

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILBERT R HOLMES

Appellant,

vs.

CAPUCINE Y HOLMES,
Respondent.

Supreme Court No. 73291
District Court No. D15523582D

FILED

JUN 27 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY [Signature]
DEPUTY CLERK

MOTION FOR STAY FORM
FOR PARTIES WITHOUT ATTORNEYS

INSTRUCTIONS: Write only in the space allowed on the form. **Additional pages and attachments are not permitted.** The Nevada Supreme Court prefers short and direct statements. Citation to legal authority or the district court record is not required but would be helpful to the Court.

Any form you file with the Nevada Supreme Court must be mailed or delivered to all other parties to this appeal or to the parties' attorneys.

You may file your forms in person or by mail. You must file the original and 2 copies with the Clerk of the Nevada Supreme Court. If you want the clerk to return a file-stamped copy of your form, you must submit the original and 3 copies and include a self-addressed, stamped envelope. Documents cannot be faxed or e-mailed to the Clerk's Office.

This form must be filed with the Clerk of the Nevada Supreme Court at the following address:

Clerk of the Court
Supreme Court of Nevada
201 South Carson Street
Carson City, Nevada 89701
Telephone: (775) 684-1600 or (702) 486-9300



17-21414

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

Filed Date	Name of Judgment or Order
6/1/2017	DECREE OF DIVORCE

Notice of Appeal. Specify the date you filed your notice of appeal in the district court: 6/8/2017

Order to be Stayed. A stay from the Nevada Supreme Court prevents enforcement of a district court order. What do you want stayed?

THAT I WILBERT R HOLMES DO NOT TENDER \$100,862.73 TO CAPUCINE
Y HOLMES WITHIN 60 DAYS AND FORCE THE SALE OF THE PROPERTY.
AND OR ANY TRANSFER OF PERSONAL ITEMS.

Statement of Facts. Briefly explain the facts related to your request for a stay. (Your answer must be provided in the space allowed.)

THE DIVORCE DECREE SHOWS MANY OBVIOUS CALCULATION
ERRORS AND OMISSIONS THAT WERE PURPOSELY DONE WITH
RANDOM FIGURES, NOT ACTUAL GIVEN FIGURES TO DERIVE AT
THE "PRENUPTIAL AGREEMENT" AMOUNT.

Harm to You. What serious harm will you experience if a stay is denied?
(Your answer must be provided in the space allowed.)

I WILL UNDULY LOSE ANY EQUITY IN MY HOME. AND POSSIBLY BY
EVICTED AND HOMELESS.

Harm to Others. What harm will the other side experience if the stay is
granted? (Your answer must be provided in the space allowed.)

NONE RESPONDENT IS RESIDING IN HER OWN HOME RESIDENCE
WITH HER MATE FOR OVER TWO YEARS

Success on Appeal. Why are you likely to win this appeal? (Your answer
must be provided in the space allowed.)

BECAUSE OF THE ERRANT, FICTITIOUS AMOUNTS AND
CALUCLATIONS USED TO DERIVE AT THE REAL PROPERTY
EQUITY AS OF 7/3/2001. AMOUNG OTHER INCORRECT STATEMENTS
LISTED BY JUDGE RENA HUGHES

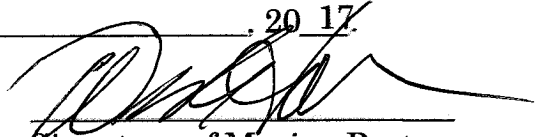
CERTIFICATE OF SERVICE

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

- ☐ By personally serving it upon him/her; or
☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es):

DATED this 8TH day of JUNE

20 17



Signature of Moving Party

WILBERT R. HOLMES

Print Name of Moving Party

10550 PATRINGTON CT.

Address

LAS VEGAS NV 89183

City/State/Zip

702 281 5752

Telephone

From: Kimberly Panfil <top.prosales1@gmail.com>

To: WIL HOLMES <wholmes711@aol.com>

Subject: Fwd: APPEAL SUGGESTIONS based on your own findings

Date: Sat, Jun 10, 2017 8:14 pm

Attachments: MLS Listing 10550 Patrington Ct.pdf (765K)

USE THIS ONE

----- Forwarded message -----

From: **Kimberly Panfil** <top.prosales1@gmail.com>

Date: Sat, Jun 10, 2017 at 8:12 PM

Subject: APPEAL SUGGESTIONS based on your own findings

To: **WIL HOLMES** <wholmes711@aol.com>

Wil~

You must submit and mark all items here as EXHIBITS FILED IN ORDER with the APPEAL.

You must mark & FILE the DIVORCE DECREE as 'EXHIBIT # ONE.....go through the divorce decree pages and place the numbers below, next to Page & LINE numbers.

You must mark & FILE the full Prenuptial as EXHIBIT #2

You must mark & FILE all pages to your REVERSE MORTGAGE DEED as EXHIBIT #3 .

You must mark & FILE all pages of the ORIGINAL MORTGAGE as EXHIBIT # 4

You must file the letter from the Department of Industry, Real Estate Division that Justine Novinger, has never been a licensed certified appraiser, who is no longer a realtor, as his licence to sell real estate expired May 31, 2017....MARK Letter EXHIBIT # 5

You must mark & FILE MLS LISTING ...EXHIBIT # 6

All sent with your appeal.

1.) PAGE 6...LINES 17 - 22

Justin Novinger, stated in the divorce decree he is only a real estate broker-salesman, who is NOT certified to appraise real estate. The historical value of the home in 2001 was stated to be \$488,413.00 according to realtor Mr. Novinger, who is NOT LICENSED to give anyone a certified value. Justine Novinger, has never been a licensed certified appraiser, who is no longer a realtor, as his licence to sell real estate expired on May 31, 2017 per the Department of Industry, Nevada Real Estate Division, Licensing Division....EXHIBIT # 5.

2.) PAGE 7, LINES 12 - 14.....It states Capucine Yolanda Holmes, gets 50% of the \$100,862.73. I see they said the equity INCREASE was \$200,725.00Where did they get this number? This number was 'assumed' and not calculated by a real estate CPA. NO Licensed Certified Appraiser was used. The values and numbers needed proof and correction, that was stated in the prenuptial agreement to be calculated for 2001, the year in question for home value in this divorce decree. I am requesting this amount be stated as 'frivolous and omitted' in this appeal.

3.) SEE PAGE. 6.... LINE 14-16.... This original Loan amount was ASSUMED as \$177,124.00 and is irrelevant. It has nothing to do with the certified and licensed appraised value. I object to this 'assumed amount' as only a generalized 'opinion'. I am requesting this amount be omitted and appealed. I am requesting a new certified appraisal is done for 2001 by a real certified, licensed appraiser paid 50/50% by Capucine Yolanda Holmes and Wilbert Roy Holmes. SEE ORIGINAL MORTGAGE...EXHIBIT #4

4.) SEE ATTACHED MLS # 15119004 as PROOF of LISTING. "Exhibit # TWO". The home is listed with licensed realtor, Kimberly Panfil of Urban Nest Realty, Realtor NV, Lic. # 33994.... since 01-28 2015 till present. There were 4 offers so far, \$630,000.00, \$595,000.00 and \$560,000.00, \$525,000.00 all unable to close due to the divorce LIEN and other LIENS. ~~Phone number for Kimberly Panfil is 702-524-8020. I am unable to pay anyone until my home sells.~~ MLS # 15119004...EXHIBIT # 6.

5.) PAGE 8....LINES 23 - 26 and PAGE 9....LINES 3 - 6. A serious judgement was placed against me, WILBERT ROY HOLMES for \$100,862.73, to be PAID in 60 days, with no actual stated interest amount. The \$100,862.73 is based on FALSE figures and FALSE VALUE. I am a Senior Citizen and Veteran, on social security and retirement. I am unable to pay anyone until my home sells. I also have severe medical issues. Their are LIENS against the property I cannot pay until it sells. I am requesting this \$100,862.73 and judgement be omitted and appealed.

5.) SEE PAGE 7, LINES 12 - 14.....it states Capucine Yolanda Holmes, gets 50% of the \$100,862.73. But then I see they said the equity INCREASE was \$200,725.00Where did they get this number? Again, NO Licensed Certified Appraisal was used, a correction is needed. Values were assumed. Calculations are going off all assumed FALSE numbers. The year's value in question for home value in the prenuptial agreement is 2001 for any certified, licensed appraisal and for the year 2016 for the divorce value.

SEE ATTACHED

2000

4

6/11/17, 5:26 PM