

IN THE SUPREME COURT OF THE STATE OF NEVADA

LYUDMYLA ABID ,

Appellant,

SC

vs.

Appeal No.: 69995

SEAN ABID,

Respondent.

FILED

JAN 25 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

MOTION FOR PERMISSION TO FILE PETITION FOR REHEARING IN EXCESS OF WORD LIMIT

Pursuant to NRAP 40(b) (3), appellant LYUDMYLA ABID, appearing in Proper Person moves for permission to file a petition for rehearing in excess of 4,667 words. The proposed petition which is being submitted with this motion contains (~~7763~~) words. NRAP 40(b) (3) allows the court to grant permission for an oversized petition for rehearing. This case is sufficiently extraordinary and compelling to justify the additional length.

The court's opinion, which was affirmance 7:0 was based on "abuse of discretion" standard of review, while "de novo" standard was more applicable based on violation of Due Process in this case. Federal Wiretap Act Title III, which was enacted by congress in 1968, preempts states laws regarding illegally obtained evidence being used in Civil Courts. Current decision exposes Nevada to "Pandora box". Now each parent who has

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custody of the child does not have privacy and Constitutional protection, because moving forward Family Courts are allowed to use illegally obtained tapes and transcript in court proceedings, can listen them in court hearings and can disseminate illegally obtained tapes to third parties for review and for opinions.

Decision completely undermine Wiretap Act Title III. Criminal Courts can and will take judicial notice of illegally obtained transcripts from Family Courts (in case if content of tapes has criminal activities) and can use that evidence with direct violation of Forth Amendment in their proceedings. Decision directly violates Constitution of Nevada and United States of America since moving forward parents do not have privacy at their homes and using “best interest of the child” can spy on each other until they get recording that can satisfy court for change of custody. This decision will encourage parent to use abusive tactics in custody disputes with purpose obtaining primary or sole custody.

Lyudmyla’s proposed rehearing petition raises significant issues relating to matters she believes the court overlooked and misapprehended in the opinion. Considering the complexity of this appeal, these issues need to be explained thoroughly, to provide the court with sufficient information with which to decide the rehearing petition. Lyudmyla has edited the petition several times, and have attempted to limit the length of the petition without harming its ability to provide the court with enough

information. Lyudmyla respectfully contends that petition cannot be shortened any more, without negatively impacting its value to the court.

Accordingly, Lyudmyla requests the court to grant permission to file a petition for rehearing containing (773) words.

Dated: January 22, 2018

Respectfully submitted;

Lyudmyla Pynkovska

Lyudmyla Pynkovska (Abid)

2167 Montana Pine Dr,

Henderson, NV 89052

Phone: (702) 208-0633

Email: lyuda.pyankovska@freemanco.com

Appellant appearing in Proper Person

CERTIFICATE OF SERVICE

I hereby certify that on the 22h day of January, 2018, Appellant's motion for permission to file petition for rehearing in excess of word limit was served upon the following persons and entities entitled to notice, by mailing a true and complete copy thereof, via US Mail, first class mail, postage prepaid, to the following at their last known address:

John Jones, Esq., Bar No. 006699
Black & LoBello
10777 W. Twain Ave., Suite 300
Las Vegas, Nevada 89135
(702) 869-8801
Attorney for Respondent

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

DATED this 22nd day of January, 2018.



LYUDMYLA ABID
Appellant Appearing in Proper Person