

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

ROBERT HOLMES, III,

Appellant,

vs.

LAS VEGAS METROPOLITAN  
POLICE DEPARTMENT,

Respondent.

Case No.: 71680 Electronically Filed  
May 12 2017 11:39 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Appeal from the Eighth Judicial District  
Court, The Honorable Douglas E. Smith  
Presiding

**SUGGESTION OF BANKRUPTCY**

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*Attorneys for Respondent, Las Vegas Metropolitan Police Department*

## **SUGGESTION OF BANKRUPTCY**

TO: THE HONORABLE JUSTICES OF THIS COURT

TO: ALL PARTIES TO THIS APPEAL AND THEIR COUNSEL

Respondent, Las Vegas Metropolitan Police Department (“Respondent”), recently learned that Appellant, Robert Holmes III (“Debtor”), has filed bankruptcy but failed to give notice to this Court. To apprise this Court of the bankruptcy filing, Respondent attaches a copy of the individual filing, which may affect the proceedings in this Court.

1. On May 1, 2017, Debtor filed a voluntary petition for relief under Chapter 7 of the United States Bankruptcy Code (“Bankruptcy Petition”), and administered under Case No. 17-12300-led (Bankruptcy Case”). The Bankruptcy Case is pending before the United States Bankruptcy Court for the District of Nevada.

2. A true and correct copy of the Bankruptcy Petition filed by the Appellant is attached hereto as **Exhibit 1**.

3. The Debtor’s filing of his Bankruptcy Petition may operate as a stay, applicable to all entities, of, among other things: (a) the commencement or continuation of all judicial, administrative, or other actions or proceedings against the Debtor (i) that were or could have been commenced before the commencement


of the Debtors' cases or (ii) to recover any claims against the Debtor that arose before the commencement of the Bankruptcy Cases; (b) the enforcement, against the Debtor or against any property of the Debtor's bankruptcy estates, of a judgment obtained before the commencement of the Bankruptcy Cases; or (c) any act to obtain possession of property of or from the Debtor's bankruptcy estates, or to exercise control over property of the Debtor's bankruptcy estates. 11 U.S.C. § 362.

4. The automatic stay of Section 362 may apply to the instant appeal.

Dated this 12<sup>th</sup> day of May, 2017.

MARQUIS AURBACH COFFING

By

  
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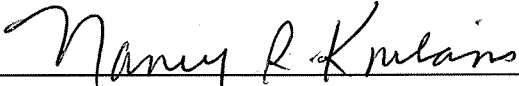
**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **SUGGESTION OF BANKRUPTCY** was filed electronically with the Nevada Supreme Court on the 12 day of May, 2017. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

n/a

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid, addressed to:

Robert Holmes, III  
4657 Swaying Ferns Dr.  
Las Vegas, Nevada 89147  
Appellant in Proper Person

  
\_\_\_\_\_  
Nancy R. Knilans, an employee of  
Marquis Aurbach Coffing

# Exhibit 1

**Information to identify the case:**Debtor 1 **ROBERT HOLMES III**Social Security number or ITIN **9604**

First Name Middle Name Last Name

EIN

Debtor 2

(Spouse, if filing)

First Name Middle Name Last Name

Social Security number or ITIN

EIN

United States Bankruptcy Court **District of Nevada**Date case filed for chapter **7** **5/1/17**Case number: **17-12300-led****Official Form 309A (For Individuals or Joint Debtors)****Notice of Chapter 7 Bankruptcy Case -- No Proof of Claim Deadline**

12/15

For the debtors listed above, a case has been filed under chapter 7 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors or the debtors' property. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

The debtors are seeking a discharge. Creditors who assert that the debtors are not entitled to a discharge of any debts or who want to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadlines specified in this notice. (See line 9 for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at [www.pacer.gov](http://www.pacer.gov)).

The staff of the bankruptcy clerk's office cannot give legal advice.

To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court.

Do not file this notice with any proof of claim or other filing in the case. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.

	About Debtor 1:	About Debtor 2:
1. Debtor's full name	ROBERT HOLMES III	
2. All other names used in the last 8 years		
3. Address	4657 SWAYING FERNS DRIVE LAS VEGAS, NV 89147	
4. Debtor's attorney Name and address	ROBERT HOLMES III 4657 SWAYING FERNS DRIVE LAS VEGAS, NV 89147	Contact phone None Email None
5. Bankruptcy trustee Name and address	BRIAN D. SHAPIRO 510 S. 8TH STREET LAS VEGAS, NV 89101	Contact phone (702) 386-8600

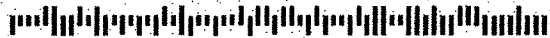
For more information, see page 2 &gt;

Official Form 309A (For Individuals or Joint Debtors) Notice of Chapter 7 Bankruptcy Case -- No Proof of Claim Deadline

page 1

<b>6. Bankruptcy clerk's office</b>	300 Las Vegas Blvd., South Las Vegas, NV 89101	Office Hours 9:00 AM – 4:00 PM  Contact phone (702) 527-7000  Date: 5/1/17
Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at <a href="http://www.pacer.gov">www.pacer.gov</a> .		
<b>7. Meeting of creditors</b>	<b>June 9, 2017 at 08:00 AM</b>	Location:
Debtors must attend the meeting to be questioned under oath. In a joint case, both spouses must attend. Creditors may attend, but are not required to do so.	The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.	<b>300 Las Vegas Blvd., South, Room 1500, Las Vegas, NV 89101</b>
<b>8. Presumption of abuse</b>	Insufficient information has been filed to date to permit the clerk to make any determination concerning the presumption of abuse. If more complete information, when filed, shows that the presumption has arisen, creditors will be notified.	
If the presumption of abuse arises, you may have the right to file a motion to dismiss the case under 11 U.S.C. § 707(b). Debtors may rebut the presumption by showing special circumstances.		
<b>9. Deadlines</b>	<b>File by the deadline to object to discharge or to challenge whether certain debts are dischargeable:</b>	<b>Filing deadline: 8/8/17</b>
The bankruptcy clerk's office must receive these documents and any required filing fee by the following deadlines.		
	<b>You must file a complaint:</b> <ul style="list-style-type: none"><li>• If you assert that the debtor is not entitled to receive a discharge of any debts under any of the subdivisions of 11 U.S.C. § 727(a)(2) through (7), or</li><li>• If you want to have a debt excepted from discharge under 11 U.S.C § 523(a)(2), (4), or (6).</li></ul>	
	<b>You must file a motion:</b> <ul style="list-style-type: none"><li>• If you assert that the discharge should be denied under § 727(a)(8) or (9).</li></ul>	
	<b>Deadline to object to exemptions:</b> The law permits debtors to keep certain property as exempt. If you believe that the law does not authorize an exemption claimed, you may file an objection.	<b>Filing deadline: 30 days after the conclusion of the meeting of creditors</b>
<b>10. Proof of claim</b>	No property appears to be available to pay creditors. Therefore, please do not file a proof of claim now. If it later appears that assets are available to pay creditors, the clerk will send you another notice telling you that you may file a proof of claim and stating the deadline.	
Please do not file a proof of claim unless you receive a notice to do so.		
<b>11. Creditors with a foreign address</b>	If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.	
<b>12. Exempt property</b>	The law allows debtors to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors. Debtors must file a list of property claimed as exempt. You may inspect that list at the bankruptcy clerk's office or online at <a href="http://www.pacer.gov">www.pacer.gov</a> . If you believe that the law does not authorize an exemption that the debtors claim, you may file an objection. The bankruptcy clerk's office must receive the objection by the deadline to object to exemptions in line 9.	

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*U. S. Fish & Wildlife Service*