORE, aka MYREON M LATIMORE  
9 have made only token efforts to support or communicate with MYREON MARTELLI LATTIMORE,  
10 JR., to prevent neglect of this child; to avoid being unfit parents and to eliminate the risk of serious  
11 physical, mental and emotional injury to this child.

12 XIII

13 Pursuant to NRS 128.105 (1), 128.107 and 128.108, the best interests of MYREON MARTELLI  
14 LATTIMORE, JR. will be served by the termination of parental rights of MISTIE LEE PETERSON,  
15 aka MISTIE PETERSON, aka MISTIE PERTERSEN and MYREON MARTELLI LATTIMORE, aka  
16 MYREON LATTIMORE, aka MYREON M LATTIMORE, aka MYRSON M LATTIMORE, aka  
17 DONALD MARTELLO BAILEY, aka MYRON M LATTIMORE, aka MOOK-G, aka MYRON  
18 MARTELLI LATTIMOORE, aka MYREON MARTELLO LATTIMORE, aka MYRON M  
19 LATTMORE, aka MYREON M LATIMORE.

20 XIV

21 This Honorable Court has jurisdiction of this matter, pursuant to NRS 128.020, in that the acts  
22 complained of herein occurred in Clark County, Nevada.


23 XV

24 To the best knowledge, information and belief of Petitioner, no legal guardian has been  
25 appointed for MYREON MARTELLI LATTIMORE, JR., within the State of Nevada or elsewhere.  
26 MYREON MARTELLI LATTIMORE, JR. is not known to be an Indian child.

27 WHEREFORE, Petitioner prays for an Order terminating the parental rights of MISTIE LEE  
28 PETERSON, aka MISTIE PETERSON, aka MISTIE PERTERSEN and MYREON MARTELLI

1 LATTIMORE, aka MYREON LATTIMORE, aka MYREON M LATTIMORE, aka MYRSON M  
2 LATTIMORE, aka DONALD MARTELLO BAILEY, aka MYRON M LATTIMORE, aka MOOK-G,  
3 aka MYRON MARTELLI LATTIMOORE, aka MYREON MARTELLO LATTIMORE, aka MYRON  
4 M LATTMORE, aka MYREON M LATIMORE declaring MYREON MARTELLI LATTIMORE, JR.  
5 to be free from the custody and control of MISTIE LEE PETERSON, aka MISTIE PETERSON, aka  
6 MISTIE PERTERSEN and MYREON MARTELLI LATTIMORE, aka MYREON LATTIMORE, aka  
7 MYREON M LATTIMORE, aka MYRSON M LATTIMORE, aka DONALD MARTELLO BAILEY,  
8 aka MYRON M LATTIMORE, aka MOOK-G, aka MYRON MARTELLI LATTIMOORE, aka  
9 MYREON MARTELLO LATTIMORE, aka MYRON M LATTMORE, aka MYREON M LATIMORE  
10 absolutely and forever.

11 DATED and DONE this 21<sup>st</sup> day of May, 2014.

12  
13   
14 ANGELIQUE GRAY, Case Worker  
15 Clark County Department of Family Services

16 Submitted by:

17 STEVEN B. WOLFSON  
18 DISTRICT ATTORNEY

19   
20 By: JENNIFER I. KUHLMAN  
21 Chief Deputy District Attorney  
22 Nevada Bar No. 10113  
23 601 N. Pecos Road, #470  
24 Las Vegas, NV 89101  
25 (702) 455-5320

26 In re: LATTIMORE Jr, Myreon  
27 JIK/pf/ha (Central-5&U A)  
28



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VERIFICATION

STATE OF NEVADA }  
COUNTY OF CLARK } ss.

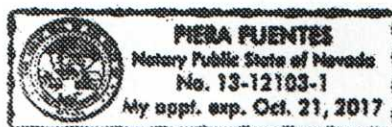
I, ANGELIQUE GRAY, do hereby swear under penalty of perjury that the assertions of this verification are true.

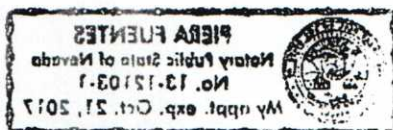
I am a Case Worker for the Clark County Department of Family Services; I have read the foregoing Petition and know the contents thereof; the same is true of my own knowledge except as to those matters therein stated upon information and belief, and as to those matters, I believe them to be true.

  
ANGELIQUE GRAY

SUBSCRIBED and SWORN to before me by  
ANGELIQUE GRAY  
this 21<sup>st</sup> day of May, 2014.

  
\_\_\_\_\_  
NOTARY PUBLIC





  
CLERK OF THE COURT

1 NEOJ  
2 STEVEN B. WOLFSON  
3 District Attorney  
4 Nevada State Bar No.1565  
5 By: STEPHANIE RICHTER  
6 Deputy District Attorney  
7 Nevada Bar No. 12075  
8 601 N. Pecos  
9 Las Vegas, NV 89101  
10 (702) 455-5320

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

9 In the Matter of the Parental Rights as to: )

10 MYREON MARTELLI LATTIMORE, JR., )

11 A Minor. )

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

12  
13 NOTICE OF ENTRY OF ORDER

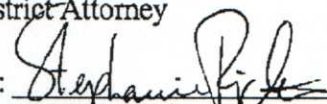
14 TO: Mistie Peterson and Myreon Lattimore.

15 PLEASE TAKE NOTICE that a Findings of Fact, Conclusions of Law and Order Terminating  
16 Parental Rights of Myreon Lattimore was entered by the Court in the above-captioned case on October  
17 13, 2015 and the attached is a true copy thereof.

18 DATED this 13<sup>th</sup> day of October, 2015.

19 Submitted by:

20  
21 STEVEN B. WOLFSON  
22 District Attorney

23 By: 

24 STEPHANIE RICHTER

25 Nevada Bar No. 12075

26 Deputy District Attorney

27 601 N. Pecos

28 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 13th 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  
[romeoperez@hotmail.com](mailto:romeoperez@hotmail.com)

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

[James.Vitale@ClarkCountyNV.gov](mailto:James.Vitale@ClarkCountyNV.gov)

FRANK J. TOTI, ESQ.  
6900 Westcliff Avenue, #500  
Las Vegas, Nevada 89145  
[frank@fjtesq.com](mailto:frank@fjtesq.com)

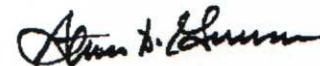
MISTIE LEE PETERSON  
1705 Yale St., #104  
North Las Vegas, Nevada 89030

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





CLERK OF THE COURT

FFCL  
STEVEN B. WOLFSON  
District Attorney  
Nevada State Bar No.1565  
By: Stephanie Richter  
Deputy District Attorney  
Juvenile Division  
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Las Vegas, NV 89101  
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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 MYREON LATTIMORE.**

The above-entitled matter came on for a trial before the Court on the 11th day of March, 2015 and the 14th day of April, 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 Jeffrey Messmore. James Vitale, Esq., was present on behalf of Respondent legal or legally presumed father, Myreon Lattimore Sr., who was 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.

II

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

3 III

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

6 IV

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

12 V

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

23 VI

24 MYREON MARTELLI LATTIMORE, aka MYREON LATTIMORE, aka MYREON M  
25 LATTIMORE, aka MYRSON M LATTIMORE, aka DONALD MARTELLO BAILEY, aka MYRON  
26 M LATTIMORE, aka MOOK-G, aka MYRON MARTELLI LATTIMOORE, aka MYREON  
27 MARTELLO LATTIMORE, aka MYRON M LATTMORE, aka MYREON M LATIMORE is a  
28 necessary and proper parties to these proceedings.



VII

When MYREON MARTELLI LATTIMORE, JR. was born on November 12, 2012, concerns regarding the mental health of Myreon's mother, MISTIE LEE PETERSON resulted in her being placed on a Legal 2000 psychiatric hold. MYREON MARTIELLI LATTIMORE, JR. was released to his father with an in-home safety plan and Boys Town services. The in-home safety plan specified that MYREON MARTELLI LATTIMORE, JR. was not to be left alone with MISTIE LEE PETERSON due to her mental health concerns including schizoaffective bipolar disorder.

VIII

The Department of Family Services closed its case in December 2013 with the recommendation not to leave the child alone with his mother. Boys Town submitted a summary upon their closure of services in January 2013 indicating that MISTIE LEE PETERSON had made minimal progress in taking her medicine as prescribed and that the family should continue with the safety plan of the mother being supervised and not left alone with MYREON MARTELLI LATTIMORE, JR.

IX

On or about January 24, 2013, MISTIE LEE PETERSON took MYREON MARTELLI LATTIMORE, JR. to the hospital indicating that the child was communicating with her at two months of age. MYREON MARTELLI LATTIMORE had left the child alone with MISTIE LEE PETERSON that day. MISTIE LEE PETERSON was placed on a Legal 2000 psychiatric hold and MYREON MARTELLI LATTIMORE, JR. was removed from the care of his father due to concerns regarding the father's understanding of the seriousness of MISTIE LEE PETERSON'S mental health issues.

X

A protective custody hearing was held on January 29, 2013. MYREON MARTELLI LATTIMORE did not appear. A Petition alleging Abuse/Neglect was filed on February 7, 2013. The allegations as to MYREON MARTELLI LATTIMORE were failure to protect and prior domestic violence convictions. MYREON MARTELLI LATTIMORE did not appear at the entry of plea on February 14, 2013. A prove-up was completed and the allegations in the Petition were substantiated against MYREON MARTELLI LATTIMORE.

1 XI

2 MYREON MARTELLI LATTIMORE received a case plan approved by the court on March 7,  
3 2013. They key components of the case plan were parenting and domestic violence.

4 XII

5 MYREON MARTELLI LATTIMORE was arrested on April 20, 2013 for a domestic violence  
6 incident with MISTIE LEE PETERSON. MISTIE LEE PETERSON received injuries requiring  
7 hospitalization to her left eye and face, head, and thumb. MYREON MARTELLI LATTIMORE was  
8 convicted of a Battery with Use of a Deadly Weapon constituting Domestic Violence, a Category B  
9 Felony.

10 XIII

11 MYREON MARTELLI LATTIMORE was visiting with MYREON MARTELLI LATTIMORE,  
12 JR. until his incarceration. Following his incarceration he has had no contact with the child.  
13 Throughout this case, MYREON MARTELLI LATTIMORE has attended one parenting class and one  
14 marriage and family class. MYREON MARTELLI LATTIMORE has not completed any domestic  
15 violence classes.

16 XIV

17 Pursuant to NRS 128.105(2)(c), MYREON MARTELLI LATTIMORE, aka MYREON  
18 LATTIMORE, aka MYREON M LATTIMORE, aka MYRSON M LATTIMORE, aka DONALD  
19 MARTELLO BAILEY, aka MYRON M LATTIMORE, aka MOOK-G, aka MYRON MARTELLI  
20 LATTIMOORE, aka MYREON MARTELLO LATTIMORE, aka MYRON M LATTMORE, aka  
21 MYREON M LATIMORE is an unfit parent in that he has by reason of his faults, habits or conduct,  
22 failed to provide MYREON MARTELLI LATTIMORE, JR. with proper care, guidance and support.

23 XV

24 Pursuant to NRS 128.105(2)(d), MYREON MARTELLI LATTIMORE, aka MYREON  
25 LATTIMORE, aka MYREON M LATTIMORE, aka MYRSON M LATTIMORE, aka DONALD  
26 MARTELLO BAILEY, aka MYRON M LATTIMORE, aka MOOK-G, aka MYRON MARTELLI  
27 LATTIMOORE, aka MYREON MARTELLO LATTIMORE, aka MYRON M LATTMORE, aka  
28 MYREON M LATIMORE has failed within a reasonable period of time to remedy substantially



1 conditions which led to MYREON MARTELLI LATTIMORE, JR.'s foster placement, even though  
2 appropriate and reasonable efforts have been made on the part of state agencies and others to return and  
3 to reunite MYREON MARTELLI LATTIMORE, aka MYREON LATTIMORE, aka MYREON M  
4 LATTIMORE, aka MYRSON M LATTIMORE, aka DONALD MARTELLO BAILEY, aka MYRON  
5 M LATTIMORE, aka MOOK-G, aka MYRON MARTELLI LATTIMOORE, aka MYREON  
6 MARTELLO LATTIMORE, aka MYRON M LATTMORE, aka MYREON M LATIMORE with  
7 MYREON MARTELLI LATTIMORE, JR.

8 XVI

9 Pursuant to NRS 128.105(2)(f), MYREON MARTELLI LATTIMORE, aka MYREON  
10 LATTIMORE, aka MYREON M LATTIMORE, aka MYRSON M LATTIMORE, aka DONALD  
11 MARTELLO BAILEY, aka MYRON M LATTIMORE, aka MOOK-G, aka MYRON MARTELLI  
12 LATTIMOORE, aka MYREON MARTELLO LATTIMORE, aka MYRON M LATTMORE, aka  
13 MYREON M LATIMORE has made only token efforts to support or communicate with MYREON  
14 MARTELLI LATTIMORE, JR. to prevent neglect of this child; to avoid being an unfit parent and to  
15 eliminate the risk of serious physical, mental and emotional injury to this child.

16 XVII

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

23 XVIII

24 Pursuant to NRS 128.105 (1), 128.107 and 128.108, the best interests of MYREON MARTELLI  
25 LATTIMORE, JR. will be served by terminating the parental rights of MYREON MARTELLI  
26 LATTIMORE.

1 XIX

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

4 CONCLUSIONS OF LAW

5 I

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

7 II

8 MYREON MARTELLI LATTIMORE is the legal or legally presumed father of MYREON  
9 MARTELLI LATTIMORE, JR.

10 III

11 Pursuant to NRS 128.105(2)(c), MYREON MARTELLI LATTIMORE, aka MYREON  
12 LATTIMORE, aka MYREON M LATTIMORE, aka MYRSON M LATTIMORE, aka DONALD  
13 MARTELLO BAILEY, aka MYRON M LATTIMORE, aka MOOK-G, aka MYRON MARTELLI  
14 LATTIMOORE, aka MYREON MARTELLO LATTIMORE, aka MYRON M LATTIMORE, aka  
15 MYREON M LATIMORE is an unfit parent in that he has by reason of his faults, habits or conduct,  
16 failed to provide MYREON MARTELLI LATTIMORE, JR. with proper care, guidance and support.

17 IV

18 Pursuant to NRS 128.105(2)(d), MYREON MARTELLI LATTIMORE, aka MYREON  
19 LATTIMORE, aka MYREON M LATTIMORE, aka MYRSON M LATTIMORE, aka DONALD  
20 MARTELLO BAILEY, aka MYRON M LATTIMORE, aka MOOK-G, aka MYRON MARTELLI  
21 LATTIMOORE, aka MYREON MARTELLO LATTIMORE, aka MYRON M LATTIMORE, aka  
22 MYREON M LATIMORE has failed within a reasonable period of time to remedy substantially  
23 conditions which led to MYREON MARTELLI LATTIMORE, JR.'s foster placement, even though  
24 appropriate and reasonable efforts have been made on the part of state agencies and others to return and  
25 to reunite MYREON MARTELLI LATTIMORE, aka MYREON LATTIMORE, aka MYREON M  
26 LATTIMORE, aka MYRSON M LATTIMORE, aka DONALD MARTELLO BAILEY, aka MYRON  
27 M LATTIMORE, aka MOOK-G, aka MYRON MARTELLI LATTIMOORE, aka MYREON  
28



1 MARTELLO LATTIMORE, aka MYRON M LATTMORE, aka MYREON M LATIMORE with  
2 MYREON MARTELLI LATTIMORE, JR.

3 V

4 Pursuant to NRS 128.105(2)(f), MYREON MARTELLI LATTIMORE, aka MYREON  
5 LATTIMORE, aka MYREON M LATTIMORE, aka MYRSON M LATTIMORE, aka DONALD  
6 MARTELLO BAILEY, aka MYRON M LATTIMORE, aka MOOK-G, aka MYRON MARTELLI  
7 LATTIMOORE, aka MYREON MARTELLO LATTIMORE, aka MYRON M LATTMORE, aka  
8 MYREON M LATIMORE has made only token efforts to support or communicate with MYREON  
9 MARTELLI LATTIMORE, JR. to prevent neglect of this child; to avoid being an unfit parent and to  
10 eliminate the risk of serious physical, mental and emotional injury to this child.

11 VI

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

18 VII

19 Pursuant to NRS 128.105 (1), 128.107 and 128.108, the best interests of MYREON MARTELLI  
20 LATTIMORE, JR. will be served by terminating the parental rights of MYREON MARTELLI  
21 LATTIMORE.

22 VIII

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

26 IX

27 Petitioner has proved by clear and convincing evidence that MYREON MARTELLI  
28 LATTIMORE, aka MYREON LATTIMORE, aka MYREON M LATTIMORE, aka MYRSON M

1 LATTIMORE, aka DONALD MARTELLO BAILEY, aka MYRON M LATTIMORE, aka MOOK-G,  
2 aka MYRON MARTELLI LATTIMOORE, aka MYREON MARTELLO LATTIMORE, aka MYRON  
3 M LATTMORE, aka MYREON M LATIMORE is an unsuitable parent based on unfitness, failure of  
4 parental adjustment, and token efforts.

5 X

6 The parental rights of MYREON MARTELLI LATTIMORE, aka MYREON LATTIMORE, aka  
7 MYREON M LATTIMORE, aka MYRSON M LATTIMORE, aka DONALD MARTELLO BAILEY,  
8 aka MYRON M LATTIMORE, aka MOOK-G, aka MYRON MARTELLI LATTIMOORE, aka  
9 MYREON MARTELLO LATTIMORE, aka MYRON M LATTMORE, aka MYREON M LATIMORE  
10 should be terminated, and the minor child should be declared free from the custody, care and control of the  
11 parents.

12 XI

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

15 ORDER AND DECREE

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

17 **ORDERED, ADJUDGED AND DECREED** that the parental rights of MYREON MARTELLI  
18 LATTIMORE, aka MYREON LATTIMORE, aka MYREON M LATTIMORE, aka MYRSON M  
19 LATTIMORE, aka DONALD MARTELLO BAILEY, aka MYRON M LATTIMORE, aka MOOK-G,  
20 aka MYRON MARTELLI LATTIMOORE, aka MYREON MARTELLO LATTIMORE, aka MYRON M  
21 LATTMORE, aka MYREON M LATIMORE are terminated absolutely and forever; it is further

22 **ORDERED, ADJUDGED AND DECREED** that MYREON MARTELLI LATTIMORE, JR. is  
23 declared free from the custody and control of MYREON MARTELLI LATTIMORE, aka MYREON  
24 LATTIMORE, aka MYREON M LATTIMORE, aka MYRSON M LATTIMORE, aka DONALD  
25 MARTELLO BAILEY, aka MYRON M LATTIMORE, aka MOOK-G, aka MYRON MARTELLI  
26 LATTIMOORE, aka MYREON MARTELLO LATTIMORE, aka MYRON M LATTMORE, aka  
27 MYREON M LATIMORE; it is further  
28



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 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 12 day of October, 2015.

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DISTRICT COURT JUDGE

FRANK P SULLIVAN

Submitted by:

STEVEN B. WOLFSON  
District Attorney

By:

  
Stephanie Richter  
Deputy District Attorney  
Juvenile Division  
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