Case No. 69997

In the Supreme Court of Nevada

MICHAEL FOLEY,

Appellant,

vs.

PATRICIA FOLEY,

Respondent.

Electronically Filed
Jun 22 2017 09:31 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

APPEAL

from the Eighth Judicial District Court, Clark County
The Honorable REBECCA L. BURTON, District Judge
District Court Case No. R-11-162425-R

APPELLANT'S APPENDIX
Volume 2
Pages 251-360

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18	Transcript Re: In Custody Hearing	04/15/15	1	202–215
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EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. R-11-162425-R

Patricia Foley, Petitioner(s).	§	Location:	**Department C**
vs.	§	Judicial Officer:	**Burton, Rebecca L.**
Michael A Foley, Respondent(s).	§	Hearing Master:	**Teuton, Sylvia**
	§	Filed on:	**05/09/2011**
		Case Number History:	

CASE INFORMATION

Related Cases
D-08-403071-D (Linked - 1J1F)
D-13-486829-U (Related Family Case)
D-14-502988-C (Related Family Case)
T-13-152209-T (Linked - 1J1F)
T-14-159054-T (Related Family Case)

Case Type: **DA - UIFSA**

Case Status: **05/09/2011 Open**

Case Flags: **Order After Hearing Required**
Order / Decree Logged Into Department
Appealed to Supreme Court
In Forma Pauperis Granted

Warrants

Bench Warrant - Foley, Michael A (Judicial Officer: Burton, Rebecca L.)
11/13/2015 8:23 AM Returned - Served
07/09/2015 4:17 PM Issued
06/17/2015 9:00 AM Pending
Fine: $0
Bond: $0

Bench Warrant - Foley, Michael A (Judicial Officer: Burton, Rebecca L.)
04/10/2015 10:42 AM Returned - Served
02/19/2015 3:41 PM Issued
01/29/2015 4:39 PM Pending
Fine: $0
Bond: $0

Bench Warrant - Foley, Michael A (Judicial Officer: Jones, Steven E)
08/07/2014 12:41 PM Returned - Served
03/12/2014 11:09 AM Issued
02/19/2014 9:00 AM Pending
Fine: $0
Bond: $0

Bench Warrant - Foley, Michael A (Judicial Officer: Jones, Steven E)
10/28/2013 4:35 PM Returned - Served
09/19/2012 4:17 PM Issued
08/28/2012 9:00 AM Pending
Fine: $0
Bond: $0

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DATE — CASE ASSIGNMENT

Current Case Assignment

Case Number	R-11-162425-R
Court	Department C
Date Assigned	01/05/2015
Judicial Officer	Burton, Rebecca L.
Hearing Master	Teuton, Sylvia

PARTY INFORMATION

Petitioner **Foley, Patricia**
8838 Tomnitz AVE
UNIT 103
Las Vegas, NV 89187

Respondent **Foley, Michael A**

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. R-11-162425-R

1122 Milpas AVE
Las Vegas, NV 89135

Subject Minor **Foley, Elizabeth Anne**

Foley, Michael Anthony, Jr.

Foley, Therese Marie

Other **Public by DAFS**
1900 E Flamingo RD
STE 100
Las Vegas, NV 89119-5168

Wolfson, Steven B
Retained
702-671-9200(W)

DATE	EVENTS & ORDERS OF THE COURT
	EVENTS
05/09/2011	Notice and Finding: Financial Responsibility
03/01/2012	Order to Show Cause *04/24/12 03:25 PM*
03/01/2012	Declaration in Support of Order to Show Cause *Why Respondent Should Not Be Found in Contempt*
03/01/2012	Declaration of Service Filed by: Other Public by DAFS For: Respondent Foley, Michael A
04/25/2012	Notice of Entry of Masters Recommendation *4/24/2012*
04/26/2012	Notice of Motion Filed by: Other Public by DAFS *District Attorney's Notice of Motion & Motion To Modify Child Support 08/28/2012 9:00am*
05/15/2012	Masters Recommendations and Order
05/18/2012	Notice of Entry of Order/Judgment Filed by: Other Public by DAFS *04/24/12*
08/29/2012	Notice of Entry of Masters Recommendation *8/28/2012*
09/19/2012	Masters Recommendations and Order
09/21/2012	Notice of Entry of Order/Judgment Filed by: Other Public by DAFS *08/28/2012*
04/15/2013	Administrative Reassignment to Department C *Case reassigned from Judge Robert Teuton Dept D*
10/28/2013	Bench Warrant Filed by: Respondent Foley, Michael A *Issued 8/28/2012 Served 10/27/2013*
10/31/2013	Notice of Entry of Masters Recommendation *10/30/2013*
11/21/2013	Masters Recommendations and Order
11/25/2013	Notice of Entry of Order/Judgment Filed by: Other Public by DAFS

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EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. R-11-162425-R

10/30/13

02/19/2014 Notice of Entry of Masters Recommendation
2/19/2014

03/12/2014 Masters Recommendations and Order

03/13/2014 Notice of Entry of Order/Judgment
Filed by: Other Public by DAFS
02/19/14

08/07/2014 Bench Warrant
Filed by: Respondent Foley, Michael A
Issued 2/19/2014 Served 8/06/2014

08/11/2014 Notice of Entry of Masters Recommendation
Party: Other Public by DAFS
Notice of Entry of Masters Recommendation

08/13/2014 Notice of Entry of Masters Recommendation
Party: Other Public by DAFS
Notice of Entry of Masters Recommendation

08/21/2014 Notice of Motion
Filed by: Other Public by DAFS
12/09/2014 9:15am

09/02/2014 Masters Recommendations and Order
Filed by: Other Public by DAFS
Masters Recommendations and Order

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09/02/2014 Masters Recommendations and Order
Filed by: Other Public by DAFS
Masters Recommendations and Order

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09/04/2014 Notice of Entry of Order/Judgment
Filed by: Other Public by DAFS
08/08/2014

09/09/2014 Notice of Withdrawal
Filed by: Other Public by DAFS
Notice of Withdrawal of Counsel

09/15/2014 Notice of Entry of Order/Judgment
Filed by: Other Public by DAFS
8/11/2014

12/08/2014 Response
Filed by: Other Public by DAFS
Respondent's Response To The District Attorney's Motion To Modify Child Support

12/09/2014 Notice of Entry of Masters Recommendation
Party: Other Public by DAFS
Notice of Entry of Masters Recommendation

12/24/2014 Notice of Hearing
Filed by: Other Public by DAFS
02/18/15 02:15 PM

12/31/2014 Notice of Entry of Order/Judgment
Filed by: Other Public by DAFS
12/09/2014

12/31/2014 Masters Recommendations and Order

01/05/2015

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. R-11-162425-R

Judicial Elections 2014 - Case Reassignment
Family Court Judicial Officer Reassignment 2014

01/29/2015 Notice of Entry of Masters Recommendation
Party: Other Public by DAFS
Notice of Entry of Masters Recommendation

02/19/2015 Masters Recommendations and Order
Filed by: Other Public by DAFS
Masters Recommendations and Order

02/25/2015 Notice of Entry of Order/Judgment
Filed by: Other Public by DAFS
01/28/15

04/10/2015 Bench Warrant
Filed by: Other Public by DAFS
Issued : 01/28/15 Served : 04/09/15

04/16/2015 Notice of Entry of Masters Recommendation
Party: Other Public by DAFS
4/15/2015

05/07/2015 Masters Recommendations and Order
Filed by: Other Public by DAFS
Masters Recommendations and Order

05/15/2015 Notice of Entry of Order/Judgment
Filed by: Other Public by DAFS
4/15/2015

06/17/2015 Notice of Entry of Masters Recommendation
Party: Other Public by DAFS
Notice of Entry of Masters Recommendation

07/01/2015 Application
Filed by: Respondent Foley, Michael A
Application to Proceed In Forma Pauperis and Request to File Objection

07/09/2015 Masters Recommendations and Order

07/14/2015 Order to Proceed In Forma Pauperis
Filed by: Subject Minor Foley, Michael Anthony, Jr.
Order

08/06/2015 Notice of Entry of Order/Judgment
Filed by: Other Public by DAFS
06/17/15

11/13/2015 Bench Warrant
Filed by: Respondent Foley, Michael A
Issued 6/17/2015 Served 11/12/2015

11/17/2015 Notice of Entry of Masters Recommendation
Party: Other Public by DAFS
11/16/2015

11/24/2015 Objection
Filed by: Respondent Foley, Michael A
Respondents Objection

11/24/2015 Certificate of Mailing
Filed by: Respondent Foley, Michael A
For: Other Public by DAFS
Certificate of Mailing for DA

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EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. R-11-162425-R

11/26/2015	Objection Filed by: Respondent Foley, Michael A *Objection to Hearing Master's Recommendation*
12/08/2015	Opposition Filed by: Other Public by DAFS *DA Opposition to Respondent's Objection*
12/09/2015	Clerk of the Courts Notice of Change of Hearing *Notice of Change of Hearing for Objection*
01/13/2016	Notice Filed by: Respondent Foley, Michael A *Notice*
01/15/2016	Notice of Entry of Masters Recommendation Party: Other Public by DAFS *Notice of Entry of Masters Recommendation*
01/20/2016	Notice Filed by: Other Public by DAFS *NOTICE OF INTENT/REQUEST TO APPEAR BY COMMUNICATION EQUIPMENT*
01/20/2016	Notice Filed by: Other Public by DAFS *NOTICE OF INTENT/REQUEST TO APPEAR BY COMMUNICATION EQUIPMENT*
01/28/2016	Order Following Objection Party: Other Public by DAFS *ORDER FOLLOWING OBJECTION*
02/01/2016	Notice of Motion Filed by: Other Public by DAFS *DISTRICT ATTORNEY'S NOTICE OF MOTION & MOTION TO MODIFY CHILD SUPPORT*
02/01/2016	Notice of Entry of Order Filed by: Other Public by DAFS *NOTICE OF ENTRY OF ORDER*
02/02/2016	Certificate of Mailing Filed by: Other Public by DAFS *CERTIFICATE OF MAILING*
02/08/2016	Masters Recommendations and Order Filed by: Other Public by DAFS *Masters Recommendations and Order*
02/09/2016	Notice of Entry of Order/Judgment Filed by: Other Public by DAFS *01/15/16*
02/22/2016	Order Following Objection Party: Other Public by DAFS *Order Following Objection*
02/24/2016	Notice of Entry of Order Filed by: Other Public by DAFS *AMENDED NOTICE OF ENTRY OF ORDER*
03/17/2016	Notice of Appeal Filed by: Respondent Foley, Michael A *Notice of Appeal*
03/17/2016	Case Appeal Statement

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EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. R-11-162425-R

Filed by: Respondent Foley, Michael A

DISPOSITIONS

05/15/2012 **Master's Recommendation** (Judicial Officer: Teuton, Sylvia)
Support (Child, Obligor: Foley, Michael A, Obligee: Foley, Patricia,On Behalf Of: Public by DAFS, $16,739.98, One Time)

HEARINGS

04/24/2012 **Order to Show Cause** (3:25 PM) (Judicial Officer: Teuton, Sylvia)

MINUTES

Motion for Review and Adjustment of Child Support (08/28/2012 at 9:00 AM)
(Judicial Officer: Teuton, Sylvia)
Matter Continued;
Journal Entry Details:
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. 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. ;

SCHEDULED HEARINGS

Motion for Review and Adjustment of Child Support (08/28/2012 at 9:00 AM)
(Judicial Officer: Teuton, Sylvia)

08/28/2012 **Motion for Review and Adjustment of Child Support** (9:00 AM) (Judicial Officer: Teuton, Sylvia)

MINUTES

Warrant
09/19/2012 Inactive Bench Warrant
Bench Warrant Issued;
Journal Entry Details:

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. PETITIONER SHALL PROVIDE

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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. ;

10/30/2013 **In Custody Hearing** (1:15 PM) (Judicial Officer: Davis, James)

MINUTES

Order to Show Cause - Pay or Stay (02/19/2014 at 9:00 AM) (Judicial Officer: Lok, Merle K.)
Contempt of Court;
Journal Entry Details:
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 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.;

SCHEDULED HEARINGS

Order to Show Cause - Pay or Stay (02/19/2014 at 9:00 AM) (Judicial Officer: Lok, Merle K.)

02/19/2014 **Order to Show Cause - Pay or Stay** (9:00 AM) (Judicial Officer: Lok, Merle K.)

MINUTES

Warrant
03/12/2014 Inactive Bench Warrant
Bench Warrant Issued;
Journal Entry Details:
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. BENCH WARRANT ;

08/08/2014 **In Custody Hearing** (1:15 PM) (Hearing Master: Teuton, Sylvia)
Matter Continued;
Journal Entry Details:

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. ;

08/11/2014 *CANCELED* **In Custody Hearing** (1:15 PM)
Vacated

08/11/2014 *CANCELED* **In Custody Hearing** (1:15 PM)
Vacated

08/11/2014 **In Custody Hearing** (1:15 PM) (Hearing Master: Teuton, Sylvia)

MINUTES

Motion for Review and Adjustment of Child Support (12/09/2014 at 9:15 AM)
(Hearing Master: Teuton, Sylvia)
Matter Continued;
Journal Entry Details:
Deputy District Attorney (DDA): Viveca M. Woods Attorney Aurora Maskall bar #6410 was present for the Respondent in an unbundled capacity. Respondent was sworn and testified via Video Conference from Clark County Detention Center (CCDC). Court noted Respondent MISSED court on February 19, 2014. DDA advised Responded was present in custody at the October 30, 2013 Hearing and given the February 2014 date. Payment history since November reported. Respondent was to bring $500.00 at the February date. Bench Warrant was $804.00. Counsel advised she has taken this case Pro-Bono. Respondent owns his own business and his income fluctuates. Respondent stated he earns $800.00 to $1,000.00 per month. There was a colloquy regarding possible Modification and proof of income. DDA further advised Respondent was ARRESTED August 6, 2014. DDA requested half of the Bench Warrant as a release amount. Counsel requested Respondent be released. Statements made by DDA regarding an involuntary payment. 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. ;

SCHEDULED HEARINGS

Motion for Review and Adjustment of Child Support (12/09/2014 at 9:15 AM)
(Hearing Master: Teuton, Sylvia)

12/09/2014 **Motion for Review and Adjustment of Child Support** (9:15 AM) (Hearing Master: Teuton, Sylvia)
Matter Heard;
Journal Entry Details:
Deputy District Attorney (DDA): Alec Raphael Petitioner sworn and testified Court noted Respondent responded for request to Modify and had to be in District Court. Respondent Upon Court's inquiry, DDA reported Respondent's unbundled attorney withdrew. This Modification was initiated by the Court. Respondent is self-employed. He filed a response yesterday Pro-Per and requested a continuance. DDA further reported Respondent did self-report his Gross Monthly Income (GMI). DDA has no opposition to continue this hearing. Upon Court's inquiry, Petitioner testified Respondent posted his place of employment in computer repairs on Craigslist. Petitioner has printed copy to provide to DA's office today. Court printed out a copy of Respondent's response for Petitioner in OPEN COURT for her to review. DDA stated Respondent is under an order to show cause and requested a finding of contempt and a bench warrant. Court FINDS, DDA's request is hereby DENIED. MATTER CONTINUED as he has a documented appearance if US District Court on another matter scheduled for today at 10:00 AM. Respondent is ADMONISHED to pay monthly or face imposition of CONTEMPT. 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. MASTER RECOMMENDED, Matter SET for REVIEW and ADJUSTMENT. ;

01/28/2015 **Motion for Review and Adjustment of Child Support** (1:45 PM) (Judicial Officer: Davis, James)

R162425 02/18/2015 @ 2.15 PM CR#1
Bench Warrant Issued;
Journal Entry Details:
Deputy District Attorney (DDA): Alec Raphael Petitioner Sworn and Testified. DDA reported this is a Review and Adjustment and Enforcement Review hearing. DDA reviewed case. After statements, DDA reported Respondent Gross Monthly Income (GMI) is $2,512.95. Court calculated 29% of GMI to be $729.00. Upon DDA's inquiry, Petitioner testified her monthly health insurance cost has remained the same since last hearing. DDA requested Medical support payment of $79.00 per month continue. DDA requested Modification to be August 1, 2014. DDA further reported Respondent has self-reported his income of $2,521.95 and has not made a payment since his jail release payment in August 13, 2014. DDA further requested a bench warrant and for future return date of February 18, 2015, be vacated. 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 $1,000.00, which sum shall be RELEASED to PETITIONER as CHILD SUPPORT. REVIEW Hearing of February 18, 2015 is hereby VACATED. ;

02/18/2015 *CANCELED* **Return Hearing - HM** (2:15 PM)
Vacated - per Judge

04/15/2015 **In Custody Hearing** (1:15 PM) (Hearing Master: Teuton, Sylvia)
Matter Heard;
Journal Entry Details:
Deputy District Attorney (DDA): Patricia Ross Respondent, In-Custody, sworn and testified. Respondent participated via video conference from the Clark County Detention Center (CCDC). DDA stated Respondent failed to appear to his January 28, 2015 hearing, and a Bench Warrant was issued for $1,000.00. DDA advised Respondent was arrested April 09, 2015. DDA reported Respondent's last payment was August 2014 for $200.00. Upon inquiry of the Court, Respondent requested appointed counsel for himself. Respondent stated it was unlawful to detain him and made several arguments on why he should not be in jail. DDA noted Respondent has a business. The Court address all of the Respondent's arguments and denied request for appointed counsel. MASTER RECOMMENDED: Respondent shall PAY $729.00 per month TEMPORARY CURRENT SUPPORT and $79.00 per month MEDICAL SUPPORT and $25.00 per month on ARREARS for a TOTAL MONTHLY PAYMENT of $833.00. ORDER TO SHOW CAUSE, CONTINUED. PRIOR CONTEMPT SENTENCES ISSUED May 15, 2012 shall be SERVED as follows: 19 Days IMPOSED 1 Day STAYED. PRIOR CONTEMPT SENTENCES STAYED. Respondent may be RELEASED from CUSTODY on May 04, 2015 or immediately upon PAYMENT of $900.00, which shall be RELEASED to PETITIONER as CHILD SUPPORT. MISCELLANEOUS RECOMMENDED ORDERS: Respondent must bring or have paid $1,666.00. ;

06/17/2015 **Order to Show Cause - Pay or Stay** (9:00 AM) (Judicial Officer: Conant, Lynn)

MINUTES
Warrant
07/09/2015 Inactive Bench Warrant
Bench Warrant Issued;
Journal Entry Details:
Deputy District Attorney (DDA): Patti Ross No Parties Present. Today's hearing is a Pay or Stay for $1,666.00. The DDA reviewed the case. The Respondent has made no payments. The DDA requested a finding of Contempt and a Bench Warrant in the amount of $2,000.00. MASTER RECOMMENDED, Respondent found in CONTEMPT and SENTENCED to 25 DAYS in the Clark County Detention Center for FAILURE TO APPEAR AND PAY. SENTENCE STAYED until next court date. BENCH WARRANT, NO BAIL. RESPONDENT shall be RELEASED upon PAYMENT of $2,000.00, which sum shall be RELEASED to PETITIONER as CHILD SUPPORT. BENCH WARRANT ;

11/16/2015 **In Custody Hearing** (1:15 PM) (Judicial Officer: Lok, Merle K.)
Matter Heard;
Journal Entry Details:
Deputy District Attorney (DDA): Edward Ewert Respondent, in custody, sworn and testified. Respondent participated via video conference from the Clark County Detention Center (CCDC). DDA stated Respondent failed to appear for his June 17, 2015 hearing and a Bench Warrant was issued for $2,000.00. DDA advised Respondent was arrested November 12, 2015. DDA reported Respondent's last payment was August 2014 for $200.00 jail release. DDA noted $4,165.00 has come due. Upon inquiry of the Court, Respondent testified he last worked last

week. Respondent stated when he is working he earns $275.00 per week. Respondent stated he has $119.00 on his books. MASTER RECOMMENDED: PRIOR CONTEMPT SENTENCE ISSUED November 21, 2013 shall be SERVED as follows: 10 Days IMPOSED. Respondent may be RELEASED from CUSTODY on November 22, 2015 or immediately upon PAYMENT of $2,000.00, which shall be RELEASED to PETITIONER as CHILD SUPPORT. MISCELLANEOUS RECOMMENDED ORDERS: Respondent is to pay $833.00 for the December payment next date to avoid Contempt.;

01/15/2016 **AM Pay Stays** (8:30 AM) (Hearing Master: Teuton, Sylvia)

RESPONDENT TO PAY $833.00; R162425 01/20/16 @ 10:00 AM
Matter Continued;
Journal Entry Details:
Deputy District Attorney (DDA), Edward Ewert, present. No parties present. DDA reported, objection pending in Family Court, Department C, on 1/20/2016 at 10 a.m. MASTER RECOMMENDED, MATTER CONTINUED.;

01/20/2016 **Objection - UIFSA** (10:00 AM) (Judicial Officer: Burton, Rebecca L.)

MINUTES
Denied;
Journal Entry Details:
OBJECTION - UIFSA Deputy District Attorney (DDA), Robert Gardner, bar number 6983, present and participated TELEPHONICALLY. Court reviewed the case. Court NOTED, Respondent's non-appearance for today's hearing. Arguments by DDA. COURT ORDERED, based on the Points and Authorities set forth in the District Attorney's Opposition to Respondent's Objection filed on December 8, 2015, shall be ADOPTED. Furthermore, Respondent's Objections filed on November 24, 2015, and November 26, 2015, shall be DENIED. DDA, Gardner shall prepare the Order from today s hearing.;

05/17/2016 **Motion for Review and Adjustment of Child Support** (9:00 AM) (Hearing Master: Teuton, Sylvia)

07/13/2016 **Review - HM** (2:15 PM) (Hearing Master: Teuton, Sylvia)

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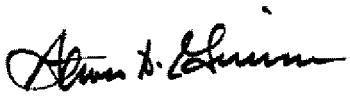

CLERK OF THE COURT

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,	)	Case No. R-11-162425-R
vs.	)	Department No. CHILD SUPPORT
Michael Foley, Respondent.	)	

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

☐ 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.

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)

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

Steven B. Wolfson, District Attorney, Nevada Bar No. 001565
Family Support Division
1900 East Flamingo Road #160
Las Vegas, Nevada 89119-5168
(702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired)

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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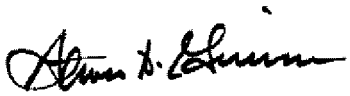

CLERK OF THE COURT

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

DISTRICT COURT

CLARK COUNTY, NEVADA

Patricia Foley, Petitioner,	Case no.	R-11-162425-R
vs.	Dept. no.	CHILD SUPPORT
Michael Foley, Respondent.		

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

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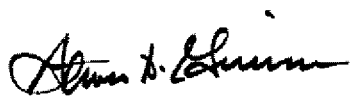

CLERK OF THE COURT

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

DISTRICT COURT

CLARK COUNTY, NEVADA

Patricia Foley, Petitioner,	)	Case no. R-11-162425-R
vs.	)	Dept. no. C/CHILD SUPPORT
Michael Foley, Respondent.	)	

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;

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

DATED this 26 day of JAN, 2016.

REBECCA BURTON, DISTRICT COURT JUDGE

Submitted By:

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

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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 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_____.

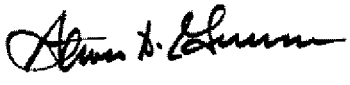
☐ **IT IS HEREBY ORDERED** that the Master's Recommendation IS NOT affirmed and adopted this _____ day of _____ , 20_____ and this matter is remanded to Child Support Court on _____, 20_____ at _____.M.

_____
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

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



CLERK OF THE COURT

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

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

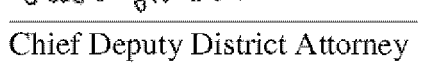
TO: PATRICIA FOLEY, Plaintiff

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

OPPS

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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

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OPPS

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CERT Case no. R-11-162425-R

CERTIFICATE OF MAILING

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

Patricia Foley
8937 Austin Ridge Ave
Las Vegas, NV 89178

on the 24th day of February, 2016.

Employee, District Attorney's Office
Family Support Division

OPPS

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EXHIBIT 1

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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

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 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.

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☒ 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

R-11-162425-R

DISTRICT COURT
CLARK COUNTY, NEVADA

DA - UIFSA COURT MINUTES April 24, 2012

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

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

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

COURT CLERK: Gloria Mackaly

PARTIES:
Elizabeth Foley, Subject Minor, not present
Michael Foley, Respondent, present
Michael Foley, Subject Minor, not present
Patricia Foley, Petitioner, present
Public by DAFS, Other, present
Therese Foley, Subject Minor, not present
Steven Wolfson, Attorney, not present

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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.

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

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R-11-162425-R

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

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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.

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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:

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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

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R-11-162425-R

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

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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 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

Canceled: August 11, 2014 1:15 PM In Custody Hearing
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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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R-11-162425-R

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

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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.

BENCH WARRANT

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
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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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R-11-162425-R

DISTRICT COURT
CLARK COUNTY, NEVADA

DA - UIFSA COURT MINUTES August 08, 2014

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

August 08, 2014 1:15 PM In Custody Hearing

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

COURT CLERK: Cherisse Lamb

PARTIES:
Elizabeth Foley, Subject Minor, not present
Michael Foley, Respondent, not present
Michael Foley, Subject Minor, not present
Patricia Foley, Petitioner, not present
Public by DAFS, Other, present
Therese Foley, Subject Minor, not present
Steven Wolfson, Attorney, not present

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

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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

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R-11-162425-R

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

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JOURNAL ENTRIES

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

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

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

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

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

INTERIM CONDITIONS:

FUTURE HEARINGS:

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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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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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

R-11-162425-R

DISTRICT COURT
CLARK COUNTY, NEVADA

DA - UIFSA	COURT MINUTES	December 09, 2014

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

December 09, 2014 9:15 AM **Motion for Review and Adjustment of Child Support**

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

COURT CLERK: Maria Chavez

PARTIES:
Elizabeth Foley, Subject Minor, not present
Michael Foley, Respondent, not present
Michael Foley, Subject Minor, not present
Patricia Foley, Petitioner, not present
Public by DAFS, Other, present
Therese Foley, Subject Minor, not present
Steven Wolfson, Attorney, not present

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JOURNAL ENTRIES

- Deputy District Attorney (DDA): Alec Raphael

Petitioner sworn and testified

Court noted Respondent responded for request to Modify and had to be in District Court. Respondent

Upon Court's inquiry, DDA reported Respondent's unbundled attorney withdrew. This Modification was initiated by the Court. Respondent is self-employed. He filed a response yesterday Pro-Per and requested a continuance. DDA further reported Respondent did self-report his Gross Monthly Income (GMI). DDA has no opposition to continue this hearing.

Upon Court's inquiry, Petitioner testified Respondent posted his place of employment in computer repairs on Craigslist. Petitioner has printed copy to provide to DA's office today. Court printed out a copy of Respondent's response for Petitioner in OPEN COURT for her to review.

DDA stated Respondent is under an order to show cause and requested a finding of contempt and a bench warrant. Court FINDS, DDA's request is hereby DENIED. MATTER CONTINUED as he has a documented appearance if US District Court on another matter scheduled for today at 10:00 AM. Respondent is ADMONISHED to pay monthly or face imposition of CONTEMPT. 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.

MASTER RECOMMENDED, Matter SET for REVIEW and ADJUSTMENT.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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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R-11-162425-R

DISTRICT COURT
CLARK COUNTY, NEVADA

DA - UIFSA | COURT MINUTES | January 28, 2015

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

January 28, 2015 **1:45 PM** **Motion for Review and Adjustment of Child Support**

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

COURT CLERK: Maria Chavez

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

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JOURNAL ENTRIES

- Deputy District Attorney (DDA): Alec Raphael

Petitioner Sworn and Testified.

DDA reported this is a Review and Adjustment and Enforcement Review hearing. DDA reviewed case.

After statements, DDA reported Respondent Gross Monthly Income (GMI) is $2,512.95. Court calculated 29% of GMI to be $729.00.

Upon DDA's inquiry, Petitioner testified her monthly health insurance cost has remained the same since last hearing. DDA requested Medical support payment of $79.00 per month continue. DDA requested Modification to be August 1, 2014.

DDA further reported Respondent has self-reported his income of $2,521.95 and has not made a

payment since his jail release payment in August 13, 2014. DDA further requested a bench warrant and for future return date of February 18, 2015, be vacated.

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 $1,000.00, which sum shall be RELEASED to PETITIONER as CHILD SUPPORT.

REVIEW Hearing of February 18, 2015 is hereby VACATED.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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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R-11-162425-R

DISTRICT COURT
CLARK COUNTY, NEVADA

DA - UIFSA COURT MINUTES April 15, 2015

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

April 15, 2015 **1:15 PM** **In Custody Hearing**

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

COURT CLERK: Keyla Anderson

PARTIES:
Elizabeth Foley, Subject Minor, not present
Michael Foley, Respondent, present
Michael Foley, Subject Minor, not present
Patricia Foley, Petitioner, not present
Public by DAFS, Other, present
Therese Foley, Subject Minor, not present
Steven Wolfson, Attorney, not present

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JOURNAL ENTRIES

- Deputy District Attorney (DDA): Patricia Ross

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

DDA stated Respondent failed to appear to his January 28, 2015 hearing, and a Bench Warrant was issued for $1,000.00. DDA advised Respondent was arrested April 09, 2015. DDA reported Respondent's last payment was August 2014 for $200.00. Upon inquiry of the Court, Respondent requested appointed counsel for himself. Respondent stated it was unlawful to detain him and made several arguments on why he should not be in jail. DDA noted Respondent has a business. The Court address all of the Respondent's arguments and denied request for appointed counsel.

MASTER RECOMMENDED: Respondent shall PAY $729.00 per month TEMPORARY CURRENT SUPPORT and $79.00 per month MEDICAL SUPPORT and $25.00 per month on ARREARS for a TOTAL MONTHLY PAYMENT of $833.00.

ORDER TO SHOW CAUSE, CONTINUED. PRIOR CONTEMPT SENTENCES ISSUED May 15, 2012

shall be SERVED as follows: 19 Days IMPOSED 1 Day STAYED. PRIOR CONTEMPT SENTENCES STAYED.

Respondent may be RELEASED from CUSTODY on May 04, 2015 or immediately upon PAYMENT of $900.00, which shall be RELEASED to PETITIONER as CHILD SUPPORT.

MISCELLANEOUS RECOMMENDED ORDERS: Respondent must bring or have paid $1,666.00.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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

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

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R-11-162425-R

DISTRICT COURT
CLARK COUNTY, NEVADA

DA - UIFSA COURT MINUTES June 17, 2015

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

June 17, 2015 **9:00 AM** **Order to Show Cause - Pay or Stay**

HEARD BY: Conant, Lynn **COURTROOM:** Greystone Courtroom #1

COURT CLERK: Cherisse Lamb

PARTIES:
Elizabeth Foley, Subject Minor, not present
Michael Foley, Respondent, not present
Michael Foley, Subject Minor, not present
Patricia Foley, Petitioner, not present
Public by DAFS, Other, present
Therese Foley, Subject Minor, not present
Steven Wolfson, Attorney, not present

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JOURNAL ENTRIES

- Deputy District Attorney (DDA): Patti Ross

No Parties Present.

Today's hearing is a Pay or Stay for $1,666.00. The DDA reviewed the case. The Respondent has made no payments. The DDA requested a finding of Contempt and a Bench Warrant in the amount of $2,000.00.

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

BENCH WARRANT, NO BAIL. RESPONDENT shall be RELEASED upon PAYMENT of $2,000.00, which sum shall be RELEASED to PETITIONER as CHILD SUPPORT.

BENCH WARRANT

R-11-162425-R

INTERIM CONDITIONS:

FUTURE HEARINGS:

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

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

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R-11-162425-R

DISTRICT COURT
CLARK COUNTY, NEVADA

DA - UIFSA **COURT MINUTES** November 16, 2015

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

November 16, 2015 **1:15 PM** **In Custody Hearing**

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

COURT CLERK: Keyla Anderson

PARTIES:
Elizabeth Foley, Subject Minor, not present
Michael Foley, Respondent, present
Michael Foley, Subject Minor, not present
Patricia Foley, Petitioner, not present
Public by DAFS, Other, present
Therese Foley, Subject Minor, not present
Steven Wolfson, Attorney, not present

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JOURNAL ENTRIES

- Deputy District Attorney (DDA): Edward Ewert

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

DDA stated Respondent failed to appear for his June 17, 2015 hearing and a Bench Warrant was issued for $2,000.00. DDA advised Respondent was arrested November 12, 2015. DDA reported Respondent's last payment was August 2014 for $200.00 jail release. DDA noted $4,165.00 has come due. Upon inquiry of the Court, Respondent testified he last worked last week. Respondent stated when he is working he earns $275.00 per week. Respondent stated he has $119.00 on his books.

MASTER RECOMMENDED: PRIOR CONTEMPT SENTENCE ISSUED November 21, 2013 shall be SERVED as follows: 10 Days IMPOSED.

Respondent may be RELEASED from CUSTODY on November 22, 2015 or immediately upon PAYMENT of $2,000.00, which shall be RELEASED to PETITIONER as CHILD SUPPORT.

R-11-162425-R

MISCELLANEOUS RECOMMENDED ORDERS: Respondent is to pay $833.00 for the December payment next date to avoid Contempt.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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

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

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R-11-162425-R

DISTRICT COURT
CLARK COUNTY, NEVADA

DA - UIFSA	COURT MINUTES	January 15, 2016

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

January 15, 2016 8:30 AM AM Pay Stays

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

COURT CLERK: Toni Meza

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

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JOURNAL ENTRIES

- Deputy District Attorney (DDA), Edward Ewert, present.

No parties present.

DDA reported, objection pending in Family Court, Department C, on 1/20/2016 at 10 a.m.

MASTER RECOMMENDED, MATTER CONTINUED.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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

R-11-162425-R

Greystone Courtroom #1
Teuton, Sylvia

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R-11-162425-R

DISTRICT COURT
CLARK COUNTY, NEVADA

DA - UIFSA COURT MINUTES January 20, 2016

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

January 20, 2016 **10:00 AM** **Objection - UIFSA**

HEARD BY: Burton, Rebecca L. **COURTROOM:** Courtroom 08

COURT CLERK: Neida Parker

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

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JOURNAL ENTRIES

- OBJECTION - UIFSA

Deputy District Attorney (DDA), Robert Gardner, bar number 6983, present and participated TELEPHONICALLY.

Court reviewed the case.

Court NOTED, Respondent's non-appearance for today's hearing.

Arguments by DDA.

COURT ORDERED, based on the Points and Authorities set forth in the District Attorney's Opposition to Respondent's Objection filed on December 8, 2015, shall be ADOPTED. Furthermore, Respondent's Objections filed on November 24, 2015, and November 26, 2015, shall be DENIED.

DDA, Gardner shall prepare the Order from today s hearing.

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R-11-162425-R

INTERIM CONDITIONS:

FUTURE HEARINGS:

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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Certification of Copy

State of Nevada
County of Clark } **SS:**

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; MASTER'S RECOMMENDATION; NOTICE OF ENTRY OF ORDER/JUDGMENT; ORDER FOLLOWING OBJECTION; AMENDED NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES

PATRICIA FOLEY, Plaintiff(s), vs. MICHAEL A. FOLEY, Defendant(s),	Case No: R162425 Dept No: C

now on file and of record in this office.

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IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 17 day of March 2016.

Steven D. Grierson, Clerk of the Court

Heather Ungermann, Deputy Clerk

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FILED
FEB - 7 2017
CLERK OF COURT

TRANS

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EIGHTH JUDICIAL DISTRICT COURT

FAMILY DIVISION

CLARK COUNTY, NEVADA

PATRICIA FOLEY, Petitioner,	CASE NO. R-11-162425-R DEPT. C
vs.	**APPEAL NO. 69997**
MICHAEL A. FOLEY, Respondent.	

BEFORE THE HONORABLE SYLVIA TEUTON

TRANSCRIPT RE: MOTION FOR REVIEW AND ADJUSTMENT OF CHILD SUPPORT

TUESDAY, MAY 17, 2016

1 LAS VEGAS, NEVADA TUESDAY, MAY 17, 2016

2 **P R O C E E D I N G S**

3 (THE PROCEEDING BEGAN AT 10:57:05.)

4 THE COURT: This is R-11-162425. Neither party is present. I see
5 there's a -- there's an appeal pending. Let's see. Let's see what this
6 says.

7 Let me hear from the D.A.

8 MS. CLIFFE: Yes, Your Honor, this -- I saw that the objection was
9 denied. It was on today just for the modification. He was to bring his
10 tax returns, profit and loss statements. He's not paying. He's not
11 receiving any kind of State assistance. I know he plead his income at 800
12 a month; but quite frankly, without him being here, I'm not -- I'm not sure
13 what his income is.

14 THE COURT: Okay. Does he have a bench warrant out or not? I can't
15 tell. Is there a bench warrant out for him?

16 MS. CLIFFE: I was just looking at the filed orders on objection and
17 I didn't see that listed.

18 THE COURT: Because, you know, when you -- when there's an objection,
19 I have no way of seeing the underlying order because it's never filed. And
20 I don't have access to anything, so. All right. So Respondent's Request
21 to Modify is hereby denied.

22 THE CLERK: And, Your Honor, I don't see a bench warrant.

23 THE COURT: Okay. There's failure to appear today and provide proof
24 of income and 2015 tax returns.

25 You said that was ordered?

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MS. CLIFFE: I didn't see it. I -- I do see that -- it was ordered. And I do see that in the order after objection, there was a finding, Respondent has the ability to pay. And there is no indication of willful underemployment. And that it just states the return hearing is set for July 13th, at 2016.

THE COURT: That'll stay. July 13th, 2016, at 2:15.

THE CLERK: Yes.

THE COURT: All right. And I'll find that his Request to Modify is denied for failure to appear today and provide proof of income and 2015 tax returns as previously ordered. But I'll keep the temporary in case he comes up with something later. He owes $57,168.39. That's through 1/31/2016. That is a judgment. The Petitioner has the health insurance. If available, that will continue. He has quite a bit of stay jail time. That will also st- be stayed. Okay.

THE CLERK: That's it.

THE COURT: Is that it?

THE MARSHAL: Mm-hm.

THE COURT: Thank you.

(THE PROCEEDING ENDED AT 11:00:27.)

* * * * *

ATTEST: I do hereby certify that I have truly and correctly transcribed the digital proceedings in the above-entitled case to the best of my ability.

Sherry Justice

SHERRY JUSTICE,
Transcriber II

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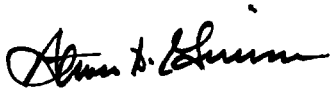

CLERK OF THE COURT

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,	)	Case No. R-11-162425-R
vs.	)	Department No. CHILD SUPPORT
Michael Foley, Respondent.	)	

MASTER'S RECOMMENDATION

This matter having been heard on MAY 17, 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 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 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

Arrears/Obligation period is _____ through 01/31/2016.
Arrears, Interest & Penalties calculated through 01/31/2016 by audit. For accounting purposes next payment falls due 02/01/2016.

child support arrearage of	$41,430.21	plus interest of	$6,620.31	penalty of	$4,847.82
medical support arrearage of	$3,555.00	plus interest of	$367.45	penalty of	$347.60
spousal support arrearage of		plus interest of			
medical expense arrearage of					
genetic test costs of					
total arrearages of	$44,985.21	total interest	$6,987.76	total penalty	$5,195.42

GRAND TOTAL (arrearages + interest + penalty) = **$57,168.39**

☐ 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.

☐

$ 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 16 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

Sentence of 25 days in the Clark County Detention Center issued 07/09/15 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:

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)

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☐ 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.

* *

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)

CASE NO. R-11-162425-R

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

Last payment-8/2014. Respondent's request to modify is hereby DENIED for his failure to appear today and provide proof of income and 2015 tax returns as previously ordered.

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: MAY 17, 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

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

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

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FILED
FEB - 7 2017
CLERK OF COURT

TRANS

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EIGHTH JUDICIAL DISTRICT COURT

FAMILY DIVISION

CLARK COUNTY, NEVADA

PATRICIA FOLEY, Petitioner,	)	CASE NO. R-11-162425-R DEPT. C
vs.	)	
MICHAEL A. FOLEY, Respondent.	)	**APPEAL NO. 69997**

BEFORE THE HONORABLE ELLIOT YUG

TRANSCRIPT RE: REVIEW - HM

WEDNESDAY, JULY 13, 2016

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1 APPEARANCES:

2 For the Public by DAFS — KAREN CLIFFE, ESQ.
Chief Deputy D.A. - Family Support
3 1900 E. Flamingo Rd., #100
Las Vegas, Nevada 89119
4

5 The Petitioner: — PATRICIA FOLEY (Not present)
For the Petitioner: — Pro se
6

7 The Respondent: — MICHAEL FOLEY (Not present)
For the Respondent: — Pro se
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LAS VEGAS, NEVADA WEDNESDAY, JULY 13, 2016

P R O C E E D I N G S

(THE PROCEEDING BEGAN AT 14:36:34.)

THE COURT: This is 24 1, Foley v. Foley, Case Number R-11-162 -- excuse me, R-11-162425. Neither party is present. Last payment was 2014. Okay. And there's an Order to Show Cause.

Madam D.A., I assume you want contempt and a bench warrant.

MS. CLIFFE: Yes, Your Honor. He has not paid since August of 2014. So I am requesting a bench warrant today.

THE COURT: Okay. $2000. And that is because his monthly payments are $833. And he has not made a payment in over a year. Okay. That takes care of Foley.

(THE PROCEEDING ENDED AT 14:37:41.)

* * * * *

ATTEST: I do hereby certify that I have truly and correctly transcribed the digital proceedings in the above-entitled case to the best of my ability.

SHERRY JUSTICE,
Transcriber II

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Electronically Filed
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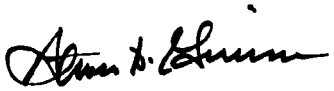

CLERK OF THE COURT

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: June 17, 2015

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 that was filed in this action on or about July 13, 2016, and mailed on July 14, 2016. This OBJECTION is filed pursuant to E.D.C.R. 1.40 out of an abundance of caution, since this lower court has disregarded the jurisdiction and authority of the Nevada Supreme Court, which presently has exclusive jurisdiction over this matter.

This OBJECTION will be filed and hopefully accepted one day *after* the Respondent's first attempts to file it on July 25, 2016.

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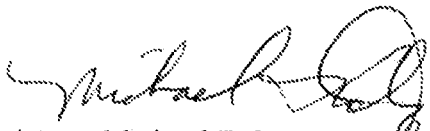
DATED this 25th day of June, 2016.



/s/ Michael Foley /

Michael Foley, Respondent in Pro Per
209 S. Stephanie St. Ste. B-191
Henderson, Nevada 89012
702-771-9725

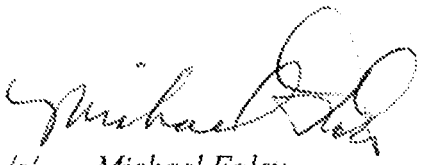
See the attached Appeal Brief, filed on July 14, 2016, in the Nevada Supreme Court.

CERTIFICATE OF MAILING

The foregoing OBJECTION TO HEARING MASTER'S RECOMMENDATION was served upon Respondent Patricia Foley, via first class mail, postage prepaid to:

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

DATED this 26th day of July, 2015.



/s/ Michael Foley /

Michael Foley, Respondent in Pro Per
209 S. Stephanie St. Ste. B-191
Henderson, Nevada 89012
702-771-9725

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EXHIBIT "A"

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IN THE SUPREME COURT OF THE STATE OF NEVADA

Michael Foley

Appellant,

vs.

Patricia Foley

Respondent.

Supreme Court No. 69997

District Court No. R-11-162425

FILED

JUL 19 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY DEPUTY CLERK

APPELLANT'S INFORMAL BRIEF

INSTRUCTIONS: If you are an appellant proceeding pro se (without an attorney) in the Nevada Supreme Court, you must file either (1) a brief that complies with Nevada Rule of Appellate Procedure (NRAP) 28(a), or (2) a completed copy of this informal brief form, *see* NRAP 28(k), with the Nevada Supreme Court on or before the due date, *see* NRAP 31. In civil appeals, if you do not file one of these documents by the due date, the Nevada Supreme Court may dismiss your appeal. In postconviction criminal appeals, if you do not file one of these documents by the due date, the Nevada Supreme Court or Nevada Court of Appeals may decide your appeal on the record without briefing.

HOW TO FILL OUT THIS FORM: This form must be typed, unless you are incarcerated, in which case it must be clearly handwritten. You do not need to refer to legal authority or the district court record. If you are completing your brief on this form, write only in the space allowed on the form. **Additional pages and attachments are not allowed.** If typing an informal brief, you may either use the lined paper contained in this form or an equivalent number of pages of your own paper. Your brief will be stricken if you fail to follow the directions in this form and the Nevada Rules of Appellate Procedure.

WHERE TO FILE THE BRIEF: You may file your brief in person or by mail.

To file your brief in person: Bring the brief to the Clerk's Office at the Supreme Court of Nevada, 201 South Carson Street, Carson City, Nevada, or at the Regional Justice Center Clerk's Office (Drop Box), 200 Lewis Street, 17th Floor, Las Vegas, Nevada. You can file your brief Monday through Friday, 8:00 a.m. to 4:00 p.m.

RECEIVED
JUL 18 2016
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

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To file your brief by mail: Mail the brief to the Clerk of the Supreme Court of Nevada, 201 South Carson Street, Carson City, Nevada 89701. **Your brief must be postmarked on or before the due date.**

You must file the original brief and 1 copy with the clerk of the Nevada Supreme Court. If you want the clerk to return a file-stamped copy of your brief, you must file the original form and 2 copies and include a self-addressed, stamped envelope. Documents cannot be faxed or emailed to the Supreme Court Clerk's Office.

Copies of the brief must be mailed or delivered to the other parties to this appeal or to the parties' attorneys, if they have attorneys. You must also include a proper certificate of service or complete the certificate that is attached to the informal brief form.

CAUTION: Pro se parties are prohibited from representing other parties. A pro se party may not complete a brief on behalf of other parties. Pro se parties may collaborate on their briefs, however, provided that if one brief is submitted on behalf of multiple pro se parties, each party must sign and date the brief to confirm that he or she has participated in the preparation of the brief and, by his or her signature, joins in the arguments and representations contained therein.

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Judgment or Order You Are Appealing. List the judgment or order that you are appealing from and the date that the judgment or order was filed in the district court.

Filed Date	Name of Judgment or Order
February 8, 2016	Notice of Entry of "Order/Judgment" (
February 22, 2016	Notice of Entry of (Amended?) Order/Judgment (

Notice of Appeal. Give the date you filed your notice of appeal in the district court: March 9, March 14 (rejected), March 17, 2016 (accepted after much resistance)

Related Cases. List all other court cases related to this case. Provide the case number, title of the case and name of the court where the case was filed.

Case No.	Case Title	Name of Court
D-08-403071-D	Foley v. Foley	8th District - Clark County

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Pro Bono Counsel. Would you be interested in having pro bono counsel assigned to represent you in this appeal?

☒ Yes ☐ No

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NOTE: If the court determines that your case may be appropriate for having pro bono counsel assigned, an appropriate order will be entered. Assignment of pro bono counsel is not automatic.

Statement of Facts. Explain the facts of your case. (Your answer must be provided in the space allowed.)

This case arises from a divorce action that was filed by the Petitioner in the lower court action, case No. R-11-162425-R, which appears to be a derivative action that violates NRCP 7(a), which prohibits the filing pleadings other than complaints, answers, replies, cross-claims, and answers thereto for every action. The Appellant complains to this Court that the District Court does NOT follow the Eighth District Court Rules, nor does it follow the NRCP with regard to how the powers of child support hearing masters are to be limited under said rules, and that because the District Court does not follow the U.S.

Constitution, nor does it follow the Constitution of the State of Nevada, which specifically prohibits imprisonment for debts, other than for fraud, libel or slander. There IS NO EXCEPTION for child support, although the District Court does in fact imprison indigent litigants who are unable to pay child support debts, and this is a violation of the 14th Amendment to the U.S. Constitution, as interpreted by the U.S. Supreme Court in the case Turner v. Rogers, 564 U.S. 431 (2011). The District Court is complicit in a major fraud perpetrated by Clark County District Attorney Steven Wolfson, who is raiding the U.S. Taxpayers' Social Security fund, by making countless false claims pursuant to Title IV-D of the Social Security Act. As of the year 2014, DA Wolfson collect nearly $19 million dollars from this fund by violating the liberty rights of mostly fathers who are unable to meet child support obligations that have been imposed upon them in custody and divorce actions, as well as actions for support in the family division of the 8th District Court. Since the year 2008, this Appellant has suffered fraud after fraud by the District Attorney and his deputies. First, the Appellee Patricia Foley was compelled by the DA to divorce the Appellant when she was facing bad check charges stemming from her gambling addiction. Patricia was manipulated and controlled by the Appellant's evil sister Michelle Pont, who, with Clark County DFS, created a false CPS case against the Appellant, as part of a massive and elaborate scheme to defraud the Appellant of his family, children and property. This controversy is being litigated in Federal Court, and is now before the 9th Circuit Court of Appeals. Briefing in that appeal ended more than a year ago, and a decision is not expected for several more months. Meanwhile, the Appellant has been substantially disabled from having normal employment because Clark County DFS decided to deprive him of due process, and place his name in a State registry that substantially prevents him from returning to his prior work as a technology profession working for Cox Communications in Las Vegas. The government of the County and State is opposed to the Appellant having a driver's license, a real estate license, or any other professional business license until such time that the Appellant pays the Appellee a sum

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of no less than $2,000. As the record shows, the "child support" court has compelled the Appellant to pay this very high sum in order for him to maintain his freedom. This is absolutely contrary to the designs of our founding fathers, who authored our Constitution, the very precious document that made Nevada a State, and that actually freed the black slaves of 1863, with the passage of the 14 Amendment to the U.S. Constitution. Ironically, the District Court's blatant disregard for said constitutional amendment results in the arrest and false imprisonment of many, many African-American Nevada citizens, who are necessarily citizens of the United States, and deserving and entitled to the protections of the 14th Amendment as declared by the U.S. Supreme Court in Turner v. Rogers (2011). If the Court views the video transcript of the lower court proceedings, it will find that the hearing masters are exercising powers against this appellant, and MANY other citizens mostly of African-American heritage, that the masters simply do not have. Now that the District and this Supreme Court recognizes the Appellants indigence, justice might be delivered at long last.

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Statement of District Court Error. Explain why you believe the district court was wrong. Also state what action you want the Nevada Supreme Court to take. (Your answer must be provided in the space allowed).

First, E.D.C.R. requires that the child support masters meet with the Presiding judge of Family Division of the 8th District Court. If that rule was being followed, and if the Presiding Judge was doing his or her job, these "Master's Recommendations" would be getting reviewed by said Presiding Judge, and said judge would be either approving, denying, or modifying said Masters' Recommendations prior to their filing in the District Court docket. That simply is NEVER happening in the 8th District. The child support hearing masters have assumed the power of the District Court judges, with the non-objection of the Presiding Judge, and therefore, the elected District Court judges seldom, if EVER have to sign their names to these unconstitutional "recommendations" to incarcerate poor citizens who don't have the means to pay domestic judgments. This fraud continues

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without ANY action by this or any Court because there are millions of dollars and scores of jobs at stake if the U.S. Constitution were followed, applied, observed or enforced. A jurist with above-average intelligence would be able to deduce that the Courts must necessarily appoint legal counsel for unrepresented respondents in these hearings. The hearing masters are threatening and actually imposing and ORDERING that jail sentences be carried out by the local Clark County Sheriff. Sheriff Lombardo is also violating the Appellant's and every other child support respondent's right to due process and equal protection and justice under the laws because he and his predecessors are not just arresting, but hand-cuffing and depriving of personal liberty individuals like the Appellant, in violation of NRS 22.140. In no other "civil" action is a party lawfully hand-cuffed and jailed when he or she is the subject of a "civil" bench warrant. See NRS 22.140. "the officer shall not confine a person arrested upon the warrant in a prison, or otherwise restrain him or her of personal liberty, except so far as may be necessary to secure his or her personal attendance." NEVER has it been necessary to hand-cuff this Appellant or confine him in a prison, Clark County Detention Center (NRS 208.075), because he has never refused a command given to him by a peace officer. He has no record of resisting arrest, and no record of obstructing justice, yet he is treated like a criminal, actually worse, because convicted criminals have the right to appeal at no cost. Under the regime of Clark County District Attorney Steven Wolfson, civil defendants are purposely arrested, hand-cuffed and imprisoned for no less than 3 days before they get a hearing, despite the law that says under NRS 22, such litigants must not be confined in a prison, or otherwise deprived of personal liberty. The only exception to this protection is that an officer may deprive a person of personal liberty and confine him in a prison if he or she physically resists the officer's command to go to court with him, and/or he or she tries to evade the warrant by refusing to get into the officer's vehicle and peaceably proceed to court to attend to the civil matter that awaits the subject's atendance and participation. These civil rights violations occur on a daily basis because the District

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Court is complicit with the District Attorney's objectives to maximize incentive dollars under 42 U.S.C. 658a. If the District Court followed E.D.C.R. 1.31(b)(5)(ii), then the DA would NOT be able to crank out nearly as many cases, as each of the dozens of Masters' recommendations would actually have to be read by the Presiding Judge, and there is only one Presiding Judge, so it just cannot be done the correct, lawful and constitutional way if the DA is going to meet and exceed his goals and previous year records that earn him awards and recognition for collecting better than any other Child Support Enforcement entity in the nation. One need only Google the terms Steven Wolfson and "Child Support" to find that he is the recipient of a number of awards for his outstanding success collecting child support debts. Well of course he is going to be more successful than other authorities that follow the law. If or when this Court views not just the video transcript of this Appellant's proceedings, but also of the proceedings of the litigants who were heard before and after him, the Court would see that the Appellant's fellow debtor-prisoners were treated just as harshly, and very much as though they were characters in a Charles Dickens novel like Oliver Twist. The Deputy District Attorneys who shamelessly represent the mothers (primary custodial parents) in these hearing are ruthless. They demand that the debtor-prisoners contact their friends and relatives to beg that they be lent money so that they can get the money they seek, and threaten us debtor-prisoners with continued incarceration if we are unsuccessful in begging or borrowing enough money to be released from Clark County's unlawful, unconsitutional and archaic debtors' prison. This status quo will not likely be ruled unconstitutional by this Court because there is simply too many millions of dollars at stake, and too many jobs that will have to be eliminated by the District Attorney if he were to follow the Constitutions, and NOT prosecute and seek imprisonment of unrepresented debtors. IF the District Court would follow the U.S. Constitution, and the authority mandated by the U.S. Supreme Court in Turner v. Rogers, then the District Attorney (and money-hungry divorcees) would not get nearly as much money as they get now. The divorce industry

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would falter because there would no longer be that satisfaction that is sought by many, which is to incarcerate ex-spouses if they don't pay. If this paradigm were an experiment by social and population-controlling engineers, the model in Clark County would be the one to follow because not only has the Appellant's 15-year-old son decided that he is never going to have children, likewise at least one of the agents who last arrested this Appellant is resigned to never having children, due to the inherent risks created by corrupt District Attorney Steven Wolfson and his accomplices within the 8th District Court. The District Attorney and his accomplices are undeniably corrupt because they are well educated in the law, and despite recent Supreme Court rulings, particularly Turner, they continue to not just prosecute and seek unlawful imprisonment of innocent, non-threatening citizens like this Appellant, they INTIMIDATE and OBLIGATE WOMEN to divorce their husbands every chance they get, whether it is a supposed domestic violence situation, or as in the Appellant's wife's case, bad check activity that could either be prosecuted according to criminal statute, or CONVERTED to a civil domestic action that will necessarily lead to a stream of child support incentive revenues for years and years. This Court MUST vacate the lower Court's judgment, but probably won't, just to maintain the status quo and multi-million dollar federal cash flow in Clark County.

DATED this 14th day of July, 2016.

Signature of Appellant

Michael Foley

Print Name of Appellant

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CERTIFICATE OF SERVICE

I certify that on the date indicated below, I served a copy of this completed informal brief form upon all parties to the appeal as follows:

☐ By personally serving it upon him/her; or

☒ By mailing it by first-class mail with sufficient postage prepaid to the following address(es) (list names and address(es) of parties served):

Patricia Foley 8937 Austin Ridge Ave Las Vegas, Nevada 89178

Vanita Gupta
Principal Deputy Assistant Attorney General
Civil Rights Division

950 Pennsylvania Avenue, N.W.
Office of the Assistant Attorney General, Main
Washington, D.C. 20530

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DATED this 14th day of July, 2016.

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Signature of Appellant

Michael Foley
Print Name of Appellant

209 S. Stephanie St. Ste B-191
Address

Henderson, NV 89012
City/State/Zip

702-771-9725
Telephone

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EXHIBIT "1"

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U.S. Department of Justice

Civil Rights Division

Office for Access to Justice

Washington, D.C. 20530

March 14, 2016

Dear Colleague:

The Department of Justice ("the Department") is committed to assisting state and local courts in their efforts to ensure equal justice and due process for all those who come before them. In December 2015, the Department convened a diverse group of stakeholders—judges, court administrators, lawmakers, prosecutors, defense attorneys, advocates, and impacted individuals—to discuss the assessment and enforcement of fines and fees in state and local courts. While the convening made plain that unlawful and harmful practices exist in certain jurisdictions throughout the country, it also highlighted a number of reform efforts underway by state leaders, judicial officers, and advocates, and underscored the commitment of all the participants to continue addressing these critical issues. At the meeting, participants and Department officials also discussed ways in which the Department could assist courts in their efforts to make needed changes. Among other recommendations, participants called on the Department to provide greater clarity to state and local courts regarding their legal obligations with respect to fines and fees and to share best practices. Accordingly, this letter is intended to address some of the most common practices that run afoul of the United States Constitution and/or other federal laws and to assist court leadership in ensuring that courts at every level of the justice system operate fairly and lawfully, as well as to suggest alternative practices that can address legitimate public safety needs while also protecting the rights of participants in the justice system.

Recent years have seen increased attention on the illegal enforcement of fines and fees in certain jurisdictions around the country—often with respect to individuals accused of misdemeanors, quasi-criminal ordinance violations, or civil infractions.[1] Typically, courts do not sentence defendants to incarceration in these cases; monetary fines are the norm. Yet the harm

[1] *See, e.g.*, Civil Rights Division, U.S. Department of Justice, *Investigation of the Ferguson Police Department* (Mar. 4, 2015), http://www.justice.gov/crt/about/spl/documents/ferguson_findings_3-4-15.pdf (finding that the Ferguson, Missouri, municipal court routinely deprived people of their constitutional rights to due process and equal protection and other federal protections); Brennan Center for Justice, *Criminal Justice Debt: A Barrier to Reentry* (2010), *available at* http://www.brennancenter.org/sites/default/files/legacy/Fees%20and%20Fines%20FINAL.pdf (reporting on fine and fee practices in fifteen states); American Civil Liberties Union, *In for a Penny: The Rise of America's New Debtors' Prisons* (2010), *available at* https://www.aclu.org/files/assets/InForAPenny_web.pdf (discussing practices in Louisiana, Michigan, Ohio, Georgia, and Washington state).

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caused by unlawful practices in these jurisdictions can be profound. Individuals may confront escalating debt; face repeated, unnecessary incarceration for nonpayment despite posing no danger to the community[2]; lose their jobs; and become trapped in cycles of poverty that can be nearly impossible to escape.[3] Furthermore, in addition to being unlawful, to the extent that these practices are geared not toward addressing public safety, but rather toward raising revenue, they can cast doubt on the impartiality of the tribunal and erode trust between local governments and their constituents.[4]

To help judicial actors protect individuals' rights and avoid unnecessary harm, we discuss below a set of basic constitutional principles relevant to the enforcement of fines and fees. These principles, grounded in the rights to due process and equal protection, require the following:

(1) Courts must not incarcerate a person for nonpayment of fines or fees without first conducting an indigency determination and establishing that the failure to pay was willful;

(2) Courts must consider alternatives to incarceration for indigent defendants unable to pay fines and fees;

(3) Courts must not condition access to a judicial hearing on the prepayment of fines or fees;

(4) Courts must provide meaningful notice and, in appropriate cases, counsel, when enforcing fines and fees;

(5) Courts must not use arrest warrants or license suspensions as a means of coercing the payment of court debt when individuals have not been afforded constitutionally adequate procedural protections;

(6) Courts must not employ bail or bond practices that cause indigent defendants to remain incarcerated solely because they cannot afford to pay for their release; and

(7) Courts must safeguard against unconstitutional practices by court staff and private contractors.

In court systems receiving federal funds, these practices may also violate Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, when they unnecessarily impose disparate harm on the basis of race or national origin.

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[2] Nothing in this letter is intended to suggest that courts may not preventively detain a defendant pretrial in order to secure the safety of the public or appearance of the defendant.

[3] *See* Council of Economic Advisers, Issue Brief, *Fines, Fees, and Bail: Payments in the Criminal Justice System that Disproportionately Impact the Poor*, at 1 (Dec. 2015), *available at* https://www.whitehouse.gov/sites/default/files/page/files/1215_cea_fine_fee_bail_issue_brief.pdf (describing the disproportionate impact on the poor of fixed monetary penalties, which "can lead to high levels of debt and even incarceration for failure to fulfil a payment" and create "barriers to successful re-entry after an offense").

[4] *See* Conference of State Court Administrators, 2011-2012 Policy Paper, *Courts Are Not Revenue Centers* (2012), *available at* https://csgjusticecenter.org/wp-content/uploads/2013/07/2011-12-COSCA-report.pdf.

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As court leaders, your guidance on these issues is critical. We urge you to review court rules and procedures within your jurisdiction to ensure that they comply with due process, equal protection, and sound public policy. We also encourage you to forward a copy of this letter to every judge in your jurisdiction; to provide appropriate training for judges in the areas discussed below; and to develop resources, such as bench books, to assist judges in performing their duties lawfully and effectively. We also hope that you will work with the Justice Department, going forward, to continue to develop and share solutions for implementing and adhering to these principles.

1. Courts must not incarcerate a person for nonpayment of fines or fees without first conducting an indigency determination and establishing that the failure to pay was willful.

The due process and equal protection principles of the Fourteenth Amendment prohibit "punishing a person for his poverty." *Bearden v. Georgia*, 461 U.S. 660, 671 (1983). Accordingly, the Supreme Court has repeatedly held that the government may not incarcerate an individual solely because of inability to pay a fine or fee. In *Bearden*, the Court prohibited the incarceration of indigent probationers for failing to pay a fine because "[t]o do otherwise would deprive the probationer of his conditional freedom simply because, through no fault of his own, he cannot pay the fine. Such a deprivation would be contrary to the fundamental fairness required by the Fourteenth Amendment." *Id.* at 672-73; *see also Tate v. Short*, 401 U.S. 395, 398 (1971) (holding that state could not convert defendant's unpaid fine for a fine-only offense to incarceration because that would subject him "to imprisonment solely because of his indigency"); *Williams v. Illinois*, 399 U.S. 235, 241-42 (1970) (holding that an indigent defendant could not be imprisoned longer than the statutory maximum for failing to pay his fine). The Supreme Court recently reaffirmed this principle in *Turner v. Rogers*, 131 S. Ct. 2507 (2011), holding that a court violates due process when it finds a parent in civil contempt and jails the parent for failure to pay child support, without first inquiring into the parent's ability to pay. *Id.* at 2518-19.

To comply with this constitutional guarantee, state and local courts must inquire as to a person's ability to pay prior to imposing incarceration for nonpayment. Courts have an affirmative duty to conduct these inquiries and should do so sua sponte. *Bearden*, 461 U.S. at 671. Further, a court's obligation to conduct indigency inquiries endures throughout the life of a case. *See id.* at 662-63. A probationer may lose her job or suddenly require expensive medical care, leaving her in precarious financial circumstances. For that reason, a missed payment cannot itself be sufficient to trigger a person's arrest or detention unless the court first inquires anew into the reasons for the person's non-payment and determines that it was willful. In addition, to minimize these problems, courts should inquire into ability to pay at sentencing, when contemplating the assessment of fines and fees, rather than waiting until a person fails to pay.

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Under *Bearden*, standards for indigency inquiries must ensure fair and accurate assessments of defendants' ability to pay. Due process requires that such standards include both notice to the defendant that ability to pay is a critical issue, and a meaningful opportunity for the defendant to be heard on the question of his or her financial circumstances. *See Turner*, 131 S. Ct. at 2519-20 (requiring courts to follow these specific procedures, and others, to prevent unrepresented parties from being jailed because of financial incapacity). Jurisdictions may benefit from creating statutory presumptions of indigency for certain classes of defendants—for example, those eligible for public benefits, living below a certain income level, or serving a term of confinement. *See, e.g.*, R.I. Gen. Laws § 12-20-10 (listing conditions considered "prima facie evidence of the defendant's indigency and limited ability to pay," including but not limited to "[q]ualification for and/or receipt of" public assistance, disability insurance, and food stamps).

2. Courts must consider alternatives to incarceration for indigent defendants unable to pay fines and fees.

When individuals of limited means cannot satisfy their financial obligations, *Bearden* requires consideration of "alternatives to imprisonment." 461 U.S. at 672. These alternatives may include extending the time for payment, reducing the debt, requiring the defendant to attend traffic or public safety classes, or imposing community service. *See id.* Recognizing this constitutional imperative, some jurisdictions have codified alternatives to incarceration in state law. *See, e.g.*, Ga. Code Ann. § 42-8-102(f)(4)(A) (2015) (providing that for "failure to report to probation or failure to pay fines, statutory surcharges, or probation supervision fees, the court shall consider the use of alternatives to confinement, including community service"); *see also Tate*, 401 U.S. at 400 n.5 (discussing effectiveness of fine payment plans and citing examples from several states). In some cases, it will be immediately apparent that a person is not and will not likely become able to pay a monetary fine. Therefore, courts should consider providing alternatives to indigent defendants not only after a failure to pay, but also in lieu of imposing financial obligations in the first place.

Neither community service programs nor payment plans, however, should become a means to impose greater penalties on the poor by, for example, imposing onerous user fees or interest. With respect to community service programs, court officials should consider delineating clear and consistent standards that allow individuals adequate time to complete the service and avoid creating unreasonable conflicts with individuals' work and family obligations. In imposing payment plans, courts should consider assessing the defendant's financial resources to determine a reasonable periodic payment, and should consider including a mechanism for defendants to seek a reduction in their monthly obligation if their financial circumstances change.

3. Courts must not condition access to a judicial hearing on prepayment of fines or fees.

State and local courts deprive indigent defendants of due process and equal protection if they condition access to the courts on payment of fines or fees. *See Boddie v. Connecticut*, 401 U.S. 371, 374 (1971) (holding that due process bars states from conditioning access to

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compulsory judicial process on the payment of court fees by those unable to pay); *see also Tucker v. City of Montgomery Bd. of Comm'rs*, 410 F. Supp. 494, 502 (M.D. Ala. 1976) (holding that the conditioning of an appeal on payment of a bond violates indigent prisoners' equal protection rights and "'has no place in our heritage of Equal Justice Under Law'" (citing *Burns v. Ohio*, 360 U.S. 252, 258 (1959)).[5]

This unconstitutional practice is often framed as a routine administrative matter. For example, a motorist who is arrested for driving with a suspended license may be told that the penalty for the citation is $300 and that a court date will be scheduled only upon the completion of a $300 payment (sometimes referred to as a prehearing "bond" or "bail" payment). Courts most commonly impose these prepayment requirements on defendants who have failed to appear, depriving those defendants of the opportunity to establish good cause for missing court. Regardless of the charge, these requirements can have the effect of denying access to justice to the poor.

4. Courts must provide meaningful notice and, in appropriate cases, counsel, when enforcing fines and fees.

"An elementary and fundamental requirement of due process in any proceeding which is to be accorded finality is notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections." *Mullane v. Cent. Hanover Bank & Trust Co.*, 339 U.S. 306, 314-15 (1950); *see also Turner*, 131 S. Ct. at 2519 (discussing the importance of notice in proceedings to enforce a child support order). Thus, constitutionally adequate notice must be provided for even the most minor cases. Courts should ensure that citations and summonses adequately inform individuals of the precise charges against them, the amount owed or other possible penalties, the date of their court hearing, the availability of alternate means of payment, the rules and procedures of court, their rights as a litigant, or whether in-person appearance is required at all. Gaps in this vital information can make it difficult, if not impossible, for defendants to fairly and expeditiously resolve their cases. And inadequate notice can have a cascading effect, resulting in the defendant's failure to appear and leading to the imposition of significant penalties in violation of the defendant's due process rights.

Further, courts must ensure defendants' right to counsel in appropriate cases when enforcing fines and fees. Failing to appear or to pay outstanding fines or fees can result in incarceration, whether through the pursuit of criminal charges or criminal contempt, the imposition of a sentence that had been suspended, or the pursuit of civil contempt proceedings. The Sixth Amendment requires that a defendant be provided the right to counsel in any criminal proceeding resulting in incarceration, *see Scott v. Illinois*, 440 U.S. 367, 373 (1979); *Argersinger v. Hamlin*, 407 U.S. 25, 37 (1972), and indeed forbids imposition of a suspended jail sentence on a probationer who was not afforded a right to counsel when originally convicted and sentenced,

[5] The Supreme Court reaffirmed this principle in *Little v. Streater*, 452 U.S. 1, 16-17 (1981), when it prohibited conditioning indigent persons' access to blood tests in adversarial paternity actions on payment of a fee, and in *M.L.B. v. S.L.J.*, 519 U.S. 102, 107 (1996), when it prohibited charging filing fees to indigent persons seeking to appeal from proceedings terminating their parental rights.

see Alabama v. Shelton, 535 U.S. 654, 662 (2002). Under the Fourteenth Amendment, defendants likewise may be entitled to counsel in civil contempt proceedings for failure to pay fines or fees. *See Turner*, 131 S. Ct. at 2518-19 (holding that, although there is no automatic right to counsel in civil contempt proceedings for nonpayment of child support, due process is violated when neither counsel nor adequate alternative procedural safeguards are provided to prevent incarceration for inability to pay).[6]

5. Courts must not use arrest warrants or license suspensions as a means of coercing the payment of court debt when individuals have not been afforded constitutionally adequate procedural protections.

The use of arrest warrants as a means of debt collection, rather than in response to public safety needs, creates unnecessary risk that individuals' constitutional rights will be violated. Warrants must not be issued for failure to pay without providing adequate notice to a defendant, a hearing where the defendant's ability to pay is assessed, and other basic procedural protections. *See Turner*, 131 S. Ct. at 2519; *Bearden*, 461 U.S. at 671-72; *Mullane*, 339 U.S. at 314-15. When people are arrested and detained on these warrants, the result is an unconstitutional deprivation of liberty. Rather than arrest and incarceration, courts should consider less harmful and less costly means of collecting justifiable debts, including civil debt collection.[7]

In many jurisdictions, courts are also authorized—and in some cases required—to initiate the suspension of a defendant's driver's license to compel the payment of outstanding court debts. If a defendant's driver's license is suspended because of failure to pay a fine, such a suspension may be unlawful if the defendant was deprived of his due process right to establish inability to pay. *See Bell v. Burson*, 402 U.S. 535, 539 (1971) (holding that driver's licenses "may become essential in the pursuit of a livelihood" and thus "are not to be taken away without that procedural due process required by the Fourteenth Amendment"); *cf. Dixon v. Love*, 431 U.S. 105, 113-14 (1977) (upholding revocation of driver's license after conviction based in part on the due process provided in the underlying criminal proceedings); *Mackey v. Montrym*, 443 U.S. 1, 13-17 (1979) (upholding suspension of driver's license after arrest for driving under the influence and refusal to take a breath-analysis test, because suspension "substantially served" the government's interest in public safety and was based on "objective facts either within the personal knowledge of an impartial government official or readily ascertainable by him," making the risk of erroneous deprivation low). Accordingly, automatic license suspensions premised on determinations that fail to comport with *Bearden* and its progeny may violate due process.

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[6] *Turner*'s ruling that the right to counsel is not automatic was limited to contempt proceedings arising from failure to pay child support to a custodial parent who is unrepresented by counsel. *See* 131 S. Ct. at 2512, 2519. The Court explained that recognizing such an automatic right in that context "could create an asymmetry of representation." *Id.* at 2519. The Court distinguished those circumstances from civil contempt proceedings to recover funds due to the government, which "more closely resemble debt-collection proceedings" in which "[t]he government is likely to have counsel or some other competent representative." *Id.* at 2520.

[7] Researchers have questioned whether the use of police and jail resources to coerce the payment of court debts is cost-effective. *See, e.g.*, Katherine Beckett & Alexes Harris, *On Cash and Conviction: Monetary Sanctions as Misguided Policy*, 10 CRIMINOLOGY & PUB. POL'Y 505, 527-28 (2011). This strategy may also undermine public safety by diverting police resources and stimulating public distrust of law enforcement.

Even where such suspensions are lawful, they nonetheless raise significant public policy concerns. Research has consistently found that having a valid driver's license can be crucial to individuals' ability to maintain a job, pursue educational opportunities, and care for families.[8] At the same time, suspending defendants' licenses decreases the likelihood that defendants will resolve pending cases and outstanding court debts, both by jeopardizing their employment and by making it more difficult to travel to court, and results in more unlicensed driving. For these reasons, where they have discretion to do so, state and local courts are encouraged to avoid suspending driver's licenses as a debt collection tool, reserving suspension for cases in which it would increase public safety.[9]

6. Courts must not employ bail or bond practices that cause indigent defendants to remain incarcerated solely because they cannot afford to pay for their release.

When indigent defendants are arrested for failure to make payments they cannot afford, they can be subjected to another independent violation of their rights: prolonged detention due to unlawful bail or bond practices. Bail that is set without regard to defendants' financial capacity can result in the incarceration of individuals not because they pose a threat to public safety or a flight risk, but rather because they cannot afford the assigned bail amount.

As the Department of Justice set forth in detail in a federal court brief last year, and as courts have long recognized, any bail practices that result in incarceration based on poverty violate the Fourteenth Amendment. *See* Statement of Interest of the United States, *Varden v. City of Clanton*, No. 2:15-cv-34-MHT-WC, at 8 (M.D. Ala., Feb. 13, 2015) (citing *Bearden*, 461 U.S. at 671; *Tate*, 401 U.S. at 398; *Williams*, 399 U.S. at 240-41).[10] Systems that rely primarily on secured monetary bonds without adequate consideration of defendants' financial means tend to result in the incarceration of poor defendants who pose no threat to public safety solely because they cannot afford to pay.[11] To better protect constitutional rights while ensuring defendants' appearance in court and the safety of the community, courts should consider transitioning from a system based on secured monetary bail alone to one grounded in objective risk assessments by pretrial experts. *See, e.g.*, D.C. Code § 23-1321 (2014); Colo. Rev. Stat. 16-

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[8] *See, e.g.*, Robert Cervero, et al., *Transportation as a Stimulus of Welfare-to-Work: Private versus Public Mobility*, 22 J. PLAN. EDUC. & RES. 50 (2002); Alan M. Voorhees, et al., *Motor Vehicles Affordability and Fairness Task Force: Final Report*, at xii (2006), *available at* http://www.state.nj.us/mvc/pdf/About/AFTF_final_02.pdf (a study of suspended drivers in New Jersey, which found that 42% of people lost their jobs as a result of the driver's license suspension, that 45% of those could not find another job, and that this had the greatest impact on seniors and low-income individuals).

[9] *See* Am. Ass'n of Motor Veh. Adm'rs, *Best Practices Guide to Reducing Suspended Drivers*, at 3 (2013), *available at* http://www.aamva.org/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=3723&libID=3709 (recommending that "legislatures repeal state laws requiring the suspension of driving privileges for non-highway safety related violations" and citing research supporting view that fewer driver suspensions for non-compliance with court requirements would increase public safety).

[10] The United States' Statement of Interest in *Varden* is available at http://www.justice.gov/sites/default/files/opa/pressreleases/attachments/2015/02/13/varden statement_of_interest.pdf.

[11] *See supra* Statement of the United States, *Varden*, at 11 (citing Timothy R. Schnacke, U.S. Department of Justice, National Institute of Corrections, FUNDAMENTALS OF BAIL: A RESOURCE GUIDE FOR PRETRIAL PRACTITIONERS AND A FRAMEWORK FOR AMERICAN PRETRIAL REFORM, at 2 (2014), *available at* http://nicic.gov/library/028360).

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4-104 (2014); Ky. Rev. Stat. Ann. § 431.066 (2015); N.J. S. 946/A1910 (enacted 2015); *see also* 18 U.S.C. § 3142 (permitting pretrial detention in the federal system when no conditions will reasonably assure the appearance of the defendant and safety of the community, but cautioning that "[t]he judicial officer may not impose a financial condition that results in the pretrial detention of the person").

7. Courts must safeguard against unconstitutional practices by court staff and private contractors.

In many courts, especially those adjudicating strictly minor or local offenses, the judge or magistrate may preside for only a few hours or days per week, while most of the business of the court is conducted by clerks or probation officers outside of court sessions. As a result, clerks and other court staff are sometimes tasked with conducting indigency inquiries, determining bond amounts, issuing arrest warrants, and other critical functions—often with only perfunctory review by a judicial officer, or no review at all. Without adequate judicial oversight, there is no reliable means of ensuring that these tasks are performed consistent with due process and equal protection. Regardless of the size of the docket or the limited hours of the court, judges must ensure that the law is followed and preserve "both the appearance and reality of fairness, generating the feeling, so important to a popular government, that justice has been done." *Marshall v. Jerrico, Inc.*, 446 U.S. 238, 242 (1980) (internal quotation marks omitted); *see also* American Bar Association, MODEL CODE OF JUDICIAL CONDUCT, Canon 2, Rules 2.2, 2.5, 2.12.

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Additional due process concerns arise when these designees have a direct pecuniary interest in the management or outcome of a case—for example, when a jurisdiction employs private, for-profit companies to supervise probationers. In many such jurisdictions, probation companies are authorized not only to collect court fines, but also to impose an array of discretionary surcharges (such as supervision fees, late fees, drug testing fees, etc.) to be paid to the company itself rather than to the court. Thus, the probation company that decides what services or sanctions to impose stands to profit from those very decisions. The Supreme Court has "always been sensitive to the possibility that important actors in the criminal justice system may be influenced by factors that threaten to compromise the performance of their duty." *Young v. U.S. ex rel. Vuitton et Fils S.A.*, 481 U.S. 787, 810 (1987). It has expressly prohibited arrangements in which the judge might have a pecuniary interest, direct or indirect, in the outcome of a case. *See Tumey v. Ohio*, 273 U.S. 510, 523 (1927) (invalidating conviction on the basis of $12 fee paid to the mayor only upon conviction in mayor's court); *Ward v. Village of Monroeville, Ohio*, 409 U.S. 57, 61-62 (1972) (extending reasoning of *Tumey* to cases in which the judge has a clear but not direct interest). It has applied the same reasoning to prosecutors, holding that the appointment of a private prosecutor with a pecuniary interest in the outcome of a case constitutes fundamental error because it "undermines confidence in the integrity of the criminal proceeding." *Young*, 481 U.S. at 811-14. The appointment of a private probation company with a pecuniary interest in the outcome of its cases raises similarly fundamental concerns about fairness and due process.

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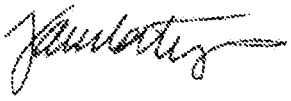
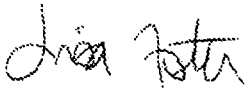
The Department of Justice has a strong interest in ensuring that state and local courts provide every individual with the basic protections guaranteed by the Constitution and other federal laws, regardless of his or her financial means. We are eager to build on the December 2015 convening about these issues by supporting your efforts at the state and local levels, and we look forward to working collaboratively with all stakeholders to ensure that every part of our justice system provides equal justice and due process.

Sincerely,



Vanita Gupta
Principal Deputy Assistant Attorney General
Civil Rights Division



Lisa Foster
Director
Office for Access to Justice

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EXHIBIT "B"

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Details of filing: Objection to Hearing Master's Recommendation
Filed in Case Number: R-11-162425-R

E-File ID: 8415250

Lead File Size: 88573 bytes

Date Filed: 2016-07-25 16:35:30.0

Case Title: R-11-162425-R

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

Filing Title: Objection to Hearing Master's Recommendation

Filing Type: EFO

Filer's Name: Michael Foley

Filer's Email: paraleagle@hotmail.com

Account Name: Walmart

Filing Code: OBJ

Amount: $ 3.50

Court Fee: $ 0.00

Card Fee: $ 0.00

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

Comments: Filed remotely. CLERK, PLEASE NOTE that the filer has been granted in forma pauperis status, therefore no charge for this filing. Thank you.

Courtesy Copies: foley103071@live.com

Firm Name: Michael Foley

Your File Number:

Status: Error - (X)

Date Accepted:

Review Comments:

Reviewer:

File Stamped Copy:

Documents:

Cover Document:		
Lead Document:	OBJECTION TO HEARING MASTERS RECOMMENDATION 7-25-16.pdf	88573 bytes
Attachment # 1:	16-22400.pdf	1037546 bytes

Data Reference ID:

Credit Card Response: **System Response: AR0CD888E681**
Reference:

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EXHIBIT "C"

000342

Details of filing: Objection to Hearing Master's Recommendation
Filed in Case Number: R-11-162425-R

E-File ID: 8415756

Lead File Size: 88573 bytes

Date Filed: 2016-07-25 18:39:18.0

Case Title: R-11-162425-R

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

Filing Title: Objection to Hearing Master's Recommendation

Filing Type: EFO

Filer's Name: Michael Foley

Filer's Email: paraleagle@hotmail.com

Account Name: Kaiku

Filing Code: O80

Amount: $ 3.50

Court Fee: $ 0.00

Card Fee: $ 0.00

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

Comments: IN FORMA PAUPERIS. NO FEE REQUIRED!

Courtesy Copies: foley403071@live.com

Firm Name: Michael Foley

Your File Number:

Status: Error - (X)

Date Accepted:

Review Comments:

Reviewer:

File Stamped Copy:

Documents:
Cover Document:
Lead Document: OBJECTION TO HEARING MASTERS RECOMMENDATION 7-25-16.pdf 88573 bytes
Attachment # 1: 16-22400.pdf 1037546 bytes

Data Reference ID:

Credit Card Response: **System Response: AP0CD6A8758C**
Reference:

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EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. R-11-162425-R

Patricia Foley, Petitioner(s).	§	Location:	**Department C**
vs.	§	Judicial Officer:	**Burton, Rebecca L.**
Michael A Foley, Respondent(s).	§	Hearing Master:	**Teuton, Sylvia**
	§	Filed on:	**05/09/2011**
		Case Number History:	

CASE INFORMATION

Related Cases
D-08-403071-D (Linked - 1J1F)
D-13-486829-U (Related Family Case)
D-14-502988-C (Related Family Case)
T-13-152209-T (Linked - 1J1F)
T-14-159054-T (Related Family Case)

Case Type: **DA - UIFSA**

Case Status: **05/09/2011 Open**

Case Flags: **Order After Hearing Required**
Order / Decree Logged Into Department
Appealed to Supreme Court
In Forma Pauperis Granted

Warrants

Bench Warrant - Foley, Michael A (Judicial Officer: Burton, Rebecca L.)
11/13/2015 8:23 AM Returned - Served
07/09/2015 4:17 PM Issued
06/17/2015 9:00 AM Pending
Fine: $0
Bond: $0

Bench Warrant - Foley, Michael A (Judicial Officer: Burton, Rebecca L.)
04/10/2015 10:42 AM Returned - Served
02/19/2015 3:41 PM Issued
01/29/2015 4:39 PM Pending
Fine: $0
Bond: $0

Bench Warrant - Foley, Michael A (Judicial Officer: Jones, Steven E)
08/07/2014 12:41 PM Returned - Served
03/12/2014 11:09 AM Issued
02/19/2014 9:00 AM Pending
Fine: $0
Bond: $0

Bench Warrant - Foley, Michael A (Judicial Officer: Jones, Steven E)
10/28/2013 4:35 PM Returned - Served
09/19/2012 4:17 PM Issued
08/28/2012 9:00 AM Pending
Fine: $0
Bond: $0

Bench Warrant - Foley, Michael A (Judicial Officer: Burton, Rebecca L.)
07/14/2016 8:33 AM Pending
Fine: $0
Bond: $0

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DATE — CASE ASSIGNMENT

Current Case Assignment

Case Number	R-11-162425-R
Court	Department C
Date Assigned	01/05/2015
Judicial Officer	Burton, Rebecca L.
Hearing Master	Teuton, Sylvia

PARTY INFORMATION

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. R-11-162425-R

Petitioner	**Foley, Patricia** *8838 Tomnitz AVE* *UNIT 103* *Las Vegas, NV 89187*	
Respondent	**Foley, Michael A** *1122 Milpas AVE* *Las Vegas, NV 89135*	
Subject Minor	**Foley, Elizabeth Anne**	
	Foley, Michael Anthony, Jr.	
	Foley, Therese Marie	
Other	**Public by DAFS** *1900 E Flamingo RD* *STE 100* *Las Vegas, NV 89119-5168*	**Wolfson, Steven B** *Retained* 702-671-9200(W)

DATE	EVENTS & ORDERS OF THE COURT
	EVENTS
05/09/2011	Notice and Finding: Financial Responsibility *Notice and Finding of Financial Responsibility to Enforce, Adjust and/or Register an Existing Order, Determine Controlling Order, Establish an Obligation or Determine Paternity*
03/01/2012	Order to Show Cause *Order to Show Cause Why Respondent Should Not Be Found in Contempt and Order Appointing Child Support Master*
03/01/2012	Declaration in Support of Order to Show Cause *Declaration in Support of Order to Show Cause Why Respondent Should Not Be Found in Contempt*
03/01/2012	Declaration of Service Filed by: Other Public by DAFS For: Respondent Foley, Michael A
04/25/2012	Notice of Entry of Masters Recommendation *Notice of Entry of Master's Recommendations*
04/26/2012	Notice of Motion Filed by: Other Public by DAFS *District Attorney's Notice of Motion & Motion to Modify Child Support*
05/15/2012	Masters Recommendations and Order *Master's Recommendation*
05/18/2012	Notice of Entry of Order/Judgment Filed by: Other Public by DAFS
08/29/2012	Notice of Entry of Masters Recommendation *Notice of Entry of Master's Recommendations*
09/19/2012	Masters Recommendations and Order *Master's Recommendation*
09/21/2012	Notice of Entry of Order/Judgment Filed by: Other Public by DAFS
04/15/2013	Administrative Reassignment to Department C *Case reassigned from Judge Robert Teuton Dept D*
10/28/2013	Bench Warrant Filed by: Other Public by DAFS

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EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. R-11-162425-R

	Served: Respondent Foley, Michael A
10/31/2013	Notice of Entry of Masters Recommendation *Notice of Entry of Master's Recommendations*
11/21/2013	Masters Recommendations and Order *Master's Recommendation*
11/25/2013	Notice of Entry of Order/Judgment Filed by: Other Public by DAFS
02/19/2014	Notice of Entry of Masters Recommendation *Notice of Entry of Master's Recommendations*
03/12/2014	Masters Recommendations and Order *Master's Recommendation*
03/13/2014	Notice of Entry of Order/Judgment Filed by: Other Public by DAFS
08/07/2014	Bench Warrant Filed by: Other Public by DAFS Served: Respondent Foley, Michael A
08/11/2014	Notice of Entry of Masters Recommendation *Notice of Entry of Master's Recommendations*
08/13/2014	Notice of Entry of Masters Recommendation *Notice of Entry of Master's Recommendations*
08/21/2014	Notice of Motion Filed by: Other Public by DAFS *District Attorney's Notice of Motion & Motion to Modify Child Support*
09/02/2014	Masters Recommendations and Order Filed by: Other Public by DAFS *Master's Recommendation*
09/02/2014	Masters Recommendations and Order Filed by: Other Public by DAFS *Master's Recommendation*
09/04/2014	Notice of Entry of Order/Judgment Filed by: Other Public by DAFS
09/09/2014	Notice of Withdrawal Filed by: Other Public by DAFS *Notice of Withdrawal of Counsel*
09/15/2014	Notice of Entry of Order/Judgment Filed by: Other Public by DAFS
12/08/2014	Response Filed by: Other Public by DAFS *Respondent's Response to the District Attorney's Motion to Modify Child Support*
12/09/2014	Notice of Entry of Masters Recommendation *Notice of Entry of Master's Recommendations*
12/24/2014	Notice of Hearing Filed by: Other Public by DAFS
12/31/2014	Masters Recommendations and Order *Master's Recommendation*
12/31/2014	

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EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. R-11-162425-R

Notice of Entry of Order/Judgment
Filed by: Other Public by DAFS

01/05/2015 Judicial Elections 2014 - Case Reassignment
Family Court Judicial Officer Reassignment 2014

01/29/2015 Notice of Entry of Masters Recommendation
Notice of Entry of Master's Recommendations

02/19/2015 Masters Recommendations and Order
Filed by: Other Public by DAFS
Master's Recommendation

02/25/2015 Notice of Entry of Order/Judgment
Filed by: Other Public by DAFS

04/10/2015 Bench Warrant
Filed by: Other Public by DAFS
Served: Respondent Foley, Michael A

04/16/2015 Notice of Entry of Masters Recommendation
Notice of Entry of Master's Recommendations

05/07/2015 Masters Recommendations and Order
Filed by: Other Public by DAFS
Master's Recommendation

05/15/2015 Notice of Entry of Order/Judgment
Filed by: Other Public by DAFS

06/17/2015 Notice of Entry of Masters Recommendation
Notice of Entry of Master's Recommendations

07/01/2015 Application to Proceed in Forma Pauperis
Filed by: Respondent Foley, Michael A
Application to Proceed Informa Pauperis and Request to File Objection (Sealed)

07/09/2015 Masters Recommendations and Order
Master's Recommendation

07/14/2015 Order to Proceed In Forma Pauperis
Filed by: Respondent Foley, Michael A
Order to Proceed In Forma Pauperis (Sealed)

08/06/2015 Notice of Entry of Order/Judgment
Filed by: Other Public by DAFS

11/13/2015 Bench Warrant
Filed by: Other Public by DAFS
Served: Respondent Foley, Michael A

11/17/2015 Notice of Entry of Masters Recommendation
Notice of Entry of Master's Recommendations

11/24/2015 Objection
Filed by: Respondent Foley, Michael A
Objection to Master's Recommendation

11/24/2015 Certificate of Service
Filed by: Respondent Foley, Michael A

11/26/2015 Objection
Filed by: Respondent Foley, Michael A
Objection to Hearing Master's Recommendation

12/08/2015

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EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. R-11-162425-R

Opposition
Filed by: Other Public by DAFS
DA Opposition to Respondent's Objection

12/09/2015 Clerk of the Courts Notice of Change of Hearing
Clerk of the Court's Notice of Change of Hearing

01/13/2016 Notice
Filed by: Respondent Foley, Michael A

01/15/2016 Notice of Entry of Masters Recommendation
Notice of Entry of Master's Recommendations

01/20/2016 Notice
Filed by: Other Public by DAFS
Notice of Intent/Request to Appear by Communication Equipment

01/20/2016 Notice
Filed by: Other Public by DAFS
Notice of Intent/Request to Appear by Communication Equipment

01/28/2016 Order Following Objection

02/01/2016 Notice of Entry of Order
Filed by: Other Public by DAFS

02/01/2016 Notice of Motion
Filed by: Other Public by DAFS
District Attorney's Notice of Motion & Motion to Modify Child Support

02/02/2016 Certificate of Mailing
Filed by: Other Public by DAFS
For: Respondent Foley, Michael A

02/08/2016 Masters Recommendations and Order
Filed by: Other Public by DAFS
Master's Recommendation

02/09/2016 Notice of Entry of Order/Judgment
Filed by: Other Public by DAFS

02/22/2016 Order Following Objection

02/24/2016 Notice of Entry of Order
Filed by: Other Public by DAFS
Notice of Entry of Order Amended to Include Exhibit 1

03/17/2016 Notice of Appeal
Filed by: Respondent Foley, Michael A

03/17/2016 Case Appeal Statement
Filed by: Respondent Foley, Michael A

03/25/2016 Certificate of Service
Filed by: Respondent Foley, Michael A

05/17/2016 Notice of Entry of Masters Recommendation
Party: Other Public by DAFS
Notice of Entry of Masters Recommendation

06/08/2016 Masters Recommendations and Order

06/09/2016 Notice of Entry of Order/Judgment
Filed by: Other Public by DAFS
5/17/2016

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EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. R-11-162425-R

07/14/2016 Notice of Entry of Masters Recommendation
Party: Other Public by DAFS
Notice of Entry of Masters Recommendation

07/26/2016 Objection
Filed by: Other Public by DAFS
Objection to Hearing Master's Recommendation

DISPOSITIONS

05/15/2012 **Master's Recommendation** (Judicial Officer: Teuton, Sylvia)
Support (Child, Obligor: Foley, Michael A, Obligee: Foley, Patricia,On Behalf Of: Public by DAFS, $16,739.98, One Time)

06/08/2016 **Master's Recommendation** (Judicial Officer: Burton, Rebecca L.)
Support (Child, Obligor: Foley, Michael A, Obligee: Foley, Patricia,On Behalf Of: Public by DAFS, $57,168.39, One Time)

HEARINGS

04/24/2012 **Order to Show Cause** (3:25 PM) (Judicial Officer: Teuton, Sylvia)

MINUTES

Motion for Review and Adjustment of Child Support (08/28/2012 at 9:00 AM)
(Judicial Officer: Teuton, Sylvia)
Matter Continued;
Journal Entry Details:
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. 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. ;

SCHEDULED HEARINGS

Motion for Review and Adjustment of Child Support (08/28/2012 at 9:00 AM)
(Judicial Officer: Teuton, Sylvia)

08/28/2012 **Motion for Review and Adjustment of Child Support** (9:00 AM) (Judicial Officer: Teuton, Sylvia)

MINUTES

Warrant
09/19/2012 Inactive Bench Warrant
Bench Warrant Issued;

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Journal Entry Details:
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. 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. ;

10/30/2013 **In Custody Hearing** (1:15 PM) (Judicial Officer: Davis, James)

MINUTES

Order to Show Cause - Pay or Stay (02/19/2014 at 9:00 AM) (Judicial Officer: Lok, Merle K.)
Contempt of Court;
Journal Entry Details:
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 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.;

SCHEDULED HEARINGS

Order to Show Cause - Pay or Stay (02/19/2014 at 9:00 AM) (Judicial Officer: Lok, Merle K.)

02/19/2014 **Order to Show Cause - Pay or Stay** (9:00 AM) (Judicial Officer: Lok, Merle K.)

MINUTES

Warrant
03/12/2014 Inactive Bench Warrant
Bench Warrant Issued;
Journal Entry Details:
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. BENCH WARRANT ;

08/08/2014 **In Custody Hearing** (1:15 PM) (Hearing Master: Teuton, Sylvia)
Matter Continued;
Journal Entry Details:
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. ;

08/11/2014 *CANCELED* **In Custody Hearing** (1:15 PM)
Vacated

08/11/2014 *CANCELED* **In Custody Hearing** (1:15 PM)
Vacated

08/11/2014 **In Custody Hearing** (1:15 PM) (Hearing Master: Teuton, Sylvia)

MINUTES

Motion for Review and Adjustment of Child Support (12/09/2014 at 9:15 AM)
(Hearing Master: Teuton, Sylvia)
Matter Continued;
Journal Entry Details:
Deputy District Attorney (DDA): Viveca M. Woods Attorney Aurora Maskall bar #6410 was present for the Respondent in an unbundled capacity. Respondent was sworn and testified via Video Conference from Clark County Detention Center (CCDC). Court noted Respondent MISSED court on February 19, 2014. DDA advised Responded was present in custody at the October 30, 2013 Hearing and given the February 2014 date. Payment history since November reported. Respondent was to bring $500.00 at the February date. Bench Warrant was $804.00. Counsel advised she has taken this case Pro-Bono. Respondent owns his own business and his income fluctuates. Respondent stated he earns $800.00 to $1,000.00 per month. There was a colloquy regarding possible Modification and proof of income. DDA further advised Respondent was ARRESTED August 6, 2014. DDA requested half of the Bench Warrant as a release amount. Counsel requested Respondent be released. Statements made by DDA regarding an involuntary payment. 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. ;

SCHEDULED HEARINGS

Motion for Review and Adjustment of Child Support (12/09/2014 at 9:15 AM)
(Hearing Master: Teuton, Sylvia)

12/09/2014 **Motion for Review and Adjustment of Child Support** (9:15 AM) (Hearing Master: Teuton, Sylvia)
Matter Heard;
Journal Entry Details:

Deputy District Attorney (DDA): Alec Raphael Petitioner sworn and testified Court noted Respondent responded for request to Modify and had to be in District Court. Respondent Upon Court's inquiry, DDA reported Respondent's unbundled attorney withdrew. This Modification was initiated by the Court. Respondent is self-employed. He filed a response yesterday Pro-Per and requested a continuance. DDA further reported Respondent did self-report his Gross Monthly Income (GMI). DDA has no opposition to continue this hearing. Upon Court's inquiry, Petitioner testified Respondent posted his place of employment in computer repairs on

Craigslist. Petitioner has printed copy to provide to DA's office today. Court printed out a copy of Respondent's response for Petitioner in OPEN COURT for her to review. DDA stated Respondent is under an order to show cause and requested a finding of contempt and a bench warrant. Court FINDS, DDA's request is hereby DENIED. MATTER CONTINUED as he has a documented appearance if US District Court on another matter scheduled for today at 10:00 AM. Respondent is ADMONISHED to pay monthly or face imposition of CONTEMPT. 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. MASTER RECOMMENDED, Matter SET for REVIEW and ADJUSTMENT. ;

01/28/2015 **Motion for Review and Adjustment of Child Support** (1:45 PM) (Judicial Officer: Davis, James)

R162425 02/18/2015 @ 2.15 PM CR#1

Bench Warrant Issued;

Journal Entry Details:

Deputy District Attorney (DDA): Alec Raphael Petitioner Sworn and Testified. DDA reported this is a Review and Adjustment and Enforcement Review hearing. DDA reviewed case. After statements, DDA reported Respondent Gross Monthly Income (GMI) is $2,512.95. Court calculated 29% of GMI to be $729.00. Upon DDA's inquiry, Petitioner testified her monthly health insurance cost has remained the same since last hearing. DDA requested Medical support payment of $79.00 per month continue. DDA requested Modification to be August 1, 2014. DDA further reported Respondent has self-reported his income of $2,521.95 and has not made a payment since his jail release payment in August 13, 2014. DDA further requested a bench warrant and for future return date of February 18, 2015, be vacated. 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 $1,000.00, which sum shall be RELEASED to PETITIONER as CHILD SUPPORT. REVIEW Hearing of February 18, 2015 is hereby VACATED. ;

02/18/2015 *CANCELED* **Return Hearing - HM** (2:15 PM)

Vacated - per Judge

04/15/2015 **In Custody Hearing** (1:15 PM) (Hearing Master: Teuton, Sylvia)

Matter Heard;

Journal Entry Details:

Deputy District Attorney (DDA): Patricia Ross Respondent, In-Custody, sworn and testified. Respondent participated via video conference from the Clark County Detention Center (CCDC). DDA stated Respondent failed to appear to his January 28, 2015 hearing, and a Bench Warrant was issued for $1,000.00. DDA advised Respondent was arrested April 09, 2015. DDA reported Respondent's last payment was August 2014 for $200.00. Upon inquiry of the Court, Respondent requested appointed counsel for himself. Respondent stated it was unlawful to detain him and made several arguments on why he should not be in jail. DDA noted Respondent has a business. The Court address all of the Respondent's arguments and denied request for appointed counsel. MASTER RECOMMENDED: Respondent shall PAY $729.00 per month TEMPORARY CURRENT SUPPORT and $79.00 per month MEDICAL SUPPORT and $25.00 per month on ARREARS for a TOTAL MONTHLY PAYMENT of $833.00. ORDER TO SHOW CAUSE, CONTINUED. PRIOR CONTEMPT SENTENCES ISSUED May 15, 2012 shall be SERVED as follows: 19 Days IMPOSED 1 Day STAYED. PRIOR CONTEMPT SENTENCES STAYED. Respondent may be RELEASED from CUSTODY on May 04, 2015 or immediately upon PAYMENT of $900.00, which shall be RELEASED to PETITIONER as CHILD SUPPORT. MISCELLANEOUS RECOMMENDED ORDERS: Respondent must bring or have paid $1,666.00. ;

06/17/2015 **Order to Show Cause - Pay or Stay** (9:00 AM) (Judicial Officer: Conant, Lynn)

MINUTES

Warrant

07/09/2015 Inactive Bench Warrant

Bench Warrant Issued;

Journal Entry Details:

Deputy District Attorney (DDA): Patti Ross No Parties Present. Today's hearing is a Pay or Stay for $1,666.00. The DDA reviewed the case. The Respondent has made no payments. The DDA requested a finding of Contempt and a Bench Warrant in the amount of $2,000.00. MASTER RECOMMENDED, Respondent found in CONTEMPT and SENTENCED to 25 DAYS in the Clark County Detention Center for FAILURE TO APPEAR AND PAY. SENTENCE STAYED until next court date. BENCH WARRANT, NO BAIL. RESPONDENT

shall be RELEASED upon PAYMENT of $2,000.00, which sum shall be RELEASED to PETITIONER as CHILD SUPPORT. BENCH WARRANT ;

11/16/2015 **In Custody Hearing** (1:15 PM) (Judicial Officer: Lok, Merle K.)
Matter Heard;
Journal Entry Details:
Deputy District Attorney (DDA): Edward Ewert Respondent, in custody, sworn and testified. Respondent participated via video conference from the Clark County Detention Center (CCDC). DDA stated Respondent failed to appear for his June 17, 2015 hearing and a Bench Warrant was issued for $2,000.00. DDA advised Respondent was arrested November 12, 2015. DDA reported Respondent's last payment was August 2014 for $200.00 jail release. DDA noted $4,165.00 has come due. Upon inquiry of the Court, Respondent testified he last worked last week. Respondent stated when he is working he earns $275.00 per week. Respondent stated he has $119.00 on his books. MASTER RECOMMENDED: PRIOR CONTEMPT SENTENCE ISSUED November 21, 2013 shall be SERVED as follows: 10 Days IMPOSED. Respondent may be RELEASED from CUSTODY on November 22, 2015 or immediately upon PAYMENT of $2,000.00, which shall be RELEASED to PETITIONER as CHILD SUPPORT. MISCELLANEOUS RECOMMENDED ORDERS: Respondent is to pay $833.00 for the December payment next date to avoid Contempt.;

01/15/2016 **AM Pay Stays** (8:30 AM) (Hearing Master: Teuton, Sylvia)
RESPONDENT TO PAY $833.00; R162425 01/20/16 @ 10:00 AM
Matter Continued;
Journal Entry Details:
Deputy District Attorney (DDA), Edward Ewert, present. No parties present. DDA reported, objection pending in Family Court, Department C, on 1/20/2016 at 10 a.m. MASTER RECOMMENDED, MATTER CONTINUED.;

01/20/2016 **Objection - UIFSA** (10:00 AM) (Judicial Officer: Burton, Rebecca L.)

MINUTES
Denied;
Journal Entry Details:
OBJECTION - UIFSA Deputy District Attorney (DDA), Robert Gardner, bar number 6983, present and participated TELEPHONICALLY. Court reviewed the case. Court NOTED, Respondent's non-appearance for today's hearing. Arguments by DDA. COURT ORDERED, based on the Points and Authorities set forth in the District Attorney's Opposition to Respondent's Objection filed on December 8, 2015, shall be ADOPTED. Furthermore, Respondent's Objections filed on November 24, 2015, and November 26, 2015, shall be DENIED. DDA, Gardner shall prepare the Order from today s hearing.;

05/17/2016 **Motion for Review and Adjustment of Child Support** (9:00 AM) (Hearing Master: Teuton, Sylvia)
07/13/16 @ 2:15pm
Denied;
Journal Entry Details:
Deputy District Attorney (DDA): Karen Cliffe No Parties Present. DDA stated Respondent is not paying and does not receive State assistance. DDA requested Modification Denied. MASTER RECOMMENDED, ARREARS are $57,168.39 (including INTERESTS and PENALTIES) through January 31, 2016 and REDUCED to JUDGMENT. Petitioner shall PROVIDE HEALTH INSURANCE for the minor child(ren), if available. PRIOR CONTEMPT SENTENCES STAYED. MODIFICATION DENIED. MISCELLANEOUS RECOMMENDED ORDERS: Last payment-August 2014. Respondent's request to modify is hereby DENIED for his failure to appear today and provide proof of income and 2015 tax returns as previously ordered.;

07/13/2016 **Review - HM** (2:15 PM) (Judicial Officer: Yug, Elliot)
Bench Warrant Issued;
Journal Entry Details:
***These Minutes were typed by Courtroom Clerk trainee, Nidia Fuentes** Deputy District Attorney (DDA): Karen Cliffe No Parties Present. COURT FINDS Respondent's last PAYMENT was in 2014. MASTER RECOMMENDED. ORDER TO SHOW CAUSE, CONTINUED. Respondent found in CONTEMPT and SENTENCED to 25 DAYS in the Clark County Detention Center. SENTENCE STAYED until next court date. PRIOR CONTEMPT SENTENCES STAYED. BENCH WARRANT, NO BAIL. RESPONDENT shall be RELEASED upon PAYMENT of $2000.00, which sum shall be RELEASED to PETITIONER as CHILD*

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. R-11-162425-R

SUPPORT. ;

08/31/2016 **Objection - UIFSA** (10:00 AM) (Judicial Officer: Burton, Rebecca L.)
Off Calendar;
Journal Entry Details:
OBJECTION - UIFSA There being no appearances, matter was taken OFF CALENDAR.;

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REGISTER OF ACTIONS

CASE NO. D-08-403071-D

Patricia Foley, Plaintiff vs. Michael A Foley, Defendant.

Case Type:	**Divorce - Complaint**
Subtype:	**Complaint Subject Minor(s)**
Date Filed:	**11/19/2008**
Location:	**Department C**
Cross-Reference Case Number:	**D403071**

RELATED CASE INFORMATION

Related Cases
A-12-673291-C (Related)
D-13-486829-U (Related)
D-14-502988-C (Related)

PARTY INFORMATION

		Lead Attorneys
Defendant	**Foley, Michael A**	**Pro Se**
Plaintiff	**Foley, Patricia**	**Pro Se**
Subject Minor	**Foley, Elizabeth Anne**	
Subject Minor	**Foley, Michael Anthony, Jr.**	
Subject Minor	**Foley, Therese Marie**	

EVENTS & ORDERS OF THE COURT

DISPOSITIONS

11/01/2010 **Judgment** (Judicial Officer: Teuton, Robert W.)
Judgment ($1,000.00, In Full , Child Support)

OTHER EVENTS AND HEARINGS

11/19/2008 **Complaint for Divorce**
11/19/2008 **Motion**
11/19/2008 **Summons**
Foley, Michael A — Served — 11/25/2008
11/19/2008 **Family Court Motion Opposition Fee Information Sheet**
11/26/2008 **Proof of Personal Service of Summons and Complaint**
Acceptance Of Service
12/04/2008 **Notice of Hearing**
December 17, 2008
12/16/2008 **Opposition and Countermotion**
12/16/2008 **Answer**
12/16/2008 **Family Court Motion Opposition Fee Information Sheet**
12/17/2008 **Case Management Conference** (1:30 PM) (Judicial Officer Teuton, Robert W.)
Result: Off Calendar
12/22/2008 **Financial Disclosure Form**
12/22/2008 **Certificate of Service**
12/22/2008 **Certificate of Service**
by Facsimile and Mailing
01/09/2009 **Motion for Child Custody** (11:00 AM) (Judicial Officer Teuton, Robert W.)
Pltf's Motion for Custody, Establish Child Support and Alimony
01/09/2009 **Opposition & Countermotion** (11:00 AM) (Judicial Officer Teuton, Robert W.)
Deft's Opposition and Countermotion for Joint Physical Custody
01/09/2009 **All Pending Motions** (11:00 AM) (Judicial Officer Teuton, Robert W.)
Parties Present
Result: Matter Continued
01/09/2009 **Certificate of Mailing**
01/09/2009 **Financial Disclosure Form**
01/16/2009 **Motion** (11:00 AM) (Judicial Officer Teuton, Robert W.)
MOTION FOR CHILD CUSTODY: PLTF'S MOTION FOR CUSTODY, ESTABLISH CHILD SUPPORT & ALIMONY
01/16/2009 **Motion** (11:00 AM) (Judicial Officer Teuton, Robert W.)
OPPOSITION & COUNTERMOTION: DEFT'S OPPOSITION & COUNTERMOTION FOR JOINT PHYSICAL CUSTODY
01/16/2009 **All Pending Motions** (11:00 AM) (Judicial Officer Teuton, Robert W.)
Parties Present
Result: Granted in Part
01/20/2009 **Notice of Seminar Completion EDCR 5.07**

02/10/2009 **Notice of Hearing**
03/09/2009 **Order**
from January 16, 2009 Hearing
03/10/2009 **Notice of Entry of Order**
filed 03/09/09
03/12/2009 **Status Check** (2:30 PM) (Judicial Officer Teuton, Robert W.)
03/12/2009 **Case Management Conference** (1:30 PM) (Judicial Officer Teuton, Robert W.)
03/12/2009 Reset by Court to 03/12/2009
03/12/2009 **All Pending Motions** (1:30 PM) (Judicial Officer Teuton, Robert W.)
Parties Present
Result: Matter Heard
03/17/2009 **Order Setting Civil Non-Jury Trial**
03/26/2009 **Substitution of Attorney**
04/30/2009 **Status Check** (2:30 PM) (Judicial Officer Teuton, Robert W.)
RE: PSYCHOLOGICAL EVALUATION
Parties Present
Result: Matter Heard
05/14/2009 **Notice of Change of Address**
05/21/2009 **Affidavit of Service**
Subpoena Duces Tecum
05/27/2009 **Affidavit of Service**
Subpoena Duces Tecum, Exhibits A - C In Person
06/02/2009 *CANCELED* **Non-Jury Trial** (9:00 AM) (Judicial Officer Teuton, Robert W.)
Vacated
To be heard with the Evidentiary Hearing (mp/cc).
06/05/2009 **Order**
from April 30 2009 Hearing
06/08/2009 **Notice of Entry of Order**
07/07/2009 **Pre-trial Memorandum**
07/07/2009 **Financial Disclosure Form**
AMENDED
07/08/2009 **Receipt of Copy**
Defendant's Pre-Trial Memorandum
07/09/2009 **Pre-trial Memorandum**
07/09/2009 **Financial Disclosure Form**
07/10/2009 **Certificate of Mailing**
07/13/2009 **Evidentiary Hearing** (9:00 AM) (Judicial Officer Teuton, Robert W.)
/ TRIAL
Parties Present
Result: Matter Continued
07/22/2009 **Evidentiary Hearing** (9:00 AM) (Judicial Officer Teuton, Robert W.)
LOCATION: TO BE DETERMINED
Parties Present
Result: Decision Made
07/22/2009 **Affidavit of Resident Witness**
08/04/2009 *CANCELED* **Evidentiary Hearing** (1:30 PM) (Judicial Officer Teuton, Robert W.)
Vacated - per Judge
09/25/2009 **Decree of Divorce**
09/28/2009 **Notice of Entry of Decree**
of Divorce
02/16/2010 **Motion**
02/16/2010 **Family Court Motion Opposition Fee Information Sheet**
03/01/2010 **Certificate of Mailing**
Notice Of Motion for an Order to Show Cause
03/04/2010 **Order to Show Cause**
03/15/2010 **Substitution of Attorney**
Substitution of Attorney
03/15/2010 **Opposition and Countermotion**
Opposition to Motion for an Order to Show Cause; Counter-Motion to Grant Joint Legal custody of Minor Child; Counter-Motion to Set Aside Divorce Decree Pursuant to NRCP 60(b), or in the Alternative, to Amend it; Counter-motion for Legal Custody of Minor Children to Ensure Compliance with Order, and to Compel Plaintiff to Undergo Problem Gambling Therapy, or in the Alternative, Post a Bond Securing Against Unlawful Taking or Selling of the Minor Children Pursuant to NRS 125D(4) and NRS 200.465; and a Counter-Motion for an Order to Show Cause
03/16/2010 **Motion for Order to Show Cause** (1:30 PM) (Judicial Officer Teuton, Robert W.)
Pltf's Motion for an Order to Show Cause
03/18/2010 Reset by Court to 03/16/2010
03/16/2010 **Order to Show Cause** (1:30 PM) (Judicial Officer Teuton, Robert W.)
03/18/2010 Reset by Court to 03/16/2010
03/16/2010 **All Pending Motions** (1:30 PM) (Judicial Officer Teuton, Robert W.)
Parties Present
Result: Matter Continued
03/16/2010 **Opposition & Countermotion** (1:30 PM) (Judicial Officer Teuton, Robert W.)
Opposition to Motion for an Order to show Cause; Counter-Motion to Grant Joint Legal custody of Minor Child; Counter-Motion to Set Aside Divorce Decree Pursuant to NRCP 60(b), or in the Alternative, to Amend it; Counter-motion for Legal Custody of Minor Children to Ensure Compliance with Order, and to Compel Plaintiff to Undergo Problem Gambling Therapy, or in the Alternative, Post a Bond Securing Against Unlawful Taking or Selling of the Minor Children Pursuant to NRS 125D(4) and NRS 200.465; and a Counter-Motion for an Order to Show Cause
03/16/2010 **Order for Family Mediation Center Services**
05/20/2010 **Return Hearing** (2:30 PM) (Judicial Officer Teuton, Robert W.)
RE: FMC CHILD INTERVIEW
Parties Present
Result: Matter Heard

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06/14/2010 **Order**
Order
11/01/2010 **Order**
5/20/10 Hearing
11/02/2010 **Notice of Entry of Order**
Notice of Entry of Order
11/04/2010 **Notice of Motion**
for an Order to Show Cause
11/04/2010 **Certificate of Mailing**
11/04/2010 **Family Court Motion Opposition Fee Information Sheet**
11/10/2010 **Order to Show Cause**
12/10/2010 **Opposition and Countermotion**
12/10/2010 **Substitution of Attorney**
12/10/2010 **Family Court Motion Opposition Fee Information Sheet**
12/14/2010 **Notice of Entry of Order**
12/14/2010 **Certificate of Mailing**
12/16/2010 **Motion for Order to Show Cause** (10:00 AM) (Judicial Officer Teuton, Robert W.)
Pltf's Motion for an Order to Show Cause
12/16/2010 **Order to Show Cause** (10:00 AM) (Judicial Officer Teuton, Robert W.)
12/16/2010 **Opposition & Countermotion** (10:00 AM) (Judicial Officer Teuton, Robert W.)
Deft's Opposition & Countermotion for Change of Visitation, Custody, Child Support and Sanctions
12/16/2010 **All Pending Motions** (10:00 AM) (Judicial Officer Teuton, Robert W.)
Parties Present
Result: Denied
01/21/2011 **Motion**
01/21/2011 **Ex Parte Motion**
for an Order Shortening time
01/21/2011 **Family Court Motion Opposition Fee Information Sheet**
01/25/2011 **Order**
01/26/2011 **Receipt of Copy**
Receipt of Copy
01/26/2011 **Order Shortening Time**
01/27/2011 **Receipt of Copy**
02/01/2011 **Motion** (9:00 AM) (Judicial Officer Teuton, Robert W.)
Pltf's Motion for Permission to take the Children to Mexico for 4 Days
Parties Present
Result: Matter Heard
02/03/2011 **Return Hearing** (9:00 AM) (Judicial Officer Teuton, Robert W.)
02/03/2011, 02/08/2011
Parties Present
Result: Matter Heard
02/03/2011 **Order**
Written Order from February 3 2011 Hearing
02/18/2011 *CANCELED* **Motion** (10:00 AM) (Judicial Officer Teuton, Robert W.)
Vacated - per Law Clerk
OST
02/24/2011 **Status Check** (2:30 PM) (Judicial Officer Teuton, Robert W.)
02/24/2011, 05/05/2011
RE: Reunification Counseling/Therapy & Ms. Coe's Report
Parties Present
Result: Matter Continued
02/24/2011 **Financial Disclosure Form**
Financial Disclosure Form
02/24/2011 **Financial Disclosure Form**
Financial Disclosure Form
03/23/2011 **Notice of Change of Hearing**
04/06/2012 **Petition and Order to Destroy / Dispose of Exhibits**
04/06/2012 **Certificate of Disposal of Exhibits**
03/06/2013 **Affidavit in Support**
of the Disqualification of District Judge Honorable Robert Teuton and Supporting Memorandum of Points and Authorities
03/06/2013 **Notice of Change of Address**
03/07/2013 **Declaration Under Uniform Child Custody Jurisdiction Act**
Declaration under UCCJEA
03/07/2013 **Motion**
Motion to Modify Custody, Visitation, and/or Child Support
03/12/2013 **Financial Disclosure Form**
Financial Disclosure Form
04/05/2013 **Supplemental**
Supplement to Motion for Change of Custody
04/05/2013 **Certificate of Service**
Certificate of Service
04/08/2013 **Motion** (11:00 AM) (Judicial Officer Becker, Nancy)
Deft's Motion to Modify Custody and Child Support
Parties Present
Result: Denied
04/10/2013 **Affidavit in Support**
Affidavit in Support of the Disqualification of Senior District Judge Honorable Nancy Becker, and Supporting Memorandum of Points and Authorities
04/10/2013 **Certificate of Service**
Certificate of Service
04/12/2013 **Answer - First Appearance Fee Not Required**
Answer to Affidavit of Bias and Prejudice Pursuant to NRS 1.235

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04/15/2013 **Administrative Reassignment to Department C**
Case reassigned from Judge Robert Teuton Dept D
04/15/2013 **Certificate of Service**
Certificate of Service
04/18/2013 **Consent to Service By Electronic Means**
Consent to Service by Electronic Means
05/08/2013 **Order**
05/08/2013 **Notice of Entry of Order/Judgment**
05/08/2013 **Certificate of Mailing**
05/17/2013 **Motion**
Motion to Disqualify Senior District Court Judge Honorable Nancy Becker
05/17/2013 **Motion**
Defendant's Motion for Reconsideration of the Court's April 8, 2013 Ruling
05/24/2013 **Ex Parte Motion**
Ex Parte Motion for an Order Shortening Time
05/24/2013 **Ex Parte Motion**
Ex Parte Motion for an Order Shortening Time
05/31/2013 **Certificate of Service**
Certificate of Service
05/31/2013 **Supplemental**
Supplement to Defendant's Motion for Reconsideration of the Court's April 8, 2013 Ruling
05/31/2013 **Amended**
Amended Certificate of Service
06/13/2013 **Motion to Disqualify Judge** (3:00 AM) (Judicial Officer Togliatti, Jennifer)
Deft's Motion To Disqualify Senior District Court Judge Honorable Nancy Becker
06/20/2013 Reset by Court to 06/13/2013
Result: Denied
06/14/2013 **Certificate of Service**
Amended
06/14/2013 **Certificate of Service**
Amended
06/17/2013 **Order Shortening Time**
06/19/2013 **Motion to Reconsider** (10:00 AM) (Judicial Officer Ames, Jack B.)
Deft's Motion for Reconsideration Of The Court's April 8, 2013 Ruling
Parties Present
Result: Under Advisement
06/19/2013 **Certificate of Service**
Certificate of Service
06/24/2013 **Order Denying**
Order Denying Motion to Disqualify Judge Nancy Becker
06/27/2013 **Motion**
Motion For Reconsideration of the Chief Judge's Denial of Defendant's Motion to Disqualify Judge, Or In The Alternative, For An Order Placing On Calendar The Defendant's Pending Motion for Reconsideration, On An Order Shortening Time
06/27/2013 **Ex Parte Motion**
Ex Parte Motion for an Order Shortening Time
06/27/2013 **Family Court Motion Opposition Fee Information Sheet**
Family Court Motion/Opposition Fee Information Sheet (NRS 19.0312)
06/28/2013 **Certificate of Service**
Certificate of Service
07/03/2013 **Order Shortening Time**
Order Shortening Time
07/03/2013 **Notice of Entry of Order**
Notice of Entry of Order
07/11/2013 **Motion to Reconsider** (3:00 AM) (Judicial Officer Togliatti, Jennifer)
Deft's Motion for Reconsideration of the Chief Judge's Denial of Deft's Motion to Disqualify Judge, or in the Alternative, for an Order Placing on Calendar the Deft's Pending Motion for Reconsideration
07/25/2013 Reset by Court to 07/11/2013
Result: Denied
07/18/2013 **Decision**
Decision and Order
07/24/2013 **Certificate of Service**
Certificate of Service
07/24/2013 **Re-Notice of Motion**
Re-Notice Of Motion
08/09/2013 **Ex Parte Motion**
Ex Parte Motion for Order Shortening Time
08/21/2013 **Motion to Reconsider** (11:00 AM) (Judicial Officer Ames, Jack B.)
Defendant's Motion for Reconsideration of the Court's April 8, 2013 Ruling
Parties Present
Result: Off Calendar
08/29/2013 **Motion**
Motion For Order To Show Cause
08/29/2013 **Notice of Motion**
Notice of Motion
09/20/2013 **Amended Motion**
Amended Motion for An Order to Show Cause
09/20/2013 **Amended Notice**
Amended Notice of Motion for An Order to Show Cause
09/26/2013 **Order to Show Cause**
09/27/2013 **Certificate of Mailing**
Certificate of Mailing
09/30/2013 *CANCELED* **Motion for Order to Show Cause** (10:00 AM) (Judicial Officer Jones, Steven E)

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Vacated
Pltf's Motion For An Order To Show Cause

09/30/2013 **Motion for Order to Show Cause** (10:00 AM) (Judicial Officer Becker, Nancy)
09/30/2013, 11/04/2013
Pltf's Amended Motion For an Order to Show Cause
Parties Present
Result: Matter Continued

10/16/2013 **Response**
Defendant's Response To Plaintiff's Motions For An Order To Show Cause

10/16/2013 **Certificate of Service**

12/18/2013 **Evidentiary Hearing** (1:30 PM) (Judicial Officer Ames, Jack B.)
ORDER TO SHOW CAUSE AGAINST DEFENDANT
Parties Present
Result: Off Calendar

12/24/2013 **Motion**
Petitioner's Motion to Supplement His Original Petition for Extraordinary Relief and to File an Appendix and Reply Brief

12/24/2013 **Certificate of Service**
Certificate of Service

02/14/2014 **Motion**
Defendant's Motion to Modify Custody, Visitation, and Child Support

02/14/2014 **Notice of Motion**
Notice of Motion

02/14/2014 **Ex Parte Motion**
Ex Parte Motion for an Order Shortening Time

03/14/2014 **Opposition**
Opposition to Modify Custody, Visitation and Child Support

03/14/2014 **Certificate of Service**
Certificate of Service

03/17/2014 **Motion to Modify Custody** (11:00 AM) (Judicial Officers Jones, Steven E, Hardcastle, Gerald W.)
Defendant's Motion to Modify Custody, Visitation, and Child Support
Parties Present
Result: Evidentiary Hearing

05/20/2014 **Ex Parte Motion**
Ex Parte Motion for an Order Shortening Time

06/17/2014 **Opposition**
Opposition to Modify Custody, Visitation and Child Support

06/19/2014 **Evidentiary Hearing** (9:00 AM) (Judicial Officer Hardcastle, Gerald W.)
Custody/Chronic Litigation (full day)
Parties Present
Result: Denied

07/11/2014 **Order**
Order

01/05/2015 **Judicial Elections 2014 - Case Reassignment**
Family Court Judicial Officer Reassignment 2014

06/12/2017 **Motion**
Defendant's Motion and Notice of Motion for An Order to Show Cause Regarding Contempt and to Enforce Child Custody and/or Visitation

06/12/2017 **Ex Parte Motion**
Ex Parte Motion for An Order Shortening Time

06/21/2017 **Motion** (10:00 AM) (Judicial Officer Burton, Rebecca L.)
Deft's Motion for An Order to Show Cause Regarding Contempt and to Enforce Child Custody and/or Visitation
07/18/2017 Reset by Court to 06/21/2017

FINANCIAL INFORMATION

Defendant Foley, Michael A

Total Financial Assessment	219.00
Total Payments and Credits	219.00
Balance Due as of 06/16/2017	**0.00**

12/16/2008	Transaction Assessment			98.00
12/16/2008	Payment (Window)	Receipt # 2008-44494-FAM	Mastin, Amy M.	(98.00)
10/13/2009	Transaction Assessment			11.00
10/13/2009	Payment (Window)	Receipt # 2009-61367-FAM	Foley, Michael A	(11.00)
12/10/2010	Transaction Assessment			1.00
12/10/2010	Payment (Window)	Receipt # 2010-58754-FAM	Foley, Michael A	(1.00)
03/30/2012	Transaction Assessment			27.00
03/30/2012	Payment (Window)	Receipt # 2012-08462-FAM	Foley, Michael A	(27.00)
08/20/2013	Transaction Assessment			20.00
08/20/2013	Payment (Window)	Receipt # 2013-22837-FAM	Foley, Michael Anthony, Jr.	(20.00)
02/14/2014	Transaction Assessment			25.00
02/14/2014	Payment (Window)	Receipt # 2014-04310-FAM	Foley, Michael Anthony, Jr.	(25.00)
06/25/2014	Transaction Assessment			10.00
06/25/2014	Payment (Window)	Receipt # 2014-18581-FAM	Foley; Michael; Anthony; Jr.	(10.00)
03/07/2016	Transaction Assessment			2.00
03/07/2016	Payment (Window)	Receipt # 2016-07103-FAM	Foley, Michael A	(2.00)
06/12/2017	Transaction Assessment			25.00
06/12/2017	Payment (Window)	Receipt # 2017-18949-FAM	Foley, Michael A	(25.00)

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	Plaintiff Foley, Patricia			
	Total Financial Assessment			225.00
	Total Payments and Credits			225.00
	Balance Due as of 06/16/2017			**0.00**
11/19/2008	Transaction Assessment			170.00
11/19/2008	Payment (Window)	Receipt # 2008-41548-FAM	Kelleher & Kelleher, LLC	(170.00)
10/07/2009	Transaction Assessment			5.00
10/07/2009	Payment (Window)	Receipt # 2009-60122-FAM	Kelleher, John T	(5.00)
10/27/2009	Transaction Assessment			2.00
10/27/2009	Payment (Window)	Receipt # 2009-64854-FAM	Erin Elizabeth Light	(2.00)
06/23/2010	Transaction Assessment			3.00
06/23/2010	Payment (Window)	Receipt # 2010-33680-FAM	Foley, Patricia	(3.00)
07/15/2011	Transaction Assessment			8.00
07/15/2011	Payment (Window)	Receipt # 2011-28197-FAM	Foley, Patricia	(8.00)
03/14/2014	Transaction Assessment			25.00
03/14/2014	Payment (Window)	Receipt # 2014-07437-FAM	Foley, Patricia	(25.00)
07/02/2014	Transaction Assessment			12.00
07/02/2014	Payment (Window)	Receipt # 2014-19409-FAM	Patricia Foley	(12.00)

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