

CLERK OF THE COURT

RWM
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Attorneys for Defendants
Shyang-Fenn Deng and Linda Hsiang-Yu Chiang Deng,
Trustees of the Shyang-Fenn and Linda Hsiang-Yu Chiang
Deng Revocable Trust Dated August 18, 2006

DISTRICT COURT
CLARK COUNTY, NEVADA

PAUL PAWLIK,

Plaintiff,

v.

SHYANG-FENN DENG AND LINDA
HSIANG-YU CHIANG DENG, TRUSTEES
OF THE SHYANG-FENN AND LINDA
HSIANG-YU CHIANG DENG REVOCABLE
TRUST DATED AUGUST 18, 2006;
VANETTA APPELYARD, TREASUER OF
THE CITY OF LAS VEGAS; THE CITY OF
LAS VEGAS, a Political subdivision,

Defendants.

Case No. A-16-734663

Dept. No. XII

**DEFENDANTS SHYANG-FENN DENG
AND LINDA HSIANG-YU CHIANG
DENG, TRUSTEES OF THE SHYANG-
FENN AND LINDA HSIANG-YU CHIANG
DENG REVOCABLE TRUST DATED
AUGUST 18, 2006'S RETURN TO
PLAINTIFFS MOTION AND
APPLICATION FOR WRIT OF
MANDAMUS**

[Nev. R. Civ. P. 12(b)(5)]

D/Hearing:

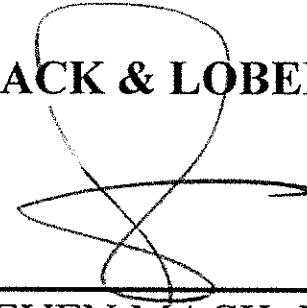
T/Hearing:

Defendants Shyang-Fenn Deng and Linda Hsiang-Yu Chiang Deng, Trustees of the Shyang-Fenn and Linda Hsiang-Yu Chiang Deng Revocable Trust Dated August 18, 2006, (collectively "Defendants") by and through their counsel of record, Steven Mack, Esq. of the law firm of Black & LoBello and hereby provide this Return To Plaintiffs Motion And Application For Writ Of Mandamus. This Return is made and based upon the memorandum of Points and

1 Authorities set forth below, the papers or pleadings on file herein, the attached exhibits, and any
2 oral argument at the time of hearing of this matter.

3 DATED this 31st day of May 2016.

4 **BLACK & LOBELLO**



7 STEVEN MACK, ESQ.
8 Nevada Bar No. 4000
9 10777 W. Twain Ave., Third Floor
10 Las Vegas, Nevada 89135
11 *Attorneys for Defendants*
12 *Shyang-Fenn Deng and Linda Hsiang-Yu*
13 *Chiang Deng, Trustees of the Shyang-Fenn*
14 *and Linda Hsiang-Yu Chiang Deng*
15 *Revocable Trust Dated August 18, 2006*

16 **NOTICE OF MOTION**

17 TO: ALL INTERESTED PARTIES:

18 **YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE**, that the undersigned
19 will bring the above and foregoing Motion to Dismiss on for hearing before the entitled Court on
20 the 11 day of July, 2016, at the hour of 8 : 30 A.m., or as soon
21 thereafter as may be heard before the District Court, Department 12.

22 DATED this 31st day of May, 2016.

23 **BLACK & LOBELLO**



24 STEVEN MACK, ESQ.
25 Nevada Bar No. 4000
26 10777 W. Twain Ave., Third Floor
27 Las Vegas, Nevada 89135
28 *Attorneys for Defendants*
Shyang-Fenn Deng and Linda Hsiang-Yu
Chiang Deng, Trustees of the Shyang-Fenn
and Linda Hsiang-Yu Chiang Deng
Revocable Trust Dated August 18, 2006

MEMORANDUM OF POINTS & AUTHORITIES

I. INTRODUCTION

a. Undisputed Facts

These facts are taken directly from the Plaintiff's verified complaint and the relevant portions are undisputed as follows:

"NRS 271.595 grants the owners a two-year redemption period **and if no redemption is made within said period** the Treasurer, herein Vanetta Appleyard, upon demand of the purchaser and the surrender to the Treasurer of the Certificate of Sale **and after 60 days' notice** to the former owner must issue a Deed to the holder of the Certificate."¹

The Certificate of Sale was issued January 28, 2014, and it states therein that the redemption period commenced on January 27, 2014.²

On January 7, 2016, the Plaintiff prepared a Notice of Expiration of Redemption Period and of Intent of Owner of Certificate of Sale to Demand Deed to Real Property.³ Plaintiff then attempted to serve Defendant Feng, from January 8, 2016 to January 11, 2016,⁴ then published the service with the first date of service being January 13, 2016 and the last service of publication being January 27, 2016.⁵

On March 14, 2016, less than 60 days after the expiration of the two-year redemption period, which ended on January 27, 2016, Plaintiff attempted to obtain make application for the issuance of a deed.⁶

Again, these are facts from a verified complaint, which is as an affidavit and sworn statement by the Plaintiff.

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¹ Plaintiff's Complaint, Page 3, Paragraph 9 (emphasis added), attached hereto as **Exhibit "A"**

² See, Certificate of Sale attached hereto as **Exhibit "B"**, and attached as Exhibit "1" to the Plaintiff's Complaint.

³ Plaintiff's Complaint, Page 3, Paragraph 11

⁴ See Affidavit of Service, attached to Plaintiff's Complaint as Exhibit "4"

⁵ Plaintiff's Complaint, Page 3, Paragraph 13

⁶ Plaintiff's Complaint, Page 3, Paragraph 15

1 **b. Procedural History**

2 Plaintiff filed a verified complaint in this matter on April 6, 2016 ("Plaintiff's
3 Complaint"). A true and correct copy of Plaintiff's Complaint is attached hereto as Exhibit "A"
4 and an Amended Notice of Hearing on Motion and Application for Writ of Mandamus on April
5 28, 2016.
6

7 Counsel for Defendant Deng Accepted Service on or about May 23, 2016. This Motion
8 to Dismiss follows.

9 **II. LEGAL ARGUMENT**

10 **A. NRCP 12(b)(5) Standard**

11 A complaint should be dismissed when it fails to "state a claim upon which relief can be
12 granted."⁷

13 Even with all beneficial inferences made on behalf of the non-moving party, dismissal is
14 proper where the allegations are insufficient to establish the elements of the claim for relief.
15 When a party can prove no set of facts that would entitle him or her to relief in the complaint or
16 claim it should be properly dismissed.⁸
17

18 The test for determining whether a claimant's allegations are sufficient is whether (i) they
19 give fair notice of the nature and basis of a legally sufficient claim and the relief requested,⁹ and
20 (ii) the claim for relief is "plausible on its face."¹⁰ The Nevada Supreme Court has stated that
21

22
23 ⁷ NRCP 12(b)(5).

24 ⁸ *Cohen v. Mirage Resorts, Inc.*, 119 Nev. 1, 32, 62 P.3d 720, 740 (2003) and NRCP 12(b)(5).

25 ⁹ *See, e.g., Ravera v. City of Reno*, 100 Nev. 68, 70, 675 P.2d 407, 408 (Nev. 1984); *Western States*
26 *Constr. v. Michoff*, 108 Nev. 931, 936, 840 P.2d 1220, 1223 (Nev. 1992).

27 ¹⁰ *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570, 127 S.Ct. 1955, 1974 (2007). The Nevada Supreme
28 Court case has not yet formally adopted *Twombly*. *Garcia v. Prudential Ins. Co. of America*, 129 Nev.
Adv. Op. 3, 293 P.3d 869, 871 n.2 (Nev. 2013). Nevertheless, Nevada treats cases interpreting the federal
rules as persuasive because the state and federal versions of Rule 12(b) are nearly identical. *See*
Executive Mgmt. Ltd. v. Ticor Title Ins. Co., 118 Nev. 46, 53, 38 P.3d 872, 876 (2002). Consequently,
there are examples of Eighth District Court judges applying *Twombly*. *See, e.g., Levy v. Funding*, 2010
WL 7460207 (Nev. Dist. Ct. 2010) (unpublished). Here, even under the pre-*Twombly* approach, the

the courts should accept the allegations in the complaint as true and draw all inferences in Plaintiff's favor.¹¹ The complaint should be dismissed only if it appears *beyond a doubt* (not beyond a reasonable doubt) that Plaintiff could prove no set of facts, which, if true, would entitle it to relief.¹² To satisfy that test, Plaintiff "must set forth sufficient **facts** to establish all necessary elements of a claim for relief."¹³ "Dismissal is proper where the allegations are insufficient to establish the elements of a claim for relief".¹⁴

Despite the extraordinarily high bar, *the Plaintiff has a sever deficiency both factually and legally.*

B. No Legal Basis.

"Generally, when a statute's language is plain and its meaning clear, the court's will apply that plain language."¹⁵ "Under certain procedural statutes and rules...failure to strictly comply with time requirements can be fatal to a case."¹⁶ "Although Statutes allowing for a "reasonable time" to act are subject to interpretation for substantial compliance, **those with set time limitations are not.**"¹⁷ The Supreme Court of Nevada has stated unequivocally that, "...the general tenet that "time and manner" requirements are strictly construed."¹⁸

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Counterclaimant's receivership action is so barren of legal and factual allegations that it fails to stake a valid claim for relief.

¹¹ *Seput v. Lacayo*, 122 Nev. 499, 501, 134 P.3d 733, 734 (2006).

¹² *Blackjack Bonding v. Las Vegas Mun. Ct.*, 116 Nev. 1213, 1217, 14 P.3d 1275, 1278 (2000). See also, *Buzz Stew, LLC v. City of North Las Vegas*, 124 Nev. 224, 181 P.3d 670 (2008) footnote 6. "Our prior cases have not been completely consistent in applying the standard of review for failure to state a claim upon which relief can be granted. The appropriate standard requires a showing beyond a doubt. To the extent that these cases required a showing of proof beyond a reasonable doubt, they are disavowed."

¹³ *Conway v. Circus Circus Casinos, Inc.*, 116 Nev. 870, 875, 8 P.3d 837,840 (Nev. 2000) (citations omitted) (emphasis added); *Stockmeier v. Nevada Dep't of Corr.*, 124 Nev. 30, 183 P.3d 133, 135 (Nev. 2008).

¹⁴ *Hampe v. Foote*, 118 Nev. 405, 408, 47 P.3d 438, 439 (Nev. 2002); *Bergmann v. Boyce*, 109 Nev. 670, 675, 856 P.2d 560, 563 (Nev. 1993).

¹⁵ *Leven v. Frey*, 123 Nev. 399, 403, 168 P.3d 712, 715 (2007) quoting *International Game Tech v. Dist. Ct.*, 122 Nev. 132, 152, 127 P.3d 1088, 1102 (2006).

¹⁶ *Id.* at 407, 123 P.3d at 717 (cites omitted).

¹⁷ *Id.* at *Id.* at 407-408, 123 P.3d at 718 (cites omitted).

Pursuant to NRS 271.595(3) the Owner has two years to redeem the property. Pursuant to NRS 271.595(4), *after the redemption period has expired*, then the holder of the certificate must provide the Owner 60 days' notice of its intent to take the property.

Specifically, NRS 271.595(3) in pertinent part states:

If no redemption is made within the period of redemption as determined pursuant to subsection 1, the treasurer shall, on demand of the purchaser or the purchaser's assigns, and the surrender to the treasurer of the certificate of sale, execute to the purchaser or the purchaser's assigns a deed to the property. No deed may be executed until the holder of the certificate of sale has notified the owners of the property that he or she holds the certificate, and will demand a deed therefor.

NRS 271.595(4) states in pertinent part:

If redemption is not made within 60 days after the date of service, or the date of the first publication of the notice, as the case may be, the holder of the certificate of sale is entitled to a deed.

Pursuant to the statute, if no redemption is made within the period, then the purchaser can make demand upon the City for a Certificate to Issue (only after the two years has run). Once the Certificate is issued, the Certificate Holder (i.e. purchaser – Plaintiff in this matter) must provide the Owner with another 60 days to redeem the property.

In other words, a purchaser of the certificate cannot obtain a proper certificate until *after* the redemption period. Then, and only then, can a certificate holder provide the 60-day notice to the owner of its intent to obtain a deed, giving the owner another 60 days to make redemption.

In this case, the two-year period ran on January 26, 2016, however, the purchaser began making demand prior to the expiration of the redemption period, beginning January 7, 2016.

The only issue this court needs to address is the timing of the notice by Plaintiff. In other words, the Owner has two years and two months (plus time for service) in which to redeem the property, at the very minimum (although the 60-day notice could be given the day immediately following the expiration of the two-year redemption period, however, the Certificate Holder could conceivably wait longer as the statute does not provide a maximum time period after the

¹⁸ Id. at 408, 123 P.3d at 718 (cites omitted).

1 two-year redemption period).

2 The 60 days' notice by the certificate holder can occur at any time after the two years has
3 run, but not before, otherwise, the statute would be without meaning.¹⁹ A municipality is not
4 supposed to issue a certificate until after two years has run. How can a purchaser let an owner
5 know that it has become the certificate holder prior to it being issued? The statute would simply
6 say that the purchaser must provide at least 60 days' notice prior to the end of the redemption
7 period of its intent to take the property. Instead, it states (and Plaintiff agrees in its facts above),
8 that the 60 days' notice comes *after* the redemption period has run.

9 In this case, the Certificate Holder has never given proper notice *after* the redemption
10 period has run. The notice that it did provide was prior to the end of the redemption period and,
11 therefore, was improper and ineffective. **The Certificate Holders notice, has never been given**
12 **proper notice to the Owner per statute.**

13 **C. No Factual Basis.**

14 Similarly, the Plaintiff offers no factual allegations, whatsoever, for their claims for
15 relief. The *verified* complaint provides this Court with the information it requires to dismiss the
16 case.

17 In this case, the 60-days' notice to the Owner was never properly given. Further, the
18 Owner has paid all of the fees as calculated by the City of Las Vegas on April 6, 2016.²⁰
19 Because the Plaintiff failed to give a proper 60 days' notice, the Owner's payment for
20 redemption to the City of Las Vegas was certainly prior to the proper 60-day notice and
21 redemption period by the Plaintiff. As a result, proper redemption has occurred and this case is
22 moot.

23 Additionally, pursuant to the service processor, she was given the current address of the
24 Owner by the son who lives in the Property,²¹ but failed to actually attempt service at that
25

26 ¹⁹ As a side note, this makes sense, because there could be multiple purchasers of SID payments. No
27 priority exists as to each of the purchasers and it is the first person to ask for a certificate and then notice
provide the owner 60-day notice.

28 ²⁰ See, receipt for payment from the City of Las Vegas, attached hereto as **Exhibit "C"**

²¹ See, Affidavit of Service Processor attached as Exhibit "4" to the Complaint.

1 address. Plaintiff did state that they mailed a letter to the address,²² but has not provided any
2 proof or affidavit for attempting to serve the owners at the known address in South Carolina.
3 Although, this is really moot given the failure of timely notice, this is another factual failure of
4 the Plaintiff.

5 **D. Defendants are entitled to attorneys' fees and costs pursuant to NRS 18.010.**

6 NRS 18.010(2) provides as follows:

7 2. In addition to the cases where an allowance is authorized by specific statute, the
8 court may make an allowance of attorney's fees to a prevailing party:

9 (a) When the prevailing party has not recovered more than
10 \$20,000; or

11 (b) Without regard to the recovery sought, when the court finds the
12 **claim**, counterclaim, cross-claim or third-party complaint or
13 defense of the opposing party **was brought or maintained**
14 **without reasonable ground** or to harass the prevailing party. **The**
15 **court shall liberally construe the provisions of this paragraph**
16 **in favor of awarding attorney's fees in all appropriate**
17 **situations.** It is the intent of the Legislature that the court award
18 attorney's fees pursuant to this paragraph and impose sanctions
19 pursuant to Rule 11 of the Nevada Rules of Civil Procedure in all
20 appropriate situations to punish for and **deter frivolous or**
21 **vexatious claims** and defenses because such claims and defenses
22 overburden limited judicial resources, hinder the timely resolution
23 of meritorious claims and increase the costs of engaging in
24 business and providing professional services to the public.
25 (Emphasis added).

26 Plaintiffs' claims against Defendants are clearly improper and without merit as strict
27 compliance with the timing of proper notice to the owner of the property was never given.

28 Accordingly, attorneys' fees and costs should be awarded pursuant to both NRS
18.010(2)(a) and (b); because Plaintiffs have never had a reasonable basis for asserting claims
against Defendants *and* because Defendants recovery as prevailing parties will be less than
\$20,000.00.

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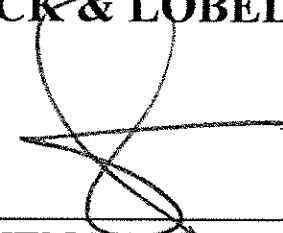
²² See, Plaintiff's Complaint, Page 4, Paragraph 14.

III. CONCLUSION

In sum, *there are no facts, however taken, that support the Plaintiff's claims for relief*, therefore, Plaintiff has failed to state a claim upon which relief can be granted and the complaint should be dismissed completely and Defendant should be awarded attorney's fees per statute.

DATED this 31st day of May, 2016.

BLACK & LOBELLO



STEVEN MACK, ESQ.

Nevada Bar No. 4000

10777 W. Twain Ave., Third Floor

Las Vegas, Nevada 89135

Attorneys for Defendants

Shyang-Fenn Deng and Linda Hsiang-Yu

Chiang Deng, Trustees of the Shyang-Fenn

and Linda Hsiang-Yu Chiang Deng

Revocable Trust Dated August 18, 2006

CERTIFICATE OF MAILING

Pursuant to NRCP 5(b), I certify that I am an employee of BLACK & LOBELLO and that on the 31st day of May, 2016, I caused the above and foregoing document entitled **DEFENDANTS SHYANG-FENN DENG AND LINDA HSIANG-YU CHIANG DENG, TRUSTEES OF THE SHYANG-FENN AND LINDA HSIANG-YU CHIANG DENG REVOCABLE TRUST DATED AUGUST 18, 2006'S MOTION TO DISMISS PLAINTIFF'S VERIFIED COMPLAINT [Nev. R. Civ. P. 12(b)(5)]** to be served as follows:

- ☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada; and
- ☒ by electronic service through Wiznet, Clark County Eighth Judicial District Court's electronic filing/service system;
- ☐ pursuant to EDCR 7.26, to be sent via facsimile;
- ☐ hand delivered

to the party or their attorney(s) listed below at the address and/or facsimile number indicated below:

James W. Walsh, Esq.
Walsh, Baker & Rosevear
9468 Double R. Blvd., Suite A
Reno, NV 89521
(775) 853-0883
Fax: (775) 853-0860
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Attorney for Plaintiff

and that there is regular communication by mail between the place of mailing and the place(s) so addressed.

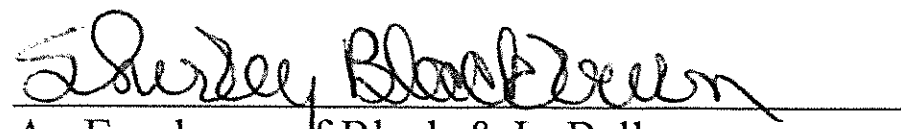
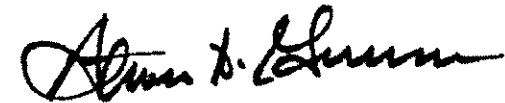

An Employee of Black & LoBello

EXHIBIT “A”



CLERK OF THE COURT

CODE: COMP

James M. Walsh, Esq.
Nevada State Bar 796
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Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

PAUL PAWLIK,

Plaintiff,

vs.

SHYANG-FENN DENG AND LINDA HSIANG-YU CHIANG DENG, TRUSTEES OF THE SHAYNG-FENN AND LINDA HSIANG-YU CHIANG DENG REVOCABLE TRUST DATED AUGUST 18, 2006; VANETTA APPELYARD, TREASURER OF THE CITY OF LAS VEGAS; THE CITY OF LAS VEGAS, a Political Subdivision,

Defendants.

Case No.: A- 16 - 734663 - C

Dept. No: XI I

VERIFIED COMPLAINT TO QUIET TITLE, WRIT OF MANDAMUS AND INJUNCTION

Arbitration Exempt - Title to Real Property

COMES NOW, Plaintiff and Petitioner PAUL PAWLIK (hereinafter sometimes referred to as "Pawlik"), by and through his counsel, James M. Walsh, Esq. of Walsh, Baker & Rosevear as and for his Complaint against Defendants and avers and alleges as follows:

FIRST CLAIM FOR RELIEF

(Quiet Title)

1. That at all times mentioned herein, Plaintiff PAUL PAWLIK is the owner of certain real property located in the city of Las Vegas, county of Clark, State of Nevada and commonly known as

1 10669 Royal View Avenue Las Vegas, Nevada, Clark County Assessor's Parcel Number (APN) 137-25-
2 314-020 (the "Property") and more particularly described as follows:

3 Lot Three-Hundred Seventy-Four (374) Block C of Chardonnay #61 by Lewis
4 Homes as shown by map thereof on file recorded in Book 78 of Plats, Page 77,
5 in the office of the County Recorder, Clark County, Las Vegas, Nevada.

6 Subject To: Covenants, Conditions, Restrictions, Reservations, Rights, Rights
7 of Way and Easements now of record.

8 2. Defendant SHYANG-FENN DENG AND LINDA HSIANG-YU CHIANG DENG,
9 TRUSTEES OF THE SHAYNG-FENN AND LINDA HSIANG-YU CHIANG DENG REVOCABLE
10 TRUST DATED AUGUST 18, 2006 are former owners of the real property described above.

11 3. Defendant VANETTA APLEYARD is the Treasurer of the City of Las Vegas and is
12 being sued herein in her official capacity.

13 4. Defendant THE CITY OF LAS VEGAS is a political subdivision of the State of Nevada.

14 5. Pursuant to Nevada Revised Statutes Chapter 271, a duly noticed and authorized sale of
15 the property after default of a special assessment was conducted by VANETTA APLEYARD as
16 Treasurer and/or THE CITY OF LAS VEGAS on January 27, 2014 and the real property was sold to
17 Kevin Love or PAUL PAWLIK for the former owners' failure to cure the delinquency and pay
18 assessments.

19 6. The property was sold for the full amount of the assessment due, including interest,
20 penalties and costs totaling \$1,996.62 on January 27, 2014.

21 7. After sale a Sheriff's Certificate of Sale was issued to Kevin Love or PAUL PAWLIK
22 pursuant to the provisions of Chapter 271 of the Nevada Revised Statutes (NRS). Said Certificate of Sale
23 was recorded February 4, 2014 as Instrument No. 201402040000939, Official Records of Clark County.
24 A true and correct copy of said Certificate of Sale is attached hereto as Exhibit 1.

25 8. Pursuant to recorded Assignment of Certificate of Sale, Kevin Love did assign all of his
26 right, title and interest in said Certificate of Sale to PAUL PAWLIK. Said Assignment was recorded
27 February 21, 2014 as Instrument No. 201402210001266, Official Records of Clark County. A true and
28 correct copy of said Assignment of Certificate of Sale is attached hereto as Exhibit 2.

1 9. NRS 271.595 grants the owners a two-year redemption period and if no redemption is
2 made within said period the Treasurer, herein VANETTA APLEYARD, upon demand of the purchaser
3 and the surrender to the Treasurer of the Certificate of Sale and after 60 days' notice to the former owner
4 must issue a Deed to the holder of the Certificate.

5 10. NRS 271.595 states that the notice to the former owner must be given either by personal
6 service or if an owner is not a resident of the State of Nevada or cannot be found after diligent search, the
7 notice may be given by publication.

8 11. On or about January 7, 2016, PAWLIK did cause to be prepared a Notice of Expiration of
9 Redemption Period and of Intent of Owner of Certificate of Sale to Demand Deed to Real Property
10 described herein. A true and correct copy of said Notice of Expiration of Redemption Period is attached
11 hereto as **Exhibit 3**.

12 12. PAWLIK did attempt personal service upon Defendants in the state of Nevada at the
13 address of the property in question and various other addresses all unsuccessfully. After said service
14 attempts it was determined that Defendants had moved out of the state of Nevada. See Affidavit of
15 Service of Carrie Dabney attached hereto as **Exhibit 4**.

16 13. Thereafter, PAWLIK did cause to be published in the Las Vegas Review Journal the
17 Notice of Expiration of Redemption Period with the final publication date being January 27, 2016. A
18 true and correct copy of the Affidavit of Publication is attached hereto as **Exhibit 5**.

19 14. PAWLIK did further attempt service of the Notice of Expiration of Redemption Period
20 upon Deng Defendants at the last known address in Aiken, South Carolina. Said Notice was returned to
21 sender as not deliverable as addressed and unable to forward. True and correct copies of the returns are
22 attached hereto as **Exhibit 6**. See also Affidavit of Notice to Owners of PAWLIK attached hereto as
23 **Exhibit 7**.

24 15. Thereafter, on or about March 14, 2016, pursuant to the provision of NRS 271.595,
25 PAWLIK did make application to Defendant Vanetta Appleyard for the issuance of a Deed pursuant to
26 the provisions of NRS 271.595(4). A true and correct copy of the Application for Deed is attached hereto
27 as **Exhibit 8**.

1 16. Appleyard accepted the Application for Deed on March 14, 2016 through her authorized
2 representative Adrian Ramirez. A true and correct copy of the acceptance is attached hereto as Exhibit
3 9.

4 17. Since that time, Appleyard has failed and refused and continues to fail and refuse to issue
5 the Deed as required by Chapter 271 of the Nevada Revised Statutes and has in fact informed PAWLIK
6 that she intends to allow redemption of the property by former owners in violation of Chapter 271 of the
7 Nevada Revised Statutes.

8 18. Plaintiff believes that the aforementioned Defendants may claim an interest by reason of
9 the facts set forth above. That the claims of Defendants are without right whatsoever and that said
10 Defendants have no estate, mortgage, title or interest in said land or premises or any part thereof.

11 SECOND CLAIM FOR RELIEF

12 (Issuance of Mandamus)

13 19. Plaintiff realleges and incorporates herein by reference as though fully set forth the
14 allegations in paragraphs 1-18 of the Complaint.

15 20. NRS 34.160 specifically provides that a Writ may be issued by Judge of a District Court
16 to compel the performance of an act which the law especially enjoins as a duty resulting from an office,
17 trust or station to which a party is entitled and from which the party is unlawfully precluded by such
18 inferior order person and the writ shall be returnable to the Judge of the District Court.

19 21. Based upon Treasurer Appleyard's refusal to issue the deed pursuant to the provisions of
20 NRS 271.595, PAWLIK is entitled to the issuance of a Writ of Mandate compelling Appleyard to issue
21 the deed, prohibit her from issuing deeds to any other party or allowing redemption of the property and
22 for her to appear and show cause why she should not be ordered and compelled to issue a deed to
23 PAWLIK pursuant to the provisions of NRS 271.595.

24 THIRD CLAIM FOR RELIEF

25 (Injunction)

26 22. Plaintiff realleges and incorporates herein by reference as though fully set forth the
27 allegations in paragraphs 1-21 of the Complaint.

1 23. Based upon the foregoing facts, Plaintiff is entitled to a temporary restraining order,
2 preliminary injunction and permanent injunction prohibiting Defendant Appleyard as Treasurer of the
3 City of Las Vegas and the City of Las Vegas from any issuing of a certificate of redemption, deed or
4 other documents allowing the remaining Defendants to redeem the above-described property.

5 24. The real property at issue in this Complaint is unique and to allow redemption of the
6 subject property in violation of the provisions of NRS 271.595 will cause grave and irreparable harm to
7 PAWLIK in that he will lose his interest in the subject property.

8 WHEREFORE, Plaintiff PAUL PAWLIK prays for judgment as follows:

9 1. That Defendants be required to set forth the nature of their claims, and all adverse claims
10 of Defendants, or any of them may be determined by decree of this Court, and that by said decree it be
11 declared and adjudged that Plaintiff is the owner of the above-described property and that Defendants
12 nor any of them have no estate, interest, or claim whatsoever in or to said property and that said
13 Defendants and each and every one of them be forever barred from asserting any claim, right or interest
14 in or to said land or premises adverse to Plaintiff.

15 2. For the issuance of a writ of mandate pursuant to the provisions of Chapter 34 of the
16 Nevada Revised Statutes compelling Vanetta Appleyard, Treasurer of the City of Las Vegas and the City
17 of Las Vegas to appear and show cause if any there be why they should not be ordered and compelled to
18 issue a deed to Plaintiff pursuant to the provisions of NRS 271.595.

19 3. For the issuance of a restraining order, preliminary injunction and permanent injunction
20 barring the City of Las Vegas and Vanetta Appleyard, Treasurer of the City of Las Vegas from issuing
21 any certificates of redemption, deeds or other evidence of redemption to Defendants named herein.

22 4. For costs of suit herein incurred.

23 5. For attorney's fees.

24 6. For such other and further relief as the court may deem property.

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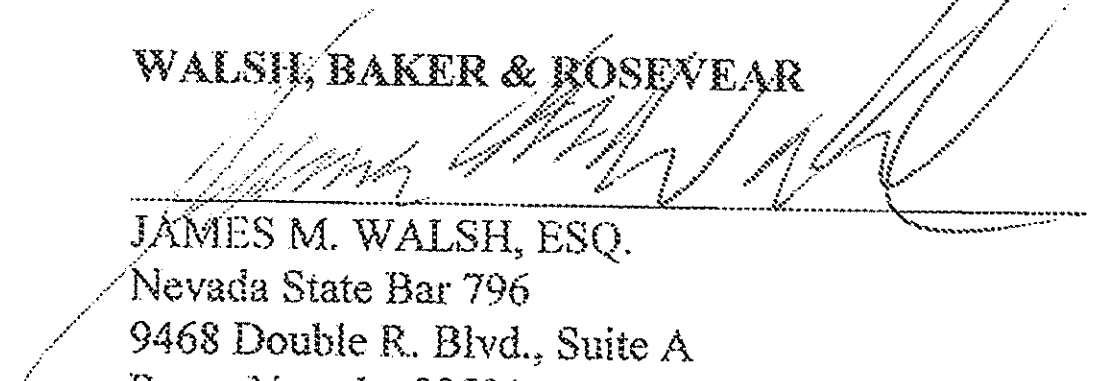
28 ///

1 Affirmation Pursuant to NRS 239B.030

2 The undersigned does hereby affirm that the preceding document does not contain the social
3 security number of any person.

4 DATED this 6th day of April, 2016.

5 **WALSH, BAKER & ROSEVEAR**

6 
7 JAMES M. WALSH, ESQ.

8 Nevada State Bar 796

9 9468 Double R. Blvd., Suite A

10 Reno, Nevada 89521

11 Tel: (775) 853-0883

12 Fax: (775) 853-0860

13 Email: jimwalsh@wbri.net

14 Attorney for Plaintiff
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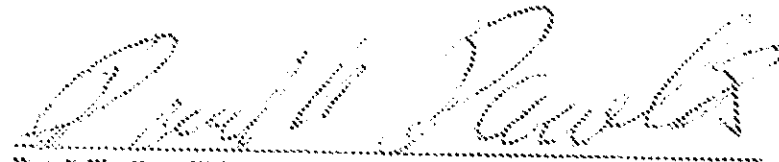
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VERIFICATION

Paul Pawlik, being first duly sworn under penalties of perjury deposes and says:

1. He is the Plaintiff and Petitioner herein.
2. He has read the foregoing Verified Complaint to Quiet Title Writ of Mandamus and Injunction and knows the contents thereof, and the same is true of his own knowledge, save and accept the matters stated therein on information and belief, and as to such matters, he believes them to be true.

DATED this 6th day of April, 2016.



PAUL PAWLIK

INDEX OF EXHIBITS

EX. NO.	DESCRIPTION	PAGES
1	Certificate of Sale	1
2	Assignment of Certificate of Sale	1
3	Notice of Expiration of Redemption Period and of Intent by Owner of Certificate of Sale to Demand Deed to Real Property	2
4	Affidavit of Service	2
5	Affidavit of Publication	1
6	Return Letters	2
7	Affidavit of Notice to Owner	7
8	Application for Deed	1
9	Acceptance of Deed Application	1

EXHIBIT 1

EXHIBIT 1

137-25-314-020

CITY OF LAS VEGAS, NEVADA
CERTIFICATE OF SALE

Inst #: 201402040000939
Fees: \$17.00
N/C Fee: \$0.00
02/04/2014 11:11:06 AM
Receipt #: 1922518
Requestor:
CITY OF LAS VEGAS (AMG)
Recorded By: BGN Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER

Pursuant to Nevada Revised Statutes Chapter 271, Consolidated Local Improvement Laws, a duly noticed and authorized sale of properties for default on special assessments was conducted.

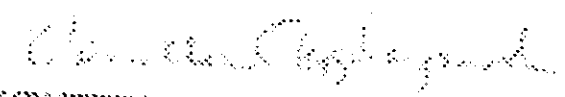
The sale was held on JANUARY 27, 2014 and the herein described property was SOLD to: KEVIN LOVE OR PAUL PAWLIK, PO BOX 11314, SAN BERNARDINO, CA 92423-1314, for the owner's failure to cure the delinquency or in the alternative pay the entire amount of the assessment due.

Parcel #137-25-314-020, City of Las Vegas Local Improvement District #707, being owned by DENG SHYANG-F & L H-Y CREY TR, according to the latest assessment roll and described as: 010669 ROYAL VIEW AV, CHARDONNAY #61 BY LEWIS HOMES, PLAT BOOK 78 PAGE 77 LOT 374 BLOCK C.

This property was SOLD for the whole amount of the assessment due, including interest, penalties and costs, which was \$ 1,996.62 as of JANUARY 27, 2014. Said interest and penalties are continuing to accrue during the statutory redemption period.


Purchaser, herein, is entitled to a deed to the above-described property after expiration of said redemption period which commenced on JANUARY 27, 2014, unless the property is redeemed by the owner within the redemption period.

DATED this 28TH day of JANUARY 2014.


VENETTA APLEYARD
Treasurer

STATE OF NEVADA)
) ss.
CITY OF LAS VEGAS)

This instrument was acknowledged before me on the 28TH day of JANUARY 2014 by VENETTA APLEYARD as Treasurer of Las Vegas, Nevada.


Notary Public

WHEN RECORDED MAIL TO:
KEVIN LOVE OR PAUL PAWLIK
PO BOX 11314
SAN BERNARDINO, CA 92423-1314

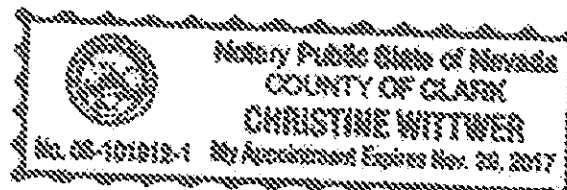


EXHIBIT 2

EXHIBIT 2


Inst #: 201402210001266
Fee: \$17.00
N/C Fee: \$0.00
02/21/2014 12:32:02 PM
Receipt #: 1939566
Requestor:
PAUL PAWLIK
Recorded By: ANI Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER

137-25-314-020

ASSIGNMENT OF CERTIFICATE OF SALE

For value received, the undersigned KEVIN LOVE conveys, sells, and assigns to PAUL PAWLIK right, title and interest in the Certificates of Sale of Property sold by the CITY OF LAS VEGAS, NV on 01/27/2014, property subject to lien further described as follows:

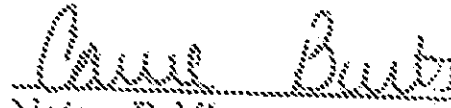
Parcel No: 137-25-314-020, Name of Property Owner: DENG SHYANG-P&LH-Y REV TR, Recorded as: Inst # 201402040000939, Clark County, NV; Street Address: 10669 ROYAL VIEW AV., Las Vegas, NV; Assessment Information: IMPROVEMENT DISTRICT: #707.



KEVIN LOVE 2/20/14
Date

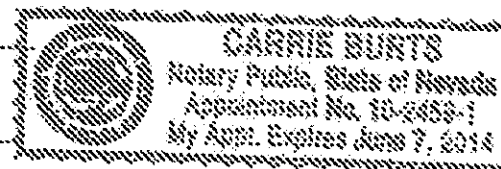
State of Nevada
County of Clark

This instrument was acknowledged before me on the 20th day of February, 2014 by KEVIN LOVE



Notary Public

My commission expires: June 7, 2014



When Recorded Mail To: PP c/o ATCEC
P.O. Box 11314
San Bernardino CA 92423-1314

EXHIBIT 3

EXHIBIT 3

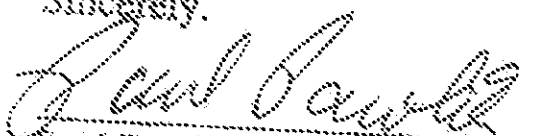
137-25-314-020

PAUL PAWLIK
PO Box 11314
San Bernardino, CA 92423-1134

JANUARY 7, 2016
DENG SHYANG-F & L H-Y C RV TR, DENG SHYANG-FENN & LINDA TRS
231 NEW HAVEN LN SW
AIKEN SC 29803-8065

RE: NOTICE OF EXPIRATION OF REDEMPTION PERIOD AND OF
INTENT BY OWNER OF CERTIFICATE OF SALE TO DEMAND DEED TO REAL
PROPERTY, AS PER NRS 271.595.
NOTICE IS HEREBY GIVEN TO DENG SHYANG-F & L H-Y C RV TR, DENG
SHYANG-FENN & LINDA TRS (OWNERS), that on January 27, 2014, Kevin Love or
Paul Pawlik purchased from the City of Las Vegas, Nevada, a Certificate of Sale for the
following property (the "Property")
Clark County Assessor's Parcel #137-25-314-020, (City of Las Vegas Local
Improvement District #707), CHARDONNAY # 61 BY LEWIS HOMES, PLAT
BOOK 78, PAGE 77, LOT 374 BLOCK C. Street Address: 10669 ROYAL VIEW AVE,
Las Vegas NV.
The Certificate of Sale was assigned by the purchaser Kevin Love to Paul Pawlik (Inst # :
201402210001266). The Certificate of Sale was recorded on 2/4/2014 as Inst #
201402040000939. As per NRS 271.595, the aforementioned Assessment must be paid in
full to the City of Las Vegas Treasurer within 60 days of this notice; and the amount to be
paid is \$1,996.62, plus accrued interest at one percent a month and other costs. This
notice states that Paul Pawlik is the owner of the aforesaid Certificate of Sale and he will
request a Deed to the Property, as permitted by law if the amount due is not paid to the
City of Las Vegas Treasurer within 60 days from receipt of this notice, or, if necessary,
from the Date of Publication.

Sincerely,


Paul Pawlik

State of California
County of San Bernardino
Subscribed and sworn to before me on this 7th day of January 2016
by Paul Pawlik, proved to me on the basis of satisfactory evidence to be the person who
appeared before me.

Notary Public

See attached
notarial certificate A.J. 1-7-16

CALIFORNIA JURAT
(CALIFORNIA GOVERNMENT CODE § 8202)

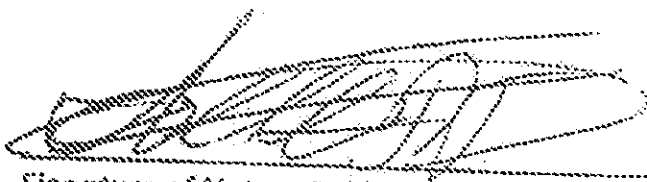
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF San Bernardino)

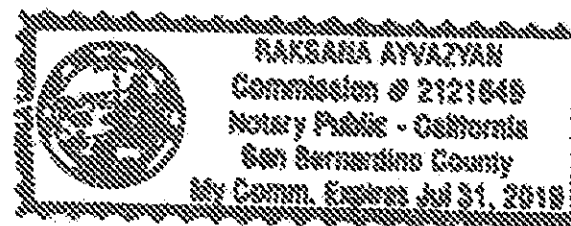
Subscribed and sworn to (or affirmed) before me on this 7 day of January, 2016
by Paul Pawlik

(Name of Signer(s)), proved to me on the basis of
satisfactory evidence to be the person(s) who appeared before me.



Signature of Notary Public

(Notary Seal)



ADDITIONAL OPTIONAL INFORMATION

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Additional Information: _____

EXHIBIT 4

EXHIBIT 4

AFFIDAVIT OF SERVICE

STATE OF NEVADA)
COUNTY OF CLARK)ss
)

I HEREBY CERTIFY and return that I received the within Notice of Expiration of Redemption Period and of Intent by owner of Certificate of Sale to demand Deed to Real Property on the 7th day of January, 2016, and that I personally conducted due diligence and attempt to locate Shyang –Fenn & Linda Deng. Theses attempts were unsuccessful. On January 8, 2016 I Carrie Dabney attempted to serve a Notice of expiration of redemption period and of intent by owner of certificate of sale to demand deed to real property to Shyang –Fenn & Linda Deng regarding Clark County Assessor parcel number 137-25-314-020. On January 8, 2016 I visited the property located at 10669 Royal View Avenue Las Vegas, Nevada 89144 at on two occasions At 12:11 p.m. I found the property to be occupied by an Asian male whom identified himself as Paul Deng, the owners son. He stated that his father had taken a job and they moved out of state. He confirmed their address as 231 New Haven Lane, S.W., Aiken, SC 29803-8065 but refused to accept any notice or paperwork or to give a message to his parents. I called provided telephone number (702) 838-1829 but received no answer. On January 9, 2016 I visited another address associated with the Dengs' located at 2913 Lark Sparrow Street, North Las Vegas, NV 89084 spoke with a an elderly Caucasian female whom identified herself as Ms. Howlett and stated she had resided at that address for 5 yrs and denied any knowledge of the Deng's. On

January 9, 2016 I visited another address associated with the Dengs' located at 7437 Eggshell Drive, North Las Vegas 89084 and spoke with Venetria McCaster whom stated that her and her husband Malcolm had purchased the home in a short sale from an out of state owner in December 2014. She had no further information about the previous owner. January 9, 2016 I visited another address associated with the Dengs' located at 7528 Fruit Dove Street, North Las Vegas, NV 89084 and received no answer however a neighbor verified that the residence name was not Shyang or Linda Deng. No further attempts of service were performed at this time. The fees and cost associated with attempts to locate and serve this notice are \$222.60.

BY: Carrie Dabney
Carrie Dabney 3027456

1/11/16

SUBSCRIBE & SWORN to before me

This 11th day of January, 2016

Brittney Williams

NOTARY PUBLIC I. And for said

County and State

State of Nevada

County of Clark

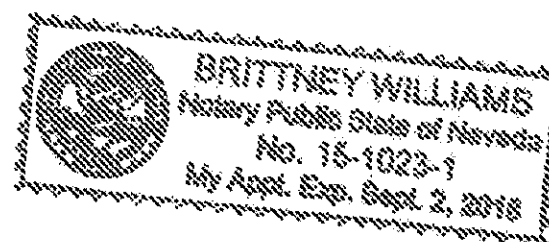


EXHIBIT 5

EXHIBIT 5

REPORT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

PANLUK, PAUL
P O BOX 11244
SAN BERNARDINO CA 92422-1244

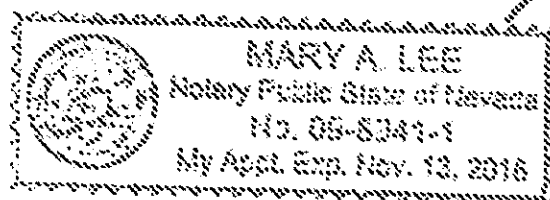
XXXXXXXXXX	XXXXX
XXXXXXXXXX	XXXXXXXXXXXX

Eileen Gallagher, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in a edition(s) of said newspaper issued from 01/13/2016 to 01/27/2016, on the following days.

John T. Smith
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 27th day of January, 2018

[Handwritten signature]



537-35-314-003
 PAUL MANN
 PO BOX 11314
 San Bernardino, CA 92403-1334
 JANUARY 7 2014
 DENG XINYANG & L I Y I T N
 TO DENG XINYANG NNN &
 L I N G S P E
 221 NEW HAVEN LN SW
 ALBUQ. NM 87102-1035

SEE NOTICE OF EXPIRATION OF
REGISTRATION PERSON AND OF
INTEREST IN CHANGE OF
CERTIFICATE OF SALE TO
DEVELOP DUE TO REAL
PROPERTY AFTER NOTICE
NOTICE IS HEREBY GIVEN TO
DING SPRINGER & LARRY C. W.
TO DENG SPRINGER & LARRY C. W.
LINDA TOS (OWNERS) that on
January 27, 2014, DEED OF
DEED PUBLIC DOCUMENTED FROM THE
OFF OF LAS VEGAS, NEVADA, A
CERTIFICATE OF SALE FOR THE
FOLLOWING PROPERTY (THE
PROPERTY)

Clark County Assessor's Parcel
#237,257,123,230 (City of Las
Vegas) (Local Improvement
District #1000) (Community #
01) (Voter's Name: PLAT
#000878, PAGE 11, LOT 352
S. 00000 C. Street Address: 10000
S. 00000, 0000, 000, 000, 000
000

The Certificate of Sale was received by the Government of the State of New York on the 10th day of May 1932. The Certificate of Sale was recorded on the 10th day of May 1932. The Government of the State of New York is hereby notified that the same has been received by the Government of the State of New York on the 10th day of May 1932. The Government of the State of New York is hereby notified that the same has been received by the Government of the State of New York on the 10th day of May 1932.

4737

[illegible]

EXHIBIT 6

EXHIBIT 6

3

(Faint handwritten notes at the bottom of the page)

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EXHIBIT 7

EXHIBIT 7

March 14, 2016

AFFIDAVIT OF NOTICE TO OWNER

State of Nevada)

)ss

County of Clark)

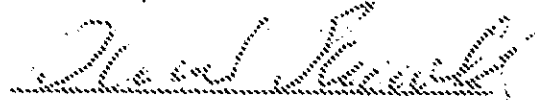
I, Paul Pawlik, first being sworn, say: that I am the purchaser of real estate and appurtenances described as follows:

Clark County Assessor's Parcel # 137-25-314-020, City of Las Vegas Local Improvement District # 707 being owned by Deng Shyang-F&L H-Y-C REY TR. according to the latest assessment roll and described as: 010669 Royal View A.C. Chardonnay #61 by Lewis Homes, Plat Book 78 Page 77 Lot 374 Block C.

for delinquent assessments due on January 27, 2014; and that I gave notice to the owners of said property of intention to apply for a Deed in the following manner:

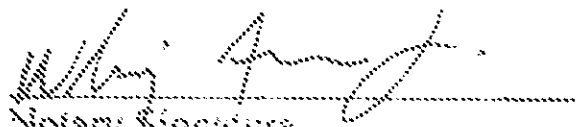
Paul Pawlik attempted to have the Notice of Expiration of Redemption Period (NOTICE) and the Intent by Owner of Certificate of Sale Demand Deed to Real Property as per NRS 271.595 served upon the owners. Notice attached. Per attached affidavit of service, it was determined that the owners live outside of Nevada. Service by publication was chosen. The notice was published in the Las Vegas Review-Journal on three consecutive weeks, starting January 13, 2016. Notice and proof of publication attached. A notice was also sent to the Aiken, South Carolina address via first class mail.

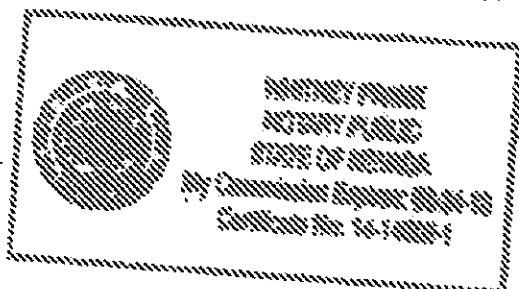
According to Pacer Court Reporting, the owners are not in bankruptcy and according to Department of Defense Manpower Data Records, they are not on active military duty. To date no redemption notice has been received.


Applicant: PAUL PAWLK

STATE OF NEVADA
COUNTY OF CLARK

Signed and sworn before me on the 14th day of March 2016 by Paul Pawlik


Notary Signature
My commission expires 02-29-2018





Status Report Pursuant to Servicemembers Civil Relief Act

Last Name: DENGFirst Name: LINDA

Middle Name:

Active Duty Status As Of: Mar-01-2016

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA

This response reflects the individual's active duty status as of the Active Duty Status Date.

Left Active Duty Within 302 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
No	NA	No	NA

This response reflects where the individual left active duty status within 302 days preceding the Active Duty Status Date.

The Member or Member Unit Was Notified of a Future Call Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA

This response reflects whether the individual or member unit has received any notification to report for active duty.

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or member unit receiving notification of future orders to report for Active Duty. HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITYATIVELY ASSESS THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.

Mary M. Snavely-Dixon, Director

Department of Defense - Manpower Data Center

4800 Mark Center Drive, Suite 04E25

Arlington, VA 22200



Status Report Pursuant to Servicemembers Civil Relief Act

Last Name: DENGFirst Name: SHYANGMiddle Name: FENNActive Duty Status As Of: Mar-01-2018

On Active Duty (On Active Duty Status Date)			
Active Duty Start Date	Active Duty End Date	Status	Status Comment
NA	NA	No	NA

This response reflects the individual's status on the Active Duty Status Date.

Left Active Duty Within 90 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Status Comment
NA	NA	No	NA

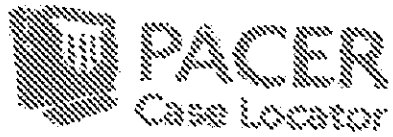
This response reflects whether the individual left active duty within 90 days preceding the Active Duty Status Date.

The Member of the Unit Was Issued a Form 1042 to Active Duty on Active Duty Status Date			
Order notification Start Date	Order notification End Date	Status	Status Comment
NA	NA	No	NA

This response reflects whether the individual or member unit has received such notification to report for active duty.

Upon searching the data bases of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or member unit receiving notification of future orders to report for Active Duty. HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITATIVELY ASSERT THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.

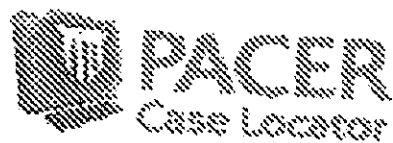
Mary M. Snowdy-Oxart, Director
Department of Defense - Manpower Data Center
4800 Mark Center Drive, Suite G4E25
Arlington, VA 22250



Bankruptcy Party Search
Mon Jan 14 10:31:43 2013
No Records Found

User: a2482
Client:
Search: Bankruptcy Party Search Name CENZI LINDA Ann Court Page: 1
No records found

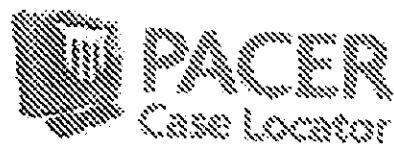
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Client:
Description: Bankruptcy Party Search
Name CENZI LINDA Ann Court Page: 1
Pages: 1 (80 10)



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Client:
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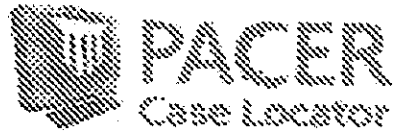
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Name SHYANG LINDA Ann Court Page: 1
Pages: 1 (80 10)



Bankruptcy Party Search
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No Records Found

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Client:
Search: Bankruptcy Party Search Name CENZI, SHYANG, & Courts Page: 1
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User: a2482
Client:
Description: Bankruptcy Party Search
Name CENZI, SHYANG, & Courts Page: 1
Pages: 1 (80 10)



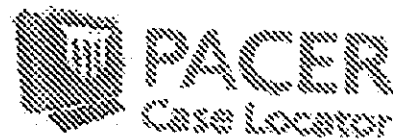
Bankruptcy Party Search
Mon Jan 11 10:13:49 2016
No Records Found

User: admin
Client:
Search: Bankruptcy Party Search Name SHYANG DENG At Courts Page: 1

No records found

User: admin
Client:
Description: Bankruptcy Party Search
Name SHYANG DENG At Courts Page: 1
Pages: 1 (1/1)

Receipt: 01/11/2016 00:00:00 17067386



Bankruptcy Party Search
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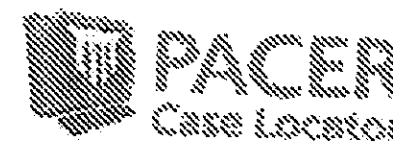
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Client:
Search: Bankruptcy Party Search Name SHYANG DENG At Courts Page: 1

No records found

User: admin
Client:
Description: Bankruptcy Party Search
Name SHYANG DENG At Courts Page: 1
Pages: 1 (1/1)

Receipt: 03/10/2016 01:01:01 217300864

[Browse All](#)



Bankruptcy Party Search
Thu Mar 10 01:01:01 2016
No Records Found

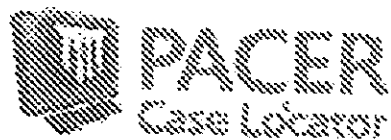
User: admin
Client:
Search: Bankruptcy Party Search Name SHYANG FENG DENG At Courts Page: 1

No records found

User: admin
Client:
Description: Bankruptcy Party Search
Name SHYANG FENG DENG At Courts Page: 1
Pages: 1 (1/1)

Receipt: 03/10/2016 01:01:01 217300864

[Browse All](#)

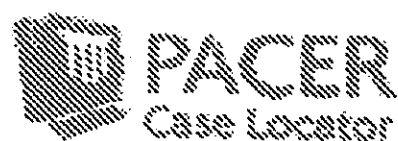


Bankruptcy Party Search
Thu Mar 10 04:52:53 2016
No Records Found

[Browse Around](#)

User: a0465
Client:
Search: Bankruptcy Party Search Name B-174702, LACIA At Courts Page: 1
No records found

User: a0465	Receipt: 007402016 01-02 21-7402016
Client:	
Description: Bankruptcy Party Search	
Name: B-174702, LACIA At Courts Page: 1	
Pages: 1 (of 10)	

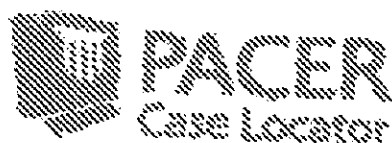


Bankruptcy Party Search
Thu Mar 10 01:53:31 2016
No Records Found

[Browse Around](#)

User: a0465
Client:
Search: Bankruptcy Party Search Name B-174702-PEMIL LACIA At Courts Page: 1
No records found

User: a0465	Receipt: 007402016 01-02 21-7402016
Client:	
Description: Bankruptcy Party Search	
Name: B-174702-PEMIL, LACIA At Courts Page: 1	
Pages: 1 (of 10)	

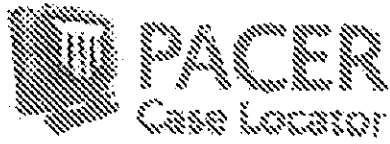


Bankruptcy Party Search
Thu Mar 10 01:54:10 2016
No Records Found

[Browse Around](#)

User: a0465
Client:
Search: Bankruptcy Party Search Name B-174702, LACIA At Courts Page: 1
No records found

User: a0465	Receipt: 007402016 01-02 21-7402016
Client:	
Description: Bankruptcy Party Search	
Name: B-174702, LACIA At Courts Page: 1	
Pages: 1 (of 10)	

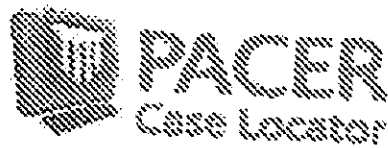


[Browse All](#)

Bankruptcy Party Search
Thu Mar 10 01:34:21 2016
No Records Found

User: 20002
Client:
Search: Bankruptcy Party Search Name SHRYANG, FERNANDEZ Page: 1
No records found

User: 20002	Receipt: 03/10/2016 01:34:21 76402607
Client:	
Description: Bankruptcy Party Search	
Name: SHRYANG, FERNANDEZ Page: 1	
Pages: 1 (1/1)	



[Browse All](#)

Bankruptcy Party Search
Thu Mar 10 01:36:22 2016
No Records Found

User: 20002
Client:
Search: Bankruptcy Party Search Name SHRYANG, FERNANDEZ Page: 1
No records found

User: 20002	Receipt: 03/10/2016 01:36:22 76402608
Client:	
Description: Bankruptcy Party Search	
Name: SHRYANG, FERNANDEZ Page: 1	
Pages: 1 (1/1)	

EXHIBIT 8

EXHIBIT 8

APPLICATION FOR DEED

San Bernardino, Arizona

March 14, 2016

Venetta Appleyard
Treasurer
City of Las Vegas, Nevada

Dear Ms. Appleyard:

In accordance with the requirements of N.R.S. 271.595 et. Seq., and amendments thereto, formal application is hereby made to the following estate:

Clark County Assessor's Parcel # 137-25-314-020, City of Las Vegas Local Improvement District # 707 and described as: 010669 Royal View Av. Chardonway #61 by Lewis Homes, Plat Book 78 Page 77 Lot 374 Block C.

Said property was sold by the City of Las Vegas, Nevada to Kevin Love or Paul Pawlik on January 27, 2014 pursuant to Nevada Revised Statutes Chapter 271, Consolidated Local Improvement Laws and was recorded on February 4, 2014. The Certificate of Sale was assigned by the purchasers Kevin Love to Paul Pawlik. The Assignment of Certificate of Sale is attached to this application.

Affidavit was filed with you AFTER the 13th day of March 2016.

PLEASE MAIL DEED TO PAUL PAWLIK c/o ATCEC, P.O. Box 11314, San Bernardino, CA., 92423-1314. Given that you refused to issue deeds on several occasions in the past, after applications following the Nevada statutes, a writ of mandamus will be filed if the deed is not received by April 1, 2016.

Yours truly,

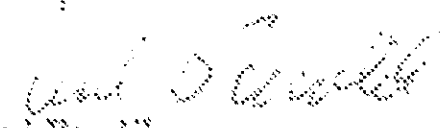
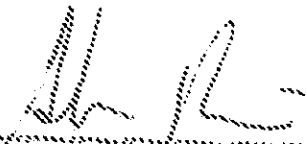

Paul Pawlik

EXHIBIT 9

EXHIBIT 9

March 14, 2016

On behalf of Venetta Appleyard, City of Las Vegas Treasurer, I am accepting Deed Applications for APN 137-25-314-020 and 125-16-713-010.

Signature of authorized person  Date: 3/14/16

Printed Name of authorized person Adrienne Ramirez

EXHIBIT “B”

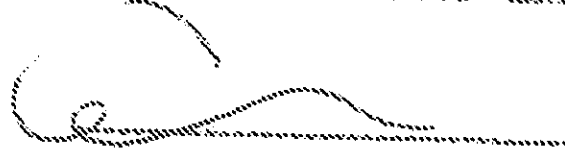
Inst #: 201402210001266
Fees: \$17.00
N/C Fee: \$0.00
02/21/2014 12:32:02 PM
Receipt #: 1939585
Requestor:
PAUL PAWLIK
Recorded By: ANI Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER

137-25-314-020

ASSIGNMENT OF CERTIFICATE OF SALE

For value received, the undersigned KEVIN LOVE conveys, sells, and assigns to PAUL PAWLIK right, title and interest in the Certificates of Sale of Property sold by the CITY OF LAS VEGAS, NV on 01/27/2014, property subject to lien further described as follows:

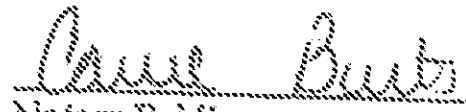
Parcel No: 137-25-314-020, Name of Property Owner: DENG SHYANG-P&LH-Y REV TR, Recorded as: Inst # 201402040000939, Clark County, NV; Street Address: 10669 ROYAL VIEW AV., Las Vegas, NV; Assessment Information: IMPROVEMENT DISTRICT: #707.


KEVIN LOVE

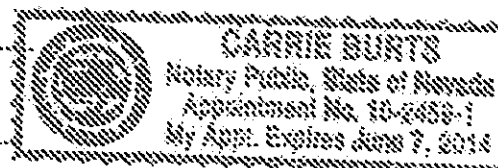
2/20/14
Date

State of Nevada
County of Clark

This instrument was acknowledged before me on the 20th day of February, 2014 by KEVIN LOVE


Notary Public

My commission expires: June 7, 2014



When Recorded Mail To: PP c/o ATCEC
P.O. Box 11314
San Bernardino CA 92423-1314

EXHIBIT “C”



CITY OF LAS VEGAS
DEPARTMENT OF FINANCE

Operator ID: MTEJEDA

Transaction: 365237

Reference #:

Today's Date: 04/06/2016 3:24:15 PM

Posting Date: 04/06/2016

Account Description	Account Number	Amount Due
SID FORECLOSURE AGENCY.Default.Foreclosure	721300.00000.163711.000000.000.000	\$ 2,955.54
Total Amount Due		\$ 2,955.54

Method of Payment	Number	Authorization	Amount Paid
Check	1093517503		\$ 2,955.54
Tendered			\$ 2,955.54
Change			\$.00

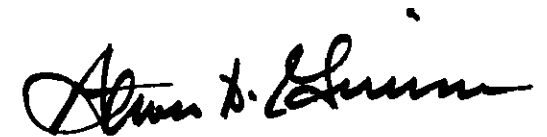
Customer Information:

DENG SHYANG-F L H-Y C REV TR

Comments:

SID 707

137 25 314 020
cashier's check



CLERK OF THE COURT

CODE: APPL

James M. Walsh, Esq.
Nevada State Bar 796
Walsh, Baker & Rosevear
9468 Double R. Blvd., Suite A
Reno, Nevada 89521
Tel: (775) 853-0883
Fax: (775) 853-0860
Email: jmw Walsh@wbrl.net
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

PAUL PAWLIK,

Plaintiff,

vs.

SHYANG-FENN DENG AND LINDA HSIANG-
YU CHIANG DENG, TRUSTEES OF THE
SHAYNG-FENN AND LINDA HSIANG-YU
CHIANG DENG REVOCABLE TRUST DATED
AUGUST 18, 2006; VANETTA APLEYARD,
TREASURER OF THE CITY OF LAS VEGAS;
THE CITY OF LAS VEGAS, a Political
Subdivision,

Defendants.

Case No.: A-16-734663-C

Dept. No: XII

APPLICATION FOR ENTRY OF DEFAULT

TO: THE CLERK OF EIGHTH JUDICIAL DISTRICT COURT

Defendant, THE CITY OF LAS VEGAS having been regularly served with the Summons and Complaint on April 11, 2016 (see, Summons attached hereto as **Exhibit 1**), and more than 20 days having elapsed since said service, and being in default, you are hereby requested and directed to enter default of Defendant THE CITY OF LAS VEGAS.

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DATED this 1st day of June, 2016.

/s/ James M. Walsh
JAMES M. WALSH, ESQ.
Nevada State Bar 796
9468 Double R. Blvd., Suite A
Reno, Nevada 89521
Tel: (775) 853-0883
Fax: (775) 853-0860
Email: jmwalsh@wbri.net
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I, the undersigned, declare under penalty of perjury, that I am an employee of WALSH, BAKER & ROSEVEAR that I am over the age of eighteen (18) years, and that I am not a party to, nor interested in, this action. On this date, I caused to be served a true and correct copy of the foregoing document on all parties to this action by:

XX Placing an original or true copy thereof in a sealed envelope placed for collection and mailing in the United States Mail, at Reno, Nevada postage paid, following the ordinary course of business practices;

addressed as follows:

Steven Mack, Esq.
Black & LoBello
10777 West Twain Ave., Third Floor
Las Vegas, NV 89135
*Counsel for Shayng-Fenn Deng and
Linda Hsiang-Yu Chiang Deng, Trustees of the
Shayng-Fenn Deng and Linda Hsiang-Yu Chiang Deng
Revocable Trust Dated August 18, 2006*

Bradford R. Jerbic, City Attorney
John A. Curtis, Deputy City Attorney
495 South Main Street, Sixth Floor
Las Vegas, Nevada 89101
Attorneys for City of Las Vegas and Vanetta Appleyard

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

Executed this 1st day of June, 2016.

/s/ Denise Vollmer

Denise Vollmer, an employee of
Walsh, Baker & Rosevear

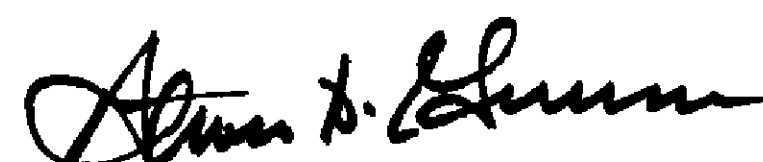
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EXHIBIT 1

EXHIBIT 1



CLERK OF THE COURT

1 **SUMM**

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PAUL PAWLIK

11

Plaintiff(s),

CASE NO. A-16-734663-C

12

-VS-

DEPT. NO. XII

13

SHYANG-FENN DENG AND LINDA
HSIANG-YU CHAING DENG, TRUSTEES, ET. AL.

14

Defendant(s).

15

16

SUMMONS - CIVIL

17

**NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU
WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS.
READ THE INFORMATION BELOW.**

18

19

20

TO THE DEFENDANT(S): A civil Complaint has been filed by the Plaintiff(s) against
you for the relief set forth in the Complaint.

21

22

1. If you intend to defend this lawsuit, within 20 days after this Summons is
served on you, exclusive of the day of service, you must do the following:

23

24

- (a) File with the Clerk of this Court, whose address is shown below, a
formal written response to the Complaint in accordance with the rules
of the Court, with the appropriate filing fee.

25

26

27

- (b) Serve a copy of your response upon the attorney whose name and
address is shown below.

28

SUMM Civil/7/23/2009

2. Unless you respond, your default will be entered upon application of the Plaintiff(s) and failure to so respond will result in a judgment of default against you for the relief demanded in the Complaint, which could result in the taking of money or property or other relief requested in the Complaint.

3. If you intend to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.

4. The State of Nevada, its political subdivisions, agencies, officers, employees, board members, commission members and legislators each have 45 days after service of this Summons within which to file an Answer or other responsive pleading to the Complaint.

~~Submitted by:~~

~~JAMES M. WALSH, ESQ., Bar No. 796~~
Walsh, Baker & Rosevear
9468 Double R Blvd., Suite A
Reno, Nevada 89521
(775) 853-0883
Attorney for Plaintiff

STEVEN D. GRIERSON
CLERK
APR 08 2016
By: _____ JUDIT ANGYALNE KISS
Deputy Clerk Date

Regional Justice Center
200 Lewis Avenue
Las Vegas, NV 89155

NOTE: When service is by publication, add a brief statement of the object of the action. See Nevada Rules of Civil Procedure 4(b).



PSER
WALSH, BAKER & ROSEVEAR, P. C.
9468 DOUBLE "R" Blvd. * Ste. #A
Reno, NV 89521
775-853-0883
Attorney for: Plaintiff

DISTRICT COURT
CLARK COUNTY NEVADA

PAUL PAWLIK

Plaintiff

SHYANG-FENN DENG, ET AL.

Defendant

Case Number: **A-16-734663-C**

Dept/Div: **XII**

PROOF OF SERVICE

JOHN GODWIN, being duly sworn deposes and says: that at all times herein affiant was and is a citizen of the United States, over 18 years of age, licensed to serve civil process in the state of Nevada under license #389, and not a party to or interested in the proceeding in which this affidavit is made. The affiant received on Friday April 08 2016; 1 copy(ies) of the:

**SUMMONS; VERIFIED COMPLAINT TO QUIET TITLE, WRIT OF MANDAMUS AND
INJUNCTION; LIS PENDENS**

I served the same on Monday April 11 2016 at 10:50AM by:

**Serving Defendant THE CITY OF LAS VEGAS, A POLITICAL SUBDIVISION, BY SERVING
THE CITY ATTORNEY**

Substituted Service, by leaving the copies with or in the presence of: BARNEY PERKINS,
ADMINISTRATIVE ASSISTANT Authorized Agent. at the Defendant's Business located at 495 S MAIN
ST, Las Vegas, NV 89101.

Pursuant to NRS 53.045, I declare under the penalty of perjury under the law of the State of Nevada
that the forgoing is true and correct.

Executed: Monday April 11 2016

Affiant: JOHN GODWIN #R-087033
LEGAL WINGS, INC. - NV LIC #389
1118 FREMONT STREET
Las Vegas, NV 89101
(702) 384-0305, FAX (702) 384-8638



PSEER
WALSH, BAKER & ROSEVEAR, P. C.
9468 DOUBLE "R" Blvd. * Ste. #A
Reno, NV 89521
775-853-0883
Attorney for: Plaintiff

DISTRICT COURT
CLARK COUNTY NEVADA

PAUL PAWLIK

Plaintiff

SHYANG-FENN DENG, ET AL.

Defendant

Case Number: **A-16-734663-C**

Dept/Div: **XII**

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INJUNCTION; LIS PENDENS**

I served the same on Monday April 11 2016 at 10:50AM by:

**Serving Defendant THE CITY OF LAS VEGAS, A POLITICAL SUBDIVISION, BY SERVING
THE CITY CLERK**

Substituted Service, by leaving the copies with or in the presence of: BARNEY PERKINS,
ADMINISTRATIVE SUPPORT Authorized Agent. at the Defendant's Business located at 495 S. MAIN
ST., Las Vegas, NV 89101.

Pursuant to NRS 53.045, I declare under the penalty of perjury under the law of the State of Nevada
that the forgoing is true and correct.

Executed: Monday April 11 2016

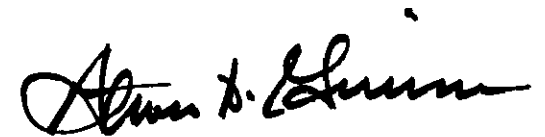
Affiant: JOHN GODWIN #R-087033

LEGAL WINGS, INC. - NV LIC #389

1118 FREMONT STREET

Las Vegas, NV 89101

(702) 384-0305, FAX (702) 384-8638



CLERK OF THE COURT

CODE: APPL

James M. Walsh, Esq.
Nevada State Bar 796
Walsh, Baker & Rosevear
9468 Double R. Blvd., Suite A
Reno, Nevada 89521
Tel: (775) 853-0883
Fax: (775) 853-0860
Email: jmw@wbri.net
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

PAUL PAWLIK,

Plaintiff,

vs.

SHYANG-FENN DENG AND LINDA HSIANG-
YU CHIANG DENG, TRUSTEES OF THE
SHAYNG-FENN AND LINDA HSIANG-YU
CHIANG DENG REVOCABLE TRUST DATED
AUGUST 18, 2006; VANETTA APPELYARD,
TREASURER OF THE CITY OF LAS VEGAS;
THE CITY OF LAS VEGAS, a Political
Subdivision,

Defendants.

Case No.: A-16-734663-C

Dept. No: XII

APPLICATION FOR ENTRY OF DEFAULT

TO: THE CLERK OF EIGHTH JUDICIAL DISTRICT COURT

Defendant, VANETTA APPELYARD, TREASURER OF THE CITY OF LAS VEGAS having
been regularly served with the Summons and Complaint on April 11, 2016 (see, Summons attached
hereto as **Exhibit 1**), and more than 20 days having elapsed since said service, and being in default, you
are hereby requested and directed to enter default of Defendant VANETTA APPELYARD,
TREASURER OF THE CITY OF LAS VEGAS.

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DATED this 1st day of June, 2016.

/s/ James M. Walsh
JAMES M. WALSH, ESQ.
Nevada State Bar 796
9468 Double R. Blvd., Suite A
Reno, Nevada 89521
Tel: (775) 853-0883
Fax: (775) 853-0860
Email: jmwalsh@wbri.net
Attorney for Plaintiff

1 **CERTIFICATE OF SERVICE**

2 I, the undersigned, declare under penalty of perjury, that I am an employee of WALSH, BAKER
3 & ROSEVEAR that I am over the age of eighteen (18) years, and that I am not a party to, nor interested
4 in, this action. On this date, I caused to be served a true and correct copy of the foregoing document on
all parties to this action by:

5 XX Placing an original or true copy thereof in a sealed envelope placed for collection and
6 mailing in the United States Mail, at Reno, Nevada postage paid, following the ordinary
7 course of business practices;

8 addressed as follows:

9 Steven Mack, Esq.
10 Black & LoBello
11 10777 West Twain Ave., Third Floor
12 Las Vegas, NV 89135
13 *Counsel for Shayng-Fenn Deng and
Linda Hsiang-Yu Chiang Deng, Trustees of the
Shayng-Fenn Deng and Linda Hsiang-Yu Chiang Deng
Revocable Trust Dated August 18, 2006*

14 Bradford R. Jerbic, City Attorney
15 John A. Curtis, Deputy City Attorney
16 495 South Main Street, Sixth Floor
17 Las Vegas, Nevada 89101
Attorneys for City of Las Vegas and Vanetta Appleyard

18 I declare under penalty of perjury that the foregoing is true and correct.

19 Executed this 1st day of June, 2016.

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21
22 /s/Denise Vollmer
23 Denise Vollmer, an employee of
24 Walsh, Baker & Rosevear
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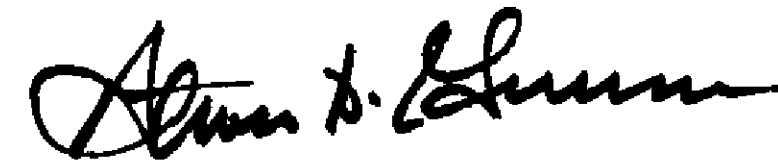
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EXHIBIT 1



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PAUL PAWLIK

11

Plaintiff(s),

CASE NO. A-16-734663-C

12

-VS-

DEPT. NO. XII

13

SHYANG-FENN DENG AND LINDA
HSIANG-YU CHAING DENG, TRUSTEES, ET. AL.

14

Defendant(s).

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SUMMONS - CIVIL

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**NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU
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READ THE INFORMATION BELOW.**

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TO THE DEFENDANT(S): A civil Complaint has been filed by the Plaintiff(s) against
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1. If you intend to defend this lawsuit, within 20 days after this Summons is
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- (a) File with the Clerk of this Court, whose address is shown below, a
formal written response to the Complaint in accordance with the rules
of the Court, with the appropriate filing fee.

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- (b) Serve a copy of your response upon the attorney whose name and
address is shown below.

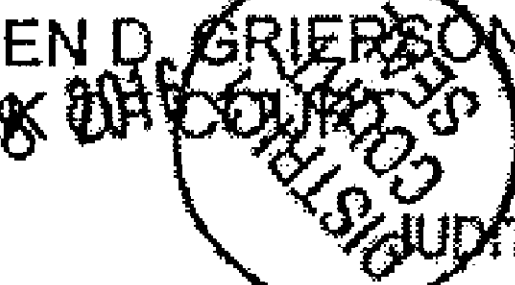
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SUMM Civil/7/23/2009

- 1 2. Unless you respond, your default will be entered upon application of the
2 Plaintiff(s) and failure to so respond will result in a judgment of default
3 against you for the relief demanded in the Complaint, which could result in
4 the taking of money or property or other relief requested in the Complaint.
5 3. If you intend to seek the advice of an attorney in this matter, you should do
6 so promptly so that your response may be filed on time.
7 4. The State of Nevada, its political subdivisions, agencies, officers,
8 employees, board members, commission members and legislators each
9 have 45 days after service of this Summons within which to file an Answer
10 or other responsive pleading to the Complaint.
11

12
13 Submitted by:

14 
15
16 JAMES M. WALSH, ESQ., Bar No. 706
17 Walsh, Baker & Rosevear
18 9468 Double R Blvd., Suite A
19 Reno, Nevada 89521
20 (775) 853-0883
21 Attorney for Plaintiff
22
23
24
25
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STEVEN D. GRIERSON
CLERK OF DISTRICT COURT
APR 08 2009
By:  JUDIT ANGYALNE KISS
Deputy Clerk Date

Regional Justice Center
200 Lewis Avenue
Las Vegas, NV 89155

NOTE: When service is by publication, add a brief statement of the object of the action. See Nevada Rules of Civil Procedure 4(b).



PSER
WALSH, BAKER & ROSEVEAR, P. C.
9468 DOUBLE "R" Blvd. * Ste. #A
Reno, NV 89521
775-853-0883
Attorney for: Plaintiff

DISTRICT COURT
CLARK COUNTY NEVADA

PAUL PAWLIK

Plaintiff

SHYANG-FENN DENG, ET AL.

Defendant

Case Number: **A-16-734663-C**

Dept/Div: **XII**

PROOF OF SERVICE

JOHN GODWIN, being duly sworn deposes and says: that at all times herein affiant was and is a citizen of the United States, over 18 years of age, licensed to serve civil process in the state of Nevada under license #389, and not a party to or interested in the proceeding in which this affidavit is made. The affiant received on Friday April 08 2016; 1 copy(ies) of the:

**SUMMONS; VERIFIED COMPLAINT TO QUIET TITLE, WRIT OF MANDAMUS AND
INJUNCTION; LIS PENDENS**

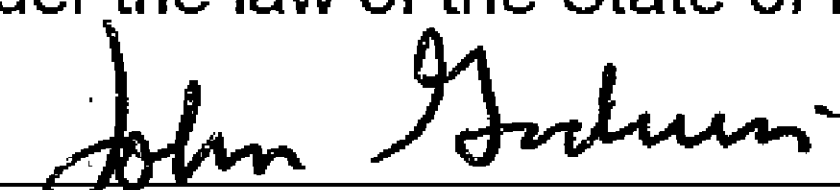
I served the same on Monday April 11 2016 at 11:00AM by:

**Serving Defendant VANETTA APLEYARD TREASURER OF THE CITY OF LAS VEGAS,
BY SERVING THE CITY ATTORNEY**

Substituted Service, by leaving the copies with or in the presence of: VENETTA APLEYARD, TREASURER Authorized Agent. at the Defendant's Business located at 495 S MAIN ST., Las Vegas, NV 89101.

Pursuant to NRS 53.045, I declare under the penalty of perjury under the law of the State of Nevada that the forgoing is true and correct.

Executed: Monday April 11 2016


Affiant: JOHN GODWIN #R-087033
LEGAL WINGS, INC. - NV LIC #389
1118 FREMONT STREET
Las Vegas, NV 89101
(702) 384-0305, FAX (702) 384-8638



PSEER
WALSH, BAKER & ROSEVEAR, P. C.
9468 DOUBLE "R" Blvd. * Ste. #A
Reno, NV 89521
775-853-0883
Attorney for: Plaintiff

DISTRICT COURT
CLARK COUNTY NEVADA

PAUL PAWLIK

Plaintiff

SHYANG-FENN DENG, ET AL.

Defendant

Case Number: **A-16-734663-C**

Dept/Div: **XII**

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JOHN GODWIN, being duly sworn deposes and says: that at all times herein affiant was and is a citizen of the United States, over 18 years of age, licensed to serve civil process in the state of Nevada under license #389, and not a party to or interested in the proceeding in which this affidavit is made. The affiant received on Friday April 08 2016; 1 copy(ies) of the:

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I served the same on Monday April 11 2016 at 11:00AM by:

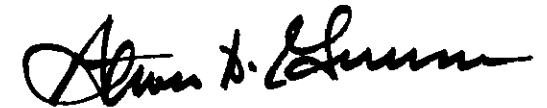
**Serving Defendant VANETTA APLEYARD, TREASURER OF THE CITY OF LAS VEGAS,
BY SERVING THE CITY CLERK**

by serving: VANETTA APLEYARD, TREASURER at the Defendant's Business located at 495 S MAIN ST, Las Vegas, NV 89101.

Pursuant to NRS 53.045, I declare under the penalty of perjury under the law of the State of Nevada that the forgoing is true and correct.

Executed: Monday April 11 2016

Affiant: JOHN GODWIN #R-087033
LEGAL WINGS, INC. - NV LIC #389
1118 FREMONT STREET
Las Vegas, NV 89101
(702) 384-0305, FAX (702) 384-8638



CLERK OF THE COURT

ERRA

STEVEN MACK, ESQ.

Nevada Bar No. 4000

BLACK & LOBELLO

10777 W. Twain Ave., 3rd Fl.

Las Vegas, Nevada 89135

(702) 869-8801

(702) 869-2669 (fax)

smack@blacklobellolaw.com

Attorneys for Defendants

Shyang-Fenn Deng and Linda Hsiang-Yu Chiang Deng,

Trustees of the Shyang-Fenn and Linda Hsiang-Yu Chiang

Deng Revocable Trust Dated August 18, 2006

DISTRICT COURT

CLARK COUNTY, NEVADA

PAUL PAWLIK,

Plaintiff,

v.

SHYANG-FENN DENG AND LINDA
HSIANG-YU CHIANG DENG, TRUSTEES
OF THE SHYANG-FENN AND LINDA
HSIANG-YU CHIANG DENG REVOCABLE
TRUST DATED AUGUST 18, 2006;
VANETTA APPELYARD, TREASURER OF
THE CITY OF LAS VEGAS; THE CITY OF
LAS VEGAS, a Political subdivision,

Defendants.

Case No. A-16-734663

Dept. No. XII

**DEFENDANTS SHYANG-FENN DENG
AND LINDA HSIANG-YU CHIANG
DENG, TRUSTEES OF THE SHYANG-
FENN AND LINDA HSIANG-YU CHIANG
DENG REVOCABLE TRUST DATED
AUGUST 18, 2006'S ERRATA TO
"RETURN TO PLAINTIFF'S MOTION
AND APPLICATION FOR WRIT OF
MANDAMUS" (FILED MAY 31, 2016) TO
CORRECTLY READ *MOTION TO
DISMISS PLAINTIFF'S VERIFIED
COMPLAINT***

[Nev. R. Civ. P. 12(b)(5)]

D/Hearing: 07/11/16

T/Hearing: 8:30 a.m.

Defendants Shyang-Fenn Deng and Linda Hsiang-Yu Chiang Deng, Trustees of the
Shyang-Fenn and Linda Hsiang-Yu Chiang Deng Revocable Trust Dated August 18, 2006,
(collectively "Defendants") by and through their counsel of record, Steven Mack, Esq. of the law
firm of Black & LoBello and hereby submit this Errata to "Defendants' Return to Plaintiff's

1 Motion and Application for Writ of Mandamus” filed May 31, 2016 to read the corrected title of
2 “Defendants’ Motion to Dismiss Plaintiff’s Verified Complaint to Quiet Title, Writ of
3 Mandamus and Injunction pursuant to Nevada Rules of Civil Procedure (“NRCPP”) 12(b)(5).”

4 This is simply an Errata to correct title on a previously filed document on May 31, 2016.
5 The hearing date for the Motion to Dismiss has already been set by the Court on July 11, 2016 @
6 8:30 a.m.
7

8 DATED this 1st day of June, 2016.

9 **BLACK & LOBELLO**



11

STEVEN MACK, ESQ.

12 Nevada Bar No. 4000

13 10777 W. Twain Ave., Third Floor

14 Las Vegas, Nevada 89135

15 *Attorneys for Defendants*

16 *Shyang-Fenn Deng and Linda Hsiang-Yu*

17 *Chiang Deng, Trustees of the Shyang-Fenn*

18 *and Linda Hsiang-Yu Chiang Deng*

19 *Revocable Trust Dated August 18, 2006*

CERTIFICATE OF MAILING

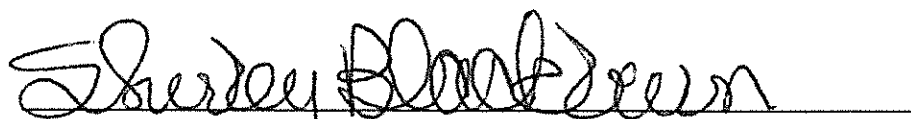
Pursuant to NRCp 5(b), I certify that I am an employee of BLACK & LOBELLO and that on the 1st day of June, 2016, I caused the above and foregoing document entitled **DEFENDANTS SHYANG-FENN DENG AND LINDA HSIANG-YU CHIANG DENG, TRUSTEES OF THE SHYANG-FENN AND LINDA HSIANG-YU CHIANG DENG REVOCABLE TRUST DATED AUGUST 18, 2006'S ERRATA TO "RETURN TO PLAINTIFF'S MOTION AND APPLICATION FOR WRIT OF MANDAMUS" (FILED MAY 31, 2016) TO CORRECTLY READ *MOTION TO DISMISS PLAINTIFF'S VERIFIED COMPLAINT*** to be served as follows:

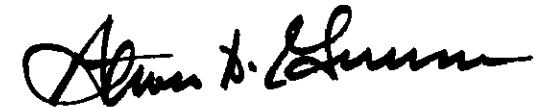
- ☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada; and
- ☒ by electronic service through Wiznet, Clark County Eighth Judicial District Court's electronic filing/service system;
- ☐ pursuant to EDCR 7.26, to be sent via facsimile;
- ☐ hand delivered

to the party or their attorney(s) listed below at the address and/or facsimile number indicated below:

James W. Walsh, Esq.
Walsh, Baker & Rosevear
9468 Double R. Blvd., Suite A
Reno, NV 89521
(775) 853-0883
Fax: (775) 853-0860
jmwalsh@wbri.net
Attorney for Plaintiff

and that there is regular communication by mail between the place of mailing and the place(s) so addressed.


An Employee of Black & LoBello



CLERK OF THE COURT

1 ANSC
2 BRADFORD R. JERBIC
3 City Attorney
4 Nevada Bar No. 1056
5 By: JOHN A. CURTAS
6 Deputy City Attorney
7 Nevada Bar No. 1841
8 495 South Main Street, Sixth Floor
9 Las Vegas, NV 89101
10 (702) 229-6629 (office)
11 (702) 386-1749 (fax)
12 Email: jacurtas@lasvegasnevada.gov
13 Attorneys for CITY OF LAS VEGAS
14 and VENETTA APPELYARD

DISTRICT COURT
CLARK COUNTY, NEVADA

11 PAUL PAWLIK,

12 Plaintiff,

13 vs.

14 SHYANG-FENN DENG AND LINDA
15 HSIANG-YU CHIANG DENG, TRUSTEES
16 OF THE SHAYNG-FENN AND LINDA
17 HSIANG-YU CHIANG DENG
18 REVOCABLE TRUST DATED AUGUST
19 18, 2006; VANETTA APPELYARD,
20 TREASURER OF THE CITY OF LAS
21 VEGAS; THE CITY OF LAS VEGAS, a
22 Political Subdivision,

23 Defendants.

CASE NO. A-16-734663-C
DEPT. NO. XII

**CITY OF LAS VEGAS AND VENETTA APPELYARD'S
ANSWER TO VERIFIED COMPLAINT TO QUIET
TITLE, WRIT OF MANDAMUS AND INJUNCTION**

23 Defendants CITY OF LAS VEGAS and VENETTA APPELYARD, through their
24 attorneys, BRADFORD R. JERBIC, City Attorney, by JOHN A. CURTAS, Deputy City Attorney,
25 answer Plaintiff's Verified Complaint to Quiet Title, Writ of Mandamus and Injunction as
26 follows:

27 1. Defendants CITY OF LAS VEGAS and VENETTA APPELYARD are without
28 knowledge and information sufficient to form a belief as to the truth of the allegations contained

1 **FOURTH AFFIRMATIVE DEFENSE**

2 This Defendant is not subject to suit upon the facts and conclusions as stated in Plaintiff's
3 Verified Complaint to Quiet Title, Writ of Mandamus and Injunction by reason of the sovereign
4 immunity of the City of Las Vegas as a political subdivision of the State of Nevada.

5 **FIFTH AFFIRMATIVE DEFENSE**

6 The damages, if any, suffered by Plaintiff were caused in whole or in part or were
7 contributed to by reason of the acts and omissions of Plaintiff.

8 **SIXTH AFFIRMATIVE DEFENSE**

9 The damages sustained by Plaintiff, if any, were caused by the acts of third persons who
10 are not agents, servants or employees of these answering Defendants, and who were not acting
11 on behalf of the Defendants in any manner or form, and as such, these answering Defendants are
12 not liable in any manner to Plaintiff.

13 **SEVENTH AFFIRMATIVE DEFENSE**

14 Plaintiff has failed in whole or in part to mitigate damages alleged to have been caused,
15 and therefore these answering Defendants cannot be held liable.

16 **EIGHTH AFFIRMATIVE DEFENSE**

17 Plaintiff's Verified Complaint to Quiet Title, Writ of Mandamus and Injunction and each
18 cause of action therein is barred by the doctrine of laches.

19 **NINTH AFFIRMATIVE DEFENSE**

20 Plaintiff's Verified Complaint to Quiet Title, Writ of Mandamus and Injunction and each
21 cause of action therein is barred by the doctrine of waiver.

22 **TENTH AFFIRMATIVE DEFENSE**

23 Plaintiff's Verified Complaint to Quiet Title, Writ of Mandamus and Injunction and each
24 cause of action therein is barred by the doctrine of estoppel.

25 **ELEVENTH AFFIRMATIVE DEFENSE**

26 These answering Defendants are not legally responsible for any of the acts and/or
27 omissions of those other defendants herein, whether named and/or named as DOE or ROE

28

1 defendants in Plaintiff's Verified Complaint to Quiet Title, Writ of Mandamus and Injunction or
2 in any crossclaim to this action.

3 **TWELFTH AFFIRMATIVE DEFENSE**

4 Plaintiff was cognizant and aware of all facts, circumstances and conditions which
5 existed at all relevant times mentioned in Plaintiff's Verified Complaint to Quiet Title, Writ of
6 Mandamus and Injunction and in accordance therewith consented to, permitted, acquiesced,
7 actively encouraged and/or voluntarily assumed the risk therefrom and intended thereto.

8 **THIRTEENTH AFFIRMATIVE DEFENSE**

9 The Plaintiff is guilty of improper and inequitable conduct and thus has unclean hands in
10 seeking the relief sought.

11 **FOURTEENTH AFFIRMATIVE DEFENSE**

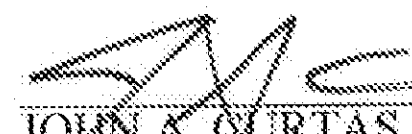
12 Pursuant to N.R.C.P. 11, all possible affirmative defenses may not have been alleged
13 herein insofar as sufficient facts were not available after reasonable inquiry upon the filing of
14 Defendants' Answer, therefore, these answering Defendants reserve the right to amend their
15 Answer to allege additional affirmative defenses if subsequent investigation so warrants.

16 WHEREFORE, Defendants CITY OF LAS VEGAS and VENETTA APPELYARD
17 request that Plaintiff take nothing by way of his Complaint to Quiet Title, Writ of Mandamus and
18 Injunction on file herein and that Defendants CITY OF LAS VEGAS and VENETTA
19 APPELYARD be awarded their costs and reasonable attorney's fees.

20 DATED this 7 day of June, 2016.

21 BRADFORD R. JERBIC
22 City Attorney

23 By:

24 
JOHN A. CURTAS
25 Deputy City Attorney
Nevada Bar No. 1841
495 South Main Street, Sixth Floor
26 Las Vegas, NV 89101
Attorneys for CITY OF LAS VEGAS
27
28

CERTIFICATE OF SERVICE

I hereby certify that on June 1, 2016, I served a true and correct copy of the foregoing CITY OF LAS VEGAS AND VENETTA APLEYARD'S ANSWER TO VERIFIED COMPLAINT TO QUIET TITLE, WRIT OF MANDAMUS AND INJUNCTION through the electronic filing system of the Eighth Judicial District Court of the State of Nevada, pursuant to Nevada Electronic Filing and Conversion Rules, (or, if necessary, by United States Mail at Las Vegas, Nevada, postage fully prepaid) upon the following:

James M. Walsh, Esq.
WALSH, BAKER & ROSEVEAR
9468-A Double R Boulevard
Reno, NV 89521
Attorneys for Plaintiff

Steven Mack, Esq.
BLACK & LOBELLO
10777 West Twain Avenue, Third Floor
Las Vegas, NV 89135
Attorneys for Defendant SHYANG-FENN DENG


AN EMPLOYEE OF THE CITY OF LAS VEGAS

IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
Jun 06 2017 04:53 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

PAUL PAWLIK;

Appellant,

vs.

SHAYNG-FENN DENG; LINDA
HSIANG-YU CHIANG DENG,
TRUSTEES OF THE SHYANG-FENN
AND LINDA HSIANG-YU CHIANG
DENG REVOCABLE TRUST DATED
AUGUST 18, 2006; VANETTA
APPLEYARD, TREASURER OF THE
CITY OF LAS VEGAS; AND THE CITY
OF LAS VEGAS, A POLITICAL
SUBDIVISION,

Respondents.

No.: 71055

**APPELLANT'S APPENDIX
VOLUME I
(AA0001-AA0171)**

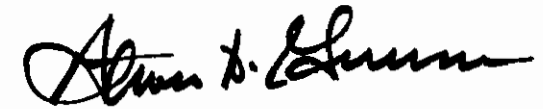
JAMES M. WALSH
Nevada State Bar No. 796
ANTHONY WALSH
Nevada State Bar No. 14128
WALSH, BAKER & ROSEVEAR.
9468 Double R Blvd, Suite A
Reno, Nevada 89521
(775) 853-0883
Attorneys for Appellant
PAUL PAWLIK

ALPHABETICAL INDEX TO APPELLANT’S APPENDIX

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Application for Entry of Default Re: Vanetta Appleyard, Treasurer of the City of Las Vegas (6/1/16).....	Volume I, AA0156-AA0164
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City of Las Vegas and Vanetta Appleyard’s Answer to Verified Complaint to Quiet Title, Writ of Mandamus and Injunction (6/1/16).....	Volume I, AA0168-AA0171
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Defendants Shyang-Fenn Deng and Linda Hsiang- Yu Chiang Deng, Trustees of the Shyang-Fenn and Linda Hsiang-Yu Chiang Deng Revocable Trust Dated August 18, 2006’s Return to Plaintiff’s Motion and Application for Writ of Mandamus (Motion to Dismiss) (5/31/16)	Volume I, AA0097-AA0146

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Joinder to Defendants Shyang-Fenn Deng and Linda Hsiang-Yu Chiang Deng, Trustees of the Shyang-Fenn and Linda Hsiang-Yu Chiang Deng Revocable Trust dated August 18, 2006's Return to Plaintiff's Motion and Application for Writ of Mandamus (6/7/16).....	Volume II, AA0275-AA0277
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Opposition to Defendants' Motion to Dismiss Plaintiff's Verified Complaint (6/23/16)	Volume II, AA0282-AA0285
Order Granting Defendants' Motion to Dismiss; and Denying Plaintiff's Application for Writ of Mandamus (7/13/16).....	Volume II, AA0293-AA0296

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CLERK OF THE COURT

CODE: COMP
James M. Walsh, Esq.
Nevada State Bar 796
Walsh, Baker & Rosevear
9468 Double R. Blvd., Suite A
Reno, Nevada 89521
Tel: (775) 853-0883
Fax: (775) 853-0860
Email: jmw@wbri.net
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

PAUL PAWLIK,

Plaintiff,

vs.

Case No.: A- 16 - 734663 - C

Dept. No: XI I

SHYANG-FENN DENG AND LINDA HSIANG-YU
CHIANG DENG, TRUSTEES OF THE
SHAYNG-FENN AND LINDA HSIANG-YU
CHIANG DENG REVOCABLE TRUST DATED
AUGUST 18, 2006; VANETTA APPELYARD,
TREASURER OF THE CITY OF LAS VEGAS;
THE CITY OF LAS VEGAS, a Political
Subdivision,

Defendants.

VERIFIED COMPLAINT TO QUIET TITLE, WRIT OF MANDAMUS AND INJUNCTION

Arbitration Exempt - Title to Real Property

COMES NOW, Plaintiff and Petitioner PAUL PAWLIK (hereinafter sometimes referred to as "Pawlik"), by and through his counsel, James M. Walsh, Esq. of Walsh, Baker & Rosevear as and for his Complaint against Defendants and avers and alleges as follows:

FIRST CLAIM FOR RELIEF

(Quiet Title)

1. That at all times mentioned herein, Plaintiff PAUL PAWLIK is the owner of certain real property located in the city of Las Vegas, county of Clark, State of Nevada and commonly known as

1 10669 Royal View Avenue Las Vegas, Nevada, Clark County Assessor's Parcel Number (APN) 137-25-
2 314-020 (the "Property") and more particularly described as follows:

3 Lot Three-Hundred Seventy-Four (374) Block C of Chardonnay #61 by Lewis
4 Homes as shown by map thereof on file recorded in Book 78 of Plats, Page 77,
5 in the office of the County Recorder, Clark County, Las Vegas, Nevada.

6 Subject To: Covenants, Conditions, Restrictions, Reservations, Rights, Rights
7 of Way and Easements now of record.

8 2. Defendant SHYANG-FENN DENG AND LINDA HSIANG-YU CHIANG DENG,
9 TRUSTEES OF THE SHAYNG-FENN AND LINDA HSIANG-YU CHIANG DENG REVOCABLE
10 TRUST DATED AUGUST 18, 2006 are former owners of the real property described above.

11 3. Defendant VANETTA APPELYARD is the Treasurer of the City of Las Vegas and is
12 being sued herein in her official capacity.

13 4. Defendant THE CITY OF LAS VEGAS is a political subdivision of the State of Nevada.

14 5. Pursuant to Nevada Revised Statutes Chapter 271, a duly noticed and authorized sale of
15 the property after default of a special assessment was conducted by VANETTA APPELYARD as
16 Treasurer and/or THE CITY OF LAS VEGAS on January 27, 2014 and the real property was sold to
17 Kevin Love or PAUL PAWLIK for the former owners' failure to cure the delinquency and pay
18 assessments.

19 6. The property was sold for the full amount of the assessment due, including interest,
20 penalties and costs totaling \$1,996.62 on January 27, 2014.

21 7. After sale a Sheriff's Certificate of Sale was issued to Kevin Love or PAUL PAWLIK
22 pursuant to the provisions of Chapter 271 of the Nevada Revised Statutes (NRS). Said Certificate of Sale
23 was recorded February 4, 2014 as Instrument No. 201402040000939, Official Records of Clark County.
24 A true and correct copy of said Certificate of Sale is attached hereto as **Exhibit 1**.

25 8. Pursuant to recorded Assignment of Certificate of Sale, Kevin Love did assign all of his
26 right, title and interest in said Certificate of Sale to PAUL PAWLIK. Said Assignment was recorded
27 February 21, 2014 as Instrument No. 201402210001266, Official Records of Clark County. A true and
28 correct copy of said Assignment of Certificate of Sale is attached hereto as **Exhibit 2**.

1 9. NRS 271.595 grants the owners a two-year redemption period and if no redemption is
2 made within said period the Treasurer, herein VANETTA APPLEYARD, upon demand of the purchaser
3 and the surrender to the Treasurer of the Certificate of Sale and after 60 days' notice to the former owner
4 must issue a Deed to the holder of the Certificate.

5 10. NRS 271.595 states that the notice to the former owner must be given either by personal
6 service or if an owner is not a resident of the State of Nevada or cannot be found after diligent search, the
7 notice may be given by publication.

8 11. On or about January 7, 2016, PAWLIK did cause to be prepared a Notice of Expiration of
9 Redemption Period and of Intent of Owner of Certificate of Sale to Demand Deed to Real Property
10 described herein. A true and correct copy of said Notice of Expiration of Redemption Period is attached
11 hereto as **Exhibit 3**.

12 12. PAWLIK did attempt personal service upon Defendants in the state of Nevada at the
13 address of the property in question and various other addresses all unsuccessfully. After said service
14 attempts it was determined that Defendants had moved out of the state of Nevada. See Affidavit of
15 Service of Carrie Dabney attached hereto as **Exhibit 4**.

16 13. Thereafter, PAWLIK did cause to be published in the Las Vegas Review Journal the
17 Notice of Expiration of Redemption Period with the final publication date being January 27, 2016. A
18 true and correct copy of the Affidavit of Publication is attached hereto as **Exhibit 5**.

19 14. PAWLIK did further attempt service of the Notice of Expiration of Redemption Period
20 upon Deng Defendants at the last known address in Aiken, South Carolina. Said Notice was returned to
21 sender as not deliverable as addressed and unable to forward. True and correct copies of the returns are
22 attached hereto as **Exhibit 6**. See also Affidavit of Notice to Owners of PAWLIK attached hereto as
23 **Exhibit 7**.

24 15. Thereafter, on or about March 14, 2016, pursuant to the provision of NRS 271.595,
25 PAWLIK did make application to Defendant Vanetta Appleyard for the issuance of a Deed pursuant to
26 the provisions of NRS 271.595(4). A true and correct copy of the Application for Deed is attached hereto
27 as **Exhibit 8**.

1 16. Appleyard accepted the Application for Deed on March 14, 2016 through her authorized
2 representative Adrian Ramirez. A true and correct copy of the acceptance is attached hereto as Exhibit
3 9.

4 17. Since that time, Appleyard has failed and refused and continues to fail and refuse to issue
5 the Deed as required by Chapter 271 of the Nevada Revised Statutes and has in fact informed PAWLIK
6 that she intends to allow redemption of the property by former owners in violation of Chapter 271 of the
7 Nevada Revised Statutes.

8 18. Plaintiff believes that the aforementioned Defendants may claim an interest by reason of
9 the facts set forth above. That the claims of Defendants are without right whatsoever and that said
10 Defendants have no estate, mortgage, title or interest in said land or premises or any part thereof.

11 **SECOND CLAIM FOR RELIEF**

12 **(Issuance of Mandamus)**

13 19. Plaintiff realleges and incorporates herein by reference as though fully set forth the
14 allegations in paragraphs 1-18 of the Complaint.

15 20. NRS 34.160 specifically provides that a Writ may be issued by Judge of a District Court
16 to compel the performance of an act which the law especially enjoins as a duty resulting from an office,
17 trust or station to which a party is entitled and from which the party is unlawfully precluded by such
18 inferior order person and the writ shall be returnable to the Judge of the District Court.

19 21. Based upon Treasurer Appleyard's refusal to issue the deed pursuant to the provisions of
20 NRS 271.595, PAWLIK is entitled to the issuance of a Writ of Mandate compelling Appleyard to issue
21 the deed, prohibit her from issuing deeds to any other party or allowing redemption of the property and
22 for her to appear and show cause why she should not be ordered and compelled to issue a deed to
23 PAWLIK pursuant to the provisions of NRS 271.595.

24 **THIRD CLAIM FOR RELIEF**

25 **(Injunction)**

26 22. Plaintiff realleges and incorporates herein by reference as though fully set forth the
27 allegations in paragraphs 1-21 of the Complaint.

1 23. Based upon the foregoing facts, Plaintiff is entitled to a temporary restraining order,
2 preliminary injunction and permanent injunction prohibiting Defendant Appleyard as Treasurer of the
3 City of Las Vegas and the City of Las Vegas from any issuing of a certificate of redemption, deed or
4 other documents allowing the remaining Defendants to redeem the above-described property.

5 24. The real property at issue in this Complaint is unique and to allow redemption of the
6 subject property in violation of the provisions of NRS 271.595 will cause grave and irreparable harm to
7 PAWLIK in that he will lose his interest in the subject property.

8 WHEREFORE, Plaintiff PAUL PAWLIK prays for judgment as follows:

9 1. That Defendants be required to set forth the nature of their claims, and all adverse claims
10 of Defendants, or any of them may be determined by decree of this Court, and that by said decree it be
11 declared and adjudged that Plaintiff is the owner of the above-described property and that Defendants
12 nor any of them have no estate, interest, or claim whatsoever in or to said property and that said
13 Defendants and each and every one of them be forever barred from asserting any claim, right or interest
14 in or to said land or premises adverse to Plaintiff.

15 2. For the issuance of a writ of mandate pursuant to the provisions of Chapter 34 of the
16 Nevada Revised Statutes compelling Vanetta Appleyard, Treasurer of the City of Las Vegas and the City
17 of Las Vegas to appear and show cause if any there be why they should not be ordered and compelled to
18 issue a deed to Plaintiff pursuant to the provisions of NRS 271.595.

19 3. For the issuance of a restraining order, preliminary injunction and permanent injunction
20 barring the City of Las Vegas and Vanetta Appleyard, Treasurer of the City of Las Vegas from issuing
21 any certificates of redemption, deeds or other evidence of redemption to Defendants named herein.

22 4. For costs of suit herein incurred.

23 5. For attorney's fees.

24 6. For such other and further relief as the court may deem property.

25 ///

26 ///

27 ///

28 ///

Affirmation Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED this 6th day of April, 2016.

WALSH, BAKER & ROSEVEAR

JAMES M. WALSH, ESQ.

Nevada State Bar 796

9468 Double R. Blvd., Suite A

Reno, Nevada 89521

Tel: (775) 853-0883

Fax: (775) 853-0860

Email: jmwalsh@wbri.net

Attorney for Plaintiff


VERIFICATION

Paul Pawlik, being first duly sworn under penalties of perjury deposes and says:

1. He is the Plaintiff and Petitioner herein.

2. He has read the foregoing Verified Complaint to Quiet Title Writ of Mandamus and Injunction and knows the contents thereof, and the same is true of his own knowledge, save and accept the matters stated therein on information and belief, and as to such matters, he believes them to be true.

DATED this 6th day of April, 2016.


PAUL PAWLIK

INDEX OF EXHIBITS

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2	Assignment of Certificate of Sale	1
3	Notice of Expiration of Redemption Period and of Intent by Owner of Certificate of Sale to Demand Deed to Real Property	2
4	Affidavit of Service	2
5	Affidavit of Publication	1
6	Return Letters	2
7	Affidavit of Notice to Owner	7
8	Application for Deed	1
9	Acceptance of Deed Application	1

EXHIBIT 1

EXHIBIT 1

137-25-314-020

CITY OF LAS VEGAS, NEVADA
CERTIFICATE OF SALE

Inst #: 201402040000939
Fees: \$17.00
N/C Fee: \$0.00
02/04/2014 11:11:06 AM
Receipt #: 1922516
Requestor:
CITY OF LAS VEGAS (AMG)
Recorded By: BGN Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER

Pursuant to Nevada Revised Statutes Chapter 271, Consolidated Local Improvement Laws, a duly noticed and authorized sale of properties for default on special assessments was conducted.

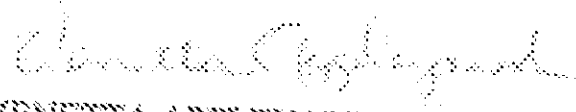
The sale was held on JANUARY 27, 2014 and the herein described property was SOLD to: KEVIN LOVE OR PAUL PAWLIK, PO BOX 11314, SAN BERNARDINO, CA 92423-1314, for the owner's failure to cure the delinquency or in the alternative pay the entire amount of the assessment due.

Parcel #137-25-314-020, City of Las Vegas Local Improvement District #707, being owned by DENG SHYANG-F & L H-Y C REV TR, according to the latest assessment roll and described as: 010669 ROYAL VIEW AV, CHARDONNAY #61 BY LEWIS HOMES, PLAT BOOK 78 PAGE 77 LOT 374 BLOCK C.

This property was SOLD for the whole amount of the assessment due, including interest, penalties and costs, which was \$ 1,996.62 as of JANUARY 27, 2014. Said interest and penalties are continuing to accrue during the statutory redemption period.

Purchaser, herein, is entitled to a deed to the above-described property after expiration of said redemption period which commenced on JANUARY 27, 2014, unless the property is redeemed by the owner within the redemption period.

DATED this 28TH day of JANUARY 2014.


VENETTA APFLEYARD
Treasurer

STATE OF NEVADA)
) ss.
CITY OF LAS VEGAS)

This instrument was acknowledged before me on the 28TH day of JANUARY 2014 by VENETTA APFLEYARD as Treasurer of Las Vegas, Nevada.


Notary Public

WHEN RECORDED MAIL TO:
KEVIN LOVE OR PAUL PAWLIK
PO BOX 11314
SAN BERNARDINO, CA 92423-1314

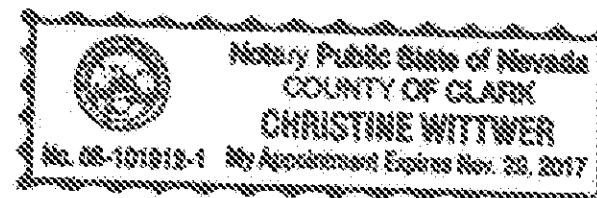


EXHIBIT 2

EXHIBIT 2

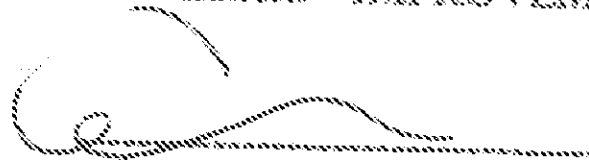
Inst #: 201402210001266
Fees: \$17.00
N/C Fee: \$0.00
02/21/2014 12:32:02 PM
Receipt #: 1938565
Requestor:
PAUL PAWLIK
Recorded By: ANI Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER

137-25-314-020

ASSIGNMENT OF CERTIFICATE OF SALE

For value received, the undersigned KEVIN LOVE conveys, sells, and assigns to PAUL PAWLIK right, title and interest in the Certificates of Sale of Property sold by the CITY OF LAS VEGAS, NV on 01/27/2014, property subject to lien further described as follows:

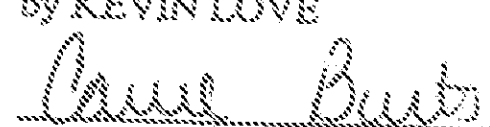
Parcel No: 137-25-314-020, Name of Property Owner: DENG SHYANG-P&LH-Y REV TR, Recorded as: Inst # 201402040000939, Clark County, NV; Street Address: 10669 ROYAL VIEW AV., Las Vegas, NV; Assessment Information: IMPROVEMENT DISTRICT: #707.


KEVIN LOVE

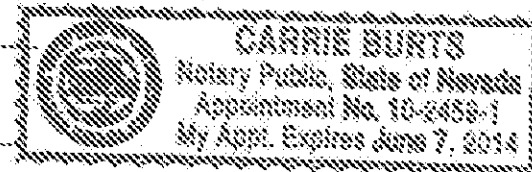
2/20/14
Date

State of Nevada
County of Clark

This instrument was acknowledged before me on the 20th day of February, 2014 by KEVIN LOVE


Notary Public

My commission expires June 7, 2014



When Recorded Mail To: PP c/o ATCEC
P.O. Box 11314
San Bernardino CA 92423-1314

EXHIBIT 3

EXHIBIT 3

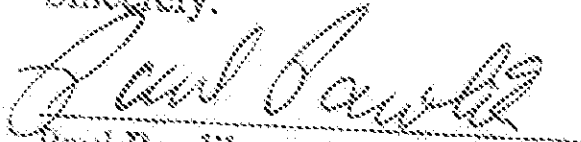
137-25-314-020

PAUL PAWLIK
PO Box 11314
San Bernardino, CA 92423-1134

JANUARY 7, 2016
DENG SHYANG-F & L H-Y C RV TR, DENG SHYANG-FENN & LINDA TRS
231 NEW HAVEN LN SW
AIKEN SC 29803-8065

RE: NOTICE OF EXPIRATION OF REDEMPTION PERIOD AND OF
INTENT BY OWNER OF CERTIFICATE OF SALE TO DEMAND DEED TO REAL
PROPERTY, AS PER NRS 271.595.
NOTICE IS HEREBY GIVEN TO DENG SHYANG-F & L H-Y C RV TR, DENG
SHYANG-FENN & LINDA TRS (OWNERS), that on January 27, 2014, Kevin Love or
Paul Pawlik purchased from the City of Las Vegas, Nevada, a Certificate of Sale for the
following property (the "Property")
Clark County Assessor's Parcel #137-25-314-020, (City of Las Vegas Local
Improvement District #707), CHARDONNAY # 61 BY LEWIS HOMES, PLAT
BOOK 78, PAGE 77, LOT 374 BLOCK C. Street Address: 10669 ROYAL VIEW AVE,
Las Vegas NV.
The Certificate of Sale was assigned by the purchaser Kevin Love to Paul Pawlik (Inst # :
201402210001266). The Certificate of Sale was recorded on 2/4/2014 as Inst #
201402040000939. As per NRS 271.595, the aforementioned Assessment must be paid in
full to the City of Las Vegas Treasurer within 60 days of this notice; and the amount to be
paid is \$1,996.62, plus accrued interest at one percent a month and other costs. This
notice states that Paul Pawlik is the owner of the aforesaid Certificate of Sale and he will
request a Deed to the Property, as permitted by law if the amount due is not paid to the
City of Las Vegas Treasurer within 60 days from receipt of this notice, or, if necessary,
from the Date of Publication.

Sincerely,


Paul Pawlik

State of California

County of San Bernardino

Subscribed and sworn to before me on this 7th day of January 2016
by Paul Pawlik, proved to me on the basis of satisfactory evidence to be the person who
appeared before me.

Notary Public

See attached
notarial certificate R. 1-7-16

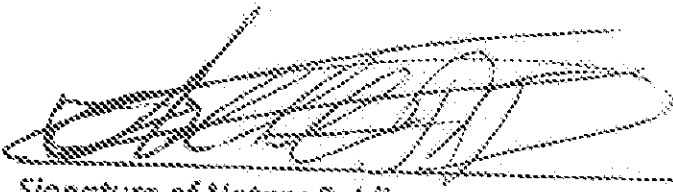
CALIFORNIA JURAT
(CALIFORNIA GOVERNMENT CODE § 8202)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

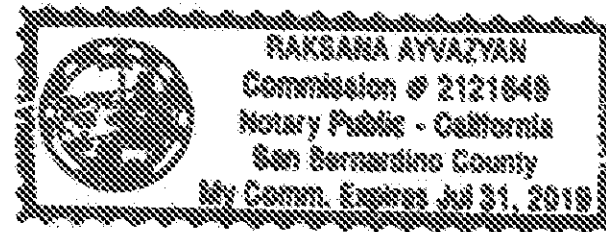
COUNTY OF San Bernardino

Subscribed and sworn to (or affirmed) before me on this 7 day of January, 2016
by Paul Pawlik,
(Name of Signer(s)),
proved to me on the basis of
satisfactory evidence to be the person(s) who appeared before me.



Signature of Notary Public

(Notary Seal)



ADDITIONAL OPTIONAL INFORMATION

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Additional Information: _____

EXHIBIT 4

EXHIBIT 4

AFFIDAVIT OF SERVICE

STATE OF NEVADA)
COUNTY OF CLARK)ss
)

I HEREBY CERTIFY and return that I received the within Notice of Expiration of Redemption Period and of Intent by owner of Certificate of Sale to demand Deed to Real Property on the 7th day of January, 2016, and that I personally conducted due diligence and attempt to locate Shyang --Fenn & Linda Deng. Theses attempts were unsuccessful. On January 9, 2016 I Carrie Dabney attempted to serve a Notice of expiration of redemption period and of intent by owner of certificate of sale to demand deed to real property to Shyang --Fenn & Linda Deng regarding Clark County Assessor parcel number 137-25-314-020. On January 8, 2018 I visited the property located at 10669 Royal View Avenue Las Vegas, Nevada 89144 at on two occasions At 12:11 p.m. I found the property to be occupied by an Asian male whom identified himself as Paul Deng, the owners son. He stated that his father had taken a job and they moved out of state. He confirmed their address as 231 New Haven Lane, S.W., Aiken, SC 29803-8065 but refused to accept any notice or paperwork or to give a message to his parents. I called provided telephone number (702) 838-1829 but received no answer. On January 9, 2016 I visited another address associated with the Dengs' located at 2913 Lark Sparrow Street, North Las Vegas, NV 89084 spoke with a an elderly Caucasian female whom identified herself as Ms. Howlett and stated she had resided at that address for 5 yrs and denied any knowledge of the Deng's. On

January 9, 2016 I visited another address associated with the Dengs' located at 7437 Eggshell Drive, North Las Vegas 89084 and spoke with Venetria McCaster whom stated that her and her husband Malcolm had purchased the home in a short sale from an out of state owner in December 2014. She had no further information about the previous owner. January 9, 2016 I visited another address associated with the Dengs' located at 7528 Fruit Dove Street, North Las Vegas, NV 89084 and received no answer however a neighbor verified that the residence name was not Shyang or Linda Deng. No further attempts of service were performed at this time. The fees and cost associated with attempts to locate and serve this notice are \$222.60.

BY: Carrie Dabney
Carrie Dabney 3027486

1/11/16

SUBSCRIBE & SWORN to before me

This 11th day of January, 2016

Brittney Williams

NOTARY PUBLIC I. And for said
County and State

State of Nevada
County of Clark

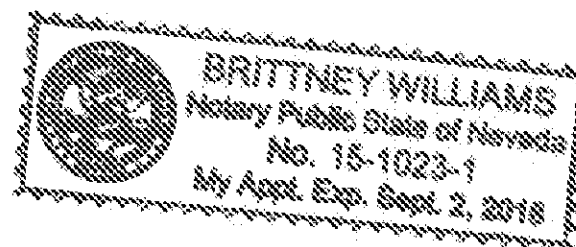


EXHIBIT 5

EXHIBIT 5

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

SAMUEL PAUL
 O SOX III
 SAN BERNARDINO CA 92406-4444


Account #	####
Ac Number	00007099102

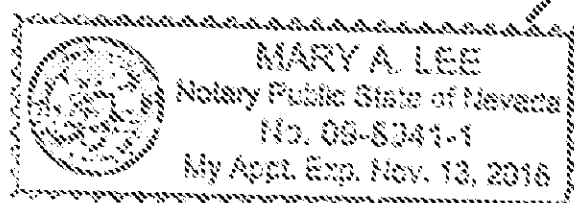
Eileen Gallagher, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 3 edition(s) of said newspaper issued from 01/13/2016 to 01/27/2016, on the following days.

23 24 25
 26 27 28
 29 30 31

Alan T. Benge
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on 19th 23rd day of January, 1918

Notary 



197-26-374-025
PAUL PAWLIK
PO BOX 11134
San Bernardino, CA 92423-1134

JANUARY 7 2018
DENG SHIYANG & L H Y C NY
TS DENG SHIYANG-PENN &
LINDA TSE
231 NEW HAVEN LN SW
ALLEN TX 75002-5005

RE: NOTICE OF EXPIRATION OF
REDUCTION PERIOD AND OF
RETURN BY OWNER OF
CERTIFICATE OF SALE TO
DEMAND DUE TO REAL
PROPERTY ASSOCIATIONLESS
NOTICE IS HEREBY GIVEN TO
DENG SHIYANG & L H Y C NY
TS DENG SHIYANG-PENN &
LINDA TSE OWNERS THAT ON
JANUARY 27 2018 SEVEN DAY OF
PAUL PAWLIK PURCHASED FROM THE
CITY OF LAS VEGAS Nevada a
Certificate of Sale for the
following property (the
"Property")

Clark County Assessor's Parcel
#137-35-214-030 (CNS) of Las
Vegas Local Improvement
District #001 CHAGGADWAY #
51 BY LEWIS MOSES PLAT
BOOK 78 PAGE 77 LOT 374
S.DON C Street Address 10905
ROYAL VIEW AVE LAS VEGAS
NV

The Certificate of Sale was
received by the purchaser
PAUL PAWLIK from DONALD J
A 2014032100010001. The
Certificate of Sale was
received on 2/4/2014 at PMT #
2014032100010001 per NRS
71.225. The aforementioned
Assessment must be paid in full
by the City of Las Vegas
Treasurer within 60 days of this
notice and the amount so be
paid is \$1,686.62 plus accrued
interest at One percent a month
and other costs. This notice
states that Paul Pawlik is the
owner of the assessed
Certificate of Sale and he will
receive a deed to the Property
as provided by law if the
amount due is not paid to the
City of Las Vegas Treasurer
within 60 days from receipt of
this notice or if necessary
from the Date of Publication.

Respectfully,
Paul Pawlik

FIRM Jan. 12, 30, 27, 2018
LV Review Journal

EXHIBIT 6

EXHIBIT 6

RF

22

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EXHIBIT 7

EXHIBIT 7

March 14, 2016

AFFIDAVIT OF NOTICE TO OWNER

State of Nevada)

)ss

County of Clark)

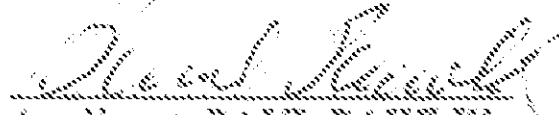
I, Paul Pawlik, first being sworn, say: that I am the purchaser of real estate and appurtenances described as follows:

Clark County Assessor's Parcel # 137-25-314-020, City of Las Vegas Local Improvement District # 707 being owned by Deng Shyang-F&L H-Y-C REY TR. according to the latest assessment roll and described as: 010669 Royal View Av. Chardonnay #61 by Lewis Homes, Plat Book 78 Page 77 Lot 374 Block C.

for delinquent assessments due on January 27, 2014; and that I gave notice to the owners of said property of intention to apply for a Deed in the following manner:

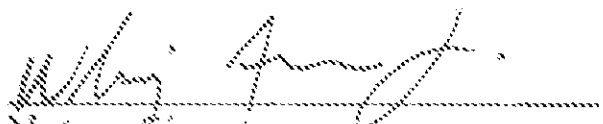
Paul Pawlik attempted to have the Notice of Expiration of Redemption Period (NOTICE), and the Intent by Owner of Certificate of Sale Demand Deed to Real Property as per NRS 271.595 served upon the owners. Notice attached. Per attached affidavit of service, it was determined that the owners live outside of Nevada. Service by publication was chosen. The notice was published in the Las Vegas Review-Journal on three consecutive weeks, starting January 13, 2016. Notice and proof of publication attached. A notice was also sent to the Aiken, South Carolina address via first class mail.

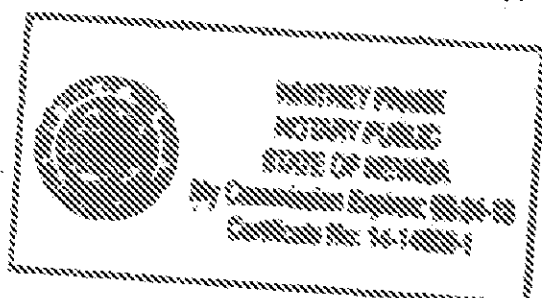
According to Pacer Court Reporting, the owners are not in bankruptcy and according to Department of Defense Manpower Data Records, they are not on active military duty. To date no redemption notice has been received.

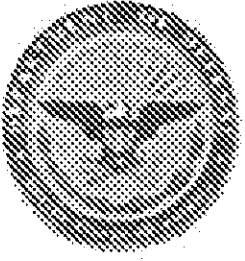

Applicant: PAUL PAWLK

STATE OF NEVADA
COUNTY OF CLARK

Signed and sworn before me on the 12th day of March 2016 by Paul Pawlik


Notary Signature
My commission expires 02-29-2018





Status Report Pursuant to Servicemembers Civil Relief Act

Last Name: DENGFirst Name: LINDA

Middle Name:

Active Duty Status As Of: Mar-01-2016

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA

This response reflects the individual's active duty status based on the Active Duty Status Date.

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
No	NA	No	NA

This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date.

The Member or Member Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA

This response reflects whether the individual or member unit has received early notification to report for active duty.

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status data as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty. HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITATIVELY ASSERT THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.

Mary M. Senevly-Dixon, Director
Department of Defense - Manpower Data Center
4800 Mark Center Drive, Suite 04E25
Arlington, VA 22204



Status Report Pursuant to Servicemembers Civil Relief Act

Last Name: DENGFirst Name: SHYANGMiddle Name: FENNActive Duty Status As Of: Mar-01-2016

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA

This response reflects the individual's active duty status based on the Active Duty Status Date.

Left Active Duty Within 90 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA

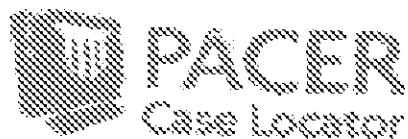
This response reflects whether the individual left active duty status within 90 days preceding the Active Duty Status Date.

The Member or Member Unit Was Issued a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA

This response reflects whether the individual or Member unit has received early notification to report for active duty.

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty. HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITATIVELY ASSESS THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.

Mary M. Snavely-Olson, Director
Department of Defense - Manpower Data Center
4800 Mark Center Drive, Suite 04E26
Arlington, VA 22200



Bankruptcy Party Search
Mon Jan 11 00:37:48 2010
No Records Found

User: a0485
Client:
Search: Bankruptcy Party Search Name DENG LINDA Ninth Circuit Page: 1
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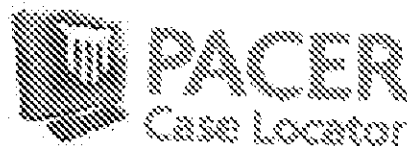
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Client:
Description: Bankruptcy Party Search
Name: DENG LINDA Ninth Circuit Page: 1
Pages: 1 (50 of 10)



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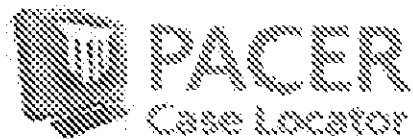
User: a0485
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Pages: 1 (50 of 10)



Bankruptcy Party Search
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Search: Bankruptcy Party Search Name DENG SHYANG At Courts Page: 1
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Pages: 1 (50 of 10)

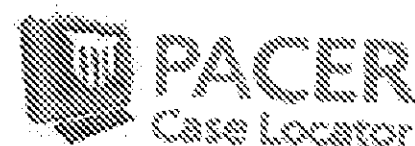


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User: a0482
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No records found

User: a0482
Client:
Description: Bankruptcy Party Search
Name SHYANG DENG At Courts Page: 1
Pages: 1 (of 10)
Receipt: 01/11/2016 00:55:45 217067566



Bankruptcy Party Search
Thu Mar 10 01:24:01 2016
No Records Found

User: a0482
Client:
Search: Bankruptcy Party Search Name SHYANG DENG At Courts Page: 1

No records found

User: a0482
Client:
Description: Bankruptcy Party Search
Name SHYANG DENG At Courts Page: 1
Pages: 1 (of 10)
Receipt: 03/10/2016 01:24:02 217068884

[Browse All](#)



Bankruptcy Party Search
Thu Mar 10 01:25:01 2016
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User: a0482
Client:
Search: Bankruptcy Party Search Name SHYANG-FENG DENG At Courts Page: 1

No records found

User: a0482
Client:
Description: Bankruptcy Party Search
Name SHYANG-FENG DENG At Courts Page: 1
Pages: 1 (of 10)
Receipt: 03/10/2016 01:25:02 217068872

[Browse All](#)



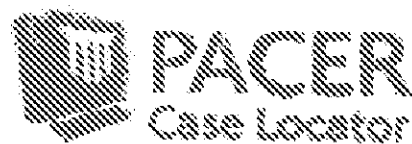
Bankruptcy Party Search
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No records found

User: 80485	Receipt: 03/10/2016 01:52:48 217548755
Client:	
Description: Bankruptcy Party Search	
Name: SHYANG, LINDA All Courts Page: 1	
Pages: 1 (of 10)	



Bankruptcy Party Search
Thu Mar 10 01:53:01 2016
No Records Found

... Browse Aloud

User: 80485
Client:
Search: Bankruptcy Party Search Name SHYANG-PENH, LINDA All Courts Page: 1

No records found

User: 80485	Receipt: 03/10/2016 01:53:02 217548756
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Name: SHYANG-PENH, LINDA All Courts Page: 1	
Pages: 1 (of 10)	



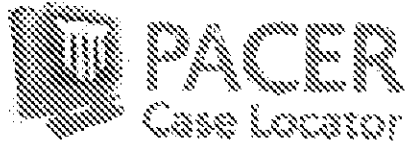
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Search: Bankruptcy Party Search Name SHANG, LINDA All Courts Page: 1

No records found

User: 80485	Receipt: 03/10/2016 01:54:11 217548803
Client:	
Description: Bankruptcy Party Search	
Name: SHANG, LINDA All Courts Page: 1	
Pages: 1 (of 10)	



Bankruptcy Party Search
Thu Mar 10 01:34:51 2016
No Records Found

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User: a0462
Client:
Search: Bankruptcy Party Search Name SHYANG, FENH At Court Page: 1
No records found

User: a0462
Client:
Description: Bankruptcy Party Search
Name SHYANG, FENH At Court Page: 1
Pages: 1 (0-0)



Bankruptcy Party Search
Thu Mar 10 01:35:22 2016
No Records Found

[Browse All](#)

User: a0462
Client:
Search: Bankruptcy Party Search Name SHYANG, FENH, LINDA At Court Page: 1
No records found

User: a0462
Client:
Description: Bankruptcy Party Search
Name SHYANG, FENH, LINDA At Court Page: 1
Pages: 1 (0-0)

EXHIBIT 8

EXHIBIT 8

APPLICATION FOR DEED

San Bernardino, Arizona

March 14, 2016

Venetta Appleyard
Treasurer
City of Las Vegas, Nevada

Dear Ms. Appleyard:

In accordance with the requirements of N.R.S. 271.595 et. Seq., and amendments thereto, formal application is hereby made to the following estate:

Clark County Assessor's Parcel # 137-25-314-020, City of Las Vegas Local Improvement District # 707 and described as: 010669 Royal View Av. Chardonnay #61 by Lewis Homes, Plat Book 78 Page 77 Lot 374 Block C.

Said property was sold by the City of Las Vegas, Nevada to Kevin Love or Paul Pawlik on January 27, 2014 pursuant to Nevada Revised Statutes Chapter 271, Consolidated Local Improvement Laws and was recorded on February 4, 2014. The Certificate of Sale was assigned by the purchasers Kevin Love to Paul Pawlik. The Assignment of Certificate of Sale is attached to this application.

Affidavit was filed with you AFTER the 13th day of March 2016.

PLEASE MAIL DEED TO PAUL PAWLIK c/o ATCEC, P.O. Box 11314, San Bernardino, CA., 92423-1314. Given that you refused to issue deeds on several occasions in the past, after applications following the Nevada statutes, a writ of mandamus will be filed if the deed is not received by April 1, 2016.

Yours truly,

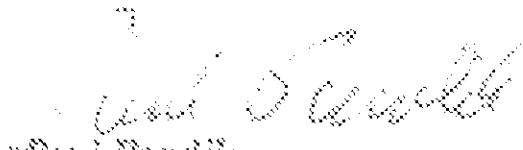


Paul Pawlik

EXHIBIT 9

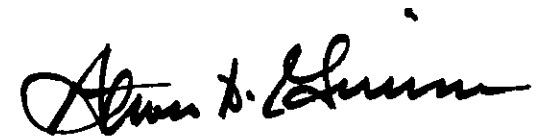
EXHIBIT 9

March 14, 2016

On behalf of Venetta Appleyard, City of Las Vegas Treasurer, I am accepting Deed Applications for APN 137-25-314-020 and 125-16-713-010.

Signature of authorized person  Date: 3/14/16

Printed Name of authorized person Adrian Ramirez



CLERK OF THE COURT

CODE: LISP

James M. Walsh, Esq.
Nevada State Bar 796
Walsh, Baker & Rosevear
9468 Double R. Blvd., Suite A
Reno, Nevada 89521
Tel: (775) 853-0883
Fax: (775) 853-0860
Email: jmw Walsh@wbrl.net
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

PAUL PAWLIK,

Plaintiff,

vs.

SHYANG-FENN DENG AND LINDA HSIANG-
YU CHIANG DENG, TRUSTEES OF THE
SHAYNG-FENN AND LINDA HSIANG-YU
CHIANG DENG REVOCABLE TRUST DATED
AUGUST 18, 2006; VANETTA APPELYARD,
TREASURER OF THE CITY OF LAS VEGAS;
THE CITY OF LAS VEGAS, a Political
Subdivision,

Defendants.

Case No.: A-16-734663-C

Dept. No: XII

LIS PENDENS

NOTICE IS HEREBY GIVEN that an action to quiet title has been commenced in the above-entitled Court, and that said action affects the title and ownership of certain parcels of real property and certain property rights, as set forth in the Complaint thereto filed in the above-entitled action and as hereinafter particularly described. The subject and purpose of said Complaint is, among other things, to quiet title on the following-described real property, including and for such further relief as may be deemed necessary and proper:

All that real property situate in the City of Las Vegas, County of Clark, State of Nevada, described as follows:

1 Lot Three-Hundred Seventy-Four (374) Block C of Chardonnay #61 by Lewis
2 Homes as shown by map thereof on file recorded in Book 78 of Plats, Page 77, in
3 the office of the County Recorder, Clark County, Las Vegas, Nevada.

4 Subject To: Covenants, Conditions, Restrictions, Reservations, Rights, Rights of
5 Way and Easements now of record.

6 APN: 137-25-314-020

7 Property Address: 10669 Royal View Avenue Las Vegas, Nevada

8 The real property and property rights affected by this action are situated in the City of Las Vegas,
9 County of Clark, State of Nevada.

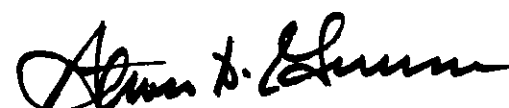
10 **Affirmation Pursuant to NRS 239B.030**

11 The undersigned does hereby affirm that the preceding document does not contain the social
12 security number of any person.

13 DATED this 7th day of April, 2016.

14 **WALSH, BAKER & ROSEVEAR**

15 /s/ James M. Walsh
16 JAMES M. WALSH, ESQ.
17 Nevada State Bar 796
18 9468 Double R. Blvd., Suite A
19 Reno, Nevada 89521
20 Tel: (775) 853-0883
21 Fax: (775) 853-0860
22 Email: jmwalth@wbrl.net
23 Attorney for Plaintiff
24
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26
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CLERK OF THE COURT

1 **SUMM**

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PAUL PAWLIK

11

Plaintiff(s),

CASE NO. A-16-734663-C

12

-VS-

DEPT. NO. XII

13

SHYANG-FENN DENG AND LINDA
HSIANG-YU CHAING DENG, TRUSTEES, ET. AL.

14

Defendant(s).

15

16

SUMMONS - CIVIL

17

**NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU
WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS.
READ THE INFORMATION BELOW.**

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TO THE DEFENDANT(S): A civil Complaint has been filed by the Plaintiff(s) against
you for the relief set forth in the Complaint.

21

22

1. If you intend to defend this lawsuit, within 20 days after this Summons is
served on you, exclusive of the day of service, you must do the following:

23

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- (a) File with the Clerk of this Court, whose address is shown below, a
formal written response to the Complaint in accordance with the rules
of the Court, with the appropriate filing fee.

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- (b) Serve a copy of your response upon the attorney whose name and
address is shown below.

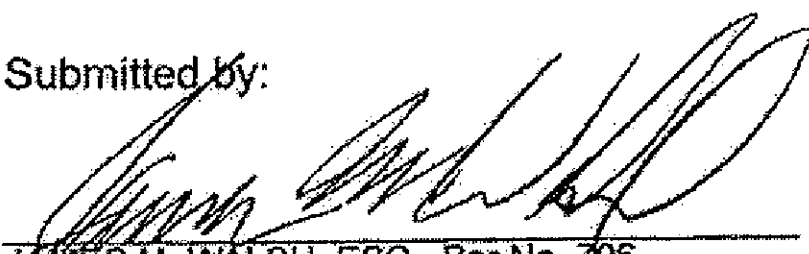
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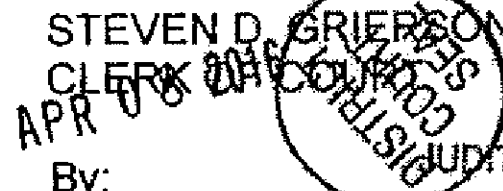
SUMM Civil/7/23/2009

AA0038

- 1 2. Unless you respond, your default will be entered upon application of the
2 Plaintiff(s) and failure to so respond will result in a judgment of default
3 against you for the relief demanded in the Complaint, which could result in
4 the taking of money or property or other relief requested in the Complaint.
5 3. If you intend to seek the advice of an attorney in this matter, you should do
6 so promptly so that your response may be filed on time.
7 4. The State of Nevada, its political subdivisions, agencies, officers,
8 employees, board members, commission members and legislators each
9 have 45 days after service of this Summons within which to file an Answer
10 or other responsive pleading to the Complaint.

11
12
13 Submitted by:

14 
15
16 JAMES M. WALSH, ESQ., Bar No. 706
17 Walsh, Baker & Rosevear
18 9468 Double R Blvd., Suite A
19 Reno, Nevada 89521
20 (775) 853-0883
21 Attorney for Plaintiff
22
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STEVEN D. GRIERSON
CLERK OF THE COURT
APR 08 2009
By:  JUDIT ANGYALNE KISS
Deputy Clerk Date

Regional Justice Center
200 Lewis Avenue
Las Vegas, NV 89155

NOTE: When service is by publication, add a brief statement of the object of the action. See Nevada Rules of Civil Procedure 4(b).



PSEER
WALSH, BAKER & ROSEVEAR, P. C.
9468 DOUBLE "R" Blvd. * Ste. #A
Reno, NV 89521
775-853-0883
Attorney for: Plaintiff

DISTRICT COURT
CLARK COUNTY NEVADA

PAUL PAWLIK

Plaintiff

SHYANG-FENN DENG, ET AL.

Defendant

Case Number: **A-16-734663-C**

Dept/Div: **XII**

PROOF OF SERVICE

JOHN GODWIN, being duly sworn deposes and says: that at all times herein affiant was and is a citizen of the United States, over 18 years of age, licensed to serve civil process in the state of Nevada under license #389, and not a party to or interested in the proceeding in which this affidavit is made. The affiant received on Friday April 08 2016; 1 copy(ies) of the:

**SUMMONS; VERIFIED COMPLAINT TO QUIET TITLE, WRIT OF MANDAMUS AND
INJUNCTION; LIS PENDENS**

I served the same on Monday April 11 2016 at 10:50AM by:

**Serving Defendant THE CITY OF LAS VEGAS, A POLITICAL SUBDIVISION, BY SERVING
THE CITY ATTORNEY**

Substituted Service, by leaving the copies with or in the presence of: BARNEY PERKINS,
ADMINISTRATIVE ASSISTANT Authorized Agent. at the Defendant's Business located at 495 S MAIN
ST, Las Vegas, NV 89101.

Pursuant to NRS 53.045, I declare under the penalty of perjury under the law of the State of Nevada
that the forgoing is true and correct.

Executed: Monday April 11 2016

Affiant: JOHN GODWIN #R-087033
LEGAL WINGS, INC. - NV LIC #389
1118 FREMONT STREET
Las Vegas, NV 89101
(702) 384-0305, FAX (702) 384-8638



PSEER
WALSH, BAKER & ROSEVEAR, P. C.
9468 DOUBLE "R" Blvd. * Ste. #A
Reno, NV 89521
775-853-0883
Attorney for: Plaintiff

DISTRICT COURT
CLARK COUNTY NEVADA

PAUL PAWLIK

Plaintiff

SHYANG-FENN DENG, ET AL.

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ADMINISTRATIVE SUPPORT Authorized Agent. at the Defendant's Business located at 495 S. MAIN
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Executed: Monday April 11 2016

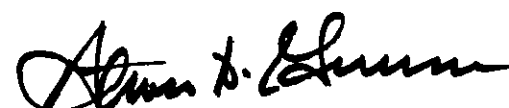
Affiant: JOHN GODWIN #R-087033

LEGAL WINGS, INC. - NV LIC #389

1118 FREMONT STREET

Las Vegas, NV 89101

(702) 384-0305, FAX (702) 384-8638



CLERK OF THE COURT

1 **SUMM**

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PAUL PAWLIK

11

Plaintiff(s),

CASE NO. A-16-734663-C

12

-VS-

DEPT. NO. XII

13

SHYANG-FENN DENG AND LINDA
HSIANG-YU CHAING DENG, TRUSTEES, ET. AL.

14

Defendant(s).

15

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SUMMONS - CIVIL

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READ THE INFORMATION BELOW.**

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- (b) Serve a copy of your response upon the attorney whose name and
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28

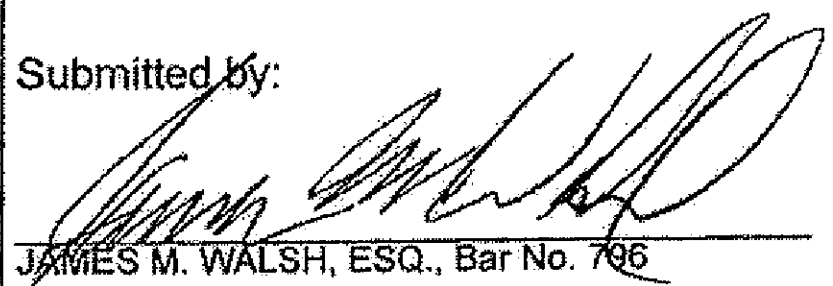
SUMM Civil/7/23/2009

AA0042

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- 2. Unless you respond, your default will be entered upon application of the Plaintiff(s) and failure to so respond will result in a judgment of default against you for the relief demanded in the Complaint, which could result in the taking of money or property or other relief requested in the Complaint.
- 3. If you intend to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.
- 4. The State of Nevada, its political subdivisions, agencies, officers, employees, board members, commission members and legislators each have 45 days after service of this Summons within which to file an Answer or other responsive pleading to the Complaint.

Submitted by:



JAMES M. WALSH, ESQ., Bar No. 706
Walsh, Baker & Rosevear
9468 Double R Blvd., Suite A
Reno, Nevada 89521
(775) 853-0883
Attorney for Plaintiff

STEVEN D. GRIERSON
CLERK OF THE DISTRICT COURT
APR 08 2009
By: _____ JUDIT ANGYALNE KISS
Deputy Clerk Date

Regional Justice Center
200 Lewis Avenue
Las Vegas, NV 89155

NOTE: When service is by publication, add a brief statement of the object of the action. See Nevada Rules of Civil Procedure 4(b).



PSER
WALSH, BAKER & ROSEVEAR, P. C.
9468 DOUBLE "R" Blvd. * Ste. #A
Reno, NV 89521
775-853-0883
Attorney for: Plaintiff

DISTRICT COURT
CLARK COUNTY NEVADA

PAUL PAWLIK

Plaintiff

SHYANG-FENN DENG, ET AL.

Defendant

Case Number: **A-16-734663-C**

Dept/Div: **XII**

PROOF OF SERVICE

JOHN GODWIN, being duly sworn deposes and says: that at all times herein affiant was and is a citizen of the United States, over 18 years of age, licensed to serve civil process in the state of Nevada under license #389, and not a party to or interested in the proceeding in which this affidavit is made. The affiant received on Friday April 08 2016; 1 copy(ies) of the:

**SUMMONS; VERIFIED COMPLAINT TO QUIET TITLE, WRIT OF MANDAMUS AND
INJUNCTION; LIS PENDENS**

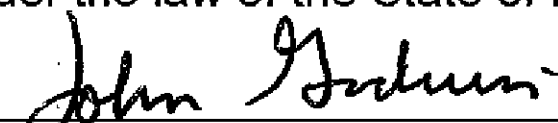
I served the same on Monday April 11 2016 at 11:00AM by:

**Serving Defendant VANETTA APLEYARD TREASURER OF THE CITY OF LAS VEGAS,
BY SERVING THE CITY ATTORNEY**

Substituted Service, by leaving the copies with or in the presence of: VENETTA APLEYARD, TREASURER Authorized Agent. at the Defendant's Business located at 495 S MAIN ST., Las Vegas, NV 89101.

Pursuant to NRS 53.045, I declare under the penalty of perjury under the law of the State of Nevada that the forgoing is true and correct.

Executed: Monday April 11 2016


Affiant: JOHN GODWIN #R-087033
LEGAL WINGS, INC. - NV LIC #389
1118 FREMONT STREET
Las Vegas, NV 89101
(702) 384-0305, FAX (702) 384-8638



PSEER
WALSH, BAKER & ROSEVEAR, P. C.
9468 DOUBLE "R" Blvd. * Ste. #A
Reno, NV 89521
775-853-0883
Attorney for: Plaintiff

DISTRICT COURT
CLARK COUNTY NEVADA

PAUL PAWLIK

Plaintiff

SHYANG-FENN DENG, ET AL.

Defendant

Case Number: **A-16-734663-C**

Dept/Div: **XII**

PROOF OF SERVICE

JOHN GODWIN, being duly sworn deposes and says: that at all times herein affiant was and is a citizen of the United States, over 18 years of age, licensed to serve civil process in the state of Nevada under license #389, and not a party to or interested in the proceeding in which this affidavit is made. The affiant received on Friday April 08 2016; 1 copy(ies) of the:

**SUMMONS; VERIFIED COMPLAINT TO QUIET TITLE, WRIT OF MANDAMUS AND
INJUNCTION; LIS PENDENS**

I served the same on Monday April 11 2016 at 11:00AM by:

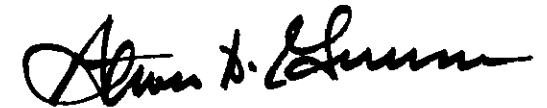
**Serving Defendant VANETTA APLEYARD, TREASURER OF THE CITY OF LAS VEGAS,
BY SERVING THE CITY CLERK**

by serving: VANETTA APLEYARD, TREASURER at the Defendant's Business located at 495 S MAIN ST, Las Vegas, NV 89101.

Pursuant to NRS 53.045, I declare under the penalty of perjury under the law of the State of Nevada that the forgoing is true and correct.

Executed: Monday April 11 2016

Affiant: JOHN GODWIN #R-087033
LEGAL WINGS, INC. - NV LIC #389
1118 FREMONT STREET
Las Vegas, NV 89101
(702) 384-0305, FAX (702) 384-8638



CLERK OF THE COURT

CODE: MOT

James M. Walsh, Esq.
Nevada State Bar 796
Walsh, Baker & Rosevear
9468 Double R. Blvd., Suite A
Reno, Nevada 89521
Tel: (775) 853-0883
Fax: (775) 853-0860
Email: jmw Walsh@wbri.net
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

PAUL PAWLIK,

Plaintiff,

vs.

SHYANG-FENN DENG AND LINDA HSIANG-
YU CHIANG DENG, TRUSTEES OF THE
SHAYNG-FENN AND LINDA HSIANG-YU
CHIANG DENG REVOCABLE TRUST DATED
AUGUST 18, 2006; VANETTA APPELYARD,
TREASURER OF THE CITY OF LAS VEGAS;
THE CITY OF LAS VEGAS, a Political
Subdivision,

Defendants.

Case No.: A-16-734663-C


Dept. No: XII

MOTION AND APPLICATION FOR WRIT OF MANDAMUS

COMES NOW, Plaintiff and Petitioner PAUL PAWLIK (hereinafter sometimes referred to as "Pawlik"), by and through his counsel, James M. Walsh, Esq. of Walsh, Baker & Rosevear and hereby files this Motion and Application for Writ of Mandamus as set forth in Plaintiff's Verified Complaint to Quiet Title, Writ of Mandamus and Injunction filed on April 6, 2016.

DATED this 25th day of April, 2016.

WALSH, BAKER & ROSEVEAR




JAMES M. WALSH, ESQ.
Attorney for Plaintiff

1
2 **NOTICE OF MOTION**

3 PLEASE TAKE NOTICE that the above and foregoing Motion and Application for Writ of
4 Mandamus will be brought on for hearing on the 6 day of June, 2016, at the hour of
5 8:30 a.m., in Department XII of said Court.

6 DATED this 25th day of April, 2016.

7 **WALSH, BAKER & ROSEVEAR**

8
9 
10 JAMES M. WALSH, ESQ.
11 Attorney for Plaintiff

12 **STATEMENT OF FACTS**

13 1. At all times mentioned herein, Plaintiff PAUL PAWLIK is the owner of certain real
14 property located in the city of Las Vegas, county of Clark, State of Nevada and commonly known as
15 10669 Royal View Avenue Las Vegas, Nevada, Clark County Assessor's Parcel Number (APN) 137-25-
16 314-020 (the "Property") and more particularly described as follows:

17 Lot Three-Hundred Seventy-Four (374) Block C of Chardonnay #61 by Lewis
18 Homes as shown by map thereof on file recorded in Book 78 of Plats, Page 77,
19 in the office of the County Recorder, Clark County, Las Vegas, Nevada.

20 Subject To: Covenants, Conditions, Restrictions, Reservations, Rights, Rights
21 of Way and Easements now of record.

22 2. Defendant SHYANG-FENN DENG AND LINDA HSIANG-YU CHIANG DENG,
23 TRUSTEES OF THE SHAYNG-FENN AND LINDA HSIANG-YU CHIANG DENG REVOCABLE
24 TRUST DATED AUGUST 18, 2006 are former owners of the real property described above.

25 3. Defendant VANETTA APPLEYARD is the Treasurer of the City of Las Vegas and is
26 being sued herein in her official capacity.

27 4. Defendant THE CITY OF LAS VEGAS is a political subdivision of the State of Nevada.

28 5. Pursuant to Nevada Revised Statutes Chapter 271, a duly noticed and authorized sale of
the property after default of a special assessment was conducted by VANETTA APPLEYARD as

1 Treasurer and/or THE CITY OF LAS VEGAS on January 27, 2014 and the real property was sold to
2 Kevin Love or PAUL PAWLIK for the former owners' failure to cure the delinquency and pay
3 assessments.

4 6. The property was sold for the full amount of the assessment due, including interest,
5 penalties and costs totaling \$1,996.62 on January 27, 2014.

6 7. After sale a Sheriff's Certificate of Sale was issued to Kevin Love or PAUL PAWLIK
7 pursuant to the provisions of Chapter 271 of the Nevada Revised Statutes (NRS). Said Certificate of Sale
8 was recorded February 4, 2014 as Instrument No. 201402040000939, Official Records of Clark County.
9 A true and correct copy of said Certificate of Sale is attached hereto as **Exhibit 1**.

10 8. Pursuant to recorded Assignment of Certificate of Sale, Kevin Love did assign all of his
11 right, title and interest in said Certificate of Sale to PAUL PAWLIK. Said Assignment was recorded
12 February 21, 2014 as Instrument No. 201402210001266, Official Records of Clark County. A true and
13 correct copy of said Assignment of Certificate of Sale is attached hereto as **Exhibit 2**.

14 9. NRS 271.595 grants the owners a two-year redemption period and if no redemption is
15 made within said period the Treasurer, herein VANETTA APLEYARD, upon demand of the purchaser
16 and the surrender to the Treasurer of the Certificate of Sale and after 60 days' notice to the former owner
17 must issue a Deed to the holder of the Certificate.

18 10. NRS 271.595 states that the notice to the former owner must be given either by personal
19 service or if an owner is not a resident of the State of Nevada or cannot be found after diligent search, the
20 notice may be given by publication.

21 11. On or about January 7, 2016, PAWLIK did cause to be prepared a Notice of Expiration of
22 Redemption Period and of Intent of Owner of Certificate of Sale to Demand Deed to Real Property
23 described herein. A true and correct copy of said Notice of Expiration of Redemption Period is attached
24 hereto as **Exhibit 3**.

25 12. PAWLIK did attempt personal service upon Defendants in the state of Nevada at the
26 address of the property in question and various other addresses all unsuccessfully. After said service
27 attempts it was determined that Defendants had moved out of the state of Nevada. See Affidavit of
28 Service of Carrie Dabney attached hereto as **Exhibit 4**.

13. Thereafter, PAWLIK did cause to be published in the Las Vegas Review Journal the Notice of Expiration of Redemption Period with the final publication date being January 27, 2016. A true and correct copy of the Affidavit of Publication is attached hereto as **Exhibit 5**.

14. PAWLIK did further attempt service of the Notice of Expiration of Redemption Period upon Deng Defendants at the last known address in Aiken, South Carolina. Said Notice was returned to sender as not deliverable as addressed and unable to forward. True and correct copies of the returns are attached hereto as Exhibit 6. See also Affidavit of Notice to Owners of PAWLIK attached hereto as Exhibit 7.

15. Thereafter, on or about March 14, 2016, pursuant to the provision of NRS 271.595, PAWLIK did make application to Defendant Vanetta Appleyard for the issuance of a Deed pursuant to the provisions of NRS 271.595(4). A true and correct copy of the Application for Deed is attached hereto as Exhibit 8.

16. Appleyard accepted the Application for Deed on March 14, 2016 through her authorized representative Adrian Ramirez. A true and correct copy of the acceptance is attached hereto as Exhibit 9.

17. Since that time, Appleyard has failed and refused and continues to fail and refuse to issue the Deed as required by Chapter 271 of the Nevada Revised Statutes and has in fact informed PAWLIK that she intends to allow redemption of the property by former owners in violation of Chapter 271 of the Nevada Revised Statutes.

ARGUMENT

A party is entitled to a Writ of Mandate when a tribunal such as the City has failed to legally and properly discharge its obligations under statute. NRS 34.160 provides in pertinent part as follows:

NRS 34.160 Writ may be issued by appellate and district courts; when writ may issue. The writ may be issued by the Supreme Court, the Court of Appeals, a district court or a judge of the district court, to compel the performance of an act which the law especially enjoins as a duty resulting from an office, trust or station;...

The Nevada Supreme Court has ruled that a Writ of Mandate will issue to enforce the performance of an act which the law requires as a duty resulting from an office. *Marlette Lake Co. v. Sawyer*, 79 Nev.

1 334, 383 P.2d 369 (1963); see also, *State ex rel Nevada Building Authority v. Hancock*, 86 Nev. 310, 313,
2 468 P.2d 333 (1970) (overruled on other grounds by *Employers Ins. Co. of Nevada v. State Board of*
3 *Examiners*, 117 Nev. 249, 21 P.3d 628 (2001)).

4 **CONCLUSION**


5 Based upon the foregoing, it is respectfully requested that this Court issue a Writ of Mandate
6 compelling Defendant Vanetta Appleyard, Treasurer of the City of Las Vegas to issue the deed applied
7 for by Plaintiff.

8 **Affirmation Pursuant to NRS 239B.030**

9 The undersigned does hereby affirm that the preceding document does not contain the social
10 security number of any person.

11 DATED this 25th day of April, 2016.

12 **WALSH, BAKER & ROSEVEAR**

13 
14 JAMES M. WALSH, ESQ.

15 Nevada State Bar 796

16 9468 Double R. Blvd., Suite A

17 Reno, Nevada 89521

18 Tel: (775) 853-0883

19 Fax: (775) 853-0860

20 Email: jmwalth@wbri.net

21 Attorney for Plaintiff

INDEX OF EXHIBITS

EX. NO.	DESCRIPTION	PAGES
1	Certificate of Sale	1
2	Assignment of Certificate of Sale	1
3	Notice of Expiration of Redemption Period and of Intent by Owner of Certificate of Sale to Demand Deed to Real Property	2
4	Affidavit of Service	2
5	Affidavit of Publication	1
6	Return Letters	2
7	Affidavit of Notice to Owner	7
8	Application for Deed	1
9	Acceptance of Deed Application	1

EXHIBIT 1

EXHIBIT 1

137-25-314-020

CITY OF LAS VEGAS, NEVADA
CERTIFICATE OF SALE

Inst #: 201402040000939
Fees: \$17.00
N/C Fee: \$0.00
02/04/2014 11:11:08 AM
Receipt #: 1822516
Requestor:
CITY OF LAS VEGAS (AMG)
Recorded By: BGN Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER

Pursuant to Nevada Revised Statutes Chapter 271, Consolidated Local Improvement Laws, a duly noticed and authorized sale of properties for default on special assessments was conducted.

The sale was held on JANUARY 27, 2014 and the herein described property was SOLD to: KEVIN LOVE OR PAUL PAWLK, PO BOX 11314, SAN BERNARDINO, CA 92423-1314, for the owner's failure to cure the delinquency or in the alternative pay the entire amount of the assessment due.

Parcel #137-25-314-020, City of Las Vegas Local Improvement District #707, being owned by DENG SHYANG-F & L H-Y C REV TR, according to the latest assessment roll and described as: 010669 ROYAL VIEW AV, CHARDONNAY #61 BY LEWIS HOMES, PLAT BOOK 78 PAGE 77 LOT 374 BLOCK C.

This property was SOLD for the whole amount of the assessment due, including interest, penalties and costs, which was \$ 1,996.62 as of JANUARY 27, 2014. Said interest and penalties are continuing to accrue during the statutory redemption period.

Purchaser, herein, is entitled to a deed to the above-described property after expiration of said redemption period which commenced on JANUARY 27, 2014, unless the property is redeemed by the owner within the redemption period.

DATED this 28TH day of JANUARY 2014.

Venetta Appleyard
VENETTA APLEYARD
Treasurer

STATE OF NEVADA)
) ss.
CITY OF LAS VEGAS)

This instrument was acknowledged before me on the 28TH day of JANUARY 2014 by VENETTA APLEYARD as Treasurer of Las Vegas, Nevada.

Christine Wittwer
Notary Public

WHEN RECORDED MAIL TO:
KEVIN LOVE OR PAUL PAWLK
PO BOX 11314
SAN BERNARDINO, CA 92423-1314

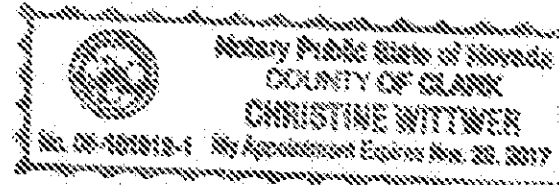


EXHIBIT 2

EXHIBIT 2

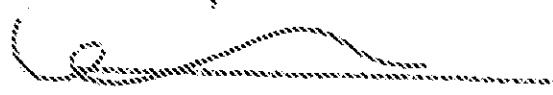
Inst #: 201402210001266
Fees: \$17.00
N/C Fee: \$0.00
02/21/2014 12:32:02 PM
Receipt #: 1339565
Requestor:
PAUL PAWLIK
Recorded By: ANI Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER

137-25-314-020

ASSIGNMENT OF CERTIFICATE OF SALE


For value received, the undersigned KEVIN LOVE conveys, sells, and assigns to PAUL PAWLIK right, title and interest in the Certificates of Sale of Property sold by the CITY OF LAS VEGAS, NV on 01/27/2014, property subject to lien further described as follows:

Parcel No: 137-25-314-020, Name of Property Owner: DENG SHYANG-F&LH-Y REV TR, Recorded as: Inst # 201402040000939, Clark County, NV; Street Address: 10669 ROYAL VIEW AV., Las Vegas, NV; Assessment Information: IMPROVEMENT DISTRICT: #707.

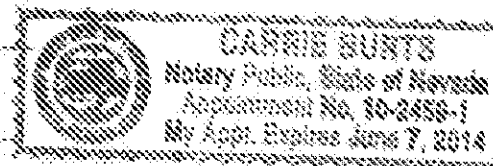

KEVIN LOVE
Date 2/20/14

State of Nevada
County of Clark

This instrument was acknowledged before me on the 20th day of February, 2014 by KEVIN LOVE


Notary Public

My commission expires: June 7, 2014



When Recorded Mail To: PP c/o ATCEC
P.O. Box 11314
San Bernardino CA 92423-1314

EXHIBIT 3

EXHIBIT 3

137-25-314-020

PAUL PAWLIK

PO Box 11314

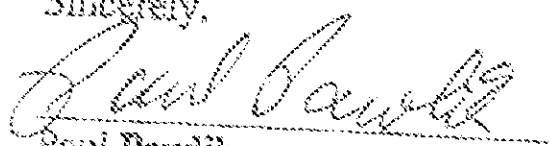
San Bernardino, CA 92423-1134

JANUARY 7, 2016

DENG SHYANG-F & L H-Y C RV TR, DENG SHYANG-FENN & LINDA TRS
231 NEW HAVEN LN SW
AIKEN SC 29803-8065

RE: NOTICE OF EXPIRATION OF REDEMPTION PERIOD AND OF
INTENT BY OWNER OF CERTIFICATE OF SALE TO DEMAND DEED TO REAL
PROPERTY, AS PER NRS 271.595.
NOTICE IS HEREBY GIVEN TO DENG SHYANG-F & L H-Y C RV TR, DENG
SHYANG-FENN & LINDA TRS (OWNERS), that on January 27, 2014, Kevin Love or
Paul Pawlik purchased from the City of Las Vegas, Nevada, a Certificate of Sale for the
following property (the "Property")
Clark County Assessor's Parcel #137-25-314-020, (City of Las Vegas Local
Improvement District #707), CHARDONNAY # 61 BY LEWIS HOMES, PLAT
BOOK 78, PAGE 77, LOT 374 BLOCK C. Street Address: 10669 ROYAL VIEW AVE,
Las Vegas NV.
The Certificate of Sale was assigned by the purchaser Kevin Love to Paul Pawlik (Inst # :
201402210001266). The Certificate of Sale was recorded on 2/4/2014 as Inst #
201402040000939. As per NRS 271.595, the aforementioned Assessment must be paid in
full to the City of Las Vegas Treasurer within 60 days of this notice; and the amount to be
paid is \$1,996.62, plus accrued interest at one percent a month and other costs. This
notice states that Paul Pawlik is the owner of the aforesaid Certificate of Sale and he will
request a Deed to the Property, as permitted by law if the amount due is not paid to the
City of Las Vegas Treasurer within 60 days from receipt of this notice, or, if necessary,
from the Date of Publication.

Sincerely,


Paul Pawlik

State of California

County of San Bernardino

Subscribed and sworn to before me on this 7th day of January 2016
by Paul Pawlik, proved to me on the basis of satisfactory evidence to be the person who
appeared before me.

Notary Public

See attached
notarial certificate A. 1-7-16

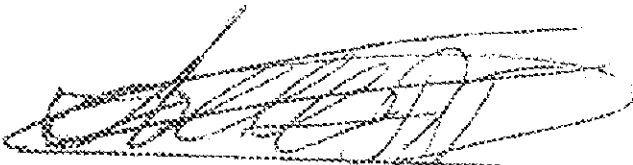
CALIFORNIA JURAT
(CALIFORNIA GOVERNMENT CODE § 8202)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

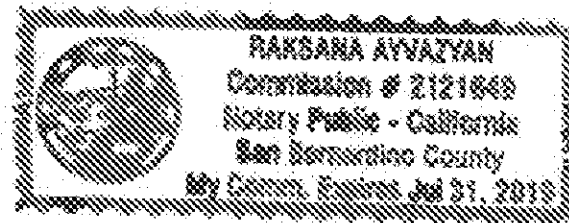
COUNTY OF San Bernardino)

Subscribed and sworn to (or affirmed) before me on this 7 day of January, 2016
by Paul Pawlik
(Name of Signer(s))
proved to me on the basis of
satisfactory evidence to be the person(s) who appeared before me.



Signature of Notary Public

(Notary Seal)



ADDITIONAL OPTIONAL INFORMATION

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Additional Information: _____

EXHIBIT 4

EXHIBIT 4

AFFIDAVIT OF SERVICE

STATE OF NEVADA)
COUNTY OF CLARK.)ss
)

I HEREBY CERTIFY and return that I received the within Notice of Expiration of Redemption Period and of Intent by owner of Certificate of Sale to demand Deed to Real Property on the 7th day of January, 2016, and that I personally conducted due diligence and attempt to locate Shyang –Fenn & Linda Deng. Theses attempts were unsuccessful. On January 8, 2016 I Carrie Dabney attempted to serve a Notice of expiration of redemption period and of intent by owner of certificate of sale to demand deed to real property to Shyang –Fenn & Linda Deng regarding Clark County Assessor parcel number 137-25-314-020. On January 8, 2018 I visited the property located at 10669 Royal View Avenue Las Vegas, Nevada 89144 at on two occasions At 12:11 p.m. I found the property to be occupied by an Asian male whom identified himself as Paul Deng, the owners son. He stated that his father had taken a job and they moved out of state. He confirmed their address as 231 New Haven Lane, S.W., Aiken, SC 29803-8065 but refused to accept any notice or paperwork or to give a message to his parents. I called provided telephone number (702) 838-1829 but received no answer. On January 9, 2016 I visited another address associated with the Dengs' located at 2913 Lark Sparrow Street, North Las Vegas, NV 89084 spoke with a an elderly Caucasian female whom identified herself as Ms. Howlett and stated she had resided at that address for 5 yrs and denied any knowledge of the Deng's. On

January 9, 2016 I visited another address associated with the Dengs' located at 7437 Eggshell Drive, North Las Vegas 89084 and spoke with Veneiria McCaster whom stated that her and her husband Malcolm had purchased the home in a short sale from an out of state owner in December 2014. She had no further information about the previous owner. January 9, 2016 I visited another address associated with the Dengs' located at 7528 Fruit Dove Street, North Las Vegas, NV 89084 and received no answer however a neighbor verified that the residence name was not Shyang or Linda Deng. No further attempts of service were performed at this time. The fees and cost associated with attempts to locate and serve this notice are \$222.60.

BY: Carrie Dabney
Carrie Dabney 3027436

1/11/16

SUBSCRIBE & SWORN to before me

This 11th day of January, 2016

Brittney Williams

NOTARY PUBLIC I. And for said

County and State

State of Nevada

County of Clark

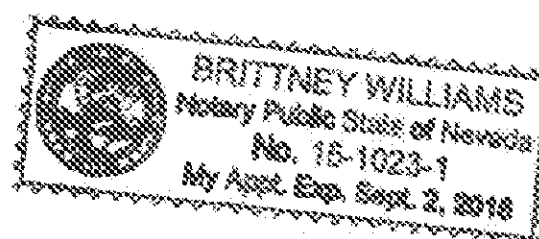


EXHIBIT 5

EXHIBIT 5

AVOIDANCE OF PUBLICATION

STATE OF NEVADA;
COUNTY OF CLARK ss:

PAULUX, PAUL
P O BOX 11644
SAN BERNARDINO CA 92422-1644

Account #	0000
Lot Number	0000000000


Eileen Gallagher, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in a edition(s) of said newspaper issued from 01/18/2016 to 01/27/2016, on the following days

[illegible][illegible][illegible]

Pub. Jan. 13, 25, 27, 2016
 12 Review Journals

151 Silvan Gallagher
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 27th day of January, 2016

Notary 


 MARY A. LEE
Notary Public, State of Nevada
No. 69-8341-1
My Appt. Exp. Nov. 13, 2018

EXHIBIT 6

EXHIBIT 6

2

Figure 1

CONCLUSIONS

[illegible]

10/10/19

2600 S 94 Ave - P & L B-H-W C&D Th. 17600 S 94 Ave - P & L
 Union Th.
 231 1800 Howard Ln S.W.
 1746 E. Sc. Lane 1000 W. 10000 S 100 Ave

11/16/80 Jc
 Date 11/16/80
 RETURN TO SENDER
 VACAY
 WORKER TO CORRESPOND
 BC: 9242422222 *2393-02021-27-20
 11/16/80 Jc

EXHIBIT 7

EXHIBIT 7

March 14, 2016

AFFIDAVIT OF NOTICE TO OWNER

State of Nevada)

185

County of Clark)

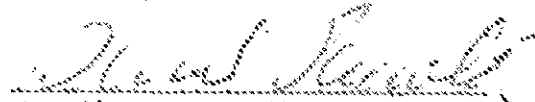
I, Paul Pawlik, first being sworn, say: that I am the purchaser of real estate and appurtenances described as follows:

Clark County Assessor's Parcel # 137-25-314-020, City of Las Vegas Local Improvement District # 707 being owned by Deng Shyang-P&L H-Y-C REV TR. according to the latest assessment roll and described as: 610669 Royal View Av. Chardonnay #61 by Lewis Homes. Plat Book 78 Page 77 Lot 374 Block C.

for delinquent assessments due on January 27, 2014; and that I gave notice to the owners of said property of intention to apply for a Deed in the following manner:

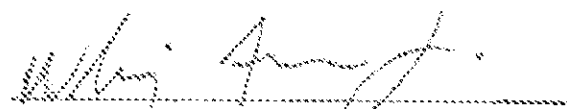
Paul Pawlik attempted to have the Notice of Expiration of Redemption Period (NOTICE) and the Intent by Owner of Certificate of Sale Demand Deed to Real Property as per NRS 271.595 served upon the owners. Notice attached. Per attached affidavit of service, it was determined that the owners live outside of Nevada. Service by publication was chosen. The notice was published in the Las Vegas Review-Journal on three consecutive weeks, starting January 13, 2016. Notice and proof of publication attached. A notice was also sent to the Aiken, South Carolina address via first class mail.

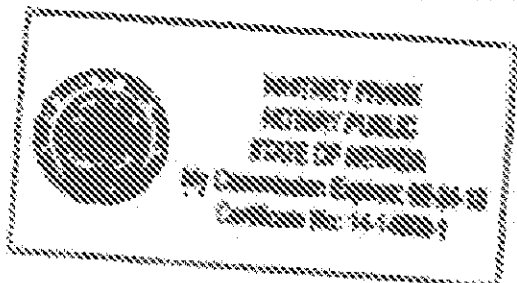
According to Pacer Court Reporting, the owners are not in bankruptcy and according to Department of Defense Manpower Data Records, they are not on active military duty. To date no redemption notice has been received.


Applicant: PAUL PAWLK

STATE OF NEVADA
COUNTY OF CLARK

Signed and sworn before me on the 14th day of March 2016 by Paul Pawlik


Notary Signature
My commission expires 6-27-2018





Status Report Pursuant to Servicemembers Civil Relief Act

Last Name: DENGFirst Name: LINDA

Middle Name:

Active Duty Status As Of: Mar-01-2016

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA

This response reflects the individual's active duty status based on the Active Duty Status Date.

Left Active Duty within 361 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA

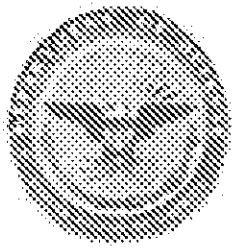
This response reflects when the individual left active duty status within 361 days preceding the Active Duty Status Date.

The Member or Member Unit was Notified of a Future Calling to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA

This response reflects whether the individual or member unit has received order notification to report for active duty.

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status sets as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty. HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITATIVELY ASSERT THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.

Mary M. Shively-Otton, Director
Department of Defense - Manpower Data Center
4600 Mark Center Drive, Suite 04E28
Arlington, VA 22204



Status Report Pursuant to Servicemembers Civil Relief Act

Last Name: DENGFirst Name: SHYANGMiddle Name: FENNActive Duty Status As Of: Mar-01-2016

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA

This response reflects the individual's active duty status based on the Active Duty Status Date.

Left Active Duty Within 301 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA

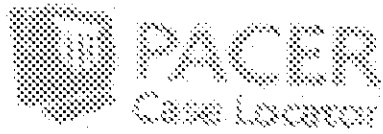
This response reflects where this individual left active duty within 301 days preceding the Active Duty Status Date.

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Notified	Service Component
NA	NA	No	NA

This response reflects whether the individual or his/her unit has received such notification in regard to active duty.

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty. HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITATIVELY ASSERT THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.

Mary M. Shewley-Dixon, Director
Department of Defense - Manpower Data Center
4800 Mark Center Drive, Suite 04E25
Arlington, VA 22204



Bankruptcy Party Search
Mon Jan 11 13:57:49 2016
No Records Found

User: a2d88
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Search: Bankruptcy Party Search name DEBORA LINDA KENN Case Page: 1

No records found

User: a2d88
Client:
Description: Bankruptcy Party Search
name DEBORA LINDA KENN Case Page: 1
Page: 1 of 10



Bankruptcy Party Search
Mon Jan 11 09:16:00 2016
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No records found

User: a2d88
Client:
Description: Bankruptcy Party Search
name STEFANIA LINDA KENN Case Page: 1
Page: 1 of 10



Bankruptcy Party Search
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name DEBORA LINDA KENN Case Page: 1
Page: 1 of 10



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Name: SHIRLEY D. DICKINSON JR. Courts Page: 1
Pages: 1 of 10

Receipt: 0011100000 00 00 00 00000000



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User: 994465
Client:
Description: Bankruptcy Party Search
Name: SHIRLEY D. DICKINSON JR. Courts Page: 1
Pages: 1 of 10

Receipt: 0011100000 00 00 00 00000000

Browse Again



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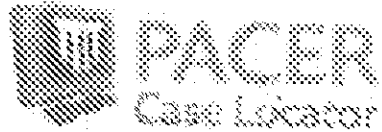
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Search: Bankruptcy Party Search Name SHIRLEY D. DICKINSON JR. Courts Page: 1

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User: 994465
Client:
Description: Bankruptcy Party Search
Name: SHIRLEY D. DICKINSON JR. Courts Page: 1
Pages: 1 of 10

Receipt: 0011100000 00 00 00 00000000

Browse Again

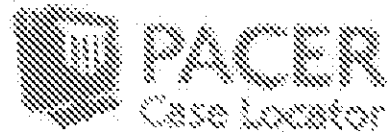


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[Browse About](#)

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Description: Bankruptcy Party Search
Name: SHYANG, LINDA All Courts Page: 1
Pages: 1 (1 of 1)

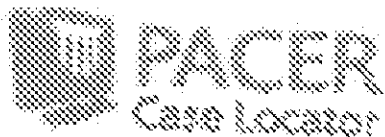


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[Browse About](#)

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User: jg1000
Client:
Description: Bankruptcy Party Search
Name: SHYANG, LINDA All Courts Page: 1
Pages: 1 (1 of 1)



Bankruptcy Party Search
Thu Mar 01 00:00:00 2018
No Records Found

[Browse About](#)

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Client:
Search: Bankruptcy Party Search Name SHYANG, LINDA All Courts Page: 1
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User: jg1000
Client:
Description: Bankruptcy Party Search
Name: SHYANG, LINDA All Courts Page: 1
Pages: 1 (1 of 1)



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No records found

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Pages: 1 (of 10)	



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Client:
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No records found

User: admin	Received 07/10/2015 01:54:53 at 7448000
Client:	
Description: Bankruptcy Party Search	
Name: SHIRLEY PERIN, LINDA All Courts Page: 1	
Pages: 1 (of 10)	

EXHIBIT 8

EXHIBIT 8

APPLICATION FOR DEED

San Bernardino, Arizona

March 14, 2016

Venetta Appleyard
Treasurer
City of Las Vegas, Nevada

Dear Ms. Appleyard:

In accordance with the requirements of N.R.S. 271.595 et. Seq., and amendments thereto, formal application is hereby made to the following estate:

Clark County Assessor's Parcel # 137-25-314-020, City of Las Vegas Local Improvement District # 707 and described as: 010669 Royal View Av. Chardonay #61 by Lewis Homez, Plat Book 78 Page 77 Lot 374 Block C.

Said property was sold by the City of Las Vegas, Nevada to Kevin Love or Paul Pawlik on January 27, 2014 pursuant to Nevada Revised Statutes Chapter 271, Consolidated Local Improvement Laws and was recorded on February 4, 2014. The Certificate of Sale was assigned by the purchasers Kevin Love to Paul Pawlik. The Assignment of Certificate of Sale is attached to this application.

Affidavit was filed with you AFTER the 13th day of March 2016.

PLEASE MAIL DEED TO PAUL PAWLK c/o ATCEC, P.O. Box 11314, San Bernardino, CA., 92423-1314. Given that you refused to issue deeds on several occasions in the past, after applications following the Nevada statutes, a writ of mandamus will be filed if the deed is not received by April 1, 2016.

Yours truly,

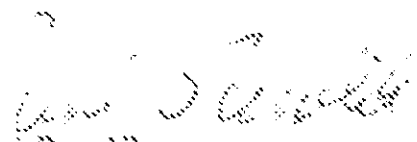
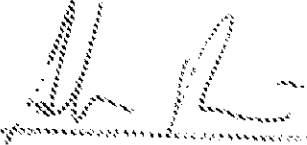

Paul Pawlik

EXHIBIT 9

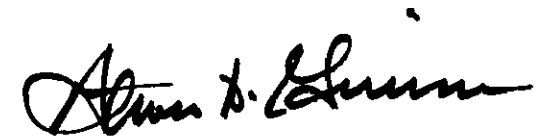
EXHIBIT 9

March 14, 2016

On behalf of Venetta Appleyard, City of Las Vegas Treasurer, I am accepting Deed Applications for APN 137-25-314-020 and 125-16-713-010.

Signature of authorized person  Date: 3/14/16

Printed Name of authorized person Adria Ramirez



CLERK OF THE COURT

CODE: ANOH
James M. Walsh, Esq.
Nevada State Bar 796
Walsh, Baker & Rosevear
9468 Double R. Blvd., Suite A
Reno, Nevada 89521
Tel: (775) 853-0883
Fax: (775) 853-0860
Email: jmw@wbri.net
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

PAUL PAWLIK,

Plaintiff,

vs.

SHYANG-FENN DENG AND LINDA HSIANG-
YU CHIANG DENG, TRUSTEES OF THE
SHAYNG-FENN AND LINDA HSIANG-YU
CHIANG DENG REVOCABLE TRUST DATED
AUGUST 18, 2006; VANETTA APPELYARD,
TREASURER OF THE CITY OF LAS VEGAS;
THE CITY OF LAS VEGAS, a Political
Subdivision,

Defendants.

Case No.: A-16-734663-C

Dept. No: XII

**AMENDED NOTICE OF HEARING ON
MOTION AND APPLICATION FOR WRIT OF MANDAMUS**

PLEASE TAKE NOTICE that the Motion and Application for Writ of Mandamus will be brought on for hearing on the 13th day of June, 2016, at the hour of 8:30 a.m., in Department XII of said Court.

Affirmation Pursuant to NRS 239B.030

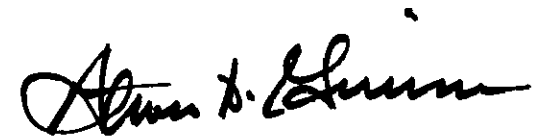
The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED this 28th day of April, 2016. **WALSH, BAKER & ROSEVEAR**

/s/ James M. Walsh

JAMES M. WALSH, ESQ. (Bar No. 796)

Attorney for Plaintiff



CLERK OF THE COURT

CODE: PROF

James M. Walsh, Esq.
Nevada State Bar 796
Walsh, Baker & Rosevear
9468 Double R. Blvd., Suite A
Reno, Nevada 89521
Tel: (775) 853-0883
Fax: (775) 853-0860
Email: jmw Walsh@wbrl.net
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

PAUL PAWLIK,

Plaintiff,

vs.

SHYANG-FENN DENG AND LINDA HSIANG-YU CHIANG DENG, TRUSTEES OF THE SHAYNG-FENN AND LINDA HSIANG-YU CHIANG DENG REVOCABLE TRUST DATED AUGUST 18, 2006; VANETTA APPELYARD, TREASURER OF THE CITY OF LAS VEGAS; THE CITY OF LAS VEGAS, a Political Subdivision,

Defendants.

Case No.: A-16-734663-C

Dept. No: XII

PROOF OF SERVICE OF ON VANETTA APPELYARD

Proof of Service of the Motion and Application for Writ of Mandamus and Amended Notice of Hearing on Motion and Application for Writ of Mandamus on Vanetta Appleyard, Treasurer of The City of Las Vegas by serving the City Attorney and the City Clerk is attached hereto as Exhibit 1.

Affirmation Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED this 16th day of May, 2016. **WALSH, BAKER & ROSEVEAR**

/s/ James M. Walsh
JAMES M. WALSH, ESQ.
Nevada State Bar 796
Attorney for Plaintiff

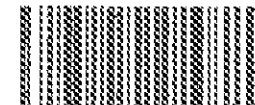
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EXHIBIT 1

EXHIBIT 1



PSEER
WALSH, BAKER & ROSEVEAR, P. C.
9468 DOUBLE "R" Blvd. * Ste. #A
Reno, NV 89521
775-853-0883
Attorney for: Plaintiff

DISTRICT COURT
CLARK COUNTY NEVADA

PAUL PAWLIK

Plaintiff

SHYANG-FENN DENG, ET AL.

Defendant

Case Number: A-16-734663-C

Dept/Div: XII

PROOF OF SERVICE

KEVIN R. SMITH, being duly sworn deposes and says: that at all times herein affiant was and is a citizen of the United States, over 18 years of age, licensed to serve civil process in the state of Nevada under license #389, and not a party to or interested in the proceeding in which this affidavit is made. The affiant received on Thursday April 28 2016; 1 copy(ies) of the:

**MOTION AND APPLICATION FOR WRIT OF MANDAMUS; AMENDED NOTICE OF
HEARING ON MOTION AND APPLICATION FOR WRIT OF MANDAMUS**

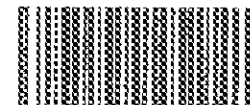
I served the same on Monday May 02 2016 at 12:30PM by:

**Serving Defendant VANETTA APPLEYARD, TREASURER OF THE CITY OF LAS VEGAS,
BY SERVING THE CITY ATTORNEY**

Substituted Service, by leaving the copies with or in the presence of: SARA MAYS, CLERK OFFICE
Authorized Agent. at the Defendant's Business located at 495 S MAIN ST, Las Vegas, NV 89101.

Pursuant to NRS 53.045, I declare under the penalty of perjury under the law of the State of Nevada
that the forgoing is true and correct.
Executed: Tuesday May 03 2016

Affiant: KEVIN R. SMITH #R-038414
LEGAL WINGS, INC. - NV LIC #389
1118 FREMONT STREET
Las Vegas, NV 89101
(702) 384-0305, FAX (702) 384-8638



PSEER
WALSH, BAKER & ROSEVEAR, P. C.
9468 DOUBLE "R" Blvd. * Ste. #A
Reno, NV 89521
775-853-0883
Attorney for: Plaintiff

DISTRICT COURT
CLARK COUNTY NEVADA

PAUL PAWLIK

Plaintiff

SHYANG-FENN DENG, ET AL.

Defendant

Case Number: A-16-734663-C

Dept/Div: XII

PROOF OF SERVICE

KEVIN R. SMITH, being duly sworn deposes and says: that at all times herein affiant was and is a citizen of the United States, over 18 years of age, licensed to serve civil process in the state of Nevada under license #389, and not a party to or interested in the proceeding in which this affidavit is made. The affiant received on Thursday April 28 2016; 1 copy(ies) of the:

**MOTION AND APPLICATION FOR WRIT OF MANDAMUS; AMENDED NOTICE OF
HEARING ON MOTION AND APPLICATION FOR WRIT OF MANDAMUS**

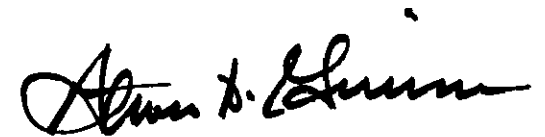
I served the same on Monday May 02 2016 at 12:30PM by:

**Serving Defendant VANETTA APPLEYARD, TREASURER OF THE CITY OF LAS VEGAS,
BY SERVING THE CITY CLERK**

Substituted Service, by leaving the copies with or in the presence of: SARA MAYS, CLERK OFFICE
Authorized Agent. at the Defendant's Business located at 495 S MAIN ST, Las Vegas, NV 89101.

Pursuant to NRS 53.045, I declare under the penalty of perjury under the law of the State of Nevada
that the forgoing is true and correct.
Executed: Tuesday May 03 2016

Affiant: KEVIN R. SMITH #R-038414
LEGAL WINGS, INC. - NV LIC #389
1118 FREMONT STREET
Las Vegas, NV 89101
(702) 384-0305, FAX (702) 384-8638



CLERK OF THE COURT

CODE: PROF

James M. Walsh, Esq.
Nevada State Bar 796
Walsh, Baker & Rosevear
9468 Double R. Blvd., Suite A
Reno, Nevada 89521
Tel: (775) 853-0883
Fax: (775) 853-0860
Email: jmw Walsh@wbrl.net
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

PAUL PAWLIK,

Plaintiff,

vs.

SHYANG-FENN DENG AND LINDA HSIANG-YU CHIANG DENG, TRUSTEES OF THE SHAYNG-FENN AND LINDA HSIANG-YU CHIANG DENG REVOCABLE TRUST DATED AUGUST 18, 2006; VANETTA APPELYARD, TREASURER OF THE CITY OF LAS VEGAS; THE CITY OF LAS VEGAS, a Political Subdivision,

Defendants.

Case No.: A-16-734663-C

Dept. No: XII

PROOF OF SERVICE OF ON THE CITY OF LAS VEGAS

Proof of Service of the Motion and Application for Writ of Mandamus and Amended Notice of Hearing on Motion and Application for Writ of Mandamus on The City of Las Vegas by serving the City Attorney and the City Clerk is attached hereto as Exhibit 1.

Affirmation Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED this 16th day of May, 2016. **WALSH, BAKER & ROSEVEAR**

/s/ James M. Walsh
JAMES M. WALSH, ESQ.
Nevada State Bar 796
Attorney for Plaintiff

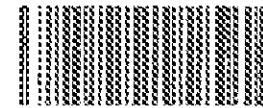
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Reno, NV 89521
775-853-0883
Attorney for: Plaintiff

DISTRICT COURT
CLARK COUNTY NEVADA

PAUL PAWLIK

Plaintiff

SHYANG-FENN DENG, ET AL.

Defendant

Case Number: A-16-734663-C

Dept/Div: XII

PROOF OF SERVICE

KEVIN R. SMITH, being duly sworn deposes and says: that at all times herein affiant was and is a citizen of the United States, over 18 years of age, licensed to serve civil process in the state of Nevada under license #389, and not a party to or interested in the proceeding in which this affidavit is made. The affiant received on Thursday April 28 2016; 1 copy(ies) of the:

MOTION AND APPLICATION FOR WRIT OF MANDAMUS; AMENDED NOTICE OF HEARING ON MOTION AND APPLICATION FOR WRIT OF MANDAMUS

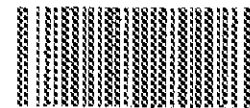
I served the same on Monday May 02 2016 at 12:30PM by:

Serving Defendant THE CITY OF LAS VEGAS, A POLITICAL SUBDIVISION, BY SERVING THE CITY CLERK

Substituted Service, by leaving the copies with or in the presence of: SARA MAYS, CLERK OFFICE Authorized Agent. at the Defendant's Business located at 495 S MAIN ST, Las Vegas, NV 89101.

Pursuant to NRS 53.045, I declare under the penalty of perjury under the law of the State of Nevada that the forgoing is true and correct.
Executed: Tuesday May 03 2016

Affiant: KEVIN R. SMITH #R-038414
LEGAL WINGS, INC. - NV LIC #389
1118 FREMONT STREET
Las Vegas, NV 89101
(702) 384-0305, FAX (702) 384-8638



PSEER
WALSH, BAKER & ROSEVEAR, P. C.
9468 DOUBLE "R" Blvd. * Ste. #A
Reno, NV 89521
775-853-0883
Attorney for: Plaintiff

DISTRICT COURT
CLARK COUNTY NEVADA

PAUL PAWLIK

Plaintiff

SHYANG-FENN DENG, ET AL.

Defendant

Case Number: **A-16-734663-C**

Dept/Div: **XII**

PROOF OF SERVICE

KEVIN R. SMITH, being duly sworn deposes and says: that at all times herein affiant was and is a citizen of the United States, over 18 years of age, licensed to serve civil process in the state of Nevada under license #389, and not a party to or interested in the proceeding in which this affidavit is made. The affiant received on Thursday April 28 2016; 1 copy(ies) of the:

**MOTION AND APPLICATION FOR WRIT OF MANDAMUS; AMENDED NOTICE OF
HEARING ON MOTION AND APPLICATION FOR WRIT OF MANDAMUS**

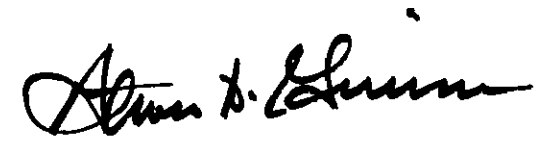
I served the same on Monday May 02 2016 at 12:30PM by:

**Serving Defendant THE CITY OF LAS VEGAS, A POLITICAL SUBDIVISION, BY SERVING
THE CITY ATTORNEY**

Substituted Service, by leaving the copies with or in the presence of: SARA MAYS, CLERK OFFICE
Authorized Agent. at the Defendant's Business located at 495 S MAIN ST, Las Vegas, NV 89101.

Pursuant to NRS 53.045, I declare under the penalty of perjury under the law of the State of Nevada
that the forgoing is true and correct.
Executed: Tuesday May 03 2016

Affiant: KEVIN R. SMITH #R-038414
LEGAL WINGS, INC. - NV LIC #389
1118 FREMONT STREET
Las Vegas, NV 89101
(702) 384-0305, FAX (702) 384-8638


CLERK OF THE COURT

CODE: ANOH
James M. Walsh, Esq.
Nevada State Bar 796
Walsh, Baker & Rosevear
9468 Double R. Blvd., Suite A
Reno, Nevada 89521
Tel: (775) 853-0883
Fax: (775) 853-0860
Email: jmw@wbri.net
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

PAUL PAWLIK,

Plaintiff,

vs.

SHYANG-FENN DENG AND LINDA HSIANG-
YU CHIANG DENG, TRUSTEES OF THE
SHAYNG-FENN AND LINDA HSIANG-YU
CHIANG DENG REVOCABLE TRUST DATED
AUGUST 18, 2006; VANETTA APPELYARD,
TREASURER OF THE CITY OF LAS VEGAS;
THE CITY OF LAS VEGAS, a Political
Subdivision,

Defendants.

Case No.: A-16-734663-C

Dept. No: XII

**SECOND AMENDED NOTICE OF HEARING ON
MOTION AND APPLICATION FOR WRIT OF MANDAMUS**

PLEASE TAKE NOTICE that the Motion and Application for Writ of Mandamus will be brought on for hearing on the 27th day of June, 2016, at the hour of 8:30 a.m., in Department XII of said Court.

Affirmation Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED this 23rd day of May, 2016. **WALSH, BAKER & ROSEVEAR**

/s/ James M. Walsh
JAMES M. WALSH, ESQ. (Bar No. 796)
Attorney for Plaintiff

1 **CERTIFICATE OF SERVICE**

2 I, the undersigned, declare under penalty of perjury, that I am an employee of WALSH, BAKER
3 & ROSEVEAR that I am over the age of eighteen (18) years, and that I am not a party to, nor interested
4 in, this action. On this date, I caused to be served a true and correct copy of the foregoing document on
all parties to this action by:

5 XX Electronic filing with the Clerk of the Court by using the ECF system which will send a
6 notice of electronic filing

7 _____ Placing an original or true copy thereof in a sealed envelope placed for collection and
8 mailing in the United States Mail, at Reno, Nevada postage paid, following the ordinary
course of business practices;

9 _____ Hand Delivery

10 XX Email to smack@blacklobello.law

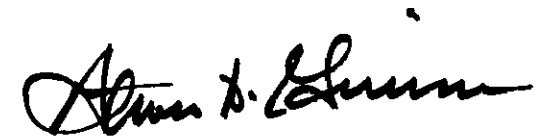
11 addressed as follows:

12
13 Steven Mack, Esq.
14 Black & LoBello
10777 West Twain Ave., Third Floor
15 Las Vegas, NV 89135
Counsel for Shayng-Fenn Deng and
16 *Linda Hsiang-Yu Chiang Deng, Trustees of the*
17 *Shayng-Fenn Deng and Linda Hsiang-Yu Chiang Deng*
Revocable Trust Dated August 18, 2006

18 I declare under penalty of perjury that the foregoing is true and correct.

19 Executed this 23rd day of May, 2016.

20
21
22 /s/ Denise Vollmer
23 Denise Vollmer, an employee of
24 Walsh, Baker & Rosevear
25
26
27
28



CLERK OF THE COURT

CODE: ACSR
James M. Walsh, Esq.
Nevada State Bar 796
Walsh, Baker & Rosevear
9468 Double R. Blvd., Suite A
Reno, Nevada 89521
Tel: (775) 853-0883
Fax: (775) 853-0860
Email: jmwalsh@wbri.net
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

PAUL PAWLIK,

Plaintiff,

vs.

SHYANG-FENN DENG AND LINDA HSIANG-YU CHIANG DENG, TRUSTEES OF THE SHAYNG-FENN AND LINDA HSIANG-YU CHIANG DENG REVOCABLE TRUST DATED AUGUST 18, 2006; VANETTA APPELYARD, TREASURER OF THE CITY OF LAS VEGAS; THE CITY OF LAS VEGAS, a Political Subdivision,

Defendants.

Case No.: A-16-734663-C

Dept. No: XII

ACCEPTANCE OF SERVICE

Steven Mack, Esq. of Black & LoBello, attorney of record for Defendants SHYANG-FENN DENG AND LINDA HSIANG-YU CHIANG DENG, TRUSTEES OF THE SHAYNG-FENN AND LINDA HSIANG-YU CHIANG DENG REVOCABLE TRUST DATED AUGUST 18, 2006, hereby acknowledge receipt and accept service of the Summons, Verified Complaint to Quiet Title, Writ of Mandamus and Injunction, Motion and Application for Writ of Mandamus, Notice of Hearing, Amended Notice of Hearing and Second Amended Notice of Hearing in the above-entitled matter on behalf of Defendants SHYANG-FENN DENG AND LINDA HSIANG-YU CHIANG DENG, TRUSTEES OF

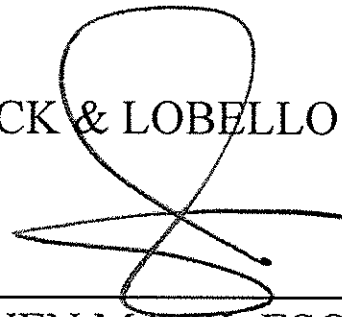
1 THE SHAYNG-FENN AND LINDA HSIANG-YU CHIANG DENG REVOCABLE TRUST DATED
2 AUGUST 18, 2006.

3 **Affirmation Pursuant to NRS 239B.030**

4 The undersigned does hereby affirm that the preceding document does not contain the social
5 security number of any person.

6 DATED this 23rd day of May, 2016.

7 BLACK & LOBELLO



8
9 STEVEN MACK, ESQ. (Bar No.4000)

10 10777 West Twain Avenue, Third Floor

11 Las Vegas, Nevada 89135

12 Tel: (702) 869-8801

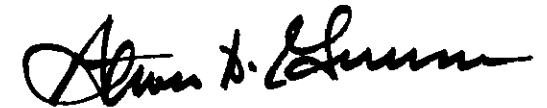
13 smack@blacklobello.law

14 *Attorney for Defendants Shayng-Fenn Deng and*

15 *Linda Hsiang-Yu Chiang Deng, Trustees of the*

16 *Shayng-Fenn Deng and Linda Hsiang-Yu Chiang Deng*

17 *Revocable Trust Dated August 18, 2006*



CLERK OF THE COURT

CODE: NOTC

James M. Walsh, Esq.
Nevada State Bar 796
Walsh, Baker & Rosevear
9468 Double R. Blvd., Suite A
Reno, Nevada 89521
Tel: (775) 853-0883
Fax: (775) 853-0860
Email: jmw@wbri.net
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

PAUL PAWLIK,

Plaintiff,

vs.

SHYANG-FENN DENG AND LINDA HSIANG-YU CHIANG DENG, TRUSTEES OF THE SHAYNG-FENN AND LINDA HSIANG-YU CHIANG DENG REVOCABLE TRUST DATED AUGUST 18, 2006; VANETTA APPELYARD, TREASURER OF THE CITY OF LAS VEGAS; THE CITY OF LAS VEGAS, a Political Subdivision,

Defendants.

Case No.: A-16-734663-C

Dept. No: XII

NOTICE OF INTENT TO TAKE DEFAULT

TO: Defendants VANETTA APPELYARD, TREASURER OF THE CITY OF LAS VEGAS; THE CITY OF LAS VEGAS, a Political Subdivision

PLEASE TAKE NOTICE that Defendants VANETTA APPELYARD, TREASURER OF THE CITY OF LAS VEGAS; THE CITY OF LAS VEGAS were served with the Summons and Verified Complaint to Quiet Title, Writ of Mandamus and Injunction in this matter on April 11, 2016, by serving the City Attorney and the City Clerk at 495 S. Main Street, Las Vegas, Nevada 89101. Defendants VANETTA APPELYARD, TREASURER OF THE CITY OF LAS VEGAS; THE CITY OF LAS VEGAS will be required to Answer or otherwise plead in the above-entitled action no later than three (3)

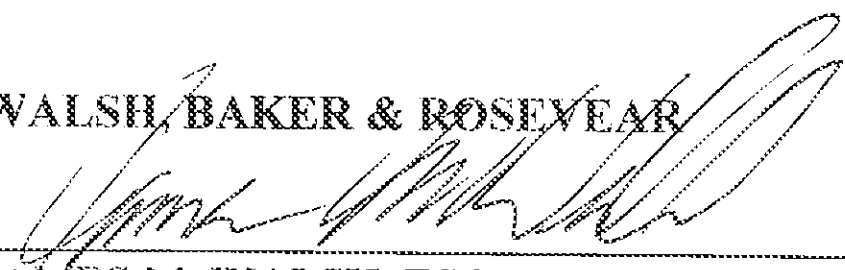
1 days from receipt of this notice in order to avoid Default being entered against it, as provided in NRCP
2 55(b)(2).

3 **Affirmation Pursuant to NRS 239B.030**

4 The undersigned does hereby affirm that the preceding document does not contain the social
5 security number of any person.

6 DATED this 27th day of May, 2016.

7 **WALSH, BAKER & ROSEYEAR**

8 
9 JAMES M. WALSH, ESQ.

10 Nevada State Bar 796

11 9468 Double R. Blvd., Suite A

12 Reno, Nevada 89521

13 Tel: (775) 853-0883

14 Fax: (775) 853-0860

15 Email: jmw@wbri.net

16 Attorney for Plaintiff

CERTIFICATE OF SERVICE

I, the undersigned, declare under penalty of perjury, that I am an employee of WALSH, BAKER & ROSEVEAR that I am over the age of eighteen (18) years, and that I am not a party to, nor interested in, this action. On this date, I caused to be served a true and correct copy of the foregoing document on all parties to this action by:

XX Electronic filing with the Clerk of the Court by using the ECF system which will send a notice of electronic filing

_____ Placing an original or true copy thereof in a sealed envelope placed for collection and mailing in the United States Mail, at Reno, Nevada postage paid, following the ordinary course of business practices;

_____ Hand Delivery

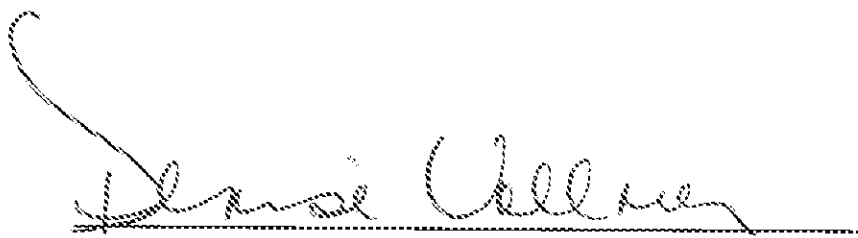
_____ Facsimile

addressed as follows:

Vanetta Appleyard
The City of Las Vegas
c/o City Attorney
495 S. Main Street
Las Vegas, Nevada 89101

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

Executed this 27th day of May, 2016.


Denise Vollmer, an employee of
Walsh, Baker & Rosevear