

IN THE SUPREME COURT OF THE STATE OF NEVADA

LYUDMYLA ABID ,

Appellant,

SC Appeal No.: 69995

vs.

SEAN ABID,

Respondent.

FILED

MAY 21 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *J. Hadwin*  
DEPUTY CLERK

**MOTION FOR STAY OF REMITTITUR PENDING APPLICATION FOR CERTIORARI TO THE UNITED STATES SUPREME COURT**

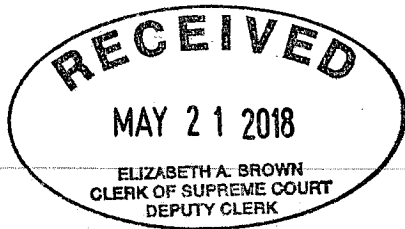
COMES NOW, Appellant, LYUDMYLA ABID, appearing in Proper Person, pursuant to NRAP 41(b), respectfully requests that this Honorable Court grants a 90-day stay of the issuance of the remittitur through and including **July 26, 2018**, pending application to the Supreme Court of the United States for a Writ of Certiorari. This Motion is bases upon the Memorandum of Points and Authorities attached hereto.

DATED this 17 day of May, 2018.

*Lyudmyla Abid*

LYUDMYLA ABID

Appellant Appearing in Proper Person



## MEMORANDUM OF POINTS AND AUTHORITIES

**NRAP 41(a)** provides that a remittitur will issue 25 days after the entry of judgment unless the time is shortened or enlarged by court order. This Court may enter an order staying the remittitur up to 120 days to enable a party to petition the Supreme Court of the United States for a writ of certiorari. **NRAP 41(b)(3)(B)**. To obtain such relief, the party must file a motion to stay the remittitur and serve all parties with that motion. **NRAP 41(b)(3)(A)**.

On December 7, 2017, the *en banc* court filed an Opinion affirming change of child custody based on NOT AUDIO OR VIDEO recorded child interview that was conducted by expert who was tainted by illegally obtained edited tapes (*See Abtd v. Abid*, 133 Nev. Adv. Opn. 94). On February 18, 2018, Appellant filed a Petition for Rehearing in this Court. On April 27, 2018, this Court denied Appellant's Petition for Rehearing.

Given the significant Federal Constitution issues implicated in Abid's case such as violation of Due Process (decision is contrary to opinion in *Gordon v. Geiger*, 133 Nev. Adv. Op. 69 (Sept. 27, 2017)) and violation of Federal Preempted Wiretap Act Title III, Appellant will be filing a Petition for Writ of Certiorari with the Supreme Court of the United States. The Petition for Writ of Certiorari must be filed within 90 days from the date of the denial of

Abid's Petition for Rehearing which would be on or before July 26, 2018. See Rule 13 of the Rules of the Supreme Court of the United States. Therefore, in light of this deadline and in order to ensure that Lyudmyla will have a full opportunity to petition the United States Supreme Court for relief, she respectfully requests a 90-day stay of the remittitur in this case, until July 26, 2018.

Respectfully submitted,

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*Appellant appearing in Proper Person*

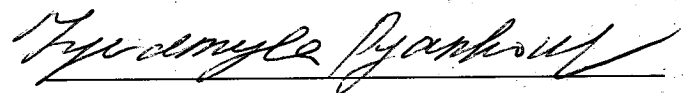
**CERTIFICATE OF SERVICE**

***I*** hereby certify that on the 17th day of May, 2018, the foregoing *Appellant's Motion for stay of Remittitur pending Application for Writ of Cert to the United States Supreme Court*, 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 17th day of May, 2018.



LYUDMYLA ABID  
Appellant Appearing in Proper  
Person