#### IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed May 11 2016 10:03 a.m. Tracie K. Lindeman Clerk of Supreme Court

MICHAEL FOLEY,
Appellant(s),

VS.

PATRICIA FOLEY, Respondent(s), Case No: R-11-162425-R

Docket No: 69997

# RECORD ON APPEAL VOLUME 1

ATTORNEY FOR APPELLANT
MICHAEL A. FOLEY, PROPER PERSON
209 S. STEPHANIE ST., STE. B-191
HENDERSON, NV 89012

ATTORNEY FOR RESPONDENT
PATRICIA FOLEY, PROPER PERSON
8937 AUSTIN RIDGE AVE.
LAS VEGAS, NV 89178

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1 2 3 4 5	NFFR David Roger: District Attorney Nevada Bar No. 662781 Family Support Division 1900 East Flamingo Road, Saite 100 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) Dept D	
7	CLARK COUNT	y, nevada
8 0	Patricia Foley.  Petitioner, )  vs.	Case no. R- 11- 162425 - R Dept. no. CHILD SUPPORT
2	Michael Foloy,	D
3	Respondent.	
3 5 6	NOTICE AND FINDING OF FINANCIAL ADJUST AND/OR REGISTER AN EX CONTROLLING ORDER, ESTABLISH AN OBI Pursuant to Chapter 425 of the Nevada Revised	ISTING ORDER, DETERMINE LIGATION OR DETERMINE PATERNITY
7	that:  Petitioner is the custodian of Respondent's depe	ndent child(ren):
9	Name	Date of birth
20	Michael Foley Elizabeth Foley Therese Foley	October 10, 2000 October 11, 2004 November 23, 1997
22	It is alleged that the attached order from Clark C	Jounty, Nevada, filed September 25, 2009,
23	numbered D-08-403071-D is the controlling order.	
<u>)</u> 4	Respondent currently has a legal obligation to p	ay \$700.00 per month for current child support,
25	\$0.00 per month for medical support (payment in lieu o	f health insurance), \$0.00 per
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		section)

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month for spousal support and \$0.00 per month to reduce the arrearage/debt; therefore, Respondent's total support obligation is \$700.00 per month.

According to the records of the Petitioner and the District Attorney's Office, Family Support Division, the arrearage/debt owed to the Petitioner and/or to a public agency is \$0.00 [] including pregnancy and confinement arrears pursuant to NRS 125B.020 of \$14,560.00 as of April 30, 2011 per the attached affidavit of arrears and/or custodian financial andit.

For cases with a Nevada controlling order, the arrearages will be reduced to judgment and interest will be assessed on all unpaid support balances pursuant to NRS 99.040. A ten percent (10%) penalty will be assessed on each unpaid child support installment (or portion thereof) for cases with a Nevada controlling order pursuant to NRS 125B 095.

Respondent shall provide health insurance coverage for the minor child(ren) per the controlling order, if applicable. Respondent shall provide all reasonable and necessary assistance to enable Petitioner to obtain the medical benefits offered by the policy of insurance, if applicable.

Payments must be made to:

State Collection and Disbursement Unit (SCaDU) PO Box 98950 Las Vegas, NV 89193-8950

Payments may also be made in person at SCaDU, 1900 East Flamingo Road, Las Vegas, Nevada. Additionally, the following information must be included with each payment: name (first, iniddle, last); social security number of the person responsible for paying support; case number; and name (first and last) of the person receiving support.

A hearing date is included with this service. The hearing will proceed as scheduled. Failure to appear may result in an Order and Judgment being entered. Failure to appear at a contempt hearing will result in a bench warrant being issued.

When an Order is entered by the District Court, all procedures authorized by law to enforce: payment of the obligation may be used. These procedures include, but are not limited to, income withholding, income assignment, federal tax refund intercept, judgments, financial institution data match (liens), execution on real and personal property and other actions as deemed necessary.

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kan Megan, transist 2015/1910 1903/1971-1986 - Mille Mills 180-7586 (fini dan terating lancatent)

NAME 23

Hame Serveree	Respondent must notify the District Attorney's Office, Family Support Division, of any changes
2	in Respondent's address, employment, and health insurance coverage.
3	Attached to this notice are important documents. If there are any questions or concerns
4	regarding this Notice or the documents attached hereto. Respondent may call or visit the District
5	Attorney's Office, Family Support Division, and/or consult a licensed attorney.
6	Dated this May of 1724 ,2011
7	
8	Employee, Office of the District Attorney
9	Family Support Division
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SWEETS

DECR
JOHN T. KELLEHER, ESQ.
Nevada Bar No. 006012
KELLEHER & KELLEHER, LLC
807 South Severath Street
Las Vegas, Nevada 89101
(702) 384-7494



Attorney for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

PATRICIA FOLEY..

Plaintiff.

CASE NO. D-08-403071-D DEPT. NO. D

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MICHAEL FOLEY.

Defendant.

#### DECREE OF DIVORCE

THIS MATTER having come on for trial on the 13° day and the 22° of July, 2009; Plaintiff, Patricia Foley, present and represented by Nikki L. Dupree, Esq., of the law firm Kelleher & Kelleher, LLC, Michael Foley, present in proper person, the court having reviewed the papers and pleadings on file herein, having heard the argument of counsel and the testimony of wimesses, the Court, after considering the papers and pleadings on file in this matter, and the Court being fully advised as to the law and the facts of the case FNIDS:

1. That this court has complete jurisdiction in the premises, both as to the subject matter thereof as well as the parties hereto. Patricis Folcy, is now and for more than six weeks preceding the commencement of this action has been, an actual, bona fide resident of the County of Clark, State of Nevada, and during all said period of time has been actually, physically and corporeally present, residing and domiciled in Clark County, State of Nevada. Patricia Folcy's address is 975 Seven Hills Drive, #123, Henderson, Nevada 89052.

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- The parties were married on January 27, 1997 in Las Vegas, Nevada, and have ever since been, and still are, husband and wife.
  - The parties are incompatible in marriage and there is no possibility of reconciliation.
- There are three minor child born the issue of this marriage, to wit: Therese M. Foley born November 23, 1997, Michael A. Foley, Jr. born October 10, 2000 and Elizabeth A. Foley born October 11, 2004. There are no adopted minor children and the Defendant is not pregnant.

#### FINDINGS OF FACT

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IT IS HEREBY ORDERED ADJUDGED AND DECREED that the bonds of matrimony now and heretofore existing between the parties are hereby wholly dissolved, set aside and forever held for naught, and an absolute decree of divorce is hereby granted to the parties, and each of them, are hereby restored to the status of a single, unmarried person.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that PLAINTIFF shall have PRIMARY PHYSICAL CUSTODY of the parties' three (3) minor children.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the parties shall have joint legal custody of the parties' minor children, Michael A. Foley, Jr. and Elizabeth A. Foley. Joint legal custody shall be defined as follows:

The parents shall confer with each other on all important matters pertaining to the child's health, welfare, education, religious training and upbringing to arrive at a harmonious policy to promote the child's best interests, and not to promote the personal desires of either party.

The parents shall confer with each other on all matters regarding the child's health care, including but not limited to, medical, dental, orthodontic, surgical, optical, or psychological, and shall immediately inform the other parent of any health condition of the child except in emergency situations when prior consultations are not possible.

The parents shall confer with each other on all matters pertaining to the religious training and upbringing of the child.

The parents shall confer with each other regarding decisions pertaining to the education and school curriculum of the child.

Each parent shall share with the other parent information concerning the well-being of the child, including, but not limited to, copies of report cards; school meeting notices; vacation schedules; class programs; requests for conferences; results of standardized or diagnostic tests; notices of activities involving the child; samples of school work; order forms for school pictures; and all communications from health care providers, childcare providers, and educators.

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The parents shall confer with each other regarding the extracurricular activities which are available to or contemplated for the child either through the regular school curriculum or outside of the school curriculum, and shall inform the other parent of the times and places of athletic events and extracurricular events of the child so that the other parent shall also have the opportunity to participate in such activities.

Both parents shall be allowed free access to any and all records pertaining to their child. Both parents shall be allowed to confer independently with any and all professionals involved with their child.

Each parent shall keep the other parent informed of his or her respective address, home and work telephone numbers, and shall notify the other parent of any change thereto within twenty-four (24) hours of any change.

Each parent shall be cutified to reasonable telephone communication with the child Each parent is restrained from unreasonably interfering with the child's right to privacy during such telephone conversations with the other parent.

In the event that either perent shall take the child out of state on vacation, that parent shall specifically notify the other parent of the plans in advance and provide a telephone number and itinerary to the other parent.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that PLAINTIFF shall have sole legal custody of the parties' minor child, Therese M. Foley.

IT IS FURTHER ORDERED ADJUDGED AND DECREED the No Contact Order between the minor child Therese and the Defendant shall remain in place. Therese is free to alter the no contact order and if she desires to see Defendant she should be allowed to do so.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that Therese should be engaged in Counseling, as should the Defendant regarding reunification efforts. The counseling Therese engages in must be with a therapist who has not been previously involved in the interviews or family counseling. Defendant is free to engage in the appropriate of his choosing for the child parenting issues. The new therapist can abide by the wishes identified by Da-Brandon-including anger management, and what the Court has heard through this Trial, control issues.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that Defendant shall have unsupervised visitations with the two younger children every other weekend from Friday until Sunday. On the Thursday preceding and the Tuesday following the weekend visitation, Defendant shall have visitation from 3:00 p.m. until 9:00 p.m.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Court's Holiday/Vacation Schedule shall be adopted, a copy of which is attached hereto as Exhibit "1."

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IT IS FURTHER ORDERED ADJUDGED AND DECREED that upon proof of completing therapy and the anger management class, as recommended in the therapist report, Defendant is free to bring a Motion back to the Court for modification. Defendant is NOT to bring a motion before this court before he completes the requirements.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that Defendant shall pay child support in the amount of \$700,00 per month.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that there shall be no award for spousal support.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that Plaintiff shall be awarded attorney's fees from Defendant in the amount of \$2,500.00. This amount is reduced to Judgment and shall be collectible by all lawful means. The amount shall be payable directly to the lew office of Kelleher & Kelleher, LLC.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Court retains iurisdiction to deal with any issues involving asset and debt allocation.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the parties' assets shall be divided as follows:

- 1. Vehicles. Each party shall be awarded the vehicle in their possession and shall be solely liable for the debt associated with that vehicle.
  - 2. Plane. Plaintiff shall be awarded the plane as her sole and separate property.
- 3. Furnishings. The estimated value, at the time of purchase, of the furnishings purchased with community funds is approximately \$3,600.00. The Court Finds the current value to be approximately \$2,000.00. Defendant is currently in possession of the furnishings. Defendant shall pay Plaintiff \$1,000.00, which shall be due and payable within sixty (60) days. If the \$1,000.00 is not paid to Plaintiff, the furniture and furnishings shall be sold and the proceeds shall be split coually.
- 4. Montesol Residence. Defendant shall receive the Montesol Residence as his sole and separate property and shall be solely liable for any encombrance on the residence.
  - 5. Beaumont Residence. Plaintiff shall receive the Beaumont Residence as her sole and

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separate property and shall be solely liable for any encumbrance on the residence.

- 6. Butterworth Residence. Plaintiff shall receive the Butterworth Residence as her sole and separate property and shall be solely liable for any encumbrance on the residence.
- 7. Timeshares. The parties have three (3) timeshares. Defendant shall receive all three timeshares as his sole and separate property. Defendant shall be solely responsible for the maintenance fees and any debt incurred as a result of the timeshares.
- 8. Tax Refund. After the taxes for the 2006 and 2008 tax years are paid and the cost for preparing the tax returns is deducted, the parties shall equally share the remaining proceeds. Defendant received a refund check in the amount of \$3,024.00. Defendant shall provide Kelleher & Kelleher with proof of deductions and cost of preparation and, after the cost is deducted, the remainder of the check shall be equally split.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the parties' debts shall be divided as follows:

- 1. Credit Card Debt. Any credit card in Plaintiff's name shall be her sole and separate debt and she shall hold Defendant hamiless. Any credit card held in Defendant's name shall be his sole and separate debt and he shall hold Plaintiff harmless.
- 2. Montesol Residence. The debt owed on the Montesol Residence shall be Defendant's sole and separate debt. Defendant shall hold Plaintiff harmless therefrom,
- 3. Beaumont Residence. The debt owed on the Beaumont Residence shall be Plaintiff's sole and separate debt. Plaintiff shall hold Defendant harmless therefrom.
- Butterworth Residence. The debt owed on the Butterworth Residence shall be Plaintiff's sole and separate debt. Plaintiff shall hold Defendant harmless therefrom.
  - 5. IRS. Should any debt be owing to the IRS, the parties shall be equally liable.
- Verbicle Losss. Each party shall be liable for the loan on their vehicle and shall hold the other party harmless therefrom.
- Nevada State Bank. The Complaint from Nevada State Bank in the amounts of \$8,935.85 and \$601.00 shall be allocated to Plaintiff as her sole and separate debt. Plaintiff shall hold Defendant harmless therefrom.

IT IS FURTHER ORDERED ADJUDGED AND DECREED regarding the LLC, that 1 anything in Plaintiff's name shall be dissolved in bankruptcy. 2 IT IS FURTHER ORDERED ADJUDGED AND DECREED that Plaintiff shall keep the 3 name Foley. 4 IT IS FURTHER ORDERED ADJUDGED AND DECREED that both parties shall S confidentially file their Social Security Numbers and Welfare Identification Sheet with the court 6 per NRS 125.230. 7 IT IS FURTHER ORDERED ADJUDGED AND DECREED that both parties will attend ವೆ the COPE class and will submit their cartificates with the court pursuant to E.D.C.R. 5.07. 9 IT IS FURTHER ORDERED ADJUTICED AND DECREED that, pursuant to NRCP 70. 10 the court clerk may sign any and all documents necessary to effectuate the terms of this divorce if 1.1 either party is unwilling or unable to do so after the decree of divorce is entered. 12 IT IS FURTHER ORDERED ADJUDGED AND DECREED that the hearing scheduled 13 for August 4, 2009 is hereby vacated. Secto (1911) 184, 7549 14 TI IS SO ORDERED. 15 DATED this 2009. 16 GERALD W. HAVIDCANT 17 18 DISTRICT COURTIUDGE 19 Submitted by: 20 NIEHER & KELLEHER LLC 21 22 BV: MICHAELFOLEY 23 Nevada Bar No. 6012 4500 E. Sunset Rd., #269 807 South Seventh Street Henderson, NV 89014 24 Las Vegas, Nevada 89101 Defendant in Proper Person Attemay for Plaintiff 25 26 27

EXHIBIT 66199

#### HOLIDAY SCHEDULE

Monday Holidays: Monday holidays shall be defined as beginning Friday before the holiday at 6:00 p.m. and concluding on the holiday at 6:00 p.m. Monday holidays shall alternate yearly. During odd-numbered years, the child shall reside with the father on Martin Luther King, Jr.'s Birthday and Memorial Day. During the even-numbered years, the child shall reside with the mother on Martin Luther King Jr.'s Birthday and Memorial Day, During even-numbered years, the child shall reside with the father for President's Day and Labor Day, During odd-numbered years, the child shall reside with the mother for President's Day and Labor Day.

Spring Break: Spring Break shall be defined as beginning the day school recesses at 6:00 p.m. and concluding the day before school resumes at 6:00 p.m. The school Spring Break shall be alternated on a yearly basis, with the child residing with the mother in odd-numbered years and with the father in even-numbered years.

Fourth of July: The Fourth of July shall be defined as beginning July 4 at 12:00 noon and concluding July 5 at 9:00 a.m. Fourth of July shall be alternated on a yearly basis, with the child residing with the mother in odd-numbered years and with the father in even-numbered years.

Halloween: Halloween shall be defined as beginning October 31 at 4:00 p.m. and concluding the same day at 8:00 p.m. Halloween shall be alternated on a yearly basis, with the child residing with the mother in odd-numbered years and with the father in even-numbered years.

Veteran's Day: Veteran's Day shall be defined as beginning November 11 at 9:00 a.m. and concluding the same day at 6:00 p.m. Veteran's Day shall be alternated on a yearly basis, with the child residing with the father in odd-numbered years and with the mother in even-numbered years.

Thanksgiving: Thanksgiving shall be divided into two (2) periods. The first period shall begin on the holiday at 9:00 a.m. and end the following Saturday at 9:00 a.m. The second period shall begin Saturday at 9:00 a.m. and end the next day at 6:00 p.m. These periods shall be alternated yearly between the parents beginning in 2005, with the first period being with the mother and the second period being with the father.

Christmas: Christmas shall be divided into two (2) periods. The first period shall begin December 24 at 12:00 noon and end December 25 at 12:00 noon. The second period shall begin December 25 at 12:00 noon and end December 26 at 12:00 noon. These periods shall be alternated yearly between the parents beginning in 2005, with the first period being with the father and the second period being with the mother.

Mother's/Father's Day: Mother's/Father's Day shall begin on the holiday at 9:00 a.m. and end the same day at 6:00 p.m. The mother shall have the child each year on Mother's Day and the father shall have the child each year on Mother's Day and the

Transportation: All exchanges for holidays shall take place at the residence of the parent with whom the child is then residing.

Notice: In the event any scheduled time cannot be kept due to an emergency involving the child and/or the parent, the parent unable to comply with the schedule shall notify the other parent as soon as possible.

Electronically Filed 03/01/2012 03:51:18 PM USC ł David Riggs, District Attorney Nevada Bar No. 002781 Family Support Division 1900 Unst Finninge Boad, Suite 100 Les Veges, Marcida 20149-5168 CLERK OF THE COURT (702) 671-9200 - FEED (703) 385-7486 (for the hearing impaired) 4 Dept. D 5 DISTRICT COURT 6 CLARK COUNTY, NEVADA 7 8 Patricia Foley, R-11-162425-R Case no. ý, Petitioner. Dept. no. CHILD SUPPORT  $\{()$ VS. Michael Foley, 11 12 Respondent. 13 ORDER TO SHOW CAUSE WHY RESPONDENT SHOULD NOT BE FOUND IN CONTEMPT AND ORDER APPOINTING CHILD SUPPORT MASTER To: Michael Foley, Respondent above named: 15 You are hereby ordered to appear before the above-entitled court, (UIFSA Child Support 16 Courtroom in the Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, 17 Nevada) on the 24 day of April 20 /2 at 3:25 P.m.; then and there to 18 show cause, if any, why you should not be found in contempt for willfully disobeying a Court Order. 10 filed and registered, if applicable; the alleged disabedience is more fully described in the Declaration in 20 Support of Order to Show Cause Re: Contempt filed herein, a copy of which is being concurrently 3.1 served upon you with a copy of this order. 22 The court hereby finds that the nature of the matter set forth herein is such that it should be 23 referred to a Child Support Master, and good cause appearing therefore: 24It is further ordered that all of the issues, both factual and legal, are referred to a Child Support 25 Master who will hear the evidence and report the findings of fact, conclusions of law, and 26 recommendations to the District Court in the manner provided in Eighth Judicial District Court Rule 27 1.40 28. ésérsy:

	The focus of the hearing will be your ability to pay. If you are looking for work, bring a list
-2	of places where you have applied for work within the last 30 days. If you are unable to work due
3	to a physical or mental disability, bring a doctor's letter that describes your condition and its
4	impact on your ability to work.
S	Pursuant to Chapter 22 of the Nevada Revised Statutes, a finding of contempt may result in
6	a jail sentence being stayed or imposed (25 days) to be served by you in the Clark County
7	Detention Center. Your failure to appear at the time, date, and place set forth herein may result
8	in the issuance of a Bench Warrant for your arrest and for such other and further relief as the
9	District Court deems justified in the premises.
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	© the major and this s
eponed .	Submitted by:
	David Roger Clark County District Attorney Nevada Bar #002781
	J. M.
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(9)	Deputy District Attorney Family Support Division
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23	*All payments made by mail MUST be made in the form of cashier's check, money order or business
24	check ONLY, made payable to State Collection and Disbursement Unit (SCaDU) and mailed to State Collection and Disbursement Unit (SCaDU), P.O. Box 98950, Las Vegas, Nevada 89193-8950.
25	Payments also may be made in person at State Collection and Disbursement Unit, 1900 East Flamingo Road, Las Vegas, Nevada, in the exact amount of cash, cashier's check, money order or business check
26	ONLY Additionally, the following information must be included with each payment: name (first middle, last) of person responsible for paying child support, social security number of person
24.23	responsible for paying child support, child support case number, and name of custodian (first and last name of person receiving child support). NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS
27	PAID DIRECTLY TO THE PETITIONER.
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#### CERTIFICATE OF MAILING

The foregoing Order to Show Cause Why Respondent Should Not Be Found in Contempt and Order Appointing Child Support Master was served upon Patricia. Foley by mailing a copy thereof, first class mail, postage prepaid to:

Patricia Foley 975 Seven Hills Dr 3313 Henderson, NV 89052 day of 11 (1/1/1/20 12)

> Employee, Office of the District Attorney Family Support Division

Partie Refer Despirit Antoeron Northabi Roc No. (8073).
Tongly Stegon Chemica.

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1	DSSC Electronically Filed O3/01/2012 03:51:44 PM
2	Nevada Bar No. 002781
64.	Family Support Division 1960 East Flamingo Road, Suite 100  Los Vogas, Nevada 89119-5168
4	(702) 671-9200 - TDD (702) 385-7486 (for the bearing impaired) CLERK OF THE COURT
5	DISTRICT COURT
6	CLARK COUNTY, NEVADA
7	Patricia Foley,
	Case no. R-11-162425-R
8	Petitioner, Dept. no. CHILD SUPPORT
9	<b>)</b>
10	VS.
40.0	Michael Foley,
13	Respondent.
3	DECLARATION IN SUPPORT OF ORDER TO SHOW CAUSE
[4]	WHY RESPONDENT SHOULD NOT BE FOUND IN CONTEMPT
15	1. That I, R. B. Dumas, am an employee of the District Attorney's Office, Family Support
16	Division in Clark County, Nevada.
17	2. That, on May 9, 2011, an Order was filed in the County of Clark, State of Nevada, Case
1.8	Number R-11-162425-R.
19	3. That, the Respondent has not complied with said Order as follows:
20	has not paid child support as ordered.
21	has not provided medical insurance as ordered.
22	4. That, the last Child Support payment received:
23	Last payment received:
24	No payment ever received.
25	5. The undersigned declares under penalty of perjury under the law of the State of Nevada that
26	the foregoing is true and correct.
27	DATED this 27th day of May 2011
28	/s/R.B.Dumas Employee, Office of the District Attorney Family Support Division
	22(m)ss

- 2 5 6	Electronically Filed 03/01/2012 03:52:05 PM Mary-Aome Miller, Intering Displied Attorney Novada Ber No. 00/419 Family Support Division 1960 East Flaming Road, Suite 100 Las Vegas, Nevada 89119-5168 (702) 671-9260 - TDD (702) 385-7486 (for the hearing intensived) Dept D  DISTRICT COURT  CLARK COUNTY, NEVADA
7	
8 9 10	Patricia Foley  Case no. R-11-162425-R  Petitioner,  VS.  Dept. no. CHILD SUPPORT  Michael Foley
12	, see the second se
13	Respondent.)
14	DECLARATION OF SERVICE
15	I, MAKK Montage, declare:
16	1. That I am a resident of the State of Nevada, a citizen of the United States over the age of
17	eighteen (18) years and not a party to nor interested in the above-entitled action.
18	2. That on Q-Q2-/2, I served a copy of:
19	Order to Show Cause Why Respondent Should Not Be Punished for Contempt.
20	Order to Show Cause Why Employer Should Not Be Punished for Contempt by:
21	Serving an Employer, Cox Communication, by personally delivering and leaving a copy
22	with, at (state address)
23	
24	Order to Show Cause to Compel Genetic Testing.
25	Notice of Hearing.
26	Other:
27	Notice and Finding of Financial Responsibility to Enforce or Adjust an Existing Order,
28	Establish an Obligation or Determine Paternity by:
	SPORES

1	Delivering and leaving a copy with the Respondent, Michael Foley, at
2	(state address) 1900 E FLAMWIGO LAT VEGAT 2011 P9/19
60	Serving the Respondent, Michael Foley, by personally delivering and leaving a copy with
7	a person of sultable age and discretion residing at the
5	Respondent's usual place of abode located at:
6	(state address)
7	Delivering and leaving a copy with the Petitioner, Patricia Foley, at
8	(state address)
9	Serving the Petitioner, Patricia Foley, by personally delivering and leaving a copy with
10	, a person of suitable age and discretion residing at the
, T	Petitioner's usual place of abode located at:
12	(state address)
13	I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true
14	and correct.
1.5	Dated this QQ day of February 20/Q
16	4. 4. 10
17	Declarant
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AFFINENCE

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			U4/25/2012 U8:11:17 AM
1	NEMR Steven B. Wolfson, District Attorney		4 . 40
2	Nevada Bar No. 001565 Family Support Division		Alun L. Elmin
3	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168		CLERK OF THE COURT
4	(702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A		
5			
6	DISTRICT O	COURT	
7	CLARK COUNTY		
8		, 1182 V 18821R	
	Patricia Foley,		
9	atticia Poley,	0	D 11 1/0405 D
10	Petitioner,	Case no.	R-11-162425-R
11	vs. )	Dept. no.	CHILD SUPPORT
12	Michael Foley,		
13	Respondent.		
14			
15	NOTICE OF ENTRY OF MASTER	'S RECOMME	NDATIONS
16	To: Michael Foley, Respondent or Respondent's Atto	orney	
17	To: Patricia Foley, Petitioner or Petitioner's Attorney	y	
18	Please take notice that the enclosed Master's Recommen	ndations were en	itered in the above-entitled
19	matter on April 24, 2012.		
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**CERT** Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on April 24, 2012, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 2120 Crestline Falls Pl Las Vegas NV 89134 on April 25, 2012. /s/Rita Margolian\_ Employee, District Attorney's Office Family Support Division 

NEMREC

Electronically Filed 04/26/2012 09:40:14 AM 1 NOTM Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 3 CLERK OF THE COURT Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 4 294910200A 5 DISTRICT COURT 6 CLARK COUNTY, NEVADA 7 8 PATRICIA FOLEY 9 Case no. R-11-162425-R Petitioner, 10 Dept. no. **CHILD SUPPORT** VS. 11 MICHAEL FOLEY, 12 Respondent. 13 DISTRICT ATTORNEY'S NOTICE OF MOTION & 14 MOTION TO MODIFY CHILD SUPPORT 15 Date of Hearing: AUGUST 28, 2012 Time of Hearing: 09.00 AM 16 Court Room: 1 17 The District Attorney, by and through the undersigned Deputy District Attorney, moves the 18 above entitled Court for review and adjustment of the child support order previously entered between 19 the above-entitled parties, including provision for medical insurance or contribution toward 20 21 Petitioner's cost of providing medical insurance, if any. This Motion is made and based upon the pleadings and papers on file herein and the attached 22 Points and Authorities, exhibit(s), if any, oral argument, if any, at the time of the hearing and 23 Proof of Respondent's income indicating the Respondent's gross monthly income to be 24 determined. Updated income information to be provided at the time of the hearing, if any. 25 Other: 26 /// 27 /// 28

1	Further, the District Attorney requests this Honorable Court conduct a review of the order
2	because it is alleged that changed circumstances can be demonstrated pursuant to NRS 125B.145(1)
3	and/or (4). Respondent is currently unemployed. A 20% decrease in income is alleged.
4	NEVADA'S MODIFICATION OF ANOTHER STATE'S ORDER IS PROPER BECAUSE:
5	An individual party,, has requested modification; this tribunal has personal
6	jurisdiction over the non-movant and the issuing state (the state whose order controlled prior to this
7	modification) is no longer the residence of any individual party/contestant or child(ren). NRS
8	130.611(1)(a).
9	An individual party,, has requested modification; all individual parties and children
10	now reside in Nevada. NRS 130.613(1).
11	All parties/contestants have filed written consent with the tribunal whose order controlled
12	prior to this modification for this tribunal to modify the support obligation and assume continuing,
13	exclusive jurisdiction. NRS 130.611(1)(b).
14	Dated this 26 <sup>th</sup> day of April, 2012.
15	Respectfully Submitted,
16	Steven B. Wolfson District Attorney
17	Nevada Bar No. 001565
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20	ED EWERT Deputy District Attorney
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28	Steven B. Wolfson, District Anomey, Nevada Bar No. 001565 Family Support Division 1900 East Familian Road Suite 100

Steven B. Wolfson. District Ausney, Nevada Bar No. 001585
Family Support Division.
1900 East Flamingo Road, Suite 100
Las Vegas, Nevada 591 195-5168
(702) 671-9200 – TDD (702) 383-7486 (for the hearing impaired)

#### **NOTICE OF HEARING** TO: Michael Anthony Foley, Respondent, TO: Patricia Foley, Petitioner: You will please take notice that the District Attorney's Office, Family Support Division, will bring the above and foregoing motion on for hearing in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, in Court Room 1 on the AUGUST 28, 2012 at 09.00 AM, or as soon thereafter as the case may be heard. /// /// /// /// /// ]]] /// /// Steven B. Wolfson, District Attorney, Nevada Bar No. 001:555 Family Support Division 1900 Bast Hambingo Road, Suito 100 Last Vegas, Nevada 69 (195168 (702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired) MOTMOD

Page 3 of 7

#### POINTS AND AUTHORITIES IN SUPPORT OF THE MOTION

A review of a support order can be requested by either party or, in a welfare case, by the District Attorney's Office, at least every three years pursuant to NRS 125B.145 (1). "Support" includes not only financial maintenance, but also support for a child's health care and educational needs. NRS 125B.020. The Court has authority to adjust an order if the moving party has demonstrated changed circumstances since the order was last entered. Rivero v. Rivero, 125 Nev. Adv. Op. No. 43, 216 P.3d 213 (2009). A modification may also be made on an order less than three years old. Likewise, the moving party must show changed circumstances. NRS 125B.145(4).

NRS 125B.145(4) declares that "[a]n order for the support of a child may be reviewed at any time on the basis of changed circumstances" and adds that a change of 20% or more in a child support obligor's gross monthly income "shall be deemed to constitute changed circumstances requiring a review for modification of the order for the support of a child." Fernandez v. Fernandez, 126 Nev. Adv. Op. No. 3, 222 P.3d 1031 (2010). Changed circumstances may also include other events in the lives of the parties such as emancipation or the addition of a new child to the family.

The statutory formula for child support is stated in NRS 125B.070 and NRS 125B.080. Specifically, NRS 125B.070 (1)(b) requires the Court to set support using the non-custodial parent's gross monthly income and applying 18% for one child, 25% for two children, 29% for three children, and 2% more for each child thereafter. The Court may further increase or decrease support by considering certain factors or deviations listed in NRS 125B.080(9).

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Steven B. Wolfson, District Antorney, Nevada Bar No. 001565 Family Support Division 1900 Bast Hamingo Road, Sulto 100 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the heating impaired)

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It is respectfully requested that this Honorable Court determine the Respondent's gross monthly income or, in the alternative, impute earning capacity. The support order should be adjusted as appropriate, and address health insurance, if available at a reasonable cost. If the Petitioner carries health insurance for the child, the order should require the Respondent to contribute to the cost of the health insurance for the child upon a showing of proof.

Dated this 26<sup>th</sup> day of April, 2012.

Respectfully Submitted,

Steven B. Wolfson District Attorney Nevada Bar No. 001565

505t

Deputy District Attorney

Steven B. Wolfson, District Attorney, Nevada Bar No. 001:555
Family Support Division
1900 Bast Hambingo Road, Suito 100
Last Vegas, Nevada 69 (195168
(702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired)

CERT Case no. R-11-162425-R

#### **CERTIFICATE OF MAILING**

The foregoing DISTRICT ATTORNEY'S NOTICE OF MOTION & MOTION TO MODIFY CHILD SUPPORT was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to:

MICHAEL ANTHONY FOLEY 3430 Frontier St Las Vegas NV 89102

on the 26<sup>th</sup> day of April, 2012.

Employee, District Attorney's Office Family Support Division

Steven B. Wolfson, District Austracy, Nevada Bar No. 001555 Family Support Division 1900 Bart Etaningo Road, Sulto 100 East Vegat, Nevada 69119-3168 (702) 671-9200 - TDD (702) 885-7486 (for the hearing impaired)

Case no. R-11-162425-R

#### **CERTIFICATE OF MAILING**

The foregoing DISTRICT ATTORNEY'S NOTICE OF MOTION & MOTION TO MODIFY CHILD SUPPORT was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to:

Patricia Foley 2120 Crestline Falls Pl Las Vegas, NV 89134

**CERT** 

on the 26th day of April, 2012.

Employee, District Attorney's Office Family Support Division

Steven B. Wolfton, District Anomey, Nevada Bar No. 001555 Family Support Division 1900 Bast Elamingo Road, Sulto 100 Las Vegas, Nevada S9119-5168 (702) 671-9200 - TDD (702) 885-7486 (for the hearing impaired)

Electronically Filed

05/15/2012 09:50:39 AM MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY 1 Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 2 1900 East Flamingo Road, Suite 100 CLERK OF THE COURT Las Vegas, Nevada 89119-5168 (702) 671-9200 3 TDD (702) 385-7486 (for the hearing impaired) District Court 294910200A 4 CLARK COUNTY, NEVADA 5 Patricia Foley, 6 Petitioner. Case No. R11-162425R 7 VS. Department No. CHILD SUPPORT 8 Michael Foley, 9 Respondent. 10 **MASTER'S RECOMMENDATION** 11 This matter having been heard on APRIL 24, 2012 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations: 12 Parties present: Respondent Respondent's attorney Petitioner Petitioner's attorney 13 ☐ PATERNITY ☑ PATERNITY PREVIOUSLY DECIDED 14 ☑ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS). Respondent's gross monthly income (GMI) : ; formula amount 15 Basis for deviation from state formula: \_\_\_\_\_ Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley. 16 CHILD SUPPORT 17 Respondent is to pay monthly: \$700.00 Temp child support 18 medical support (in lieu of health insurance) \_\_ spousal support 19 arrears payment 🔯 ARREARAGES 🗌 ARREARAGES NOT ADDRESSED AT THIS HEARING 20 Arrears/Obligation period is 10/01/09 through 03/31/12. Arrears, interest and penalty calculated through 03/31/12 by audit. For accounting purposes the next payment 21 falls due 04/01/12. medical support arrearage of plus interest of plus interest of penalty of spousal support arrearage of plus interest of plus interest of penalty of medical expense arrearage of plus interest of plus interest of medical expense arrearage of plus interest of plus interest of medical expense arrearage of plus interest of plus interest of plus interest of medical expense arrearage of plus interest of penalty of pena 22 2.3 medical expense arrearage of genetic test costs of 24 total arrearages of \$13,711.22 total interest \$1,104.96 total penalty \$1,923.80 25 GRAND TOTAL (arrearages + interest + penalty) = \$16,739.98 26 27 28 FINDING 1.2

1	
2	<ul> <li>☐ The total arrears are hereby confirmed.</li> <li>☑ The total arrears, interest and penalties are reduced to judgment. This supersedes prior Nevada judgments, if any, awarded under this case number. Interest will be assessed on all unpaid child support balances for cases</li> </ul>
3	with a Nevada controlling order pursuant to NRS 99.040. A 10% penalty will be assessed on each unpaid
4	installment, or portion thereof, of an obligation to pay support for a child, pursuant to NRS 125B.095.  Arrears of <u>\$</u> subject to modification until, and arrears of <u>\$</u> reduced to
5	judgment.  Arrears listed above are reduced to judgment. This supersedes prior Nevada judgments, if any,
	awarded under this case number.
6	
7	TOTAL monthly payment is due on the 1 <sup>st</sup> day of each month, and continues thereafter until said child(ren)
8	reach majority, become emancipated or further order of the Court.
9 10	Respondent's INCOME SHALL BE WITHHELD for the payment of support.  Good cause to stay income withholding is based on:  becomes delinquent in an amount equal to 30 days support.
	■ ENFORCEMENT OF CONTROLLING ORDER: The registered order from Clark County, NV , dated
11	
12	ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian.
13	Respondent is referred to Employment Services for an appointment on at AM.  Health insurance coverage for the minor child(ren) herein:
14	Health insurance coverage for the minor child(ren) herein:  ☐ Respondent to provide: ☐ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:
15	☑ if available through employer. ☐ shall provide per court order.
16	☐ Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support Division within 90 days of today's date.
17	☐ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING
18	☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.
19	<ul> <li>☑ ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE.</li> <li>☑ Respondent is hereby found in Contempt of Court and sentenced to <u>25</u> days in the Clark County Detention Center; this sentence shall be stayed until the next court date.</li> </ul>
	☐ The following sentence(s) shall be stayed/continued to the next court date unless imposed or vacated today:
20	Sentence ofdays in the Clark County Detention Center issued isimposedvacatedstayed Sentence ofdays in the Clark County Detention Center issued isimposedvacatedstayed
21	Sentence of days in the Clark County Detention Center issued is imposed vacated stayed
22	Sentence ofdays in the Clark County Detention Center issued isimposedvacatedstayed  Respondent is recommended for the day arrest program on
23	Respondent to be released from custody on
	Respondent may be released from the above sentence immediately upon payment of \$\sum_\$ to be released to Petitioner as child support.
24	□ NO BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPONDENT
25	MAY BE RELEASED UPON PAYMENT OF <u>\$</u> TO BE RELEASED TO PETITIONER AS CHILD SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or
26	recall the bench warrant.
27	☐ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY ☐ QUASHED. ☐ CONTINUED. ☐ MODIFICATION OF PRIOR ORDER:
28	LI MODIFICATION OF FRONCOLDE.
	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Sopport Division 1909 East Flamings Koad 5100 Las Vegas, Nevada 80119-5108 Page 2 of 5
	(702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) Page 2 of 5

☐ SUSPENSION OF LICENSES: 1 PAYMENTS 2 All mailed payments MUST be made in the form of a cashier's check, money order or business check ONLY, made payable to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit card are 3 also accepted. 4 Payments can be mailed to: State Collection and Disbursement Unit (SCaDU) 5 P.O. Box 98950 6 Las Vegas, Nevada 89193-8950 7 Payments can be made in person at: State Collection and Disbursement Unit (SCaDU) 8 1900 East Flamingo Road Las Vegas, Nevada 89119-5168 9 Additionally, the following information must be included with each payment: name (first, middle, last) of person 10 responsible for paying child support, social security number of person responsible for paying child support, child support case number, and name of petitioner (first and last name of person receiving child support). 11 NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER. 12 NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT. 13 NOTICE: Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant 14 to NRS 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay support for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between 15 the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these 16 additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced. 17 NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and 18 Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this 19 purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168. 20 NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final 21 Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge. 22 NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment. 23 NOTICE: Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address, 24 change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change. 25 Respondent to bring new financial statement and proof of income next date. 26 This order does not stay collection of support arrears by execution or any other means allowed by law. 27 28 Steven B. Wolfson, District Attorney, Nevada Bar No. 601565 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5168 Page 3 of 5 (702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired) FINDING 1.2

29

1	MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS:
	Last payment was wage withholding received 10/11/11. Respondent was unemployed and started a new job this week at \$9 per hour at 20 hours per week. He is working through a TEMP agency. Respondent was given a MOD packet
2	today. He can pay a minimum of \$325 per month to avoid contempt beginning 5/1/12. Respondent to bring a paystub
3	next court date. Both parties are on notice of possible modification effective 4/1/12, to be considered next date.
4	Petitioner to bring health insurance information she provides for children next date, and any other employment information she has about Respondent.
5	NEXT HEARING DATE IS <u>August 28, 2012 at 9:00 AM</u> in Courtroom <u>1</u> in Child Support
6	Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.
	Nevada, for further proceedings.
7	
8	DATED: APRIL 24, 2012
9	MASTER
10	
	- vintally
11	Respondent/Respondent's Attorney Receipt of this document is
12	acknowledged by my signature.
13	ORDER/JUDGMENT
14	
15	The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court
16	<b>pursuant to NRS 425.3844.</b> The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies that the ten-day objection period has expired without an objection having been filed and that the District Court deems the
	Master's Recommendation to be approved as an <b>ORDER/JUDGMENT</b> of the District Court, effective with the file stamp date, without need of a District Court Judge's signature affixed hereto. <b>The parties are ordered to comply with this</b>
17	Order/Judgment.
18	☐ The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and
19	considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause appearing,
20	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an
21	ORDER/JUDGMENT of the District Court this day of, 20
21	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of
22	, <u>20</u> and this matter is remanded to Child Support Court on, <u>20</u> at atM.
23	
24	District Court Judge, Family Division
25	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565
26	
27	By:
	DEPUTY DISTRICT ATTORNEY FAMILY SUPPORT DIVISION
28	
	Steven B. Wolfson, District Attorney, Nevada Bar No. 601565 Family Support Division 1909 East Flamings Road \$100
	Las Vegas, Nevada 89119-5168 (762) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)  Page 4 of 5  FINDING 1.2

Steven B. Wolfson, District Attorney, Nevada Bar No. 601565 Family Support Division 1960 Fast Flamingo Road \$100 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7436 (for the hearing impaired)

Page 5 of 5

FINDING 1.2

Electronically Filed 05/18/2012 02:36:38 PM

	00/10/2012 02.30.30 FIVE	
1	NEJ Steven B. Wolfson, District Attorney Nevada Bar No. 001565 Family Support Division	
2	1900 East Flamingo Road, Suite 100  CLERK OF THE COURT	
3	Las Vegas, Nevada 89119-5168  (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)  294910200A	
4		
5 6	DISTRICT COURT	
7	CLARK COUNTY, NEVADA	
8		
9	Patricia Foley,	
10	) Case no. R-11-162425-R	
11	vs. Petitioner, )  Dept. no. CHILD SUPPORT	
12	Michael Foley,	
13	Respondent.	
14	Kespondent. )	
15	NOTICE OF ENTRY OF ORDER/JUDGMENT	
16	To: MICHAEL FOLEY, Respondent	
17		
18	Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was	
19	entered in the above-entitled matter on April 24, 2012.	
20		
21	<u>CERTIFICATE OF MAILING</u>	
22	The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailin	ıg
23	a copy thereof, first class mail, postage prepaid to 8853 Haviland Rd, Las Vegas, NV 89123 on the	
24	18th day of May, 2012.	
25		
26	/s/Rita Margolian Employee, District Attorney's Office	
27	Family Support Division	
28		
	NCP0	ORIO

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08/29/2012 09:59:22 AM

l			08/29/2012 09:59:22 AM
1	NEMR Steven B. Wolfson, District Attorney		Alun to Chim
2	Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100		
3	Las Vegas, Nevada 89119-5168  (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)		CLERK OF THE COURT
4	294910200A		
5			
6	DISTRICT C	OURT	
7	CLARK COUNTY,	NEVADA	
8			
9	Patricia Foley,		
10	Petitioner,	Case no.	R-11-162425-R
11	vs.	Dept. no.	CHILD SUPPORT
12	Michael Foley,		
13	Respondent.		
14	Kespondent. )		
15	NOTICE OF ENTRY OF MASTER'S	S RECOMME	NDATIONS
16	To: Michael Foley, Respondent or Respondent's Attor	mey	
17	To: Patricia Foley, Petitioner or Petitioner's Attorney		
18	Please take notice that the enclosed Master's Recommend	dations were en	itered in the above-entitled
19	matter on August 28, 2012.		
20			
21			
22			
23			
24			
25			
26			
27			
28			

**CERT** Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on August 28, 2012, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 3300 S Decatur Blvd 10 Las Vegas NV 89102-8153 on August 29, 2012. /s/Rita Margolian\_ Employee, District Attorney's Office Family Support Division 

NEMREC

**CERT** Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on August 28, 2012, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 2120 Crestline Falls Pl Las Vegas NV 89134 on August 29, 2012. /s/Rita Margolian\_ Employee, District Attorney's Office Family Support Division 

NEMREC

Electronically Filed 09/19/2012 11:18:29 AM

			09,	/19/2012 11:18:29 AM
MRAO STEVEN B. WOLFSON				
DISTRICT ATTORNEY Nevada Bar No. 001565			~	Jan & Lemin
FAMILY SUPPORT DIVISION			<b>(2</b> )	See y Co.
1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168			C	CLERK OF THE COURT
(702) 671-9200 TDD (702) 385-7486 (for the hearing impaired)		. —		
294910200A	)istric	et Co	urt	
	LARK COU			
Patricia Foley,		)		
,		j		
	Petitioner,	)	Case No. R11-16	52425R
VS.		)	Damantus and Na	CHILD CUDDODT
Michael Foley,		)	Department No.	CHILD SUPPORT
**		)		
	Respondent.	_)		
TALAT ALEXANDER	pdie dra	' <u>^`</u> \\#\#\#	NINATION	
MASI	<u>er 3 keu</u>	OIVIIVIE.	<u>NDATION</u>	
This matter having been heard on AUGUST				
vidence and having been fully advised in the	premises, hereb	by makes the	e following Findings a	and Recommendations:
Parties present: Respondent Respond	lent's attorney	☑ Petitio	ner Petitioner's	attornev
-	-			
] PATERNITY 🛛 PATERNITY PREVIOU	JSLY DECIDE	D		
☑ FINANCIALS: ☐ CONTINUE PRIOR O	ORDERS (NO C	CHANGE T	O PRIOR FINANCIA	AL ORDERS).
Respondent's gross monthly income (GMI)	:	; formul		f GMI=
Basis for deviation from state formula:				
Respondent is to pay current support for the ch	nild(ren), <u>Micha</u>	nael Foley, E	lizabeth Foley, There	se Foley.
CHILD SUPPORT				
Respondent is to pay monthly: \$700.00 Temp child support				
\$79.00 remp cmid support medical support (in lieu	of health insura	ance)		
spousal support	Of House Insura	unce)		
\$25.00 arrears payment				
☐ ARREARAGES 🛛 AB	REARAGES N	NOT ADDR	ESSED AT THIS HE	EARING
\$ 804.00 TOTAL monthly payment:		•	•	ereafter until said child(ren)
reach majority, become em	ancipated or furth	ther order of t	he Court.	
Respondent's INCOME SHALL BE WITH	HELD for the p	navment of s	unnori	
Good cause to stay income withhold	ing is based on:	: Sa		be postponed until Respondent
becomes delinquent in an amount equ	•	• •		
☐ ENFORCEMENT OF CONTROLLING (	ORDER: The re	egistered or	ler from, date	ed, #, is hereby
confirmed and is the controlling order for ESTABLISHMENT OF CONTROLLING			only order	
noncustodial parent for the child(ren) liste				ana support oonganon tot uns
Respondent is referred to Employment Se		,	<i>*</i>	M.
Health insurance coverage for the minor c		-		
■ Respondent to provide:      □ Petitioner			icaid: 🔲 Both Partie	es to provide:
	☐ shall provide			
				FINDING 1.2

1		Ordered Party(ies) to provide proof of sa within 90 days of today's date.	d insurance to the District Atto	orney's Office, Family Support Divi	sion
2					
3		ONTEMPT OF COURT INOT A SHOW C			
	_	<ul><li>RESPONDENT ORDERED TO SHOW</li></ul>		tevirt.	
4			of Court and sentenced to 5 day	s in the Clark County Detention Ce	nter;
5		☐ The following sentence(s) shall be stayed/c		nless imposed or vacated today:	
6		Sentence of 25 days in the Clark County Deter			
U		Sentence of days in the Clark County Dete	ntion Center issuedis	imposed vacated str	iyed   aved
7		Sentence of days in the Clark County Dete Sentence of days in the Clark County Dete	ntion Center issued is	imposedvacatedstr	yed
0		Respondent is recommended for the day ar			
8		<del></del>	·		
9		Respondent may be released from the ab Petitioner as child support.	ove sentence immediately upor	payment of \$ to be release	d to
10		NO BAIL BENCH WARRANT HEREBY I			
		MAY BE RELEASED UPON PAYMENT UPPORT. Where circumstances justify a			
11		ecall the bench warrant.	······································	,,, <b></b>	
12			_	_	İ
		SENCH WARRANT PREVIOUSLY ISSUE ODIFICATION OF PRIOR ORDER:	D IS HEREBY   QUASH	ED.  CONTINUED.	
13		USPENSION OF LICENSES:			
14		ONE DENOTES VA BUNDE SOUDS			
15	I	MENTS			
16	payabl	ailed payments MUST be made in the form ble to State Collection and Disbursement Un			
	aiso ac	ccepted.			
17	Paym	nents can be mailed to:			
18		State Collection and Disbu	rsement Unit (SCaDU)		
		P.O. Box 98950	.0.#0		
19		Las Vegas, Nevada 89193-8	i950		
20	Paym	nents can be made in person at:			
		State Collection and Disbu	rsement Unit (SCaDU)		
21		1900 East Flamingo Road	11/0		
22		Las Vegas, Nevada 89119-	168		
	Additio	tionally, the following information must be i	ncluded with each payment: n:	ime (first, middle, last) of person	
23		nsible for paying child support, social secur			
24	suppor	ort case number, and name of petitioner (fir	st and last name of person rece	iving child support).	
-	NOTIC	ICE: NO CREDIT WILL BE GIVEN FOR	PAYMENTS PAID DIRECTI	Y TO THE PETITIONER.	
25	NZVEIZ	ICE. DDIAD ADDISEDS MAT SPEATERS AT I	Z MZYDJEJED HEDENI DEM AJ	NINI EHI I EODOE AND EEECT	
26	NOIR	ICE: PRIOR ORDERS NOT SPECIFICALL	I MODIFIED HEREIN REMAI	IN IN FULL FURCE AND EFFEUT.	
-U		ICE: Interest will be assessed on all unpaid ch			ınt
27 28	support	S 99.040. A 10% penalty will be assessed on our for a child, pursuant to NRS 125B.095. If thation is not met by the amount withheld by the	e Respondent pays support throu	igh income withholding and the full	n
-0					
	Family Suppo	Wolfson, District Attorney, Nevada Bar No. 661565 pport Division Flamingo Road #106			
	Las Vegas, Ne	r ummigo x oou o 100 Newarda 8 119-5168 2200 — TDD 67023 385-3486 (for the hearing immaired)	Page 2 of 4	DINTEN	√G 1.2

1 2	Respondent fails to do so, he/she may be sub additional costs by making current support p	pject to assessment of per payments each month. If	r directly to the state disbursement unit. If the natties and interest. The Respondent may avoid thes another state takes jurisdiction and obtains a new or	
3	Nevada interest and penalties will only be ca			
4	Supportive Services, where there is an assign support provision of this order at least every	nment of support rights to three (3) years to determ	ent, the legal guardian, and the Division of Welfare the State, has the right to request a review of the line if modification is appropriate; an application for ingo Rd., Suite 100, Las Vegas, Nevada 89119-5168	this
5 6	NOTICE: Objections/Appeals are governed Recommendation to serve and file written ob	d by EDCR1.40(e) and (for bjections to it. A failure	c). You have ten (10) days from receipt of this Maste to file and serve written objections will result in a fir er's Recommendation is not an Order/Judgment unb	er's nal
7	signed and filed by a Judge.	, , , , , , , , , , , , , , , , , , ,		
8	NOTICE: Appeal from a Final Judgment b Notice of Entry of Judgment.	y the Court is governed by	by NRAP 4 and must be filed within 30 days of writt	ten
9			ney, Family Support Division, of any change of add y, or any order relative to child support within ten (19	
11	Respondent to bring new financial statement	t and proof of income ne	xt date.	
12	This order does not stay collection of suppor	t arrears by execution or	any other means allowed by law.	
14 15 16 17 18 19 20 21	Respondent failed to appear. His request to worked. He can re-new his request at a late paystub. Cost is \$157 p/m and 1/2 = \$78.5 beginning 4/1/12. Respondent has failed to month.	o modify is hereby DEN er date. Petitioner provid 4. Respondent is to conto pay minimum amount re- in Courtroom	equested to avoid contempt of court of \$325 perin Child Support Court at Child Suppo	rs
23 24			Respondent/Respondent's Attorney Receipt of this document is acknowledged by my signature.	
25		ORDER/JUDGM	IENT	
26 27	within the ten day objection period, the Mas pursuant to NRS 425.3844. The affixing o that the ten-day objection period has expired	ster's Recommendation  f the Clerk of the Court's  without an objection have	and having determined that no objection has been fil is hereby deemed approved by the District Court file stamp to this Master's Recommendation significant been filed and that the District Court deems the NT of the District Court, effective with the file stam	t ies
28	Steven B. Wolfson, District Attorney, Nevada Bar No. 601565 Family Support Division 1909 Fast Flamings Road #100	o en Ombinachomine	er of the District Court, effective with the file state	.ħ
	Las Vegas, Nevada 89119-5168			

1	date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this Order/Judgment.	
3	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause appearing,	
<ul><li>4</li><li>5</li><li>6</li></ul>	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an ORDER/JUDGMENT of the District Court this day of, 20  ☐ IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of	
7	, 20 and this matter is remanded to Child Support Court on, 20 atM.	_
8	District Court Judge, Family Division	
9	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565	
	HI-FH	
l1   l2	By: DEPUTY DISTRICT ATTORNEY FAMILY SUPPORT DIVISION	
	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168	
l3   l4		
15		
16		
17		
18		
19		
20		-
21		
22		
23		-
24		-
25		
26		***************************************
27		-
28		
	Steven B. Wolfson, District Attorney, Nevada Bar No. 601565 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 80119-5108	
	(702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) Page 4 of 4 FINDING 1.2	

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1	NEJ Steven B. Wolfson, District Attorney Nevada Bar No. 001565 Family Support Division	
2	About the second of the second	_
3	1900 East Flamingo Road, Suite 100   CLERK OF THE COURT     Las Vegas, Nevada 89119-5168     (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)	
4	294910200A	
5		
6	DISTRICT COURT	
7	CLARK COUNTY, NEVADA	
8		
9	Patricia Foley,	
10	) Case no. R-11-162425-R Petitioner, )	
11	vs. Dept. no. CHILD SUPPORT	
12	Michael Foley,	
13		
14	Respondent.	
15	NOTICE OF ENTRY OF ORDER/JUDGMENT	
16	To: MICHAEL FOLEY, Respondent	
17		
18	Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was	
19	entered in the above-entitled matter on August 28, 2012.	
20		
21	CERTIFICATE OF MAILING	
22	The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing	ıg
23	a copy thereof, first class mail, postage prepaid to 3300 S Decatur Blvd 10, Las Vegas, NV 89102 81:	53
24	on the 21st day of September, 2012.	
25		
26	/s/Rita Margolian	
27	Employee, District Attorney's Office Family Support Division	
28		
	Nepo	æd

<b>BNCH</b>	
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## DISTRICT COURT

PM

<b>F</b>	CLARK COUNT	<u>Y, NEVADA</u>	Electronically Filed 10/28/2013 03:22:57\
Patricia Foley,	)		
	) · · · · · · )	Case no.	R-11-162425-R CLERK OF THE COUR
vs.	Petitioner, )	Dept. no.	CHILD SUPPORT
MICHAEL FOLEY,	)	-	
	ý		
	Respondent.		
	BENCH WAR	RRANT	
To: ANY SHERIFF, CONSTABLE, MAR	SHAL, POLICEMAN	or PEACE OFF	ICER IN THIS STATE
The Respondent, MICHAEL FOLEY AUGUST 28, 2012, for hearing on a Complain YOU ARE COMMANDED to arrest the aboadjourned, deliver him into custody of the She County Sheriff is hereby set in the amount of Support Division to be released to Petitioner a	nt for Support and having ve-named Respondent a triff of Clark County; ba	ng failed to appear and bring him bef	or at said time, now therefore, ore the Court or, if the Court has
This Warrant may be served at any As recommended by Special Master GIVEN under my hand thisc	CVI VIA o tretineo	N. R. Y	
	···	PILL	2
Steven B. Wolfson Clark County District Attorney Nevada Bar No. 001565 Deputy District Attorney	Distric	et Gøurt Judge, 1	amily Division
Court appearances may be schedul Support Office, (702) 671-9200, by	ed by contacting the c y 11:30 a.m. each day	court team in the	e District Attorney's Family Monday through Friday.
Date	Respon	ident	
	RETURN OF SE	RVICE	
I hereby certify that I received the a the same by arresting the above-named Res	above and foregoing I	RENCH WADD	ANT on MICHAEL FO and served
Dated this 2 7 day of	CTOBER		3
	PEACE	OFFICER	nur PNB45

\* BWRCSS

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l			10/31/2013 08:21:21 AIVI
1	NEMR Steven B. Wolfson, District Attorney		Alm to Lline
2	Nevada Bar No. 001565 Family Support Division		Alm b. Comm
3	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)		CLERK OF THE COURT
4	294910200A		
5			
6	DISTRICT CO	OURT	
7	CLARK COUNTY,	NEVADA	
8			
9	Patricia Γoley,		
10		Case no.	R-11-162425-R
11	Petitioner, ) vs.	Dept. no.	CHILD SUPPORT
12	Michael Foley,		
13			
14	Respondent.		
15	NOTICE OF ENTRY OF MASTER'S	S RECOMMEI	NDATIONS
16	To: Michael Foley, Respondent or Respondent's Attorn		
17	To: Patricia Foley, Petitioner or Petitioner's Attorney	J	
18	Please take notice that the enclosed Master's Recommend	lations were en	itered in the above-entitled
19	matter on October 30, 2013.		
20			
21			
22			
23			
24			
25			
26			
27			
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-0			
1	i e e e e e e e e e e e e e e e e e e e		

**CERT** Case no, R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on October 30, 2013, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 209 S Stephanie St B-191 Henderson NV 89012 on October 30, 2013. /S/GINNY RICHTER Employee, District Attorney's Office Family Support Division 

NEMREC

**CERT** Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on October 30, 2013, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8838 Tomnitz Ave 103 Las Vegas NV 89178 on October 30, 2013. /S/GINNY RICHTER Employee, District Attorney's Office Family Support Division 

NEMREC

Electronically Filed 11/21/2013 08:40:21 AM

	11/21/2013 08:40:21 AM
	MRAO STEVEN B. WOLFSON
1	STEVEN B. WOLFSON DISTRICT ATTORNEY Nevada Bar No. 001565 FAMILY SUPPORT DIVISION
2	1900 East Flamingo Road, Suite 100   CLERK OF THE COURT   Las Vegas, Nevada 89119-5168
3	(702) 671-9200
	294910200A District Court
4	CLARK COUNTY, NEVADA
5	
	Patricia Foley, )
6	) )
7	Petitioner, ) Case No. R-11-162425-R
7	vs.
8	) Department No. CHILD SUPPORT )
	)
9	Respondent. )
10	MASTED'S DECOMMENDATION
	MASTER'S RECOMMENDATION
11	This matter having been heard on OCTOBER 30, 2013 (In Custody) before the undersigned Hearing Master, having
12	considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations:
13	Parties present: ☐ Respondent ☐ Respondent's attorney ☐ Petitioner ☐ Petitioner's attorney
14	□ PATERNITY ☑ PATERNITY PREVIOUSLY DECIDED
15	☑ FINANCIALS:       ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS).         Respondent's gross monthly income (GMI)       : ; formula amount       % of GMI=
16	Basis for deviation from state formula:
17	CHILD SUPPORT
18	Respondent is to pay monthly:
10	\$700.00 Temp child support
19	\$79.00 medical support (in lieu of health insurance) spousal support
30	\$25.00 arrears payment
20	☐ ARREARAGES ☒ ARREARAGES NOT ADDRESSED AT THIS HEARING
21	\$ 804.00 TOTAL monthly payment is due on the 1 <sup>st</sup> day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.
22	D. 1 (*) INCOME CHAIL DE MUNICIPALITY D. C. 1
23	Respondent's INCOME SHALL BE WITHHELD for the payment of support.  Good cause to stay income withholding is based on:  becomes delinquent in an amount equal to 30 days support.
24	ENFORCEMENT OF CONTROLLING ORDER: The registered order from, dated, #, is hereby
	confirmed and is the controlling order for the following reasons:  only order
25	ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian.
26	Respondent is referred to Employment Services for an appointment on at AM.
27	☐ Ilealth insurance coverage for the minor child(ren) herein:
l	Respondent to provide: Petitioner to provide, excluding Medicaid: Both Parties to provide:
28	☐ if available through employer. ☐ shall provide per court order.
	FINDNG 1.2
1	ı

1		Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support Division within 90 days of today's date.
2		
3		TEMPT OF COURT □ NOT A SHOW CAUSE HEARING  RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.
		ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE.
4		Respondent is hereby found in Contempt of Court and sentenced to <u>25</u> days in the Clark County Detention Center; this sentence shall be stayed until the next court date.
5		The following sentence(s) shall be stayed/continued to the next court date unless imposed or vacated today:
6		Sentence of 25 days in the Clark County Detention Center issued 05/15/2012 is 5 imposed vacated stayed Sentence of 5 days in the Clark County Detention Center issued 09/19/2012 is imposed vacated stayed
7		Sentence ofdays in the Clark County Detention Center issued isimposedvacated stayed Sentence ofdays in the Clark County Detention Center issued isimposedvacated stayed
8	1	Respondent is recommended for the day arrest program on
^		Respondent to be released from custody on 11/4/2013.
9		Respondent may be released from the above sentence immediately upon payment of \$300.00 to be released to Petitioner as child support.
10		BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPONDENT AY BE RELEASED UPON PAYMENT OF $\$$ TO BE RELEASED TO PETITIONER AS CHILD
11		PPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or all the bench warrant.
12	BE	NCH WARRANT PREVIOUSLY ISSUED IS HEREBY   QUASHED.   CONTINUED.
13		DIFICATION OF PRIOR ORDER:
14	☐ SUS	SPENSION OF LICENSES:
15	ı	MENTS
16		led payments MUST be made in the form of a cashier's check, money order or business check ONLY, made to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit card are cepted.
17	Payme	ents can be mailed to:
18		State Collection and Disbursement Unit (SCaDU)
19		P.O. Box 98950
		Las Vegas, Nevada 89193-8950
20	Payme	ents can be made in person at:
21		State Collection and Disbursement Unit (SCaDU)
22		1900 East Flamingo Road Las Vegas, Nevada 89119-5168
	Additio	mally, the following information must be included with each payment: name (first, middle, last) of person
23	respons	sible for paying child support, social security number of person responsible for paying child support, child
24	suppor	t case number, and name of petitioner (first and last name of person receiving child support).
25	NOTIC	E: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.
26	NOTIC	E: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.
27	to NRS	E: Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full
28		
	Family Suppor 1960 East Flan	Ison, District Attorney, Nevada Bar No. 001565 It Division ningo Read #100 rada 89119-3168

obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between 1 the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these 2 additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced. 3 NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and 4 Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this 5 purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168. 6 NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final 7 Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge. 8 NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment. 9 **NOTICE:** Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address, 10 change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change. 11 Respondent to bring new financial statement and proof of income next date. 12 This order does not stay collection of support arrears by execution or any other means allowed by law. 13 \*\*\*\*\*\*\*\*\*\*\*\* 14 MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS: Last payment was wage withholding of \$28.51 received 07/12/13. Total paid by Respondent in 20113 is \$944.88. 15 Pay/Stay \$500.00 16 NEXT HEARING DATE IS 2/19/2014 at 9:00 AM in Courtroom 1 in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for 17 further proceedings. 18 19 DATED: OCTOBER 30, 2013 MASTER 20 21 In Custody 22 Respondent/Respondent's Attorney Receipt of this document is 23 acknowledged by my signature. 24 ORDER/JUDGMENT 25 The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed 26 within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies 27 that the ten-day objection period has expired without an objection having been filed and that the District Court deems the Master's Recommendation to be approved as an ORDER/JUDGMENT of the District Court, effective with the file stamp 28 Steven B. Wolfson, District Attorney, Nevada Bar No. 001363

Family Support Division 1900 East Flamingo Read #100 Las Vegas, Nevada 89119-5168 (702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired)

FINDNG 1.2

Page 3 of 4

1	date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this Order/Judgment.
3	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause appearing,
4 5	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an ORDER/JUDGMENT of the District Court this day of, 20
6 7	IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of, 20 and this matter is remanded to Child Support Court on, 20 atM.
8	District Court Judge, Family Division
9	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565
10	5052
11 12	By: DEPUTY DISTRICT ATTORNEY FAMILY SUPPORT DIVISION
13	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168
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	Steven D. Wolfson, District Attorney, Nevada Bar No. 001565 Frankly Support District 1900 East Frankling Road #100 Las Vegas, Nevada 89119-5108
l	(702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) Page 4 of 4 FINDING 1.2

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1	Steven B. Wolfson, District Attorney	Alun to Chim
2	Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100	CLERK OF THE COURT
3	3 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)	CLERK OF THE COOK!
4	4   <sup>294910200A</sup>	
5	5	
6	6 DISTRICT COURT	
7	7 CLARK COUNTY, NEVADA	
8	8	
9	9 Patricia Foley,	
10	O Petitioner, Case no.	R-11-162425-R
11	11	CHILD SUPPORT
12	2 Michael Foley,	
13	Respondent.	
14		
15	.5 NOTICE OF ENTRY OF ORDER/JUDGMI	<u>ENT</u>
16	6 To: MICHAEL FOLEY, Respondent	
17	.7	
18	8 Please take notice that the enclosed order/judgment against the responde	ent MICHAEL FOLEY was
19	9 entered in the above-entitled matter on October 30, 2013.	
20	0	
21	<u>CERTIFICATE OF MAILING</u>	
22	The foregoing Notice of Entry of Order/Judgment was served upon Mic	hael Anthony Foley by mailing
23	a copy thereof, first class mail, postage prepaid to 209 S Stephanie St B-	191, Henderson, NV 89012 on
24	the 22nd day of November, 2013.	
25	.5	
26	/s/ Katherine Yonas	
27	Employee, District Family Support Div	rision
28	8	
		NCPORD

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l			02/19/2014 02:21:22 PM
1	NEMR Steven B. Wolfson, District Attorney		Alun to Chim
2	Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100		
3	Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)		CLERK OF THE COURT
4	294910200A		
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6	DISTRICT CO	OURT	
7	CLARK COUNTY,	NEVADA	
8			
9	Patricia Foley,		
10	Petitioner,	Case no.	R-11-162425-R
11	vs.	Dept. no.	CHILD SUPPORT
12	Michael Foley,		
13	Respondent.)		
14			
15	NOTICE OF ENTRY OF MASTER'S	S RECOMME	<u>NDATIONS</u>
16	To: Michael Foley, Respondent or Respondent's Attor	ney	
17	To: Patricia Foley, Petitioner or Petitioner's Attorney		
18	Please take notice that the enclosed Master's Recommend	dations were en	tered in the above-entitled
19	matter on February 19, 2014.		
20			
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28			

**CERT** Case no, R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on February 19, 2014, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 209 S Stephanie St B-191 Henderson NV 89012 on February 19, 2014. /s/Francine Burt Employee, District Attorney's Office Family Support Division 

NEMREC

**CERT** Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on February 19, 2014, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8838 Tomnitz Ave 103 Las Vegas NV 89178 on February 19, 2014. /s/Francine Burt Employee, District Attorney's Office Family Support Division 

NEMREC

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03/12/2014 10:50:03 AM MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY 1 Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 2 1900 East Flamingo Road, Suite 100 CLERK OF THE COURT Las Vegas, Nevada 89119-5168 (702) 671-9200 3 TDD (702) 385-7486 (for the hearing impaired) District Court 294910200A 4 CLARK COUNTY, NEVADA 5 Patricia Foley, 6 Petitioner. Case No. R-11-162425-R 7 VS. Department No. CHILD SUPPORT 8 Michael Foley, 9 Respondent. 10 MASTER'S RECOMMENDATION 11 This matter having been heard on FEBRUARY 19, 2014 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations: 12 Parties present: Respondent Respondent's attorney Petitioner Petitioner's attorney 13 ☐ PATERNITY ☑ PATERNITY PREVIOUSLY DECIDED 14 ☑ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS). Respondent's gross monthly income (GMI) ; formula amount : 15 Basis for deviation from state formula: \_\_ Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley. 16 CHILD SUPPORT 17 Respondent is to pay monthly: \$700.00 Temp child support 18 medical support (in lieu of health insurance) spousal support 19 \$25.00 arrears payment □ ARREARAGES ☒ ARREARAGES NOT ADDRESSED AT THIS HEARING 20 TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) \$ 804.00 reach majority, become emancipated or further order of the Court. 21 Respondent's **INCOME SHALL BE WITHHELD** for the payment of support. 22 Good cause to stay income withholding is based on:\_\_\_\_\_. Said withholding shall be postponed until Respondent becomes delinquent in an amount equal to 30 days support. 23 ENFORCEMENT OF CONTROLLING ORDER: The registered order from \_\_\_\_\_\_, dated \_\_\_\_\_\_, #\_\_\_\_\_, is hereby 24 confirmed and is the controlling order for the following reasons: only order\_ ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this 25 noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian. Respondent is referred to Employment Services for an appointment on \_\_\_\_\_ at \_\_\_\_ AM. 26 Health insurance coverage for the minor child(ren) herein: ■ Respondent to provide: 
 □ Petitioner to provide, excluding Medicaid: 
 □ Both Parties to provide: 27 if available through employer. shall provide per court order. 28 PINDING 1.2

1		×	Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support within 90 days of today's date.	Division
2				
3			NTEMPT OF COURT	
•••		_		
4			Respondent is hereby found in Contempt of Court and sentenced to 25 days in the Clark County Detention	n Center;
5		$\boxtimes$		
6			Sentence of 20 days in the Clark County Detention Center issued 05/15/12 is imposed vacated	
			Sentence of 05 days in the Clark County Detention Center issued 09/19/12 is imposed vacated  Sentence of 25 days in the Clark County Detention Center issued 11/21/13 is imposed vacated	
7			Sentence of days in the Clark County Detention Center issued is imposed vacated	
8			Respondent is recommended for the day arrest program on	
_			Respondent to be released from custody on	
9			Respondent may be released from the above sentence immediately upon payment of \$ to be released support.	leased to
10	Ø		O BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPO	
11		SU	AY BE RELEASED UPON PAYMENT OF <u>\$804</u> TO BE RELEASED TO PETITIONER AS JPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively call the bench warrant.	
12		rec	can the bench warrant.	
13			ENCH WARRANT PREVIOUSLY ISSUED IS HEREBY QUASHED. CONTINUED.  DDIFFICATION OF PRIOR ORDER:	· · ·
14		SUS	SPENSION OF LICENSES:	
15	PA	VV	MENTS	
	1		MENTS filed payments MUST be made in the form of a cashier's check, money order or business check ONLY, t	nade
16	All pay	mai able		
16	All pay also	mai able acc	tiled payments MUST be made in the form of a cashier's check, money order or business check ONLY, a le to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit excepted.	
15 16 17 18	All pay also	mai able acc	tiled payments MUST be made in the form of a cashier's check, money order or business check ONLY, a le to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit ca excepted.	
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16 17 18 19 20 21 22 23 24 25	Address sup	mai /able /account /acc	niled payments MUST be made in the form of a cashier's check, money order or business check ONLY, to be to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit cacepted.  nents can be mailed to:  State Collection and Disbursement Unit (SCaDU)  P.O. Box 98950  Las Vegas, Nevada 89193-8950  nents can be made in person at:  State Collection and Disbursement Unit (SCaDU)  1900 East Flamingo Road  Las Vegas, Nevada 89119-5168  onally, the following information must be included with each payment: name (first, middle, last) of personsible for paying child support, check case number, and name of petitioner (first and last name of person receiving child support).	on aild
16 17 18 19 20 21 22 23 24	All pay also Pay Add responding NO	mai yable yacco ymo ditio pons port TIC VTIC	niled payments MUST be made in the form of a cashier's check, money order or business check ONLY, to to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit excepted.  Nents can be mailed to:  State Collection and Disbursement Unit (SCaDU)  P.O. Box 98950  Las Vegas, Nevada 89193-8950  Nents can be made in person at:  State Collection and Disbursement Unit (SCaDU)  1900 East Flamingo Road  Las Vegas, Nevada 89119-5168  Onally, the following information must be included with each payment: name (first, middle, last) of personsible for paying child support, social security number of person responsible for paying child support, check the case number, and name of petitioner (first and last name of person receiving child support).  CE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.	on nild ECT. orsuant
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1 2 3	obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced.
4 5	NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168.
6 7 8	NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge.  NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment.
9 10 11	NOTICE: Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address, change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change.
12 13	Respondent to bring new financial statement and proof of income next date.  This order does not stay collection of support arrears by execution or any other means allowed by law.
14 15	**************************************
16 17	NEXT HEARING DATE IS <u>BW</u> in Courtroom in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.
18 19 20	DATED: FEBRUARY 19, 2014  MASTER
<ul><li>21</li><li>22</li><li>23</li></ul>	Respondent/Respondent's Attorney Receipt of this document is acknowledged by my signature.
24 25 26	ORDER/JUDGMENT  The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies that the ten-day objection period has expired without an objection having been filed and that the District Court deems the Master's Recommendation to be approved as an ORDER/JUDGMENT of the District Court, effective with the file stamp
27 28	date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this Order/Judgment.

Steven B. Woffson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Fanningo Road #100 Las Vegas, Nevada 89119-5168

(702)~671-9200-TDD~(702)~385-7486~(for the hearing impaired)

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Page 3 of 4

1	
2	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause appearing,
3	IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an ORDER/JUDGMENT of the District Court this day of, 20
4	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of
5	, 20 and this matter is remanded to Child Support Court on, 20 atat
6	
7	District Court Judge, Family Division
8	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565
9	arm and the
10	By: Wonet Shorts DEPUTY DISTRICT ATTORNEY
11	FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100
12	Las Vegas, Nevada 89119-5168
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	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100
	Las Vegas, Nevada 89/19-5108   (702) 671-9200 - TDD (702) 885-7486 (for the hearing impaired)   Page 4 of 4   FINDING 1.2

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			03/13/2014 08:50:00 AM
1	NEJ Steven B. Wolfson, District Attorney		Alun to Chim
2	Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100		
3	Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)		CLERK OF THE COURT
4	294910200A		
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6	DISTRICT CO	OURT	
7	CLARK COUNTY,	NEVADA	
8			
9	Patricia Foley,		
10	Petitioner, )	Case no.	R-11-162425-R
11	vs.	Dept. no.	CHILD SUPPORT
12	Michael Foley,		
13	Pagnandant )		
14	Respondent.		
15	NOTICE OF ENTRY OF OR	DER/JUDGM	<u>ENT</u>
16	To: MICHAEL FOLEY, Respondent		
17			
18	Please take notice that the enclosed order/judgment again	st the responde	ent MICHAEL FOLEY was
19	entered in the above-entitled matter on February 19, 2014		
20			
21	<u>CERTIFICATE OF N</u>	MAILING	
22	The foregoing Notice of Entry of Order/Judgment was ser	rved upon Mic	hael Anthony Foley by mailing
23	a copy thereof, first class mail, postage prepaid to 209 S S	Stephanie St B-	191, Henderson, NV 89012 on
24	the 13th day of March, 2014.		
25			
26		ancine Burt	A 44
27	Empl Fami	loyee, District ly Support Div	Attorney's Office vision
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## DISTRICT COURT CLARK COUNTY, NEVADA

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		)	Case no.	R-11-162425-R	quu
17	S.	Petitioner,	Dept. no.	CLERK OF THE	E COURT
¥	<b>).</b>	)	Dept. no.	CHED SOFFORT	
MICHAEL F	OLEY,	)			
	<del></del>	) Respondent. )			
		BENCH WAI	RRANT		
To: ANY SI	HERIFF, CONSTABLE, MARSH	IAL, POLICEMAN	or PEACE OF	FICER IN THIS STATE	
FEBRUARY YOU ARE C adjourned, de County Sheri		int for Support and he-named Respondent for Clark County; be BAIL. Respondent	naving failed to a and bring him be ail for Responde	ppear at said time, now therefore,	<u>ily</u>
Ası	s Warrant may be served at any hecommended by Special Master EN under my hand this Athan day	MERLE LOK y of April	ict Court Judge	, 20 / 5. 7	
Steven B. W	/olfson	13111			
	ty District Attorney No. 001565			*	
Ann	Barringer_				
Deputy Dist	rict Attorney				
	ort appearances may be scheduled port Office, (702) 671-9200, by				
Date		Resp	ondent		
		RETURN OF S	ERVICE	MICHAEL POLEY	
I he	reby certify that I received the all arresting the above-named Resp	bove and foregoing condent, the arrest	g BENCH WAI being made on	RRANT on 08-06-14 and serv	/ed
Date	ed this Ob day of AUG	110	20	14	

BWRCS\$

PEACE OFFICER

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1	NEMR Steven B. Wolfson, District Attorney Nevada Bar No. 001565 Family Support Division	
2	7000 F - 77 - 70 T 0 T 0 T 0 T 0 T 0 T 0 T 0 T 0 T 0	
3	1900 East Flamingo Road, Suite 100   CLERK OF THE COURT     Las Vegas, Nevada 89119-5168     (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)	
4	294910200A	
5		
6	DISTRICT COURT	
7	CLARK COUNTY, NEVADA	
8		
9	Patricia Foley,	
10	Case no. R-11-162425-R Petitioner,	
11	vs. Dept. no. CHILD SUPPORT	
12	Michael Foley,	
13	Respondent.	
14	Kespondent.	
15	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS	
16	To: Michael Foley, Respondent or Respondent's Attorney	
17	To: Patricia Foley, Petitioner or Petitioner's Attorney	
18	Please take notice that the enclosed Master's Recommendations were entered in the above-entitled	
19	matter on August 08, 2014,	
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**CERT** Case no, R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on August 08, 2014, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 209 S Stephanie St B191 Henderson NV 89012 on August 11, 2014. /s/ Lori Robinson Employee, District Attorney's Office Family Support Division 

NEMREC

**CERT** Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on August 08, 2014, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8838 Tomnitz Ave 103 Las Vegas NV 89178 on August 11, 2014. /s/ Lori Robinson Employee, District Attorney's Office Family Support Division 

NEMREC

Electronically Filed 08/13/2014 07:01:15 AM

	00/13/2014 07:01:13 AW
1	NEMR Steven B. Wolfson, District Attorney Nevada Bar No. 001565 Family Support Division
2	
3	1900 East Flamingo Road, Suite 100  Las Vegas, Nevada 89119-5168  (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)
4	294910200A
5	
6	DISTRICT COURT
7	CLARK COUNTY, NEVADA
8	
9	Patricia Foley,
10	) Case no. R-11-162425-R Petitioner, )
11	vs. ) Dept. no. CHILD SUPPORT
12	Michael Foley,
13	Respondent.
14	
15	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS
16	To: Michael Foley, Respondent or Respondent's Attorney
17	To: Patricia Foley, Petitioner or Petitioner's Attorney
18	Please take notice that the enclosed Master's Recommendations were entered in the above-entitled
19	matter on August 11, 2014,
20	
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**CERT** Case no, R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on August 11, 2014, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 209 S Stephanie St B191 Henderson NV 89012 on August 12, 2014. /s/ Katherine Yonashiro Employee, District Attorney's Office Family Support Division 

NEMREC

**CERT** Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on August 11, 2014, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8838 Tomnitz Ave 103 Las Vegas NV 89178 on August 12, 2014. /s/ Katherine Yonashiro Employee, District Attorney's Office Family Support Division 

NEMREC

			Electronically Filed 08/21/2014 09:18:00 AM
1	NOTM Steven B. Wolfson, District Attorney		
2	Nevada Bar No. 001565 Family Support Division		Alun b. Chrim
3	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168		CLERK OF THE COURT
4	(702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A		
5	DISTRICT C	OURT	
6	CLARK COUNTY,	NEVADA	
7			
8	PATRICIA FOLEY		
9	}	Case no.	R-11-162425-R
10	Petitioner, ) vs.	Dept. no.	CHILD SUPPORT
11	MICHAEL FOLEY,		
12	)		
13	Respondent.		
14	DISTRICT ATTORNEY'S NO	TICE OF MOT	ION &
15	MOTION TO MODIFY C	HILD SUPPOR	T
16	Date of Hearing: DECEMBER 09, 2014 Time of Hearing: 09.15 AM		
17	Court Room: 1	• • • • • • • • • • • • • • • • • • • •	
18	The District Attorney, by and through the unders	igned Denuty D	sistrict Attorney, moves the
19	above entitled Court for review and adjustment of the ch		** *
20	the above-entitled parties, including provision for medical		<del>-</del>
21	Petitioner's cost of providing medical insurance, if any.	m misurançe or e	CONTINUERAL LOWARD
			a file beggin and the attached
22	This Motion is made and based upon the pleading	2 *	
23	Points and Authorities, exhibit(s), if any, oral argument,	•	-
24	Proof of Respondent's income indicating the		•
25	determined. Updated income information to be provided	t at the time of t	the hearing, if any.
26	Other:		
27			
28	///		

1	Further, the District Attorney requests this Honorable Court conduct a review of the order		
2	because it is alleged that changed circumstances can be demonstrated pursuant to NRS 125B.145(1)		
3	and/or (4). It is alleged that Respondent's income has changed by 20% or more.		
4	NEVADA'S MODIFICATION OF ANOTHER STATE'S ORDER IS PROPER BECAUSE:		
5	An individual party,, has requested modification; this tribunal has personal		
6	jurisdiction over the non-movant and the issuing state (the state whose order controlled prior to this		
7	modification) is no longer the residence of any individual party/contestant or child(ren). NRS		
8	130.611(1)(a).		
9	An individual party,, has requested modification; all individual parties and children		
10	now reside in Nevada. NRS 130.613(1).		
11	All parties/contestants have filed written consent with the tribunal whose order controlled		
12	prior to this modification for this tribunal to modify the support obligation and assume continuing,		
13	exclusive jurisdiction. NRS 130.611(1)(b).		
14	Dated this day of _Aug-20-2014, 20		
15	Respectfully Submitted,		
16	Steven B. Wolfson District Attorney		
17	Nevada Bar No. 001565		
18			
19	John Danhan for JWM  Jeffrey Messmore		
20	Deputy District Attorney		
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	Sieven B. Wolffon, District Attornéy, Nevada Bar No. 001555		

## **NOTICE OF HEARING** TO: Michael Anthony Foley, Respondent: You will please take notice that the District Attorney's Office, Family Support Division, will bring the above and foregoing motion on for hearing in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, in Court Room 1 on the DECEMBER 09, 2014 at 09.15 AM, or as soon thereafter as the case may be heard. /// /// /// /// /// /// $/\!/\!/$ /// Sleven B. Wolfson, District Atlomey, Nevada Bar No. 001:855 Family Support Division 1900 Bas: Flamingo Read, Sulta 100 Las Vegas, Nevada 89119-5168 (702):671-9200 - YDD (702):855-7486(for the hearing impaired) мотмою

Page 3 of 5

### POINTS AND AUTHORITIES IN SUPPORT OF THE MOTION

A review of a support order can be requested by either party or, in a welfare case, by the District Attorney's Office, at least every three years pursuant to NRS 125B.145 (1). "Support" includes not only financial maintenance, but also support for a child's health care and educational needs. NRS 125B.020. The Court has authority to adjust an order if the moving party has demonstrated changed circumstances since the order was last entered. Rivero v. Rivero, 125 Nev. Adv. Op. No. 43, 216 P.3d 213 (2009). A modification may also be made on an order less than three years old. Likewise, the moving party must show changed circumstances. NRS 125B.145(4).

NRS 125B.145(4) declares that "[a]n order for the support of a child may be reviewed at any time on the basis of changed circumstances" and adds that a change of 20% or more in a child support obligor's gross monthly income "shall be deemed to constitute changed circumstances requiring a review for modification of the order for the support of a child." Fernandez v. Fernandez, 126 Nev. Adv. Op. No. 3, 222 P.3d 1031 (2010). Changed circumstances may also include other events in the lives of the parties such as emancipation or the addition of a new child to the family.

The statutory formula for child support is stated in NRS 125B.070 and NRS 125B.080. Specifically, NRS 125B.070 (1)(b) requires the Court to set support using the non-custodial parent's gross monthly income and applying 18% for one child, 25% for two children, 29% for three children, and 2% more for each child thereafter. The Court may further increase or decrease support by considering certain factors or deviations listed in NRS 125B.080(9).

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Steven B. Wolfson, District Attorney, Nevada Bar No. 001:85 Family Support Division 1900 Bas: Flamingo Road, Sulta 100 Las Vegas, Nevada 89119-5168 (702):671-9200 - YDD (702):865-7486(for the hearing impatred)

MOTMOD

1	It is respectfully requested that this Honorable Court determine the Respondent's gross monthly		
2	income or, in the alternative, impute earning capacity. The support order should be adjusted as		
3	appropriate, and address health insurance, if available at a reasonable cost. If the Petitioner carries		
4	health insurance for the child, the order should require the Respondent to contribute to the cost of the		
5	health insurance for the child upon a showing of proof.		
6	Dated this day ofAug-20-2014, 20		
7	Respectfully Submitted,		
8	Steven B. Wolfson		
9	District Attorney Nevada Bar No. 001565		
10			
11	Deputy District Attorney		
12	Deputy District Attorney		
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	Saleven B. Wolffon, District, Altorney, Nevada Bay No. 001:855		

Page 5 of 5

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3   C1 5   pc 6   7   M 8   20 10   on 11   12   13   14   15   16   17   18   19   20   21   22   23   24	CERT Case no. R-11-162425-R
4 C1 5 po 6 Po 7 M 8 Po 10 on 11   12   13   14   15   16   17   18   19   20   21   22   23   24	CERTIFICATE OF MAILING
5   po	The foregoing DISTRICT ATTORNEY'S NOTICE OF MOTION & MOTION TO MODIFY
5   pc 6   Pc 7   M 8   20 He 9   on 11   12   13   14   15   16   17   18   19   20   21   22   23   24	CHILD SUPPORT was served upon Michael Anthony Foley by mailing a copy thereof, first class mail,
6   M8   20   H6   9   10   on 11   12   13   14   15   16   17   18   19   20   21   22   23   24   1	
8   26   He	ostage prepaid to:
9   He 9   10   on 11   12   13   14   15   16   17   18   19   20   21   22   23   24	MICHAEL ANTHONY FOLEY
9   10   or 11   12   13   14   15   16   17   18   19   20   21   22   23   24	09 S Stephanie St B191 Ienderson NV 89012
11	
12   13   14   15   16   17   18   19   20   21   22   23   24	on the 21st day of August , 2014.
13   14   15   16   17   18   19   20   21   22   23   24	
14   15   16   17   18   19   20   21   22   23   24	
15   16   17   18   19   20   21   22   23   24	Employeé, District Attorney's Office Family Support Division
16   17   18   19   20   21   22   23   24	v 11
17 18 19 20 21 22 23 24	
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Neva Fami 1900 Las <sup>3</sup>	oven B. Wolfson, Dietrict Anomey  vode Bar No. 001565  Wolfson Dietrict Anomey  vode Bar No. 001565  Wolfson Dietrict Anomey  vode No. 001565  Volume Dietrict A

1	CERT Case no. R-11-162425-R
2	CERTIFICATE OF MAILING
3	The foregoing DISTRICT ATTORNEY'S NOTICE OF MOTION & MOTION TO
4	MODIFY CHILD SUPPORT was served upon Patricia Foley by mailing a copy thereof, first class
5	mail, postage prepaid to:
6	
7	Patricia Foley 8838 Tomnitz Ave 103
8	Las Vegas, NV 89178
9	on the 21st day of August , 2014.
10	Z = 5
11	Employee, District Attorney's Office
12	Family Support Division
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28	Steven B. Wolfson, Dierrict Anomey Newada Bar No. 001565
	Family Suppor: Division   1900 East: Flamingo Road #190   Law Yeags, Wasda 891 19-5168   (702) 671-9200 - TOD (702) 385-7486 (for the learing impaired)   Page 2 of 2

Electronically Filed 09/02/2014 08:22:27 AM

	09/02/2014 08:22:27 AM
	MRAO STEVEN B. WOLFSON
1	STEVEN B. WOLFSON DISTRICT ATTORNEY Nevada Bar No. 001565 FAMILY SUPPORT DIVISION
	1
2	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168  CLERK OF THE COURT
3	(702) 671-9200
	294910200A District Court
4	CLARK COUNTY, NEVADA
5	
	Patricia Foley,
6	) )
7	Petitioner, ) Case No. R-11-162425-R
7	vs.
8	) Department No. CHILD SUPPORT )
	)
9	Respondent. )
10	MASTED'S DECOMMENDATION
	MASTER'S RECOMMENDATION
11	This matter having been heard on AUGUST 11, 2014 (Attorney Maskal, #6410, UNBUNDLED) before the undersigned
12	Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations:
13	Parties present: ☐ Respondent ☐ Respondent's attorney ☐ Petitioner ☐ Petitioner's attorney
14	□ PATERNITY ☑ PATERNITY PREVIOUSLY DECIDED
15	☑ FINANCIALS:       ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS).         Respondent's gross monthly income (GMI)       : \$900.00; formula amount       29% of GMI=       \$ 261.00
16	Basis for deviation from state formula: <u>Temporary setting based on Respondent's income.</u> Respondent is to pay current support for the child(ren), <u>Michael Foley, AND Elizabeth Foley, AND Therese Foley.</u>
17	CHILD SUPPORT
18	Respondent is to pay monthly:
10	\$300.00 Temp child support
19	\$79.00 Temp medical support (in lieu of health insurance) spousal support
20	\$25.00 Temp arrears payment
20	☐ ARREARAGES ☒ ARREARAGES NOT ADDRESSED AT THIS HEARING
21	\$ 404.00 TOTAL monthly payment is due on the 1 <sup>st</sup> day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.
22	Boson dont's INCOME SHALL BE WITHUELD for the permant of support
23	Respondent's INCOME SHALL BE WITHHELD for the payment of support.  Good cause to stay income withholding is based on:  becomes delinquent in an amount equal to 30 days support.
24	ENFORCEMENT OF CONTROLLING ORDER: The registered order from, dated, #, is hereby
	confirmed and is the controlling order for the following reasons:  only order
25	ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian.
26	Respondent is referred to Employment Services for an appointment on at AM.
27	☐ Ilealth insurance coverage for the minor child(ren) herein:
	Respondent to provide: Petitioner to provide, excluding Medicaid: Both Parties to provide:
28	☐ if available through employer. ☐ shall provide per court order.
	FINDNG 1.2
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1		×	Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support Divisio within 90 days of today's date.	
2				
3			VIEMPT OF COURT □ NOT A SHOW CAUSE HEARING  RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.	
			ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE.	
4	Respondent is hereby found in Contempt of Court and sentenced to days in the Clark County Detention Center; this sentence shall be stayed until the next court date.			
5		X	The following sentence(s) shall be stayed/continued to the next court date unless imposed or vacated today:	
6			Sentence of 20 days in the Clark County Detention Center issued 05/15/12 is imposed vacated X_ stayed Sentence of 05 days in the Clark County Detention Center issued 09/19/12 is X_ imposed vacated stayed	
7			Sentence of 25 days in the Clark County Detention Center issued 11/21/13 is imposed vacated X stayed Sentence of 25 days in the Clark County Detention Center issued 03/12/14 is imposed vacated X stayed	
8			Sentence of 25 days in the Clark County Detention Center issued 03/12/14 isimposedvacated X stayed Respondent is recommended for the day arrest program on	
G			Respondent to be released from custody on 8/16/14.	
9			Respondent may be released from the above sentence immediately upon payment of \$200.00 to be released to	
10		NO	Petitioner as child support.  Discretely ISSUED FOR THE ARREST OF RESPONDENT. RESPONDENT.	
11		SU	AY BE RELEASED UPON PAYMENT OF \$ TO BE RELEASED TO PETITIONER AS CHILD PPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash of the bands program to the bands progr	
12			call the bench warrant.	
13	_	M()	CNCH WARRANT PREVIOUSLY ISSUED IS HEREBY QUASHED. CONTINUED.	
14			dification effective: <u>8/1/14.</u> is order modifies a previously existing, previously controlling support order. By this modification, this tribunal	
15		assı	umes or retains continuing, exclusive jurisdiction of the child support obligation for the child(ren) and parties ntified in this order. Modification is proper for the following reason(s):	
16			The previously controlling order is from, dated, #	
17			An individual party,, has requested modification of the previously controlling Nevada support order.	
18			An individual party,, has requested modification; this tribunal has personal jurisdiction over the non-movan and the issuing state (the state whose order controlled prior to this modification) is no longer the residence of any	
19			individual party/contestant or child(ren).	
20			An individual party,, has requested modification; all individual parties and children now reside in Nevada.	
21			All parties have filed written consent with the tribunal whose order controlled prior to this modification for this tribunal to modify the support obligation and assume continuing, exclusive jurisdiction.	
22		SUS	SPENSION OF LICENSES:	
23	PA	YM	MENTS	
24	All pay	mai able	iled payments MUST be made in the form of a cashier's check, money order or business check ONLY, made e to State Collection and Disbursement Unit (SCaDU).  If payments are made in person, cash or debit card are	
25	aise	ı acc	cepted.	
	Pa	yme	ents can be mailed to:	
26			State Collection and Disbursement Unit (SCaDU)	
27			P.O. Box 98950	
			Las Vegas, Nevada 89193-8950	
28				
	Family 1960 E	Suppor ast Flan	(Son, District Attorney, Nevada Bar No. 601565 nt Division uiugo Road #100 rada #3119-5168	
		213 D300	5 4 4	

1 Payments can be made in person at: **State Collection and Disbursement Unit (SCaDU)** 2 1900 East Flamingo Road **Las Vegas, Nevada 89119-5168** 3 Additionally, the following information must be included with each payment; name (first, middle, last) of person 4 responsible for paying child support, social security number of person responsible for paying child support, child support case number, and name of petitioner (first and last name of person receiving child support). 5 NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER, 6 NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT. 7 NOTICE: Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant to NRS 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay 8 support for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these 10 additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced. 11 NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and 12 Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this 13 purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168. NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's 14 Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless 15 signed and filed by a Judge. 16 NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment. 17 NOTICE: Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address, 18 change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change. 19 Respondent to bring new financial statement and proof of income next date. 20 This order does not stay collection of support arrears by execution or any other means allowed by law. 21 \*\*\*\*\*\*\*\*\*\*\*\*\*\*\* MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS: 22 Last payment 6/2014 as an involuntary payment. Respondent is self-employed. He testified he earns \$800 to \$1000 per 23 month. Respondent to bring 2012 and 2013 IRS tax returns, and profit and loss statement. DAFS to request updated health insurance information and to be addressed next court date. 24 NEXT HEARING DATE IS <u>December 9, 2014 at 9:15 AM</u> in Courtroom <u>1</u> in Child Support 25 Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings. 26 27 destino Tenter DATED: \_AUGUST 11, 2014 28 Steven B. Wolfson, District Attorney, Nevada Bar No. 001563 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5108

Page 3 of 4

(702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)

FINDNG 1.2

1	MASTER
2	
3	Parmon don't Parmon don't a Attornary
4	Respondent/Respondent's Attorney Receipt of this document is acknowledged by my signature.
5	
6	ORDER/JUDGMENT
7	The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court
8	pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies that the ten-day objection period has expired without an objection having been filed and that the District Court deems the
9	Master's Recommendation to be approved as an <b>ORDER/JUDGMENT</b> of the District Court, effective with the file stamp date, without need of a District Court Judge's signature affixed hereto. <b>The parties are ordered to comply with this Order/Judgment.</b>
10	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and
11	considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause appearing,
12	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an
13	ORDER/JUDGMENT of the District Court this day of, 20
14	IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of, 20 and this matter is remanded to Child Support Court on, 20 atM.
15	
14	District Count Index Family Division
16	District Court Judge, Family Division
17	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565
17 18	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565
17	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565  By: World Monda
17 18 19 20	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565  By:     World Strict Attorney   DEPUTY DISTRICT ATTORNEY   FAMILY SUPPORT DIVISION   1900 East Flamingo Road, Suite 100
17 18 19 20 21	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565  By:     Word Sould   DEPUTY DISTRICT ATTORNEY   FAMILY SUPPORT DIVISION
17 18 19 20 21 22	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565  By:     World Strict Attorney   DEPUTY DISTRICT ATTORNEY   FAMILY SUPPORT DIVISION   1900 East Flamingo Road, Suite 100
17   18   19   20   21   22   23	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565  By:     World Strict Attorney   DEPUTY DISTRICT ATTORNEY   FAMILY SUPPORT DIVISION   1900 East Flamingo Road, Suite 100
17 18 19 20 21 22 23 24	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565  By:     World Strict Attorney   DEPUTY DISTRICT ATTORNEY   FAMILY SUPPORT DIVISION   1900 East Flamingo Road, Suite 100
17 18 19 20 21 22 23 24 25	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565  By:     World Strict Attorney   DEPUTY DISTRICT ATTORNEY   FAMILY SUPPORT DIVISION   1900 East Flamingo Road, Suite 100
17 18 19 20 21 22 23 24 25 26	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565  By:     World Strict Attorney   DEPUTY DISTRICT ATTORNEY   FAMILY SUPPORT DIVISION   1900 East Flamingo Road, Suite 100
17 18 19 20 21 22 23 24 25	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565  By:     World Strict Attorney   DEPUTY DISTRICT ATTORNEY   FAMILY SUPPORT DIVISION   1900 East Flamingo Road, Suite 100
17   18   19   20   21   22   23   24   25   26   27	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565  By:     World Strict Attorney   DEPUTY DISTRICT ATTORNEY   FAMILY SUPPORT DIVISION   1900 East Flamingo Road, Suite 100

Electronically Filed

09/02/2014 08:32:13 AM MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY 1 Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 2 1900 East Flamingo Road, Suite 100 CLERK OF THE COURT Las Vegas, Nevada 89119-5168 (702) 671-9200 3 TDD (702) 385-7486 (for the hearing impaired) District Court 294910200A 4 CLARK COUNTY, NEVADA 5 Patricia Foley, 6 Petitioner. Case No. R-11-162425-R 7 VS. Department No. CHILD SUPPORT 8 Michael Foley, 9 Respondent. 10 MASTER'S RECOMMENDATION 11 This matter having been heard on AUGUST 08, 2014 (Respondent incustody and not produced) before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the 12 following Findings and Recommendations: 13 Parties present: Respondent Respondent's attorney Petitioner Petitioner's attorney ☐ PATERNITY ☑ PATERNITY PREVIOUSLY DECIDED 14 ☑ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS). 15 Respondent's gross monthly income (GMI) : ; formula amount % of GMI= Basis for deviation from state formula: 16 Respondent is to pay current support for the child(ren), Michael Foley & Elizabeth Foley & Therese Foley. 17 CHILD SUPPORT Respondent is to pay monthly: 18 \$700.00 Temp child support \$79.00 medical support (in lieu of health insurance) 19 spousal support \$25.00 arrears payment 20 □ ARREARAGES ⋈ ARREARAGES NOT ADDRESSED AT THIS HEARING TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) 21 \$804.00 reach majority, become emancipated or further order of the Court. 22 Respondent's INCOME SHALL BE WITHHELD for the payment of support. Good cause to stay income withholding is based on:\_\_\_\_\_. Said withholding shall be postponed until Respondent 23 becomes delinquent in an amount equal to 30 days support. ENFORCEMENT OF CONTROLLING ORDER: The registered order from \_\_\_\_\_\_, dated \_\_\_\_\_\_, #\_\_\_\_\_, is hereby 24 confirmed and is the controlling order for the following reasons: 

only order \_\_\_\_ 25 ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian. 26 Respondent is referred to Employment Services for an appointment on at AM. Health insurance coverage for the minor child(ren) herein: 27 Respondent to provide: Petitioner to provide, excluding Medicaid: Both Parties to provide: if available through employer. shall provide per court order. 28 PINDING 1.2

1	☑ Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support Division within 90 days of today's date.			
2				
3	1	VITEMPT OF COURT INOT A S		FEMDT
	<ul> <li>□ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.</li> <li>□ ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE.</li> </ul>			
4	Trespondent is nered) reads in committee of court and sentences to days in the characteristic			
5	Center; this sentence shall be stayed until the next court date.  In following sentence(s) shall be stayed/continued to the next court date unless imposed or vacated today:			
6	Sentence of 20 days in the Clark County Detention Center issued 05/15/12 isimposedvacated _x_ stayed			
-	Sentence of 3 days in the Clark County Detention Center issued <u>09/19/12</u> is imposed <u>vacated x stay</u>			
7			unty Detention Center issued 03/12/14 is	
8		Respondent is recommended for the	ne day arrest program on	
9		Respondent to be released from cu	· ·	
		Respondent may be released from Petitioner as child support.	m the above sentence immediately upor	payment of \$ to be released to
10		BAIL BENCH WARRANT HE	REBY ISSUED FOR THE ARREST	
11			YMENT OF <u>\$</u> TO BE RELEA ustify a sufficient basis, the District At	
12	rec	all the bench warrant.		
13		NCH WARRANT PREVIOUSLY DIFICATION OF PRIOR ORDER:	Y ISSUED IS HEREBY   QUASH	ED. □ CONTINUED.
14	SUS	SPENSION OF LICENSES:		
15	DAVI	MENTS		
16	All mai	led payments MUST be made in t	the form of a cashier's check, money or	
	payable also acc		ment Unit (SCaDU). If payments are n	nade in person, cash or debit card are
17	Dans	omto con he medied to.		
18	Payme	ents can be mailed to: State Collection and	l Disbursement Unit (SCaDU)	
19		P.O. Box 98950		
		Las Vegas, Nevada	89193-8950	
20	Payme	ents can be made in person a	at:	
21		State Collection and	l Disbursement Unit (SCaDU)	
22		1900 East Flamingo		
		Las Vegas, Nevada	99119-3109	
23			nust be included with each payment: na	
24	responsible for paying child support, social security number of person responsible for paying child support, child support case number, and name of petitioner (first and last name of person receiving child support).			
25	NOTIC	CE: NO CREDIT WILL BE GIVE	EN FOR PAYMENTS PAID DIRECTI	Y TO THE PETITIONER.
26	NOTIC	E: PRIOR ORDERS NOT SPECIF	FICALLY MODIFIED HEREIN REMAI	N IN FULL FORCE AND EFFECT.
27			unpaid child support balances for cases wi essed on each unpaid installment, or portion	
28			095. If the Respondent pays support throu	
	Lappore			
	Steven B. Wof Family Suppor 1900 East Flar	Eson, District Attorney, Nevada Bar No. 001565 rt Division uiugo Road #100 vada 89119-5168		

1 2 3	obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced.				
<b>4</b> 5	NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168.				
6 7	<b>NOTICE:</b> Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge.				
8 9	<b>NOTICE:</b> Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment.				
10 11	<b>NOTICE:</b> Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address, change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change.				
12	Respondent to bring new financial statement and proof of income next date.				
13	This order does not stay collection of support arrears by execution or any other means allowed by law.				
	***********				
<ul><li>14</li><li>15</li></ul>	MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS:  Respondent was arrested on 8/6/14. Last payment received 6/6/14 (only payment this year).				
<ul><li>16</li><li>17</li><li>18</li><li>19</li></ul>	NEXT HEARING DATE IS <u>August 11, 2014 at 1:15 PM</u> in Courtroom <u>1</u> in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.				
	DATED: AUGUST 08, 2014  MASTER				
20 21	WASTER				
22	Respondent/Respondent's Attorney				
23	Receipt of this document is acknowledged by my signature.				
24	ORDER/JUDGMENT				
25					
26	The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court				
27	pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies that the ten-day objection period has expired without an objection having been filed and that the District Court deems the				
28	Master's Recommendation to be approved as an ORDER/JUDGMENT of the District Court, effective with the file stamp				
	Steven B. Wolfson, District Attorney, Nevada Bar No. 601563 Family Support Division 1960 East Flamingo Road #166 Las Vegas, Nevada 80119-3168				

Page 3 of 4  $(702)\ 671\text{-}9200$  — TDD  $(702)\ 385\text{-}7486$  (for the hearing impaired)

FINDING 1.2

1	date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this Order/Judgment.			
3	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause appearing,			
<b>4 5</b>	IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an ORDER/JUDGMENT of the District Court this day of, 20			
6 7	IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of, 20 and this matter is remanded to Child Support Court on, 20 atM.			
8	District Court Judge, Family Division			
9	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565			
10				
11 12	By: DEPUTY DISTRICT ATTORNEY FAMILY SUPPORT DIVISION			
13	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168			
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20	Steven B. Wolfson, District Attorney, Nevada Bar No. 601563			

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3	1900 East Flamingo Road, Suite 100  Las Vegas, Nevada 89119-5168  (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)		
4	294910200A		
5			
6	DISTRICT COURT		
7	CLARK COUNTY, NEVADA		
8			
9	Patricia Foley,		
10	Case no. R-11-162425-R Petitioner,		
11	vs. Dept. no. CHILD SUPPORT		
12	Michael Foley,		
13	Respondent. )		
14	Respondent.		
15	NOTICE OF ENTRY OF ORDER/JUDGMENT		
16	To: MICHAEL FOLEY, Respondent, and		
17	To: Aurora M Maskall Esq., Attorney of Record		
18	Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was		
19	entered in the above-entitled matter on August 08, 2014.		
20			
21	CERTIFICATE OF MAILING		
22	The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing		
23	a copy thereof, first class mail, postage prepaid to Aurora M Maskall Esq., Attorney of Record, at 7575		
24	Vegas Dr #150 Las Vegas, NV 89128 on the 3rd day of September, 2014.		
25			
26	/s/ Lori Robinson Employee, District Attorney's Office		
27	Family Support Division		
28			

1	NOW Atun & Chun	
A. MARIA MASKALL, ESQ.		CLERK OF THE COURT
3	LEE, HERNANDEZ, LANDRUM, & GAROFALO, APC	
<i>3</i> 4	7575 Vegas Drive, Suite 150 Las Vegas, Nevada 89128	
5	(702) 880-9750   Fax: (702) 314-1210	
	amaskall@lee-lawfirm.com	
6	Attorneys for MICHAEL FOLEY	
7 8		RICT COURT
	transfer the state of the state	
9	CLARA	COUNTY, NEVADA
10	PATRICIA FOLEY,	CASE NO.: R-11-162425-R
11	Petitioner,	DEPT. NO.: CHILD SUPPORT
12	,	and the same of th
13	VS.	200 m
14	MICHAEL FOLEY,	Date of Hearing: N/A Time of Hearing: N/A
15	Respondent.	шин
16	NOTICE OF WI	THDRAWAL OF COUNSEL
17	TO: PATRICIA FOLEY, Petitioner;	
18	TO: STATE OF NEVADA, Petitioner's	s counsel of record; and
19	TO: MICHAEL FOLEY, Respondent in	a Proper Person.
20	The law firm of LEE, HERNAND	EZ, LANDRUM & GAROFALO, hereby gives notice
21	of its withdrawal as counsel of record for	r Respondent, MICHAEL FOLEY, pursuant to Eighth
22	Judicial District Court Rule 5.28, as the fir	rm had been hired to perform a limited service, and that
23	service has been completed.	
24		
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28	**************************************	

\$CK

Until further notice, the client will be representing himself in proper person unless another attorney agrees to represent Respondent. The following is Respondent's last known address:

MICHAEL FOLEY 209 S. Stephanie St., Ste. B-191 Henderson, Nevada 89012 (702) 771-9725

DATED this \_\_\_\_\_\_ day of September, 2014.

### LEE, HERNANDEZ, LANDRUM, & GAROFALO, APC

By: /s/ Maria Maskall,

A. MARIA MASKALL, ESQ.
Nevada Bar No.: 6410
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
(702) 880-9750
Fax: (702) 314-1210

# LEE, HERNANDEZ, LANDRUM, GAROFALO & BLAKE 7575 VEGAS DRIVE, SUITE 150 LAS VEGAS, NV 89128 (702) 880-9750

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the <u>final</u> day of September, 2014, I served a copy of the above and foregoing NOTICE OF WITHDRAWAL OF COUNSEL, via U.S. Mail, place in postage paid envelope to the following counsel/person(s):

MICHAEL FOLEY 209 S. Stephanie St., Ste. B-191 Henderson, Nevada 89012 (702) 771-9725

By:

Lorraine Baxter, an employee of LEE, HERNANDEZ, LANDRUM

& GAROFALO, APC

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	09/15/2014 08:41:23 AM		
1	NEJ Steven B. Wolfson, District Attorney Nevada Bar No. 001565 Family Support Division		
2			
3	1900 East Flamingo Road, Suite 100  Las Vegas, Nevada 89119-5168  (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)		
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5			
6	DISTRICT COURT		
7	CLARK COUNTY, NEVADA		
8			
9	Patricia Foley,		
10	) Case no. R-11-162425-R Petitioner, )		
11	vs. Dept. no. CHILD SUPPORT		
12	Michael Foley,		
13	Respondent. )		
14			
15	NOTICE OF ENTRY OF ORDER/JUDGMENT		
16	To: MICHAEL FOLEY, Respondent, and		
17	To: Aurora M Maskall Esq., Attorney of Record		
18	Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was		
19	entered in the above-entitled matter on August 11, 2014.		
20			
21	CERTIFICATE OF MAILING		
22	The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing		
23	a copy thereof, first class mail, postage prepaid to Aurora M Maskall Esq., Attorney of Record, at 7575		
24	Vegas Dr #150 Las Vegas, NV 89128 on the 15th day of September, 2014.		
25			
26	/s/ Katherine Yonashiro Employee, District Attorney's Office		
27	Family Support Division		
28			

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1 **RSPN** MICHAEL FOLEY CLERK OF THE COURT 2 209 S. Stephanie St. Ste B-191 Henderson, NV 89012 3 Telephone: (702) 771-9725 Defendant in Proper Person 4 **DISTRICT COURT** 5 FAMILY DIVISION 6 CLARK COUNTY, NEVADA 7 8 9 PATRICIA FOLEY 10 Case No. Petitioner, R-11-162425 "C" / Child Support Dept. No. 11 VS. 12 Date of Hearing: December 9, 2014 Time of Hearing: 9:00 a.m. MICHAEL FOLEY, 13 14 Respondent. 15 16 RESPONDENT'S RESPONSE TO THE DISTRICT ATTORNEY'S MOTION TO 17 MODIFY CHILD SUPPORT 18 19 COMES NOW, Respondent Michael Foley, in Proper Person, and hereby files this 20 RESPONSE to the pending MOTION. Due to circumstances beyond the his control, 21 Respondent respectfully requests a waiver of personal attendance due to his required 22 presence in the U.S. District Court. 23 24 **FACTS** 25 The Respondent's monthly income and necessary expenses, as reflected within 26 Exhibit "A," show that his current net income is at or near the Federal poverty measure. He 27 28

has been granted in forma pauperis status in not just the 8th District Court, but also the U.S. District Court, as evidenced by Exhibit "B."

The Respondent is required to be present at a hearing scheduled by a U.S. Magistrate Judge, at practically the same time as this hearing, concerning an action he has filed to obtain injunctive and other relief arising from a claim he has brought against certain Clark County agents who have substantially hindered his ability to have fair employment opportunities by unjustly entering his name into the Nevada Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child established by NRS 432.100. In the year 2012, the Respondent's name was entered into the registry in retaliation for having sued the Clark County DFS agent who maliciously and falsely prosecuted the Respondent so that the Petitioner, Patricia Foley, would win the underlying divorce and child custody litigation. Said action is now before the 9th Circuit Court of Appeals, and the action for retaliation is just beginning in the U.S. District Court. The Respondent is hopeful that Clark County and its officials will soon remove his name from the registry so that he may become eligible for any and all employment opportunities for which he is qualified. In the mean time, the Respondent works very hard serving various private and individual employers who retain him for technical support and tutoring services. Because the District Attorney has suspended the Respondent's driver's license, he is extremely burdened and bears higher than normal transportation expenses, and is still unable to utilize any professional license having been denied equal custody, and a fair and favorable child support award.

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### **ARGUMENT**

The Court should not impose a child support burden greater than the statutory minimum.

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Although the Plaintiff's gross income is currently in excess of \$1200 per month, this amount is only slightly above what he has been earning throughout the year. As the number

of individuals who are willing to hire him has increased, so has his cost of transportation, and other expenses related to his self-employment. This year, 2014, will be the first year that the Respondent will be required to file a Federal Tax return as his earned income since 2007 has been well below the minimum required by the IRS and statutory reporting requirements. The Respondent is currently using borrowed money to meet his monthly expenses, but hopes to find a way to reduce costs. Moreover, there has been a change in circumstances that warrants a change in custody, and the Respondent expects to have no less than equal custody, once a motion or other action can be entertained by the new judge elected to Department "C." CONCLUSION Because the Respondent is a pauper, the Court should either maintain or lower the Respondent's child support burden to the minimal amount that is just. DATED this 8<sup>th</sup> day of December, 2014. / Michael Foley Michael Foley, Respondent in Pro Per CERTIFICATE OF MAILING The foregoing RESPONSE TO THE DISTRICT ATTORNEY'S MOTION TO MODIFY CHILD SUPPORT was served upon Respondent Patricia Foley by and through her attorney, Steven B. Wolfson and/or his deputy, via first class mail, postage prepaid to: Patricia Foley, c/o Steven B. Wolfson and deputies 1900 East Flamingo Rd. Ste. 100

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Las Vegas, Nevada 89119

# Income/Expense by Category 10/1/2014 through 12/8/2014 (Cash Basis)

Category 10/1/2014-12/8/2014

3.969.25	TOTAL EXPENSES
214.00	Utilities (Work)
349.37	Utilities
1,009.56	Transportation
12.96	Supplies (Work)
100.24	Shopping
53.65	Prof and Legal Fees
10.22	Postage and Delivery (Legal)
20.00	Personal Care
96.80	Misc. Expense (Work)
77.01	Misc.
13.79	Litigation
124.86	Kids
70.27	Interest Exp
1,403.69	Housing
13.00	Gifts & Donations
341.83	Food & Dining
32.00	Fees & Charges
26.00	Entertainment
	EXPENSES
2,512.95	TOTAL INCOME
2,512.95	Service Calls
	INCOME

OVERALL TOTAL

-1,456.30

	Case 2:14-cv-00094-RFB-NJK Document 1	Filed 11/24/1	4 Page 1 of 1	
1				
2				
3				
4				
5				
6	UNITED STATES DISTRICT COURT			
7	DISTRICT	NEVADA		
8	MICHAEL FOLEY,	1		
9	Plaintiff(s),	} Case N	o. 2:14-cv-00094-RFB-NJK	
10	VS.	)	R SETTING HEARING	
11	LOREA AROSTEGUI, et al.,	)	et No. 6)	
12	Defendant(s).	\(\)		
13	Liveridation,			
14	Plaintiff Michael Foley is proceeding in t	s action <i>pro se.</i>	On March 10, 2014, the Court	
15	granted Plaintiff's request pursuant to 28 U.S.C.	915 to proceed i	in forma pauperis. Docket No.	
16	4. The Court further screened the complaint pu	ant to 28 U.S.C	C. § 1915(a) and dismissed all	
17	claims without prejudice, except for Plaintiff's F	st Amendment ri	ght to petition the government	
18	for redress of grievances claim. Id., at 5. The Court allowed Plaintiff an opportunity to amend his			
19	complaint, and that amended complaint has now been filed. Docket No. 6. The Court hereby SETS			
20	a hearing on Plaintiff's amended complaint for D	ember 9, 2014, a	at 10:00 a.m. in Courtroom 3B.	
21	Plaintiff shall attend the hearing. THERE WILL	NO EXCEPTIO	ONS TO THIS APPEARANCE	
22	REQUIREMENT.			
23	IT IS SO ORDERED.			
24	DATED: November 24, 2014			
25				
26			and another.	
27	$\overline{ m NA}$	Y L KOPPR	Marie Carlotte Carlot	
28		I States Magistra	ate Judge	
- 1				

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1	NEMR Steven B. Wolfson, District Attorney Nevada Bar No. 001565 Family Support Division			
2	Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100  CLERK OF THE COURT			
3	Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A			
4	294910200A			
5				
6	DISTRICT COURT			
7	CLARK COUNTY, NEVADA			
8				
9	Patricia Foley, )			
10	) Case no. R-11-162425-R Petitioner, )			
11	vs. ) Dept. no. CHILD SUPPORT )			
12	Michael Foley, )			
13	Respondent.			
14	Nonversion of the control of the con			
15	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS  To: Michael Foley, Respondent, and			
16 17				
18	To: Aurora M Maskall Esq., Attorney of Record			
19	To: Patricia Foley, Petitioner or Petitioner's Attorney  Please take notice that the enclosed Master's Recommendations were entered in the above-entitled			
20	matter on December 9, 2014.			
21	mutal off Document 7, 2014.			
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NEMREC

**CERT** Case no, R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on December 9, 2014, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley Aurora M Maskall Esq., Attorney of Record 7575 Vegas Dr #150 Las Vegas NV 89128 on December 9, 2014. /s/ Thomas Boyd\_ Employee, District Attorney's Office Family Support Division 

NEMREC

**CERT** Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on December 9, 2014, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8838 Tomnitz Ave 103 Las Vegas NV 89178 on December 9, 2014. /s/ Thomas Boyd\_ Employee, District Attorney's Office Family Support Division 

NEMREC

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			12/24/2014 08:12:11 AM	
1	NOH Steven B. Wolfson, District Attorney			
2	[ Tallity Suppers Division		Alun to Chim	
3	1900 East Flamingo Road, Suite 100  Las Vegas, Nevada 89119-5168  (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)		CLERK OF THE COURT	
4	29/91/2004			
5	DISTRICT COUR	RT		
6	CLARK COUNTY, NEVADA			
7				
8	Patricia Foley,			
9		ise no.	R-11-162425-R	
10	Petitioner, ) vs. Dep	ept. no.	CHILD SUPPORT	
11	Michael Anthony Foley,			
12	\$ <b>!</b>			
13	Respondent,			
14	NOTICE OF HEARING	<u>G</u>		
15	To: Michael Anthony Foley, Respondent,			
16	To: Patricia Foley, Petitioner:			
17	Notice is hereby given that on the 18th day of Februar	ry, 2015 at	the hour of 02.15 PM in	
18	Court Room 1 of the Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas			ıs,
19	Nevada, a hearing will be held on a continued Order to Show Cause Re Contempt.			
20	If you do not appear, the hearing will proceed in your absence and the Court may order a			
21	judgment against you.			
22	Dated this 23 <sup>rd</sup> day of December, 2014.			
23	\$ I		A 66 a 210 a 22	
24	Nevada Ba	inty District ar No. 0015		
25			P.	
26				
27	Deputy Dis	istrict Attor	ney	
28				
			NO	YTNOH
- 1	II			

**CERT** 

Case no. R-11-162425-R

### **CERTIFICATE OF MAILING**

The foregoing Notice of Hearing was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to:

MICHAEL ANTHONY FOLEY 209 Stephanie St B-191 Henderson NV 89012

on the  $24^{th}$  day of <u>December</u>, 2014.

Employee, District Attorney's Office Family Support Division

NOTNOH

Case no. R-11-162425-R

### **CERTIFICATE OF MAILING**

The foregoing Notice of Hearing was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to:

Patricia Foley 8838 Tomnitz Ave 103 Las Vegas, NV 89178

**CERT** 

on the  $24^{th}$  day of December, 2014.

Employee, District Attorney's Office Family Support Division

NOTNOH

Electronically Filed 12/31/2014 09:24:16 AM MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY 1 Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 2 1900 East Flamingo Road, Suite 100 CLERK OF THE COURT Las Vegas, Nevada 89119-5168 (702) 671-9200 3 TDD (702) 385-7486 (for the hearing impaired) District Court 294910200A 4 CLARK COUNTY, NEVADA 5 Patricia Foley, 6 Petitioner. Case No. R-11-162425-R 7 VS. Department No. CHILD SUPPORT 8 Michael Foley, 9 Respondent. 10 MASTER'S RECOMMENDATION 11 This matter having been heard on DECEMBER 09, 2014 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations: 12 Parties present: Respondent Respondent's attorney Petitioner Petitioner's attorney 13 ☐ PATERNITY ▼ PATERNITY PREVIOUSLY DECIDED 14 ☐ FINANCIALS: ☑ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS). 15 Respondent's INCOME SHALL BE WITHHELD for the payment of support. Good cause to stay income withholding is based on: \_\_\_\_\_. Said withholding shall be postponed until Respondent 16 becomes delinquent in an amount equal to 30 days support. ☐ ENFORCEMENT OF CONTROLLING ORDER: The registered order from \_\_\_\_\_\_, dated \_\_\_\_\_\_, #\_\_\_\_\_, is hereby 17 confirmed and is the controlling order for the following reasons: 

only order ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this 18 noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian. Respondent is referred to Employment Services for an appointment on at AM. 19 Health insurance coverage for the minor child(ren) herein: 20 Respondent to provide: Petitioner to provide, excluding Medicaid: Both Parties to provide: if available through employer. 21 ☑ Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support Division within 90 days of today's date. 22 ☑ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING. 23 □ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT. 24 ☑ ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE. Respondent is hereby found in Contempt of Court and sentenced to \_\_\_\_\_ days in the Clark County Detention 25 Center; this sentence shall be stayed until the next court date. ∑ The following sentence(s) shall be stayed/continued to the next court date unless imposed or vacated today: 26 Sentence of 20 days in the Clark County Detention Center issued 05/15/12 is \_\_\_\_ imposed \_\_\_\_ vacated x stayed Sentence of \_\_\_\_ days in the Clark County Detention Center issued \_\_\_\_ is \_\_\_\_ imposed \_\_\_\_ vacated \_x\_stayed 27 Sentence of 25 days in the Clark County Detention Center issued 11/21/13 is \_\_\_\_ imposed \_\_\_\_ vacated x stayed imposed vacated x stayed Sentence of 25 days in the Clark County Detention Center issued 03/12/14 is 28 PINDING 1.2

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1	Respondent is recommended for the day arrest program on
2	Respondent to be released from custody on
	Respondent may be released from the above sentence immediately upon payment of \$ to be released to Petitioner as child support.
3	□ NO BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPONDENT
4	MAY BE RELEASED UPON PAYMENT OF TO BE RELEASED TO PETITIONER AS CHILD SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or
5	recall the bench warrant.
-	
6	☐ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY ☐ QUASHED. ☐ CONTINUED. ☐ MODIFICATION OF PRIOR ORDER:
7	□ SUSPENSION OF LICENSES:
8	PAYMENTS
9	All mailed payments MUST be made in the form of a cashier's check, money order or business check ONLY, made
10	payable to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit card are also accepted.
	Payments can be mailed to:
L1	State Collection and Disbursement Unit (SCaDU)
ι2	P.O. Box 98950
	Las Vegas, Nevada 89193-8950
13	Payments can be made in person at:
լ4	State Collection and Disbursement Unit (SCaDU)
ا ہے،	1900 East Flamingo Road
15	Las Vegas, Nevada 89119-5168
l6	Additionally, the following information must be included with each payment: name (first, middle, last) of person
۱7	responsible for paying child support, social security number of person responsible for paying child support, child support case number, and name of petitioner (first and last name of person receiving child support).
18	NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.
19	NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.
20	NOTICE: Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant
	to NRS 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay support for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full
21	obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between
22	the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these
23	additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order,
23	Nevada interest and penalties will only be calculated to the date of the new order and will be enforced.
24	NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and
25	Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this
	purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168.
26	NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's
27	Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final
	Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge.
28	
	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support District 1000 Feat Family Support District
	1990   East Flamingo Read #190   Las Vegas, Nevada #8119-5168
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- 1				
1 2	NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment.			
3 4	NOTICE: Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address, change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change.			
5	Respondent to bring new financial statement and proof of income next date.			
	This order does not stay collection of support arrears by execution or any other means allowed by law.			
6	********			
7 8 9	MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS:  No payments have been received for September, October, or November. Respondent is admonished to pay montly or face imposition of contempt. Continued as he has a documented appearance if US District court on another matter scheduled for today at 10:00 AM. Respondent is self-employed. He is to bring copies of filed tax returns next court date for years 2012 and 2013 per NRS 125B.080.			
10 11 12	NEXT HEARING DATE IS <u>January 28, 2015 at 1:45 PM</u> in Courtroom <u>1</u> in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.			
13	Affice 1 Tours			
l4 l5	DATED: DECEMBER 09, 2014  MASTER			
l6 l7	Respondent/Respondent's Attorney Receipt of this document is acknowledged by my signature.			
18	ORDER/JUDGMENT			
19 20 21 22	The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies that the ten-day objection period has expired without an objection having been filed and that the District Court deems the Master's Recommendation to be approved as an ORDER/JUDGMENT of the District Court, effective with the file stamp date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this Order/Judgment.			
23 24	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause appearing,			
25	IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an ORDER/JUDGMENT of the District Court this day of, 20			
26   27   28				
	Steven B. Woffson, District Attorney, Nevada Bar No. 901568 Framily Support Division 1900 East Framings Read #100 Las Vegas, Nevada #9119-5168 (702) 671-9200 - TDD (702) 388-7486 (for the hearing impaired) Page 3 of 4 FINDING 1.2			

By:

Steven B. Woffson, District Attorney, Nevada Bar No. 001565 Family Support District 1900 East Flamingo Read #190 Las Veges, Nevada 89119-5108  $(702)\ 671-9200 - TDD\ (702)\ 385-7486$  (for the hearing impaired) District Court Judge, Family Division

DEPUTY DISTRICT ATTORNEY FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168

Nevada Bar No. 001565

STEVEN B. WOLFSON, Clark County District Attorney

Page 4 of 4

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			12/31/2014 02:49:09 PM
1	NEJ Steven B. Wolfson, District Attorney		Alun to Elmin
2	Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100		
3	Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A		CLERK OF THE COURT
4			
5	DISTRICT C	OUDE	
6	DISTRICT C		
7	CLARK COUNTY,	, NEVADA	
8			
9	Patricia Γoley, )		
10	Petitioner, )	Case no.	R-11-162425-R
11	vs.	Dept. no.	CHILD SUPPORT
12	Michael Foley,		
13	) Respondent.)		
14	respondent.		
15	NOTICE OF ENTRY OF OR	RDER/JUDGMI	<u>ENT</u>
16	To: MICHAEL FOLEY, Respondent		
17			
18	Please take notice that the enclosed order/judgment agair	nst the responde	ent MICHAEL FOLEY was
19	entered in the above-entitled matter on December 09, 2014.		
20			
21	CERTIFICATE OF MAILING		
22	The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing		
23	a copy thereof, first class mail, postage prepaid to 209 St	ephanie St B-19	91, Henderson, NV 89012 on
24	the 31st day of December, 2014.		
25			
26		Cathrine Belnee	
27	Emp Fam	oloyee, District ily Support Div	Attorney's Office rision
28			
			NCPORD

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1	NEMR Steven B. Wolfson, District Attorney Nevada Bar No. 001565 Family Support Division			
2	7000 F			
3	1900 East Flamingo Road, Suite 100   CLERK OF THE COURT     Las Vegas, Nevada 89119-5168     (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)			
4	294910200A			
5				
6	DISTRICT COURT			
7	CLARK COUNTY, NEVADA			
8				
9	Patricia Foley,			
10	) Case no. R-11-162425-R Petitioner, )			
11	vs. Dept. no. CHILD SUPPORT			
12	Michael Foley,			
13	Respondent.			
14	Kespondent.			
15	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS			
16	To: Michael Foley, Respondent or Respondent's Attorney			
17	To: Patricia Foley, Petitioner or Petitioner's Attorney			
18	Please take notice that the enclosed Master's Recommendations were entered in the above-entitled			
19	matter on January 28, 2015.			
20				
21				
22				
23				
24				
25				
26				
27				
28				

**CERT** Case no, R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on January 28, 2015, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 209 Stephanie St B-191 Henderson NV 89012 on January 29, 2015. /s/ Tonya Peters Employee, District Attorney's Office Family Support Division 

NEMREC

**CERT** Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on January 28, 2015, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8838 Tomnitz Ave 103 Las Vegas NV 89178 on January 29, 2015. /s/ Tonya Peters Employee, District Attorney's Office Family Support Division 

NEMREC

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	02/19/2015 03:32:06 PM
	MRAO STEVEN B. WOLFSON
1	STEVEN B. WOLFSON DISTRICT ATTORNEY Nevada Bar No. 001565 FAMILY SUPPORT DIVISION
2	1000 F - 4 Plusing P - 1 Suit 100
4	1900 East Flamingo Road, Suite 100  Las Vegas, Nevada 89119-5168  CLERK OF THE COURT
3	(702) 671-9200 TDD (702) 385-7486 (for the hearing impaired)
	294910200A District Court
4	CLARK COUNTY, NEVADA
5	
ابر	Patricia Foley,
6	
7	Petitioner, ) Case No. R-11-162425-R
	vs. ) Department No. CHILD SUPPORT
8	Michael Foley,
9	
	Respondent. )
10	MASTER'S RECOMMENDATION
11	
	This matter having been heard on JANUARY 28, 2015 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations:
12	Parties present: Respondent Respondent's attorney Petitioner Petitioner's attorney
13	
14	□ PATERNITY ☑ PATERNITY PREVIOUSLY DECIDED
15	☐ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS).  Respondent's gross monthly income (GMI) : \$2,512.95; formula amount 29% of GMI= \$728.76
10	Basis for deviation from state formula: Respondent's self-reported GMI on his motion response filed 12/8/14.
16	Respondent is to pay current support for the child(ren), Michael Foley & Elizabeth Foley & Therese Foley.
17	CHILD SUPPORT
1/	Respondent is to pay monthly:
18	\$729.00 Temp child support (in lieu of health insurance)
19	spousal support
19	\$25.00 arrears payment
20	☐ ARREARAGES ☒ ARREARAGES NOT ADDRESSED AT THIS HEARING
, l	\$ 833.00 TOTAL monthly payment is due on the 1 <sup>st</sup> day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.
21	Todal Bajorky, occord ormanispacer of rating order or the Court.
22	Respondent's INCOME SHALL BE WITHHELD for the payment of support.
33	Good cause to stay income withholding is based on: Said withholding shall be postponed until Respondent becomes delinquent in an amount equal to 30 days support.
23	ENFORCEMENT OF CONTROLLING ORDER: The registered order from, dated, #, is hereby
24	confirmed and is the controlling order for the following reasons:  only order
_	ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this
25	noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian.
26	Respondent is referred to Employment Services for an appointment onatAM.  Health insurance coverage for the minor child(ren) herein:
	☐ Respondent to provide: ☐ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:
27	☐ if available through employer. ☐ shall provide per court order.
28	
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1		$\boxtimes$	Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support Division within 90 days of today's date.				
2							
3	☐ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING ☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.						
		$\boxtimes$	ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE.				
4		$\boxtimes$	Respondent is hereby found in Contempt of Court and sentenced to <u>25</u> days in the Clark County Detention Center; this sentence shall be stayed until the next court date.				
5		$\boxtimes$	The following sentence(s) shall be stayed/continued to the next court date unless imposed or vacated today:				
6			Sentence of 20 days in the Clark County Detention Center issued 05/15/12 is imposed vacated x stayed				
۱ ۲			Sentence of 25 days in the Clark County Detention Center issued 11/21/13 is imposed vacated x stayed Sentence of 25 days in the Clark County Detention Center issued 03/12/14 is imposed vacated x stayed				
7			Sentence of days in the Clark County Detention Center issued is imposed vacated stayed stayed				
8			Respondent is recommended for the day arrest program on				
			Respondent to be released from custody on				
9			Respondent may be released from the above sentence immediately upon payment of \$\frac{\\$}{2}\$ to be released to Petitioner as child support.				
10	$\boxtimes$		BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPONDENT				
11			AY BE RELEASED UPON PAYMENT OF \$1000.00 TO BE RELEASED TO PETITIONER AS CHILD PPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or				
12			all the bench warrant.				
13			NCH WARRANT PREVIOUSLY ISSUED IS HEREBY QUASHED. CONTINUED.  DIFICATION OF PRIOR ORDER:				
14			dification effective: <u>8/1/14.</u> s order modifies a previously existing, previously controlling support order. By this modification, this tribunal				
			umes or retains continuing, exclusive jurisdiction of the child support obligation for the child(ren) and parties				
15		ide	ntified in this order. Modification is proper for the following reason(s):				
16		$\boxtimes$	The previously controlling order is from <u>Clark County</u> , NV, dated <u>September 25, 2009</u> , #D-08-403071-D.				
17		$\boxtimes$	An individual party, <u>Court Initiated</u> , has requested modification of the previously controlling Nevada support order.				
18 19			An individual party,, has requested modification; this tribunal has personal jurisdiction over the non-movant and the issuing state (the state whose order controlled prior to this modification) is no longer the residence of any individual party/contestant or child(ren).				
20			An individual party,, has requested modification; all individual parties and children now reside in Nevada.				
21			All parties have filed written consent with the tribunal whose order controlled prior to this modification for this tribunal to modify the support obligation and assume continuing, exclusive jurisdiction.				
22		SUS	SPENSION OF LICENSES:				
23	PA	YM	IENTS				
24			led payments MUST be made in the form of a cashier's check, money order or business check ONLY, made to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit card are				
25	also	acc	cepted.				
	Pa	yme	ents can be mailed to:				
26			State Collection and Disbursement Unit (SCaDU)				
27			P.O. Box 98950 Las Vegas, Nevada 89193-8950				
,,			Das vegas, nevada 67175-6750				
28	Family	Supper	Soon, District Atterney, Nevada Bar No. <del>0</del> 01565 t Division thigo Road #100				
			TDD //00/35 Class (for the bonding imprised)  Page 2 of 4  Page 2 of 4				

1 Payments can be made in person at: **State Collection and Disbursement Unit (SCaDU)** 2 1900 East Flamingo Road Las Vegas, Nevada 89119-5168 3 Additionally, the following information must be included with each payment; name (first, middle, last) of person 4 responsible for paying child support, social security number of person responsible for paying child support, child support case number, and name of petitioner (first and last name of person receiving child support). 5 NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER, 6 NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT. 7 NOTICE: Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant to NRS 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay 8 support for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these 10 additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced. 11 NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and 12 Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this 13 purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168. NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's 14 Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless 15 signed and filed by a Judge. 16 NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment. 17 NOTICE: Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address, 18 change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change. 19 Respondent to bring new financial statement and proof of income next date. 20 This order does not stay collection of support arrears by execution or any other means allowed by law. 21 \*\*\*\*\*\*\*\*\*\* MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS: 22 Last payment was received on 8/13/14. R has self reported income of \$2,521.95 - child support set at 29% or \$729.00. 23 Medical Insurrance and Arrears remain the same. Respondent did not appear - B/W issued, Next review hearing is VACATED. 24 NEXT HEARING DATE IS <u>B/W</u> in Courtroom <u>1</u> in Child Support Court at Child Support 25 Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further 26 proceedings. 27 28

Steven B. Woffson, District Attorney, Nevada Bar No. 001563 Family Support Division 1900 East Familyo Road #100 Las Vegas, Nevada 89119-5168

(702) 671-9200 - TDD (702) 885-7486 (for the hearing impaired) Page 3 of 4 FINDING 1.2

1	
2	DATED: JANUARY 28, 2015  MASTER
3	
4	Respondent/Respondent's Attorney Receipt of this document is
5	acknowledged by my signature.
6	ORDER/JUDGMENT
7	The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed
8	within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies
9	that the ten-day objection period has expired without an objection having been filed and that the District Court deems the Master's Recommendation to be approved as an <b>ORDER/JUDGMENT</b> of the District Court, effective with the file stamp date, without need of a District Court Judge's signature affixed hereto. <b>The parties are ordered to comply with this</b>
l <b>o</b>	Order/Judgment.
1	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause
2	appearing,
3	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an ORDER/JUDGMENT of the District Court this day of
4	IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of
15	, 20 and this matter is remanded to Child Support Court on, 20 atatM.
6	District Court Judge, Family Division
7	STEVEN B. WOLFSON, Clark County District Attorney
18	Nevada Bar No. 001565
9	
20	By: DEPUTY DISTRICT ATTORNEY
21	FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100
22	Las Vegas, Nevada 89119-5168
23	
24	
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	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division
	1900 East Flamingo Road #100 Las Vegas, Nermia 90/10/5-108 Page 4 of 4

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1	NEJ Steven B. Wolfson, District Attorney		Alun to Chim
2	Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100		
3	Las Vegas, Nevada 89119-5168  (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)		CLERK OF THE COURT
4	294910200A		
5			
6	DISTRICT C	OURT	
7	CLARK COUNTY,	, NEVADA	
8			
9	Patricia Foley,		
10	}	Case no.	R-11-162425-R
11	Petitioner, ) vs.	Dept. no.	CHILD SUPPORT
12	Michael Foley,		
13			
14	Respondent.		
15	NOTICE OF ENTRY OF OF	RDER/JUDGME	<u>ENT</u>
16	To: MICHAEL FOLEY, Respondent		
17			
18	Please take notice that the enclosed order/judgment again	nst the responde	nt MICHAEL FOLEY was
19	entered in the above-entitled matter on January 28, 2015.	•	
20			
21	CERTIFICATE OF	<u>MAILING</u>	
22	The foregoing Notice of Entry of Order/Judgment was se	erved upon Mich	nael Anthony Foley by mailing
23	a copy thereof, first class mail, postage prepaid to 209 St	ephanie St B-19	01, Henderson, NV 89012 on
24	the 25th day of February, 2015.		
25			
26	/s/ K	Cathrine Belneev	7
27	Emp Fam	ployee, District A	Attorney's Office ision
28			

NCPORD

Electronically Filed 04/10/2015 10:03:25 AM

BNCH 294910200A DISTRICT COURT CLARK COUNTY, NEVADA CLERK OF THE COURT Patricia Foley. R-11-162425-R Case no. Petitioner, CHILD SUPPORT Dept. no. Vă. MICHAEL FOLEY, BENCH WARRANT To: ANY SHERIFF, CONSTABLE, MARSHAL, POLICEMAN OF PEACE OFFICER IN THIS STATE The Respondent, MICHAEL FOLRY, having been ordered to appear before the above-entitled Court on JANUARY 28, 2015, for hearing on a Complaint for Support and having failed to appear a said time, now therefore, YOU ARE COMMANDED to arrest the above-named Respondent and bring him before the Court or, if the Court has adjourned, deliver him into custody of the Sheriff of Clark County; ball for Respondent's release from custody of the Clark County Sheriff is hereby set in the amount of NO BAIL. Respondent may be released upon payment of \$1000.00 to D.A. Family Support Division to be released to Petitioner as shild support. This Warrant may be served at any hour of they or night. As recommended by Special Master JAMES DAVIS CITVEN under my hand this \_\_\_\_\_ \_day of \_ Division Steven B. Wolfson Clark County District Attorney Nevada Ber No. 001555 Deputy District Attorney Court appearances may be scheduled by contacting the court team in the District Attorney's Family Support Office, (702) 671-9260, by 11:30 a.m. each day. Court is held Monday through Friday. Respondent Date RETURN OF SERVICE I hereby certify that I received the above and foregoing BENCH WARRANT the same by arresting the above-named Respondent, the errest being made on PEACE OFFICER

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1			011 1012010 12.01.0111
1	NEMR Steven B. Wolfson, District Attorney		Alun & Elmin
2	Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100		CLERK OF THE COURT
3	Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)		CLERK OF THE COURT
4	294910200A		
5			
6	DISTRICT CO	URT	
7	CLARK COUNTY, NI	EVADA	
8			
9	Patricia Foley,		
10	) Petitioner, )	Case no.	R-11-162425-R
11		Dept. no.	CHILD SUPPORT
12	Michael Foley,		
13	) Respondent.)		
14			
15	NOTICE OF ENTRY OF MASTER'S R	RECOMMEN	<u>DATIONS</u>
16	To: Michael Foley, Respondent or Respondent's Attorne	У	
17	To: Patricia Foley, Petitioner or Petitioner's Attorney		
18	Please take notice that the enclosed Master's Recommendation	ions were ent	ered in the above-entitled
19	matter on April 15, 2015.		
20			
21			
22			
23			
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25			
26			
27			
28			

**CERT** Case no, R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on April 15, 2015, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 712 E Naples Dr 20 Las Vegas NV 89119 on April 16, 2015. /s/ Rikki Scheib Employee, District Attorney's Office Family Support Division 

NEMREC

**CERT** Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on April 15, 2015, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8838 Tomnitz Ave 103 Las Vegas NV 89178 on April 16, 2015. /s/ Rikki Scheib Employee, District Attorney's Office Family Support Division 

NEMREC

Electronically Filed

05/07/2015 07:49:30 AM MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY 1 Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 2 1900 East Flamingo Road, Suite 100 CLERK OF THE COURT Las Vegas, Nevada 89119-5168 (702) 671-9200 3 TDD (702) 385-7486 (for the hearing impaired) District Court 294910200A 4 CLARK COUNTY, NEVADA 5 Patricia Foley, 6 Petitioner. Case No. R-11-162425-R 7 VS. Department No. CHILD SUPPORT 8 Michael Foley, 9 Respondent. 10 MASTER'S RECOMMENDATION 11 This matter having been heard on APRIL 15, 2015 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations: 12 Parties present: Respondent Respondent's attorney Petitioner Petitioner's attorney 13 ☐ PATERNITY ☑ PATERNITY PREVIOUSLY DECIDED 14 ☑ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS). Respondent's gross monthly income (GMI) ; formula amount : 15 Basis for deviation from state formula: \_\_ Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley. 16 CHILD SUPPORT 17 Respondent is to pay monthly: \$729.00 Temp child support 18 medical support (in lieu of health insurance) spousal support 19 \$25.00 arrears payment □ ARREARAGES ☒ ARREARAGES NOT ADDRESSED AT THIS HEARING 20 TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) \$833.00 reach majority, become emancipated or further order of the Court. 21 Respondent's **INCOME SHALL BE WITHHELD** for the payment of support. 22 Good cause to stay income withholding is based on:\_\_\_\_\_. Said withholding shall be postponed until Respondent becomes delinquent in an amount equal to 30 days support. 23 ENFORCEMENT OF CONTROLLING ORDER: The registered order from \_\_\_\_\_\_, dated \_\_\_\_\_\_, #\_\_\_\_\_, is hereby 24 confirmed and is the controlling order for the following reasons: only order\_ ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this 25 noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian. Respondent is referred to Employment Services for an appointment on \_\_\_\_\_ at \_\_\_\_ AM. 26 Health insurance coverage for the minor child(ren) herein: ☐ Respondent to provide: ☐ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide: 27 if available through employer. shall provide per court order. 28 PINDING 1.2

1		Ordered Party(ies) to provide proof within 90 days of today's date.	f of said insurance to the District Att	orney's Office, Family Support Division
2		•		
3	1	NTEMPT OF COURT   NOT A SH	OW CAUSE HEARING HOW CAUSE CONCERNING CON	FEMDE
	_		TINUED TO NEXT COURT DATE	
4		Respondent is hereby found in Cor Center; this sentence shall be stayed		days in the Clark County Detention
5		The following sentence(s) shall be st	tayed/continued to the next court date t	•
6		Sentence of 20 days in the Clark Count Sentence of 25 days in the Clark Count	<del></del>	imposed vacated _1_ stayed imposed vacated _X_ stayed
7			y Detention Center issued 03/12/14 is	imposed vacated X stayed imposed vacated X stayed
8		Respondent is recommended for the		THIRDSET Vacance A stayed
	1	Respondent to be released from cust		
9		Respondent may be released from Petitioner as child support.	the above sentence immediately upo	n payment of \$900.00 to be released to
10 11	M.	O BAIL BENCH WARRANT HER AY BE RELEASED UPON PAYI	MENT OF \$ TO BE RELEA	OF RESPONDENT. RESPONDENT ASED TO PETITIONER AS CHILD ttorney may administratively quash or
12		call the bench warrant.	only to controvent stability and a specific in	troznog mag tromming arroxy quasicox
13		ENCH WARRANT PREVIOUSLY I DDIFICATION OF PRIOR ORDER:	ISSUED IS HEREBY QUASH	IED.  CONTINUED.
14	SUS	SPENSION OF LICENSES:		
15	PAYN	MENTS		
16	payable		e form of a cashier's check, money or ent Unit (SCaDU). If payments are r	rder or business check ONLY, made made in person, cash or debit card are
17	Down	ents can be mailed to:		
18	layin		Disbursement Unit (SCaDU)	
19		P.O. Box 98950		
		Las Vegas, Nevada 89	0193-8950	
20	Paym	ents can be made in person at	•	
21			Disbursement Unit (SCaDU)	
22		1900 East Flamingo F Las Vegas, Nevada 89		
23	Additio	anally the following information my	st be included with each payment; n	ame (first_middle_last) of nerson
	respons	sible for paying child support, social	l security number of person responsi	ble for paying child support, child
24		•	er (first and last name of person rec	
25	NOTIC	CE: NO CREDIT WILL BE GIVEN	N FOR PAYMENTS PAID DIRECT	LY TO THE PETITIONER.
26	NOTIC	CE: PRIOR ORDERS NOT SPECIFIC	CALLY MODIFIED HEREIN REMA	IN IN FULL FORCE AND EFFECT.
27 28	to NRS	§ 99.040. A 10% penalty will be assess	paid child support balances for cases we sed on each unpaid installment, or port 5. If the Respondent pays support thro	with a Nevada controlling order pursuant ion thereof, of an obligation to pay ough income withholding and the full
	Family Suppor 1960 East Flan	offson, District Attorney, Nevada Bar No. 001565 ort Division amingo Road #100 evada 87119-5168		
	1	00 TDD (702) 385-7486 (for the hearing immaired)	Page 2 of 4	FINDING 1.2

FINDING 1.2

obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between 1 the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these 2 additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced. 3 NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and 4 Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this 5 purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168. 6 NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final 7 Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge. 8 NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment. 9 **NOTICE:** Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address, 10 change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change. 11 Respondent to bring new financial statement and proof of income next date. 12 This order does not stay collection of support arrears by execution or any other means allowed by law. 13 14 MISCELLANEOUS FINDINGS OF FACT. CONCLUSIONS OF LAW, AND RECOMMENDATIONS: Respondent must bring or have paid \$1666 15 NEXT HEARING DATE IS June 17, 2015 at 9:00 AM in Courtroom 1 in Child Support Court 16 at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for 17 further proceedings. 18 19 **DATED:** APRIL 15, 2015 MASTER 20 21 In Custody 22 Respondent/Respondent's Attorney Receipt of this document is 23 acknowledged by my signature. 24 ORDER/JUDGMENT 25 The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court 26 pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies that the ten-day objection period has expired without an objection having been filed and that the District Court deems the 27 Master's Recommendation to be approved as an ORDER/JUDGMENT of the District Court, effective with the file stamp 28 Steven B. Wolfson, District Attorney, Nevada Bar No. 001563 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5108

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Page 3 of 4

(792) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)

1	date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with the Order/Judgment.	iis
3	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received a considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause appearing,	
5	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an ORDER/JUDGMENT of the District Court this day of, 20  ☐ IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this	
7		at at
8	District Court Judge, Family Division	
9	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565	
10 11 12 13 14 15 16 17 18 19 20 21	By:  DEPUTY DISTRICT ATTORNEY FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168	
23		<u>.</u>
24		
25		}
26		
27 28		
	Steven B. Wolfson, District Attorney, Nevada Bar No. 901563 Pamily Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 9319-5168 (782) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) Page 4 of 4	FINDNG 1.2

117

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			05/15/2015 04:50:35 PM
1	NEJ Steven B. Wolfson, District Attorney		Alun J. Lehmin
2	Nevada Bar No. 001565 Family Support Division		
3	1900 East Flamingo Road, Suite 100  Las Vegas, Nevada 89119-5168  (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)		CLERK OF THE COURT
4	294910200A		
5			
6	DISTRICT C	OURT	
7	CLARK COUNTY,	, NEVADA	
8			
9	Patricia Foley,		
10	)	Case no.	R-11-162425-R
11	Petitioner, ) vs.	Dept. no.	CHILD SUPPORT
12	Michael Foley,		
13			
14	Respondent.		
15	NOTICE OF ENTRY OF OR	RDER/JUDGMI	<u>ENT</u>
16	To: MICHAEL FOLEY, Respondent		
17			
18	Please take notice that the enclosed order/judgment again	nst the responde	nt MICHAEL FOLEY was
19	entered in the above-entitled matter on April 15, 2015.	in i	
20	binered in the doo, b climated interest on right 15, 2015,		
21	CERTIFICATE OF	MAILING	
22	The foregoing Notice of Entry of Order/Judgment was se		agel Anthony Foley by mailing
	a copy thereof, first class mail, postage prepaid to 712 E	-	
23	15th day of May, 2015.	ivapies Di 20, I	Las vegas, iv 69119 on the
24	13th day of May, 2013.		
25			
26	Emp		Attorney's Office
27	Fam	ily Support Div	1810N
28			
- [	I and the second		NCPORD

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			06/17/2015 02:05:31 PM
1	NEMR Steven B. Wolfson, District Attorney		Alun S. Elin
2	Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100		
3	Las Vegas, Nevada 89119-5168  (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)		CLERK OF THE COURT
4	294910200A		
5			
6	DISTRICT C	OURT	
7	CLARK COUNTY,	NEVADA	
8			
9	Patricia Foley,		
10	Petitioner, )	Case no.	R-11-162425-R
11	vs.	Dept. no.	CHILD SUPPORT
12	Michael Foley,		
13	Respondent.		
14	,		
15	NOTICE OF ENTRY OF MASTER'S	S RECOMME	NDATIONS
16	To: Michael Foley, Respondent or Respondent's Attor	mey	
17	To: Patricia Foley, Petitioner or Petitioner's Attorney		
18	Please take notice that the enclosed Master's Recommend	dations were en	tered in the above-entitled
19	matter on June 17, 2015.		
20			
21			
22			
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27			
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NEMREC

**CERT** Case no, R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on June 17, 2015, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 712 E Naples Dr 20 Las Vegas NV 89119 on June 17, 2015. /s/ Rikki Scheib Employee, District Attorney's Office Family Support Division 

NEMREC

**CERT** Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on June 17, 2015, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8937 Austin Ridge Ave Las Vegas NV 89178 on June 17, 2015. /s/ Rikki Scheib Employee, District Attorney's Office Family Support Division 

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THIS SEALED
DOCUMENT,
NUMBERED PAGE(S)
122 - 146
WILL FOLLOW VIA
U.S. MAIL

Electronically Filed 07/09/2015 03:38:13 PM

07/09/2015 03:38:13 PM MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY 1 Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 2 1900 East Flamingo Road, Suite 100 CLERK OF THE COURT Las Vegas, Nevada 89119-5168 (702) 671-9200 3 TDD (702) 385-7486 (for the hearing impaired) District Court 294910200A 4 CLARK COUNTY, NEVADA 5 Patricia Foley, 6 Petitioner. Case No. R-11-162425-R 7 VS. Department No. CHILD SUPPORT 8 Michael Foley, 9 Respondent. 10 MASTER'S RECOMMENDATION 11 This matter having been heard on JUNE 17, 2015 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations: 12 Parties present: Respondent Respondent's attorney Petitioner Petitioner's attorney 13 ☐ PATERNITY ☑ PATERNITY PREVIOUSLY DECIDED 14 ☑ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS). Respondent's gross monthly income (GMI) ; formula amount : 15 Basis for deviation from state formula: \_\_ Respondent is to pay current support for the child(ren), Michael Foley AND Elizabeth Foley AND Therese Foley. 16 CHILD SUPPORT 17 Respondent is to pay monthly: child support \$729.00 18 \$79.00 medical support (in lieu of health insurance) spousal support 19 \$25.00 arrears payment □ ARREARAGES ☒ ARREARAGES NOT ADDRESSED AT THIS HEARING 20 TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) \$833.00 reach majority, become emancipated or further order of the Court. 21 Respondent's **INCOME SHALL BE WITHHELD** for the payment of support. 22 Good cause to stay income withholding is based on:\_\_\_\_\_. Said withholding shall be postponed until Respondent becomes delinquent in an amount equal to 30 days support. 23 ENFORCEMENT OF CONTROLLING ORDER: The registered order from \_\_\_\_\_\_, dated \_\_\_\_\_\_, #\_\_\_\_\_, is hereby 24 confirmed and is the controlling order for the following reasons: only order\_ ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this 25 noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian. Respondent is referred to Employment Services for an appointment on \_\_\_\_\_ at \_\_\_\_ AM. 26 Health insurance coverage for the minor child(ren) herein: ☐ Respondent to provide: ☐ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide: 27 if available through employer. shall provide per court order. 28 PINDING 1.2

1		$\boxtimes$	Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support Division within 90 days of today's date.
2			
3			ITEMPT OF COURT □ NOT A SHOW CAUSE HEARING  RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.
		_	ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE.
4		$\boxtimes$	Respondent is hereby found in Contempt of Court and sentenced to <u>25</u> days in the Clark County Detention Center; this sentence shall be stayed until the next court date.
5		$\boxtimes$	The following sentence(s) shall be stayed/continued to the next court date unless imposed or vacated today:
6			Sentence of 1 days in the Clark County Detention Center issued 5/15/12 is imposed vacated stayed Sentence of 25 days in the Clark County Detention Center issued 11/21/13 is imposed vacated stayed
_			Sentence of 25 days in the Clark County Detention Center issued 3/12/14 is imposed vacated stayed
7			Sentence of 25 days in the Clark County Detention Center issued 2/19/15 isimposed vacated stayed
8			Respondent is recommended for the day arrest program on
			Respondent to be released from custody on
9			Respondent may be released from the above sentence immediately upon payment of \$\ to be released to Petitioner as child support.
to	Ø		BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPONDENT
11			AY BE RELEASED UPON PAYMENT OF <u>\$2000</u> TO BE RELEASED TO PETITIONER AS CHILD PPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or
ι2			all the bench warrant.
13			NCH WARRANT PREVIOUSLY ISSUED IS HEREBY QUASHED. CONTINUED.  DIFICATION OF PRIOR ORDER:
լ4		SUS	SPENSION OF LICENSES:
15	DA	VV	MENTS
	1		led payments MUST be made in the form of a cashier's check, money order or business check ONLY, made
16			e to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit card are cepted.
L7	Par	1/377£	ents can be mailed to:
18	l a	y 1113	State Collection and Disbursement Unit (SCaDU)
			P.O. Box 98950
19			Las Vegas, Nevada 89193-8950
20	Par	vme	ents can be made in person at:
21	\ \frac{1}{2}	,	State Collection and Disbursement Unit (SCaDU)
**			1900 East Flamingo Road
22			Las Vegas, Nevada 89119-5168
23	Add	ditio	onally, the following information must be included with each payment: name (first, middle, last) of person
24	res	pons	sible for paying child support, social security number of person responsible for paying child support, child t case number, and name of petitioner (first and last name of person receiving child support).
25	NO	TIC	E: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.
26	NO	TIC	E: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.
27	to N	<b>IRS</b>	E: Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full
28	Steven Family 1900 E Las Ve	B. Wote Support ast Flam gas, New	From, District Atterney, Nevada Bar No. 601.565  1t Division intigo Road #109 rada 8019-2108  Page 2 of 4  FINDING 1.2

1 2 3	obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced.				
4 5	<b>NOTICE:</b> Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168.				
6 7 8	<b>NOTICE:</b> Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge.				
9	<b>NOTICE:</b> Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment.				
10 11	<b>NOTICE:</b> Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address, change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change.				
12	Respondent to bring new financial statement and proof of income next date.				
13	This order does not stay collection of support arrears by execution or any other means allowed by law.				
14 15 16	**************************************				
17	Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.				
18 19 20	DATED: JUNE 17, 2015  MASTER				
21 22	Respondent/Respondent's Attorney Receipt of this document is acknowledged by my signature.				
23	acknowledged by my signature.				
24	ORDER/JUDGMENT				
25	☐ The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court				
26	pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies that the ten-day objection period has expired without an objection having been filed and that the District Court deems the Master's Recommendation to be approved as an ORDER/JUDGMENT of the District Court, effective with the file stamp				
<ul><li>27</li><li>28</li></ul>	date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this Order/Judgment.				
	Steven B. Wolfson, District Attorney, Nevada Bar No. 901565  Engalls Symmet District				

Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5168

(702)~671-9200-TDD~(702)~385-7486~(for the hearing impaired)

FINDING 1.2

Page 3 of 4

1 2	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received considered the objection thereto, as well as any other papers, testimony and argument related thereto and good caus	
٦	appearing,	
3 4	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an ORDER/JUDGMENT of the District Court this day of, 20	
5	IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this, 20 and this matter is remanded to Child Support Court on, 20	day of at
6	.M.	
7	District Court Judge, Family Division	
8	STEVEN B. WOLFSON, Clark County District Attorney	
9	Nevada Bar No. 001565	
10	By:	
11	DEPUTY DISTRICT ATTORNEY FAMILY SUPPORT DIVISION	
12	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168	
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	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1960 East Flamingo Road #106 Las Veges, Nevada 8919-5108	
	(702) 671-9200 - TDD (702) NSS-7486 (for the hearing impaired) Page 4 of 4	FINDING 1.2

THIS SEALED
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151 - 152
WILL FOLLOW VIA
U.S. MAIL

Electronically Filed 08/06/2015 08:10:35 AM

			00/00/20 13 00.10.33 AIVI
1	NEJ Steven B. Wolfson, District Attorney		Alun J. Lemin
2	Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100		CLERK OF THE COURT
3	Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)		CLERK OF THE COOK!
4	294910200A		
5			
6	DISTRICT CO	URT	
7	CLARK COUNTY, N	EVADA	
8			
9	Patricia Foley,		
10	Petitioner,	Case no.	R-11-162425-R
11		Dept. no.	CHILD SUPPORT
12	Michael Foley,		
13	Respondent.)		
14	Respondent.		
15	NOTICE OF ENTRY OF ORDI	ER/JUDGME	<u>ENT</u>
16	To: MICHAEL FOLEY, Respondent		
17			
18	Please take notice that the enclosed order/judgment against	the responde	nt MICHAEL FOLEY was
19	entered in the above-entitled matter on June 17, 2015.		
20			
21	CERTIFICATE OF MA	<u>AILING</u>	
22	The foregoing Notice of Entry of Order/Judgment was serve	ed upon Mich	nael Anthony Foley by mailing
23	a copy thereof, first class mail, postage prepaid to 712 E Naples Dr 20, Las Vegas, NV 89119 on the		
24	4th day of August, 2015.		
25			
26		mas Boyd	1.000
27	Employ Family	yee, District A Support Div	Attorney's Office ision
28			
			NCPORD

BNCH 294910200A

# DISTRICT COURT CLARK COUNTY, NEVADA

**CLERK OF THE COURT** 

•		
Patricia Folsy,	<b>)</b>	
	Case no.	R-11-162425-R
Petitioner,	) ) Dept. по.	CHILD SUPPORT
<b>48,</b>	)	,
MICHAEL FOLEY,	}	•
	, ,	•
Respondent.	<b>5</b>	
BENCHW	ARRANT	<i>:</i>
ro: any sheriff, constable, marshal, policem	AN OF PEACE OF	FICER IN THIS STATE
The Respondent, MICHAEL FOLEY, having been order		
The Respondent, MICHAEL POLEY, naving been street UNE 17, 2015, for hearing on a Complaint for Support and having OU ARE COMMANDED to arrest the above-named Respond adjourned, deliver him into custody of the Sheriff of Clark Count County Sheriff is hereby set in the amount of NO BAIL. Responding to the released to Politioner as child support.	em and bring him b	efore the Court or, if the Court has
	th.a	
This Warrant may be served at any hour of day or no As recommended by Special Master LYNN CONA GIVEN under my hand this day of	Wind Dil	f.90 15
ជី	istrica Court Mag	Family Division
Steven B. Wolfson Clack County District Attorney Nevada Bar No. 001565		•
Deputy District Attorney		,
Deputy District Associacy		
Court appearances may be scheduled by contacting Support Office, (702) 671-9200, by 11:30 a.m. each	g the court team in the day. Court is he	the District Attorney's Pamuy eld Monday through Friday.
R	Lespondent	
Date		•
RETURN	)F SERVICE	much and Folie Y
RETURN C  I hereby certify that I received the above and foreg the same by arresting the above-named Respondent, the ar	coing BENCH W/	ARRANT on and served an
Dated this 12 day of NOU English		

BAKE22

Electronically Filed 11/17/2015 02:32:00 PM

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1	NEMR Steven B. Wolfson, District Attorney		1 . 10	
2	Nevada Bar No. 001565 Family Support Division		Alun b. Chrim	
3	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168		CLERK OF THE COURT	
4	(702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A			
5				
6	DISTRICT CO	OURT		
7	CLARK COUNTY, NEVADA			
8		IVE VIREPIR		
9	Patricia Foley,			
	radicia Poley,	C	D 11 1/0405 D	
10	Petitioner,	Case no.	R-11-162425-R	
11	vs. )	Dept. no.	CHILD SUPPORT	
12	Michael Foley, )			
13	Respondent.			
14				
15	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS			
16	To: Michael Foley, Respondent or Respondent's Attorney			
17	To: Patricia Foley, Petitioner or Petitioner's Attorney			
18	Please take notice that the enclosed Master's Recommend	lations were en	tered in the above-entitled	
19	matter on November 16, 2015.			
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**CERT** Case no, R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on November 16, 2015, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 1020 Miradero Ln Las Vegas NV 89134 on November 17, 2015. /s/ Katherine Yonashiro Employee, District Attorney's Office Family Support Division 

NEMREC

**CERT** Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on November 16, 2015, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8937 Austin Ridge Ave Las Vegas NV 89178 on November 17, 2015. /s/ Katherine Yonashiro Employee, District Attorney's Office Family Support Division 

NEMREC

Electronically Filed
11/24/2015

Accepted Section Clerk of the court

Michael Pole, 209 S. Stephania St Ste B-191 Henderson, NV 89012

Patricia Folay, Petitioner

Michael Foloy Respondent Case No. 12-11-162425 Dept. "Child Support"

2/17/14 @ 3:00 PM Dept"C"

OBJECTION TO MASTER'S RECOMMENDATION

Comes now, Respondent Michael Foley, and hereby files this OBJECTION to the Master's Recommendation presumably filed on 11-16-2015. This objection is filed on the following grounds:

The Respondent has been found to be indigent and unable to pay exponses and costs in this action be cause he is too poor. Because the Court has not found that the respondent has an ability to pay the adopted child support morey domanded, it is UNCONSTITUTIONAL to deprive him of liberty, or to panish him with confinement. Se eTurner v. Rogers (2011) patted this ITH day of November, 2015 RECEIVED

NOV 23 2015

-GLEFAX OF THE COL

Electronically Filed
11/24/2015

CLERK OF THE COURT

Michael Foley 2095. Staptanie St. Ste B-191 Hendoson, NV 89012

Patricia Foley Patitioner

Michael Foley. Respondent Case No. R-11-162425 Dept. "Child Support"

# CERTIFICATE OF SERVICE

The Undersigned hereby contifies that the OBJECTION TO MASTER'S RECOMMENDATION was Aled and served via U.S. Postal Sorvice, acopy of which was mailed to:

Patricia Folly No Deputy District Attorney 1900 E. Flamingo Rd. Las Vogas, NV 89121

SLGNED,

Michael Fore

FT

Electronically Filed 11/26/2015 11:03:15 PM

**OBJ** 1 MICHAEL FOLEY CLERK OF THE COURT 2 209 S. Stephanie St. Ste B-191 Henderson, NV 89012 3 Telephone: (702) 771-9725 Defendant in Proper Person 4 DISTRICT COURT 5 FAMILY DIVISION 6 7 CLARK COUNTY, NEVADA 8 9 PATRICIA FOLEY 10 Petitioner, Case No. R-11-162425 Dept. No. "Child Support" 11 VS. 12 Date of Hearing: November 16, 2015 MICHAEL FOLEY, 13 2/17/16 @ 3:00PM DEPT C 14 Respondent. 15 16

## **OBJECTION TO HEARING MASTER'S RECOMMENDATION**

COMES NOW, Respondent Michael Foley, in Proper Person, and hereby files this OBJECTION to the Hearing Master's RECOMMENDATION, presumably filed on November 16, 2015. Because the clerk has not served via email, as requested, a copy of the OBJECTION the Respondent filed by mail from confinement at Clark County Detention Center on or about November 17, 2015, and out of an abundance of caution, the Respondent hereby files this OBJECTION electronically.

This objection is filed on the following grounds:

The Petitioner FAILED to appear, and has repeatedly expressed to the Respondent denial of want, need or entitlement of child support;

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1	The Respondent was NOT furnished the MASTER'S RECOMMENDATION at the		
2	conclusion of the hearing, as required by E.D.C.R. 1.40;		
3	The Respondent was deprived of the required procedural safeguards as required by		
4	the 14 <sup>th</sup> Amendment, as defined by the U.S. Supreme Court in <u>Turner v. Rogers</u> , 564 U.S.		
5	(2011), namely:		
6	The Respondent was NOT given that his "ability to pay" is a critical issue in the		
7	contempt proceeding;		
8	The hearing master did NOT make an express finding that the respondent has the		
9	ability to pay;		
10	The Respondent was deprived of personal liberty and confined in a prison in		
11	violation of NRS 22.140, and therefore not afforded the opportunity to call witnesses or		
12	present relevant evidence;		
13	The Respondent was NOT appointed counsel as required by the 6th and 14th		
14	Amendments to the U.S. Constitution.		
15	DATED this 26 <sup>th</sup> day of November, 2015.		
16			
17	// Michael Foley //		
18	Michael Foley, Respondent in Pro Per		
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Electronically Filed 12/08/2015 10:35:41 AM

		12/08/2015 10:35:41 AM	
1	OPPS		
2	STEVEN B. WOLFSON DISTRICT ATTORNEY Nevada Bar No. 001565	Alm to Chim	
3	FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100	CLERK OF THE COURT	
4	Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 326953200A		
5	DISTRICT	COURT	
6	CLARK COUNTY, NEVADA		
7			
8	Patricia Foley,	)	
9		Case no. R-11-162425-R	
10	Petitione:	r, ) ) Dept, no. CHILD SUPPORT )	
11	Michael Foley,	)	
12	Responden	<u>t.</u> )	
13			
14	DA OPPOSITION TO RESPONDENT'S OBJECTION		
15	Date of Hearing: February 17, 2016		
16	Time of Hearing: 3:00 PM Department: C		
17	COMES NOW, the STATE OF NEVADA, through STEVEN B. WOLFSON, District		
18	Attorney, by and through Edward W. Ewert, Deputy District Attorney, and files this D.A.		
19	Opposition. This Response is made and based upon	on the pleadings and papers on file herein, the	
20	attached Points and Authorities, exhibit(s), if any, and oral argument, if any, at the time of the		
21	hearing.		
22	DATED this 8 <sup>th</sup> day of December, 2015.		
23	. [	Respectfully Submitted,	
24		STEVEN B. WOLFSON DISTRICT ATTORNEY	
25		Nevada Bar # 001565	
26		5051	
27	BY:	ED EWERT	
28		Deputy District Attorney Nevada Bar #3405	
		TOVALIA DAI #3403	

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#### TERMS USED HEREIN

For ease of reference Respondent will be referred to as, "Father." The Petitioner shall be referred to as "Mother." The Family Court case, D08-403071, shall be referred to as "the D case" unless the context requires a more specific reference. The DA-enforced case, R11-164245, shall be referred to as "the R case" unless the context requires otherwise.

## **ARGUMENT IN BRIEF**

The two objections filed by Father reveal that he <u>believes</u> that he is indigent for purposes of child support enforcement and that, as a result of his belief, the hearing master, by incarcerating him and recommending a \$2,000 release amount, somehow violated his constitutional rights. Father is in error on both counts.

That Father was granted in forma pauperis status for purposes of filing documents with the Court does not equate to a finding that Father is indigent for purposes of child support enforcement.<sup>1</sup> In the former instance the Court merely assumes, for purposes of the in forma pauperis application, that the applicant is telling the truth. By granting that status the Court is merely waiving filing fees so that the applicant is not prevented from bringing his argument before a court.

That assumed indigence for document-filing purposes does not carry over into child support enforcement, especially where there exists a very real possibility that an obligor is intentionally unemployed or underemployed to avoid paying appropriate child support. Where that possibility exists the Court does not, and, indeed, should not, accept as true, merely on the say-so of the obligor, a claim that the obligor is indigent.

An obligor asserting indigence, whose behavior over the years suggests that he is underemployed to avoid paying child support must provide convincing proof that his asserted indigence is due to circumstances other than avoidance of child support. Remaining self-employed for years, while steadfastly insisting that the self-employment yields income less than someone working full time at minimum wage does not provide such proof. Indeed, if it proves anything it proves that the obligor is intentionally under-employed to avoid paying child support. A review of father's history

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<sup>&</sup>lt;sup>1</sup> This Court granted Father's application to proceed in forma pauper is by its order filed on 07/14/15.

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in the D case and in the R case reveals that Father here is most likely underemployed for purposes of child support.

Yet, this Court need not reach that "underemployed" conclusion to deny the two objections now before this Court. The undeniable fact at this time is that the most recent finding by the hearing master of Father's gross monthly income and his resulting child support obligation comes from the never-modified and never objected-to Master's Recommendation and Order/Judgment filed on 02/19/15. In that order the Court found that Father's gross monthly income was \$2,512.95.2 Twenty-nine percent (29%) yields a child support obligation of \$729 per month, as rounded off to the nearest dollar. That is the presently accruing monthly child support obligation.

That income of \$2,512.95, although not a sum that would enable Father to live a life of luxury, does not make him indigent.<sup>3</sup> Not having shown through proof that he is indigent, and not having been found by a Court to be indigent (other than for purposes of avoiding filing fees), Father has no right to an appointed attorney and cannot meritoriously argue that the master was required to make an express finding that Father had the ability to pay his release amount. This is not a <u>Turner v.</u> Rogers, 131 S.Ct. 2507 (2011) situation.

#### **POINTS & AUTHORITIES**

This case came before the master on 11/16/15 as an in-custody hearing.<sup>4</sup> On that date the case involved current monthly child support for three children, all still under age eighteen (18).5

<sup>&</sup>lt;sup>2</sup> That income finding was taken straight from on Father's own claim of income at page 4 of "Respondent's Response to the District Attorney's Motion to Modify Child Support" filed in the R case on 12/08/14.

<sup>&</sup>lt;sup>3</sup> Father's credibility on the issue of his income – and whether he is indigent – has been and continues to be suspect. Father kept his credibility on this issue suspect at the 11/16/15 hearing. Father claimed at the hearing that he earned about \$275 per week (which equals a GMI of \$1,191.67) from his self-employment and that he had no other income. When asked how he survived on \$275 per week he responded that he doesn't gamble and that he lives within his means on a budget. (See video of hearing at 13:44:04). Yet, when asked why, if he couldn't pay the full, court-ordered amount, he didn't at least pay something, he responded that he is always behind in his rent and other bills. See video of hearing at 13:44:44. Either he lives within his means or he does not. One or the other of his statements is a falsehood. If he is truly behind in his bills then he should have filed for modification of his support. In fact, he has requested modification through his R case. However, modification was denied when he failed to appear at the modification hearing. Later, when the master tried to give him the benefit of the doubt and lowered his support to \$300 per month temporarily - See R case order filed 08/11/14 he then files a motion where he claims an income of \$2,521.95, that supports a 29% order of \$729 per month. To that \$729 per month order, filed on 02/19/15, Father files no objection, not even a motion for reconsideration.

A bench warrant had issued for Respondent's arrest when he failed to appear at the Child Support Court hearing of 06/17/15. Respondent was on notice for that 06/17/15 hearing as he was given that date when he was in custody at the prior hearing of 04/15/15. <sup>5</sup> Since 11/16/15 on of the three children has turned 18; Therese Foley was born 11/23/97 and turned 18 just a few days ago. The DAFS case manager just learned from Mother that Therese is still in high school but is expected to graduate in June, 2016.

Child support was, and is, accruing at \$729 per month pursuant to the Master's Recommendation and Order filed on 02/19/15.<sup>6</sup> The master noted that Father's last payment was \$200 paid on 08/13/14 as jail release.

Hearing nothing from Father that would justify paying absolutely nothing for more than a year the hearing master found Father in contempt and imposed ten days of previously stayed jail-time. The master recommended that Father be released from incarceration immediately upon payment of two thousand dollars, (\$2,000), as child support. A <u>true and correct copy of the master's</u> recommendations from that 11/6/15 hearing is attached hereto as **Exhibit 1**.

Father then filed two objections, one, a hand-written objection filed on 11/24/15 and a second, typed Objection on 11/26/15. This Opposition responds to both objections.

<u>In Father's first objection</u> he points out that he has been found to be indigent. Starting from that premise he then argues that his incarceration is unconstitutional because the master did not find "that [Father] has an ability to pay the alleged child support money demanded."

In Father's second objection, filed on 11/26/15, Father states that Mother "FAILED to appear, and has repeatedly expressed to [Father] denial of want, need or entitlement of child support." Father then indicates that he was not furnished with the copy of the master's recommendations from that hearing. Then he argues that his incarceration violated his constitutional rights, citing Turner v. Rogers, 131 S.Ct. 2507 (2011). Apparently, Father believes that the master erred because Father (asserts that he) is indigent and that, therefore, the master could not properly incarcerate him unless the master first made an express finding that Father has the ability to pay his court-ordered child support,

Father' arguments lack legal and factual merit.

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<sup>&</sup>lt;sup>6</sup> Child support had originally been ordered at \$700 per month in the Clark County divorce decree filed on 09/25/09 in Family Court case, D08-403071. An earlier D case order, filed 03/09/09, had ordered \$500 per month. The hearing master modified child support to \$729 per month in the order of 02/19/15 on Respondent's claim that he earned \$2,512.95 per month. The master also added a \$79 per month medical cash obligation as contribution of one-half of Mother's cost to provide medical insurance for the children. Finally, a monthly payment of \$25 was added as payment against arrears, resulting in a total monthly obligation of \$833.00.

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# MOTHER'S FAILURE TO APPEAR AT THE HEARING HAS NO BEARING ON FATHER'S FAILURE TO OBEY HIS ORDER

That Mother did not appear at Father's in-custody hearing on 11/15/16 has no bearing on Father's failure to obey his court orders. If Mother wants to decline DA child support services she need only to notify DAFS to cease enforcement of her order. Recent communication from her to DAFS indicates that she seeks continued DA services. Consequently, until DAFS is asked by Mother to close its case DAFS intends to enforce Father's child support obligation. This point of Father's has no bearing on the master's incarceration decision. As to Father's claim that he did not receive a copy of the master's recommendations from the 11/16/15 hearing, DAFS must assume that the Detention Center personnel did their job and provided Father with a copy. In any event a copy was mailed to Father by DAFS, as shown by the Notice of Entry of Master's Recommendation filed on 11/17/15.

#### FATHER IS NOT INDIGENT FOR PURPOSES OF CHILD SUPPORT ENFORCEMENT

NRS 12.015 enables an applicant who claims to be indigent to file documents with the court without having to first pay otherwise required filing fees. The applicant can be granted this fee waiver merely by providing to the Court an affidavit that tells the Court that the applicant lacks the financial means to prosecute or defend an action. There is no requirement that an evidentiary hearing be held to determine whether the applicant truly is indigent. It is an exparte process in which the Court gives the benefit of the doubt to the applicant due to our great respect for the right to be heard in our courts of law.

Father's apparent belief that being granted leave to proceed in forma pauperis translates into an evidence-based, legal court conclusion that he is indigent for all child support-related purposes, is in error. DAFS is not aware of any statute or caselaw that even hints that the granting of an application to proceed in forma pauperis carries with it a conclusion that the applicant is indigent for all other purposes. That assumed indigency for filing purposes, carried out in an ex parte process, could not possibly bind the Court, DAFS or the other party. To do so would violate the right to confront and cross-examine.

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# THIS IS NOT A CASE OF INDIGENCE. IT IS, RATHER, ABOUT WILFULL AND STUBBORN UNEMPLOYMENT OR UNDEREMPLOYMENT TO AVOID PAYING CHILD SUPPORT

This case is not about an indigent person's rights and a violation of those rights by the courts. Rather, it is about a willfully underemployed father who, his court records suggest, is a vexatious litigant,<sup>7</sup> an amateur lawyer who would rather spend his time fighting the legal system than finding employment to enable him to provide reasonable financial support for his three children.

Since his Family Court case — D08-403071 — began in 2008 Father has steadfastly chosen to remain self-employed while insisting that his income from such self-employment is meager, at best.<sup>8</sup> As the record reveals in both the D case and the R case, Father's claims of indigence from being (purposely) self-employed have been rejected by this Court and by the masters involved in the R case. This is apparent from the fact that this Court and the master(s) in the R case have, with rare exception, either kept Father's child support at \$700 per month or raised it to \$729 per month.<sup>9</sup>

#### STANDARD OF REVIEW

The Nevada Rules of Civil Procedure, Rule 53(e)(2), governing Master's reports, directs that the "...court shall accept the master's findings of fact unless clearly erroneous."

<sup>&</sup>lt;sup>7</sup> See D case minutes from hearing of 03/17/14, where the Court expressed its concern about "chronic litigation."

In his 12/22/08 Financial Disclosure Form filed in his D case Father stated that his total average net monthly income was only \$576.29 while his monthly expenses were \$5,283. This wasn't believed by the Court when it set Father's child support at \$700 per month in the 09/25/09 divorce decree. In his 02/24/11 Financial Disclosure Form filed in the D case Father indicated that he was self-employed – as a real estate agent — but had no income. At an in-custody hearing in his R case on 10/30/13 Father said that he does side jobs through a private party and earns between \$100 and \$150 per week. Back in his D case, Father filed a motion on 02/14/14 seeking to modify custody and support. At page 4 of his motion he stated that his financial condition "has not changed much" and that his income from self-employment was \$600 per month. At the 08/11/14 hearing in the R case Father indicated to the master that he was self-employed and earned about \$800 to \$1,000 per month.

The court in the R case was considering a reduction of Father's child support at the hearing of 08/28/12 but declined to lower it at that

The court in the R case was considering a reduction of Father's child support at the hearing of 08/28/12 but declined to lower it at that time because Father chose not to appear at the hearing and had failed to provide proof of his income and the hours he worked. A master gave Father a second chance at lowering child support at the R case hearing of 08/11/14, where the master actually set a temporary lower amount of \$300 per month as child support. However, that obligation was raised by the master at the subsequent hearing of 01/28/15 in the resulting order filed on 02/19/15 in the R case. In that order the master found Father's gross monthly income to be \$2.512.95 based upon Father's own income representation in his "Respondent's Response to the District Attorney's Motion to Modify Child Support" filed in the R case on 12/08/14. That same Response still said that Father's expenses exceeded his income. Despite this statement by Father in December, 2014, that his monthly income from self-employment was over \$2,500, only four months later Father was telling the master that his monthly income was less than \$1,000 per month. In Father's R case financial statement, dated 04/15/15, he states that his self-employment business grosses \$18,000 per year and nets, after deducting legitimate business expenses, \$11,000 per year. This is less than \$1,000 per month income for Father from his self-employment. A person working a 40-hour week at a minimum wage of \$8.25 per hour earns \$1,430 per month gross. To insist on remaining self-employed while arguing poverty as a result has not sit well with the Courts. It is worth noting in this regard that since Father's child support. Absent such a motion it must be presumed today that his income is sufficient to comply with his present order of child support.

Russell v. Thompson, 96 Nev. 830, 834, 619 P.2d 537, 539 (1980) holds that "clearly erroneous" is defined as: (1) material errors in the proceedings or mistake in law; (2) unsupported by any substantial evidence; or (3) are against the clear weight of evidence. See 9 Wright and Miller, Federal Practice and Procedures; Civil Sec. 2605, and cases cited therein. In addition, United States v. United States Gypsum Co., 333 U.S. 364, 395, 68 S.Ct. 525, 542 (1948) states: "A finding is 'clearly erroneous' when although there is evidence to support it, the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been committed."

Here, the master noted Father's failure to pay any child support for longer than a year. She listened patiently to Respondent's excuse for not paying and his (conflicting) answers about his income – see above, where Father states on the one hand that he lives within his means but then later says that he is behind in his bills – and the master drew the only reasonable conclusion she could given the facts and record before her. Father was in contempt of the court's support order and, with no substantial evidence before her that Father was, indeed, indigent, the master came to the only conclusion she could reasonably make; Father merited imposition of some jail-time and a release amount that was far less than what Father was supposed to have paid during the preceding year.

WHEREFORE, DAFS prays that this Court deny Father's two objections and approve and adopt the master's recommendations from the hearing of 11/16/15 as submitted.

DATED this 8<sup>th</sup> day of December, 2015.

Respectfully Submitted, STEVEN B. WOLFSON DISTRICT ATTORNEY Nevada Bar # 001565

BY:

ED EWERT Deputy District Attorney Nevada Bar #3405

CERT

Case no. R-11-162425-R

**CERTIFICATE OF MAILING** 

The foregoing DA Opposition to Respondent's Objection was served upon Michael Foley by mailing a copy thereof, first class mail, postage prepaid to:

Michael Foley 209 South Stephanie Street, Suite B-191 Henderson Nevada 89012

on the  $8^{th}$  day of December, 2015.

82\_\_\_\_

Employee, District Attorney's Office Family Support Division

CERT

Patricia Foley

8937 Austin Ridge Avenue Las Vegas Nevada 89178

on the 8<sup>th</sup> day of December, 2015.

Case no. R-11-162425-R

R

**CERTIFICATE OF MAILING** 

mailing a copy thereof, first class mail, postage prepaid to:

The foregoing DA Opposition to Respondent's Objection was served upon Patricia Foley by

Employee, District Attorney's Office Family Support Division

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***************************************	
	MRAO
1	STEVEN B. WOLFSON DISTRICT ACTORNEY
	Nevada Bar No. 001565. FAMILY SUPPORT DIVISION
2	1900 East Flamingo Road, Suite 180 Las Vegas, Nevada 89119-5168
3	(702) 671-9200 TDD (702) 385-7486 (for the hearing impaired)
4	294918260A District Court CLARK COUNTY, NEVADA
	CLARA COONTI, NEVADA
5	
6	Patricia Foley. )
7	Petitioner. ) Case No. R-11-162425-R
,	vs.
8	Michael Foley, Department No. CHILD SUPPORT
9	
7	Respondent. )
10	MASTER'S RECOMMENDATION
12	This matter having been heard on NOVEMBER 16, 2015 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations:
13	Parties present: 🖾 Respondent 🔲 Respondent's attorney 🔲 Petitioner 🔲 Petitioner's attorney
14	□ PATERNITY ⊠ PATERNITY PREVIOUSLY DECIDED.
31.48	☑ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS).
15	Respondent's gross monthly income (GMI) : ; formula amount % of GMI=
16	Basis for deviation from state formula:
	CHILD SUPPORT
17	Respondent is to pay monthly:
18	\$729.00 child support
į	\$79.00 medical support (in fieu of health insurance) spousal support
19	\$25.00 arrears payment
20	☐ ARREARAGES ☑ ARREARAGES NOT ADDRESSED AT THIS HEARING
21	TOTAL monthly payment is due on the 1 <sup>st</sup> day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.
المنافقة المحاود	Respondent's INCOME SHALL BE WITHHELD for the payment of support.
22	Good cause to stay income withholding is based on: Said withholding shall be postponed until Respondent
23	becomes delinquent in an amount equal to 30 days support.  ENFORCEMENT OF CONTROLLING ORDER: The registered order from, dated, #, is hereby
24	ENFORCEMENT OF CONTROLLING ORDER: The registered order from, dated, #, is hereby confirmed and is the controlling order for the following reasons: only order
25	ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian.
a-quarage.	Respondent is referred to Employment Services for an appointment onatAM.
26	Health insurance coverage for the minor child(ren) herein:
27	☐ Respondent to provide: ☐ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:
	☑ if available through employer. ☐ shall provide per court order.
28	Exhibit 1
	EGANG 12

9,000	☐ Ordered Party(les) to provide proof of said insurance to the District Attorney's Office, Family Support Division within 90 days of today's date.
2	S CONTEMPT OF COURT INOT A SHOW CAUSE HEARING
3	☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.
4	<ul> <li></li></ul>
5	Center, this sentence shall be stayed until the next court date.
Anderson	The following sentence(s) shall be stayed/continued to the next court date unless imposed or vacated today:  Sentence of 26 days in the Clark County Detention Center issued 11/21/13 is 10 imposed vacated stayed
6	Sentence of 25 days in the Clark County Detention Center issued 03/12/14 is imposed vacated stayed
7	Sentence of 25 days in the Clark County Detention Center issued 02/19/15 is imposed vacated stayed  Sentence of 25 days in the Clark County Detention Center issued 07/09/15 is imposed vacated stayed
8	Respondent is recommended for the day arrest program on
	⊗ Respondent to be released from custody on 11/22/15.
9	Respondent may be released from the above sentence immediately upon payment of \$2,000.00 to be released to Petitioner as child support.
0	NO BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPONDENT
11	MAY BE RELEASED UPON PAYMENT OF 5 TO BE RELEASED TO PETITIONER AS CHILD SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or
12	recall the bench warrant.
13	☐ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY ☐ QUASHED. ☐ CONTINUED.
	MODIFICATION OF PRIOR ORDER:
14	SUSPENSION OF LICENSES:
15	PAYMENTS
16	All mailed payments MUST be made in the form of a cashier's check, money order or business check ONLY, made payable to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit card are
17	also accepted.
18	Payments can be mailed to:
	State Collection and Disbursement Unit (SCaDU) P.O. Box 98950
19	Las Vegas, Nevada 89193-8950
20	Payments can be made in person at:
21	State Collection and Disbursement Unit (SCaDU)
22	1900 East Flamingo Road Las Vegas, Nevada 89119-5168
23	Additionally, the following information must be included with each payment: name (first, middle, last) of person
	responsible for paying child support, social security number of person responsible for paying child support, child
24	support case number, and name of petitioner (first and last name of person receiving child support).
25	NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.
26	NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.
27	NOTICE: Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant to NRS 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay
28	support for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full
	Surres B. Wolfron, Obstrice Arthuropy, Records Day 86. 601/68 Frankly Support Obsision
	1900 Law Blancings Rould Bills 5136 Law Frence, Records 80118-5136 (707) 675-9700 - 1700 (707) 1865-2706 (for the heartenishmentical). PAGE 2 01.4
	(20) 674-9100 - TWO (20) 1865-000 (for the hearing imparied). PAGE I OF A

1 2 3	obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced.
4 5	NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168.
6	NOTICE: Objections/Appeals are governed by EDCRL40(e) and (f). You have ten (10) days from receipt of this Master's Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge.
9	NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment.
40	NOTICE: Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address, change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change.
12	Respondent to bring new financial statement and proof of income next date.
13	This order does not stay collection of support arrears by execution or any other means allowed by law.
15	MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS:  DUE – June through October = 5 mo = \$4,165.00. PAY – Last payment was \$200 jail release paid 8/13/14.  DA to verify whether Therese is still in high school.
	Pay/stay: R is to pay \$833 for the December put next date to avoid contempt.
17 18 19	NEXT HEARING DATE IS 1/15/2016 at 8:30 AM in Courtroom in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.
20	DATED: NOVEMBER 16, 2015
21 22	MASTER
23	In Cunston
24	Respondent/Respondent's Attorney Receipt of this document is
25	acknowledged by my signature.
26	ORDER/JUDGMENT
27 28	The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies
	Storage B. Weiffen, Photogra Aconomy, Revado, Bar Bo. 004565 Papedy, Suppare Briston 1906 Eur Beininger Baras 8100 Lair Pegan, Beininger Baras 8100
	Cust of Latin - Toda (Int.) and Latin Associate the meaning imposited Page 3 of 4

1 2	that the ten-day objection period has expired without an objection having been filed and that the District Court deems the Master's Recommendation to be approved as an ORDER/JUDGMENT of the District Court, effective with the file stamp date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this Order/Judgment.
3	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause appearing,
5	IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an
6	ORDER/JUDGMENT of the District Court this day of
7	IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this
8	
9	District Court Judge, Family Division
10	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565
12	By: Z
13	DEPUTY DISTRICT ATTORNEY FAMILY SUPPORT DIVISION
14	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168
15	
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Patricia Foley,

Michael Foley,

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#### DISTRICT COURT

#### CLARK COUNTY, NEVADA

Petitioner,

Case No.: R-11-162425-R

Devartment: CHILD SUPPORT

Respondent

#### CLERK OF THE COURT'S NOTICE OF CHANGE OF HEARING

The OBJECTION hearing, presently set on February 17th 2016 at 3:00PM, has been moved to the 20th day of January, 2016 at 10:00AM for an OBJECTION Hearing. This Matter will be heard in Department C at the Family Court building located at 601 N Pecos Rd, Las Vegas NV, 89101.

#### CERTIFICATE OF MAILING

I hereby cortify that on the 3th day of December:

🞇 I mailed, via first-class mail, postage fully prepaid the foregoing Notice of Changed Hearing to: Michael Foley, 209 S Stephanie St, STE 8191, Henderson MV 89012.

🔀 I placed a copy of the foregoing Notice of Changed Hearing in the appropriate folder located in the UIFSA Clerk of the Court's Office: Patricia Foley, Patitioner, In Care of District Attorney Family Support Division.

Brittney Valandindesm

[Pleading Title] - 1

Electronically Filed 01/13/2016 02:32:03 AM

CLERK OF THE COURT

NOTC

MICHAEL FOLEY

209 S. Stephanie St. Ste B-191

Henderson, NV 89012

PATRICIA FOLEY

MICHAEL FOLEY,

Petitioner,

Respondent.

Telephone: (702) 771-9725 Defendant in Proper Person

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To: The Court PLEASE TAKE NOTICE that the pending hearing scheduled by the District Court Clerk in the above-referenced action was placed on the calendar without a request for a hearing by any party to this action. In the absence of a summons or order to appear, signed

NOTICE

DISTRICT COURT

**FAMILY DIVISION** 

CLARK COUNTY, NEVADA

Case No.

Dept. No.

R-11-162425

"Child Support"

by a judge, and in the absence of a motion, notice of motion, and memorandum of points 23

and authorities, pursuant to Eighth District Court Rule 2.20, and proof of service thereof, 24 the Respondent Michael Foley will *not* personally, voluntarily or willingly appear before 25

the Court to argue in this action, as such a voluntary appearance would violate the one-

action rule, NRS 40.430, as well as the 6<sup>th</sup> and 14<sup>th</sup> Amendments to the U.S. Constitution,

as interpreted by the U.S. Supreme Court in Turner v. Rogers, 131 S.Ct. 2507 (2011),

1

which require the appointment of counsel to an indigent litigant when the State acts to take the life or liberty of such a citizen, or represents a party who seeks to incarcerate the adverse indigent party in a civil contempt proceeding. The individual attorney Edward Ewert, who represents the State (which is NOT a party to this or the original dissolution action), is being *sued* by the Respondent in Federal Court, because he clearly does not understand or intend to observe fundamental constitutional doctrine, namely those supported by the 4<sup>th</sup>, 6<sup>th</sup>, 9<sup>th</sup>, and 14<sup>th</sup> Amendments to the Constitution for the United States, and aforementioned case law, and therefore should be barred from appearing in this action, as he acts to represent the subject children without the consent of the Respondent, who is the children's natural parent, and who necessarily decides what is in the best interest of his children. See IN RE: PARENTAL RIGHTS as to A.G. Washoe County Department of Social Services, Appellant, v. Kory L.G., Respondent, 129 Nev. Adv. Op. 13 (parents have a fundamental liberty interest in the care, custody, and control of their children; the fundamental constitutional right to make decisions concerning the rearing of [their] own [children]." See Troxel v. Granville, 530 U.S. 57, 65, 120 S.Ct. 2054, 147 L.Ed.2d 49 (2000); Stanley v. Illinois, 405 U.S. 645, 651, 92 S.Ct. 1208, 31 L.Ed.2d 551 (1972)). The State's and the County's interest in collecting \$19 million in annual "child support" incentives from the U.S. taxpayers' Social Security fund, under Title IV-D of the Social Security Act, should not prevail over the Respondent's reasonable, rightful, and proper will to protect his children's need to be supervised, and not left alone or in the custody of an illegal alien, which is what happens when the State incarcerates the indigent Respondent, and seizes his very limited assets, and transfers such funds to the Petitioner, who is hopelessly addicted to gambling.

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DATED this 13<sup>th</sup> day of January, 2016.

26

// Michael Foley /

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27

Michael Folcy, Respondent in Pro Per

Electronically Filed 01/15/2016 02:54:32 PM

	01/13/2010 02.04.32 FW
1	NEMR Steven B. Wolfson, District Attorney Nevada Bar No. 001565 Family Support Division
2	
3	1900 East Flamingo Road, Suite 100  Las Vegas, Nevada 89119-5168  (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)
4	294910200A
5	
6	DISTRICT COURT
7	CLARK COUNTY, NEVADA
8	
9	Patricia Foley,
10	) Case no. R-11-162425-R Petitioner, )
11	vs. ) Dept. no. CHILD SUPPORT
12	Michael Foley,
13	Respondent.
14	
15	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS
16	To: Michael Foley, Respondent or Respondent's Attorney
17	To: Patricia Foley, Petitioner or Petitioner's Attorney
18	Please take notice that the enclosed Master's Recommendations were entered in the above-entitled
19	matter on January 20, 2016.
20	
21	
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**CERT** Case no, R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on January 20, 2016, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 1112 Milpas Ln Las Vegas NV 89135 on January 15, 2016. /s/ Kathrine Belneev Employee, District Attorney's Office Family Support Division 

NEMREC

**CERT** Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on January 20, 2016, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8937 Austin Ridge Ave Las Vegas NV 89178 on January 15, 2016. /s/ Kathrine Belneev Employee, District Attorney's Office Family Support Division 

NEMREC

Electronically Filed 01/20/2016 08:30:08 AM

	01/20/2016 08:30:08 AM
1	NOTC STEVEN B. WOLFSON
2	NOTC STEVEN B. WOLFSON DISTRICT ATTORNEY Nevada Bar No. 001565  NOTC STEVEN B. WOLFSON DISTRICT ATTORNEY
3	FAMILY SUPPORT DIVISION CLERK OF THE COURT
	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168
4	(702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 326953200A
5	DISTRICT COURT
6	CLARK COUNTY, NEVADA
7	
8	Patricia Foley,
9	) Case no. R-11-162425-R
10	Petitioner, ) vs.   Petitioner, ) Dept. no. C/CHILD SUPPORT
	Michael Foley,
11	
12	Respondent, )
13	
14	NOTICE OF INTENT/REQUEST TO APPEAR BY COMMUNICATION EQUIPMENT
15	COMES NOW, STEVEN B. WOLFSON, CLARK COUNTY DISTRICT ATTORNEY, by
16	and through Robert J Gardner, Deputy District Attorney, pursuant to the Order Adopting Part IX Of
17	The Supreme Court Rules filed December 18, 2008, and hereby submits a Notice Of Intent To
18	Appear By Communication Equipment for the:
19	(check one)
20	Case Management Conference
21	☐ Motion Hearing
22	☐ Trial Setting Conference
23	Other: Respondent's Objection filed 11-20-2015,
24	currently scheduled for the 20 <sup>th</sup> day of January, 2016 at 10:00 a.m. Pacific Time.
25	For the purposes of this appearance I can be reached at the following telephone numbers
26	(702) 671- 9482 (my direct line) or (702) 671-9476 legal department line. This Deputy believes it
27	will be more beneficial and expedient to have access to the D.A. Child Support computer systems at
28	the time of the hearing due to the paperless nature of our records. Also, this Deputy is covering this
	OPPS

hearing for another Attorney who was called to Jury duty today. I understand that it is my responsibility to ensure that I can be reached at this telephone number on the date and time of the hearing. I also understand that due to the unpredictable nature of court proceedings, my hearing may be called at a time other than the scheduled time. Further, I understand that my failure to be available at the above stated telephone number will constitute a nonappearance.

Dated this 20<sup>th</sup> day of January, 2016.

Respectfully Submitted, Steven B. Wolfson District Attorney Nevada Bar No. 001565

Robert J. Dardon

ROBERT J GARDNER, Deputy District Attorney Nevada Bar No.; 00006983 FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100 Las Vegas, NV 89119 (702) 671-9476

Electronically Filed 01/20/2016 08:47:44 AM

	01/20/20 to 03.47.44 AM
1	NOTC STEVEN B. WOLFSON DISTRICT ATTORNEY Nevada Bar No. 001565  Atm to Shum.
2	
3	FAMILY SUPPORT DIVISION  1900 East Flamingo Road, Suite 100  CLERK OF THE COURT
4	Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A
5	DISTRICT COURT
6	CLARK COUNTY, NEVADA
7	
8	Patricia Foley,
9	) Case no. R-11-162425-R
10	vs. Petitioner, )  Dept. no. C/CHILD SUPPORT
11	Michael Foley,
12	Respondent, )
13	
14	NOTICE OF INTENT/REQUEST TO APPEAR BY COMMUNICATION EQUIPMENT
15	COMES NOW, STEVEN B. WOLFSON, CLARK COUNTY DISTRICT ATTORNEY, by
16	and through Robert J Gardner, Deputy District Attorney, pursuant to the Order Adopting Part IX Of
17	The Supreme Court Rules filed December 18, 2008, and hereby submits a Notice Of Intent To
18	Appear By Communication Equipment for the:
19	(check one)
20	Case Management Conference
21	☐ Motion Hearing
22	Trial Setting Conference
23	
24	Other: Respondent's Objection filed 11-20-2015,
25	currently scheduled for the 20 <sup>th</sup> day of January, 2016 at 10:00 a.m. Pacific Time.
26	For the purposes of this appearance I can be reached at the following telephone numbers
	(702) 671- 9482 (my direct line) or (702) 671-9476 legal department line. This Deputy believes it
27	will be more beneficial and expedient to have access to the D.A. Child Support computer systems at
28	the time of the hearing due to the paperless nature of our records. Also, this Deputy is covering this
	OPPS

hearing for another Attorney who was called to Jury duty today. I understand that it is my responsibility to ensure that I can be reached at this telephone number on the date and time of the hearing. I also understand that due to the unpredictable nature of court proceedings, my hearing may be called at a time other than the scheduled time. Further, I understand that my failure to be available at the above stated telephone number will constitute a nonappearance.

Dated this 20<sup>th</sup> day of January, 2016.

Respectfully Submitted, Steven B. Wolfson District Attorney Nevada Bar No. 001565

Robert J. Dardon

ROBERT J GARDNER, Deputy District Attorney Nevada Bar No.; 00006983 FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100 Las Vegas, NV 89119 (702) 671-9476

Electronically Filed 01/28/2016 03:31:56 PM

	01/28/2016 03:31:56 PM
1	OFO.
2	STEVEN B. WOLFSON DISTRICT ATTORNEY Nevada Bar No. 001565
3	Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100
4	Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A
5.	DISTRICT COURT
- 6	CLARK COUNTY, NEVADA
7	
8	Patricia Foley,
9	) Case no. R-11-162425-R
10	Petitioner, ) vs. Petitioner, ) Dept. no. C/CHILD SUPPORT
11	Michael Foley,
12	Respondent.)
13	
14	ORDER FOLLOWING OBJECTION
15	This matter having come on for a hearing this 20 <sup>th</sup> day of January, 2016, on the Objection of
16	the: Respondent Petitioner District Attorney's Office, Family Support Division,
17	(hereinafter, "DAFS"), to the Master's Recommendations from the Child Support Court hearing
18	held on the 16 <sup>th</sup> day of November, 2015,
19	Respondent being  on present  present in proper person
20	Petitioner being present In not present and
21	Steven B. Wolfson, District Attorney, being present by and through Deputy District
22	Attorney, ROBERT J. GARDNER, Esq., whom appeared telephonically,
23	The Court having reviewed the pleadings and papers herein and having heard argument
24	AND GOOD CAUSE THEREFORE APPEARING, this Court hereby enters the following findings,
25	conclusions and orders:
26	This Court concludes and orders that Respondent's objections filed on 11/24/2015 and 11-26-
27	2015 are DENIED, there was no clear error, and the Points and Authorities set forth in the District
28	Attorney's Opposition to Respondent's Objection filed on December 8, 2015 shall be ADOPTED;
1	

additionally the Court noted that the NRS Respondent relied on his notice of non-appearance was misplaced and not related to child support proceedings, the Respondent has the ability to pay and there is an indication of possible willful underemployment. Finally, the Court finds in this case there is no right to an appointed attorney for civil contempt proceedings. A RETURN HEARING IS aiready SET for JULY 13, 2016 AT 2:15PM IN DEPT 1. The Masters Recommendation and Order is attached as Exhibit 1, and is hereby affirmed. 2/day of/14/4, 20/ Submitted By: ROBERT J. GARDNER, ESO. 1/25/2016 DEPUTY DISTRICT ATTORNEY Nevada Bar No. 0006983 FAMILY SUPPORT DIVISION 1900 East Flamingo Rd., Suite 100 Las Vegas, Nevada 89119 (702) 671-9200 

OPPS

REBECCA BURTON, DISTRICT COURT JUDGE

Electronically Filed 02/01/2016 12:53:23 PM

- 1	02/01/2010 12:00:201 (V)
1	NEOJ STEVEN B. WOLFSON DISTRICT ATTORNEY Nevada Bar No. 001565  Atun & Elmin
2	ELAM M. CURRORE ENVIRON.
3	FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168  CLERK OF THE COURT
4	(702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A
5	DISTRICT COURT
6	CLARK COUNTY, NEVADA
7	
8	Patricia Foley,
9	) Case no. R-11-162425-R Petitioner, )
10	vs. Dept. no. C/CHILD SUPPORT
11	Michael Foley,
12	Respondent,
13	
14	NOTICE OF ENTRY OF ORDER
15	TO: PATRICIA FOLEY, Plaintiff
16	TO: MICHAEL FOLEY, Defendant
17	YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE that on the 28th day of
18	January, 2016 an Order Following Objection was entered in the above-entitled matter, a copy of
19	which is attached to this Notice.
20	Dated 1 <sup>st</sup> day of February, 2016.
21	Steven B. Wolfson Clark County District Attorney
22	Nevada Bar No. 001565
23	Rate & Dadan
24	Chief Deputy District Attorney
25	
26	
27	
28	

**CERT** 

Case no, R-11-162425-R

#### **CERTIFICATE OF MAILING**

The foregoing Notice of Entry of Order was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to:

MICHAEL ANTHONY FOLEY 209 S STEPHANIE SUITE B-191 ST HENDERSON NV 89012

on the  $1^{st}$  day of February, 2016.

Employee, District Attorney's Office Family Support Division

Case no, R-11-162425-R

#### **CERTIFICATE OF MAILING**

The foregoing Notice of Entry of Order was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to:

Patricia Foley 8937 Austin Ridge Ave Las Vegas, NV 89178

**CERT** 

on the  $1^{st}$  day of February, 2016.

Employee, District Attorney's Office Family Support Division

Electronically Filed 01/28/2016 03:31:56 PM

	01/28/2016 03:31:56 PM
1	OFO
2	STEVEN B. WOLFSON DISTRICT ATTORNEY Nevada Bar No. 001565
3	Nevada Bar No. 001565  FAMILY SUPPORT DIVISION  1900 East Flamingo Road, Suite 100
4	Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)
5	DISTRICT COURT
* 6	CLARK COUNTY, NEVADA
7	
8	Patricia Foley,
9	) Case no. R-11-162425-R
10	Petitioner, ) vs. Petitioner, ) Dept. no. C/CHILD SUPPORT
11	Michael Foley,
12	<u> </u>
13	Respondent.)
	ODENED SECT & OFFICE OF STICION
14	ORDER FOLLOWING OBJECTION
15	This matter having come on for a hearing this 20 <sup>th</sup> day of January, 2016, on the Objection of
16	the: Respondent Petitioner District Attorney's Office, Family Support Division,
17	(hereinafter, "DAFS"), to the Master's Recommendations from the Child Support Court hearing
18	held on the 16 <sup>th</sup> day of November, 2015,
19	Respondent being  not present  present in proper person
20	Petitioner being present  not present and
21	Steven B. Wolfson, District Attorney, being present by and through Deputy District
22	Attorney, ROBERT J. GARDNER, Esq., whom appeared telephonically,
23	The Court having reviewed the pleadings and papers herein and having heard argument
24	AND GOOD CAUSE THEREFORE APPEARING, this Court hereby enters the following findings,
25	conclusions and orders:
26	This Court concludes and orders that Respondent's objections filed on 11/24/2015 and 11-26-
27	2015 are DENIED, there was no clear error, and the Points and Authorities set forth in the District
28	Attorney's Opposition to Respondent's Objection filed on December 8, 2015 shall be ADOPTED;
	Throwney's opposition to respondentes cojection from the December 6, 2015 shall be ADOF 12D,

additionally the Court noted that the NRS Respondent relied on his notice of non-appearance was misplaced and not related to child support proceedings, the Respondent has the ability to pay and there is an indication of possible willful underemployment. Finally, the Court finds in this case there is no right to an appointed attorney for civil contempt proceedings. A RETURN HEARING IS already SET for JULY 13, 2016 AT 2:15PM IN DEPT 1. The Masters Recommendation and Order is attached as Exhibit 1, and is hereby affirmed. <u> L</u>day o<u>r AV</u>, 20/0 Submitted By: Rdut J. Dulm ROBERT I. GARDNER, ESQ. 1/25/2016 DEPUTY DISTRICT ATTORNEY Nevada Bar No. 0006983 FAMILY SUPPORT DIVISION 1900 East Flamingo Rd., Suite 100 Las Vegas, Nevada 89119 (702) 671-9200 

OPPS

CA BURTON, DISTRICT COURT JUDGE

Electronically Filed 02/01/2016 02:18:44 PM NOTM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 3 CLERK OF THE COURT Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 4 294910200A DISTRICT COURT 5 6 CLARK COUNTY, NEVADA 7 8 PATRICIA FOLEY 9 Case no. R-11-162425-R Petitioner, 10 CHILD SUPPORT Dept. no. VS. 11 MICHAEL FOLEY. 12 Respondent. 13 DISTRICT ATTORNEY'S NOTICE OF MOTION & 14 MOTION TO MODIFY CHILD SUPPORT 15 Date of Hearing: 5/17/2016 16 Time of Hearing: 9:00 AM Court Room: #1 17 The District Attorney, by and through the undersigned Deputy District Attorney, moves the 18 19 above entitled Court for review and adjustment of the child support order previously entered between the above-entitled parties, including provision for medical insurance or contribution toward 20 21 Petitioner's cost of providing medical insurance, if any. 22 This Motion is made and based upon the pleadings and papers on file herein and the attached Points and Authorities, exhibit(s), if any, oral argument, if any, at the time of the hearing and 23 24 Proof of Respondent's income indicating the Respondent's gross monthly income to be at least \$800.00. Updated income information to be provided at the time of the hearing, if any. 25 Other: 26 /// 27 28 ///

1	Further, the District Attorney requests this Honorable Court conduct a review of the order
2	because it is alleged that changed circumstances can be demonstrated pursuant to NRS 125B.145(1)
3	and/or (4). Respondent's estimated income based on self employment tech support work, no other
4	known income or assests.
5	NEVADA'S MODIFICATION OF ANOTHER STATE'S ORDER IS PROPER BECAUSE:
6	An individual party,, has requested modification; this tribunal has personal
7	jurisdiction over the non-movant and the issuing state (the state whose order controlled prior to this
8	modification) is no longer the residence of any individual party/contestant or child(ren). NRS
9	130.611(1)(a).
10	An individual party,, has requested modification; all individual parties and children
11	now reside in Nevada. NRS 130.613(1).
12	All parties/contestants have filed written consent with the tribunal whose order controlled
13	prior to this modification for this tribunal to modify the support obligation and assume continuing,
14	exclusive jurisdiction. NRS 130.611(1)(b).
15	Dated on this 1 <sup>st</sup> day of February, 2016.
16	Respectfully Submitted,
17	Steven B. Wolfson District Attorney
18	Nevada Bar No. 001565
19	01111
20	Robert J Gardner
21	Deputy District Attorney
22	
23	
24	
25	
26	
27	
28	
	Steven B. Wolfson, District Afterney, Nevada Bac No. 001565 Family Support Division. 1900 East Flamingo Road, Suite 100

1900 East Flamingo Road, Suitz 100 Las Vegas, Nevada 891 19-5168 (702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired)

MOTMOD

## **NOTICE OF HEARING** TO: Michael Anthony Foley, Respondent, TO: Patricia Foley, Petitioner: You will please take notice that the District Attorney's Office, Family Support Division, will bring the above and foregoing motion on for hearing in the Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, on 5/17/2016 at 9 AM in Court Room 1, or as soon thereafter as the case may be heard. /// /// /// /// /// /// /// /// Steven B. Wolfson, District Aftorney, Nevada Bar No. 001565 Family Support Division 1900 East Flumingo Rood, Suite 100 Las Vegas, Nevada 89119-5168 (702) 671-9200 – TDD (702) 885-7486 (for the hearing impaired) мотмор

Page 3 of 5

#### POINTS AND AUTHORITIES IN SUPPORT OF THE MOTION

A review of a support order can be requested by either party or, in a welfare case, by the District Attorney's Office, at least every three years pursuant to NRS 125B.145 (1). "Support" includes not only financial maintenance, but also support for a child's health care and educational needs. NRS 125B.020. The Court has authority to adjust an order if the moving party has demonstrated changed circumstances since the order was last entered. **Rivero v. Rivero**, 125 Nev. Adv. Op. No. 43, 216 P.3d 213 (2009). A modification may also be made on an order less than three years old. Likewise, the moving party must show changed circumstances. NRS 125B.145(4).

NRS 125B.145(4) declares that "[a]n order for the support of a child may be reviewed at any time on the basis of changed circumstances" and adds that a change of 20% or more in a child support obligor's gross monthly income "shall be deemed to constitute changed circumstances requiring a review for modification of the order for the support of a child." **Fernandez v. Fernandez.** 126 Nev. Adv. Op. No. 3, 222 P.3d 1031 (2010). Changed circumstances may also include other events in the lives of the parties such as emancipation or the addition of a new child to the family.

The statutory formula for child support is stated in NRS 125B.070 and NRS 125B.080. Specifically, NRS 125B.070 (1)(b) requires the Court to set support using the non-custodial parent's gross monthly income and applying 18% for one child, 25% for two children, 29% for three children, and 2% more for each child thereafter. The Court may further increase or decrease support by considering certain factors or deviations listed in NRS 125B.080(9).

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Steven B. Wolfson, District Afterney, Nevada Bar No. 001165 Family Support Division 1500 East Flumingo Road, Suitz 100 Las Vegas, Nevada 89119-5168 (702) 671-9200 – TDD (702) 885-7486 (for the hearing Impaired)

MOTMOD

It is respectfully requested that this Honorable Court determine the Respondent's gross monthly income or, in the alternative, impute earning capacity. The support order should be adjusted as appropriate, and address health insurance, if available at a reasonable cost. If the Petitioner carries health insurance for the child, the order should require the Respondent to contribute to the cost of the health insurance for the child upon a showing of proof.

Dated on this 1<sup>st</sup> day of February, 2016.

Respectfully Submitted,

Steven B. Wolfson District Attorney Nevada Bar No. 001565

Robot J. Dardon

Deputy District Attorney

Steven B, Wollson, District Attorney, Nevada Bar No. 001 85 Family Support Division 1500 Bast Flumingo Rood, Suite 100 Las Vegas, Nevada 891 19-5168 (702) 671-9200 – TDD (702) 885-7486 (for the hearing impaired)

MOTMOD

Electronically Filed 02/02/2016 09:13:45 AM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** 3 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 **DISTRICT COURT** 5 CLARK COUNTY, NEVADA 6 7 Patricia Foley, 8 9 Case no. R-11-162425-R Petitioner, Dept. no. **CHILD SUPPORT** 10 VS. Michael Foley, 11 12 Respondent. 13 14 CERTIFICATE OF MAILING DISTRICT ATTORNEY'S NOTICE OF MOTION & MOTION TO MODIFY CHILD SUPPORT 15 16 17 18 19 20 21 22 23 24 25 26 27 28

CTMAIL

Steven B. Wolfson, District Attorney, Nevada Bar #001365 Family Support Division 1300 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 (702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired)

CTMAIL

Page 3 of 3

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02/08/2016 11:00:07 AM MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY 1 Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 2 1900 East Flamingo Road, Suite 100 CLERK OF THE COURT Las Vegas, Nevada 89119-5168 (702) 671-9200 3 TDD (702) 385-7486 (for the hearing impaired) District Court 294910200A 4 CLARK COUNTY, NEVADA 5 Patricia Foley, 6 Petitioner. Case No. R-11-162425-R 7 VS. Department No. CHILD SUPPORT 8 Michael Foley, 9 Respondent. 10 MASTER'S RECOMMENDATION 11 This matter having been heard on JANUARY 15, 2016 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations: 12 Parties present: Respondent Respondent's attorney Petitioner Petitioner's attorney 13 ☐ PATERNITY ▼ PATERNITY PREVIOUSLY DECIDED 14 ☐ FINANCIALS: ☑ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS). 15 Respondent's INCOME SHALL BE WITHHELD for the payment of support. Good cause to stay income withholding is based on: \_\_\_\_\_. Said withholding shall be postponed until Respondent 16 becomes delinquent in an amount equal to 30 days support. ☐ ENFORCEMENT OF CONTROLLING ORDER: The registered order from \_\_\_\_\_\_, dated \_\_\_\_\_\_, #\_\_\_\_\_, is hereby 17 confirmed and is the controlling order for the following reasons: 

only order ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this 18 noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian. Respondent is referred to Employment Services for an appointment on at AM. 19 Health insurance coverage for the minor child(ren) herein: 20 Respondent to provide: Respondent to provide: Respondent to provide: Both Parties to provide: if available through employer. shall provide per court order. 21 ☑ Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support Division within 90 days of today's date. 22 ☑ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING. 23 □ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT. 24 ☑ ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE. Respondent is hereby found in Contempt of Court and sentenced to \_\_\_\_\_ days in the Clark County Detention 25 Center; this sentence shall be stayed until the next court date. ☐ The following sentence(s) shall be stayed/continued to the next court date unless imposed or vacated today: 26 Sentence of 16 days in the Clark County Detention Center issued 11/21/13 is \_\_\_\_ imposed \_\_\_\_ vacated \_\_\_\_ stayed Sentence of 25 days in the Clark County Detention Center issued 03/12/14 is \_\_\_\_imposed \_\_\_\_vacated \_\_\_\_stayed 27 Sentence of 25 days in the Clark County Detention Center issued 02/19/15 is \_\_\_\_imposed \_\_\_\_vacated \_\_\_\_stayed imposed vacated stayed Sentence of 25 days in the Clark County Detention Center issued 07/09/15 is 28 PINDING 1.2

1	Respondent is recommended for the day arrest program on
2	Respondent to be released from custody on
3	Respondent may be released from the above sentence immediately upon payment of \$ to be released to Petitioner as child support.
	NO BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPONDENT MAY BE RELEASED UPON PAYMENT OF \$ TO BE RELEASED TO PETITIONER AS CHILD
4	SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or
5	recall the bench warrant.
6	☐ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY ☐ QUASHED. ☐ CONTINUED. ☐ MODIFICATION OF PRIOR ORDER:
7	□ SUSPENSION OF LICENSES:
8	PAYMENTS
9	All mailed payments MUST be made in the form of a cashier's check, money order or business check ONLY, made
	payable to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit card are also accepted.
to	
11	Payments can be mailed to: State Collection and Disbursement Unit (SCaDU)
12	P.O. Box 98950
	Las Vegas, Nevada 89193-8950
13	Payments can be made in person at:
լ4	State Collection and Disbursement Unit (SCaDU)
15	1900 East Flamingo Road Las Vegas, Nevada 89119-5168
16	Additionally, the following information must be included with each payment: name (first, middle, last) of person
۱7	responsible for paying child support, social security number of person responsible for paying child support, child support case number, and name of petitioner (first and last name of person receiving child support).
18	NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.
19	NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.
20	<b>NOTICE:</b> Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant to NRS 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay
21	support for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between
22	the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the
	Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order,
23	Nevada interest and penalties will only be calculated to the date of the new order and will be enforced.
24	NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and
25	Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this
	purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168.
26	NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's
27	Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless
28	signed and filed by a Judge.
-	Steven B. Wolfson, District Attorney, Nevada Bar No. 601565 Family Stopport Division 1900 East Family Roped #160
	Las Vegas, Nevada 89/19-5168 (702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired) Page 2 of 4 FINDING 1.2

201

- 1	
1 2	NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment.
3	<b>NOTICE:</b> Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address, change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change.
4	Respondent to bring new financial statement and proof of income next date.
5	This order does not stay collection of support arrears by execution or any other means allowed by law.
6	**********
7 8	MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS:  No hearing on the merits today as Respondent has filed an objection to prior master's recommendations from the hearing of 11/16/15. That objection is scheduled to be heard by Judge Burton on 01/20/16 at 10 a.m.
9	NEXT HEARING DATE IS <u>July 13, 2016 at 2:15 PM</u> in Courtroom <u>1</u> in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.
11	
12	Aghan Then the
13	DATED: JANUARY 15, 2016  MASTER
ι4	
15	Respondent/Respondent's Attorney
16	Receipt of this document is acknowledged by my signature.
۱7	ORDER/JUDGMENT
18	The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court
19	pursuant to NRS 425,3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies that the ten-day objection period has expired without an objection having been filed and that the District Court deems the
20	Master's Recommendation to be approved as an <b>ORDER/JUDGMENT</b> of the District Court, effective with the file stamp date, without need of a District Court Judge's signature affixed hereto. <b>The parties are ordered to comply with this</b>
21	Order/Judgment.
22	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause appearing,
23   24	IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an ORDER/JUDGMENT of the District Court this day of, 20
25	IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of
26	
27	District Court Judge, Family Division
28	District Court Judge, Panniy Division
	Steven B. Wolfson, District Attorney, Nevada Bar No. 601565 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5168  David 3 of 4
- 1	(702) 671-9200 - TDD (702) 885-7486 (for the hearing impaired) Page 3 of 4 FINDING 1.2

STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565

Y: DEDUCT DECEMBER A TYPE OF

DEPUTY DISTRICT ATTORNEY FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168

Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1990 East Flamingo Read #100 Las Veges, Nevada 89119-5168 (702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired)

Page 4 of 4

FINDNG 1.2

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ı	UZ/U9/2016 U9:12:51 AWI
1	NEJ Steven B. Wolfson, District Attorney Nevada Bar No. 001565 Family Support Division
2	TOO TO A TO A TO A TOO
3	1900 East Flamingo Road, Suite 100   CLERK OF THE COURT     Las Vegas, Nevada 89119-5168     (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)
4	294910200A
5	
6	DISTRICT COURT
7	CLARK COUNTY, NEVADA
8	
9	Patricia Foley,
10	Case no. R-11-162425-R Petitioner,
11	vs. Dept. no. CHILD SUPPORT
12	Michael Foley,
13	Respondent. )
14	Trospondent.
15	NOTICE OF ENTRY OF ORDER/JUDGMENT
16	To: MICHAEL FOLEY, Respondent
17	
18	Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was
19	entered in the above-entitled matter on January 15, 2016.
20	
21	CERTIFICATE OF MAILING
22	The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing
23	a copy thereof, first class mail, postage prepaid to 209 S Stephanie, Ste B-191, Henderson, NV 89012.
24	on the 8th day of February, 2016.
25	
26	/s/ Kathrine Belneev Employee, District Attorney's Office
27	Family Support Division
28	

NCPORD

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	02/22/2016 02:37:52 PM
1	OFO
2	STEVEN B. WOLFSON DISTRICT ATTORNEY Novada Bar No. 001565
3	FAMILY SUPPORT DIVISION  1900 East Flamingo Road, Suite 100
4	Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A
5.	DISTRICT COURT
* 6	CLARK COUNTY, NEVADA
7	
8	Patricia Foley,
9	) Case no. R-11-162425-R
10	Petitioner, ) vs. Petitioner, ) Dept. no. C/CHILD SUPPORT
11	Michael Foley,
12	Respondent.)
13	
14	ORDER FOLLOWING OBJECTION
15	This matter having come on for a hearing this 20 <sup>th</sup> day of January, 2016, on the Objection of
16	the: Respondent Petitioner District Attorney's Office, Family Support Division,
17	(hereinafter, "DAFS"), to the Master's Recommendations from the Child Support Court hearing
18	held on the 16 <sup>th</sup> day of November, 2015,
19	Respondent being  ont present  present in proper person
20	Petitioner being present In not present and
21	Steven B. Wolfson, District Attorney, being present by and through Deputy District
22	Attorney, ROBERT J. GARDNER, Esq., whom appeared telephonically,
23	The Court having reviewed the pleadings and papers herein and having heard argument
24	AND GOOD CAUSE THEREFORE APPEARING, this Court hereby enters the following findings,
25	conclusions and orders:
26	This Court concludes and orders that Respondent's objections filed on 11/24/2015 and 11-26-
27	2015 are DENIED, there was no clear error, and the Points and Authorities set forth in the District
28	Attorney's Opposition to Respondent's Objection filed on December 8, 2015 shall be ADOPTED;

C) PS

additionally the Court noted that the NRS Respondent relied on his notice of non-appearance was misplaced and not related to child support proceedings, the Respondent has the ability to pay and there is an indication of possible willful underemployment. Finally, the Court finds in this case there is no right to an appointed attorney for civil contempt proceedings. A RETURN HEARING IS aiready SET for JULY 13, 2016 AT 2:15PM IN DEPT 1. The Masters Recommendation and Order is attached as Exhibit 1, and is hereby affirmed. 2/day of/14/4, 20/ Submitted By: ROBERT J. GARDNER, ESO. 1/25/2016 DEPUTY DISTRICT ATTORNEY Nevada Bar No. 0006983 FAMILY SUPPORT DIVISION 1900 East Flamingo Rd., Suite 100 Las Vegas, Nevada 89119 (702) 671-9200 

OPPS

REBECCA BURTON, DISTRICT COURT JUDGE

# EXHIBIT 1

1 2 3 4	MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 (702) 671-9200 TDD (702) 385-7486 (for the hearing impaired) 294910200A  District Court CLARK COUNTY, NEVADA
5 6	Patricia Foley, )
7	Petitioner, ) Case No. R-11-162425-R vs.
8	Michael Foley,  Department No. CHILD SUPPORT
9	Respondent. )
10	MASTER'S RECOMMENDATION
11	This matter having been heard on NOVEMBER 16, 2015 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations:
12	Parties present:  ☐ Respondent ☐ Respondent's attorney ☐ Petitioner ☐ Petitioner's attorney
13	☐ PATERNITY ☑ PATERNITY PREVIOUSLY DECIDED
14 15	☐ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS).  Respondent's gross monthly income (GMI) : ; formula amount % of GMI=
16	Basis for deviation from state formula: Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley.
17 18	CHILD SUPPORT Respondent is to pay monthly: \$729.00 child support
19	\$79.00 medical support (in lieu of health insurance) spousal support
20	\$25.00 arrears payment  ARREARAGES ARREARAGES NOT ADDRESSED AT THIS HEARING
21	\$ 833.00 TOTAL monthly payment is due on the 1 <sup>st</sup> day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.
22	Respondent's INCOME SHALL BE WITHHELD for the payment of support.  Good cause to stay income withholding is based on: Said withholding shall be postponed until Respondent
23	becomes delinquent in an amount equal to 30 days support.
24	<ul> <li>□ ENFORCEMENT OF CONTROLLING ORDER: The registered order from, dated, #, is hereby confirmed and is the controlling order for the following reasons: □ only order</li> <li>□ ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this</li> </ul>
25	noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian.
26	Respondent is referred to Employment Services for an appointment on at AM.  Health insurance coverage for the minor child(ren) herein:
27	<ul> <li>☐ Respondent to provide: ☐ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:</li> <li>☐ if available through employer. ☐ shall provide per court order.</li> </ul>
28	
	FINDING 3.2

1		Ordered Party(ies) to provide proof of said within 90 days of today's date.	nsurance to the District Attor	ney's Office, Family Support Divis	ion
2					
3	1	ONTEMPT OF COURT □ NOT A SHOW CAU  RESPONDENT ORDERED TO SHOW CAU		EMIYE	
	_	ORDER TO SHOW CAUSE CONTINUED		EMITI.	
4		Respondent is hereby found in Contempt of Center; this sentence shall be stayed until the		_ days in the Clark County Detent	ion
5		*		less imposed or vacated today:	
6		Sentence of 26 days in the Clark County Detention		10 imposed vacated staye	
		Sentence of <u>25</u> days in the Clark County Detention Sentence of <u>25</u> days in the Clark County Detention		imposed vacated stay	/ed
7		Sentence of <u>25</u> days in the Clark County Detention	·	imposedvacatedstatedstated	
8		Respondent is recommended for the day arrest			
_		Respondent to be released from custody on $\underline{1}$	<u>//22/15</u> .		
9		Respondent may be released from the above Petitioner as child support.	sentence immediately upon p	ayment of \$2,000.00 to be released	l to
10		O BAIL BENCH WARRANT HEREBY ISS	UED FOR THE ARREST (	DE RESPONDENT. RESPONDE	NT
11	I .	IAY BE RELEASED UPON PAYMENT OUPPORT. Where circumstances justify a suf			
12		ecall the bench warrant.	the state of the s	or many many many and a second	
	  □ BE	EENCH WARRANT PREVIOUSLY ISSUED I	S HEREBY     OUASHE	D. [] CONTINUED.	
13		ODIFICATION OF PRIOR ORDER:		oon in the second	
14	☐ SUS	USPENSION OF LICENSES:			
15	E	MENTS			
16		ailed payments MUST be made in the form of ole to State Collection and Disbursement Unit (			
		ccepted.	source). It payments are the	ace in person, cash or west care a	
17	Payme	nents can be mailed to:			
18	1 43 111	State Collection and Disburse	ement Unit (SCaDU)		
19		P.O. Box 98950			
		Las Vegas, Nevada 89193-895	50		
20	Payme	nents can be made in person at:			
21		State Collection and Disburse	ement Unit (SCaDU)		
		1900 East Flamingo Road Las Vegas, Nevada 89119-510	(o		
22		Las vegas, Nevada 69119-510	9 <b>0</b>		
23		ionally, the following information must be incl			
24		nsible for paying child support, social security ort case number, and name of petitioner (first a			
25	NOTIC	ICE: NO CREDIT WILL BE GIVEN FOR PA	YMENTS PAID DIRECTLY	Y TO THE PETITIONER.	
26	NOTIC	ICE: PRIOR ORDERS NOT SPECIFICALLY N	ODIFIED HEREIN REMAIN	IN FULL FORCE AND EFFECT.	
27		ICE: Interest will be assessed on all unpaid child			ıt
28	support	S 99.040. A 10% penalty will be assessed on each of the form a child, pursuant to NRS 125B.095. If the I	n unpaid instanment, or portion Respondent pays support throug	gh income withholding and the full	
	Family Suppor	Voffson, District Attorney, Nevada Bar No. 901565 port Ilvisiou Tamingo Read #100			
	Las Vegas, Ne	Nevaua 89119-5168	Page 2 of 4	FINDNO	1.2

1 2 3	obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced.
4 5	<b>NOTICE:</b> Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168.
6 7	<b>NOTICE:</b> Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge.
8 9	<b>NOTICE:</b> Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment.
10 11	<b>NOTICE:</b> Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address, change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change.
12	Respondent to bring new financial statement and proof of income next date.
13	This order does not stay collection of support arrears by execution or any other means allowed by law.
14 15	**************************************
16	Pay/stay: R is to pay \$833 for the December pmt next date to avoid contempt.
17 18 19	NEXT HEARING DATE IS <u>1/15/2016</u> at 8:30 AM in Courtroom _ in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.
20 21 22	DATED: NOVEMBER 16, 2015  MASTER
23 24	Respondent/Respondent's Attorney
25	Receipt of this document is acknowledged by my signature.
26	ORDER/JUDGMENT
27 28	The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies
	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565

1	that the ten-day objection period has expired without an objection having been filed and that the District Court deems the Master's Recommendation to be approved as an <b>ORDER/JUDGMENT</b> of the District Court, effective with the file stamp	
2	date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this Order/Judgment.	
3	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause	
4	appearing,	,
5	IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an ORDER/JUDGMEN'T of the District Court this day of, 20	
6	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of	f
7	, 20 and this matter is remanded to Child Support Court on, 20 atM.	
8		
9	District Court Judge, Family Division	
10	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565	
11		
12	By: DEPUTY DISTRICT ATTORNEY	,
13	FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100	
14	Las Vegas, Nevada 89119-5168	
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	Steven B. Woffson, District Attorney, Nevada Bar No. 601565 Family Support Division 1900 East Flamingo Road #100	
	Las Vegas, Nevauda 89/19-5168   (702) 671-9200 - TDD (702) 885-7486 (for the hearing impaired)   Page 4 of 4   FINDNG 1	.2

211

Electronically Filed 02/24/2016 11:46:17 AM

1	NEOJ STEVEN B. WOLFSON
2	DISTRICT ATTORNEY Nevada Bar No. 001565
3	FAMILY SUPPORT DIVISION  1900 East Flamingo Road, Suite 100  1 V N 1 20110 5169
4	Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A
5	DISTRICT COURT
6	CLARK COUNTY, NEVADA
7	
8	Patricia Foley,
9	) Case no. R-11-162425-R Petitioner, )
10	vs. ) Dept. no. C/CHILD SUPPORT  AMENDED to include Exhibit 1
11	Michael Foley,
12	Respondent,
13	
14	NOTICE OF ENTRY OF ORDER
15	TO: PATRICIA FOLEY, Plaintiff
16	TO: MICHAEL FOLEY, Defendant
17	YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE that on the 22 <sup>nd</sup> day of
18	February, 2016 an Order Following Objection was entered in the above-entitled matter, a copy of
19	which is attached to this Notice.
20	Dated 24 <sup>th</sup> day of February, 2016.
21	Steven B. Wolfson Clark County District Attorney
22	Nevada Bar No. 001565
23	Robert J. Dardne
24	Chief Deputy District Attorney
25	
26	
27	
28	

**CERT** 

Case no. R-11-162425-R

# **CERTIFICATE OF MAILING**

The foregoing Notice of Entry of Order was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to:

MICHAEL ANTHONY FOLEY 209 S STEPHANIE SUITE B-191 ST HENDERSON NV 89012

on the  $24^{th}$  day of February, 2016.

Employee, District Attorney's Office Family Support Division

OPPS

Case no, R-11-162425-R

# **CERTIFICATE OF MAILING**

The foregoing Notice of Entry of Order was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to:

Patricia Foley 8937 Austin Ridge Ave Las Vegas, NV 89178

**CERT** 

on the 24<sup>th</sup> day of February, 2016.

Employee, District Attorney's Office Family Support Division

OPPS

# EXHIBIT 1

1 2 3 4	MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 (702) 671-9200 TDD (702) 385-7486 (for the hearing impaired) 294910200A  District Court CLARK COUNTY, NEVADA
5	Patricia Foley,
7	Petitioner, ) Case No. R-11-162425-R
8	) Department No. CHILD SUPPORT )
9	Respondent.
10	MASTER'S RECOMMENDATION
11	This matter having been heard on NOVEMBER 16, 2015 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations:
12	Parties present:  ☐ Respondent ☐ Respondent's attorney ☐ Petitioner ☐ Petitioner's attorney
13	□ PATERNITY ☑ PATERNITY PREVIOUSLY DECIDED
14 15	☐ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS).  Respondent's gross monthly income (GMI) : ; formula amount % of GMI=
16	Basis for deviation from state formula:  Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley.
17	CHILD SUPPORT Respondent is to pay monthly:
18	\$729.00 child support  \$79.00 medical support (in lieu of health insurance)
19	spousal support \$25.00 arrears payment
20	☐ ARREARAGES ☐ ARREARAGES NOT ADDRESSED AT THIS HEARING  TOTAL monthly payment is due on the 1 <sup>st</sup> day of each month, and continues thereafter until said child(ren)
21	\$ 833.00 seach majority, become emancipated or further order of the Court.
22	Respondent's INCOME SHALL BE WITHHELD for the payment of support.  Good cause to stay income withholding is based on: Said withholding shall be postponed until Respondent
23	becomes delinquent in an amount equal to 30 days support.  ENFORCEMENT OF CONTROLLING ORDER: The registered order from, dated, #, is hereby
24	confirmed and is the controlling order for the following reasons:  only order  ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this
25	noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian.  Respondent is referred to Employment Services for an appointment on at AM.
26	Health insurance coverage for the minor child(ren) herein:  ☐ Respondent to provide: ☐ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:
27   28	☐ if available through employer. ☐ shall provide per court order.
<i>4</i> 0	
	FINDING 1.2
I	I .

1		$\boxtimes$	Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support Divisi within 90 days of today's date.	on
2				
3			NTEMPT OF COURT	
			ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE.	
4			Respondent is hereby found in Contempt of Court and sentenced to days in the Clark County Detenti Center; this sentence shall be stayed until the next court date.	ion
5		$\boxtimes$	The following sentence(s) shall be stayed/continued to the next court date unless imposed or vacated today:	
6			Sentence of 26 days in the Clark County Detention Center issued 11/21/13 is 10 imposed vacated stayed stayed Sentence of 25 days in the Clark County Detention Center issued 03/12/14 is imposed vacated stayed stayed 11/21/15 imposed vacated stayed 11/21/15 imposed vacated 11/21/15 imposed 11/	
7			Sentence of 25 days in the Clark County Detention Center issued 02/19/15 is imposed vacated stay  Sentence of 25 days in the Clark County Detention Center issued 07/09/15 is imposed vacated stay  Sentence of 25 days in the Clark County Detention Center issued 07/09/15 is imposed vacated stay	ed
8			Respondent is recommended for the day arrest program on	
		X	Respondent to be released from custody on 11/22/15.	
9		$\boxtimes$	Respondent may be released from the above sentence immediately upon payment of $\underline{\$2,000.00}$ to be released Petitioner as child support.	to
10			O BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPONDED AY BE RELEASED TO PETITIONER AS CHILD	
11		SU	JPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash	
12		rec	call the bench warrant.	į
13			ENCH WARRANT PREVIOUSLY ISSUED IS HEREBY QUASHED. CONTINUED.  DDIFICATION OF PRIOR ORDER:	
14		SUS	SPENSION OF LICENSES:	
15	PA	YM	MENTS	
16	All	mail	iled payments MUST be made in the form of a cashier's check, money order or business check ONLY, made	
			le to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit card arecepted.	·е
17	Do		ants can be mailed to:	
18	Fag	y 111¢	nents can be mailed to: State Collection and Disbursement Unit (SCaDU)	
10			P.O. Box 98950	
19			Las Vegas, Nevada 89193-8950	
20	Pav	vme	ents can be made in person at:	
21		, -	State Collection and Disbursement Unit (SCaDU) 1900 East Flamingo Road	;
22			Las Vegas, Nevada 89119-5168	
23	Ada	litio	onally, the following information must be included with each payment: name (first, middle, last) of person	
	resp	oons	sible for paying child support, social security number of person responsible for paying child support, child	
24	sup	port	rt case number, and name of petitioner (first and last name of person receiving child support).	
25	NO	TIC	CE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.	
26	NO	TIC	CE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.	
27 28	to N	IRS	CE: Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuan \$99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay t for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full	ıt
		Suppor	offson, District Attorney, Nevada Bar No. 001565 ort Division	ļ
	1960 E		aming Read #190 levade 89119-5168 Page 2 of 4  Page 2 of 4	

1 2 3	the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced.
4 5	NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168.
6 7 8 9	NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge.  NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment.
10 11	<b>NOTICE:</b> Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address, change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change.
12 13	Respondent to bring new financial statement and proof of income next date.  This order does not stay collection of support arrears by execution or any other means allowed by law.
14 15 16 17	**************************************
17 18 19	NEXT HEARING DATE IS <u>1/15/2016 at 8:30 AM</u> in Courtroom _ in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.
20 21 22	DATED: NOVEMBER 16, 2015  MASTER
23 24 25	Respondent/Respondent's Attorney Receipt of this document is acknowledged by my signature.
26	ORDER/JUDGMENT
27 28	The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies
	Stevent B. Wolfson, District Attorney, Nevada Bar No. 601565

1	that the ten-day objection period has expired without an objection having been filed and that the District Court deems the Master's Recommendation to be approved as an <b>ORDER/JUDGMENT</b> of the District Court, effective with the file stamp	
2	date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this Order/Judgment.	
3	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause	
4	appearing,	,
5	IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an ORDER/JUDGMEN'T of the District Court this day of, 20	
6	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of	f
7	, 20 and this matter is remanded to Child Support Court on, 20 atM.	
8		
9	District Court Judge, Family Division	
10	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565	
11		
12	By: DEPUTY DISTRICT ATTORNEY	,
13	FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100	
14	Las Vegas, Nevada 89119-5168	
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	Steven B. Woffson, District Attorney, Nevada Bar No. 601565 Family Support Division 1900 East Flamingo Road #100	
	Las Vegas, Nevauda 89/19-5168   (702) 671-9200 - TDD (702) 885-7486 (for the hearing impaired)   Page 4 of 4   FINDNG 1	.2

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Electronically Filed 03/17/2016 09:09:44 AM

1	NOAS	Stunk Chum
2	MICHAEL FOLEY 209 S. Stephanie St. Ste B-191	CLERK OF THE COURT
3	209 S. Stephanie St. Ste B-191 Henderson, NV 89012 Telephone: (702) 771-9725	
4	Defendant in Proper Person	
5	DISTRI	CT COURT
6	FAMILY	DIVISION
7	CLARK COU	UNTY, NEVADA
8		
9	PATRICIA FOLEY	
10	Petitioner,	Case No. R-11-162425
11	VS.	Dept. No. "Child Support"
12		
13	MICHAEL FOLEY,	
14	Respondent.	
15		
16		
17	NOTICE	OF APPEAL
18		
19		S the orders and/or judgments entered in the
20	above-referenced action on or about Februa	ry 8, 2016 and February 22, 2016.
21		
22	DATED this 9 <sup>th</sup> day of March, 2016.	•
23		
24		SIGNED,
25		Muthan wall
26		/Michael Foley /
27		Michael Foley, Respondent in Pro Per
28		
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Electronically Filed 03/17/2016

03/17/2016

CLERK OF THE COURT

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IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF CLARK

PATRICIA FOLEY,

Petitioner(s)

Vs.

MICHAEL A. FOLEY,

Adverse Party(ies),

Case No: R-11-162425-R

Dept No: C

# CASE APPEAL STATEMENT

- 1. Appellant(s): Michael Foley
- 2. Judge: Rebecca L. Burton
- 3. Appellant(s): Michael Foley

Counsel:

Michael Foley 209 S. Stephanie St., Ste. B-191 Henderson, NV 89012

4. Respondent (s): Patricia Foley

Counsel:

Patricia Foley 8937 Austin Ridge Ave. Las Vegas, NV 89178

R-11-162425-R

-1-

,					
2	5. Appellant(s)'s Attorney Licensed in Nevada: N/A Permission Granted: N/A				
3	Respondent(s)'s Attorney Licensed in Nevada: N/A				
4	Permission Granted: N/A				
5	6. Appellant Represented by Appointed Counsel In District Court: No				
б	7. Appellant Represented by Appointed Counsel On Appeal: N/A				
7	8. Appellant Granted Leave to Proceed in Forma Pauperis: Yes, July 14, 2015				
8	Appellant Filed Application to Proceed in Forma Pauperis: N/A  Date Application(s) filed: N/A				
10	9. Date Commenced in District Court: May 9, 2011				
11	10. Brief Description of the Nature of the Action: DOMESTIC - Miscellaneous				
12	Type of Judgment or Order Being Appealed: Misc. Order				
13	11. Previous Appeal: No				
14	Supreme Court Docket Number(s): N/A				
15	12. Child Custody or Visitation: N/A				
16	13. Possibility of Settlement: Unknown				
17	Dated This 17 day of March 2016.				
18	Steven D. Grierson, Clerk of the Court				
19					
20	Heather Ungerra				
21	Heather Ungermann, Deputy Clerk				
22	200 Lewis Ave PO Box 551601				
23	Las Vegas, Nevada 89155-1601				
24	(702) 671-0512				
25					
26					
27	cc: Michael Foley				
28					

-2-

R-11-162425-R

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Years),	CSERY		Stun & Comme
2	MICHAEL FOLEY 209 S. Stephanie St. Ste B-191		CLERK OF THE COURT
3	Henderson, NV 89012 Telephone: (702) 771-9725 Defendant in Proper Person		y was
4	Defendant in Proper Person		
, <b>5</b>	DISTRIC	CT COURT	
6	FAMILY	DIVISION	
7	CLARK COU	INTY, NEVA	DA
8			Security training
9	PATRICIA FOLEY		
10	Petitioner,	Case No.	R-11-162425
	W.	Dept. No.	"Child Support"
12			
13	MICHAEL FOLEY,	المارية المارية المارية	and the second s
14	Respondent.	Tradition of the Control of the Cont	er a verenomento.
15	The state of the s	and a property and a	And in numbers of the second o
16	Secretary and the second secretary and the second s	TE AF CEDY	/* C T
17	<u>CERTIFICS</u>	TE OF SERV	
18	The undersigned hereby certifies the	tha Daritic	nor Patricia Enley was served Via
19	first class mail the Respondent's NOTIC		
20			
21	denied three times, as reflected by the Dist		
22		2010 to me to	Min Hill remease
23	rough in the first first first		
24	Common Distriction 4		
25			
26	Las Vegas, Nevada 89178		
27			
28			
		1	

DATED this 25th day of March, 2016.

Cyail Dely

Michael Foley, Respondent in Pro Per

3/25/2016 E-Filing Details

Details of filing: Notice of Appeal Filed in Case Number: R-11-162425-R

E-File ID: 7961140

Lead File Size: 434785 bytes

Date Filed: 2016-03-14 00:23:04.0

Case Title: R-11-162425-R

Case Name: Patricia Foley, Petitioner(s). vs. Michael A Foley, Respondent(s).

Filing Title: Notice of Appeal

Filing Type: EFO

Filer's Name: Michael Foley

Filer's Email: paraleagle@hotmail.com

Account Name: Walmart

Filing Code: NOAS

Amount: \$ 3.50

Court Fee: \$ 24.00

Card Fee: \$ 0.72

Payment: No payment was made because there was a billing error.

Comments: Please note that there is no filing fee due in this case. See Order granting in forma pauperis status and NRAP 24(a)(3)

Courtesy Copies: foley403071@live.com

Firm Name: Michael Foley

Your File Number:

Status: Error - (X)

Date Accepted:

**Review Comments:** 

Reviewer:

File Stamped Copy:

Cover Document:

**Documents:** Lead Document: Notice of Appeal.odf 434785 bytes

Attachment #1: E-Filing Details.pdf 103262 bytes

Data Reference ID:

Credit Card System Response: APOCCFCFF0C2

Response: Reference:

3/25/2016 E-Filing Details

Details of filing: Notice of Appeal Filed in Case Number: R-11-162425-R

E-File ID: 7951509

Lead File Size: 71373 bytes

Date Filed: 2016-03-09 23:18:22.0

Case Title: R-11-162425-R

Case Name: Patricia Foley, Petitioner(s). vs. Michael A Foley, Respondent(s).

Filing Title: Notice of Appeal

Filing Type: EFO

Filer's Name: Michael Foley

Filer's Email: paraleagle@hotmail.com

Account Name: Walmart

Filing Code: NOAS

Amount: \$ 3.50

Court Fee: \$ 24.00

Card Fee: \$ 0.72

Payment: Payment has not been captured for this transaction.

Comments: Please note that there is no filing fee due in this case. See Order granting in forma pauperis status and NRAP 24(a)(3)

Courtesy Copies: foley403071@live.com

Firm Name: Michael Foley

Your File Number: 162425

Status: Rejected - (R)

Date Accepted: 2016-03-10 09:41:51.0

Rejection Reason: Not proper esignature format (i.e. /s/)

Reviewer: Barba Alicia

File Stamped Copy:

Cover Document:

Documents:

Lead Document: NOTICE OF APPEAL pdf 71373 bytes

Data Reference ID:

Credit Card System Response: AR0CD18023CA

Response: Reference:

3/25/2016 E-Filing Details

**Details of filing:** Notice of Appeal **Filed in Case Number:** R-11-162425-R

E-File ID: 7964111

Lead File Size: 434785 bytes

Date Filed: 2016-03-14 14:29:56.0

Case Title: R-11-162425-R

Case Name: Patricia Foley, Petitioner(s). vs. Michael A Foley, Respondent(s).

Filing Title: Notice of Appeal

Filing Type: EFO

Filer's Name: Michael Foley

Filer's Email: paraleagle@hotmail.com

Account Name: Walmart

Filing Code: NOAS

Amount: \$ 3.50

Court Fee: \$ 24.00

Card Fee: \$ 0.72

Payment: No payment was made because there was a billing error.

Comments: Please note that there is no filing fee due in this case. See Order granting in forma pauperis status and NRAP

24(a)(3)

Courtesy Copies: foley403071@live.com

Firm Name: Michael Foley

Your File Number:

Status: Error - (X)

Date Accepted:

**Review Comments:** 

Reviewer:

File Stamped Copy:

Cover Document:

Lead Document: <u>Notice of Appeal.odf</u> 434785 bytes **Documents**:

Attachment # 1: E-Filing Details-3-14-16.pdf 103357 bytes

Attachment # 2: E-Filing Details.odf 103262 bytes

Data Reference ID:

Credit Card System Response: ARGCD18A3585

Response: Reference:

# DISTRICT COURT CLARK COUNTY, NEVADA

DA - UIFSA COURT MINUTES April 24, 2012

R-11-162425-R Patricia Foley, Petitioner(s).
vs.
Michael A Foley, Respondent(s).

April 24, 2012 3:25 PM Order to Show Cause

HEARD BY: Teuton, Sylvia COURTROOM: Greystone Courtroom #1

COURT CLERK: Gloria Mackaly

**PARTIES:** 

Elizabeth Foley, Subject Minor, not present

Michael Foley, Respondent, present

Michael Foley, Subject Minor, not present

Patricia Foley, Petitioner, present Public by DAFS, Other, present

Therese Foley, Subject Minor, not present

Steven Wolfson, Attorney, not present

# **JOURNAL ENTRIES**

- Deputy District Attorney, Ed Ewert, Present.

Both Parties Present and Sworn.

COURT FINDS, Matter on for Order to Show Cause (OSC). DA reported that Respondent was paying through a wage withholding. The last payment was received October 2011. Respondent testified that was when he received his last pay. He lost his job in November. Respondent is currently working through a temporary service doing telephone surveys. Respondent earns \$5.75 per hour. Pay stub provided showing 9 hours worked. When asked if Respondent considered modifying Order he stated he was told by Family Court there would not be any more Orders. Respondent is provided a modification packet this date. Respondent addressed issues unrelated to this case. DA is requesting OSC continue. Respondent states he has been looking for employment. Respondent further states his sporadic employment history is causing his biggest problem to obtain employment as well as his inability to renew his real estate license until arrears are paid. DA seeking review in 90 -120 days. Petitioner states Respondent is suing her and has spent \$10,000 on attorney fees that could have been paid on the child. Petitioner also claims Respondent is hiding money. She is to bring proof next date.

PRINT DATE: | 05/11/2016 | Page 1 of 27 | Minutes Date: | April 24, 2012

MASTER RECOMMENDED, ARREARS through March 31, 2012 are \$13,711.22 (not including Penalty and Interest). Respondent shall PAY \$700 per month TEMPORARY CURRENT SUPPORT. Respondent found in CONTEMPT and SENTENCED to 25 DAYS in the Clark County Detention Center. SENTENCE STAYED until next court date.

MISCELLANEOUS; Last payment was wage withholding received October 11, 2011. Respondent was unemployed and started a new job this week at \$9 per hour at 20 hours per week. He is working through a TEMP agency. Respondent was given a MOD packet today. He can pay a minimum of \$325 per month to avoid contempt beginning May 1, 2012. Respondent to bring a paystub next court date. Both parties are on notice of possible modification effective April 1, 2012, to be considered next date. Petitioner to bring health insurance information she provides for children next date, and any other employment information she has about Respondent.

### **INTERIM CONDITIONS:**

### **FUTURE HEARINGS:**

Canceled: August 11, 2014 1:15 PM In Custody Hearing Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated Greystone Courtroom #1 Bergren, Jeanette Teuton, Sylvia

Canceled: August 11, 2014 1:15 PM In Custody Hearing Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated Greystone Courtroom #1 Bergren, Jeanette Teuton, Sylvia

Canceled: February 18, 2015 2:15 PM Return Hearing - HM
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per
Judge
Greystone Courtroom #1
White, Melinda
Teuton, Sylvia

May 17, 2016 9:00 AM Motion for Review and Adjustment of Child Support Greystone Courtroom #1 Teuton, Sylvia

July 13, 2016 2:15 PM Review - HM Greystone Courtroom #1 Teuton, Sylvia

PRINT DATE: 05/11/2016	Page 2 of 27	Minutes Date:	April 24, 2012	
------------------------	--------------	---------------	----------------	--

# DISTRICT COURT CLARK COUNTY, NEVADA

DA - UIFSA	(	COURT MINUTES	August 28, 2012
R-11-162425-R	vs.	y, Petitioner(s). oley, Respondent(s).	
August 28, 2012	9:00 AM	Motion for Review and Adjustment of Child Support	

HEARD BY: Teuton, Sylvia COURTROOM: Greystone Courtroom #1

COURT CLERK: Melinda White

# **PARTIES:**

Elizabeth Foley, Subject Minor, not present Michael Foley, Respondent, not present Michael Foley, Subject Minor, not present Patricia Foley, Petitioner, present

Patricia Foley, Petitioner, present Public by DAFS, Other, present

Therese Foley, Subject Minor, not present

Steven Wolfson, Attorney, not present

# JOURNAL ENTRIES

- DEPUTY DA: GERARD COSTANTIAN

Petitioner Sworn and Testified.

COURT FINDS: Today's hearing is a motion for a Review and Adjustment of Child Support. DA reported this is the Respondent's request. DA advised the Respondent is currently working through a temporary service, he earns \$9.00 per hour at 20 hours per week. The Petitioner provided her most recent paystub today in Open Court regarding the health insurance cost for just the minor child, the cost is \$157.00 per month and one half equals \$78.54 per month. The Petitioner requested to be notified once the Respondent has been arrested.

MASTER RECOMMENDED. Respondent shall PAY \$700.00 per month TEMPORARY CURRENT SUPPORT \$79.00 per month MEDICAL SUPPORT and \$25.00 per month TEMPORARY on ARREARS for a TOTAL monthly PAYMENT OF \$804.00.

BBB III B 4 III	0= /44 /0047	D 0 007	3.5	
PRINT DATE:	05/11/2016	Page 3 of 27	Minutes Date:	April 24, 2012
I I I I I DAIL	00/11/2010	I dgC O OI Z/	Milliance Dance	

PETITIONER SHALL PROVIDE HEALTH INSURANCE for the minor child(ren), if available, through employer and PROOF of INSURANCE to DA within 90 days.

ORDER TO SHOW CAUSE, CONTINUED. Respondent found in CONTEMPT and SENTENCED to 5 DAYS in the Clark County Detention Center. SENTENCE STAYED until next court date. PRIOR CONTEMPT SENTENCE STAYED. BENCH WARRANT, NO BAIL. RESPONDENT shall be RELEASED upon PAYMENT of \$500.00, which sum shall be RELEASED to PETITIONER as CHILD SUPPORT.

MISCELLANEOUS RECOMMENDED ORDERS: Respondent failed to appear. His request to modify is hereby DENIED, for failure to provide proof of income and hours worked. He can re-new his request at a later date. Respondent is to contribute to Petitioner's cost, at \$79.00 per month, beginning April 1, 2012. Respondent has failed to pay minimum amount requested to avoid contempt of court of \$325.00 per month.

# INTERIM CONDITIONS:

# **FUTURE HEARINGS:**

Canceled: August 11, 2014 1:15 PM In Custody Hearing

Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated

Greystone Courtroom #1

Bergren, Jeanette Teuton, Sylvia

Canceled: August 11, 2014 1:15 PM In Custody Hearing

Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated

Greystone Courtroom #1

Bergren, Jeanette Teuton, Sylvia

Canceled: February 18, 2015 2:15 PM Return Hearing - HM

Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per

Judge

Grevstone Courtroom #1

White, Melinda Teuton, Sylvia

May 17, 2016 9:00 AM Motion for Review and Adjustment of Child Support

Greystone Courtroom #1

Teuton, Sylvia

July 13, 2016 2:15 PM Review - HM

Greystone Courtroom #1

Teuton, Sylvia

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R-11-162425-R

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# DISTRICT COURT CLARK COUNTY, NEVADA

DA - UIFSA	COURT MINUTES	October 30, 2013	
R-11-162425-R	Patricia Foley, Petitioner(s).		
	vs. Michael A Foley, Respondent(s).		

October 30, 2013 1:15 PM In Custody Hearing

HEARD BY: Davis, James COURTROOM: Greystone Courtroom #1

COURT CLERK: Mark Fernandez

**PARTIES:** 

Elizabeth Foley, Subject Minor, not present

Michael Foley, Respondent, present

Michael Foley, Subject Minor, not present

Patricia Foley, Petitioner, not present

Public by DAFS, Other, present

Therese Foley, Subject Minor, not present

Steven Wolfson, Attorney, not present

# **JOURNAL ENTRIES**

- Deputy District Attorney (DDA): Edward Ewert

Respondent, who participated via video conference from the Clark County Detention Center (CCDC), was sworn-in and testified.

The DDA informed the Court that Respondent has a parallel Family Court case, D-08-403071-D, wherein Petitioner is pursuing an Order to Show Cause against Respondent as well. Upon DDA inquiry, Respondent testified that he was arrested on Sunday, October 27, 2013. Respondent also testified that he has over \$80.00 on the books. The DDA noted that Respondent's last payment was on July 12, 2013 through a wage withholding. Respondent then presented testimony regarding his employment situation. Respondent testified that he can accrue \$200.00 to be released from custody.

Upon DDA inquiry, Respondent clarified that his last paycheck was approximately four (4) to six (6) weeks ago through a temporary agency. Respondent testified that he conducts side-jobs through a private party for income. Respondent estimated that he earns between \$100.00 and \$150.00 each week. Respondent also testified that he submits direct payments to Petitioner. The Court instructed

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Respondent to refrain from submitting direct payments to Petitioner.

Respondent testified that he did not qualify for unemployment insurance benefits (UIB). Upon viewing Respondent's employment history, the DDA encouraged Respondent to still apply. The Court IMPOSED a SENTENCE and encouraged Respondent to apply for a modification. The Court also ORDERED Respondent to submit \$500.00 at the next hearing.

MASTER RECOMMENDED; SENTENCE of 5 days is to be IMPOSED per PREVIOUS ORDER.

Respondent may be RELEASED from CUSTODY on November 04, 2013 or immediately upon PAYMENT of \$300.00, which shall be RELEASED to PETITIONER as CHILD SUPPORT.

Respondent found in CONTEMPT and SENTENCED to 25 DAYS in the Clark County Detention Center. SENTENCE STAYED until next court date.

### **INTERIM CONDITIONS:**

### **FUTURE HEARINGS:**

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Greystone Courtroom #1

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Judge

Greystone Courtroom #1

White, Melinda Teuton, Sylvia

May 17, 2016 9:00 AM Motion for Review and Adjustment of Child Support

Greystone Courtroom #1

Teuton, Sylvia

July 13, 2016 2:15 PM Review - HM

Greystone Courtroom #1

Teuton, Sylvia

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# DISTRICT COURT CLARK COUNTY, NEVADA

DA - UIFSA	COURT MINUTES	February 19, 2014	
R-11-162425-R	Patricia Foley, Petitioner(s).		
	vs. Michael A Foley Respondent(s)		

February 19, 2014 9:00 AM Order to Show Cause -

Pay or Stay

HEARD BY: Lok, Merle K. COURTROOM: Greystone Courtroom #1

**COURT CLERK:** Cherisse Lamb

# PARTIES:

Elizabeth Foley, Subject Minor, not present Michael Foley, Respondent, not present Michael Foley, Subject Minor, not present Patricia Foley, Petitioner, present

Public by DAFS, Other, present

Steven Wolfson, Attorney, not present

Therese Foley, Subject Minor, not present

# **JOURNAL ENTRIES**

- Deputy DA: V. Monet Woods

Petitioner Sworn and Testified.

Today's hearing is a Pay or Stay for \$500.00. The DA reported the Respondent was in custody last date. The Respondent's last payment was July 12, 2013 when the income withholding ended and \$28.00 was paid that date. The DA requested a Bench Warrant in the amount of \$804.00. The Petitioner noted the parties have a hearing on February 26 in Family Court.

MASTER RECOMMENDED, Respondent found in CONTEMPT and SENTENCED to 25 DAYS in the Clark County Detention Center. SENTENCE STAYED until next court date.

BENCH WARRANT, NO BAIL. RESPONDENT shall be RELEASED upon PAYMENT of \$804.00, which sum shall be RELEASED to PETITIONER as CHILD SUPPORT.

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# **BENCH WARRANT**

# **INTERIM CONDITIONS:**

### **FUTURE HEARINGS:**

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Bergren, Jeanette Teuton, Sylvia

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Bergren, Jeanette Teuton, Sylvia

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Judge

Greystone Courtroom #1

White, Melinda

Teuton, Sylvia

May 17, 2016 9:00 AM Motion for Review and Adjustment of Child Support

Greystone Courtroom #1

Teuton, Sylvia

July 13, 2016 2:15 PM Review - HM

Greystone Courtroom #1

Teuton, Sylvia

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# DISTRICT COURT CLARK COUNTY, NEVADA

DA - UIFSA COURT MINUTES August 08, 2014

R-11-162425-R Patricia Foley, Petitioner(s).

vs.

Michael A Foley, Respondent(s).

August 08, 2014 1:15 PM In Custody Hearing

HEARD BY: Teuton, Sylvia COURTROOM: Greystone Courtroom #1

COURT CLERK: Cherisse Lamb

# **PARTIES:**

Elizabeth Foley, Subject Minor, not present Michael Foley, Respondent, not present Michael Foley, Subject Minor, not present Patricia Foley, Petitioner, not present Public by DAFS, Other, present

Therese Foley, Subject Minor, not present

Steven Wolfson, Attorney, not present

# **JOURNAL ENTRIES**

- Deputy DA: Alec Raphael

No Parties Present.

Today's hearing is an In-Custody Review. The Clark County Detention Center (CCDC) Correctional Officer advised the Respondent was transported to their North Valley Complex and is not present for today's hearing.

MASTER RECOMMENDED, matter CONTINUED.

# **INTERIM CONDITIONS:**

# **FUTURE HEARINGS:**

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Bergren, Jeanet Teuton, Sylvia

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Greystone Courtroom #1
White, Melinda
Teuton, Sylvia

May 17, 2016 9:00 AM Motion for Review and Adjustment of Child Support Greystone Courtroom #1 Teuton, Sylvia

July 13, 2016 2:15 PM Review - HM Greystone Courtroom #1 Teuton, Sylvia

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# DISTRICT COURT CLARK COUNTY, NEVADA

DA - UIFSA COURT MINUTES August 11, 2014

R-11-162425-R Patricia Foley, Petitioner(s).

vs.

Michael A Foley, Respondent(s).

August 11, 2014 1:15 PM In Custody Hearing

HEARD BY: Teuton, Sylvia COURTROOM: Greystone Courtroom #1

COURT CLERK: Jeanette Bergren

**PARTIES:** 

Elizabeth Foley, Subject Minor, not present

Michael Foley, Respondent, present

Michael Foley, Subject Minor, not present

Patricia Foley, Petitioner, not present

Public by DAFS, Other, present

Therese Foley, Subject Minor, not present

Steven Wolfson, Attorney, not present

# **JOURNAL ENTRIES**

- Deputy District Attorney (DDA): Viveca M. Woods

Attorney Aurora Maskall bar #6410 was present for the Respondent in an unbundled capacity.

Respondent was sworn and testified via Video Conference from Clark County Detention Center (CCDC).

Court noted Respondent MISSED court on February 19, 2014. DDA advised Responded was present in custody at the October 30, 2013 Hearing and given the February 2014 date. Payment history since November reported. Respondent was to bring \$500.00 at the February date. Bench Warrant was \$804.00. Counsel advised she has taken this case Pro-Bono. Respondent owns his own business and his income fluctuates. Respondent stated he earns \$800.00 to \$1,000.00 per month. There was a colloquy regarding possible Modification and proof of income. DDA further advised Respondent was ARRESTED August 6, 2014. DDA requested half of the Bench Warrant as a release amount. Counsel requested Respondent be released. Statements made by DDA regarding an involuntary payment.

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MASTER RECOMMENDED, Respondent shall PAY \$300.00 per month TEMPORARY CURRENT SUPPORT \$79.00 per month TEMPORARY MEDICAL SUPPORT and \$25.00 per month TEMPORARY on ARREARS for a TOTAL monthly PAYMENT OF \$404.00 EFFECTIVE August 1, 2014. PRIOR STAYED CONTEMPT SENTENCE of five (5) days ISSUED September 19, 2014 shall be IMPOSED with the remaining seventy (70) days STAYED. Respondent shall be RELEASED from CUSTODY on August 16, 2014 or immediately upon PAYMENT of \$200.00. Respondent is to bring 2012 and 2013 Internal Revenue Services (IRS) tax returns, and profit and loss statement. District Attorney Family Support (DAFS) is to request updated Health Insurance information and to be addressed next court date.

# **INTERIM CONDITIONS:**

### **FUTURE HEARINGS:**

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