

IN THE SUPREME COURT OF THE STATE OF NEVADA

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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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NPR
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Nevada Bar No. 002781
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)
Dept D



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case no. R- 11 - 162425 - R

Dept. no. CHILD SUPPORT

D

**NOTICE AND FINDING OF FINANCIAL RESPONSIBILITY TO ENFORCE,
ADJUST AND/OR REGISTER AN EXISTING ORDER, DETERMINE
CONTROLLING ORDER, ESTABLISH AN OBLIGATION OR DETERMINE PATERNITY**

Pursuant to Chapter 425 of the Nevada Revised Statutes, Respondent is hereby served notice
that:

Petitioner is the custodian of Respondent's dependent child(ren):

Name	Date of birth
Michael Foley	October 10, 2000
Elizabeth Foley	October 11, 2004
Therese Foley	November 23, 1997

It is alleged that the attached order from Clark County, Nevada, filed September 25, 2009,
numbered D-08-403071-D is the controlling order.

Respondent currently has a legal obligation to pay \$700.00 per month for current child support,
\$0.00 per month for medical support (payment in lieu of health insurance), \$0.00 per

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

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

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

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

14 Payments must be made to:

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

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

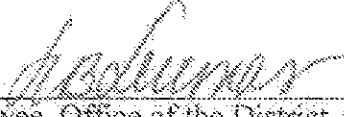
21 A hearing date is included with this service. The hearing will proceed as scheduled. Failure to
22 appear may result in an Order and Judgment being entered. Failure to appear at a contempt hearing will
23 result in a bench warrant being issued.

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

1 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 04th day of May, 2011.

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9 Employee, Office of the District Attorney
Family Support Division
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FILED
SEP 25 2009
CLERK OF COURT

1 DECR
2 JOHN T. KELLEHER, ESQ.
3 Nevada Bar No. 006012
4 KELLEHER & KELLEHER, LLC
5 807 South Seventh Street
6 Las Vegas, Nevada 89101
7 (702) 384-7494

8 Attorney for Plaintiff

9 DISTRICT COURT
10 CLARK COUNTY, NEVADA

11 * * * * *

12 PATRICIA FOLEY,

13 Plaintiff,

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

14 vs.

15 MICHAEL FOLEY,

16 Defendant.

17 DECREE OF DIVORCE

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

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

///

LAW OFFICES
KELLEHER & KELLEHER LLC
807 SOUTH SEVENTH STREET
LAS VEGAS, NEVADA 89101
(702) 384-7494
FAX: (702) 384-1545

2. The parties were married on January 27, 1997 in Las Vegas, Nevada, and have ever since been, and still are, husband and wife.

3. The parties are incompatible in marriage and there is no possibility of reconciliation.

4. 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

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.

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

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

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

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

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

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

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

24 IT IS FURTHER ORDERED ADJUDGED AND DECREED that Therese should be
25 engaged in Counseling, as should the Defendant regarding reunification efforts. The counseling
26 Therese engages in must be with a therapist who has not been previously involved in the interviews
27 or family counseling. Defendant is free to engage in therapy with any therapist of his choosing for
28 the child parenting issues. ~~The new therapist can abide by the wishes identified by Dr. 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."

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

5 IT IS FURTHER ORDERED ADJUDGED AND DECREED that Defendant shall pay
6 child support in the amount of \$700.00 per month.

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

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

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

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

17 1. Vehicles. Each party shall be awarded the vehicle in their possession and shall be solely
18 liable for the debt associated with that vehicle.

19 2. Plane. Plaintiff shall be awarded the plane as her sole and separate property.

20 3. Furnishings. The estimated value, at the time of purchase, of the furnishings purchased
21 with community funds is approximately \$3,600.00. The Court Finds the current value to be
22 approximately \$2,000.00. Defendant is currently in possession of the furnishings. Defendant shall
23 pay Plaintiff \$1,000.00, which shall be due and payable within sixty (60) days. If the \$1,000.00 is
24 not paid to Plaintiff, the furniture and furnishings shall be sold and the proceeds shall be split
25 equally.

26 4. Montesol Residence. Defendant shall receive the Montesol Residence as his sole and
27 separate property and shall be solely liable for any encumbrance on the residence.

28 5. Beaumont Residence. Plaintiff shall receive the Beaumont Residence as her sole and

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

2 6. Butterworth Residence. Plaintiff shall receive the Butterworth Residence as her sole
3 and separate property and shall be solely liable for any encumbrance on the residence.

4 7. Timeshares. The parties have three (3) timeshares. Defendant shall receive all three
5 timeshares as his sole and separate property. Defendant shall be solely responsible for the
6 maintenance fees and any debt incurred as a result of the timeshares.

7 8. Tax Refund. After the taxes for the 2006 and 2008 tax years are paid and the cost for
8 preparing the tax returns is deducted, the parties shall equally share the remaining proceeds.
9 Defendant received a refund check in the amount of \$3,024.00. Defendant shall provide Kelleher
10 & Kelleher with proof of deductions and cost of preparation and, after the cost is deducted, the
11 remainder of the check shall be equally split.

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

14 1. Credit Card Debt. Any credit card in Plaintiff's name shall be her sole and separate
15 debt and she shall hold Defendant harmless. Any credit card held in Defendant's name shall be his
16 sole and separate debt and he shall hold Plaintiff harmless.

17 2. Montezel Residence. The debt owed on the Montezel Residence shall be Defendant's
18 sole and separate debt. Defendant shall hold Plaintiff harmless therefrom.

19 3. Beaumont Residence. The debt owed on the Beaumont Residence shall be Plaintiff's
20 sole and separate debt. Plaintiff shall hold Defendant harmless therefrom.

21 4. Butterworth Residence. The debt owed on the Butterworth Residence shall be
22 Plaintiff's sole and separate debt. Plaintiff shall hold Defendant harmless therefrom.

23 5. IRS. Should any debt be owing to the IRS, the parties shall be equally liable.

24 6. Vehicle Loans. Each party shall be liable for the loan on their vehicle and shall hold
25 the other party harmless therefrom.

26 7. Nevada State Bank. The Complaint from Nevada State Bank in the amounts of
27 \$8,935.85 and \$601.00 shall be allocated to Plaintiff as her sole and separate debt. Plaintiff shall
28 hold Defendant harmless therefrom.

LAW OFFICES
KELLEHER & KELLEHER LLC
807 SOUTH SEVENTH STREET
LAS VEGAS, NEVADA 89101
(702) 398-1998
FEDS 300-101

1 IT IS FURTHER ORDERED ADJUDGED AND DECREED regarding the LLC, that
2 anything in Plaintiff's name shall be dissolved in bankruptcy.

3 IT IS FURTHER ORDERED ADJUDGED AND DECREED that Plaintiff shall keep the
4 name Foley.

5 IT IS FURTHER ORDERED ADJUDGED AND DECREED that both parties shall
6 confidentially file their Social Security Numbers and Welfare Identification Sheet with the court
7 per NRS 125.230.

8 IT IS FURTHER ORDERED ADJUDGED AND DECREED that both parties will attend
9 the COPE class and will submit their certificates with the court pursuant to E.D.C.R. 5.07.

10 IT IS FURTHER ORDERED ADJUDGED AND DECREED that, pursuant to NRCP 70,
11 the court clerk may sign any and all documents necessary to effectuate the terms of this divorce if
12 either party is unwilling or unable to do so after the decree of divorce is entered.

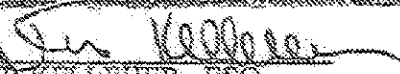
13 IT IS FURTHER ORDERED ADJUDGED AND DECREED that the hearing scheduled
14 for August 4, 2009 is hereby vacated.

15 IT IS SO ORDERED.

16 DATED this 24 day of Sept, 2009.

17 GERALD W. HARDCASTLE
18 DISTRICT COURT JUDGE

19 Submitted by:
20 KELLEHER & KELLEHER, LLC

21
22 By: 
23 JOHN T. KELLEHER, ESQ.
24 Nevada Bar No. 6012
25 807 South Seventh Street
26 Las Vegas, Nevada 89101
27 Attorney for Plaintiff
28


By: 
MICHAEL FOLEY
4500 E. Sunset Rd., #269
Henderson, NV 89014
Defendant in Proper Person

EXHIBIT "1"

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.

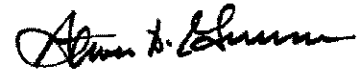
Christmas: Christmas shall be divided into two (2) periods. The first period shall begin December 24 at 12:00 noon and end December 25 at 12:00 noon. The second period shall begin December 25 at 12:00 noon and end December 26 at 12:00 noon. These periods shall be alternated yearly between the parents 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 Father's Day.

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.

OSC
David Riggs, District Attorney
Nevada Bar No. 002781
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)
Dept. D



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

**ORDER TO SHOW CAUSE WHY RESPONDENT SHOULD NOT BE
FOUND IN CONTEMPT AND ORDER APPOINTING CHILD SUPPORT MASTER**

To: Michael Foley, Respondent above named:

You are hereby ordered to appear before the above-entitled court, (UIFSA Child Support Courtroom in the Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada) on the 24 day of April, 20 12 at 3:25 P.m.; then and there to show cause, if any, why you should not be found in contempt for willfully disobeying a Court Order, filed and registered, if applicable; the alleged disobedience is more fully described in the Declaration in Support of Order to Show Cause Re: Contempt filed herein, a copy of which is being concurrently served upon you with a copy of this order.

The court hereby finds that the nature of the matter set forth herein is such that it should be referred to a Child Support Master, and good cause appearing therefore:

It is further ordered that all of the issues, both factual and legal, are referred to a Child Support Master who will hear the evidence and report the findings of fact, conclusions of law, and recommendations to the District Court in the manner provided in Eighth Judicial District Court Rule 1.40.

1 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.

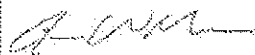
5 Pursuant to Chapter 22 of the Nevada Revised Statutes, a finding of contempt may result in
6 a jail sentence being stayed or imposed (25 days) to be served by you in the Clark County
7 Detention Center. Your failure to appear at the time, date, and place set forth herein may result
8 in the issuance of a Bench Warrant for your arrest and for such other and further relief as the
9 District Court deems justified in the premises.

10 Dated this _____ day of DEC 02 2011, 20____.

11
12 
13 District Court Judge, Family Division

14 Submitted by:

15 David Roger
16 Clark County District Attorney
17 Nevada Bar #002781

18 

19 Deputy District Attorney
20 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
25 Collection and Disbursement Unit (SCaDU), P.O. Box 98950, Las Vegas, Nevada 89193-8950.
26 Payments also may be made in person at State Collection and Disbursement Unit, 1900 East Flamingo
27 Road, Las Vegas, Nevada, in the exact amount of cash, cashier's check, money order or business check
28 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
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
PAID DIRECTLY TO THE PETITIONER.

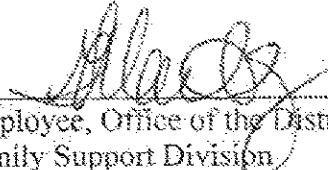
David Roger, District Attorney, Nevada Bar #002781
Family Support Division
1920 East Flamingo Road, #100
Las Vegas, Nevada 89119
Tel: 725-9100 / 725-7555 / 725-7556 fax: 725-7557

2 CERTIFICATE OF MAILING

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

6
7 Patricia Foley
8 975 Seven Hills Dr 3313
9 Henderson, NV 89052

10 on the 1 day of March 2012

11 
12 Employee, Office of the District Attorney
13 Family Support Division
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DSSC
David Roger, District Attorney
Nevada Bar No. 002781
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)



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

DECLARATION IN SUPPORT OF ORDER TO SHOW CAUSE
WHY RESPONDENT SHOULD NOT BE FOUND IN CONTEMPT

1. That I, R. B. Dumas, am an employee of the District Attorney's Office, Family Support Division in Clark County, Nevada.

2. That, on May 9, 2011, an Order was filed in the County of Clark, State of Nevada, Case Number R-11-162425-R.

3. That, the Respondent has not complied with said Order as follows:

☒ has not paid child support as ordered.

☐ has not provided medical insurance as ordered.

4. That, the last Child Support payment received:

☐ Last payment received.

☒ No payment ever received.

5. The undersigned declares under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

DATED this 27th day of May, 20 11.

/s/R.B. Dumas
Employee, Office of the District Attorney
Family Support Division

APPROSC

1 DCS
Mary-Anne Miller, Interim District Attorney
2 Nevada Bar No. 001419
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
4 Dept D


CLERK OF THE COURT

5 **DISTRICT COURT**
6 **CLARK COUNTY, NEVADA**

8 Patricia Foley

Petitioner,

9 vs.

11 Michael Foley

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

14 DECLARATION OF SERVICE

15 I, MARK MONTANA, 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 2-29-12, 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:

☒ Delivering and leaving a copy with the Respondent, Michael Foley, at
(state address) 1900 E FLAMINGO LANE LAS VEGAS NV 89119

☐ Serving the Respondent, Michael Foley, by personally delivering and leaving a copy with
_____, a person of suitable age and discretion residing at the
Respondent's usual place of abode located at:

(state address) _____

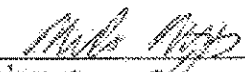
☐ Delivering and leaving a copy with the Petitioner, Patricia Foley, at
(state address) _____

☐ Serving the Petitioner, Patricia Foley, by personally delivering and leaving a copy with
_____, a person of suitable age and discretion residing at the
Petitioner's usual place of abode located at:

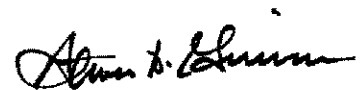
(state address) _____

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

Dated this 29 day of FEBRUARY, 2012.


Declarant

NEMR
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)
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CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R
Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS

To: Michael Foley, Respondent or Respondent's Attorney

To: Patricia Foley, Petitioner or Petitioner's Attorney

Please take notice that the enclosed Master's Recommendations were entered in the above-entitled matter on April 24, 2012.

CERT

Case no. R-11-162425-R

CERTIFICATE OF MAILING

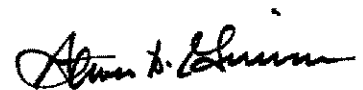
The foregoing Notice of Entry of Master's Recommendations for the Master's
Recommendation entered on April 24, 2012, was served upon Patricia Foley by mailing a copy thereof,
first class mail, postage prepaid to:

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

NOTM
Steven B. Wollson, 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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

PATRICIA FOLEY

Petitioner,

vs.

MICHAEL FOLEY,

Respondent.

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

**DISTRICT ATTORNEY'S NOTICE OF MOTION &
MOTION TO MODIFY CHILD SUPPORT**

Date of Hearing: AUGUST 28, 2012
Time of Hearing: 09.00 AM
Court Room: 1

The District Attorney, by and through the undersigned Deputy District Attorney, moves the 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 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 Points and Authorities, exhibit(s), if any, oral argument, if any, at the time of the hearing and

☒ Proof of Respondent's income indicating the Respondent's gross monthly income to be determined. Updated income information to be provided at the time of the hearing, if any.

☐ Other:

///

///

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.

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1 POINTS AND AUTHORITIES IN SUPPORT OF THE MOTION

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

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

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

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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 26th day of April, 2012.

7 Respectfully Submitted,

8 Steven B. Wolfson
9 District Attorney
Nevada Bar No. 001565

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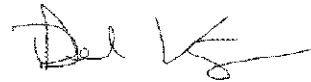
12 Deputy District Attorney
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2 **CERTIFICATE OF MAILING**

3 The foregoing DISTRICT ATTORNEY'S NOTICE OF MOTION & MOTION TO MODIFY
4 CHILD SUPPORT was served upon Michael Anthony Foley by mailing a copy thereof, first class
5 mail, postage prepaid to:
6

7 **MICHAEL ANTHONY FOLEY**
8 **3430 Frontier St**
9 **Las Vegas NV 89102**

10 on the 26th day of April, 2012.
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12

13 

14 _____
15 Employee, District Attorney's Office
16 Family Support Division
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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**
8 **2120 Crestline Falls Pl**
9 **Las Vegas, NV 89134**

10 on the 26th day of April, 2012.

11
12 

13 _____
14 Employee, District Attorney's Office
15 Family Support Division

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



CLERK OF THE COURT

District Court

CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case No. R11-162425R

Department No. CHILD SUPPORT

MASTER'S RECOMMENDATION

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:

Parties present: ☒ Respondent ☐ Respondent's attorney ☒ Petitioner ☐ Petitioner's attorney

☐ PATERNITY ☒ PATERNITY PREVIOUSLY DECIDED

☒ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS).

Respondent's gross monthly income (GMI) : ; formula amount % of GMI=

Basis for deviation from state formula: _____

Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley.

CHILD SUPPORT

Respondent is to pay monthly:

\$700.00 Temp child support

_____ medical support (in lieu of health insurance)

_____ spousal support

_____ arrears payment

☒ ARREARAGES ☐ ARREARAGES NOT ADDRESSED AT THIS HEARING

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 falls due 04/01/12.

child support arrearage of \$13,711.22 plus interest of \$1,104.96 penalty of \$1,923.80

medical support arrearage of _____ plus interest of _____ penalty of _____

spousal support arrearage of _____ plus interest of _____

medical expense arrearage of _____

genetic test costs of _____

total arrearages of \$13,711.22 total interest \$1,104.96 total penalty \$1,923.80

GRAND TOTAL (arrearages + interest + penalty) = \$16,739.98

☐ The total arrears are hereby confirmed.

☒ 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 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.

☐ Arrears of \$_____ subject to modification until _____, and arrears of \$_____ reduced to judgment.

☒ Arrears listed above are reduced to judgment. This supersedes prior Nevada judgments, if any, awarded under this case number.

☐

\$ 700.00

TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.

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 becomes delinquent in an amount equal to 30 days support.

☒ **ENFORCEMENT OF CONTROLLING ORDER:** The registered order from Clark County, NV, dated 09/25/09, #D-08-403071, is hereby 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 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.

☒ Health insurance coverage for the minor child(ren) herein:

☒ Respondent to provide: ☐ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:

☒ if available through employer. ☐ shall provide per court order.

☐ 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.

☒ **CONTEMPT OF COURT** ☐ **NOT A SHOW CAUSE HEARING**

☐ **RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.**

☒ **ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE.**

☒ Respondent is hereby found in Contempt of Court and sentenced to 25 days in the Clark County Detention 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:

Sentence of _____ days in the Clark County Detention Center issued _____ is _____ imposed _____ vacated _____ stayed

Sentence of _____ days in the Clark County Detention Center issued _____ is _____ imposed _____ vacated _____ stayed

Sentence of _____ days in the Clark County Detention Center issued _____ is _____ imposed _____ vacated _____ stayed

Sentence of _____ days in the Clark County Detention Center issued _____ is _____ imposed _____ vacated _____ stayed

☐ Respondent is recommended for the day arrest program on _____.

☐ 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.

☐ **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 SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or recall the bench warrant.**

☐ **BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY** ☐ **QUASHED.** ☐ **CONTINUED.**

☐ **MODIFICATION OF PRIOR ORDER:**

☐ SUSPENSION OF LICENSES:

PAYMENTS

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.

Payments can be mailed to:

State Collection and Disbursement Unit (SCaDU)
P.O. Box 98950
Las Vegas, Nevada 89193-8950

Payments can be made in person at:

State Collection and Disbursement Unit (SCaDU)
1900 East Flamingo Road
Las Vegas, Nevada 89119-5168

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 support case number, and name of petitioner (first and last name of person receiving child support).

NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.

NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.

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 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.

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.

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.

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.

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.

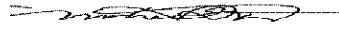
MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS:

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 today. He can pay a minimum of \$325 per month to avoid contempt beginning 5/1/12. Respondent to bring a paystub next court date. Both parties are on notice of possible modification effective 4/1/12, 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.

NEXT HEARING DATE IS August 28, 2012 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 further proceedings.

DATED: APRIL 24, 2012


MASTER


Respondent/Respondent's Attorney
Receipt of this document is
acknowledged by my signature.

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 date, without need of a District Court Judge's signature affixed hereto. **The parties are ordered to comply with this Order/Judgment.**

☐ 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,

☐ **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 _____, 20____ and this matter is remanded to Child Support Court on _____, 20____ at _____M.

District Court Judge, Family Division

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

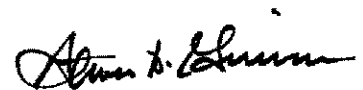
By: 
DEPUTY DISTRICT ATTORNEY
FAMILY SUPPORT DIVISION

Steven B. Wolfson, District Attorney, Nevada Bar No. 001565
Family Support Division
1900 East Flamingo Road #100
Las Vegas, Nevada 89119-5108

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

1 1900 East Flamingo Road, Suite 100
2 Las Vegas, Nevada 89119-5168
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NEJ
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF ORDER/JUDGMENT

To: MICHAEL FOLEY, Respondent

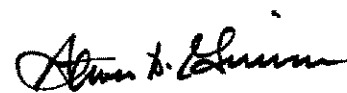
Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was entered in the above-entitled matter on April 24, 2012.

CERTIFICATE OF MAILING

The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to 8853 Haviland Rd , Las Vegas, NV 89123 on the 18th day of May, 2012.

/s/Rita Margolian_____
Employee, District Attorney's Office
Family Support Division

NEMR
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


CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS

To: Michael Foley, Respondent or Respondent's Attorney

To: Patricia Foley, Petitioner or Petitioner's Attorney

Please take notice that the enclosed Master's Recommendations were entered in the above-entitled matter on August 28, 2012.

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

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

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



CLERK OF THE COURT

District Court

CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case No. R11-162425R

Department No. CHILD SUPPORT

MASTER'S RECOMMENDATION

This matter having been heard on AUGUST 28, 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:

Parties present: ☐ Respondent ☐ Respondent's attorney ☒ Petitioner ☐ Petitioner's attorney

☐ PATERNITY ☒ PATERNITY PREVIOUSLY DECIDED

☒ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS).

Respondent's gross monthly income (GMI) : ; formula amount % of GMI=

Basis for deviation from state formula: _____

Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley.

CHILD SUPPORT

Respondent is to pay monthly:

\$700.00 Temp child support

\$79.00 medical support (in lieu of health insurance)

 spousal support

\$25.00 arrears payment

☐ ARREARAGES ☒ ARREARAGES NOT ADDRESSED AT THIS HEARING

\$ 804.00

TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.

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 becomes delinquent in an amount equal to 30 days support.

☐ ENFORCEMENT OF CONTROLLING ORDER: The registered order from _____, dated _____, #_____, is hereby 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 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.

☒ Health insurance coverage for the minor child(ren) herein:

☒ Respondent to provide: ☐ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:

☒ if available through employer. ☐ shall provide per court order.

☒ 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.

☒ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING

☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.

☒ ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE.

☒ Respondent is hereby found in Contempt of Court and sentenced to 5 days in the Clark County Detention 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:

Sentence of 25 days in the Clark County Detention Center issued 05/15/2012 is ☐ imposed ☐ vacated ☒ stayed

Sentence of days in the Clark County Detention Center issued is ☐ imposed ☐ vacated ☐ stayed

Sentence of days in the Clark County Detention Center issued is ☐ imposed ☐ vacated ☐ stayed

Sentence of days in the Clark County Detention Center issued is ☐ imposed ☐ vacated ☐ stayed

☐ Respondent is recommended for the day arrest program on .

☐ 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.

☒ NO BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPONDENT MAY BE RELEASED UPON PAYMENT OF \$500 TO BE RELEASED TO PETITIONER AS CHILD SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or recall the bench warrant.

☐ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY ☐ QUASHED. ☐ CONTINUED.

☐ MODIFICATION OF PRIOR ORDER:

☐ SUSPENSION OF LICENSES:

PAYMENTS

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.

Payments can be mailed to:

State Collection and Disbursement Unit (SCaDU)

P.O. Box 98950

Las Vegas, Nevada 89193-8950

Payments can be made in person at:

State Collection and Disbursement Unit (SCaDU)

1900 East Flamingo Road

Las Vegas, Nevada 89119-5168

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 support case number, and name of petitioner (first and last name of person receiving child support).

NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.

NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.

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 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.

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.

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.

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.

Respondent to bring new financial statement and proof of income next date.

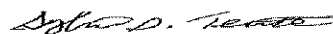
This order does not stay collection of support arrears by execution or any other means allowed by law.

MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS:

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. Petitioner provides health insurance for children, she provided a paystub. Cost is \$157 p/m and 1/2 = \$78.54. Respondent is to contribute to Petitioner's cost, at \$79 per month, beginning 4/1/12. Respondent has failed to pay minimum amount requested to avoid contempt of court of \$325 per month.

NEXT HEARING DATE IS B/W in Courtroom in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.

DATED: AUGUST 28, 2012



MASTER

**Respondent/Respondent's Attorney
Receipt of this document is
acknowledged by my signature.**

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

1 date, without need of a District Court Judge's signature affixed hereto. **The parties are ordered to comply with this**
 2 **Order/Judgment.**

3 ☐ The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and
 4 considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause
 5 appearing,

6 ☐ **IT IS HEREBY ORDERED** that the Master's Recommendation IS affirmed and adopted as an
 7 **ORDER/JUDGMENT** of the District Court this _____ day of _____, 20____.

8 ☐ **IT IS HEREBY ORDERED** that the Master's Recommendation IS NOT affirmed and adopted this _____ day of
 9 _____, 20____ and this matter is remanded to Child Support Court on _____, 20____ at
 10 _____M.

11 **District Court Judge, Family Division**

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

14 By: 

15 **DEPUTY DISTRICT ATTORNEY**
 16 **FAMILY SUPPORT DIVISION**
 17 **1900 East Flamingo Road, Suite 100**
 18 **Las Vegas, Nevada 89119-5168**

NEJ
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


CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF ORDER/JUDGMENT

To: MICHAEL FOLEY, Respondent

Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was entered in the above-entitled matter on August 28, 2012.

CERTIFICATE OF MAILING

The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to 3300 S Decatur Blvd 10, Las Vegas, NV 89102 8153 on the 21st day of September, 2012.

/s/Rita Margolian_____
Employee, District Attorney's Office
Family Support Division

BNCH

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Electronically Filed
10/28/2013 03:22:57 PM

Patricia Foley,

vs.

MICHAEL FOLEY,

Petitioner,

Respondent.

Case no.

R-11-162425-R

Dept. no.

CHILD SUPPORT

CLERK OF THE COURT

BENCH WARRANT

To: ANY SHERIFF, CONSTABLE, MARSHAL, POLICEMAN or PEACE OFFICER IN THIS STATE

The Respondent, MICHAEL FOLEY, having been ordered to appear before the above-entitled Court on AUGUST 28, 2012, for hearing on a Complaint for Support and having failed to appear at 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; bail 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 \$500.00 to D.A. Family Support Division to be released to Petitioner as child support.

This Warrant may be served at any hour of day or night.

As recommended by Special Master SYLVIA S TEUTON

GIVEN under my hand this _____ day of **SEP 28 2012**, 20____.

District Court Judge, Family Division

Steven B. Wolfson
Clark County District Attorney
Nevada Bar No. 001565

Deputy District Attorney

Court appearances may be scheduled by contacting the court team in the District Attorney's Family Support Office, (702) 671-9200, by 11:30 a.m. each day. Court is held Monday through Friday.

Date

Respondent

RETURN OF SERVICE

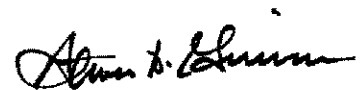
I hereby certify that I received the above and foregoing BENCH WARRANT on MICHAEL FOLEY and served the same by arresting the above-named Respondent, the arrest being made on SAME.

Dated this 27th day of OCTOBER, 2013

PEACE OFFICER

BWRCSS

NEMR
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS

To: Michael Foley, Respondent or Respondent's Attorney

To: Patricia Foley, Petitioner or Petitioner's Attorney

Please take notice that the enclosed Master's Recommendations were entered in the above-entitled matter on October 30, 2013.

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

CERT

Case no. R-11-162425-R

CERTIFICATE OF MAILING

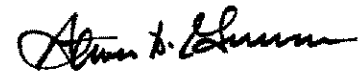
The foregoing Notice of Entry of Master's Recommendations for the Master's
Recommendation entered on October 30, 2013, was served upon Patricia Foley by mailing a copy
thereof, first class mail, postage prepaid to:

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

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



CLERK OF THE COURT

District Court
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

Case No. R-11-162425-R

vs.

Department No. CHILD SUPPORT

Michael Foley,

Respondent.

MASTER'S RECOMMENDATION

This matter having been heard on OCTOBER 30, 2013 (In Custody) 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:

Parties present: ☒ Respondent ☐ Respondent's attorney ☐ Petitioner ☐ Petitioner's attorney

☐ PATERNITY ☒ PATERNITY PREVIOUSLY DECIDED

☒ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS).

Respondent's gross monthly income (GMI) : ; formula amount % of GMI=

Basis for deviation from state formula: _____

Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley.

CHILD SUPPORT

Respondent is to pay monthly:

\$700.00 Temp child support

\$79.00 medical support (in lieu of health insurance)

 spousal support

\$25.00 arrears payment

☐ ARREARAGES ☒ ARREARAGES NOT ADDRESSED AT THIS HEARING

\$ 804.00 TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.

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 becomes delinquent in an amount equal to 30 days support.

☐ ENFORCEMENT OF CONTROLLING ORDER: The registered order from _____, dated _____, # _____, is hereby 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 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.

☒ Health insurance coverage for the minor child(ren) herein:

☒ Respondent to provide: ☐ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:

☒ if available through employer. ☐ shall provide per court order.

☒ 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.

☒ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING

☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.

☒ ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE.

☒ Respondent is hereby found in Contempt of Court and sentenced to 25 days in the Clark County Detention 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:

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 _____

Sentence of _____ days in the Clark County Detention Center issued _____ is _____ imposed _____ vacated _____ stayed _____

Sentence of _____ days in the Clark County Detention Center issued _____ is _____ imposed _____ vacated _____ stayed _____

☐ Respondent is recommended for the day arrest program on _____.

☒ Respondent to be released from custody on 11/4/2013.

☒ Respondent may be released from the above sentence immediately upon payment of \$300.00 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 SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or recall the bench warrant.

☐ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY ☐ QUASHED. ☐ CONTINUED.

☐ MODIFICATION OF PRIOR ORDER:

☐ SUSPENSION OF LICENSES:

PAYMENTS

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.

Payments can be mailed to:

State Collection and Disbursement Unit (SCaDU)

P.O. Box 98950

Las Vegas, Nevada 89193-8950

Payments can be made in person at:

State Collection and Disbursement Unit (SCaDU)

1900 East Flamingo Road

Las Vegas, Nevada 89119-5168

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 support case number, and name of petitioner (first and last name of person receiving child support).

NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.

NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.

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

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.

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.

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.

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.

Respondent to bring new financial statement and proof of income next date.

This order does not stay collection of support arrearages by execution or any other means allowed by law.

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 2011 is \$944.88.
Pay/Stay \$500.00

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 further proceedings.

DATED: OCTOBER 30, 2013



MASTER

In Custody
Respondent/Respondent's Attorney
Receipt of this document is
acknowledged by my signature.

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

1 date, without need of a District Court Judge's signature affixed hereto. **The parties are ordered to comply with this**
 2 **Order/Judgment.**

3 ☐ The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and
 4 considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause
 5 appearing,

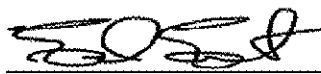
6 ☐ **IT IS HEREBY ORDERED** that the Master's Recommendation IS affirmed and adopted as an
 7 **ORDER/JUDGMENT** of the District Court this _____ day of _____, 20____.

8 ☐ **IT IS HEREBY ORDERED** that the Master's Recommendation IS NOT affirmed and adopted this _____ day of
 9 _____, 20____ and this matter is remanded to Child Support Court on _____, 20____ at
 10 _____M.

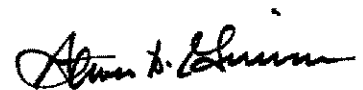
11 **District Court Judge, Family Division**

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

14 By: _____

15 
 16 **DEPUTY DISTRICT ATTORNEY**
 17 **FAMILY SUPPORT DIVISION**
 18 **1900 East Flamingo Road, Suite 100**
 19 **Las Vegas, Nevada 89119-5168**

NEJ
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF ORDER/JUDGMENT

To: MICHAEL FOLEY, Respondent

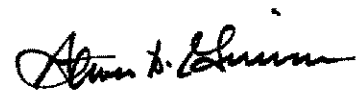
Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was entered in the above-entitled matter on October 30, 2013.

CERTIFICATE OF MAILING

The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to 209 S Stephanie St B-191, Henderson, NV 89012 on the 22nd day of November, 2013.

/s/ Katherine Yonashiro
Employee, District Attorney's Office
Family Support Division

NEMR
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS

To: Michael Foley, Respondent or Respondent's Attorney

To: Patricia Foley, Petitioner or Petitioner's Attorney

Please take notice that the enclosed Master's Recommendations were entered in the above-entitled matter on February 19, 2014.

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

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

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



CLERK OF THE COURT

District Court

CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case No. R-11-162425-R

Department No. CHILD SUPPORT

MASTER'S RECOMMENDATION

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:

Parties present: ☐ Respondent ☐ Respondent's attorney ☒ Petitioner ☐ Petitioner's attorney

☐ PATERNITY ☒ PATERNITY PREVIOUSLY DECIDED

☒ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS).

Respondent's gross monthly income (GMI) : ; formula amount % of GMI=

Basis for deviation from state formula: _____

Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley.

CHILD SUPPORT

Respondent is to pay monthly:

\$700.00 Temp child support

\$79.00 medical support (in lieu of health insurance)

 spousal support

\$25.00 arrears payment

☐ ARREARAGES ☒ ARREARAGES NOT ADDRESSED AT THIS HEARING

\$ 804.00 TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.

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 becomes delinquent in an amount equal to 30 days support.

☐ ENFORCEMENT OF CONTROLLING ORDER: The registered order from _____, dated _____, # _____, is hereby 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 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.

☒ Health insurance coverage for the minor child(ren) herein:

☒ Respondent to provide: ☐ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:

☒ if available through employer. ☐ shall provide per court order.

☒ 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.

☒ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING

☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.

☒ ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE.

☒ Respondent is hereby found in Contempt of Court and sentenced to 25 days in the Clark County Detention 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:

Sentence of 20 days in the Clark County Detention Center issued 05/15/12 is _____ imposed _____ vacated _____ stayed

Sentence of 05 days in the Clark County Detention Center issued 09/19/12 is _____ imposed _____ vacated _____ stayed

Sentence of 25 days in the Clark County Detention Center issued 11/21/13 is _____ imposed _____ vacated _____ stayed

Sentence of _____ days in the Clark County Detention Center issued _____ is _____ imposed _____ vacated _____ stayed

☐ Respondent is recommended for the day arrest program on _____.

☐ 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.

☒ NO BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPONDENT MAY BE RELEASED UPON PAYMENT OF \$804 TO BE RELEASED TO PETITIONER AS CHILD SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or recall the bench warrant.

☐ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY ☐ QUASHED. ☐ CONTINUED.

☐ MODIFICATION OF PRIOR ORDER:

☐ SUSPENSION OF LICENSES:

PAYMENTS

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.

Payments can be mailed to:

State Collection and Disbursement Unit (SCaDU)

P.O. Box 98950

Las Vegas, Nevada 89193-8950

Payments can be made in person at:

State Collection and Disbursement Unit (SCaDU)

1900 East Flamingo Road

Las Vegas, Nevada 89119-5168

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 support case number, and name of petitioner (first and last name of person receiving child support).

NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.

NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.

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

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.

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.

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.

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.

Respondent to bring new financial statement and proof of income next date.

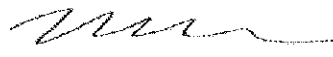
This order does not stay collection of support arrearages by execution or any other means allowed by law.

MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS:

Last payment 7/2013 by wage withholding. R failed to appear.

NEXT HEARING DATE IS BW in Courtroom in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.

DATED: FEBRUARY 19, 2014



MASTER

**Respondent/Respondent's Attorney
Receipt of this document is
acknowledged by my signature.**

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 date, without need of a District Court Judge's signature affixed hereto. **The parties are ordered to comply with this Order/Judgment.**

☐ 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,

☐ **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 _____, 20_____ and this matter is remanded to Child Support Court on _____, 20_____ at _____M.

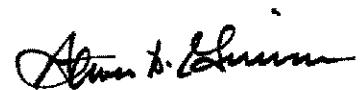
District Court Judge, Family Division

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

By: *V. Monet Arzola*

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

NEJ
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF ORDER/JUDGMENT

To: MICHAEL FOLEY, Respondent

Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was entered in the above-entitled matter on February 19, 2014.

CERTIFICATE OF MAILING

The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to 209 S Stephanie St B-191, Henderson, NV 89012 on the 13th day of March, 2014.

/s/Francine Burt
Employee, District Attorney's Office
Family Support Division

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Electronically Filed
08/07/2014 12:34:56 PM

Patricia Foley,

Petitioner,

vs.

MICHAEL FOLEY,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

CLERK OF THE COURT

BENCH WARRANT

To: ANY SHERIFF, CONSTABLE, MARSHAL, POLICEMAN or PEACE OFFICER IN THIS STATE

The Respondent, MICHAEL FOLEY, having been ordered to appear before the above-entitled Court on FEBRUARY 19, 2014, for hearing on a Complaint for Support and having failed to appear at 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; bail 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 \$804.00 to D.A. Family Support Division to be released to Petitioner as child support.

This Warrant may be served at any hour of day or night.

As recommended by Special Master MERLE LOK

GIVEN under my hand this 7th day of April, 2014.

District Court Judge, Family Division

Steven B. Wolfson
Clark County District Attorney
Nevada Bar No. 001565

Ann Barringer
Deputy District Attorney

Court appearances may be scheduled by contacting the court team in the District Attorney's Family Support Office, (702) 671-9200, by 11:30 a.m. each day. Court is held Monday through Friday.

Date

Respondent

RETURN OF SERVICE

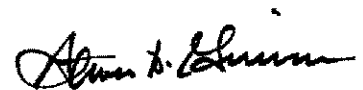
I hereby certify that I received the above and foregoing BENCH WARRANT on 08-06-14 and served the same by arresting the above-named Respondent, the arrest being made on 08-06-14.

Dated this 06 day of AUGUST, 2014.

PEACE OFFICER

BWRCS

NEMR
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS

To: Michael Foley, Respondent or Respondent's Attorney

To: Patricia Foley, Petitioner or Petitioner's Attorney

Please take notice that the enclosed Master's Recommendations were entered in the above-entitled matter on August 08, 2014.

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

CERT

Case no. R-11-162425-R

CERTIFICATE OF MAILING

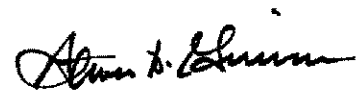
The foregoing Notice of Entry of Master's Recommendations for the Master's
Recommendation entered on August 08, 2014, was served upon Patricia Foley by mailing a copy
thereof, first class mail, postage prepaid to:

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

NEMR
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS

To: Michael Foley, Respondent or Respondent's Attorney

To: Patricia Foley, Petitioner or Petitioner's Attorney

Please take notice that the enclosed Master's Recommendations were entered in the above-entitled matter on August 11, 2014.

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

CERT

Case no. R-11-162425-R

CERTIFICATE OF MAILING

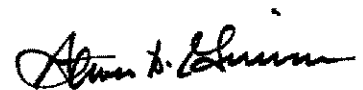
The foregoing Notice of Entry of Master's Recommendations for the Master's
Recommendation entered on August 11, 2014, was served upon Patricia Foley by mailing a copy
thereof, first class mail, postage prepaid to:

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

NOTM
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

PATRICIA FOLEY

Petitioner,

vs.

MICHAEL FOLEY,

Respondent.

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

**DISTRICT ATTORNEY'S NOTICE OF MOTION &
MOTION TO MODIFY CHILD SUPPORT**

Date of Hearing: DECEMBER 09, 2014
Time of Hearing: 09.15 AM
Court Room: 1

The District Attorney, by and through the undersigned Deputy District Attorney, moves the 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 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 Points and Authorities, exhibit(s), if any, oral argument, if any, at the time of the hearing and

☒ Proof of Respondent's income indicating the Respondent's gross monthly income to be determined. Updated income information to be provided at the time of the hearing, if any.

☐ Other:

///

///

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.

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1 POINTS AND AUTHORITIES IN SUPPORT OF THE MOTION

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

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

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

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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 of Aug-20-2014, 20____.

7 Respectfully Submitted,

8 Steven B. Wolfson
9 District Attorney
Nevada Bar No. 001565

10 
11 _____
12 Deputy District Attorney
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CERT

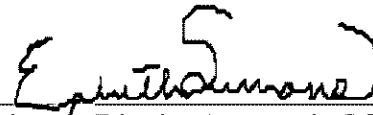
Case no. R-11-162425-R

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
209 S Stephanie St B191
Henderson NV 89012

on the 21st day of August, 2014.



Employee, District Attorney's Office
Family Support Division

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

Patricia Foley
8838 Tomnitz Ave 103
Las Vegas, NV 89178

on the 21st day of August, 2014.



Employee, District Attorney's Office
Family Support Division

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



CLERK OF THE COURT

District Court

CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case No. R-11-162425-R

Department No. CHILD SUPPORT

MASTER'S RECOMMENDATION

This matter having been heard on AUGUST 11, 2014 (Attorney Maskal, #6410, UNBUNDLED) 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:

Parties present: ☒ Respondent ☒ Respondent's attorney ☐ Petitioner ☐ Petitioner's attorney

☐ PATERNITY ☒ PATERNITY PREVIOUSLY DECIDED

☒ 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

Basis for deviation from state formula: Temporary setting based on Respondent's income.

Respondent is to pay current support for the child(ren), Michael Foley, AND Elizabeth Foley, AND Therese Foley.

CHILD SUPPORT

Respondent is to pay monthly:

\$300.00 Temp child support

\$79.00 Temp medical support (in lieu of health insurance)

 spousal support

\$25.00 Temp arrears payment

☐ ARREARAGES ☒ ARREARAGES NOT ADDRESSED AT THIS HEARING

\$ 404.00 TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.

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 becomes delinquent in an amount equal to 30 days support.

☐ ENFORCEMENT OF CONTROLLING ORDER: The registered order from _____, dated _____, # _____, is hereby 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 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.

☒ Health insurance coverage for the minor child(ren) herein:

☒ Respondent to provide: ☐ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:

☒ if available through employer. ☐ shall provide per court order.

- ☒ 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.

☒ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING

☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.

☒ 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 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:

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

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

☐ Respondent is recommended for the day arrest program on _____.

☒ Respondent to be released from custody on 8/16/14.

☒ Respondent may be released from the above sentence immediately upon payment of \$200.00 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 SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or recall the bench warrant.

☐ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY ☐ QUASHED. ☐ CONTINUED.

☒ MODIFICATION OF PRIOR ORDER:

☒ Modification effective: 8/1/14.

☒ This order modifies a previously existing, previously controlling support order. By this modification, this tribunal assumes or retains continuing, exclusive jurisdiction of the child support obligation for the child(ren) and parties identified in this order. Modification is proper for the following reason(s):

☐ The previously controlling order is from _____, dated _____, #_____.

☐ An individual party, _____, has requested modification of the previously controlling Nevada support order.

☐ 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).

☐ An individual party, _____, has requested modification; all individual parties and children now reside in Nevada.

☐ 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.

☐ SUSPENSION OF LICENSES:

PAYMENTS

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.

Payments can be mailed to:

State Collection and Disbursement Unit (SCaDU)
P.O. Box 98950
Las Vegas, Nevada 89193-8950

Payments can be made in person at:
State Collection and Disbursement Unit (SCaDU)
1900 East Flamingo Road
Las Vegas, Nevada 89119-5168

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 support case number, and name of petitioner (first and last name of person receiving child support).

NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.

NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.

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 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.

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.

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.

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.

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.

MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS:

Last payment 6/2014 as an involuntary payment. Respondent is self-employed. He testified he earns \$800 to \$1000 per 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.

NEXT HEARING DATE IS December 9, 2014 at 9:15 AM in Courtroom 1 in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.

DATED: AUGUST 11, 2014

Steven B. Wolfson

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

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

MASTER



Respondent/Respondent's Attorney
 Receipt of this document is
 acknowledged by my signature.

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 date, without need of a District Court Judge's signature affixed hereto. **The parties are ordered to comply with this Order/Judgment.**

☐ 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,


☐ **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 _____, 20____ and this matter is remanded to Child Support Court on _____, 20____ at _____M.

 District Court Judge, Family Division

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

By:



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

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

CLERK OF THE COURT

District Court

CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case No. R-11-162425-R

Department No. CHILD SUPPORT

MASTER'S RECOMMENDATION

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 following Findings and Recommendations:

Parties present: ☐ Respondent ☐ Respondent's attorney ☐ Petitioner ☐ Petitioner's attorney

☐ PATERNITY ☒ PATERNITY PREVIOUSLY DECIDED

☒ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS).

Respondent's gross monthly income (GMI) : ; formula amount % of GMI=

Basis for deviation from state formula: _____

Respondent is to pay current support for the child(ren), Michael Foley & Elizabeth Foley & Therese Foley.

CHILD SUPPORT

Respondent is to pay monthly:

\$700.00 Temp child support

\$79.00 medical support (in lieu of health insurance)

 spousal support

\$25.00 arrears payment

☐ ARREARAGES ☒ ARREARAGES NOT ADDRESSED AT THIS HEARING

\$ 804.00 TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.

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 becomes delinquent in an amount equal to 30 days support.

☐ ENFORCEMENT OF CONTROLLING ORDER: The registered order from _____, dated _____, # _____, is hereby 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 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.

☒ Health insurance coverage for the minor child(ren) herein:

☒ Respondent to provide: ☐ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:

☒ if available through employer. ☐ shall provide per court order.

☒ 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.

☒ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING

☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.

☒ 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 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:

Sentence of 20 days in the Clark County Detention Center issued 05/15/12 is _____ imposed _____ vacated x stayed

Sentence of 5 days in the Clark County Detention Center issued 09/19/12 is _____ imposed _____ vacated x stayed

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

☐ Respondent is recommended for the day arrest program on _____.

☒ 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.

☐ 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 SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or recall the bench warrant.

☐ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY ☐ QUASHED. ☐ CONTINUED.
☐ MODIFICATION OF PRIOR ORDER:

☐ SUSPENSION OF LICENSES:

PAYMENTS

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.

Payments can be mailed to:

State Collection and Disbursement Unit (SCaDU)
P.O. Box 98950
Las Vegas, Nevada 89193-8950

Payments can be made in person at:

State Collection and Disbursement Unit (SCaDU)
1900 East Flamingo Road
Las Vegas, Nevada 89119-5168

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 support case number, and name of petitioner (first and last name of person receiving child support).

NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.

NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.

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

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.

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.

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.

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.

Respondent to bring new financial statement and proof of income next date.

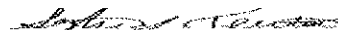
This order does not stay collection of support arrearages by execution or any other means allowed by law.

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).

NEXT HEARING DATE IS August 11, 2014 at 1:15 PM in Courtroom 1 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

Respondent/Respondent's Attorney
Receipt of this document is
acknowledged by my signature.

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

1 date, without need of a District Court Judge's signature affixed hereto. **The parties are ordered to comply with this**
 2 **Order/Judgment.**

3 ☐ The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and
 4 considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause
 5 appearing,

6 ☐ **IT IS HEREBY ORDERED** that the Master's Recommendation IS affirmed and adopted as an
 7 **ORDER/JUDGMENT** of the District Court this _____ day of _____, 20____.

8 ☐ **IT IS HEREBY ORDERED** that the Master's Recommendation IS NOT affirmed and adopted this _____ day of
 9 _____, 20____ and this matter is remanded to Child Support Court on _____, 20____ at
 10 _____M.

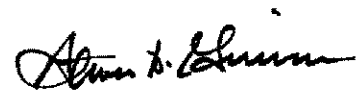
11 **District Court Judge, Family Division**

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

14 By: 

15 **DEPUTY DISTRICT ATTORNEY**
 16 **FAMILY SUPPORT DIVISION**
 17 **1900 East Flamingo Road, Suite 100**
 18 **Las Vegas, Nevada 89119-5168**

NEJ
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF ORDER/JUDGMENT

To: MICHAEL FOLEY, Respondent, and

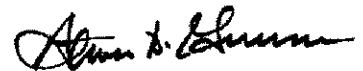
To: Aurora M Maskall Esq., Attorney of Record

Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was entered in the above-entitled matter on August 08, 2014.

CERTIFICATE OF MAILING

The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to Aurora M Maskall Esq., Attorney of Record, at 7575 Vegas Dr #150 Las Vegas, NV 89128 on the 3rd day of September, 2014.

/s/ Lori Robinson
Employee, District Attorney's Office
Family Support Division



CLERK OF THE COURT

NOW
A. MARIA MASKALL, ESQ.
Nevada Bar No.: 6410
LEE, HERNANDEZ, LANDRUM,
& GAROFALO, APC
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
(702) 880-9750
Fax: (702) 314-1210
amaskall@lee-lawfirm.com

Attorneys for MICHAEL FOLEY

DISTRICT COURT
CLARK COUNTY, NEVADA

PATRICIA FOLEY,

Petitioner,

vs.

MICHAEL FOLEY,

Respondent.

CASE NO.: R-11-162425-R
DEPT. NO.: CHILD SUPPORT

Date of Hearing: N/A
Time of Hearing: N/A

NOTICE OF WITHDRAWAL OF COUNSEL

TO: PATRICIA FOLEY, Petitioner;
TO: STATE OF NEVADA, Petitioner's counsel of record; and
TO: MICHAEL FOLEY, Respondent in Proper Person.

The law firm of LEE, HERNANDEZ, LANDRUM & GAROFALO, hereby gives notice of its withdrawal as counsel of record for Respondent, MICHAEL FOLEY, pursuant to Eighth Judicial District Court Rule 5.28, as the firm had been hired to perform a limited service, and that service has been completed.

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

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

3 MICHAEL FOLEY
4 209 S. Stephanie St., Ste. B-191
5 Henderson, Nevada 89012
6 (702) 771-9725

7 DATED this 9th day of September, 2014.

8 LEE, HERNANDEZ, LANDRUM,
9 & GAROFALO, APC

10 By: /s/ Maria Maskall
11 A. MARIA MASKALL, ESQ.
12 Nevada Bar No.: 6410
13 7575 Vegas Drive, Suite 150
14 Las Vegas, Nevada 89128
15 (702) 880-9750
16 Fax: (702) 314-1210

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

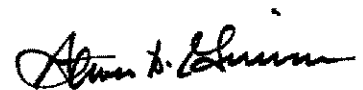
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MICHAEL FOLEY
209 S. Stephanie St., Ste. B-191
Henderson, Nevada 89012
(702) 771-9725

By: Lorraine Baxter
Lorraine Baxter, an employee of
LEE, HERNANDEZ, LANDRUM
& GAROFALO, APC

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

NEJ
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF ORDER/JUDGMENT

To: MICHAEL FOLEY, Respondent, and

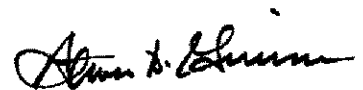
To: Aurora M Maskall Esq., Attorney of Record

Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was entered in the above-entitled matter on August 11, 2014.

CERTIFICATE OF MAILING

The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to Aurora M Maskall Esq., Attorney of Record, at 7575 Vegas Dr #150 Las Vegas, NV 89128 on the 15th day of September, 2014.

/s/ Katherine Yonashiro
Employee, District Attorney's Office
Family Support Division



CLERK OF THE COURT

RSPN
MICHAEL FOLEY
209 S. Stephanie St. Ste B-191
Henderson, NV 89012
Telephone: (702) 771-9725
Defendant in Proper Person

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

PATRICIA FOLEY

Petitioner,

vs.

MICHAEL FOLEY,

Respondent.

Case No. R-11-162425
Dept. No. "C" / Child Support

Date of Hearing: December 9, 2014
Time of Hearing: 9:00 a.m.

**RESPONDENT'S RESPONSE TO THE DISTRICT ATTORNEY'S MOTION TO
MODIFY CHILD SUPPORT**

COMES NOW, Respondent Michael Foley, in Proper Person, and hereby files this RESPONSE to the pending MOTION. Due to circumstances beyond the his control, Respondent respectfully requests a waiver of personal attendance due to his required presence in the U.S. District Court.

FACTS

The Respondent's monthly income and necessary expenses, as reflected within Exhibit "A," show that his current net income is at or near the Federal poverty measure. He

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

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

22 23 **ARGUMENT**

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

26
27 Although the Plaintiff's gross income is currently in excess of \$1200 per month, this
28 amount is only slightly above what he has been earning throughout the year. As the number

1 of individuals who are willing to hire him has increased, so has his cost of transportation,
2 and other expenses related to his self-employment. This year, 2014, will be the first year
3 that the Respondent will be required to file a Federal Tax return as his earned income since
4 2007 has been well below the minimum required by the IRS and statutory reporting
5 requirements. The Respondent is currently using borrowed money to meet his monthly
6 expenses, but hopes to find a way to reduce costs. Moreover, there has been a change in
7 circumstances that warrants a change in custody, and the Respondent expects to have no
8 less than equal custody, once a motion or other action can be entertained by the new judge
9 elected to Department "C."

10
11 **CONCLUSION**

12 Because the Respondent is a pauper, the Court should either maintain or lower the
13 Respondent's child support burden to the minimal amount that is just.

14
15 DATED this 8th day of December, 2014.

16
17 / **Michael Foley** /

18 Michael Foley, Respondent in Pro Per
19

20 **CERTIFICATE OF MAILING**

21
22 The foregoing RESPONSE TO THE DISTRICT ATTORNEY'S MOTION TO
23 MODIFY CHILD SUPPORT was served upon Respondent Patricia Foley by and through
24 her attorney, Steven B. Wolfson and/or his deputy, via first class mail, postage prepaid to:

25
26 Patricia Foley, c/o Steven B. Wolfson and deputies
27 1900 East Flamingo Rd. Ste. 100
28 Las Vegas, Nevada 89119

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Income/Expense by Category

10/1/2014 through 12/8/2014 (Cash Basis)

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

INCOME

Service Calls

2,512.95

TOTAL INCOME**2,512.95****EXPENSES**

Entertainment

26.00

Fees & Charges

32.00

Food & Dining

341.83

Gifts & Donations

13.00

Housing

1,403.69

Interest Exp

70.27

Kids

124.86

Litigation

13.79

Misc.

77.01

Misc. Expense (Work)

96.80

Personal Care

20.00

Postage and Delivery (Legal)

10.22

Prof and Legal Fees

53.65

Shopping

100.24

Supplies (Work)

12.96

Transportation

1,009.56

Utilities

349.37

Utilities (Work)

214.00

TOTAL EXPENSES**3,969.25****OVERALL TOTAL****-1,456.30**

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MICHAEL FOLEY,

Plaintiff(s),

vs.

LOREA AROSTEGUI, et al.,

Defendant(s).

Case No. 2:14-cv-00094-RFB-NJK

ORDER SETTING HEARING

(Docket No. 6)

Plaintiff Michael Foley is proceeding in this action *pro se*. On March 10, 2014, the Court granted Plaintiff's request pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis*. Docket No. 4. The Court further screened the complaint pursuant to 28 U.S.C. § 1915(a) and dismissed all claims without prejudice, except for Plaintiff's First Amendment right to petition the government for redress of grievances claim. *Id.*, at 5. The Court allowed Plaintiff an opportunity to amend his complaint, and that amended complaint has now been filed. Docket No. 6. The Court hereby **SETS** a hearing on Plaintiff's amended complaint for December 9, 2014, at 10:00 a.m. in Courtroom 3B. Plaintiff shall attend the hearing. **THERE WILL BE NO EXCEPTIONS TO THIS APPEARANCE REQUIREMENT.**

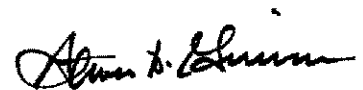
IT IS SO ORDERED.

DATED: November 24, 2014



NANCY J. KOPPE
United States Magistrate Judge

NEMR
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS

To: Michael Foley, Respondent, and

To: Aurora M Maskall Esq., Attorney of Record

To: Patricia Foley, Petitioner or Petitioner's Attorney

Please take notice that the enclosed Master's Recommendations were entered in the above-entitled matter on December 9, 2014.

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

CERT

Case no. R-11-162425-R

CERTIFICATE OF MAILING

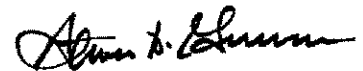
The foregoing Notice of Entry of Master's Recommendations for the Master's
Recommendation entered on December 9, 2014, was served upon Patricia Foley by mailing a copy
thereof, first class mail, postage prepaid to:

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

NOH
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Anthony Foley,

Respondent.

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF HEARING

To: Michael Anthony Foley, Respondent,

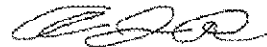
To: Patricia Foley, Petitioner:

Notice is hereby given that on the **18th day of February, 2015 at the hour of 02.15 PM** in Court Room 1 of the Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, a hearing will be held on a continued Order to Show Cause Re Contempt.

If you do not appear, the hearing will proceed in your absence and the Court may order a judgment against you.

Dated this 23rd day of December, 2014.

Steven B. Wolfson
Clark County District Attorney
Nevada Bar No. 001565



Deputy District Attorney

CERT

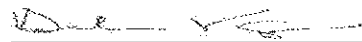
Case no. R-11-162425-R

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 24th day of December, 2014.



Employee, District Attorney's Office
Family Support Division

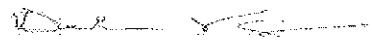
NOTNOH

CERTIFICATE OF MAILING

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

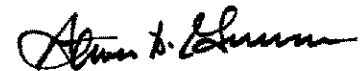
Patricia Foley
8838 Tomnitz Ave 103
Las Vegas, NV 89178

on the 24th day of December, 2014.



Employee, District Attorney's Office
Family Support Division

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



CLERK OF THE COURT

District Court

CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case No. R-11-162425-R

Department No. CHILD SUPPORT

MASTER'S RECOMMENDATION

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:

Parties present: ☐ Respondent ☐ Respondent's attorney ☒ Petitioner ☐ Petitioner's attorney

☐ PATERNITY ☒ PATERNITY PREVIOUSLY DECIDED

☐ FINANCIALS: ☒ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS).

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 becomes delinquent in an amount equal to 30 days support.

☐ ENFORCEMENT OF CONTROLLING ORDER: The registered order from _____, dated _____, #_____, is hereby 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 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.

☒ Health insurance coverage for the minor child(ren) herein:

☐ Respondent to provide: ☒ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:

☐ if available through employer. ☒ shall provide per court order.

☒ 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.

☒ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING

☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.

☒ 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 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:

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

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

- ☐ Respondent is recommended for the day arrest program on _____.
- ☐ 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.

☐ **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 SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or recall the bench warrant.**

☐ **BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY** ☐ **QUASHED.** ☐ **CONTINUED.**
☐ **MODIFICATION OF PRIOR ORDER:**

☐ **SUSPENSION OF LICENSES:**

PAYMENTS

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.

Payments can be mailed to:

State Collection and Disbursement Unit (SCaDU)
P.O. Box 98950
Las Vegas, Nevada 89193-8950

Payments can be made in person at:

State Collection and Disbursement Unit (SCaDU)
1900 East Flamingo Road
Las Vegas, Nevada 89119-5168

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 support case number, and name of petitioner (first and last name of person receiving child support).

NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.

NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.

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 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.

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.

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.

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.

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.

MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS:

No payments have been received for September, October, or November. Respondent is admonished to pay monthly or face imposition of contempt. Continued as he has a documented appearance in 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.

NEXT HEARING DATE IS January 28, 2015 at 1:45 PM in Courtroom 1 in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.

DATED: DECEMBER 09, 2014



MASTER

Respondent/Respondent's Attorney
Receipt of this document is
acknowledged by my signature.

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 date, without need of a District Court Judge's signature affixed hereto. **The parties are ordered to comply with this Order/Judgment.**


☐ 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,

☐ **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 _____, 20____ and this matter is remanded to Child Support Court on _____, 20____ at _____M.

District Court Judge, Family Division

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

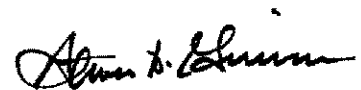
By: 

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

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

NEJ
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF ORDER/JUDGMENT

To: MICHAEL FOLEY, Respondent

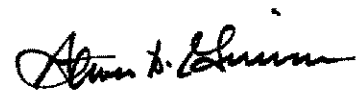
Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was entered in the above-entitled matter on December 09, 2014.

CERTIFICATE OF MAILING

The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to 209 Stephanie St B-191, Henderson, NV 89012 on the 31st day of December, 2014.

/s/ Kathrine Belneev
Employee, District Attorney's Office
Family Support Division

NEMR
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS

To: Michael Foley, Respondent or Respondent's Attorney

To: Patricia Foley, Petitioner or Petitioner's Attorney

Please take notice that the enclosed Master's Recommendations were entered in the above-entitled matter on January 28, 2015.

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

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

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



CLERK OF THE COURT

District Court

CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case No. R-11-162425-R

Department No. CHILD SUPPORT

MASTER'S RECOMMENDATION

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:

Parties present: ☐ Respondent ☐ Respondent's attorney ☒ Petitioner ☐ Petitioner's attorney

☐ PATERNITY ☒ PATERNITY PREVIOUSLY DECIDED

☒ 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

Basis for deviation from state formula: Respondent's self-reported GMI on his motion response filed 12/8/14.

Respondent is to pay current support for the child(ren), Michael Foley & Elizabeth Foley & Therese Foley.

CHILD SUPPORT

Respondent is to pay monthly:

\$729.00 Temp child support

\$79.00 medical support (in lieu of health insurance)

spousal support

\$25.00 arrears payment

☐ ARREARAGES ☒ ARREARAGES NOT ADDRESSED AT THIS HEARING

\$ 833.00 TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.

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 becomes delinquent in an amount equal to 30 days support.

☐ ENFORCEMENT OF CONTROLLING ORDER: The registered order from _____, dated _____, # _____, is hereby 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 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.

☒ Health insurance coverage for the minor child(ren) herein:

☐ Respondent to provide: ☒ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:

☒ if available through employer. ☐ shall provide per court order.

- ☒ 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.

☒ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING

☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.

☒ ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE.

☒ Respondent is hereby found in Contempt of Court and sentenced to 25 days in the Clark County Detention 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:

Sentence of 20 days in the Clark County Detention Center issued 05/15/12 is _____ imposed _____ vacated x stayed

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

Sentence of _____ days in the Clark County Detention Center issued _____ is _____ imposed _____ vacated _____ stayed

☐ Respondent is recommended for the day arrest program on _____.

☐ 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.

☒ NO BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPONDENT MAY BE RELEASED UPON PAYMENT OF \$1000.00 TO BE RELEASED TO PETITIONER AS CHILD SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or recall the bench warrant.

☐ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY ☐ QUASHED. ☐ CONTINUED.

☒ MODIFICATION OF PRIOR ORDER:

☒ Modification effective: 8/1/14.

☒ This order modifies a previously existing, previously controlling support order. By this modification, this tribunal assumes or retains continuing, exclusive jurisdiction of the child support obligation for the child(ren) and parties identified in this order. Modification is proper for the following reason(s):

☒ The previously controlling order is from Clark County, NV, dated September 25, 2009, #D-08-403071-D.

☒ An individual party, Court Initiated, has requested modification of the previously controlling Nevada support order.

☐ 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).

☐ An individual party, _____, has requested modification; all individual parties and children now reside in Nevada.

☐ 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.

☐ SUSPENSION OF LICENSES:

PAYMENTS

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.

Payments can be mailed to:

State Collection and Disbursement Unit (SCaDU)
P.O. Box 98950
Las Vegas, Nevada 89193-8950

Payments can be made in person at:
State Collection and Disbursement Unit (SCaDU)
1900 East Flamingo Road
Las Vegas, Nevada 89119-5168

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 support case number, and name of petitioner (first and last name of person receiving child support).

NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.

NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.

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 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.

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.

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.

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.

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.

MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS:

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. Medical Insurance and Arrears remain the same. Respondent did not appear - B/W issued, Next review hearing is VACATED.

NEXT HEARING DATE IS B/W in Courtroom 1 in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.

DATED: JANUARY 28, 2015


MASTER

Respondent/Respondent's Attorney
Receipt of this document is
acknowledged by my signature.

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 date, without need of a District Court Judge's signature affixed hereto. **The parties are ordered to comply with this Order/Judgment.**

☐ 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,

☐ **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 _____, 20____ and this matter is remanded to Child Support Court on _____, 20____ at _____M.

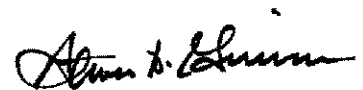
District Court Judge, Family Division

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

By: 

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

NEJ
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF ORDER/JUDGMENT

To: MICHAEL FOLEY, Respondent

Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was entered in the above-entitled matter on January 28, 2015.

CERTIFICATE OF MAILING

The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to 209 Stephanie St B-191, Henderson, NV 89012 on the 25th day of February, 2015.

/s/ Kathrine Belneev
Employee, District Attorney's Office
Family Support Division

BNCH
294910200A

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Ann D. Quinn

CLERK OF THE COURT

Patricia Foley,

Petitioner,

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

vs.

MICHAEL FOLEY,

Respondent.

BENCH WARRANT

To: ANY SHERIFF, CONSTABLE, MARSHAL, POLICEMAN or PEACE OFFICER IN THIS STATE

The Respondent, MICHAEL FOLEY, 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 at 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; bail 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 child support.

This Warrant may be served at any hour of day or night.
As recommended by Special Master JAMES DAVIS

GIVEN under my hand this 11 day of March, 2015.

[Signature]
District Court Judge, Family Division

Steven B. Wolfson
Clark County District Attorney
Nevada Bar No. 001563

[Signature]
Deputy District Attorney

Court appearances may be scheduled by contacting the court team in the District Attorney's Family Support Office, (702) 671-9200, by 11:30 a.m. each day. Court is held Monday through Friday.

Date

Respondent

RETURN OF SERVICE

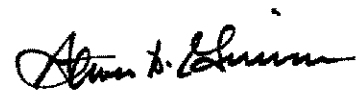
I hereby certify that I received the above and foregoing BENCH WARRANT on 4-9-15 and served the same by arresting the above-named Respondent, the arrest being made on 4-9-15.

Dated this 9th day of April, 2015.

[Signature]
PEACE OFFICER

03WPC33

NEMR
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS

To: Michael Foley, Respondent or Respondent's Attorney

To: Patricia Foley, Petitioner or Petitioner's Attorney

Please take notice that the enclosed Master's Recommendations were entered in the above-entitled matter on April 15, 2015.

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

CERT

Case no. R-11-162425-R

CERTIFICATE OF MAILING

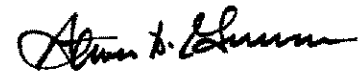
The foregoing Notice of Entry of Master's Recommendations for the Master's
Recommendation entered on April 15, 2015, was served upon Patricia Foley by mailing a copy thereof,
first class mail, postage prepaid to:

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

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



CLERK OF THE COURT

District Court

CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case No. R-11-162425-R

Department No. CHILD SUPPORT

MASTER'S RECOMMENDATION

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:

Parties present: ☐ Respondent ☐ Respondent's attorney ☐ Petitioner ☐ Petitioner's attorney

☐ PATERNITY ☒ PATERNITY PREVIOUSLY DECIDED

☒ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS).

Respondent's gross monthly income (GMI) : ; formula amount % of GMI=

Basis for deviation from state formula: _____

Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley.

CHILD SUPPORT

Respondent is to pay monthly:

\$729.00 Temp child support

\$79.00 medical support (in lieu of health insurance)

 spousal support

\$25.00 arrears payment

☐ ARREARAGES ☒ ARREARAGES NOT ADDRESSED AT THIS HEARING

\$ 833.00 TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.

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 becomes delinquent in an amount equal to 30 days support.

☐ ENFORCEMENT OF CONTROLLING ORDER: The registered order from _____, dated _____, # _____, is hereby 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 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.

☒ Health insurance coverage for the minor child(ren) herein:

☐ Respondent to provide: ☒ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:

☒ if available through employer. ☐ shall provide per court order.

- ☒ 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.

☒ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING

☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.

☒ 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 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:

Sentence of 20 days in the Clark County Detention Center issued 05/15/12 is 19 imposed _____ vacated 1 stayed

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

Sentence of 25 days in the Clark County Detention Center issued 02/19/15 is _____ imposed _____ vacated X stayed

☐ Respondent is recommended for the day arrest program on _____.

☒ Respondent to be released from custody on 5/4/15.

☒ Respondent may be released from the above sentence immediately upon payment of \$900.00 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 SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or recall the bench warrant.

☐ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY ☐ QUASHED. ☐ CONTINUED.

☐ MODIFICATION OF PRIOR ORDER:

☐ SUSPENSION OF LICENSES:

PAYMENTS

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.

Payments can be mailed to:

State Collection and Disbursement Unit (SCaDU)
P.O. Box 98950
Las Vegas, Nevada 89193-8950

Payments can be made in person at:

State Collection and Disbursement Unit (SCaDU)
1900 East Flamingo Road
Las Vegas, Nevada 89119-5168

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 support case number, and name of petitioner (first and last name of person receiving child support).

NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.

NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.

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

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.

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.

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.

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.

Respondent to bring new financial statement and proof of income next date.

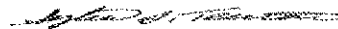
This order does not stay collection of support arrearages by execution or any other means allowed by law.

MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS:

Respondent must bring or have paid \$1666

NEXT HEARING DATE IS June 17, 2015 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 further proceedings.

DATED: APRIL 15, 2015



MASTER

In Custody
Respondent/Respondent's Attorney
Receipt of this document is
acknowledged by my signature.

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

1 date, without need of a District Court Judge's signature affixed hereto. **The parties are ordered to comply with this**
 2 **Order/Judgment.**

3 ☐ The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and
 4 considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause
 5 appearing,

6 ☐ **IT IS HEREBY ORDERED** that the Master's Recommendation IS affirmed and adopted as an
 7 **ORDER/JUDGMENT** of the District Court this _____ day of _____, 20____.

8 ☐ **IT IS HEREBY ORDERED** that the Master's Recommendation IS NOT affirmed and adopted this _____ day of
 9 _____, 20____ and this matter is remanded to Child Support Court on _____, 20____ at
 10 _____M.

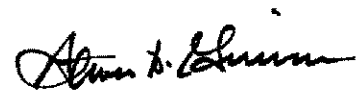
11 **District Court Judge, Family Division**

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

14 By: 

15 **DEPUTY DISTRICT ATTORNEY**
 16 **FAMILY SUPPORT DIVISION**
 17 **1900 East Flamingo Road, Suite 100**
 18 **Las Vegas, Nevada 89119-5168**

NEJ
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF ORDER/JUDGMENT

To: MICHAEL FOLEY, Respondent

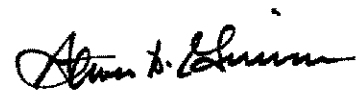
Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was entered in the above-entitled matter on April 15, 2015.

CERTIFICATE OF MAILING

The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to 712 E Naples Dr 20, Las Vegas, NV 89119 on the 15th day of May, 2015.

/s/ Rikki Scheib
Employee, District Attorney's Office
Family Support Division

NEMR
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS

To: Michael Foley, Respondent or Respondent's Attorney

To: Patricia Foley, Petitioner or Petitioner's Attorney

Please take notice that the enclosed Master's Recommendations were entered in the above-entitled matter on June 17, 2015.

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

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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NUMBERED PAGE(S)
122 - 146
WILL FOLLOW VIA
U.S. MAIL

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



CLERK OF THE COURT

District Court

CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case No. R-11-162425-R

Department No. CHILD SUPPORT

MASTER'S RECOMMENDATION

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:

Parties present: ☐ Respondent ☐ Respondent's attorney ☐ Petitioner ☐ Petitioner's attorney

☐ PATERNITY ☒ PATERNITY PREVIOUSLY DECIDED

☒ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS).

Respondent's gross monthly income (GMI) : ; formula amount % of GMI=

Basis for deviation from state formula: _____

Respondent is to pay current support for the child(ren), Michael Foley AND Elizabeth Foley AND Therese Foley.

CHILD SUPPORT

Respondent is to pay monthly:

\$729.00 child support
\$79.00 medical support (in lieu of health insurance)
spousal support
\$25.00 arrears payment

☐ ARREARAGES ☒ ARREARAGES NOT ADDRESSED AT THIS HEARING

\$ 833.00

TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.

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 becomes delinquent in an amount equal to 30 days support.

☐ ENFORCEMENT OF CONTROLLING ORDER: The registered order from _____, dated _____, # _____, is hereby 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 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.

☒ Health insurance coverage for the minor child(ren) herein:

☐ Respondent to provide: ☒ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:

☒ if available through employer. ☐ shall provide per court order.

☒ 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.

☒ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING

☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.

☒ ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE.

☒ Respondent is hereby found in Contempt of Court and sentenced to 25 days in the Clark County Detention 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:

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

Sentence of 25 days in the Clark County Detention Center issued 2/19/15 is _____ imposed _____ vacated _____ stayed

☐ Respondent is recommended for the day arrest program on _____.

☐ 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.

☒ NO BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPONDENT MAY BE RELEASED UPON PAYMENT OF \$2000 TO BE RELEASED TO PETITIONER AS CHILD SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or recall the bench warrant.

☐ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY ☐ QUASHED. ☐ CONTINUED.

☐ MODIFICATION OF PRIOR ORDER:

☐ SUSPENSION OF LICENSES:

PAYMENTS

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.

Payments can be mailed to:

State Collection and Disbursement Unit (SCaDU)
P.O. Box 98950
Las Vegas, Nevada 89193-8950

Payments can be made in person at:

State Collection and Disbursement Unit (SCaDU)
1900 East Flamingo Road
Las Vegas, Nevada 89119-5168

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 support case number, and name of petitioner (first and last name of person receiving child support).

NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.

NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.

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

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.

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.

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.

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.

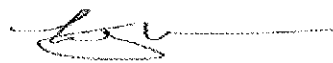
Respondent to bring new financial statement and proof of income next date.

This order does not stay collection of support arrearages by execution or any other means allowed by law.

MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS:

NEXT HEARING DATE IS B/W in Courtroom 1 in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.

DATED: JUNE 17, 2015



MASTER

Respondent/Respondent's Attorney
Receipt of this document is
acknowledged by my signature.

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 date, without need of a District Court Judge's signature affixed hereto. **The parties are ordered to comply with this Order/Judgment.**

☐ 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,

☐ **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 _____, 20_____ and this matter is remanded to Child Support Court on _____, 20_____ at _____M.

District Court Judge, Family Division

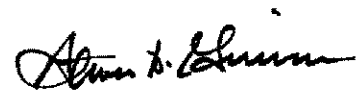
STEVEN B. WOLFSON, Clark County District Attorney
Nevada Bar No. 001565

By: 

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

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DOCUMENT,
NUMBERED PAGE(S)
151 - 152
WILL FOLLOW VIA
U.S. MAIL

NEJ
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF ORDER/JUDGMENT

To: MICHAEL FOLEY, Respondent

Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was entered in the above-entitled matter on June 17, 2015.

CERTIFICATE OF MAILING

The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to 712 E Naples Dr 20, Las Vegas, NV 89119 on the 4th day of August, 2015.

/s/ Thomas Boyd _____
Employee, District Attorney's Office
Family Support Division

Allen D. Lamm

CLERK OF THE COURT

BNCH
294910200A

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Patricia Foley,

Petitioner,

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

vs,

MICHAEL FOLEY,

Respondent.

BENCH WARRANT

To: ANY SHERIFF, CONSTABLE, MARSHAL, POLICEMAN or PEACE OFFICER IN THIS STATE

The Respondent, MICHAEL FOLEY, having been ordered to appear before the above-entitled Court on JUNE 17, 2015, for hearing on a Complaint for Support and having failed to appear at 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; bail 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 \$2000.00 to D.A. Family Support Division to be released to Petitioner as child support.

This Warrant may be served at any hour of day or night.
As recommended by Special Master LYNN CONANT
GIVEN under my hand this 11 day of November 2015

[Signature]
District Court Judge, Family Division

Steven B. Wolfson
Clark County District Attorney
Nevada Bar No. 001565

[Signature]
Deputy District Attorney

Court appearances may be scheduled by contacting the court team in the District Attorney's Family Support Office, (702) 671-9200, by 11:30 a.m. each day. Court is held Monday through Friday.

Date

Respondent

RETURN OF SERVICE

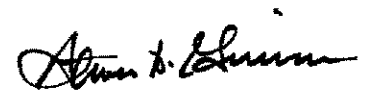
I hereby certify that I received the above and foregoing BENCH WARRANT on Michael Foley and served the same by arresting the above-named Respondent, the arrest being made on 11-12-15

Dated this 12 day of November, 2015

[Signature]
PEACE OFFICER

BWRCSS

NEMR
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS

To: Michael Foley, Respondent or Respondent's Attorney

To: Patricia Foley, Petitioner or Petitioner's Attorney

Please take notice that the enclosed Master's Recommendations were entered in the above-entitled matter on November 16, 2015.

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

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

Heather S. Amin
CLERK OF THE COURT

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

Patricia Foley,
Petitioner

v.
Michael Foley
Respondent

Case No. R-11-162425
Dept. "Child Support"

2/17/16 @ 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 expenses and costs in this action because he is too poor. Because the Court has not found that the respondent has an ability to pay the alleged child support money demanded, it is UNCONSTITUTIONAL to deprive him of liberty, or to punish him with confinement. See *Turner v. Rogers* (2011)
DATED THIS 17th day of November, 2015

Michael Foley
RESPONDENT

RECEIVED
NOV 23 2015
CLERK OF THE COURT

Howard Shuman
CLERK OF THE COURT

Michael Foley
209 S. Stephanie St. Ste B-191
Henderson, NV 89002

Patricia Foley
Petitioner

v.

Michael Foley
Respondent

Case No. R-11-162425
Dept. "Child Support"

CERTIFICATE OF SERVICE

The Undersigned hereby certifies that the
OBJECTION TO MASTER'S RECOMMENDATION was
Filed and served via U.S. Postal Service, a copy
of which was mailed to:

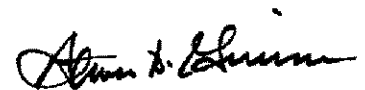
Patricia Foley c/o Deputy District Attorney
1900 E. Flamingo Rd.
Las Vegas, NV 89121

SIGNED,

Michael Foley

Michael Foley

BT



CLERK OF THE COURT

OBJ
MICHAEL FOLEY
209 S. Stephanie St. Ste B-191
Henderson, NV 89012
Telephone: (702) 771-9725
Defendant in Proper Person

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

PATRICIA FOLEY

Petitioner,

vs.

MICHAEL FOLEY,

Respondent.

Case No. R-11-162425
Dept. No. "Child Support"

Date of Hearing: November 16, 2015

2/17/16 @ 3:00PM

DEPT C

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;

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 14th Amendment, as defined by the U.S. Supreme Court in Turner v. Rogers, 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.

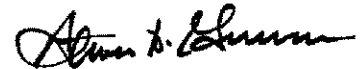
15 DATED this 26th day of November, 2015.

16
17 // Michael Foley //

18 Michael Foley, Respondent in Pro Per
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OPPS

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)
326953200A



CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

DA OPPOSITION TO RESPONDENT'S OBJECTION

Date of Hearing: February 17, 2016

Time of Hearing: 3:00 PM

Department: C

COMES NOW, the STATE OF NEVADA, through STEVEN B. WOLFSON, District Attorney, by and through Edward W. Ewert, Deputy District Attorney, and files this D.A. Opposition. This Response is made and based upon the pleadings and papers on file herein, the attached Points and Authorities, exhibit(s), if any, and oral argument, if any, at the time of the hearing.

DATED this 8th day of December, 2015.

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

BY:



ED EWERT
Deputy District Attorney
Nevada Bar #3405

1 **TERMS USED HEREIN**

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

6 **ARGUMENT IN BRIEF**

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

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

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

21 An obligor asserting indigence, whose behavior over the years suggests that he is under-
22 employed to avoid paying child support must provide convincing proof that his asserted indigence is
23 due to circumstances other than avoidance of child support. Remaining self-employed for years,
24 while steadfastly insisting that the self-employment yields income less than someone working full
25 time at minimum wage does not provide such proof. Indeed, if it proves anything it proves that the
26 obligor is intentionally under-employed to avoid paying child support. A review of father's history
27

28

¹ This Court granted Father's application to proceed in forma pauperis by its order filed on 07/14/15.

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

3 Yet, this Court need not reach that “underemployed” conclusion to deny the two objections
4 now before this Court. The undeniable fact at this time is that the most recent finding by the hearing
5 master of Father’s gross monthly income and his resulting child support obligation comes from the
6 never-modified and never objected-to Master’s Recommendation and Order/Judgment filed on
7 02/19/15. In that order the Court found that Father’s gross monthly income was \$2,512.95.²
8 Twenty-nine percent (29%) yields a child support obligation of \$729 per month, as rounded off to the
9 nearest dollar. That is the presently accruing monthly child support obligation.

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

16 POINTS & AUTHORITIES

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

19 ///

20 ///

21
22 ² 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.

23 ³ Father’s credibility on the issue of his income – and whether he is indigent – has been and continues to be suspect. Father kept his
24 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
25 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
26 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
27 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.

28 ⁴ 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.

⁵ Since 11/16/15 one 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.

1 Child support was, and is, accruing at \$729 per month pursuant to the Master's Recommendation and
2 Order filed on 02/19/15.⁶ **The master noted that Father's last payment was \$200 paid on**
3 **08/13/14 as jail release.**

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

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

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

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

22 Father's arguments lack legal and factual merit.

23 ///

24 ///

25 ///

26
27 ⁶ Child support had originally been ordered at \$700 per month in the Clark County divorce decree filed on 09/25/09 in Family Court
28 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.

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

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

12 **FATHER IS NOT INDIGENT FOR PURPOSES OF CHILD SUPPORT ENFORCEMENT**

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

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

27 ///

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OPPS

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,⁷ 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.⁸ 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.⁹

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."

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

⁸ 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.

⁹ 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 was raised to \$720 per month in the order filed on 02/19/15 in the R case, Father has not filed a motion to reduce his 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 8th day of December, 2015.

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

BY:



ED EWERT
Deputy District Attorney
Nevada Bar #3405

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 8th day of December, 2015.




Employee, District Attorney's Office
Family Support Division

CERTIFICATE OF MAILING

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

Patricia Foley
8937 Austin Ridge Avenue
Las Vegas Nevada 89178

on the 8th day of December, 2015.



Employee, District Attorney's Office
Family Support Division

1 MRAO
2 STEVEN B. WOLFSON
3 DISTRICT ATTORNEY
4 Nevada Bar No. 001565
5 FAMILY SUPPORT DIVISION
6 1900 East Flamingo Road, Suite 100
7 Las Vegas, Nevada 89119-5168
8 (702) 671-9200
9 TDD (702) 385-7486 (for the hearing impaired)
294910200A

District Court
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case No. R-11-162425-R

Department No. CHILD SUPPORT

MASTER'S RECOMMENDATION

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:

Parties present: ☒ Respondent ☐ Respondent's attorney ☐ Petitioner ☐ Petitioner's attorney

☐ PATERNITY ☒ PATERNITY PREVIOUSLY DECIDED.

☒ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS).

Respondent's gross monthly income (GMI) : ; formula amount % of GMI=

Basis for deviation from state formula: _____

Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley.

CHILD SUPPORT

Respondent is to pay monthly:

\$729.00 child support

\$79.00 medical support (in lieu of health insurance)

spousal support

\$25.00 arrears payment

☐ ARREARAGES ☒ ARREARAGES NOT ADDRESSED AT THIS HEARING

\$ 833.00 TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.

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 becomes delinquent in an amount equal to 30 days support.

☐ ENFORCEMENT OF CONTROLLING ORDER: The registered order from _____, dated _____, # _____, is hereby 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 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.

☒ Health insurance coverage for the minor child(ren) herein:

☐ Respondent to provide: ☒ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:

☒ if available through employer. ☐ shall provide per court order.

Exhibit 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.

☒ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING

☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.

☒ 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 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:

Sentence of 26 days in the Clark County Detention Center issued 11/21/13 is 10 imposed _____ vacated _____ stayed _____

Sentence of 25 days in the Clark County Detention Center issued 03/12/14 is _____ imposed _____ vacated _____ stayed _____

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 _____

☐ Respondent is recommended for the day arrest program on _____.

☒ Respondent to be released from custody on 11/22/15.

☒ Respondent may be released from the above sentence immediately upon payment of \$2,000.00 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 SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or recall the bench warrant.

☐ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY ☐ QUASHED. ☐ CONTINUED.

☐ MODIFICATION OF PRIOR ORDER:

☐ SUSPENSION OF LICENSES:

PAYMENTS

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.

Payments can be mailed to:

State Collection and Disbursement Unit (SCaDU)
P.O. Box 98950
Las Vegas, Nevada 89193-8950

Payments can be made in person at:

State Collection and Disbursement Unit (SCaDU)
1900 East Flamingo Road
Las Vegas, Nevada 89119-5168

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 support case number, and name of petitioner (first and last name of person receiving child support).

NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.

NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.

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

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.

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.

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.

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.

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.

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 pmt next date to avoid contempt.

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.

DATED: NOVEMBER 16, 2015


MASTER

In Custody
Respondent/Respondent's Attorney
Receipt of this document is
acknowledged by my signature.

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 date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this **Order/Judgment**.

☐ 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,

☐ **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 _____, 20_____ and this matter is remanded to Child Support Court on _____, 20_____ at _____ M.

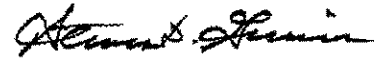
District Court Judge, Family Division

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

By: 

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

12/09/2015



CLERK OF THE COURT

DISTRICT COURT

CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent

Case No.: R-11-162429-X

Department: CHILD SUPPORT

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.

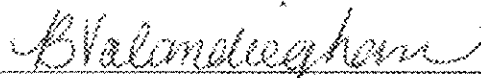
This Matter will be heard in Department C at the Family Court building located at 601 N Pecos Rd, Las Vegas NV, 89101.

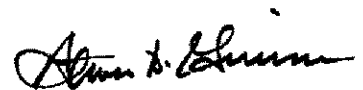
CERTIFICATE OF MAILING

I hereby certify that on the 9th 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 B191, Henderson NV 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, Petitioner, In Care of District Attorney Family Support Division.


Deputy Clerk of the Court
Britney Valandingham



CLERK OF THE COURT

1 **NOTC**
2 MICHAEL FOLEY
3 209 S. Stephanie St. Ste B-191
4 Henderson, NV 89012
5 Telephone: (702) 771-9725
6 Defendant in Proper Person

7 **DISTRICT COURT**
8 **FAMILY DIVISION**
9 **CLARK COUNTY, NEVADA**

10 PATRICIA FOLEY

11 Petitioner,

Case No. R-11-162425

12 vs.

Dept. No. "Child Support"

13 MICHAEL FOLEY,

14 Respondent.

15
16
17 **NOTICE**
18

19 To: The Court

20 PLEASE TAKE NOTICE that the pending hearing scheduled by the District Court
21 Clerk in the above-referenced action was placed on the calendar without a request for a
22 hearing by any party to this action. In the absence of a summons or order to appear, signed
23 by a judge, and in the absence of a motion, notice of motion, and memorandum of points
24 and authorities, pursuant to Eighth District Court Rule 2.20, and proof of service thereof,
25 the Respondent Michael Foley will *not* personally, voluntarily or willingly appear before
26 the Court to argue in this action, as such a voluntary appearance would violate the one-
27 action rule, NRS 40.430, as well as the 6th and 14th Amendments to the U.S. Constitution,
28 as interpreted by the U.S. Supreme Court in Turner v. Rogers, 131 S.Ct. 2507 (2011),

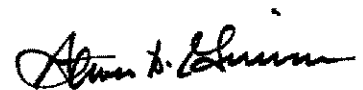
1 which require the appointment of counsel to an indigent litigant when the State acts to take
2 the life or liberty of such a citizen, or represents a party who seeks to incarcerate the
3 adverse indigent party in a civil contempt proceeding. The individual attorney Edward
4 Ewert, who represents the State (which is NOT a party to this or the original dissolution
5 action), is being *sued* by the Respondent in Federal Court, because he clearly does not
6 understand or intend to observe fundamental constitutional doctrine, namely those
7 supported by the 4th, 6th, 9th, and 14th Amendments to the Constitution for the United States,
8 and aforementioned case law, and therefore should be barred from appearing in this action,
9 as he acts to represent the subject children without the consent of the Respondent, who is
10 the children's natural parent, and who necessarily decides what is in the best interest of his
11 children. See IN RE: PARENTAL RIGHTS as to A.G. Washoe County Department of
12 Social Services, Appellant, v. Kory L.G., Respondent, 129 Nev. Adv. Op. 13 (parents have
13 a fundamental liberty interest in the care, custody, and control of their children; the
14 fundamental constitutional right to make decisions concerning the rearing of [their] own
15 [children].” See Troxel v. Granville, 530 U.S. 57, 65, 120 S.Ct. 2054, 147 L.Ed.2d 49
16 (2000); Stanley v. Illinois, 405 U.S. 645, 651, 92 S.Ct. 1208, 31 L.Ed.2d 551 (1972)). The
17 State's and the County's interest in collecting \$19 million in annual “child support”
18 incentives from the U.S. taxpayers' Social Security fund, under Title IV-D of the Social
19 Security Act, should not prevail over the Respondent's reasonable, rightful, and proper will
20 to protect his children's need to be supervised, and not left alone or in the custody of an
21 illegal alien, which is what happens when the State incarcerates the indigent Respondent,
22 and seizes his very limited assets, and transfers such funds to the Petitioner, who is
23 hopelessly addicted to gambling.

24
25 DATED this 13th day of January, 2016.

26
27 // Michael Foley /

28 Michael Foley, Respondent in Pro Per

NEMR
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS

To: Michael Foley, Respondent or Respondent's Attorney

To: Patricia Foley, Petitioner or Petitioner's Attorney

Please take notice that the enclosed Master's Recommendations were entered in the above-entitled matter on January 20, 2016.

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

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:

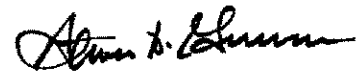
Patricia Foley
8937 Austin Ridge Ave
Las Vegas NV 89178

on January 15, 2016.

/s/ Kathrine Belneev
Employee, District Attorney's Office
Family Support Division

NOTC

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)
326953200A



CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent,

Case no. R-11-162425-R

Dept. no. C/CHILD SUPPORT

NOTICE OF INTENT/REQUEST TO APPEAR BY COMMUNICATION EQUIPMENT

COMES NOW, STEVEN B. WOLFSON, CLARK COUNTY DISTRICT ATTORNEY, by
and through Robert J Gardner, Deputy District Attorney, pursuant to the Order Adopting Part IX Of
The Supreme Court Rules filed December 18, 2008, and hereby submits a Notice Of Intent To
Appear By Communication Equipment for the:

(check one)

☐ Case Management Conference

☐ Motion Hearing

☐ Trial Setting Conference

☒ Other: Respondent's Objection filed 11-20-2015,

currently scheduled for the 20th day of January, 2016 at 10:00 a.m. Pacific Time.

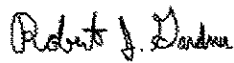
For the purposes of this appearance I can be reached at the following telephone numbers
(702) 671- 9482 (my direct line) or (702) 671-9476 legal department line. This Deputy believes it
will be more beneficial and expedient to have access to the D.A. Child Support computer systems at
the time of the hearing due to the paperless nature of our records. Also, this Deputy is covering this

OPPS

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

6 Dated this 20th day of January, 2016.

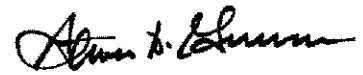
7 Respectfully Submitted,
8 Steven B. Wolfson
9 District Attorney
Nevada Bar No. 001565

10 

11 ROBERT J GARDNER, Deputy District Attorney
12 Nevada Bar No.: 00006983
13 FAMILY SUPPORT DIVISION
14 1900 East Flamingo Road, Suite 100
Las Vegas, NV 89119
(702) 671-9476

NOTC

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



CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent,

Case no. R-11-162425-R

Dept. no. C/CHILD SUPPORT

NOTICE OF INTENT/REQUEST TO APPEAR BY COMMUNICATION EQUIPMENT

COMES NOW, STEVEN B. WOLFSON, CLARK COUNTY DISTRICT ATTORNEY, by
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currently scheduled for the 20th day of January, 2016 at 10:00 a.m. Pacific Time.

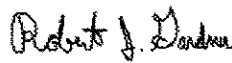
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2 responsibility to ensure that I can be reached at this telephone number on the date and time of the
3 hearing. I also understand that due to the unpredictable nature of court proceedings, my hearing may
4 be called at a time other than the scheduled time. Further, I understand that my failure to be available
5 at the above stated telephone number will constitute a nonappearance.

6 Dated this 20th day of January, 2016.

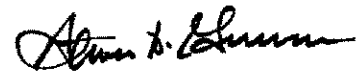
7 Respectfully Submitted,
8 Steven B. Wolfson
9 District Attorney
Nevada Bar No. 001565

10 

11 ROBERT J GARDNER, Deputy District Attorney
12 Nevada Bar No.: 00006983
13 FAMILY SUPPORT DIVISION
14 1900 East Flamingo Road, Suite 100
Las Vegas, NV 89119
(702) 671-9476

OFO

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)
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CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case no. R-11-162425-R

Dept. no. C/CHILD SUPPORT

ORDER FOLLOWING OBJECTION

This matter having come on for a hearing this 20th day of January, 2016, on the Objection of the: ☒ Respondent ☐ Petitioner ☐ District Attorney's Office, Family Support Division, (hereinafter, "DAFS"), to the Master's Recommendations from the Child Support Court hearing held on the 16th day of November, 2015,

Respondent being ☒ not present ☐ present in proper person

Petitioner being ☐ present ☒ not present and

Steven B. Wolfson, District Attorney, being present by and through Deputy District Attorney, ROBERT J. GARDNER, Esq., whom appeared telephonically,

The Court having reviewed the pleadings and papers herein and having heard argument AND GOOD CAUSE THEREFORE APPEARING, this Court hereby enters the following findings, conclusions and orders:

This Court concludes and orders that Respondent's objections filed on 11/24/2015 and 11-26-2015 are DENIED, there was no clear error, and the Points and Authorities set forth in the District Attorney's Opposition to Respondent's Objection filed on December 8, 2015 shall be ADOPTED;

OPPS

1 additionally the Court noted that the NRS Respondent relied on his notice of non-appearance was
2 misplaced and not related to child support proceedings, the Respondent has the ability to pay and
3 there is an indication of possible willful underemployment. Finally, the Court finds in this case there
4 is no right to an appointed attorney for civil contempt proceedings. A RETURN HEARING IS
5 already SET for JULY 13, 2016 AT 2:15PM IN DEPT 1. The Masters Recommendation and Order
6 is attached as Exhibit 1, and is hereby affirmed.

7 DATED this 26 day of Jan, 2016.

8 
9
10 REBECCA BURTON, DISTRICT COURT JUDGE

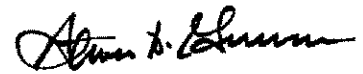
11 Submitted By:

12 

13 ROBERT J. GARDNER, ESQ. 1/25/2016
14 DEPUTY DISTRICT ATTORNEY
15 Nevada Bar No. 0006983
16 FAMILY SUPPORT DIVISION
17 1900 East Flamingo Rd., Suite 100
18 Las Vegas, Nevada 89119
19 (702) 671-9200
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NEOJ

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



CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent,

Case no. R-11-162425-R

Dept. no. C/CHILD SUPPORT

NOTICE OF ENTRY OF ORDER

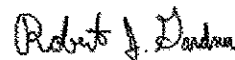
TO: PATRICIA FOLEY, Plaintiff

TO: MICHAEL FOLEY, Defendant

YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE that on the 28th day of January, 2016 an Order Following Objection was entered in the above-entitled matter, a copy of which is attached to this Notice.

Dated 1st day of February, 2016.

Steven B. Wolfson
Clark County District Attorney
Nevada Bar No. 001565



Chief Deputy District Attorney

CERT

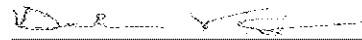
Case no. R-11-162425-R

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 1st day of February, 2016.



Employee, District Attorney's Office
Family Support Division

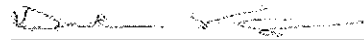
OPPS

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

on the 1st day of February, 2016.



Employee, District Attorney's Office
Family Support Division

OFO

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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case no. R-11-162425-R

Dept. no. C/CHILD SUPPORT

ORDER FOLLOWING OBJECTION

This matter having come on for a hearing this 20th day of January, 2016, on the Objection of the: ☒ Respondent ☐ Petitioner ☐ District Attorney's Office, Family Support Division, (hereinafter, "DAFS"), to the Master's Recommendations from the Child Support Court hearing held on the 16th day of November, 2015,

Respondent being ☒ not present ☐ present in proper person

Petitioner being ☐ present ☒ not present and

Steven B. Wolfson, District Attorney, being present by and through Deputy District Attorney, ROBERT J. GARDNER, Esq., whom appeared telephonically,


The Court having reviewed the pleadings and papers herein and having heard argument AND GOOD CAUSE THEREFORE APPEARING, this Court hereby enters the following findings, conclusions and orders:

This Court concludes and orders that Respondent's objections filed on 11/24/2015 and 11-26-2015 are DENIED, there was no clear error, and the Points and Authorities set forth in the District Attorney's Opposition to Respondent's Objection filed on December 8, 2015 shall be ADOPTED;

OPPS

1 additionally the Court noted that the NRS Respondent relied on his notice of non-appearance was
2 misplaced and not related to child support proceedings, the Respondent has the ability to pay and
3 there is an indication of possible willful underemployment. Finally, the Court finds in this case there
4 is no right to an appointed attorney for civil contempt proceedings. A RETURN HEARING IS
5 already SET for JULY 13, 2016 AT 2:15PM IN DEPT 1. The Masters Recommendation and Order
6 is attached as Exhibit 1, and is hereby affirmed.

7 DATED this 26 day of Nov, 2016.

8 

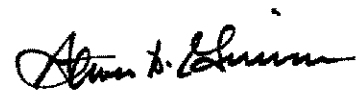
9 REBECCA BURTON, DISTRICT COURT JUDGE

10 Submitted By:

11 

12 ROBERT J. GARDNER, ESQ. 1/25/2016
13 DEPUTY DISTRICT ATTORNEY
14 Nevada Bar No. 0006983
15 FAMILY SUPPORT DIVISION
16 1900 East Flamingo Rd., Suite 100
17 Las Vegas, Nevada 89119
18 (702) 671-9200
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NOTM
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

PATRICIA FOLEY

Petitioner,

vs.

MICHAEL FOLEY,

Respondent.

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

**DISTRICT ATTORNEY'S NOTICE OF MOTION &
MOTION TO MODIFY CHILD SUPPORT**

Date of Hearing: 5/17/2016
Time of Hearing: 9:00 AM
Court Room: #1

The District Attorney, by and through the undersigned Deputy District Attorney, moves the 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 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 Points and Authorities, exhibit(s), if any, oral argument, if any, at the time of the hearing and

☒ 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.

☐ Other:

///

///

1 NOTICE OF HEARING

2 TO: Michael Anthony Foley, Respondent,

3 TO: Patricia Foley, Petitioner:

4 You will please take notice that the District Attorney's Office, Family Support Division, will
5 bring the above and foregoing motion on for hearing in the **Child Support Court at Child Support**
6 **Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, on 5/17/2016**
7 **at 9 AM in Court Room 1**, or as soon thereafter as the case may be heard.

8 ///

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Steven B. Wolfson, District Attorney, Nevada Bar No. 001563
Family Support Division
1900 East Flamingo Road, Suite 100
Las Vegas, Nevada 89119-5168
(702) 671-9200 - TDD (702) 983-7486 (for the hearing impaired)

MOT340D

1 POINTS AND AUTHORITIES IN SUPPORT OF THE MOTION

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

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

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

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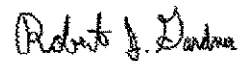
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1 It is respectfully requested that this Honorable Court determine the Respondent's gross monthly
2 income or, in the alternative, impute earning capacity. The support order should be adjusted as
3 appropriate, and address health insurance, if available 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 on this 1st day of February, 2016.

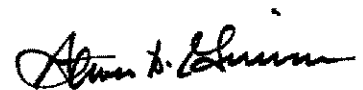
7 Respectfully Submitted,

8 Steven B. Wolfson
9 District Attorney
Nevada Bar No. 001565

10 

11 Deputy District Attorney
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1 DECM
Steven B. Wolfson, District Attorney
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)
4 294910200A



CLERK OF THE COURT

5 **DISTRICT COURT**
6 **CLARK COUNTY, NEVADA**

8 Patricia Foley,

Petitioner,

10 vs.

11 Michael Foley,

12 Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

13
14 **CERTIFICATE OF MAILING**

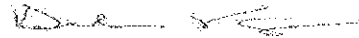
15 DISTRICT ATTORNEY'S NOTICE OF MOTION & MOTION TO MODIFY CHILD SUPPORT
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2 **CERTIFICATE OF MAILING**

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

6
7 **MICHAEL ANTHONY FOLEY**
8 **209 S STEPHANIE ST SUITE B-191**
9 **HENDERSON NV 89012**

10 on this 2nd day of February, 2016.

11
12 

13 _____
14 Employee, District Attorney's Office
15 Family Support Division
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2 **CERTIFICATE OF MAILING**

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

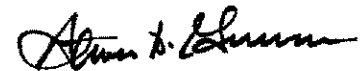
6
7 **Patricia Foley**
8 **8937 Austin Ridge Ave**
9 **Las Vegas, NV 89178**

10 on this 2nd day of February, 2016.

11
12 

13 _____
14 Employee, District Attorney's Office
15 Family Support Division
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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



CLERK OF THE COURT

District Court

CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case No. R-11-162425-R

Department No. CHILD SUPPORT

MASTER'S RECOMMENDATION

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:

Parties present: ☐ Respondent ☐ Respondent's attorney ☐ Petitioner ☐ Petitioner's attorney

☐ PATERNITY ☒ PATERNITY PREVIOUSLY DECIDED

☐ FINANCIALS: ☒ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS).

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 becomes delinquent in an amount equal to 30 days support.

☐ ENFORCEMENT OF CONTROLLING ORDER: The registered order from _____, dated _____, #_____, is hereby 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 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.

☒ Health insurance coverage for the minor child(ren) herein:

☐ Respondent to provide: ☒ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:

☒ if available through employer. ☐ shall provide per court order.

☒ 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.

☒ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING

☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.

☒ 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 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:

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

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

- 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.

4 ☐ **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
SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or
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.

11 **Payments can be mailed to:**

12 State Collection and Disbursement Unit (SCaDU)
P.O. Box 98950
Las Vegas, Nevada 89193-8950

13 **Payments can be made in person at:**

14 State Collection and Disbursement Unit (SCaDU)
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
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
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.

24 **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.

26 **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.

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.

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.

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.

NEXT HEARING DATE IS July 13, 2016 at 2:15 PM in Courtroom 1 in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.

DATED: JANUARY 15, 2016



MASTER

Respondent/Respondent's Attorney
Receipt of this document is
acknowledged by my signature.

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 date, without need of a District Court Judge's signature affixed hereto. **The parties are ordered to comply with this Order/Judgment.**

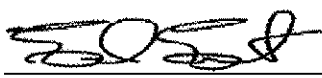
☐ The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause appearing,

☐ **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 _____, 20____ and this matter is remanded to Child Support Court on _____, 20____ at _____ M.

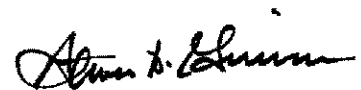
District Court Judge, Family Division

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

2
3 By: 

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

NEJ
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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.)

Case no. R-11-162425-R

Dept. no. CHILD SUPPORT

NOTICE OF ENTRY OF ORDER/JUDGMENT

To: MICHAEL FOLEY, Respondent

Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was entered in the above-entitled matter on January 15, 2016.

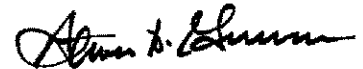
CERTIFICATE OF MAILING

The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to 209 S Stephanie, Ste B-191, Henderson, NV 89012, on the 8th day of February, 2016.

/s/ Kathrine Belneev
Employee, District Attorney's Office
Family Support Division

OFO

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



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case no. R-11-162425-R

Dept. no. C/CHILD SUPPORT

ORDER FOLLOWING OBJECTION

This matter having come on for a hearing this 20th day of January, 2016, on the Objection of the: ☒ Respondent ☐ Petitioner ☐ District Attorney's Office, Family Support Division, (hereinafter, "DAFS"), to the Master's Recommendations from the Child Support Court hearing held on the 16th day of November, 2015,

Respondent being ☒ not present ☐ present in proper person

Petitioner being ☐ present ☒ not present and

Steven B. Wolfson, District Attorney, being present by and through Deputy District Attorney, ROBERT J. GARDNER, Esq., whom appeared telephonically,

The Court having reviewed the pleadings and papers herein and having heard argument AND GOOD CAUSE THEREFORE APPEARING, this Court hereby enters the following findings, conclusions and orders:

This Court concludes and orders that Respondent's objections filed on 11/24/2015 and 11-26-2015 are DENIED, there was no clear error, and the Points and Authorities set forth in the District Attorney's Opposition to Respondent's Objection filed on December 8, 2015 shall be ADOPTED;

OPPS

1 additionally the Court noted that the NRS Respondent relied on his notice of non-appearance was
2 misplaced and not related to child support proceedings, the Respondent has the ability to pay and
3 there is an indication of possible willful underemployment. Finally, the Court finds in this case there
4 is no right to an appointed attorney for civil contempt proceedings. A RETURN HEARING IS
5 already SET for JULY 13, 2016 AT 2:15PM IN DEPT 1. The Masters Recommendation and Order
6 is attached as Exhibit 1, and is hereby affirmed.

7 DATED this 26 day of Jan, 2016.

8 
9
10 REBECCA BURTON, DISTRICT COURT JUDGE

11 Submitted By:

12 

13 ROBERT J. GARDNER, ESQ. 1/25/2016
14 DEPUTY DISTRICT ATTORNEY
15 Nevada Bar No. 0006983
16 FAMILY SUPPORT DIVISION
17 1900 East Flamingo Rd., Suite 100
18 Las Vegas, Nevada 89119
19 (702) 671-9200
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EXHIBIT 1

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

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case No. R-11-162425-R

Department No. CHILD SUPPORT

MASTER'S RECOMMENDATION

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:

Parties present: ☒ Respondent ☐ Respondent's attorney ☐ Petitioner ☐ Petitioner's attorney

☐ PATERNITY ☒ PATERNITY PREVIOUSLY DECIDED

☒ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS).

Respondent's gross monthly income (GMI) : ; formula amount % of GMI=

Basis for deviation from state formula: _____

Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley.

CHILD SUPPORT

Respondent is to pay monthly:

\$729.00 child support
\$79.00 medical support (in lieu of health insurance)
spousal support
\$25.00 arrears payment

☐ ARREARAGES ☒ ARREARAGES NOT ADDRESSED AT THIS HEARING

\$ 833.00

TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.

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 becomes delinquent in an amount equal to 30 days support.

☐ ENFORCEMENT OF CONTROLLING ORDER: The registered order from _____, dated _____, # _____, is hereby 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 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.

☒ Health insurance coverage for the minor child(ren) herein:

☐ Respondent to provide: ☒ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:

☒ if available through employer. ☐ shall provide per court order.

☒ 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.

☒ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING

☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.

☒ 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 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:

Sentence of 26 days in the Clark County Detention Center issued 11/21/13 is 10 imposed _____ vacated _____ stayed _____

Sentence of 25 days in the Clark County Detention Center issued 03/12/14 is _____ imposed _____ vacated _____ stayed _____

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 _____

☐ Respondent is recommended for the day arrest program on _____.

☒ Respondent to be released from custody on 11/22/15.

☒ Respondent may be released from the above sentence immediately upon payment of \$2,000.00 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 SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or recall the bench warrant.

☐ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY ☐ QUASHED. ☐ CONTINUED.

☐ MODIFICATION OF PRIOR ORDER:

☐ SUSPENSION OF LICENSES:

PAYMENTS

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.

Payments can be mailed to:

State Collection and Disbursement Unit (SCaDU)
P.O. Box 98950
Las Vegas, Nevada 89193-8950

Payments can be made in person at:

State Collection and Disbursement Unit (SCaDU)
1900 East Flamingo Road
Las Vegas, Nevada 89119-5168

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 support case number, and name of petitioner (first and last name of person receiving child support).

NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.

NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.

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

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.

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.

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.

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.

Respondent to bring new financial statement and proof of income next date.

This order does not stay collection of support arrearages by execution or any other means allowed by law.

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 pmt next date to avoid contempt.

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.

DATED: NOVEMBER 16, 2015


MASTER

In Custody
Respondent/Respondent's Attorney
Receipt of this document is
acknowledged by my signature.

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 date, without need of a District Court Judge's signature affixed hereto. **The parties are ordered to comply with this Order/Judgment.**

☐ 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,

☐ **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 _____, 20____ and this matter is remanded to Child Support Court on _____, 20____ at _____M.

District Court Judge, Family Division

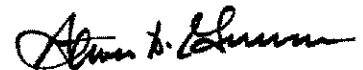
STEVEN B. WOLFSON, Clark County District Attorney
Nevada Bar No. 001565

By: 

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

NEOJ

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



CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent,

Case no. R-11-162425-R

Dept. no. C/CHILD SUPPORT
AMENDED to include Exhibit 1

NOTICE OF ENTRY OF ORDER

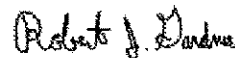
TO: PATRICIA FOLEY, Plaintiff

TO: MICHAEL FOLEY, Defendant

YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE that on the 22nd day of February, 2016 an Order Following Objection was entered in the above-entitled matter, a copy of which is attached to this Notice.

Dated 24th day of February, 2016.

Steven B. Wolfson
Clark County District Attorney
Nevada Bar No. 001565



Chief Deputy District Attorney

CERT

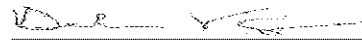
Case no. R-11-162425-R

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 24th day of February, 2016.



Employee, District Attorney's Office
Family Support Division

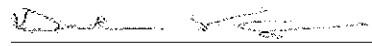
OPPS

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

on the 24th day of February, 2016.



Employee, District Attorney's Office
Family Support Division

EXHIBIT 1

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

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case No. R-11-162425-R

Department No. CHILD SUPPORT

MASTER'S RECOMMENDATION

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:

Parties present: ☒ Respondent ☐ Respondent's attorney ☐ Petitioner ☐ Petitioner's attorney

☐ PATERNITY ☒ PATERNITY PREVIOUSLY DECIDED

☒ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS).

Respondent's gross monthly income (GMI) : ; formula amount % of GMI=

Basis for deviation from state formula: _____

Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley.

CHILD SUPPORT

Respondent is to pay monthly:

\$729.00 child support
\$79.00 medical support (in lieu of health insurance)
spousal support
\$25.00 arrears payment

☐ ARREARAGES ☒ ARREARAGES NOT ADDRESSED AT THIS HEARING

\$ 833.00

TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.

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 becomes delinquent in an amount equal to 30 days support.

☐ ENFORCEMENT OF CONTROLLING ORDER: The registered order from _____, dated _____, # _____, is hereby 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 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.

☒ Health insurance coverage for the minor child(ren) herein:

☐ Respondent to provide: ☒ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:

☒ if available through employer. ☐ shall provide per court order.

☒ 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.

☒ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING

☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.

☒ 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 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:

Sentence of 26 days in the Clark County Detention Center issued 11/21/13 is 10 imposed _____ vacated _____ stayed _____

Sentence of 25 days in the Clark County Detention Center issued 03/12/14 is _____ imposed _____ vacated _____ stayed _____

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 _____

☐ Respondent is recommended for the day arrest program on _____.

☒ Respondent to be released from custody on 11/22/15.

☒ Respondent may be released from the above sentence immediately upon payment of \$2,000.00 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 SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or recall the bench warrant.

☐ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY ☐ QUASHED. ☐ CONTINUED.

☐ MODIFICATION OF PRIOR ORDER:

☐ SUSPENSION OF LICENSES:

PAYMENTS

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.

Payments can be mailed to:

State Collection and Disbursement Unit (SCaDU)
P.O. Box 98950
Las Vegas, Nevada 89193-8950

Payments can be made in person at:

State Collection and Disbursement Unit (SCaDU)
1900 East Flamingo Road
Las Vegas, Nevada 89119-5168

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 support case number, and name of petitioner (first and last name of person receiving child support).

NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.

NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.

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

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.

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.

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.

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.

Respondent to bring new financial statement and proof of income next date.

This order does not stay collection of support arrearages by execution or any other means allowed by law.

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 pmt next date to avoid contempt.

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.

DATED: NOVEMBER 16, 2015


MASTER

In Custody
Respondent/Respondent's Attorney
Receipt of this document is
acknowledged by my signature.

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

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

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

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.**

☐ 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,

☐ **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____.

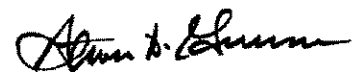
☐ **IT IS HEREBY ORDERED** that the Master's Recommendation IS NOT affirmed and adopted this _____ day of _____, 20____ and this matter is remanded to Child Support Court on _____, 20____ at _____M.

District Court Judge, Family Division

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

By: 

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



CLERK OF THE COURT

1 **NOAS**
2 **MICHAEL FOLEY**
3 **209 S. Stephanie St. Ste B-191**
4 **Henderson, NV 89012**
5 **Telephone: (702) 771-9725**
6 **Defendant in Proper Person**

7 **DISTRICT COURT**
8 **FAMILY DIVISION**
9 **CLARK COUNTY, NEVADA**

10 **PATRICIA FOLEY**

11 **Petitioner,**

12 **vs.**

13 **MICHAEL FOLEY,**

14 **Respondent.**

Case No. R-11-162425

Dept. No. "Child Support"

15
16
17 **NOTICE OF APPEAL**

18
19 The Respondent hereby APPEALS the orders and/or judgments entered in the
20 above-referenced action on or about February 8, 2016 and February 22, 2016.

21
22 DATED this 9th day of March, 2016.

23
24 SIGNED,



25
26 /Michael Foley

27 Michael Foley, Respondent in Pro Per
28

Heather S. Smith

CLERK OF THE COURT

ASTA

**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

- 1
2 5. Appellant(s)'s Attorney Licensed in Nevada: N/A
Permission Granted: N/A
3
4 Respondent(s)'s Attorney Licensed in Nevada: N/A
Permission Granted: N/A
5
6 6. Appellant Represented by Appointed Counsel In District Court: No
7
8 7. Appellant Represented by Appointed Counsel On Appeal: N/A
9
10 8. Appellant Granted Leave to Proceed in Forma Pauperis: Yes, July 14, 2015
Appellant Filed Application to Proceed in Forma Pauperis: N/A
Date Application(s) filed: N/A
11
12 9. Date Commenced in District Court: May 9, 2011
13
14 10. Brief Description of the Nature of the Action: DOMESTIC - Miscellaneous
Type of Judgment or Order Being Appealed: Misc. Order
15
16 11. Previous Appeal: No
Supreme Court Docket Number(s): N/A
17
18 12. Child Custody or Visitation: N/A
19
20 13. Possibility of Settlement: Unknown

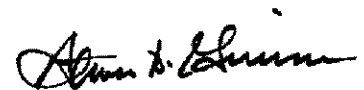
Dated This 17 day of March 2016.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512

cc: Michael Foley



CLERK OF THE COURT

1 CSERV
2 MICHAEL FOLEY
3 209 S. Stephanie St. Ste B-191
4 Henderson, NV 89012
5 Telephone: (702) 771-9725
6 Defendant in Proper Person

7 DISTRICT COURT
8 FAMILY DIVISION
9 CLARK COUNTY, NEVADA

10 PATRICIA FOLEY

11 Petitioner,

Case No. R-11-162425

12 vs.

Dept. No. "Child Support"

13 MICHAEL FOLEY,

14 Respondent.

15
16
17 CERTIFICATE OF SERVICE

18
19 The undersigned hereby certifies that the Petitioner Patricia Foley was served via
20 first class mail the Respondent's NOTICE OF APPEAL. The filing of said appeal was
21 denied three times, as reflected by the District Court records attached hereto. Service of this
22 CERTIFICATE was mailed on March 25, 2016 to the following address:

23
24 Patricia Foley
25 8937 Austin Ridge Avenue
26 Las Vegas, Nevada 89178
27
28

1 DATED this 25th day of March, 2016.

2
3 

4 Michael Foley, Respondent in Pro Per
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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.pdf](#) 434785 bytes

Attachment # 1: [E-Filing Details.pdf](#) 103262 bytes

Data Reference ID:

Credit Card System Response: AP0CCFCFF0C2
Response: Reference:

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:

Documents: Cover Document:
Lead Document: NOTICE OF APPEAL.pdf 71373 bytes

Data Reference ID:

Credit Card System Response: AR0CD18023CA
Response: Reference:

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:

Documents:	Lead Document:	Notice of Appeal.pdf	434785 bytes
	Attachment # 1:	E-Filing Details-3-14-16.pdf	103357 bytes
	Attachment # 2:	E-Filing Details.pdf	103262 bytes

Data Reference ID:

Credit Card System Response: AR0CD1BA3585
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 Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, 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
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

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
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

DA - UIFSA

COURT MINUTES

August 28, 2012

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

Public by DAFS, Other, present

Steven Wolfson, Attorney, not present

Therese Foley, Subject Minor, 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.

PRINT DATE:	05/11/2016	Page 3 of 27	Minutes Date:	April 24, 2012
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

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*

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 4 of 27	Minutes Date:	April 24, 2012
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

PRINT DATE:	05/11/2016	Page 5 of 27	Minutes Date:	April 24, 2012
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**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 Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, 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:

*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*

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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

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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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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

Steven Wolfson, Attorney, not present

Therese Foley, Subject Minor, 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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Judge
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White, Melinda
Teuton, Sylvia

May 17, 2016 9:00 AM Motion for Review and Adjustment of Child Support
Greystone Courtroom #1
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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 Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, 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 Respondent 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:

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**PLEADING
CONTINUES
IN NEXT
VOLUME**