

CLERK OF THE COURT

AOS

Marsha Kimble-Simms, Esq.
Nevada Bar No. 008530
The Simms Law Firm, LLC
2560 W. Brooks Ave., Suite 101
North Las Vegas, Nevada 89032
(702) 333-1449 office
(702) 664-0457 fax
Email: Simmslawfirm@aol.com
Attorney for Plaintiff

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

CAPUCINE YOLANDA HOLMES,

Plaintiff

vs.

WILBERT ROY HOLMES,

Defendant.

Case No.: D-15-523582-D

Dept. No. J

I, Douglas Gates, declare:

1. That I am not a Party to or interested in this action and I am over 18 years of age.

2. That I served the CSC - Wells Fargo Bank with a copy of a

Subpoena Duces Tecum (for documents) on the day 28 of July, 2016, at the hour of

3:31 am/pm in the following manner:

Personal Service on the Party: Delivering and leaving the documents with (name of

person served) _____ at (street

address) _____ (city) _____,

(state) _____, (zip code) _____.

OR

✓ **Substituted Service:** Delivering and leaving a copy of the documents with (first and last name of the person that the documents were given to) Frances

Gutierrez, who is a person of suitable age and discretion that resides with the above stated party at (street address) 2215-B Renaissance Drive #500 (city) Las Vegas (state) NV (zip) 89119.

3. That (check one.)

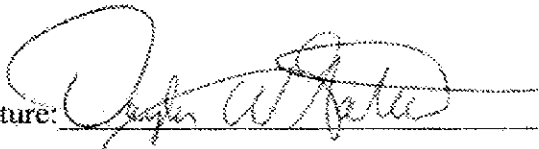
_____ am a licensed process server or an employee of a licensed process server; my

License or registration number is _____.

✓ I am not required to be licensed under Chapter 648 of the Nevada Revised States or another provision of law because I am not engaged in the business of serving legal process within the state of Nevada.

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

DATED: July 27, 2016

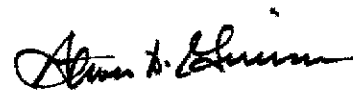
Server's Signature: 

Server's Printed Name: Douglas Gates

Residential/Business Address: 2560 Brooks Ave

City, State, Zip: B-4 #110 North Las Vegas, NV

Server's Phone Number 702-601-0638



CLERK OF THE COURT

PSER
Marsha Kimble-Simms, Esq.
Nevada Bar No. 008530
The Simms Law Firm, LLC
2560 W. Brooks Ave., Suite 101
North Las Vegas, Nevada 89032
(702) 333-1449
(702) 664-0457
Email Address: simmslawfirm@aol.com
Attorney for Plaintiff
CAPUCINE HOLMES

DISTRICT COURT
CLARK COUNTY, NEVADA

CAPUCINE YOLANDA HOLMES,)	Case No.: D-15-523582-D
)	
Plaintiff,)	Dept. No.: J
)	
vs.)	
)	Proof of Service
WILBERT ROY HOLMES,)	
)	
Defendant)	

I, MARSHA KIMBLE-SIMMS, ESQ., declare under penalty of perjury under the law of the State of Nevada that the following is true and correct. That on July 25, 2016, service of the:

MOTION TO AMEND THE PLEADINGS, FOR AN ORDER TO ENFORCE AND FOR AN ORDER TO SHOW CAUSE, AND TO SET ASIDE THE REMARITAL AGREEMENT AND THE ORDER SHORTENING TIME was made pursuant to NRCP 5(b) by EMAILING AND depositing a copy in the U.S. Mail in the State of Nevada, postage prepaid, addressed to:

WILBERT ROY HOLMES 10550
10550 Patrington Ct.
Las Vegas, Nevada 89183

1 She attached emails to Wilbert Holmes dated July 25, 2016 and
2 July 27, 2016.

3
4 DATED this 27 day of July, 2016

5
6
7 
8 An employee of The Simms Firm

From: Marsha Kimble-Simms <simmslawfirm@aol.com>

To: wholmes711 <wholmes711@aol.com>

Subject: New Court Date

Date: Wed, Jul 27, 2016 2:06 pm

Attachments: D-15-523582-D-8418218_OST_Order_Shortening_Time.pdf (48K)

Attached please find a change of Court Date for the October 4, Court. You must appear on August 4, 2016 at 2:30pm for the Motion to Amend the Pleadings, Order To Show Cause, Motion to Set Aside the Prenuptial Agreement, and for attorney fees.

In addition, you must appear on August 2, at 9:00 am. in Department 91.

Marsha Kimble-Simms, Esq.

SIMMS LAW FIRM, LLC

(702) 275-4185

From: Marsha Kimble-Simms <simmslawfirm@aol.com>

To: wholmes711 <wholmes711@aol.com>

Subject: Motion

Date: Mon, Jul 25, 2016 11:07 am

Attachments: IMG_20160725_0001.pdf (12632K), capexhibit1.pdf (5258K), capexhibit2.pdf (1286K), capexhibite3.pdf (2451K), capexhibit4.pdf (1357K)

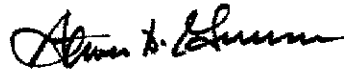
Dear Mr. Holmes:

I have mailed you a hard copy of the attached Motion to Amend The Pleadings, For An Order To Enforce And For AN Order to Show Cause, And TO Set Aside The Premarital Agreement and attached Exhibits1-4. I will send the other exhibits in the other email.

The hearing date is set for October 4, 2016 at 10:00am Department J.

Marsha Kimble-Simms, Esq.
SIMMS LAW FIRM, LLC
(702) 275-4185

CERT
Marsha Kimble-Simms, Esq.
Nevada Bar No.: 008530
The Simms Law Firm, LLC
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(702) 333-1449 (o) (702) 664-0457 (f)
Email: Simmslawfirm@aol.com
Attorney for Plaintiff



CLERK OF THE COURT

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

CAPUCINE YOLANDA HOLMES,

Plaintiff,

vs.

WILBERT ROY HOLMES,

Defendant.

Case No.: D-15-5235582-D

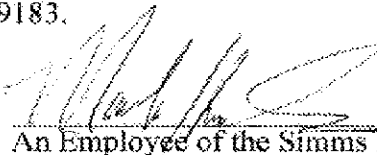
DEPT. NO.: J

CERTIFICATE

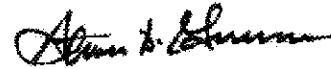
Pursuant to NCRP (5)(B), I certify that on the 4th day of August 2016, the defendant was sent Notice of the hearing date for the Motion to Amend the Pleadings, for an Order to Enforce and for an Order to Show Cause, and to Set Aside the Premarital Agreement is rescheduled for October 4th, 2016 at 10:00am in Department J, was emailed and deposited in the mail with correct postage in the U.S. Postal Service addressed as follows:

EMAILED: wholmes711@aol.com
ADRESSED: Wilbert Roy Holmes
10550 Pattrington Cir
Las Vegas, Nevada 89183.

DATED: August 4, 2016



An Employee of the Simms Law Firm, LLC



CLERK OF THE COURT

MOT

Marsha Kimble- Simms
Nevada Bar No. 8350
Cheyenne West Corporate Park
Simms Law Firm, Llc
2560 W. Brooks Ave, Suite #101
North Las Vegas, Nevada 89032
(702)275-4185 (o), 702) 664-0457 (f)
Attorney for CAPUCINE YOLANDA HOLMES

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CAPUCINE YOLANDA HOLMES,

Plaintiff,

vs.

WILBERT ROY HOLMES,

Defendant.

Case No.: D-15-523582-D

Dept. No.: J

DATE OF HEARING: 10/4/2016

TIME OF HEARING: 10:00 AM

NOTICE: YOU ARE REQUIRED TO FILE A WRITTEN RESPONSE TO THIS MOTION WITH THE CLERK OF
OF THE COURT WITHIN TEN (10) DAYS OF YOUR RECEIPT OF THIS MOTION MAY RESULT IN THE
REQUESTED RELIEF BEING GRANTED BY THE COURT WITHOUT HEARING PRIOR TO THE
SCHEDULED HEARING DATE

**MOTION TO AMEND THE PLEADINGS, FOR AN ORDER TO ENFORCE AND FOR
AN ORDER TO SHOW CAUSE, AND TO SET ASIDE THE PREMARITAL
AGREEMENT**

COMES NOW Plaintiff, Capucine Yolanda Holmes, by and through her attorneys of
record, Marsha Kimble-Simms, Esq., of SIMMS LAW FIRM, LLC, and file this Motion to
Amend the Pleadings, for an Order to Enforce and For an Order to Show Cause and to Set
Aside the Premarital Agreement.

///

///

1 This Motion is based upon the attached Points an Authorities, attached exhibits,
2 affidavits, any and all pleadings and papers on the file in this matter, and any oral representation
3 to take place at the hearing on this Motion.

4 DATED this 22 day of July, 2016.

5
6 SIMMS LAW FIRM, LLC

7
8 Marsha Kimble-Simms, Esq.
9 State Bar of Nevada No. 8530
10 2560 W. Brooks Ave., Suite 101
11 North Las Vegas, Nevada 89032
12 Attorney for Plaintiff,
13 CAPUCINE YOLANDA HOLMES

14 **NOTICE OF MOTION**

15 TO: WILBERT ROY HOLMES

16 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the undersigned will
17 bring the above and foregoing Motion on for hearing before the Court at the courtroom of the
18 above-entitled court, on the 4 day of October, 2016, at 10:00^{AM} a.m./p.m.,
19 Department J, of the Eighth Judicial District Court, Family Division, located at 601 N.
20 Pecos Road, Las Vegas, Nevada 89101.

21 Dated this 27 day of July, 2016.

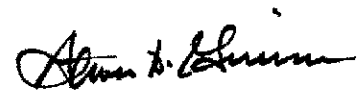
22 SIMMS LAW FIRM, LLC

23
24 By: 

25 Marsha Kimble-Simms, Esq.
26 State Bar of Nevada No. 8530
27 2560 W. Brooks Ave., Suite 101
28 North Las Vegas, Nevada 89032
Attorney for Plaintiff,
CAPUCINE YOLANDA HOLMES

Wilbert Roy Holmes
10550 PATRINGTON CT.
LAS VEGAS NV 89183

Electronically Filed
08/05/2016 02:11:26 PM



CLERK OF THE COURT

**DISTRICT COURT
THE STATE OF NEVADA**

Capucine Yolanda Holmes

Plaintiff

Vs.

Wilbert Roy Holmes

Defendant

Case NO D-15-523582_D

DISTRICT COURT - EIGHTH JUDICIAL
FAMILY DIVISION Dept: J

**DEFENDANT WILBERT HOMLES MEMORANUM OF LAW
IN SUPPORT OF MOTION TO DISQUALIFY
JUDGE RENA G. HUGHES UNDER 28U.S.C.§144**

Introduction

Pursuant to Bundy v. Rudd, 366 So, 2d 440, (FL 1978)

Under the Nevada code of judicial conduct Rule 2.11 that stated that a judge's relationship to the attorney and his/her clients' cerate's relationship in fact, creates a personal bias of prejudice toward said Defendant Mr. Wilbert Holmes.

Refer. To Vincent Edward TURNER, Appellant, v. The STATE OF NEVADA, Respondent no. 27411. Decided: July 16, 1998 any party to an action or proceeding pending in any court other than the Supreme Court, who seeks to disqualify a judge for actual or implied bias or prejudice, must file an affidavit specifying the facts upon which the disqualification is sought. The affidavit of a party represented by an attorney must be accompanied by a certificate of the attorney of record that the affidavit is filed in good faith and not interposed for delay.

MOTION TO RECUSE

Now comes the above named, Wilbert Holmes and moves to recuse Judge Rena G. Hughes from the above entitled matter under 28 USCS Sec. 455, and Marshall v Jerrico Inc., 446 US 238, 242, 100 S.Ct. 1610, 64 L. Ed. 2d 182 (1980).

1. It should be recognized in this divorce court proceedings that bias influenced by attorney Judge Friendship and a attorney relationship with Plaintiff(s) Mrs. Capucine Holmes.
2. All motions filed by Defendant Wilbert Holmes has been denied pertaining to Plaintiff(s) Capucine Holmes in this judicial processing as of this date without justification by the court nor judge.
3. Defendant Wilbert Holmes wasn't official serviced with a Proof of Service as required in a court of law, whereby under oath, the court's "servicer" can affirmed that the Poof of Service was received by the Defendant Wilbert Holmes, this by District Court Clark County, Nevada. Maybe the Judge (Sua Sponte) believed this was not a violation of the Defendant Wilbert Holmes due process of law.
4. The Defendant was informed many times by Plaintiff Mrs. Capucine Holmes, that Defendant Wilbert Holmes would never receive a impartial verdict in the Las Vegas Courts because Plaintiff Mrs. Capucine Holmes know many judges and professionals by socializing with judges and invites to Plaintiff Mrs. Capucine Holmes and Defendant Mr. Wilbert Holmes place of residence.
5. We can attest and prove that some Clark County judges have visited Plaintiff Capucine Holmes and Defendant Wilbert Holmes home while living together as husband and wife for many years. Plaintiff Capucine Holmes is a recognized popular "Black Woman in Who's Who" in the Las Vegas community and on social and community websites.
6. An attorney's or party's consent shall remain effective until expressly revoked or until the representation of a party changes through entry, withdrawal, or substitution of counsel. An attorney or party who has consented to service by electronic means shall, within 10 days after any change of electronic-mail address or facsimile number, serve and file notice of the new electronic-mail address or facsimile number. (Never done.)
7. The Defendant Wilbert Holmes never gave consent for any court documents to be delivered by electronic-mail address or facsimile number, therefore improperly served by this court and no Proof of Service as deed by courts of Nevada.

DISCUSSION

Note the State of Review:

In Nevada, "a judge has a general duty to sit, unless a judicial canon, statute, or rule requires the judge's disqualification." *Millen v. Dist. Ct.*, 122 Nev. 1245, 1253, 148 P.3d 694, 700 (2006). NRS 1.230 prohibits a judge from presiding over any matter when actual or implied bias exists on the part of the judge. The relevant provisions of NCJC Rule 2.11(A) provide: A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to the following circumstances:

- (1) The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding.
- (2) The judge knows that the judge. . . is: (c) a person who has more than a de minimis interest that could be substantially affected by the proceeding. . . .
- (3) The judge knows that he or she . . . has an economic interest in the subject matter in controversy or in a party to the proceeding.

Note the following:

STANDARD FOR DISQUALIFICATION OF JUDGES A FEDERAL STATUES

State of Facts should be considered in this case due to circumstance therein.

Federal law requires a judge to "disqualify himself in any proceeding in which his impartiality might reasonably be questioned." 28 U.S.C. §455 (a). Because section 455(a) is intended to avoid even the appearance of partiality, (*Liljeberg v. Health Services Acquisition Corp.*, 486 U.S. 847, 860 (1988)), it is not the reality of bias or prejudice, but rather the appearance of bias or prejudice that matters.

Liteky v. United States, 510 U.S.540, 548 (1994). Thus, so long as a judge's impartiality might reasonably be questioned, recusal is required "even though no actual partiality exists...because the judge actually has no interest in the case or because the judge is pure in heart and incorruptible." *Liljeberg*,486 U.S. at 860.The standard for assessing whether section 455(a) requires disqualification is thus an objective one that "involves

ascertaining whether a reasonable person with knowledge of all the facts would conclude that the judge's impartiality might reasonably be questioned."

Preston v. United States, 923 F.2d 731, 734 (9th Cir. 1991),

JUDGE'S RECUSAL

The judge against whom an affidavit alleging bias or prejudice is filed shall proceed no further with the matter and shall:

- (a) Immediately transfer the case to another department of the court .
- (b) The question of the judge's disqualification must thereupon be heard and determined by another judge .
- (c) We are asking that Judge Rena G. Hughes, be removed immediately before any motions aforementioned given before the court until this motion is acted on.

CONCLUSION

Motion for Judge Rena G. Hughes, to recuse herself from...

Case No. D-15-523582-D

on the appearance of being Bias and/or impartial toward Defendant Wilbert Holmes.

I certify that, under the penalty of perjury of the law of the Wilbert R. Holmes, that the above written statements herein are true and accurate to the best of my knowledge.

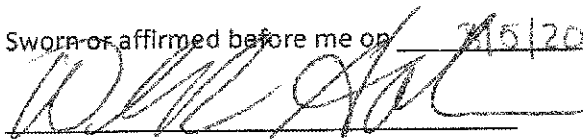
STATE OF NEVADA

COUNTY OF CLARK

Wilbert R.

Holmes, being duly sworn, or having duly affirmed to tell the truth, stated personally before me that they are competent under the law to give this affidavit and unless stated have personal knowledge of the facts stated herein:

Sworn or affirmed before me on 7/5/2016.

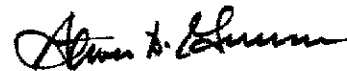


Notary Public

Commission Expires: 3/7/2018

Crystal Ireland
Acting in Macomb, MI

Witness By: _____ Signature Crystal Ireland



CLERK OF THE COURT

1 NOTC

2 WILBERT R HOLMES

3 10550 PATRINGTON CT

4 LAS VEGAS NV 89183

5 702 281 5257

6 wholmes711@aol.com

7 Self-Represented

8 **DISTRICT COURT**
CLARK COUNTY, NEVADA

9 CAPUCINE Y HOLMES

10 Plaintiff

11 vs

12 WILBERT R HOLMES

13 Defendant.

CASE NO D15523582D

DATE OF HEARING: 9/22/2016

TIME OF HEARING: 3:00 am

Oral Argument Requested:

Yes ☐ No ☒

14 **NOTICE OF MOTION**

15
16 TO: Opposing Party or Party's Attorney, if one, MARSHA KIMBLE-SIMMS ; and TO:

17 District Attorney – Family Support Division, if applicable.

18 This is a motion for: (☒ check all that
19 apply) ☐ Child Support ☒ Property Issues

☐ Contempt

☒ Other CHANGE OF JUDGE

20 ☐ Child Custody ☐ Spousal Support

☐ Visitation

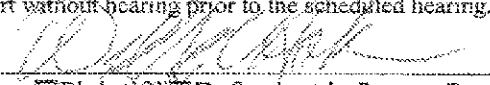
21 **PLEASE TAKE NOTICE** that a hearing on the attached motion for relief will be held
22 before the Eighth Judicial District Court --Family Division located at: (☒ check one)

23 ☒ The Family Courts and Services Center, 601 N. Pecos Road Las Vegas, Nevada 89101

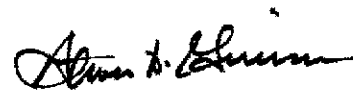
24 ☒ The Regional Justice Center, 200 Lewis Avenue Las Vegas, Nevada 89101

25 ☐ The Child Support Center of Southern Nevada, 1900 E. Flamingo Road # 100 Las Vegas,
Nevada 89119

26 **Notice:** You are required to file a written response to this motion with the Clerk of the Court within ten
27 (10) days of receipt and to serve a copy of the filed response on the other party. Failure to do so may
result in the requested relief being granted by the Court without hearing prior to the scheduled hearing.

28 Submitted By: 

(☒ check one) ☐ Plaintiff ☒ Defendant in Proper Person



CLERK OF THE COURT

CERT

Marsha Kimble Simms, Esq.
Nevada Bar No. 008530
The Simms Law Firm, LLC
2560 W. Brooks Ave., Suite 101
North Las Vegas, Nevada 89032
(702) 333-1449 (O), 702-644-0457 (F)
simmslawfirm@aol.com
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CAPUCINE YOLANDA HOLMES,

Plaintiff,

vs.

WILBERT ROY HOLMES,

Defendant.

CASE NO.: D-15-523582-D

DEPT NO.: J

CERTIFICATE OF MAILING

I, MARSHA KIMBLE-SIMMS, ESQ., declare under penalty of perjury under the law of the State of Nevada that the following is true and correct. That on August 31, 2016, service of the: Opposition To Motion to Disqualify Judge Rena Hughes, was made pursuant to NRCP 5(b) by depositing a copy in the U.S. Mail in the State of Nevada, postage prepaid, addressed to:

WILBERT ROY HOLMES

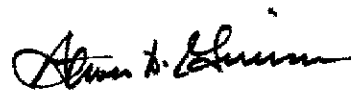
10550 Patrington Ct.,

Las Vegas, Nevada 89183

DATED this 30 day of August, 2016.



MARSHA KIMBLE-SIMMS, ESQ.



CLERK OF THE COURT

1 **OPP**

2 Marsha Kimble Simms, Esq.
3 Nevada Bar No. 008530
4 The Simms Law Firm, LLC
5 2560 W. Brooks Ave., Suite 101
6 North Las Vegas, Nevada 89032
(702) 333-1449 (O), 702-644-0457 (F)
simmslawfirm@aol.com
Attorney for Plaintiff

7 **DISTRICT COURT**
8 **CLARK COUNTY, NEVADA**

9 CAPUCINE YOLANDA HOLMES,
10
11 Plaintiff,

CASE NO.: D-15-523582-D

DEPT NO.: J

12 vs.

13 WILBERT ROY HOLMES,
14
15 Defendant.

16 **OPPOSITION TO MOTION TO DISQUALIFY JUDGE RENA G. HUGHES**

17
18 COMES NOW Plaintiff CAPUCINE YOLANDA HOLMES, by and through her attorney
19 MARSHA KIMBLE-SIMMS, ESQ., of the SIMMS LAW FIRM, LLC, and files this opposition.
20 This opposition is brought in good faith and is based on the attached Points and Authorities,
21 Affidavit of Movant, the papers and pleadings on file herein, and such further evidence and
22 argument that may be requested at the hearing.
23

24
25 DATED this 30 day of August, 2016.


MARSHA KIMBLE-SIMMS, ESQ.

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POINTS AND AUTHORITIES

I. LEGAL ARGUMENT

NRS 1.235 Procedure for disqualifying judges other than Supreme Court justices.

1. Any party to an action or proceeding pending in any court other than the Supreme Court, who seeks to disqualify a judge for actual or implied bias or prejudice must file an affidavit specifying the facts upon which the disqualification is sought. The affidavit of a party represented by an attorney must be accompanied by a certificate of the attorney of record that the affidavit is filed in good faith and not interposed for delay. Except as provided in subsections 2 and 3, the affidavit must be filed:

(a) Not less than 20 days before the date set for trial or hearing of the case; or

(b) Not less than 3 days before the date set for the hearing of any pretrial matter.

NCJC Canon 3 provides an additional standard for the disqualification of a judge. Pursuant to Canon 3, a motion to disqualify must set forth facts and reasons sufficient to cause a reasonable person to question the judge's impartiality, and the judge who is challenged has the opportunity to contradict the allegations. The case of In re Dunleavy, 104 Nev. 784, 788 (1988), provides a solid frame work for the general rules regarding judicial disqualification. Concerning the duties of a judge, as well as judicial recusals and disqualifications, the Supreme Court held: "

Al judge has as great an obligation not to disqualify himself, where there is no occasion to do so... Thus, this court has previously held that a judge has a duty to preside. . . in the absence of some statute, rule of court, ethical standard or other compelling reason to the contrary. Moreover, whereas here, a judge or justice determines that he may not voluntarily disqualify himself, his decision should be given substantial weight, and should not be overturned in absence of clear abuse of discretion. Further, under these circumstances, a judge or justice is presumed not to be biased, and the burden is on the party asserting the challenge to establish sufficient factual grounds warranting disqualification."

1 The Dunleavy, Court further held that rulings and actions of a judge made during the
2 courts of official judicial proceedings do not establish legally cognizable grounds for
3 disqualification.
4

5 **II. STATEMENT OF FACT**

6

7 This is a divorce proceeding and Plaintiff CAPUCINE YOLANDA HOLMES filed for
8 dissolution of marriage on or about November 5, 2015. The parties have no children. The defendant
9 WILBERT ROY HOMES has only filed one Motion in this case. On or about July 16, 2016
10 defendant filed a Motion for Change of Venue asserting essential the same arguments that he now
11 asserts in his Motion to Disqualify Judge Rena Hughes. Judge Hughes denied the Motion and
12 issued her ruling on July 16, 2016. See Exhibit 1.
13
14

15 The basis for this is that defendant will not receive a fair trial because Plaintiff can
16 somehow exert undue influence over the Judge Rena Hughes "because Plaintiff knows many
17 judges and many Judges have come to their residence while they were married." In the ruling
18 issued July 26, 2015 by Judge Hughes she clearly indicates that she "has not in fact attended any
19 social events at the party's home, and is not friends with Plaintiff." Judge Hughes further indicates
20 "Judge Rena Hughes has no bias, nor prejudice for, or against, either party. Plaintiff has no undue
21 influence over Judge Hughes and there is no basis for change of venue as Defendant asserts." See
22 Exhibit 1, page 2, paragraph one.
23
24
25

26 Based upon the aforementioned the defendant has failed to meet the standards of NRS
27 1.235 Procedure for disqualifying judges in that he has failed to put forth an affidavit that shows
28

1 actual or implied bias or prejudice or that specifies the facts upon which the disqualification is
2 sought. He merely states that some Judges have visited his home, not that Judge Rena Hughes has
3 visited his home. Nor does he state that Judge Hughes is friends with his wife.
4

5 In addition, the defendant has failed to meet the requirement of NCJC Canon 3 which
6 provides an additional standard for the disqualification of a judge. Pursuant to Canon 3 a motion
7 to disqualify must set forth facts and reasons sufficient to cause a reasonable person to question
8 the judge's impartiality. Defendant has failed to put forth facts and reasons sufficient to cause a
9 reasonable person to question Judge Hughes impartiality.
10

11
12 The Nevada Supreme Court held in the case of In re Dunleavy, 104 Nev. 784, 788 (1988).

13 "A judge has as great an obligation not to disqualify himself, where
14 there is no occasion to do so... Moreover, whereas here, a judge or
15 justice determines that he may not voluntarily disqualify himself, his
16 decision should be given substantial weight, and should not be
17 overturned in absence of clear abuse of discretion. Further, under
18 these circumstances, a judge or justice is presumed not to be biased,
and the burden is on the party asserting the challenge to establish
sufficient factual grounds warranting disqualification."

19 The defendant has failed to meet the burden of proof as set forth by In re Dunleavy, *Supra*
20 thus failing to establishing sufficient factual grounds warranting disqualification of Judge Hughes.
21

22 **III. CONCLUSION**

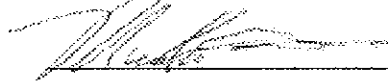
23 Based on the law set forth and the pleadings on file herein, this opposition should be
24 granted the following relief:

- 25 1. That the other party's motion be denied;
 - 26 2. For other relief this court deems just and proper.
- 27
28

1 WHEREFORE, MOVANT respectfully requests this Court enter an Order denying the
2 other party's motion and for other such relief that this court deems just and proper.

3 DATED this 30th day of August, 2016.

4 By: MARSHA KIMBLE-SIMMS, ESQ.

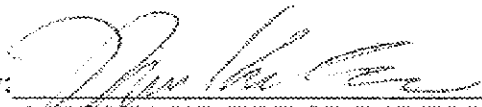
5 
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8 **DECLARATION IN SUPPORT OF OPPOSITION TO MOTION**

9 I declare, under penalty of perjury:

- 10 1. That I have personal knowledge of the facts contained in this Opposition and in this
11 Declaration and I am competent to testify to the
12 2. That the statements in this Opposition are true and correct to the best of my knowledge.
13 3. I have attached the following Exhibit 1 to the Opposition I declare under penalty of perjury
14 under the law of the State of Nevada that the foregoing is true and correct.
15

16 DATED August 30, 2016.

17
18
19 Submitted By: 
20

MARSHA KIMBLE-SIMMS, ESQ.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

July 26, 2016

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

July 26, 2016 11:00 AM Minute Order

HEARD BY: Hughes, Rena C.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Capucine Holmes, Plaintiff, not present
Wilbert Holmes, Defendant, not present

~~Marsha Kimble Samms, Attorney, not present~~
Pro Se

JOURNAL ENTRIES

- Per Judge Hughes

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.11(e), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

On July 16, 2016 Defendant filed a Motion for Change of Venue, with a Notice of Motion filed July 22, 2016 setting a hearing for September 21, 2016 at 10:00 a.m. The basis of Defendant's motion to change venue is his assertion that Plaintiff somehow can exert undue influence over the judiciary in Clark County, Nevada, and thus he will not receive a fair trial. Defendant further asserts that members of the judiciary have attended social events at his home, and that Plaintiff, his wife, is friends with members of the judiciary. Defendant does not assert Judge Rena Hughes attended social events at his home, or that Judge Rena Hughes is friends with his wife.

PRINT DATE:	07/26/2016	Page 1 of 2	Minutes Date:	July 26, 2016
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Judge Rena Hughes has in fact not attended any social events at the parties home, and is not friends with Plaintiff. Judge Rena Hughes has no bias, nor prejudice for, or against, either party. Plaintiff has no undue influence over Judge Rena Hughes, and there is no basis to change venue as Defendant asserts. See, SCR 2.11.

Defendant's Motion for Change of Venue is devoid of legal points and authorities, and does not meet the requirements of EDCR 2.20. Even if Defendant had cited to the appropriate statute or rule, the Court finds no basis for a change in venue. Both parties reside in Clark County, Nevada, the forum is convenient, and there is no obstacle to a fair and impartial trial. See, NRS 13.040 and 13.050.

Defendant's Motion is DENIED, and the hearing of September 21, 2016 is VACATED.

Clerk's note, a copy of today's was mailed to Defendant, at the address, on file and placed, in counsel's folder, at Family Court.

FUTURE HEARINGS:

*Canceled: September 21, 2016 10:00 AM Motion
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per
Judge
Courtroom 04
Hughes, Rena G.
Skaggs, Tiffany*

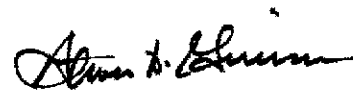
September 27, 2016 11:00 AM Calendar Call
Courtroom 04
Hughes, Rena G.
Skaggs, Tiffany

October 04, 2016 10:00 AM Motion
Courtroom 04
Hughes, Rena G.
Skaggs, Tiffany

October 11, 2016 1:30 PM Evidentiary Hearing
Courtroom 04
Hughes, Rena G.
Skaggs, Tiffany

PRINT DATE:	07/26/2016	Page 2 of 2	Minutes Date:	July 26, 2016
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.



CLERK OF THE COURT

SUB
Marsha Kimble Simms, Esq.
Nevada Bar No. 008530
The Simms Law Firm, LLC
2560 W. Brooks Ave., Suite 101
North Las Vegas, Nevada 89032
(702) 333-1449 (O), 702-644-0457 (F)
simmslawfirm@aol.com
Attorney for Petitioners

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CAPUCINE YOLANDA HOLMES,

Plaintiff,

vs.

WILBERT ROY HOLMES,

Defendant.

CASE NO.: D-15-523582-D

DEPT NO.: J

SUBPOENA -- DOMESTIC

☐ REGULAR (for personal appearance)

☒ DUCES TECUM (for documents)

THE STATE OF NEVADA SENDS GREETINGS TO:

WELLS FARGO BANK
440 E. Silverado Ranch Blvd., Ste C
Las Vegas, Nevada 89183

YOU ARE HEREBY COMMANDED:

☐ Testimony. You are required to attend a hearing to give testimony on (month)

_____ (day) _____, 20____ at the hour of (time)

_____ ☐ a.m. ☐ p.m. in Department _____ of the District Court, Clark County,

Nevada, located at:

☐ The Family Court & Services Center, 601 N. Pecos Road, Las Vegas, Nevada

☐ The Regional Justice Center, 200 Lewis Avenue, Las Vegas, Nevada.

☐ Documents / Things. You are required to produce and permit inspection and copying

of designated books, documents or tangible things in your possession, custody or control, or to

WILBERT HOLMES - 1


1 permit inspection of premises. A list of items to be produced is on page 3 of this Subpoena. Unless
2 the "testimony" box is checked, you may mail copies of requested documents on or before the date
3 listed below in lieu of personal appearance. Mail copies of documents to: (name and address where
4 documents should be sent): Marsha Kimble-Simms, Esq., SIMMS LAW FIRM, LLC, 2560 W.
5 Brooks Ave., Suite 101, North Las Vegas, Nevada 89032. Documents should be provided by
6 September 29, 2016.

8 **WITNESS FEES:** For attending court in obedience to a subpoena, you are entitled to
9 witness fees and mileage traveled, as provided by NRS 50.225. This Subpoena must be
10 accompanied by the fees for one day's attendance and mileage, unless issued on behalf of the State
11 or a State agency.

13 **CONTEMPT:** If you fail to attend, you may be deemed guilty of contempt of Court and
14 liable to pay all losses and damages caused by your failure to appear and in addition forfeit One
15 Hundred (\$100.00) Dollars.

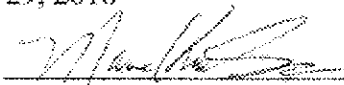
17 Please see Exhibit "A" attached for information regarding the rights of the person subject to this
18 Subpoena.

19 STEVEN D. GRIEKSON, CLERK OF COURT

20
21 By: 
22 Deputy Clerk Date



23 Dated: August 29, 2016

24 Submitted by: 
25 Marsha Kimble-Simms, Esq.

1
2
3 **ITEMS TO BE PRODUCED**

4 Any accounts under the name of Wilbert Roy Holmes, Social Security Number 380-46-0666 and
5 statements for period 2013-2016.
6
7

8 **AFFIDAVIT OF SERVICE**

9
10 _____, says: ITEMS TO BE PRODUCED AFFIDAVIT OF
11 SERVICE (Name of process server) _____, says: That at all
12 times herein I was and am over 18 years of age and not a party to nor interested in the proceeding
13 in which this affidavit is made. I received the Subpoena on the (date you received the subpoena)
14 _____ day of _____, 20____, and served the same on the (date you served the subpoena)
15 _____ day of _____, 20____, by delivering a copy to (name of person served)
16 _____ in person at (address where person was served)

17 ☐ I am a licensed process server or an employee of a licensed process server; my license
18 or registration number is (insert license or registration number)

19 ☐ I am not required to be licensed under Chapter 648 of the Nevada Revised Statutes or
20 another provision of law because I am not engaged in the business of serving legal process
21 within the state of Nevada. I declare under penalty of perjury under the law of the State of
22 Nevada that the foregoing is true and correct.

23 DATED this _____ day of _____, 20____

24 Server's Signature: _____

25 Server's Printed Name: _____

26 Residential / Business Address: _____

27 City, State, Zip: _____

28 Server's Phone Number: _____

Server's License/Registration number: _____

EXHIBIT "A" - NEVADA RULES OF CIVIL PROCEDURE RULE 45

(c) Protection of Persons Subject to Subpoena.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

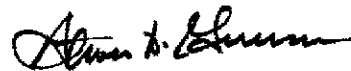
(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) Duties in Responding to Subpoena.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.



CLERK OF THE COURT

AOS

Marsha Kimble Simms, Esq.
Nevada Bar No. 008530
The Simms Law Firm, LLC
2560 W. Brooks Ave., Suite 101
North Las Vegas, Nevada 89032
(702) 333-1449 (O), 702-644-0457 (F)
simmslawfirm@aol.com
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CAPUCINE YOLANDA HOLMES,

Plaintiff,

vs.

WILBERT ROY HOLMES,

Defendant.

CASE NO.: D-15-523582-D

DEPT NO.: J

CERTIFICATE OF SERVICE

I, Douglas Gates, declare:

1. That I am not a party to or interested in this action and I am over 1 years of age.
2. That I served the Wells Fargo Bank with a copy of a Subpoena Duces Tecum (for documents) on the day 1 of September, 2016 at the hour of 3:45pm in the following manner:
Substituted Service: Delivering and leaving a copy with FRANCES GUTIERREZ, who is a person of suitable age and discretion that resides with the above stated party at 2215-B Renaissance Dr., Las Vegas, NV, 8919.

///

///

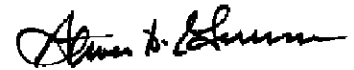
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1 3. I am not required to be licensed under Chapter 648 of Nevada Revised Statutes or another
2 provision of law because I am not engaged in the business of serving legal process within the state
3 of Nevada.

4 I declare under penalty of perjury under the law of the state of Nevada that the foregoing
5 in true and correct.
6

7
8 DATED: September 1, 2016
9

10 
11 _____
12 Douglas Gates
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CLERK OF THE COURT

1 ORDR

2 EIGHTH JUDICIAL DISTRICT COURT

3 CLARK COUNTY, NEVADA

4 CAPUCINE YOLANDA HOLMES,

5 Plaintiff,

6 vs.

7 WILBERT ROY HOLMES,

8 Defendant.

Case No. D-15-523582-D

9 Dept. No. J


10 **ORDER DENYING MOTION TO DISQUALIFY**

11 This Court, having considered all pleadings filed in relation to Defendant Wilbert Homles
12 (sic) Memorandum of Law in Support of Motion to Disqualify Judge Rena G. Hughes under 28 USC
13 Sec 144 decides the limited matter assigned to it¹ upon the pleadings and without oral argument
14 pursuant to EDCR 2.23.

15 There is nothing in the record to demonstrate that the motion was properly served upon the
16 judge under NRS 1.235(4).²

17 IT IS HEREBY ORDERED that Defendant Wilbert Homles (sic) Memorandum of Law in
18 Support of Motion to Disqualify Judge Rena G. Hughes under 28 USC Sec 144 is denied.

19 DATED this 23rd of September, 2016.

20
21 
22 ELIZABETH GONZALEZ
23 DISTRICT COURT JUDGE
24
25

26 ¹ The Chief Judge assigned only a limited issue to this Court for decision by the minute order dated 9/22/16.

² The Court has reviewed the motion and the opposition. Even if proper service had been made, Defendant has failed to establish a basis sufficient for disqualification of Judge Hughes. This Court has full confidence in the assigned judge's ability to act impartially in this case. The facts presented by Defendant do not support a finding that "the judge's impartiality might be reasonably questioned" under NCJC 2.11.

RECEIVED
SEP 23 2016
CLERK OF THE COURT

Certificate of Service

I hereby certify that on or about the date filed, this document was served on the parties identified on Wiznet's e-service list, a copy of this Order was placed in the attorney's folder on the 1st Floor of the RJC or mailed to the proper party as follows:

Marsha Kimble Simms, Esq. (The Simms Law Firm)

Judge Rena Hughes, Family Court, Dept. J

Wilbert Roy Holmes

10550 Patrington Court

Las Vegas, NV 89183

A handwritten signature in black ink, appearing to read 'Dan Kutinac', is written over a horizontal line.

Dan Kutinac

DISTRICT COURT
CLARK COUNTY, NEVADA


CLERK OF THE COURT

CAPUCINE YOLANDA HOLMES,
PLAINTIFF
VS.
WILBERT ROY HOLMES,
DEFENDANT.

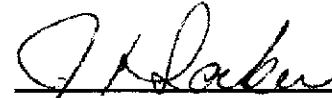
CASE NO: D-15-523582-D
DEPARTMENT J

NOTICE OF RESCHEDULING OF EVIDENTIARY HEARING

Please be advised that the date and time of a hearing set before the **Honorable RENA G. HUGHES** has been changed. The **Evidentiary Hearing**, presently scheduled for **October 11, 2016, at 1:30 PM**, has been rescheduled to **October 12, 2016, at 1:30 PM in Courtroom 04.**

HONORABLE RENA G. HUGHES

By:



Jeanette Lacker
Judicial Executive Assistant

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CERTIFICATE OF SERVICE

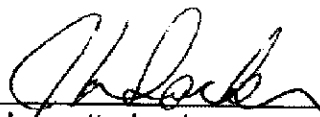
I hereby certify that on the above file stamped date:

I have e-served pursuant to NEFCR 9 and or placed a copy of the foregoing NOTICE OF RESCHEDULING OF EVIDENTIARY HEARING in the appropriate attorney folder located in the Clerk of the Court's Office of:

Marsha Kimble-Simms, Esq.

I have e-served pursuant to NEFCR 9 and or mailed, via first-class mail, postage fully prepaid the foregoing NOTICE OF RESCHEDULING OF EVIDENTIARY HEARING to:

Wilbert Roy Holmes
10550 Pattrington Ct
Las Vegas, NV 89183



Jeanette Lacker
Judicial Executive Assistant
Department J

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA


CLERK OF THE COURT

Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

Case No.: D-15-523582-D
Department J
Calendar Call: N/A
Trial: December 15, 2016 at 10:00 AM
Stack #: 1

TRIAL MANAGEMENT ORDER

TO COUNSEL AND LITIGANTS IN PROPER PERSON: This Order sets forth critical dates and times for the Trial scheduled in this case. It is the responsibility of the attorneys for the litigants, or the self-represented litigants, to meet the deadlines and to appear for the following required proceedings.

- a. **Current Financial Disclosure Form:** Due twenty (20) days before Trial. Must have three (3) most recent paycheck stubs attached; N/A
- b. **Calendar Call date:** N/A. Personal appearance is required, unless Court permits telephonic appearance in advance;
- c. **Pre-Trial Memorandum/Brief:** must be filed and served twenty (20) days before Trial date;
- d. **Meet and Confer:** litigants and/or counsel must meet, exchange proposed exhibits, and discuss which exhibits may be admitted without objection, pursuant to EDCR 5.87, no later than twenty (20) days before Trial date; and
- e. **Trial:** December 15, 2016 at 10:00 AM.

1
2 **IT IS HEREBY ORDERED** that failure by counsel or litigants to meet the
3 requirements of NRCP 16.2, the above deadlines, or failure to appear as required by this
4 Order, may result in sanctions, and the party or attorney may be required to pay reasonable
5 expenses and attorneys' fees incurred due to noncompliance with this Order, (see NRCP
6 37(b)(2)(B), (C), (D), NRCP 16(f), EDCR 2.68, EDCR 2.69, EDCR 5.87).
7

8 **EXHIBITS AND WITNESS LISTS**

9 **IT IS FURTHER ORDERED** that Counsel or self-represented litigants are to
10 provide a final **LIST** of proposed Exhibits and Witnesses no later than **Twenty (20) days**
11 **before Trial date. COPIES of PROPOSED EXHIBITS, marked, tabbed and**
12 **organized in a three-ringed binder** are due to the Court no later than twenty (20) days
13 before Trial date. Failure to provide the foregoing may result in such exhibits or evidence
14 being excluded or other appropriate court-imposed sanctions against counsel or self-
15 represented litigant.
16

17 **IT IS FURTHER ORDERED** that this case will be tried in such an order as the
18 Court directs. Requests for continuances shall be in writing and served upon opposing
19 counsel or self-represented party, and a hearing shall be held on the merits at least three (3)
20 days prior to the time of trial. Sanctions may be imposed if undue delay is exercised in
21 bringing motions to continue or any other action that will disturb the trial date. For good
22 cause shown, where both counsel or parties stipulate at the calendar call, and where the
23 Court does not disagree, the Court has the discretion to grant an oral request for a
24 continuance.
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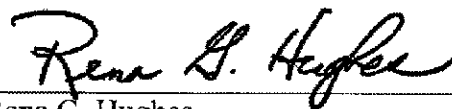
1
2 **DISCOVERY DEADLINE**

3 Discovery deadline shall be twenty (20) days prior to the Trial date, unless stipulated
4 in writing otherwise.

5 **SETTLEMENT DURING PENDENCY OF THE ACTION**

6 If this case is settled during the pendency of this action, counsel or self-represented
7 parties shall exercise due diligence in advising the department and the clerk by providing a
8 Stipulation and Order to that effect, so that any future hearing dates can be vacated.
9

10 DATED: 6th day of October, 2016

11 

12 Rena G. Hughes
13 District Judge
14 Department J

15 **CERTIFICATE OF SERVICE**

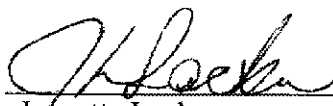
16 I hereby certify that on the above file stamped date:

17 I have e-served pursuant to NEFCR 9 and or placed a copy of the foregoing TRIAL
18 MANAGEMENT ORDER in the appropriate attorney folder located in the Clerk of the
19 Court's Office of:

20 Marsha Kimble-Simms, Esq.

21 I have e-served pursuant to NEFCR 9 and or mailed, via first-class mail, postage fully
22 prepaid the foregoing TRIAL MANAGEMENT ORDER to:

23 Wilbert Roy Holmes
24 10550 Patrington Court
25 Las Vegas NV 89183

26 

27 Jeanette Lacker
28 Judicial Executive Assistant
Department J

THIS SEALED
DOCUMENT,
NUMBERED PAGE(S)
369 - 370
WILL FOLLOW VIA
U.S. MAIL

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DOCUMENT,
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DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

Electronically Filed
10/11/2016 05:42:11 PM

Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

Case No.: D-15-523582-D
Department J
Calendar Call: April 04, 2017
Trial: April 18, 2017 at 1:30 PM
Stack #: 2

Alvin D. Quinn
CLERK OF THE COURT

TRIAL MANAGEMENT ORDER

TO COUNSEL AND LITIGANTS IN PROPER PERSON: This Order sets forth critical dates and times for the Trial scheduled in this case. It is the responsibility of the attorneys for the litigants, or the self-represented litigants, to meet the deadlines and to appear for the following required proceedings.

- a. **Current Financial Disclosure Form:** Due ten (10) days before Trial. Must have three (3) most recent paycheck stubs attached;
- b. **Calendar Call date:** April 04, 2017 at 11:00 AM. Personal appearance is required, unless Court permits telephonic appearance in advance;
- c. **Pre-Trial Memorandum/Brief:** must be filed and served ten (10) days before Calendar Call date;
- d. **Meet and Confer:** litigants and/or counsel must meet, exchange proposed exhibits, and discuss which exhibits may be admitted without objection, pursuant to EDCR 5.87, no later than the date of Calendar Call; and
- e. **Trial:** April 18, 2017 at 1:30 PM.

1
2 **IT IS HEREBY ORDERED** that failure by counsel or litigants to meet the
3 requirements of NRCP 16.2, the above deadlines, or failure to appear as required by this
4 Order, may result in sanctions, and the party or attorney may be required to pay reasonable
5 expenses and attorneys' fees incurred due to noncompliance with this Order, (see NRCP
6 37(b)(2)(B), (C), (D), NRCP 16(f), EDCR 2.68, EDCR 2.69, EDCR 5.87).
7

8 **EXHIBITS AND WITNESS LISTS**

9 **IT IS FURTHER ORDERED** that Counsel or self-represented litigants are to
10 provide a final **LIST** of proposed Exhibits and Witnesses no later than **Ten (10) days prior**
11 **to Calendar call. COPIES of PROPOSED EXHIBITS, marked, tabbed and**
12 **organized in a three-ringed binder** are due to the Court no later than **CALENDAR**
13 **CALL.** Failure to provide the foregoing may result in such exhibits or evidence being
14 excluded or other appropriate court-imposed sanctions against counsel or self-represented
15 litigant.
16

17 **IT IS FURTHER ORDERED** that this case will be tried in such an order as the
18 Court directs. Requests for continuances shall be in writing and served upon opposing
19 counsel or self-represented party, and a hearing shall be held on the merits at least three (3)
20 days prior to the time of trial. Sanctions may be imposed if undue delay is exercised in
21 bringing motions to continue or any other action that will disturb the trial date. For good
22 cause shown, where both counsel or parties stipulate at the calendar call, and where the
23 Court does not disagree, the Court has the discretion to grant an oral request for a
24 continuance.
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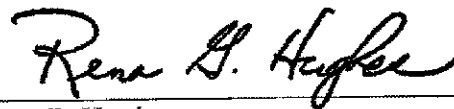
DISCOVERY DEADLINE

Discovery deadline shall be twenty (20) days prior to the Trial date, unless stipulated in writing otherwise.

SETTLEMENT DURING PENDENCY OF THE ACTION

If this case is settled during the pendency of this action, counsel or self-represented parties shall exercise due diligence in advising the department and the clerk by providing a Stipulation and Order to that effect, so that any future hearing dates can be vacated.

DATED: 11th day of October, 2016



Rena G. Hughes
District Judge
Department J

1
2 **CERTIFICATE OF SERVICE**

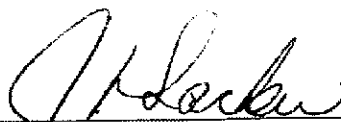
3 I hereby certify that on the above file stamped date:

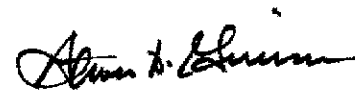
4 I have e-served pursuant to NEFCR 9 and or placed a copy of the foregoing TRIAL
5 MANAGEMENT ORDER in the appropriate attorney folder located in the Clerk of the
6 Court's Office of:

7 Marsha Kimble-Simms, Esq.

8 I have e-served pursuant to NEFCR 9 and or mailed, via first-class mail, postage fully
9 prepaid the foregoing TRIAL MANAGEMENT ORDER to:

10 Wilbert Roy Holmes
11 10550 Patrington Court
12 Las Vegas NV 89183

13 
14 Jeanette Lacker
15 Judicial Executive Assistant
16 Department J
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CLERK OF THE COURT

NOT
Marsha Kimble Simms, Esq.
Nevada Bar No. 008530
The Simms Law Firm, LLC
2560 W. Brooks Ave., Suite 101
North Las Vegas, Nevada 89032
(702) 333-1449 (O), 702-644-0457 (F)
simmslawfirm@aol.com
Attorney for Petitioners

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CAPUCINE YOLANDA HOLMES,

Plaintiff,

vs.

WILBERT ROY HOLMES,

Defendant.

CASE NO.: D-15-523582-D

DEPT NO.: J

NOTICE OF TAKING OFF CALENDER

EVIDENTIARY HEARING

NOTICE OF TAKING EVIDENTIARY HEARING OFF CALENDER

TO: Defendant, WILBERT R. HOLMES

TO: Clark County Family Court Department J

COMES NOW, Plaintiff Capucine Yolanda Holmes by and through her attorneys the
SIMMS LAW FIRM, LLC, and Marsha Kimble-Simms, Esq., and gives NOTICE that she will be
taking the evidentiary hearing TO SET ASIDE THE PRE-MARITAL AGREEMENT set for
December 15, 2016 off calendar.

Dated: October 17, 2016.

Submitted by:


Marsha Kimble-Simms, Esq.


CLERK OF THE COURT

CERT
Marsha Kimble Simms, Esq.
Nevada Bar No. 008530
The Simms Law Firm, LLC
2560 W. Brooks Ave., Suite 101
North Las Vegas, Nevada 89032
(702) 333-1449 (O), 702-644-0457 (F)
simmslawfirm@aol.com
Attorney for Petitioners

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CAPUCINE YOLANDA HOLMES,

Plaintiff,

vs.

WILBERT ROY HOLMES,

Defendant.

CASE NO.: D-15-523582-D

DEPT NO.: J

CERTIFICATE OF SERVICE

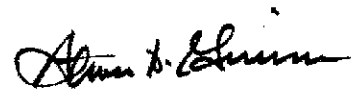
CERTIFICATE OF SERVICE

Pursuant to NCRP (5) (b), I certify that on the 17TH day of October, 2016, service of the
NOTICE OF TAKING EVIDENTIARY HEARING TO SET ASIDE THE PREMARITAL
AGREEMENT OFF CALENDER was e-mailed and a true and correct copy of the same, was
deposited in the mail with postage in the U.S. Postal Services
addressed as follows:

wholmes711@aol.com,
Wilbert Roy Holmes
10550 Patrington Cir
Las Vegas, Nevada 89183.

DATED: October 17, 2016


An employee of the Simms Law Firm, LLC



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

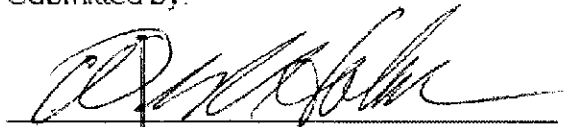
CAPUCINE YOLANDA HOLMES
PLAINTIFF
VS.
WILBERT ROY HOLMES,
DEFENDANT.

CASE NO. D-15-523582-D

DEPARTMENT J

MOTION

Submitted by:



Name:

WILBERT R HOLMES

Address:

12550 PATRINGTON CT.

City/State/Zip

LAS VEGAS NV 89153

Telephone:

702 281-5752

8th DISTRICT COURT
LAS VEGAS TOWNSHIP
Clark County, Nevada

Case No. D-15-523582-D

Department No. J

Name and Address of Plaintiff(s)

WILBERT R. HOLMES
10550 PATRINGTON CT.
LAS VEGAS NV 89133
702 281 5752
WHOLMES711@AOL.COM

(Plaintiff's Telephone Number & E-Mail Address)

VERSUS

Name and Address of Defendant(s)

CAPUCINE Y. HOLMES
637 TWILIGHT BLUE
NORTH LAS VEGAS NV 89032

UCINE68@YAHOO.COM

(Defendant's Telephone Number & E-Mail Address)

MOTION TO PLACE ON
CALENDAR

COMES NOW, the undersigned and hereby requests that the ABOVE-ENTITLED MATTER BE PLACED ON THE Court's calendar for hearing based on the following reasons (describe what action you want the Court to take and why): **COMPLAINT FOR MALICIOUS**

PROSECUTION

I, Wilbert R. Holmes, defendant was maliciously and without probable cause arrested and incarcerated for an alleged PTO violation. Persons unknown, placed a complaint that I, the defendant had come in contact with Capucine Y. Holmes plaintiff, not at all true. I the defendant Wilbert R. Holmes was released on bail without any described charge for a court appearance in October 3, 2016. I had no knowledge written or otherwise of this action to justify my arrest. I have never been arrested for any purpose in all my 70 years of life.

CERTIFICATION OF MAILING

The Undersigned certifies on the 12th day of OCTOBER, 2016, a copy of the foregoing Motion to Place on Calendar was mailed to MARSHA KIMBALL-SIMMS at 1918 Night Shadow Ave North Las Vegas, NV 89031-1692 by depositing a copy in the United States Mail in an addressed sealed envelope, postage prepaid.

DATE: 10/12/2016

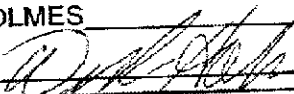
NAME: WILBERT R. HOLMES

Per NRS 53.045, "I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct."

(Signature): 

(Type or Print Name): WILBERT R. HOLMES

(Date): 10/12/2016



Original-File

LVJCVL Form -42, Revised 9/13

Alvin D. Lamm

CLERK OF THE COURT

MOT

Name: WILBERT R. HOLMES
Address: 10550 PATRINGTON CT
LAS VEGAS NV 89183
Telephone: 702 281-5757
Email Address: WHOLMES71@AOL.COM
Self-Represented

DISTRICT COURT
CLARK COUNTY, NEVADA

HOLMES, CAPUCINE YOLANDA

Plaintiff,

CASE NO.: D-15-523582-D

DEPT: J

vs.

HOLMES, WILBERT ROY

Defendant.

EX PARTE MOTION FOR AN ORDER SHORTENING TIME

☐ Plaintiff / ☒ Defendant, (your name) WILBERT ROY HOLMES in proper person, hereby files an Ex Parte Motion for an Order Shortening Time pursuant to EDCR 5.31, and requests that this Court shorten the time in which to hear the Movant's (name of motion to be heard) EVANGELARY HEARING FINANCES, which was filed on (date you filed the motion) complaint filed on 11-5-15

This application is based upon the pleadings and papers on file and the affidavit of Movant attached to this motion.

DATED this (day) 19TH day of (month) OCTOBER, 2016.

Respectfully Submitted By: ▶

W. R. Holmes
(your signature)

WILBERT R. HOLMES
(printed name)

1
2 **DECLARATION IN SUPPORT OF EX PARTE MOTION FOR AN ORDER**
3 **SHORTENING TIME**
4

5 I declare, under penalty of perjury:

6 1. I am the Movant in the above-entitled action. I have personal knowledge of the
7 facts contained herein and am competent to testify to these facts.

8 2. I filed my (name of motion) EMERGENCY HEARING FINANCES
9 on (date you filed the motion) 11-5-2015. I was given a hearing date of 4/18/2017
10 DATE

11 3. There is an emergency that cannot wait until that date to be heard. The emergency
12 is: I HAVE A TERMINAL BRAIN TUMOR. ALSO ALL
13 THE REQUIRED DETAIL ORDERED BY THE COURT
14 IS AVAILABLE/COMPLETED. A HOME PARASOL
15 *I HAVE DOCTORS LETTERS AND REPORTS CRYING
16 SUCH. I WOULD LIKE TO HAVE THIS DIVORCE FINAL
17 BEFORE I DIE. ALSO THIS MATTER HAS BEEN
18 AVOIDED BY THE OPPOSITION BY FILING FRIVOLOUS MOTIONS

19 4. This Ex Parte Motion for an Order Shortening Time is made in good faith.

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

22 DATED this day of 19th DAY OCTOBER 2016

23 Submitted By: (your signature) [Signature]

24 (print your name) WILBERT R. HOLMES

(CONTINUED) (2)

THE OPPOSITION OWES ME MONEY. A REIMBURSEMENT FOR A PAYMENT I WAS REQUIRED TO SUBMIT FOR AN APPRAISAL FOR THE MARITAL RESIDENCE. MONEY I COULD NOT AFFORD FROM MY INCOME. I HAD TO BORROW THE MONEY. IT IS NOW PAST DUE WITH PENALTIES AND INTEREST. THIS DIVORCE MATTER SHOULD AND WOULD HAVE BEEN FINAL BY NOW. IF THE OPPOSITION HAD NOT FILED FOR ~~THE~~ HEARINGS CONCERNING THE "SET ASIDE" OF THE PRENUPTIAL AGREEMENT. THE REASON FOR THE PROPERTY APPRAISAL ORDERED. THE CURRENT COST OF THIS COURT ORDERED APPRAISAL EXCEEDS \$2000⁰⁰ OF WHICH IS A FIFTY FIFTY RESPONSIBILITY TO PAY BY MYSELF AND THE OPPOSITION. I NEED TO BE REIMBURSED IMMEDIATELY TO PAY THE LOAN.



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EXHIBIT

5

(NEXT 4 PAGES)

Name: WILBERT R. HOLMES
Address: 10580 PATRIMONIAL CT
LAS VEGAS NV 89183
Telephone: 702 281-5152
Email Address: WHOLMES711@AOL.COM
Self-Represented

HOLMES CARPENTRY

Plaintiff,

CASE NO.: D-15-523582-D
DEPT: J

VS.
HOMES WILBERT R.

Defendant.

Upon application of the Movant, appearing in Proper Person, and good cause appearing therefore:

IT IS HEREBY ORDERED that the time for hearing Movant's (name of motion) EVIDENTIARY HEARING FINANCES EQUITY IN MARL is hereby shortened and shall be heard on the HOML day of 7, 209 at the hour of : m. in Department .

DATED this _____ day of _____, 20____.

DISTRICT COURT JUDGE

Submitted By: *(your signature)*

(print your name)

Holmes, Wilbert Male 11-21-1946

PROCEDURES

LABS ORDERED

RADIOLOGY ORDERED

CONSULTS ORDERED

PRESCRIPTIONS

Ultram 50 mg tablet 1 Tablet Four times a Day PRN for 30 Days , Dispense 120 Tablet

Lyrical 50 mg capsule 1 Tablet Twice a Day PRN for 30 Days , Dispense 60 Tablet

Ultram ER 200 mg tablet, extended release 1 Tablet Once a Day for 30 Days , Dispense 30 Tablet

Follow up After. 2 Months PRN

ENCOUNTER ADDENDUM NOTES

A handwritten signature in black ink, appearing to read "Alexander Iwas", with a small "MD" written above the end of the signature.

Alexander Iwas, MD

This has been electronically signed by Alexander Iwas, MD on 04-12-2016

Holmes, Wilbert Male 11-21-1946



**DYNAMIC
PAIN
REHABILITATION**

Alexander Inas, M.D.
Max L. Carter, Ph.D, PA
1358 Paseo Verde Pkwy, #100
Henderson, NV 89012 - 5724
Tel: (702) 982-7100
Fax: (702) 982-7102

Holmes, Wilbert DOB: 11-21-1946

MR #: SCL04900

Date of Service: 04-12-2016

Primary Care Physician : Dr. Ramanathan Dr. Ramanathan, Ravi S

CHIEF COMPLAINT : Head Pain

HISTORY OF PRESENT ILLNESS:

Head Pain Wilbert is here with pain in his head. He complains of pain on the right side of his head . He is also due for medications refills. He will review his medication prior to refilling.

CURRENT MEDICATION

Neurontin 300 mg capsule 1 Tablet Three times a Day PRN for 30 Days , Dispense 90 Tablet
Ultram 50 mg tablet 1 Tablet Four times a Day PRN for 30 Days , Dispense 120 Tablet
Lyrica 50 mg capsule 1 Tablet Twice a Day PRN for 30 Days , Dispense 60 Tablet
Ultram ER 200 mg tablet,extended release 1 Tablet Once a Day for 30 Days , Dispense 30 Tablet

ALLERGY

No Known Drug Allergies.

REVIEW OF SYSTEMS

Neurological: *He has headaches.*

Elimination: *He is up an average of 1-2 times a night to urinate.*

Skeletal/Muscle: *He has a history of arthritis and pain in legs with activity.*

Nutrition: *He has history of weight loss >10 lbs in the last 6 months and chewing problems.* He appetite is fair.

VITALS

Pain Scale: 2 Vitals within normal range? : Yes Height (inches) : 74.00 Weight (lbs) : 260.00 Blood
pressure: 123/78 B/P Diastolic: 78 BP Systolic : 123 Pulse : 72 Respiration : 16 Temp (in deg F) : 98.6
HR : 33 RR : 12

PHYSICAL EXAMINATION



Family Doctors
OF GREEN VALLEY

Where your family comes first.

Holmes, Wilbert R.

69 Y old Male, DOB: 11/21/1946

10550 PATRINGTON CT, LAS VEGAS, NV 89183-4362

Home: 702-281-5752

Provider: Ramanathan, Ravi S

Telephone
Encounter

Answered by Kotlarsky, Yaakov David

Date: 04/11/2016

Time: 04:54 PM

Message

To whom it may concern,

Mr. Wilbert Holmes is a patient of ours, here at FDOGV since 2006. He has a significant medical history of Trigeminal Neuralgia, and chondroblastoma, for which he currently takes chronic pain medications for. He was diagnosed with Chondroblastoma in 2009, and underwent surgery and subsequent radiation therapy to treat his condition.

Though Mr. Holmes is doing well, he has been having increasing frequency and intensity of headaches and trigeminal neuralgia.

Sincerely,

Yaakov D. Kotlarsky PA-C

Patient: Holmes, Wilbert R. DOB: 11/21/1946 Provider: Ramanathan, Ravi S 04/11/2016

Note generated by eClinicalWorks EMR/PM Software (www.eClinicalWorks.com)



Holmes, Wilbert R.

69 Y old Male, DOB: 11/21/1946

10550 PATRINGTON CT, LAS VEGAS, NV 89183-4562

Home: 702-281-5752

Provider: Ramanathan, Ravi S

Telephone
Encounter

Answered by Koflarsky, Yashov David

Date: 12/16/2015

Time: 01:53 PM

Message

To whom it may concern,

Mr. Wilbert Holmes is a patient of ours, here at FDOGV since 2006. He has a significant medical history of Trigeminal Neuralgia, and chondroblastoma, for which he currently takes chronic pain medications for. He was diagnosed with Chondroblastoma in 2009, and underwent surgery and subsequent radiation therapy to treat his condition.

✓ Though this condition may be terminal, Mr. Holmes is doing exceptionally well and has responded positively to surgery and radiation treatments. His condition does not hinder him from traveling, and is medically cleared to travel, as he wishes. If you have any questions, please do not hesitate to contact us.

Sincerely,


Yashov D. Koflarsky MD-C

Patient: Holmes, Wilbert R. DOB: 11/21/1946 Provider: Ramanathan, Ravi S 12/16/2015

Note generated by eClinicalWorks EMR/PM Software (www.eClinicalWorks.com)

Ann D. Quinn

CLERK OF THE COURT

1 NOTC

2 (Your Name) WILBERT R. HOLMES

3 (Address) 10550 PATRINGTON CT.

4 LAS VEGAS NV 89143

5 (Telephone) 702 281-5752

6 (Email Address) W.HOLMES711@AOL.COM

7 Self-Represented

8 **DISTRICT COURT**
CLARK COUNTY, NEVADA

9 CAROLINE Y. HOLMES

10 Plaintiff,

11 vs.

12 WILBERT R. HOLMES

13 Defendant.

CASE NO.: D-15-523582-D

DEPT NO.: J

DATE OF HEARING: 12/20/16

TIME OF HEARING: 10:00 AM

Oral Argument Requested:

Yes ☒ No ☐

15 **NOTICE OF MOTION**

16 TO: Opposing Party or Party's Attorney, if one, MARSHA KIMBLE SIMMS; and

17 TO: District Attorney – Family Support Division, if applicable.

18 This is a motion for: (☒ check all that apply)

19 ☐ Child Support

☐ Property Issues

☐ Contempt

☐ Other (specify)

20 ☐ Child Custody

☐ Spousal Support

☐ Visitation

MOTION
MALICIOUS
PROSECUTION

21 **PLEASE TAKE NOTICE** that a hearing on the attached motion for relief will be held
22 before the Eighth Judicial District Court –Family Division located at: (☒ check one)

23 ☒ The Family Courts and Services Center, 601 N. Pecos Road Las Vegas, Nevada 89101

24 ☐ The Regional Justice Center, 200 Lewis Avenue Las Vegas, Nevada 89101

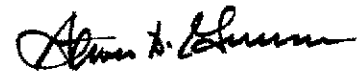
25 ☐ The Child Support Center of Southern Nevada, 1900 E. Flamingo Road # 100 Las Vegas,
Nevada 89119

26 **Notice:** You are required to file a written response to this motion with the Clerk of the Court within ten
27 (10) days of receipt and to serve a copy of the filed response on the other party. Failure to do so may
result in the requested relief being granted by the Court without hearing prior to the scheduled hearing.

28 Submitted By: W. R. Holmes

(☒ check one) ☐ Plaintiff ☒ Defendant in Proper Person

DISTRICT COURT
CLARK COUNTY, NEVADA


CLERK OF THE COURT

CAPUCINE YOLANDA HOLMES,
PLAINTIFF
VS.
WILBERT ROY HOLMES, DEFENDANT.

CASE NO: D-15-523582-D
DEPARTMENT J

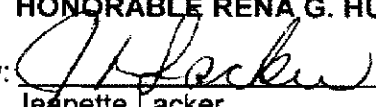
NOTICE OF HEARING

TO: Marsha Kimble-Simms Esq., Attorney for Capucine Yolanda Holmes;
TO: Wilbert Roy Holmes;

Please be advised that the above-entitled matter has been scheduled for
Status Check to be heard by the Honorable Rena G. Hughes at the Family Courts
and Services Center, 601 N. Pecos Rd., Las Vegas, Nevada, on **November 29,**
2016 at the hour of **9:00 AM** in **Department J**.

YOUR PRESENCE IS NECESSARY.

HONORABLE RENA G. HUGHES

By: 
Jeanette Lackner
Judicial Executive Assistant

CERTIFICATE OF MAILING

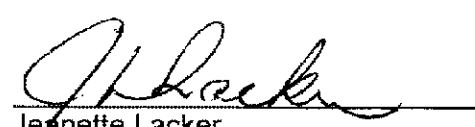
I hereby certify that on the above file stamp date:

☒ I placed a copy of the foregoing Notice of Hearing in the appropriate attorney
folder located in the Clerk of the Court's Office or

Marsha Kimble-Simms, Esq.

☒ mailed, via first-class mail, postage fully prepaid, the foregoing Notice of Hearing
to:

Wilbert Roy Holmes
10550 Pattrington CT
Las Vegas, NV 89183


Jeanette Lackner
Judicial Executive Assistant
Department J

DISTRICT COURT
CLARK COUNTY, NEVADA


CLERK OF THE COURT

CAPUCINE YOLANDA HOLMES,
PLAINTIFF
VS.
WILBERT ROY HOLMES,
DEFENDANT.

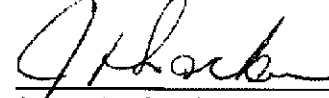
CASE NO: D-15-523582-D
DEPARTMENT J

NOTICE OF RESCHEDULING OF HEARING

Please be advised that the date and time of a hearing set before the Honorable
RENA G. HUGHES has been changed. The Motion, presently scheduled for
December 20, 2016, at 10:00 AM, has been rescheduled to December 20, 2016, at
11:00 AM in Courtroom 04.

HONORABLE RENA G. HUGHES

By:



Jeanette Lacker
Judicial Executive Assistant

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CERTIFICATE OF SERVICE

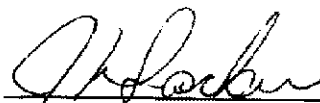
I hereby certify that on the above file stamped date:

I have e-served pursuant to NEFCR 9 and or placed a copy of the foregoing NOTICE OF RESCHEDULING OF HEARING in the appropriate attorney folder located in the Clerk of the Court's Office of:

Marsha Kimble-Simms, Esq.

I have e-served pursuant to NEFCR 9 and or mailed, via first-class mail, postage fully prepaid the foregoing NOTICE OF RESCHEDULING OF HEARING to:

Wilbert Roy Holmes
10550 Pattrington Ct.
Las Vegas, NV 89183



Jeanette Lacker
Judicial Executive Assistant
Department J

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA


CLERK OF THE COURT

Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

Case No.: D-15-523582-D
Department J
Calendar Call: December 20, 2016
Trial: January 10, 2017 at 1:30 PM
Stack #: 5

TRIAL MANAGEMENT ORDER

TO COUNSEL AND LITIGANTS IN PROPER PERSON: This Order sets forth critical dates and times for the Trial scheduled in this case. It is the responsibility of the attorneys for the litigants, or the self-represented litigants, to meet the deadlines and to appear for the following required proceedings.

- a. **Current Financial Disclosure Form: Due ten (10) days before Trial. Must have three (3) most recent paycheck stubs attached;**
- b. **Calendar Call date: December 20, 2016 at 11:00 AM. Personal appearance is required, unless Court permits telephonic appearance in advance;**
- c. **Pre-Trial Memorandum/Brief: must be filed and served ten (10) days before Calendar Call date;**
- d. **Meet and Confer: litigants and/or counsel must meet, exchange proposed exhibits, and discuss which exhibits may be admitted without objection, pursuant to EDCR 5.87, no later than the date of Calendar Call; and**
- e. **Trial: January 10, 2017 at 1:30 PM.**

1 **IT IS HEREBY ORDERED** that failure by counsel or litigants to meet the
2 requirements of NRCP 16.2, the above deadlines, or failure to appear as required by this
3 Order, may result in sanctions, and the party or attorney may be required to pay reasonable
4 expenses and attorneys' fees incurred due to noncompliance with this Order, (see NRCP
5 37(b)(2)(B), (C), (D), NRCP 16(f), EDCR 2.68, EDCR 2.69, EDCR 5.87).
6

7 **EXHIBITS AND WITNESS LISTS**

8 **IT IS FURTHER ORDERED** that Counsel or self-represented litigants are to
9 provide a final **LIST** of proposed Exhibits and Witnesses no later than **Ten (10) days prior**
10 **to Calendar call. COPIES of PROPOSED EXHIBITS, marked, tabbed and**
11 **organized in a three-ringed binder** are due to the Court no later than **CALENDAR**
12 **CALL.** Failure to provide the foregoing may result in such exhibits or evidence being
13 excluded or other appropriate court-imposed sanctions against counsel or self-represented
14 litigant.
15

16 **IT IS FURTHER ORDERED** that this case will be tried in such an order as the
17 Court directs. Requests for continuances shall be in writing and served upon opposing
18 counsel or self-represented party, and a hearing shall be held on the merits at least three (3)
19 days prior to the time of trial. Sanctions may be imposed if undue delay is exercised in
20 bringing motions to continue or any other action that will disturb the trial date. For good
21 cause shown, where both counsel or parties stipulate at the calendar call, and where the
22 Court does not disagree, the Court has the discretion to grant an oral request for a
23 continuance.
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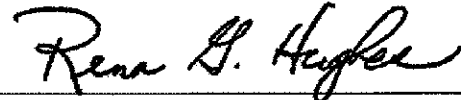
1
2 **DISCOVERY DEADLINE**

3 Discovery deadline shall be twenty (20) days prior to the Trial date, unless stipulated
4 in writing otherwise.

5 **SETTLEMENT DURING PENDENCY OF THE ACTION**

6 If this case is settled during the pendency of this action, counsel or self-represented
7 parties shall exercise due diligence in advising the department and the clerk by providing a
8 Stipulation and Order to that effect, so that any future hearing dates can be vacated.
9

10 DATED: 26th day of October, 2016

11 

12
13 Rena G. Hughes
14 District Judge
Department J

15 **CERTIFICATE OF SERVICE**

16 I hereby certify that on the above file stamped date:

17 I have e-served pursuant to NEFCR 9 and or placed a copy of the foregoing TRIAL
18 MANAGEMENT ORDER in the appropriate attorney folder located in the Clerk of the
19 Court's Office of:

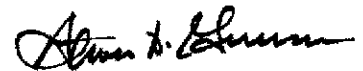
20 Marsha Kimble-Simms. Esq.

21 I have e-served pursuant to NEFCR 9 and or mailed, via first-class mail, postage fully
22 prepaid the foregoing TRIAL MANAGEMENT ORDER to:

23 Wilbert Roy Holmes
24 10550 Patrington Ct.
Las Vegas NV 89183

25 

26 Jeanette Lacker
27 Judicial Executive Assistant
28 Department J



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

CAPUCINE YOLANDA HOLMES,
PLAINTIFF
VS.
WILBERT ROY HOLMES,
DEFENDANT.

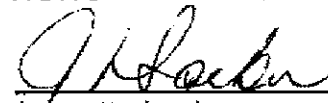
CASE NO: D-15-523582-D
DEPARTMENT J

NOTICE OF RESCHEDULING OF HEARING

Please be advised that the date and time of a hearing set before the Honorable
RENA G. HUGHES has been changed. The **Status Check**, presently scheduled for
November 29, 2016, at 9:00 AM, has been rescheduled to **December 20, 2016, at**
11:00 AM in Courtroom 04.

HONORABLE RENA G. HUGHES

By:



Jeanette Lacker
Judicial Executive Assistant

1 CERTIFICATE OF SERVICE

2 I hereby certify that on the above file stamped date:

3 I have e-served pursuant to NEFCR 9 and or placed a copy of the foregoing Notice in
4 the appropriate attorney folder located in the Clerk of the Court's Office of:

5 Marsha Kimble-Simms, Esq.

6 I have e-served pursuant to NEFCR 9 and or mailed, via first-class mail, postage fully
7 prepaid the foregoing Notice to:

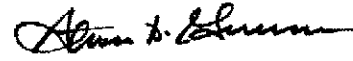
8 Wilbert Roy Holmes
9 10550 Patrington Court
10 Las Vegas, NV 89183
11 Wholmes711@aol.com

12 

13 Jeanette Lackner
14 Judicial Executive Assistant
15 Department J
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Marsha Kimble Simms, Esq.
Nevada Bar No. 008530
The Simms Law Firm, LLC
2560 W. Brooks Ave., Suite 101
North Las Vegas, Nevada 89032
(702) 333-1449 (O), 702-644-0457 (F)
simmslawfirm@aol.com
Attorney for Plaintiff


CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CAPUCINE YOLANDA HOLMES,

Plaintiff,

vs.

WILBERT ROY HOLMES,

Defendant.

CASE NO.: D-15-523582-D

DEPT NO.: J

TIME: January 25, 2017

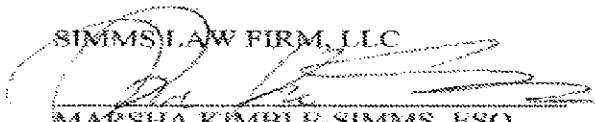
DATE: 9:00 AM

MOTION TO WITHDRAW AS COUNSEL OF RECORD

COMES NOW, MARSHA KIMBLE-SIMMS, ESQ., of the SIMMS LAW FIRM, LLC,
and moves this Honorable Court for an Order removing her as Counsel of record for Capucine
Yolanda Holmes pursuant to the Nevada Rule of Professional Conduct ("NRPC") 1.16. This
motion is made and based upon the points and authorities and the Declaration of counsel, and
such argument and evidence as may be presented at the hearing on this motion, should any occur.

DATED this 1st day of December, 2016.

SIMMS LAW FIRM, LLC


MARSHA KIMBLE-SIMMS, ESQ.

Nevada Bar No. 8530
2560 W. Brooks Ave., Suite 101
North Las Vegas, Nevada 89032

NOTICE OF MOTION


TO: CAPUCINE YOLANDA HOLMES, Plaintiff,
637 Twilight Blue Av.
North Las Vegas, Nevada 89032

TO: WILBERT ROY HOLMES, Defendant
10550 Patrington Ct.
Las Vegas, Nevada 89183

PLEASE TAKE NOTICE that the undersigned, MARSHA KIMBLE-SIMMS, ESQ., of
the SIMMS LAW FIRM, LLC, Attorney for Plaintiff CAPUCINE YOLANDA HOLMES, will
bring the above and foregoing **Motion to Withdraw as Counsel of Record** on for hearing on
the 25th day of January, 2017, before Department No. J, of the above-entitled Court, at
the Clark County Courthouse, 601 N. Pecos Rd., Las Vegas, Nevada, 89117 at the hour of
9:00 a.m., or as soon thereafter as counsel may be heard.

DATED this 1 day of December of, 2016.

SIMMS LAW FIRM, LLC


Marsha Kimble-Simms, Esq.
Nevada Bar No. 8530
2560 W. Brooks Ave., Suite 101
North Las Vegas, Nevada 89032
(702) 333-1449 (O), 702-644-0457 (F)
simmslawfirm@aol.com

DECLARATION IN SUPPORT OF MOTION TO WITHDRAW

I, Marsha Kimble-Simms, Esq., declare in support of this Motion to Withdraw as
Attorney of Record:

1. That I am an attorney the attorney of record for Capucine Yolanda Holmes.

1 2. That I have personal knowledge of the facts contained in this Motion and in this
2 Declaration and I am competent to testify.

3 3. That the Court at the last hearing requested that Counsel secure a page of The Pre-
4 Marital Agreement with words missing.

5 4. That at this present time Counsel is unable to proceed because I have been unable to
6 secure said copy of the Pre-Marital Agreement as requested by the Court and to do so will cost
7 funds.
8

9 5. That Plaintiff is unable to satisfy her financial obligations regarding this case and
10 counsel is unwilling to incur any financial hardship because Plaintiff cannot pay.

11 6. That for counsel to continue in this case would cause a financial hardship.

12 7. That Plaintiff would not be prejudiced by this request because she will have time to
13 secure counsel by her next Court date in January, 2017.
14

15 8. That based on the foregoing I need to withdraw from this case.


16 9. That the statements in this Motion are true and correct to the best of my knowledge.

17 10. That a copy of this Motion has been mailed to Plaintiff at her last-known address, as
18 follows:

19 Capucine Yolanda Holmes
20 637 Twilight Blue Ave.
21 North Las Vegas, NV 89032

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

24 DATED December 1, 2016.

25
26 Submitted By: 

27 MARSHA KIMBLE-SIMMS, ESQ.
28

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1 the interests of the client because Marsha Kimble-Simms withdrawal will not delay proceedings
2 in this matter because the Plaintiff will have one month to secure other counsel. Therefore, good
3 cause exists and Simms Law Firm, LLC, withdrawal should be granted.

4 **CONCLUSION**

5 **II.**

6 It is respectfully requested that this Court enter an order approving Simms Law Firm,
7 LLC, as attorney's for Plaintiff CAPUCINE YOLANDA HOLMES.
8

9 **DATED** this 1 day of December, 2016.

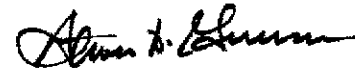
10 SIMMS LAW FIRM, LLC

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14 MARSHA KIMBLE-SIMMS, ESQ.
15 Nevada Bar No. 8530
16 2560 W. Brooks Ave., Suite 101
17 North Las Vegas, Nevada 89032
18 (702) 333-1449
19 simmslawfirm@aol.com
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OST

Marsha Kimble Simms, Esq.
Nevada Bar No. 008530
The Simms Law Firm, LLC
2560 W. Brooks Ave., Suite 101
North Las Vegas, Nevada 89032
(702) 333-1449 (O), 702-644-0457 (F)
simmslawfirm@aol.com
Attorney for Plaintiff



CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CAPUCINE YOLANDA HOLMES,

Plaintiff,

vs.

WILBERT ROY HOLMES,

Defendant.

CASE NO.: D-15-523582-D

DEPT NO.: J

ORDER SHORTENING TIME

Upon application of the Movant, appearing in Proper Person, and good cause appearing therefore:

IT IS HEREBY ORDERED that the time for hearing Movant's MARSHA KIMBLE-SIMMS,

ESQ, OF the Simms Law Firm, LLC is hereby shortened and shall be heard on the ^{4th} 20 day of

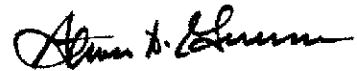
December, 2016 at the hour of 11 : 00 a.m. in Department J.

DATED this 6 day of Dec, 2016.



DISTRICT COURT JUDGE

Submitted By 
MARSHA KIMBLE-SIMMS, ESQ.



CLERK OF THE COURT

PMEM

(Your name) WILBERT R. HOLMES

(Address) 10550 PATRINGTON CT.

LAS VEGAS NV 89183

(Telephone) 702 281 5752

In Proper Person

DISTRICT COURT
CLARK COUNTY, NEVADA

CAPUCINE Y HOLMES

CASE NO: DI5523582D

Plaintiff,

DEPT. NO.: I

vs.

WILBERT R HOLMES

Defendant.

☐ PLAINTIFF'S ☒ DEFENDANT'S PRE-TRIAL MEMORANDUM

I.

STATEMENT OF ESSENTIAL FACTS

A. Name of Plaintiff: CAPUCINE Y HOLMES age 48

B. Name of Defendant: WILBERT R HOLMES age 70

C. Date of Marriage: 7/3/1999

D. Resolved issues and the agreements:

1. NONE

2.

3.

CLERK OF COURT: [Signature]

Notarized: [Signature]

NOT IN PROPER PERSON

CLERK OF COURT: [Signature]

Notarized: [Signature]

NOT IN PROPER PERSON

E. Unresolved issues:

1. REAL PROPERTY which is sole and separate property of defendant. This is verified by county recorded documents and property appraisals as ordered by the court.
2. PERSONAL PROPERTY plaintiff has stolen items from the marital home that is the sole and private property of the defendant.
3. REIMBURSEMENT TO DEFENDANT for court ordered property appraisals order by the court for defendant to pay with one half of total to be reimbursed by plaintiff. (continued on page 2)

II.

CHILD CUSTODY n/a

A. Name, age and date of birth of children: n/a

Name: _____, age _____, date of birth: _____

Name: _____, age _____, date of birth: _____

Name: _____, age _____, date of birth: _____

B. Requested custody and visitation order:

III.

CHILD SUPPORT n/a

A. Amount of child support requested and any special factors which the Court should consider in setting the amount of child support: _____

IV.

SPOUSAL SUPPORT

A. (CHECK ONE) ☐ PLAINTIFF ☒ DEFENDANT

☐ (Check one) ☐ Plaintiff ☒ Defendant does not request spousal support.

Plaintiff's name: _____
Defendant's name: _____
Date: _____


2

Plaintiff's name: _____
Defendant's name: _____
Date: _____

continued page 2

Unresolved issues

4. The release and discontinuance of marital last name by plaintiff HOLMES crucial, important.
5. Plaintiff pay for the half of marital living expenses while she lived and occupied marital home.



OR

☐ (Check one) ☐ Plaintiff ☐ Defendant requests permanent spousal support in the amount of \$_____ per month.

OR

☐ (Check one) ☐ Plaintiff ☐ Defendant requests rehabilitative spousal support in the amount of \$_____ per month for _____ (check one) ☐ months/ ☐ years

B.

(CHECK ONLY ONE BOX)

☐ (Check one) ☐ Plaintiff ☐ Defendant's request for spousal support should be granted because _____

OR

☒ (Check one) ☒ Plaintiff's ☐ Defendant's request for spousal support should be denied because Defendant is a very low income individual with social security and a low pension as the source of income. Also defendant is and has a Handicapped designation from the Federal Government. And has a terminal Brain Tumor which calls for expensive medical treatment and billings.
The plaintiff abandoned the marital home and her obligations and spouse and has been cohabiting with her Palimony mate for nearly two years.

V.

PROPERTY AND DEBTS

A. (Check one that applies to you) ☐ Plaintiff's ☒ Defendant's proposed distribution of property and debts is attached to this Pre-Trial Memorandum as "Exhibit A".

B. The legal and factual issues regarding the property and debts that are in dispute are:

1. Defendant purchased the marital home as sole separate and private individual. Which was required by the financing mortgage
2. company. Also plaintiff signed off on all real property rights which
3. was required for a reverse mortgage. Plaintiff is responsible for half of marital household living expenses which have not been paid.

2000

~~MARK ONLY ONE BOX.~~

OR

WILL

1 ☐ (Check one that applies to you) ☐ Plaintiff ☐ Defendant filed an Affidavit of
2 Financial Condition on (date) (Check one) ☐ Plaintiff or ☐
3 Defendant's financial circumstances have not changed since that date and that document is
4 attached as "Exhibit B".

5 OR

6 ☐ (Check one that applies to you) ☐ Plaintiff ☐ Defendant previously filed an Affidavit of
7 Financial Condition on (date) However, (check one) ☐ Plaintiff's/
8 ☐ Defendant's financial circumstances have changed. An updated Affidavit of Financial
9 Condition will be filed at the same time as this Pre-Trial Memorandum and an unfiled copy is
10 attached as "Exhibit B".

11 OR

12 ☐ (Check one that applies to you) ☐ Plaintiff ☐ Defendant has never filed an Affidavit of
13 Financial Condition. That document will be filed at the same time as this Pre-Trial
14 Memorandum and an unfiled copy is attached as "Exhibit B".

15 OR

16 ☒ There are no children and no spousal support issues. Therefore, no Affidavit of Financial
17 Condition has been attached to this Pre-Trial Memorandum.

18
19 DATED this (day) 10th day of (month) December (year) 2016

20
21 By:

22 (Your signature)

23 (Your name)

24 (Your address)

25 (Telephone)


26 Wilbert R. Holmes

10550 Patrington Ct.

Las Vegas NV 89183

702.281.5752

In Proper Person

27 I, Clerk, Clerk, Deputy Clerk, or Notary Public

28 November 1, 2016

Notary Public for Nevada

6

This Affidavit is filed by

Notary Public for Nevada

This Affidavit is filed by Notary Public for Nevada

ADDITIONAL COMMENTS ABOUT PART "C" (see page 3) _____

PART "E" ATTORNEY'S FEES & COSTS STATEMENT

As of the date I have signed this form, my attorney has been paid, by me or by others on my behalf, \$ 5,000.00 for attorney's fees and costs. My arrangement with my attorney(s) for payment of fees and costs in the future is as follows:

DECLARATION

I, Wilbert R. Holmes, declare under penalty of perjury that the foregoing is true and correct.

Executed on 12/10/2016
(date)

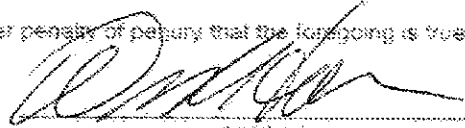

(signature)



EXHIBIT A
PROPOSED DISTRIBUTION

NO DISTRIBUTION TO BE MADE FOR REAL PROPERTY SOLELY OWNED BY WILBERT R. HOLMES..... DOCUMENTS PROVIDED:

1. STATE OF NEVADA DECLARATION OF VALUE
2. GRANT, BARGAIN, SALE DEED
3. REVERSE MORTGAGE SIGNATURE, CHRISTOPHER LEGAL GROUP
4. ~~Court ordered appraisals show no increase in equity per pre nuptial agreement.~~

DISTRIBUTION OF DEBTS. PLAINTIFF IS RESPONSIBLE FOR ONE HALF OF MARITAL DEBT DUEAS FOLLOWS FOR "CURRENT YEAR":

ONE HALF DUE FROM PLAINTIFF

1. PROPERTY TAXES	\$2500.00	THRU CURRENT DATE
2. HOME INSURANCE	1250.00	"
3. ELECTRIC	800.00	"
4. WATER & SEWER	600.00	"
5. GAS	100.00	"
6. LANDSCAPING	300.00	"
7. POOL MAINTANANCE	500.00	"
8. HOME WARRANTY	150.00	"

Total.....\$6,200.00

THE AMOUNTS LISTED ARE PAST DUE FOR LACK OF INCOME TO PAY BY DEFENDANT.

****Reimbursement of the funds that were paid by defendant per court order for property appraisals which total \$1200.00



EXHIBIT B

19991130
52176

State of Nevada Declaration of Value

1. Assessor Parcel Number(s)

a) 177-33-518-012

b)

c)

d)

2. Type of Property:

a) Vacant Land

b) Single Fam. Res.

c) Condo/Townhome

d) 2-4 Mex.

e) Apt. Bldg.

f) Comm'l. Ind'l

g) Agricultural

h) Mobile Home

i) Other

FOR RECORDER'S USE ONLY

Documentation Reviewed By _____

Type of Documentation: _____

Assessor's Tag: _____

Recording Deputy: _____

3. Total Value: Sales Price of Property:

\$0

Deduct Assessed Loans and/or Encumbrances:

(\$0)

(Recording information on assumed amounts. Book instrument #)

4. Taxable Value (per NRS 375.010, Section 2):

\$0

Real Property Transfer Tax Due

\$0

If Exemption Claimed:

a. Transfer Tax Exemption, per NRS 375.060, Section 5 NAC 375, Section

b. Explain Reason for Exemption. TRANSFER FROM SPOUSE TO SPOUSE FOR NO

CONSIDERATION.

5. Partial Interest: Percentage being transferred: ____%.

The undersigned Seller (Grantor) Buyer (Grantee), declare(s) and acknowledges under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1 1/2% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amounts owed.

SELLER (GRANTOR) INFORMATION

Seller Signature: [Signature]
Print Name: Guadalupe Holmes
Address: 10550 Patterson Court
City: Las Vegas
State: Nevada Zip: 89123
(Optional) Telephone: _____
Capacity: Wife

BUYER (GRANTEE) INFORMATION

Buyer Signature: [Signature]
Print Name: Wilbert H. Nolen
Address: 10550 Patterson Court
City: Las Vegas
State: Nevada Zip: 89123
(Optional) Telephone: _____
Capacity: Husband

COMPANY REQUESTING RECORDING:

Company Name: United Title of Nevada

Esc# 97109979-046-PLC

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/ MICROFILMED)

APN: 177-33-SIO-612
AIR: RPTT: EXEMPT 6

GRANT. BARGAIN. SALE DEED

THIS INDENTURE WITNESSETH: That
CAROLINE HOLMES, Wife of the Grantor

in consideration of \$10.00 and other valuable consideration, the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell and Convey to

WILBERT R. HOLMES, a married man as his sole and separate property

all that real property situated in the County of Clark, State of Nevada, bounded and described as follows:

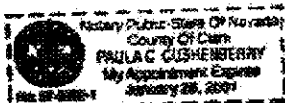
See Exhibit A attached hereto and made a part hereof.

- Subject to: 1. Taxes for the current fiscal year, paid current.
2. Easements, covenants, restrictions, servitudes, rights, rights of way and easements now of record, if any.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

IT IS THE EXPRESS INTENT OF THE GRANTOR, BEING THE SPOUSE OF THE GRANTEE, TO CONVEY ALL RIGHT, TITLE AND INTEREST OF THE GRANTOR, COMMUNITY OR OTHERWISE, IN AND TO THE HEREIN DESCRIBED PROPERTY TO THE GRANTEE AS HIS/HER SEPARATE PROPERTY.

Witness my our hand(s) this 22nd day of November 1999.



1989.
CAPTIVINE HOLMES

STATE OF NEVADA)
COUNTY OF CLARK)

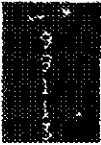
Exempt No. 97109279-946-RCT

On this November 12, 1999
appeared before me, a Notary Public,

Capturing Boilers

personally known or proven to me to be the person(s) whose name(s) is/are subscribed to the above instrument, who acknowledged that he/she/they executed the instrument for the purposes therein contained.

Paula C. Cushman
Notary Public



B3

19991130
02176

~~EXHIBIT A~~

Parcel I:

Lot Seventy Nine (79) in Block One (1) as shown on the final map of DOMINION PHASE ONE, as shown by map thereof on file in Book 74 of Plats, Page 4, in the Office of the County Recorder, Clark County, Nevada.

Reserving therefrom a non-exclusive easement for ingress and egress over that portion of said land lying within the "Private Drive."

Parcel II

A non-exclusive easement for ingress and egress over that portion shown as "Private Drive" on the map referred to in Parcel I.

CLARK COUNTY, NEVADA
JUDITH A. WINDHEVER, RECORDER
RECORDED AT REQUEST OF:
UNITED TITLE OF NEVADA
11-30-1999 13:44 PEE 2
OFFICIAL RECORDS
BOOK: 991130 PAGE: 02176
FEE: 0.00 AMT: EX1806

Description: Clark, NV Document-Year, Date, DocID 1999.1130.2176 Page: 3 of 3
Order: 3 Comment:

(P)



www.christopherlegal.com

August 26, 2013

Wilbert and Capucine Holmes
10550 Patrington Ct.
Las Vegas, NV 89183

Re: reverse mortgage on the real property located at 10550 Patrington
Ct., Las Vegas, NV 89183 ("Subject Property")

Dear Mr. and Mrs. Holmes:


You have retained me for the limited purpose of discussing the ramifications if Mr. Holmes obtains a reverse mortgage on the Subject Property. You informed me of the following:

- Mr. Holmes purchased the Subject Property as his sole and separate property even though you were married at the time of acquisition;
- Mr. Holmes is still the sole owner of the Subject Property;
- There is an existing mortgage or deed of trust that encumbers the Subject Property; and
- Mr. Holmes now wishes to obtain a reverse mortgage on the Subject Property and use the proceeds to pay in-full the existing mortgage or deed of trust.

When we met, I explained to both of you that the reverse mortgage must be fully satisfied, or the lender may foreclose and evict any and all residents that may occupy the Subject Property (even Mrs. Holmes, as the non-borrowing spouse) in any of the following events:

1. the death of Mr. Holmes (the sole borrower under the proposed reverse mortgage);
2. Mr. Holmes fails to occupy the Subject Property as his primary residence;
3. all property taxes, insurance, HOA/Condo dues or any other property charges for the Subject Property are not paid; or
4. the Subject Property is not maintained.
(these are collectively referred to as the "Events of Default")

9555 S. Eastern Avenue, Suite 260 • Las Vegas, Nevada 89123
Telephone 702.737.3125 • Facsimile 702.458.5412



C2

I also explained to both of you, and you indicated that you each understood the following:

- Mrs. Holmes will not be allowed at any time to be a borrower on the proposed reverse mortgage, even if she were somehow later placed on title as a legal owner of the Subject Property.
- Mrs. Holmes will be required to waive any ownership interest, including homestead and community property rights, in the Subject Property.
- Mrs. Holmes will also be required to waive any right to remain in or occupy the Subject Property upon the occurrence of any of the above-listed events, as well as the right to contest a foreclosure arising from an uncured Event of Default.
- There is no guarantee or representation made or relied on that the reverse mortgage may be refinanced at a later date.

If you are not fully aware of these items, or do not completely understand these terms, please contact me to discuss.

Sincerely,

Christopher Legal Group, Inc.

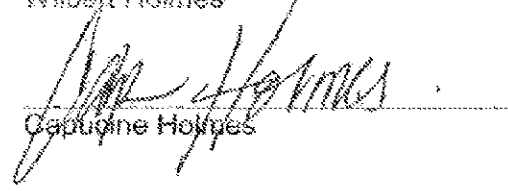

Shawn Christopher, Esq.

By signing below, each of you acknowledge, understand and consent to the terms and consequences set forth in this letter, and consent to Mr. Holmes obtaining the reverse mortgage that will encumber the Subject Property under the terms and restrictions outlined herein.

Date: August 26, 2013


Wilbert Holmes

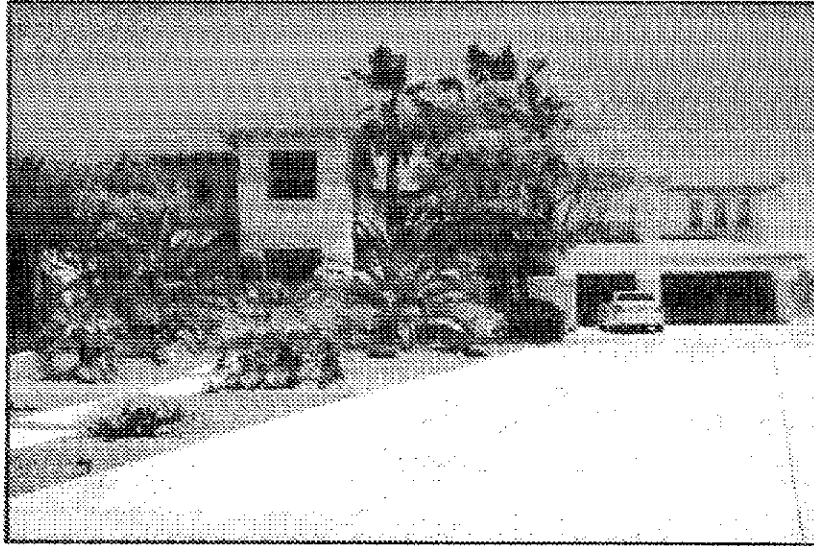
Date: August 26, 2013


Captaine Holmes

cc: Proficio Mortgage



APPRAISAL OF REAL PROPERTY



LOCATED AT

10550 Pabington Ct
Las Vegas, NV 89120
Dominion Phase 1 Plat Book 74 Page 4 Lot 79 Block 1

FOR

Client: Wilbert Holmes
10550 Pabington Ct.
Las Vegas, NV 89123

AS OF

07/03/2001

BY

W. Snow - Carl Rex Appr.
The Appraisal Source
2868 Ton Way
Henderson, NV 89074
(702) 371-1613
baslap@raisinc@aol.com

The Appraisal Source
3868 Tull Way
Henderson, NV 89074
(702) 971-1813

08/24/2016

Wilbert Holmes
Client: Wilbert Holmes
10550 Parrington Ct
Las Vegas, NV 89163

Re: Property: 10550 Parrington Ct.
Las Vegas, NV 89163
Borrower: Client: Wilbert Holmes
File No.: 1808041-A

Opinion of Value: \$ 620,000
Effective Date: 07/03/2016

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

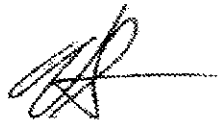
The purpose of the appraisal is to develop an opinion of market value for the property described in this appraisal report, as improved, in unencumbered fee simple title of ownership.

This report is based on a physical analysis of the site and improvements, a locational analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Uniform Standards of Professional Appraisal Practice.

The opinion of value reported above is as of the stated effective date and is contingent upon the certification and limiting conditions attached.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Sincerely,



W. Snow - Cert Res. Appr.
License or Certification #: A 0003135-CR
State: NV Expires: 12/31/2016
bsa@appraisalsnc@aol.com

RESIDENTIAL APPRAISAL REPORT

File No.: 1606041-A

Property Address: 10550 Farrington Ct	City: Las Vegas	State: NV	Zip Code: 89123
County: Clark	Legal Description: Dominion Phase 1 Plot Book 74 Page 4 Lot 79 Block 1		
Assessor's Parcel #: 177-33-510-012			
Tax Year: 2002	R.E. Taxes: \$ 3,503	Special Assessments: \$ 0	Homeowner (if applicable): Client: Wilbert Holmes
Current Owner of Record: Wilbert Holmes Separate Property Trust		Occupant: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Vacant <input type="checkbox"/> Manufactured Housing	
Project Type: <input checked="" type="checkbox"/> PFD <input type="checkbox"/> Condominium <input type="checkbox"/> Cooperative <input type="checkbox"/> Other (describe):	HOA: \$ 45 per month		
Marked Area Name: San Rafael	Map Reference: Section 34-15	Census Tract: 0026.41	
The purpose of this appraisal is to develop an opinion of: <input checked="" type="checkbox"/> Market Value (as defined) or <input type="checkbox"/> other type of value (describe):			
This report reflects the following value (if not current, see comments): <input type="checkbox"/> Current (the inspection date is the effective date) <input checked="" type="checkbox"/> Retrospective <input type="checkbox"/> Prospective			
Approaches developed for this appraisal: <input checked="" type="checkbox"/> Sales Comparison Approach <input type="checkbox"/> Cost Approach <input type="checkbox"/> Income Approach (See Reconciliation Comments and Scope of Work)			
Property Rights Appraised: <input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Leasehold Fee <input type="checkbox"/> Other (describe):			
Intended Use: To assist the client in determining market value, as of July 3, 2002 for a legal matter			
Inspected (by name or type): Appraisal prepared for use by the client, Wilbert Holmes			
Client: Wilbert Holmes		Address: 10550 Farrington Ct, Las Vegas, NV 89123	
Appraiser: W. Snow - Cert Res. Appr.		Address: 2866 Tort Way, Henderson, NV 89074	
Location: <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural	Predominant Occupancy: <input checked="" type="checkbox"/> Owner 70% <input type="checkbox"/> Tenant 15% <input type="checkbox"/> Vacant (0-5%) <input type="checkbox"/> Vacant (>5%)	One-Unit Housing PRICE AGE (Yrs)	Present Land Use
Built up: <input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%		50000	One-Unit 50% <input type="checkbox"/> No Likely <input type="checkbox"/> 2-4 Unit 5% <input type="checkbox"/> Multi-Unit 5% <input type="checkbox"/> * To: Higher density
Growth rate: <input checked="" type="checkbox"/> Rapid <input type="checkbox"/> Stable <input type="checkbox"/> Slow		120 Low 0	5% <input checked="" type="checkbox"/> Likely * <input type="checkbox"/> In Process *
Property values: <input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining		500+ High 60	15% <input type="checkbox"/> Vacant 25%
Demand/supply: <input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Over Supply		250 Pred 0-5	
Marketing time: <input type="checkbox"/> Under 3 Mths. <input checked="" type="checkbox"/> 3-6 Mths. <input type="checkbox"/> Over 6 Mths.			
Market Area Boundaries, Description, and Market Conditions (including support for the above characteristics and trends): An expanded area bounded to the north by Warm Springs Road, east by Eastern Avenue, south by the Henderson Cut-Off (St. Rose Parkway), and west by Jones Boulevard. Located at the south end of the Las Vegas valley, the area has historically had sustained development which was predominantly classic ranch style homes on acreage. Higher density average quality housing is being built in clusters throughout this area. Typical residential supports and conveniences are currently in excess of 5 miles, which appears acceptable to market participants. Property values have a moderate increase and considered steady over the new home development helping to drive up the median pricing (approximately 3% per year).			
Dimensions: No survey made per Assessor (Matrix)			
Zoning Classification: R-1		Site Area: 75,265 sq	
Description: Rural Estates Residential (2 units per acre)			
Are CC&Rs applicable? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown (Are the documents been reviewed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Ground Rent (if applicable): \$			
Highest & Best Use as improved: <input checked="" type="checkbox"/> Present use, or <input type="checkbox"/> Other use (describe):			
Actual Use as of Effective Date: Single Family Residence Use as appraised in this report: Single Family Residence			
Summary of Highest & Best Use: The subject property is a typical semi-custom home site with a detached residence, pool, landscaping, fencing and is typical of sites in the area. The subject property is considered to be at its highest and best use.			
Utilities	Public	Other	Private/Description
Electricity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Public / Underground
Gas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Public / Underground
Water	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Public / Underground
Sanitary Sewer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Public / Underground
Storm Sewer	<input type="checkbox"/>	<input type="checkbox"/>	None Noted / Typical
Other site elements: Inside Lot <input type="checkbox"/> Corner Lot <input type="checkbox"/> Cul de Sac <input checked="" type="checkbox"/> Underground Utilities <input type="checkbox"/> Other (describe):			
FEMA Spec 1 Flood Hazard Area: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FEMA Flood Zone: X FEMA Map #: 30090C-000000 FEMA Map Date: 11/16/2011			
Site Comments: The Appraiser is not an environmental inspector. No adverse site conditions, encroachments, environmental conditions or non-conforming land uses were apparent. Typical utility easements were noted. Site is assumed to have typical features and amenities. The subject site backs to a drainage channel -- see additional comments on the attached Text Addendum.			
General Description		Exterior Description	
# of Units: 1 <input type="checkbox"/> Asc. Unit	Foundation: Conc (concrete)	Slab: Open Slab	Basement: <input checked="" type="checkbox"/> None
# of Stories: 2	Exterior Walls: Stucco	Crawl Space: None Noted	Heating: <input type="checkbox"/> Type: Forced Air Unit
Type: <input checked="" type="checkbox"/> Det. <input type="checkbox"/> Att. <input type="checkbox"/>	Hard Surface: Concrete Tiles	Basement: None Noted	Gas: <input type="checkbox"/>
Design (Style): Mediterranean	Roofs & Chimneys: None Noted	Swamp Ponds: <input type="checkbox"/>	Cooling: <input type="checkbox"/> Appears Adeq
<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Ind. Cons.	Window Type: Dual Pane	Darkness: <input type="checkbox"/>	Refrigerated: <input type="checkbox"/>
Actual Age (Yrs.): 2	Storm Screens: Screens	Settlement: None Noted	Other: <input type="checkbox"/>
Effective Age (Yrs.): 0-2		Interior: None Noted	
Interior Description		Appliances	
Floors: Tile-Carpet	Refrigerator: <input checked="" type="checkbox"/>	Stairs: <input checked="" type="checkbox"/>	Amplifiers: <input type="checkbox"/>
Walls: Finished Drywall	Range/Oven: <input checked="" type="checkbox"/>	Drop Stair: <input checked="" type="checkbox"/>	Fireplace(s): # 2
Trim/Finish: Paint (Grade)	Disposal: <input checked="" type="checkbox"/>	Shuffle: <input checked="" type="checkbox"/>	Woodstore(s): # 0
Bath Floor: Tile	Dishwasher: <input checked="" type="checkbox"/>	Doorway: <input checked="" type="checkbox"/>	Other: <input type="checkbox"/>
Bath Wainscot: Taper-Crowned Molding	Fan/Hood: <input checked="" type="checkbox"/>	Fence: <input type="checkbox"/>	Other: <input type="checkbox"/>
Doors: Raised Panel	Microwave: <input checked="" type="checkbox"/>	Post: <input type="checkbox"/>	Other: <input type="checkbox"/>
	Washing Machine: <input type="checkbox"/>	Pool: <input type="checkbox"/>	Other: <input type="checkbox"/>
		Site: In-ground	Other: <input type="checkbox"/>
Finished area above grade contains: 10 Rooms		6 Bedrooms 4.3 Bath(s)	
Additional features: See attached Text Addendum.		4,671 Square Feet of Gross Living Area Above Grade	
Describe the condition of the property (including physical, functional and external characteristics): Home is considered to be in Excellent overall condition as it is nearly new (2 years old) has been adequately maintained.			

RESIDENTIAL APPRAISAL REPORT

HOLMES

File No.: 1605041-A

TRANSFER HISTORY	My research <input checked="" type="checkbox"/> did <input type="checkbox"/> did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.									
	Data Source(s): Matrix / MLS									
	1st Prior Subject Sale/Transfer				Analysis of sale/transfer history and/or any current agreement of sale/lease: The subject was obtained by the current owner on 11/11/2009 for \$411,088 (per the buyer), which is consistent with the market for this time period. The subject is not currently listed (as of July 3, 2009).					
	Date: 11/01/2009									
	Price: \$411,088									
	Source(s): Matrix - Builder Sale									
	2nd Prior Subject Sale/Transfer									
	Date:									
	Price:									
	Source(s):									
SALES COMPARISON APPROACH	SALES COMPARISON APPROACH TO VALUE (if developed) <input type="checkbox"/> The Sales Comparison Approach was not developed for this appraisal.									
	FEATURE		SUBJECT		COMPARABLE SALE # 1		COMPARABLE SALE # 2		COMPARABLE SALE # 3	
	Address: 10550 Pettington Ct Las Vegas, NV 89123		10542 Chillingham Dr Las Vegas, NV 89123		223 Great Gable Dr Las Vegas, NV 89123		10616 Trengrove Pl Las Vegas, NV 89123			
	Proximity to Subject:		0.33 miles SE		0.11 miles SW		0.17 miles SE			
	Sale Price		\$ 515,000		\$ 620,000		\$ 545,000			
	Sale Price/GLA		\$ 127.78 /sq.ft.		\$ 126.82 /sq.ft.		\$ 128.08 /sq.ft.			
	Data Source(s)		Matrix/MLS		Matrix/MLS available; DOM Unk		Matrix/MLS available; DOM Unk			
	Verification Source(s)		Inspection		20020705-01462		20020705-01462			
	VALUE ADJUSTMENTS		DESCRIPTION		DESCRIPTION		DESCRIPTION		DESCRIPTION	
	Sales or Financing		N/A		Arms Arms Length		Arms Length		Arms Length	
	Concessions		N/A		Assn None		No Seller Credit		No Seller Credit	
	Date of Sale/Time		N/A		5/1/2002		7/5/2002		8/18/2009	
	Rights Appraised		Fee Simple		Fee Simple		Fee Simple		Fee Simple	
	Location		Residential-Corner		Residential-Corner		Residential-Corner		Residential-Corner	
	Site		25,265 sq ft		23,522 sq ft		23,087 sq ft		30,056 sq ft	
	View		Neighborhood		Neighborhood		Neighborhood		Neighborhood	
	Design (Style)		Mediterranean		Mediterranean		Mediterranean		Mediterranean	
	Quality of Construction		Average-Good		Average-Good		Average-Good		Average-Good	
	Age		2		3		2		4	
	Condition		Excellent		Similar		Similar		Similar	
	Above Grade		Total: 10 Bdrms, 4.1 Baths		Total: 10 Bdrms, 3.1 Baths		Total: 10 Bdrms, 4.1 Baths		Total: 10 Bdrms, 4.1 Baths	
	Room Count		10 Bdrms, 4.1 Baths		10 Bdrms, 3.1 Baths		10 Bdrms, 4.1 Baths		10 Bdrms, 4.1 Baths	
	Gross Living Area		4,871 sq ft		4,813 sq ft		4,813 sq ft		4,208 sq ft	
	Basement & Finished		None		None		None		None	
	Rooms Below Grade		None		None		None		None	
	Functional Utility		Good		Good		Good		Good	
	Heating/Cooling		Central Heat/AC		Central Heat/AC		Central Heat/AC		Central Heat/AC	
	Energy Efficient Home		Good		Good		Good		Good	
	Garage/Carport		3+ Car Garage		3+ Car Garage		3+ Car Garage		3+ Car Garage	
	Porch/Patio/Deck		CvPch/Patio/Deck		CvPch/Patio/Deck		CvPch/Patio/Deck		CvPch/Patio/Deck	
Fireplace/Pool Features		2 FP/Pool+Spa		1 FP/Pool+Spa		2 FP/Pool+Spa		2 FP/Pool+Spa		
Fencing/Landscaping		Good		Assume Similar		Assume Similar		Assume Similar		
Additional Features		Upgrades/Extras		Assume Similar		Assume Similar		Assume Similar		
Net Adjustment (Total)		+ 8,498		+ 4,356		+ 89,318				
Adjusted Sale Price		Net 1.4 %		Net 0.7 %		Net 12.7 %				
of Comparables		Gross 1.4 % \$ 623,498		Gross 0.7 % \$ 624,356		Gross 16.2 % \$ 614,318				
Summary of Sales Comparison Approach: All three sales are from within the subject's gated enclave with comparables 1 and 2 being model matches. Sale 3 is the same base model. While sale 2 closed two days after the Effective Date it is considered very relevant and presented in the absence of better data. All three sales were confirmed to have pool features (verified via county permits and the appraisal files from that time period). It was not possible to identify other aspects and they are assumed to be similar. It was possible to verify the sales 2 and 3 did have the optional 4th bedroom, even though county records reflect that there are only three-and-a-half bedrooms. The firm adjustment for comparable 3 considers that it is a third sale (around 22 months old) and is conservatively adjusted for time at 3% per year.										
Equal consideration is given to all three sales, which bracket the subject in most aspects and are from within the subject's gated enclave. The subject is estimated toward the upper limit of the value range for having a pool feature. The point estimate of value is further supported by the increasing median pricing for the general Las Vegas market of around 3-5% per year at this point in time.										
Indicated Value by Sales Comparison Approach \$ 620,000										


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3/2007

RESIDENTIAL APPRAISAL REPORT

HOLMES
File No.: 1806041-A

COST APPROACH	COST APPROACH TO VALUE (if developed) <input checked="" type="checkbox"/> The Cost Approach was not developed for this appraisal.	
	Provide adequate information for replication of the following cost figures and calculations: Support for the opinion of site value (summary of comparable land sales or other methods for estimating site value):	
INCOME APPROACH	ESTIMATED <input type="checkbox"/> REPRODUCTION OR <input type="checkbox"/> REPLACEMENT COST NOW <input type="checkbox"/> OPINION OF SITE VALUE <input type="checkbox"/>	
	Source of cost data:	OWNERS
	Quality rating from cost service:	Sq. Ft. @ \$
	Effective date of cost data:	Sq. Ft. @ \$
	Comments on Cost Approach (gross living area calculations, depreciation, etc.):	Sq. Ft. @ \$
		Sq. Ft. @ \$
		Sq. Ft. @ \$
		Sq. Ft. @ \$
		Sq. Ft. @ \$
		Sq. Ft. @ \$
PUD	PROJECT INFORMATION FOR PUDs (if applicable) <input checked="" type="checkbox"/> The Subject is part of a Planned Unit Development.	
	Legal Name of Project:	
	Describe common elements and recreational facilities:	
RECONCILIATION	Indicated Value by Sales Comparison Approach \$ 420,000 Cost Approach (if developed) \$ Income Approach (if developed) \$	
	Final Recommendation: The Sales Comparison Approach is considered to be the best indicator of value as it best reflects the actions of buyers and sellers within the sub-market. The Cost Approach is less reliable for older properties as estimates of land value and depreciation become more subjective and less credible. The Income Approach was not necessary to develop credible results.	
	This appraisal is made <input checked="" type="checkbox"/> "as is", <input type="checkbox"/> subject to completion per plans and specifications on the basis of a Hypothetical Condition that the improvements have been completed, <input type="checkbox"/> subject to the following repairs or alterations on the basis of a Hypothetical Condition that the repairs or alterations have been completed, <input type="checkbox"/> subject to the following required inspection based on the Extraordinary Assumption that the condition or deficiency does not require alteration or repair. No conditions noted as of 5/15/2016.	
	<input checked="" type="checkbox"/> This report is also subject to other hypothetical conditions and/or Extraordinary Assumptions as specified in the attached addenda.	
	Based on the degree of inspection of the subject property, as indicated below, defined Scope of Work, Statement of Assumptions and Limiting Conditions, and Appraiser's Certifications, my (our) Opinion of the Market Value (or other specified value type), as defined herein, of the real property that is the subject of this report is: \$ 620,000, as of: 07/03/2002, which is the effective date of this appraisal.	
	If indicated above, this Opinion of Value is subject to Hypothetical Conditions and/or Extraordinary Assumptions included in this report. See attached addenda.	
	A true and complete copy of this report contains 16 pages, including exhibits which are considered an integral part of the report. This appraisal report may not be properly understood without reference to the information contained in the complete report.	
	Attached Exhibits:	
	<input checked="" type="checkbox"/> Scope of Work <input checked="" type="checkbox"/> Limiting Cond./Certifications <input type="checkbox"/> Narrative Addendum <input checked="" type="checkbox"/> Photograph Addenda <input checked="" type="checkbox"/> Sketch Addendum <input checked="" type="checkbox"/> Map Addenda <input checked="" type="checkbox"/> Listings <input type="checkbox"/> Cost Addendum <input type="checkbox"/> Flood Addendum <input type="checkbox"/> Menu/ House Addendum <input type="checkbox"/> Hypothetical Conditions <input type="checkbox"/> Extraordinary Assumptions <input checked="" type="checkbox"/> License/E&O <input checked="" type="checkbox"/> Invoice <input type="checkbox"/>	
	Client Contact: Wilbert Holmes Client Name: Wilbert Holmes E-Mail: wholmes711@aol.com Address: 10550 Pawington Ct. Las Vegas, NV 89183	
SIGNATURES	APPRAISER  W. SNOW - Cert Reg Appr. The Appraisal Source Phone: (702) 571-1513 Fax: _____ E-Mail: bresappraisals@aol.com Date of Report (Signature): 06/24/2016 License or Certification #: A 6003165-OR State: NV Designation: Expiration Date of License or Certification: 12/31/2018 Inspection of Subject: <input checked="" type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None Date of Inspection: 06/15/2016	
	SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable) Supervisory or Co-Appraiser Name: _____ Company: _____ Phone: _____ Fax: _____ E-Mail: _____ Date of Report (Signature): _____ License or Certification #: _____ State: _____ Designation: Expiration Date of License or Certification: _____ Inspection of Subject: <input type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None Date of Inspection: _____	

Assumptions, Limiting Conditions & Scope of Work

HOLMES

File No. 1806041-A

Property Address: 10550 Pattington Ct City: Las Vegas State: NV Zip Code: 89123
Client: Client: Wilbert Holmes Address: 10550 Pattington Ct. Las Vegas, NV 89183
Appraiser: W. Snow - Carl Res Appr. Address: 5030 Paradise Road #A-102, Las Vegas, NV 89119

STATEMENT OF ASSUMPTIONS & LIMITING CONDITIONS

- The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
- The appraiser may have provided a sketch in the appraisal report to show approximate dimensions of the improvements, and any such sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size. Unless otherwise indicated, a Land Survey was not performed.
- If so indicated, the appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
- The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
- If the cost approach is included in this appraisal, the appraiser has estimated the value of the land in the cost approach at its highest and best use, and the improvements at their contributory value. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used. Unless otherwise specifically indicated, the cost approach value is not an insurance value, and should not be used as such.
- The appraiser has noted in the appraisal report any adverse conditions (including, but not limited to, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property, or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property, or adverse environmental conditions (including, but not limited to, the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
- The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
- The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and any applicable federal, state or local laws.
- If this appraisal is indicated as subject to satisfactory completion, repairs, or alterations, the appraiser has based his or her appraisal report and valuation conclusion on the assumption that completion of the improvements will be performed in a workmanlike manner.
- An appraiser's client is the party (or parties) who engage an appraiser in a specific assignment. Any other party acquiring this report from the client does not become a party to the appraiser-client relationship. Any persons receiving this appraisal report because of disclosure requirements applicable to the appraiser's client do not become intended users of this report unless specifically identified by the client at the time of the assignment.
- The appraiser's written consent and approval must be obtained before this appraisal report can be conveyed by anyone to the public, through advertising, public relations, news, sales, or by means of any other media, or by its inclusion in a private or public database.
- An appraisal of real property is not a 'home inspection' and should not be construed as such. As part of the valuation process, the appraiser performs a non-invasive visual inventory that is not intended to reveal defects or detrimental conditions that are not readily apparent. The presence of such conditions or defects could adversely affect the appraiser's opinion of value. Clients with concerns about such potential negative factors are encouraged to engage the appropriate type of expert to investigate.

The Scope of Work is the type and extent of research and analyses performed in an appraisal assignment that is required to produce credible assignment results, given the nature of the appraisal problem, the specific requirements of the intended user(s) and the intended use of the appraisal report. Reliance upon this report, regardless of how acquired, by any party or for any use, other than those specified in this report by the Appraiser, is prohibited. The Opinion of Value that is the conclusion of this report is credible only within the context of the Scope of Work, Effective Date, the Date of Report, the Intended User(s), the Intended Use, the stated Assumptions and Limiting Conditions, any Hypothetical Conditions and/or Extraordinary Assumptions, and the Type of Value, as defined herein. The appraiser, appraisal firm, and related parties assume no obligation, liability, or accountability, and will not be responsible for any unauthorized use of this report or its conclusions.

Additional Comments (Scope of Work, Extraordinary Assumptions, Hypothetical Conditions, etc.):

The Scope of Work for this assignment is as follows: To generate and communicate an appraisal report for the subject property. The owner of the subject property, Wilbert Holmes, contacted the appraiser to perform the appraisal. The Client is the intended user of this report. The Client has requested that an appraisal report be generated and communicated for the subject property with an estimate of market value, as of July 3, 2002. Information about the subject property was obtained and analyzed from County records (via Interealty) and an on-site appraisal inspection of the home and site on June 15, 2016. Data was also analyzed from the local area including sales from that time period, appraiser files, price ranges for Single Family Residences, age ranges, and predominant values. A General Purpose Residential form has been utilized in communicating the report. This form is considered concise and meaningful in communicating data to the Client. This report is a Summary Appraisal report in that it does not contain all of the data analyzed by the appraiser.

Certifications

HOLMES

File No.: 1608041-A

Property Address: 10550 Pairington Ct		City: Las Vegas	State: NV	Zip Code: 89123
Client: Client: Wilbert Holmes		Address: 10550 Pairington Ct, Las Vegas, NV 89123		
Appraiser: W. Snow - Cert Res Appr.		Address: 8390 Paradise Road #A-102, Las Vegas, NV 89119		

APPRAISER'S CERTIFICATION

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The credibility of this report, for the stated use by the stated user(s), of the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- I did not base, either partially or completely, my analysis and/or the opinion of value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property, or of the present owners or occupants of the properties in the vicinity of the subject property.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification.


DEFINITION OF MARKET VALUE *:

Market value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

* This definition is from regulations published by federal regulatory agencies pursuant to Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) of 1989 between July 5, 1990, and August 24, 1993, by the Federal Reserve System (FRS), National Credit Union Administration (NCUA), Federal Deposit Insurance Corporation (FDIC), the Office of Thrift Supervision (OTS), and the Office of Comptroller of the Currency (OCC). This definition is also referenced in regulations jointly published by the OCC, OTS, FRS, and FDIC on June 7, 1994, and in the Interagency Appraisal and Evaluation Guidelines, dated October 27, 1994.

Client Contact: Wilbert Holmes		Client Name: Client: Wilbert Holmes	
E-Mail: wholmes711@aol.com		Address: 10550 Pairington Ct, Las Vegas, NV 89123	

APPRAISER		SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable)	
 Appraiser Name: W. Snow - Cert Res Appr. Company: The Appraisal Source Phone: (702) 571-1613 Fax: _____ E-Mail: hwsnow@appraisalsource@aol.com Date Report Signed: 05/24/2016 License or Certification #: A-0003155-CR State: NV Designation: _____ Expiration Date of License or Certification: 12/31/2018 Inspection of Subject: <input checked="" type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None Date of Inspection: 05/15/2016		Supervisory or Co-Appraiser Name: _____ Company: _____ Phone: _____ Fax: _____ E-Mail: _____ Date Report Signed: _____ License or Certification #: _____ State: _____ Designation: _____ Expiration Date of License or Certification: _____ Inspection of Subject: <input type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None Date of Inspection: _____	

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3/2/07

Supplemental Addendum

File No. 1606041-A

Borrower	Client: Wilbert Holmes						
Property Address	10550 Parlington Ct.						
City	Las Vegas	County	Clerk	State	NV	Zip Code	89125
Lender	Client: Wilbert Holmes						

LIMITATION OF DATA:

Data has been utilized from county records and appraisal files completed by this appraiser and from other appraisal files in the subject development and market area during the 2001-2003 period. Limits in data include:

- MLS system has changed several times since 2002
- Listings are no longer available for most properties during the 2001-2003 period
- County records are not detailed for sales during this time period
- It was not possible to verify certain amenities for every sale from this period (ie: if pools were included, or built since)

It has been the focus to utilize only data that can be verified and the first hand data that exists in the appraiser's reports from this time period.

It should also be noted, that as of the effective date of July 3, 2002, the zip code for the subject property was 89123.

SUBJECT PROPERTY:

The subject site backs to a drainage channel (see assessor plat map). There is no market evidence to show an adverse affect on value. While some market participants may prefer not backing to a feature, others may prefer the privacy of not having additional neighbors.

The subject's gated development has private streets, street lighting, and curb/gutter with private maintenance (HOA). This is typical for homes in this area and does not have an adverse effect on the overall marketability.

As of 2002, each home within the San Rafael gated development is subject to an association fee of \$45 per month. The association fee maintains the gated entry, perimeter fencing/landscaping, and common elements throughout the development. The common elements are completed and appear to be well maintained. The association fee is considered to be reasonable, is consistent with similar developments in this area, and appears acceptable to market participants.

The subject residence is a detached two-story semi-custom home built in 2000. It has many upgrades/extras, including:

- Angel set marble tile flooring
- Butler pantry
- 4 built-in speakers at the Family Room
- 2 sets of stairs
- Intercom system throughout
- Central vac system
- Ceiling fans at 5 Bedrooms and the Family Room
- Jetted tub and separate shower at the Master Bathroom
- Insulated garage doors
- Water Softener
- 22' x 43' basketball court
- Large custom pool/spa with alcove, waterfalls, natural rock accents, indoor remote, in-floor cleaning system built at the end of 1999

SALES COMPARISON ANALYSIS:

It is common to exceed the 1 mile distance guideline when obtaining comparables in this market segment as gated developments, like the subject's, are scattered throughout a large area. Additionally, this market area is low density and relatively low volume with recent sales seldom occurring in proximity to each other. This is a typical characteristic of the sub-market and not considered to be adverse.

The physical and locational characteristics as described previously within this report, make the appraisal assignment complex. Finding comparables that are exactly like the subject is impossible. Thus, when using the Sales Comparison Approach for complex residential properties, like the subject, larger than typical adjustments are necessary.

ADDITIONAL CERTIFICATIONS:

As a part of this assignment, I have performed an appraisal inspection on the subject property, as of June 15, 2016. The purpose of the appraisal inspection is to visualize the property and improvements. The appraisal inspection considers only items that are readily identifiable and observable from a casual inspection from ground level. I am not a licensed building contractor or professional building inspector. I am not qualified to survey or analyze physical items that are not readily visible. If any of the parties in this transaction have questions or concerns regarding any mechanical or structural physical problems, conditions, infestations, contamination or other issues regarding the subject property, an expert in that field of specialty should be consulted.

EXTRAORDINARY ASSUMPTION:

It is assumed that the subject property was in Excellent overall condition, being only 2 years old as of July 3, 2002. Additionally, the home owner stated that the pool/spa feature had been installed before this date as well as all other features that were noted on June 15, 2016. The waterfall and pond in the courtyard were built at the same time as the pool and a copy of the waterfall and pond were verified via county records but the pool permit was not available to view on-line.

It is also assumed that the comparable properties utilized were in similar condition as the subject as they are nearly the same age as the subject. The photographs for the subject property and comparable sale 1 provided in this report are as of June 15, 2016. The photos for comparable sales 2 and 3 are from the appraisal files in that time period, see attached photo addendum. No interior photos have been provided for the subject property in this report as it would appear misleading relative to the effective date of this report.

Borrower	Client: Wilber Holmes	File No. 1603041-A
Property Address	10550 Farrington Ct.	
City	Las Vegas	County: Clark
State	NV	Zip Code: 89128
Lender	Client: Wilber Holmes	

APPRAISAL AND REPORT IDENTIFICATION

This Report is one of the following types:

☒ **Appraisal Report** (A written report prepared under Standards Rule 2-2(a), pursuant to the Scope of Work, as disclosed elsewhere in this report.)

☐ **Restricted Appraisal Report** (A written report prepared under Standards Rule 2-2(b), pursuant to the Scope of Work, as disclosed elsewhere in this report, restricted to the stated intended use by the specified client or intended user.)

Comments on Standards Rule 2-3

I certify that, to the best of my knowledge and belief:


- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- Unless otherwise indicated, I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- Unless otherwise indicated, I have performed no services, other than appraisal, in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification (if there are exceptions, the name of each individual providing significant real property appraisal assistance is stated elsewhere in this report).

Reasonable Exposure Time (USPAP defines Exposure Time as the estimated length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal.)

My Opinion of Reasonable Exposure Time for the subject property at the market value stated in this report is: Under 6 months

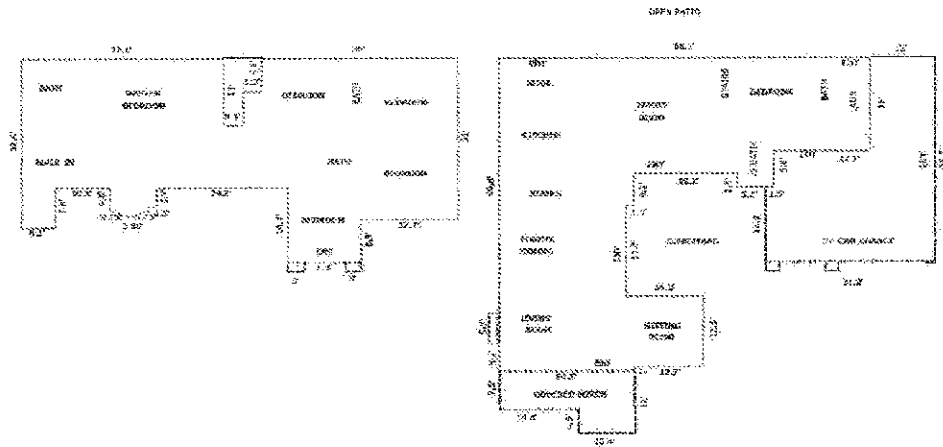
Comments on Appraisal and Report Identification

Note any USPAP-related issues requiring disclosure and any state mandated requirements:

<p>APPRAISER:</p> <p>Signature: </p> <p>Name: <u>W. Smider - Cert. Real Appr.</u></p> <p>State Certification #: <u>A 0003155-CR</u></p> <p>or State License #:</p> <p>State: <u>NV</u> Expiration Date of Certification or License: <u>12/31/2016</u></p> <p>Date of Signature and Report: <u>06/24/2016</u></p> <p>Effective Date of Appraisal: <u>07/05/2002</u></p> <p>Inspection of Subject: <input type="checkbox"/> None <input checked="" type="checkbox"/> Interior and Exterior <input type="checkbox"/> Exterior-Only</p> <p>Date of Inspection (if applicable): <u>06/15/2016</u></p>	<p>SUPERVISORY or CO-APPRAISER (if applicable):</p> <p>Signature: _____</p> <p>Name: _____</p> <p>State Certification #: _____</p> <p>or State License #: _____</p> <p>State: _____ Expiration Date of Certification or License: _____</p> <p>Date of Signature: _____</p> <p>Inspection of Subject: <input type="checkbox"/> None <input type="checkbox"/> Interior and Exterior <input type="checkbox"/> Exterior-Only</p> <p>Date of Inspection (if applicable): _____</p>
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Building Sketch

Borrower	Client: Wilbert Holmes				
Property Address	10550 Palmington Ct				
City	Las Vegas	County	Clark	State	NV Zip Code 89123
Lender	Client: Wilbert Holmes				



TO: Mr. Skeels by a la modis, inc.

Building Sketch

Borrower	Client: Wilbert Holmes				
Property Address	10550 Parkington Ct				
City	Las Vegas	County	Clark	State	NV Zip Code 89123
Lender	Client: Wilbert Holmes				

Living Area		Calculation Details	
First Floor	2357.6 Sq Ft	$18 \times 17.7 = 318.6$ $30.4 \times 22.3 = 1123.92$ $3.5 \times 6.6 = 23.1$ $13.6 \times 12.7 = 172.72$ $38.5 \times 23.2 = 893.2$ $1.5 \times 6.2 = 9.3$ $1.6 \times 14.6 = 23.36$	318.6 1123.92 23.1 172.72 893.2 9.3 23.36
Second Floor	2315.55 Sq Ft	$13.5 \times 8.5 = 114.75$ $5.1 \times 7.6 = 38.76$ $31.2 \times 6.2 = 193.44$ $7 \times 0.8 = 5.6$ $8.5 \times 3.7 = 31.45$ $80.1 \times 13.8 = 1105.38$ $30.5 \times 6.6 = 201.3$ $26 \times 6.4 = 166.4$ $37.1 \times 13 = 482.3$ Arc = 5.37	114.75 38.76 193.44 5.6 31.45 1105.38 201.3 166.4 482.3 5.37
Total Living Area (Rounded):	4673.15 Sq Ft		
Non-Living Area	826.6 Sq Ft	$12 \times 18 = 216$ $23.5 \times 19.2 = 451.2$ $14.7 \times 1.5 = 22.05$	216 451.2 22.05
Covered Porch	237.85 Sq Ft	$12 \times 10.4 = 124.8$ $14.4 \times 7.5 = 108$	124.8 108

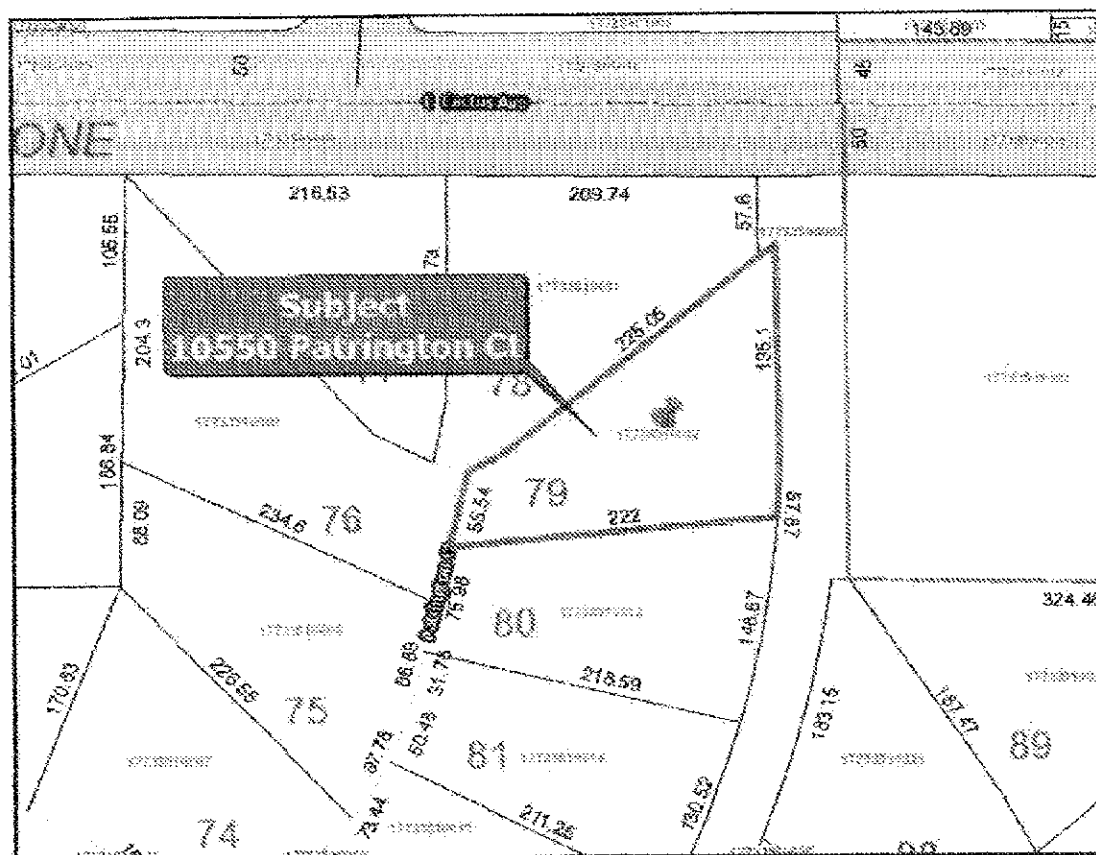
Location Map

Report	Client: Wilbert Holmes			
Property Address	10550 Partridge Ct			
City	Las Vegas	County: Clark	State: NV	Zip Code: 89123
Lender	Client: Wilbert Holmes			



Plat Map

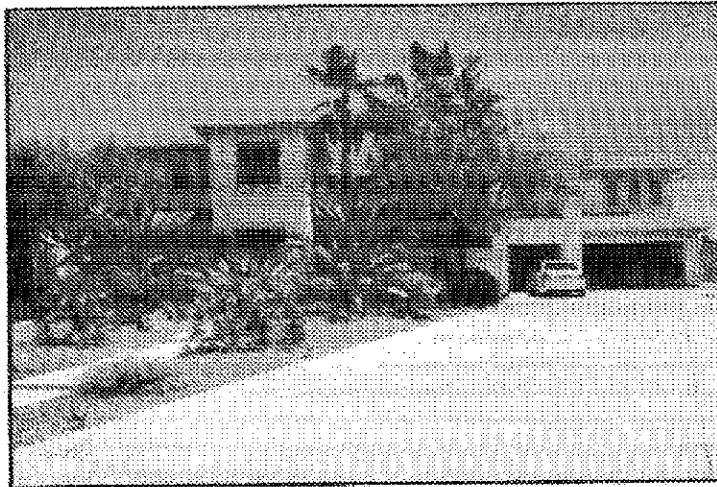
Borrower	Client: Wilbert Holmes				
Property Address	10550 Pattingham Ct				
City	Las Vegas	County	Clark	State	NV Zip Code 89129
Lender	Client: Wilbert Holmes				



Form MAP.PLAT — "WinTETAE" appraisal software by a la mode, inc. — 1-800-ALAMODE

Subject Photo Page

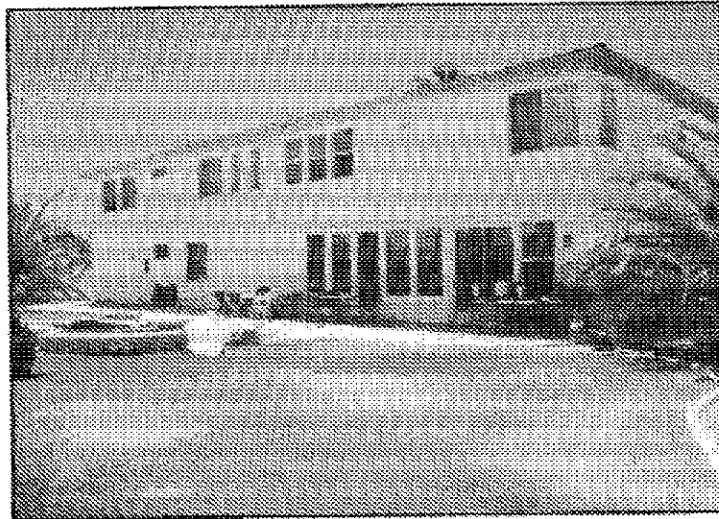
Borrower	Client: Wilbert Holmes				
Property Address	10650 Pattrington Ct				
City	Las Vegas	County	Clark	State	NV Zip Code 89123
Lender	Client: Wilbert Holmes				



Subject Front

10650 Pattrington Ct
 Sales Price
 Gross Living Area 4,871
 Total Rooms 10
 Total Bedrooms 0
 Total Bathrooms 4.1
 Location Residential-Gated
 View Neighborhood
 Site 25,265 sf
 Quality Average-Good
 Age 2

Photo taken on:
 June 15, 2016



Subject Front

Photo taken on:
 June 15, 2016



Subject Street

Photo taken on:
 June 15, 2016

Mercury Network

Data Courier by Mercury Network

Data Courier

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Back

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Request Revision

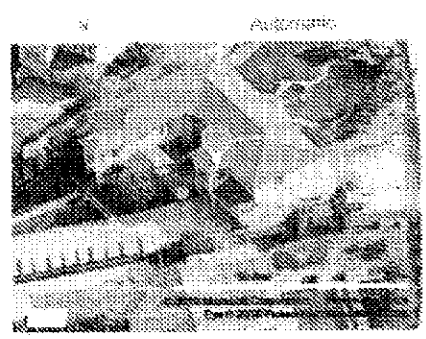
Send via SureReceipts

Upload Revised File

Start AQM

You can send 10 reports to the borrower free of charge using our compliant eDisclosure solution, SureReceipts.

Property Details- 10550 Pattrington Ct



10550 Pattrington Ct Las Vegas, NV 89123

Borrower: Client: Wilber Holmes
Appraised Value: \$620,000

Appraisal Date: 06/15/2016
Assignment Type: Market Value
Product: GPRES2
Loan Type:

Appraiser Name: W. Snow - Cert Res Appr.
Lender: Client: Wilbert Holmes
Lender Address:

Neighborhood: San Rafael
Sale Price: \$0
Prior Date: 11/01/1999
Prior Price: \$411,088

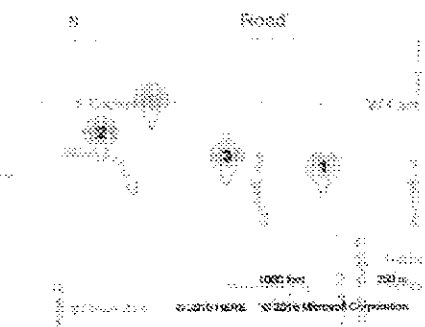
Docs

Click the PDF button below to download the printable PDF. The report delivered isn't supported by MISMO XML.

PDF

MISMO XML

Comps

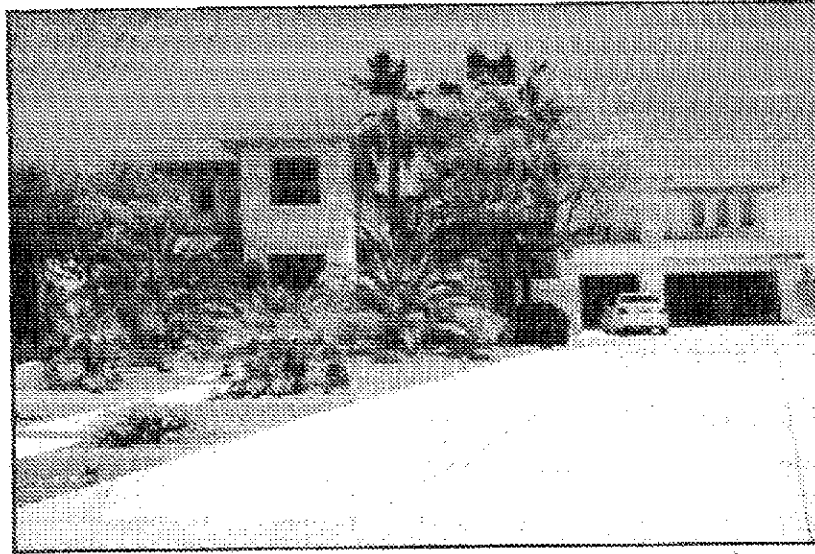


History

6/24/2016 11:56:20 PM CDT
Appraisal Uploaded by bestappraisalinc@aol.com

From: bestappraisalinc@aol.com
To: wholmes711@aol.com
Uploaded On: 6/24/2016 11:56:20 PM, CDT
Available Until: 09/22/2016

APPRAISAL OF REAL PROPERTY



LOCATED AT

10550 Pabington Ct
Las Vegas, NV 89183
Dominion Phase 1, Plat Book 74 Page 4 Lot 78 Block 1

FOR

Client: Wilbert Holmes
10550 Pabington Ct
Las Vegas, NV 89183

AS OF

08/15/2016

BY

W. Snow - Cert Res Appr.
The Appraised Source
2860 Tort Way
Henderson, NV 89074
(702) 371-1813
bestappraisalinc@aol.com

The Appraisal Source
2888 Lori Way
Renderson, NV 89074
(702) 371-1618

06/18/2016

Wilbert Holmes
Client: Wilbert Holmes
10550 Palmington Ct
Las Vegas, NV 89183

Re: Property: 10550 Palmington Ct
Las Vegas, NV 89183
Borrower: Client: Wilbert Holmes
File No.: 1606041

Opinion of Value: \$ 620,000
Effective Date: 06/15/2016

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

The purpose of the appraisal is to develop an opinion of market value for the property described in this appraisal report, as improved, in unencumbered fee simple title of ownership.

This report is based on a physical analysis of the site and improvements, a locational analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Uniform Standards of Professional Appraisal Practice.

The opinion of value reported above is as of the stated effective date and is contingent upon the certification and limiting conditions attached.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Sincerely,



W. Soom - Cert Res Appr.
License or Certification #: A.8003155 CR
State: NV Expires: 12/31/2018
tushappraisalinc@aol.com

RESIDENTIAL APPRAISAL REPORT

File No.: 1608041

Property Address: 10250 N. Highway 231		City: Las Vegas		State: NV Zip Code: 89183																																																																																																	
County: Clark		Legal Description: Dominion Phase 1, Plat Book 24, Page 41 of 75 Block 1		Assessor's Parcel #: 177-35-510-012																																																																																																	
Tax Year: 2016 R.E. Taxes: \$ 5,374.07		Special Assessments: \$ 0		Borrower (if applicable): Client: William Holmes																																																																																																	
Current Owner of Record: William Holmes Separate Property Trust		Occupant: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Vacant <input type="checkbox"/> Manufactured Housing																																																																																																			
Project Type: <input checked="" type="checkbox"/> FWD <input type="checkbox"/> Condominium <input type="checkbox"/> Cooperative <input type="checkbox"/> Other (describe):		HMA: \$ 65		<input type="checkbox"/> per year <input type="checkbox"/> per month																																																																																																	
Market Area Name: Sun Valley		Map Reference: Metro 84-F-5		Census Tract: 3228.41																																																																																																	
The purpose of this appraisal is to develop an opinion of: <input checked="" type="checkbox"/> Market Value (as defined), or <input type="checkbox"/> other type of value (describe): This report reflects the following value (if not current, see comments): <input checked="" type="checkbox"/> Current (the transaction date is the effective date) <input type="checkbox"/> Retrospective <input type="checkbox"/> Prospective Approach developed for this appraisal: <input checked="" type="checkbox"/> Sales Comparison Approach <input type="checkbox"/> Cost Approach <input type="checkbox"/> Income Approach (see Reconciliation Comments and Scope of Work) Property Rights Appraised: <input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Leased Fee <input type="checkbox"/> Other (describe): Intended Use: To assist the client in determining current market value for a legal matter.																																																																																																					
Intended User(s) (by name or type): Appraisal prepared for use by the client: William Holmes Client: Client: William Holmes Address: 10250 N. Highway 231, Las Vegas, NV 89183 Appraiser: W. Snow - Clark Res Appr. Address: 2665 Tort Way, Henderson, NV 89074																																																																																																					
<table border="1"> <tr> <td>Location:</td> <td><input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural</td> <td>Predominant Occupancy:</td> <td>One-Unit Housing</td> <td>Present Land Use</td> <td>Change in Land Use</td> </tr> <tr> <td>Roof type:</td> <td><input type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%</td> <td><input checked="" type="checkbox"/> Owner 70% <input type="checkbox"/> Tenant 15% <input type="checkbox"/> Vacant (0-5%) <input type="checkbox"/> Vacant (>5%)</td> <td>PRICE (\$/SQ FT) AGE (YRS)</td> <td>One-Unit 95% 2.4 Unit 5% Multi-Fam 10% Vacant 15%</td> <td><input checked="" type="checkbox"/> Not Likely <input type="checkbox"/> Likely <input type="checkbox"/> In Process</td> </tr> <tr> <td>Growth rate:</td> <td><input type="checkbox"/> Rapid <input type="checkbox"/> Stable <input type="checkbox"/> Slow</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Property values:</td> <td><input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Demand/supply:</td> <td><input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Over Supply</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Marketing time:</td> <td><input type="checkbox"/> Under 3 Mos. <input checked="" type="checkbox"/> 3-6 Mos. <input type="checkbox"/> Over 6 Mos.</td> <td></td> <td></td> <td></td> <td></td> </tr> </table>						Location:	<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural	Predominant Occupancy:	One-Unit Housing	Present Land Use	Change in Land Use	Roof type:	<input type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%	<input checked="" type="checkbox"/> Owner 70% <input type="checkbox"/> Tenant 15% <input type="checkbox"/> Vacant (0-5%) <input type="checkbox"/> Vacant (>5%)	PRICE (\$/SQ FT) AGE (YRS)	One-Unit 95% 2.4 Unit 5% Multi-Fam 10% Vacant 15%	<input checked="" type="checkbox"/> Not Likely <input type="checkbox"/> Likely <input type="checkbox"/> In Process	Growth rate:	<input type="checkbox"/> Rapid <input type="checkbox"/> Stable <input type="checkbox"/> Slow					Property values:	<input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining					Demand/supply:	<input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Over Supply					Marketing time:	<input type="checkbox"/> Under 3 Mos. <input checked="" type="checkbox"/> 3-6 Mos. <input type="checkbox"/> Over 6 Mos.																																																																
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Market Area Boundaries, Description, and Market Conditions (including support for the above characteristics and trends): An expanded area bounded to the north by Warm Springs Road, east by Eastern Avenue, south by St. Rose Parkway, and west by Jones Boulevard. Located at the south end of the Las Vegas valley, the area has historically had scattered development which was predominantly classic ranch style homes on acreage. Higher density average quality housing now prevails with extensive development that has occurred over the last 10 years. The area continues to develop with all typical residential supports now in place. After a sharp drop during 2008-2010, the Las Vegas market rebounded during 2013 thru 2015. The market is stabilizing & factors that continue to limit the market include median household income, REO/sales & financing options. Average days on market currently at 52 (median dom = 24 days) for this area (for the last 6 months) with homes selling on average at 95% of list price.																																																																																																					
Dimensions: An survey made per Assessor (Metro) Site Area: 25,265 sq ft Zoning Classification: R-E-1 Description: Rural Estates Residential (2 units per acre) Zoning Compliance: <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Legal nonconforming (grandfathered) <input type="checkbox"/> Illegal <input type="checkbox"/> No zoning Are CC&Es applicable? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown Have the documents been reviewed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Ground Rent (if applicable): \$ Highest & Best Use as improved: <input checked="" type="checkbox"/> Present use, or <input type="checkbox"/> Other use (explain):																																																																																																					
Actual Use as of Effective Date: Single Family Residence Use as appraised in this report: Single Family Residence Summary of Highest & Best Use: The subject property is a typical semi-ranch home site with a detached residence, pool, landscaping, fencing and is typical of sites in the area. The subject property is considered to be at its highest and best use.																																																																																																					
<table border="1"> <tr> <th>Utilities</th> <th>Public</th> <th>Other</th> <th>Provider/Description</th> <th>Off-site Improvements</th> <th>Type</th> <th>Public</th> <th>Private</th> <th>Topography</th> <th>Level at Grade/Slope to Street</th> </tr> <tr> <td>Electricity</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Public / Underground</td> <td>Street</td> <td>Asphalt</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>Sloping</td> <td>Typical for market segment</td> </tr> <tr> <td>Gas</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Public / Underground</td> <td>Driveway/Gutter</td> <td>Concrete / Concrete</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>Shape</td> <td>Irregular - Cut to site</td> </tr> <tr> <td>Water</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Public / Underground</td> <td>Sidewalk</td> <td>None / Typical</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>Drainage</td> <td>Appears adequate</td> </tr> <tr> <td>Sanitary Sewer</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Public / Underground</td> <td>Street Lights</td> <td>Electric Lamps</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>View</td> <td>Neighborhood</td> </tr> <tr> <td>Storm Sewer</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>None/Noted / Typical</td> <td>Alley</td> <td>None/Noted / Typical</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td></td> <td></td> </tr> </table>						Utilities	Public	Other	Provider/Description	Off-site Improvements	Type	Public	Private	Topography	Level at Grade/Slope to Street	Electricity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Public / Underground	Street	Asphalt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sloping	Typical for market segment	Gas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Public / Underground	Driveway/Gutter	Concrete / Concrete	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Shape	Irregular - Cut to site	Water	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Public / Underground	Sidewalk	None / Typical	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Drainage	Appears adequate	Sanitary Sewer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Public / Underground	Street Lights	Electric Lamps	<input type="checkbox"/>	<input checked="" type="checkbox"/>	View	Neighborhood	Storm Sewer	<input type="checkbox"/>	<input type="checkbox"/>	None/Noted / Typical	Alley	None/Noted / Typical	<input type="checkbox"/>	<input checked="" type="checkbox"/>																																						
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Other site elements: <input type="checkbox"/> Installed <input type="checkbox"/> Corner Lot <input checked="" type="checkbox"/> Cut de Sac <input checked="" type="checkbox"/> Underground Utilities <input type="checkbox"/> Other (describe): FEMA Special Flood Hazard Area: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FEMA Flood Zone: X FEMA Map # 52082C0210F FEMA Map Date: 11/16/2011 Site Comments: The Appraiser is not an environmental inspector. No adverse site conditions, encroachments, environmental conditions or non-conforming land uses were apparent. Typical utility easements were noted. Site is assumed to have typical features and amenities. The subject site backs to a drainage channel - see additional comments on the attached Text Addendum.																																																																																																					
<table border="1"> <tr> <th colspan="2">General Description</th> <th colspan="2">Exterior Description</th> <th colspan="2">Foundation</th> <th colspan="2">Basement</th> <th colspan="2">Heating</th> <th colspan="2">Appliances Adeq</th> </tr> <tr> <td># of Units</td> <td>1 <input type="checkbox"/> App. Unit</td> <td>Foundation</td> <td>Concrete (encased)</td> <td>Slab</td> <td>Concrete Slab</td> <td>Area Sq. Ft.</td> <td>0</td> <td>Type</td> <td>Forced Air Unit</td> <td></td> <td></td> </tr> <tr> <td># of Stories</td> <td>2</td> <td>Exterior Walls</td> <td>Stucco</td> <td>Roof Space</td> <td>None/Noted</td> <td>% Finished</td> <td>0</td> <td>Fuel</td> <td>Gas</td> <td></td> <td></td> </tr> <tr> <td>Type</td> <td><input checked="" type="checkbox"/> Det <input type="checkbox"/> Apts</td> <td>Roof Surface</td> <td>Concrete Tiles</td> <td>Basement</td> <td>None/Noted</td> <td>Colling</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Design (Style)</td> <td>Mediterranean</td> <td>Gutters & Downspouts</td> <td>None/Noted</td> <td>Stump Pulp</td> <td></td> <td>Walls</td> <td></td> <td>Conting</td> <td>Appears Adeq</td> <td></td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Used Cont.</td> <td></td> <td>Window Type</td> <td>Dual Pane</td> <td>Compressor</td> <td></td> <td>Floor</td> <td></td> <td>Control</td> <td>Refrigerated</td> <td></td> <td></td> </tr> <tr> <td>Actual Age (Yrs.)</td> <td>18</td> <td>Shutters/Screen</td> <td>Screen</td> <td>Settlement</td> <td>None/Noted</td> <td>Outside Entry</td> <td></td> <td>Other</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Effective Age (Yrs.)</td> <td>16</td> <td></td> <td></td> <td>Insulation</td> <td>None/Noted</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>						General Description		Exterior Description		Foundation		Basement		Heating		Appliances Adeq		# of Units	1 <input type="checkbox"/> App. Unit	Foundation	Concrete (encased)	Slab	Concrete Slab	Area Sq. Ft.	0	Type	Forced Air Unit			# of Stories	2	Exterior Walls	Stucco	Roof Space	None/Noted	% Finished	0	Fuel	Gas			Type	<input checked="" type="checkbox"/> Det <input type="checkbox"/> Apts	Roof Surface	Concrete Tiles	Basement	None/Noted	Colling						Design (Style)	Mediterranean	Gutters & Downspouts	None/Noted	Stump Pulp		Walls		Conting	Appears Adeq			<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Used Cont.		Window Type	Dual Pane	Compressor		Floor		Control	Refrigerated			Actual Age (Yrs.)	18	Shutters/Screen	Screen	Settlement	None/Noted	Outside Entry		Other				Effective Age (Yrs.)	16			Insulation	None/Noted						
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Finished area above grade contains: 10 Rooms 6 Bedrooms 4.1 Bath(s) 4,871 Square Feet of Gross Living Area Above Grade Additional features: See attached Text Addendum.																																																																																																					
Describe the condition of the property (including physical, functional and external disrepair): Home is considered to be in Average-Good overall condition as it has been adequately maintained.																																																																																																					

RESIDENTIAL APPRAISAL REPORT

HOLMES

File No.: 1606041

My research ☒ did ☒ did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.

Date Source(s): Matrix / MLS

1st Prior Subject Sale/Transfer

Date: 12/17/2008

Price: \$0

Source(s): Matrix

2nd Prior Subject Sale/Transfer

Date: 11/01/1999

Price: \$411,088

Source(s): Matrix - Builder Sale

Analysis of sale/transfer history and/or any current agreement of sale listing: The subject was obtained by the current owner on 11/1/1999 for \$411,088 from the builder, which is consistent with the market for that time period. The property was placed into a trust on 12/17/2008 (the owner is the trustee). There is no previous sale in the prior 3 years. The subject is currently listed for \$643,800 (ML #1511934). Listed on 1/28/2015 for \$739,999 and reduced several times down to \$640,000 on 4/26/2016.

1 The Sales Comparison Approach was not developed for this appraisal.

FEATURE		SUBJECT		COMPARABLE SALE #1		COMPARABLE SALE #2		COMPARABLE SALE #3	
Address: 10850 Parington Ct Las Vegas, NV 89183		11880 Capanna Russo Pl Las Vegas, NV 89141		10779 Hawes End Ct Las Vegas, NV 89183		10676 Chillingham Dr Las Vegas, NV 89183		0.32 miles SE	
Proximity to Subject		2.00 miles SW		0.24 miles S		\$ 648,000		\$ 700,000	
Sale Price		\$ 590,900		\$ 132,97 /sq.ft.		\$ 137.86 /sq.ft.			
Sale Price/OA		\$ 131.65 /sq.ft.							
Data Source(s)		Matrix/MLS		Interactivity/ML #1603484, DOM 11		Interactivity/ML #1563314, DOM 192		Interactivity/ML #1542958, DOM 19	
Verification Source(s)		20160412-02232		20160318-02067		20150717-01448			
VALUE ADJUSTMENTS		DESCRIPTION		+(-) \$ Adjust		DESCRIPTION		+(-) \$ Adjust	
Sales or Financing		N/A		Arms Length Sale		Arms Length Sale		Arms Length Sale	
Concessions		N/A		VA w/ concession		Conv w/ no concession		Conv w/ no concession	
Date of Sale/Time		N/A		cont-03/16, s-04/16		cont-01/16, s-03/16		cont-06/15, s-07/15	
Rights Appraised		Fee Simple		Fee Simple		Fee Simple		Fee Simple	
Location		Residential-Gated		Residential-Gated		Residential-Gated		Residential-Gated	
Site		25,205 sq		9,585 sq		25,136 sq		22,216 sq	
View		Neighborhood		Neighborhood		Neighborhood		Neighborhood	
Design (Style)		Mediterranean		Mediterranean		Mediterranean		Mediterranean	
Quality of Construction		Average-Good		Similar		Similar		Similar	
Age		16		12		018		17	
Condition		Average-Good		Superior		Superior		Superior	
Above Grade		Total 9dorms Baths		Total 8dorms Baths		Total 8dorms Baths		Total 8dorms Baths	
Room Count		10 5 4.1		12 5 4.1		10 5 4.1		13 5 4.1	
Gross Living Area		4,671 sq.ft.		4,502 sq.ft.		4,913 sq.ft.		5,077 sq.ft.	
Basement & Finished		None		None		None		None	
Rooms Below Grade		None		None		None		None	
Functional Utility		Good		Good		Good		Good	
Heating/Cooling		Central Heat/AC		Central Heat/AC		Central Heat/AC		Central Heat/AC	
Energy Efficient Items		Good		Good		Good		Good	
Garage/Carport		3+ Car Garage		3 Car Garage		3+ Car Garage		3+ Car Garage	
Porch/Patio/Deck		CvPch/Patio/Balc		CvPch/CvPch/Balc		CvPch/Patio/Balc		CvPch/CvPch/Balc	
Fireplace/Pool Features		2 FP/Pool+Spa		2 FP/Pool+Spa		2 FP/Pool+Spa		1 FP/Pool+Spa	
Fencing/Landscaping		Good		Similar		Similar		Similar	
Additional Features		Upgrades/Extras		Similar		Similar		Similar+Casita	
Net Adjustment (Total)				\$ 32,089		\$ 25,000		\$ -54,352	
Adjusted Sale Price of Comparables				Net 5.4 %		Net 3.9 %		Net 9.2 %	
				Gross 16.3 %		Gross 3.9 %		Gross 19.9 %	
Indicated Value by Sales Comparison Approach				\$ 620,000					

Summary of Sales Comparison Approach: Sales 2 and 3 are from within the subject's gated enclave with sale 2 being the most recent sale of a model match. Sale 3 is a larger model and is a dated sale. However, there were very few sales of similar sized homes from within the subject development. Additionally, the market segment has remained stable over the last 12 months. Sale 1 is a recent sale of a smaller home from a competing gated enclave that is also located in the south Las Vegas valley. Sale 1 is located in excess of 1 mile but is considered for being one of the few sales of a similar size/age within a 3 mile radius.

Differences in lot size are adjusted at \$2 per square foot and differences in gross living area are adjusted at \$75 per square foot. All three sales are adjusted for condition as they are reported to be in Excellent overall condition. Adjustments have been made in areas that are readily identifiable via paired sales analysis. Greater consideration is given to sale 2, which is most like the subject. The three sales bracket the subject in most aspects and are considered to be reasonable indicators of value. Current listings are provided on an attached page.

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3/2007

RESIDENTIAL APPRAISAL REPORT

HOLMES
File No.: 1806041

COST APPROACH	COST APPROACH TO VALUE (if developed) <input checked="" type="checkbox"/> The Cost Approach was not developed for this appraisal.	
	Provide adequate information for application of the following cost figures and calculations: Support for the opinion of site value (summary of comparable land sales or other methods for estimating site value):	
INCOME APPROACH	ESTIMATED REPRODUCTION OR REPLACEMENT COST NEW	
	Source of cost data:	
	Quality rating from cost service:	
	Comments on Cost Approach (gross living area calculations, depreciation, etc.):	
PUD	PROJECT INFORMATION FOR PUDs (if applicable) <input checked="" type="checkbox"/> The Subject is part of a Planned Unit Development.	
	Legal Name of Project:	
	Describe common elements and recreational facilities:	
RECONCILIATION	Indicated Value by Sales Comparison Approach \$ 200,000 Cost Approach (if developed) \$ Income Approach (if developed) \$	
	Final Reconciliation: The Sales Comparison Approach is considered to be the best indicator of value as it best reflects the actions of buyers and sellers within the sub-market. The Cost Approach is less reliable for older properties as estimates of land value and depreciation become more subjective and less credible. The Income Approach was not necessary to develop credible results.	
	This appraisal is made <input checked="" type="checkbox"/> "as is", <input type="checkbox"/> subject to completion per plans and specifications on the basis of a Hypothetical Condition that the improvements have been completed, <input type="checkbox"/> subject to the following repairs or alterations on the basis of a Hypothetical Condition that the repairs or alterations have been completed, <input type="checkbox"/> subject to the following required inspection based on the Extraordinary Assumption that the condition or deficiency does not require alteration or repair:	
	<input type="checkbox"/> This report is also subject to other Hypothetical Conditions and/or Extraordinary Assumptions as specified in the attached addenda.	
	Based on the degree of inspection of the subject property, as indicated below, defined Scope of Work, Statement of Assumptions and Limiting Conditions, and Appraiser's Certifications, my (our) Opinion of the Market Value (or other specified value type), as defined herein, of the real property that is the subject of this report is: \$ 200,000, as of: 06/15/2016, which is the effective date of this appraisal.	
	If indicated above, this Opinion of Value is subject to Hypothetical Conditions and/or Extraordinary Assumptions included in this report. See attached addenda.	
	A true and complete copy of this report contains 22 pages, including exhibits which are considered an integral part of the report. This appraisal report may not be properly understood without reference to the information contained in the complete report.	
	Attached Exhibits: <input type="checkbox"/> Scope of Work <input checked="" type="checkbox"/> Limiting Conditions/Certifications <input type="checkbox"/> Narrative Addendum <input checked="" type="checkbox"/> Photograph Addenda <input checked="" type="checkbox"/> Sketch Addendum <input checked="" type="checkbox"/> Map Addenda <input checked="" type="checkbox"/> Listings <input type="checkbox"/> Cost Addendum <input type="checkbox"/> Flood Addendum <input type="checkbox"/> Manual House Addendum <input type="checkbox"/> Hypothetical Conditions <input type="checkbox"/> Extraordinary Assumptions <input checked="" type="checkbox"/> License/FSO <input checked="" type="checkbox"/> Invoice <input type="checkbox"/>	
SIGNATURES	APPRAISER Appraiser Name: <u>W. Snow - Cert. Res. Appr.</u> Company: <u>The Appraisal Source</u> Phone: <u>(702) 571-1913</u> Fax: E-Mail: <u>westappraisals@outlook.com</u> Date of Report (Signature): <u>06/15/2016</u> License or Certification #: <u>A 0005155-OR</u> State: <u>NV</u> Designation: Expiration Date of License or Certification: <u>12/31/2016</u> Inspection of Subject: <input checked="" type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None Date of Inspection: <u>06/15/2016</u>	
	SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable) Supervisory or Co-Appraiser Name: Company: Phone: Fax: E-Mail: Date of Report (Signature): License or Certification #: State: Designation: Expiration Date of License or Certification: Inspection of Subject: <input type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None Date of Inspection:	

Assumptions, Limiting Conditions & Scope of Work

HOLMES

File No.: 1608041

Property Address: 10550 Pahrington Ct	City: Las Vegas	State: NV	Zip Code: 89119
Client: Client: Wilbert Holmes	Address: 10550 Pahrington Ct, Las Vegas, NV 89119		
Appraiser: W/ Snow - Cert Res Appr	Address: 5000 Paradise Road #A-102, Las Vegas, NV 89119		

STATEMENT OF ASSUMPTIONS & LIMITING CONDITIONS

- The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
- The appraiser may have provided a sketch in the appraisal report to show approximate dimensions of the improvements, and any such sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size. Unless otherwise indicated, a Land Survey was not performed.
- If so indicated, the appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
- The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
- If the cost approach is included in this appraisal, the appraiser has estimated the value of the land in the cost approach at its highest and best use, and the improvements at their contributory value. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used. Unless otherwise specifically indicated, the cost approach value is not an insurance value, and should not be used as such.
- The appraiser has noted in the appraisal report any adverse conditions (including, but not limited to, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property, or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property, or adverse environmental conditions (including, but not limited to, the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
- The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
- The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and any applicable federal, state or local laws.
- If this appraisal is subject to satisfactory completion, repairs, or alterations, the appraiser has based his or her appraisal report and valuation conclusion on the assumption that completion of the improvements will be performed in a workmanlike manner.
- An appraiser's client is the party (or parties) who engage an appraiser in a specific assignment. Any other party acquiring this report from the client does not become a party to the appraiser-client relationship. Any persons receiving this appraisal report because of disclosure requirements applicable to the appraiser's client do not become intended users of this report unless specifically identified by the client at the time of the assignment.
- The appraiser's written consent and approval must be obtained before this appraisal report can be conveyed by anyone to the public, through advertising, public relations, news, sales, or by means of any other media, or by its inclusion in a private or public database.
- An appraisal of real property is not a 'home inspection' and should not be construed as such. As part of the valuation process, the appraiser performs a non-invasive visual inventory that is not intended to reveal defects or detrimental conditions that are not readily apparent. The presence of such conditions or defects could adversely affect the appraiser's opinion of value. Clients with concerns about such potential negative factors are encouraged to engage the appropriate type of expert to investigate.

The Scope of Work is the type and extent of research and analyses performed in an appraisal assignment that is required to produce credible assignment results, given the nature of the appraisal problem, the specific requirements of the intended user(s) and the intended use of the appraisal report. Reliance upon this report, regardless of how acquired, by any party or for any use, other than those specified in this report by the Appraiser, is prohibited. The Opinion of Value that is the conclusion of this report is credible only within the context of the Scope of Work, Effective Date, the Date of Report, the Intended User(s), the Intended Use, the stated Assumptions and Limiting Conditions, any Hypothetical Conditions and/or Extraordinary Assumptions, and the Type of Value, as defined herein. The appraiser, appraisal firm, and related parties assume no obligation, liability, or accountability, and will not be responsible for any unauthorized use of this report or its conclusions.

Additional Comments (Scope of Work, Extraordinary Assumptions, Hypothetical Conditions, etc.):

The Scope of Work for this assignment is as follows: To generate and communicate an appraisal report for the subject property. The owner of the subject property, Wilbert Holmes, contacted the appraiser to perform the appraisal. The Client is the intended user of this report. The Client has requested that an appraisal report be generated and communicated for the subject property with a current estimate of market value. Information about the subject property was obtained and analyzed from County records (via Interleaf) and an on-site appraisal inspection of the home and site. Data was also analyzed from the local area including recent sales noted on the MLS (GLVAR Multiple Listing Service), recent price ranges for Single Family Residences, age ranges, and predominant values. A General Purpose Residential form has been utilized in communicating the report. This form is considered concise and meaningful in communicating data to the Client. This report is a Summary Appraisal report in that it does not contain all of the data analyzed by the appraiser.

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Certifications

HOLMES

File No.: 1809041

Property Address: 10550 Pattingham Ct	City: Las Vegas	State: NV	Zip Code: 89183
Client: Client: Wilbert Holmes	Address: 10550 Pattingham Ct, Las Vegas, NV 89183		
Appraiser: W. Snow - Cert. Res. Appr.	Address: 5000 Paradise Road #A-102, Las Vegas, NV 89119		

APPRAISER'S CERTIFICATION

I certify that, to the best of my knowledge and belief:


- The statements of fact contained in this report are true and correct.
- The credibility of this report, for the stated use by the stated user(s), of the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- I did not base, either partially or completely, my analysis and/or the opinion of value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property, or of the present owners or occupants of the properties in the vicinity of the subject property.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification.

DEFINITION OF MARKET VALUE *:

Market value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

* This definition is from regulations published by federal regulatory agencies pursuant to Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) of 1989 between July 5, 1990, and August 24, 1990, by the Federal Reserve System (FRS), National Credit Union Administration (NCUA), Federal Deposit Insurance Corporation (FDIC), the Office of Thrift Supervision (OTS), and the Office of Comptroller of the Currency (OCC). This definition is also referenced in regulations jointly published by the OCC, OTS, FRS, and FDIC on June 7, 1994, and in the Interagency Appraisal and Evaluation Guidelines, dated October 27, 1994.

Client Contact: Wilbert Holmes	Client Name: Client: Wilbert Holmes
E-Mail: wholmes711@aol.com	Address: 10550 Pattingham Ct, Las Vegas, NV 89183
APPRAISER	SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable)
 Appraiser Name: W. Snow - Cert. Res. Appr. Company: The Appraisal Source Phone: (702) 371-1513 Fax: _____ E-Mail: pestappraisers@aol.com Date Report Signed: 05/18/2010 License or Certification #: A-0005155-CR State: NV Designation: _____ Expiration Date of License or Certification: 12/31/2016 Inspection of Subject: <input checked="" type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None Date of Inspection: 05/15/2010	Supervisory or Co-Appraiser Name: _____ Company: _____ Phone: _____ Fax: _____ E-Mail: _____ Date Report Signed: _____ License or Certification #: _____ State: _____ Designation: _____ Expiration Date of License or Certification: _____ Inspection of Subject: <input type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None Date of Inspection: _____

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FEATURE		SUBJECT	COMPARABLE LISTING # 1		COMPARABLE LISTING # 2		COMPARABLE LISTING # 3	
Address		10550 Pattington Ct Las Vegas, NV 89183	18024 Flared St Las Vegas, NV 89183		171 Jahn Ras Ct Las Vegas, NV 89183			
Proximity to Subject			0.15 miles SE		0.54 miles NW			
List Price		\$ 0	\$ 769,900		\$ 600,000		\$	
List Price/GA		\$ /sq.ft.	\$ 157.97 /sq.ft.		\$ 131.54 /sq.ft.		\$ /sq.ft.	
Last Price Revision Date			5/18/2015 (1st listed-5/18/2015)		5/25/2015 (1st listed-5/25/2015)			
Data Source(s)		Interpolary	Interpolary/Public Records		Interpolary/Public Records			
Verification Source(s)		Inspection	MLS #1632310		MLS #1634721			
VALUE ADJUSTMENTS		DESCRIPTION	DESCRIPTION	+ (-) \$ Adjust	DESCRIPTION	+ (-) \$ Adjust	DESCRIPTION	+ (-) \$ Adjust
Sales or Financing	N/A	Arms Length Listing			Arms Length Listing			
Concessions	N/A	Current Listing			Current Listing			
Days on Market	N/A	est CDOM=27+			est CDOM=20+			
Rights Appraised	Fee Simple	Fee Simple			Fee Simple			
Location	Residential-Gated	Residential-Gated			Residential-Gated			
Site	25,265 sf	20,473 sf			10,850 sf			
View	Neighborhood	Neighborhood			Neighborhood			
Design (Style)	Mediterranean	Mediterranean			Mediterranean			
Quality of Construction	Average-Good	Similar			Similar			
Age	16	15			13			
Condition	Average-Good	Superior			Similar			
Above Grade	Total Rooms Baths	Total Rooms Baths			Total Rooms Baths			
Room Count	10 6 4.1	10 4 4.1			9 4 3.1			
Gross Living Area	4,671 sq.ft.	4,683 sq.ft.			4,566 sq.ft.			
Basement & Finished	None	None			None			
Rooms Below Grade	None	None			None			
Functional Utility	Good	Good			Good			
Heating/Cooling	Central Heat/AC	Central Heat/AC			Central Heat/AC			
Energy Efficient Items	Good	Good			Good			
Garage/Carport	3+ Car Garage	4 Car Garage			3+ Car Garage			
Porch/Patio/Deck	CvPch/Patio/Balc	CvPch/CvPch/Balc			CvPch/CvPch/Balc			
Fireplace/Pool Features	2 FP/Pool+Spa	2 FP/Pool+Spa			2 FP/Pool			
Fencing/Landscaping	Good	Similar			Similar			
Additional Features	Upgrades/Extras	Similar			Similar			
Net Adjustment (Total)			11 + - \$		11 + - \$		11 + - \$	
Adjusted List Price of Comparables			Net % Gross \$ \$ 769,900		Net % Gross \$ \$ 600,000		Net % Gross \$ \$	
<p>Comments: There were no other current listings of model matches and/or similar sized homes from within the subject development. Both listings are from within gated enclaves within the area. Listing 2 is smaller and lacks a pool feature.</p> <p>The listings are presented to illustrate current competition but are unranked as list prices can fluctuate prior to consummation. The range of list prices supports the assertion that property values vary widely in this market segment sometimes with no obvious differences. There had been a tendency for private sales (non-Short sales) to sell higher than the Short Sales.</p>								

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3/2007

Supplemental Addendum

File No. 1806041

Borrower	Client: Wilbert Holmes				
Property Address	10650 Partridge Ct				
City	Las Vegas	County	Clark	State	NV
				Zip Code	89162
Lender	Client: Wilbert Holmes				

SUBJECT PROPERTY:

The subject site backs to a drainage channel (see assessor plat map). There is no market evidence to show an adverse effect on value. While some market participants may prefer not backing to a feature, others may prefer the privacy of not having additional neighbors.

The subject's gated development has private streets, street lighting, and curb/gutter with private maintenance (HOA). This is typical for homes in this area and does not have an adverse effect on the overall marketability.

Each home within the San Rafael gated development is subject to an association fee of \$66 per month. The association fee maintains the gated entry, perimeter fencing/landscaping, and common elements throughout the development. The common elements are completed and appear to be well maintained. The association fee is considered to be reasonable, is consistent with similar developments in this area, and appears acceptable to market participants.

The subject residence is a detached two-story semi-custom home built in 2000. It has many upgrades/extras, including:

- Angel set marble tile flooring
- Butler pantry
- 4 built-in speakers at the Family Room
- 2 sets of stairs
- Intercom system throughout
- Central vac system
- Ceiling fans at 6 Bedrooms and the Family Room
- Jetted tub and separate shower at the Master Bathroom
- Insulated garage doors
- Water Softener
- 22' x 43' basketball court
- Large custom pool/spa with alcove, waterfalls, natural rock accents, indoor remote, in-floor cleaning system

SALES COMPARISON ANALYSIS:

It is common to exceed the 1 mile distance guideline when obtaining comparables in this market segment as gated developments, like the subject's, are scattered throughout a large area. Additionally, this market area is low density and relatively low volume with recent sales seldom occurring in proximity to each other. This is a typical characteristic of the sub-market and not considered to be adverse.

The physical and locational characteristics as described previously within this report, make the appraisal assignment complex. Finding comparables that are exactly like the subject is impossible. Thus, when using the Sales Comparison Approach for complex residential properties, like the subject, larger than typical adjustments are necessary.

ADDITIONAL CERTIFICATIONS:

As a part of this assignment, I have performed an appraisal inspection on the subject property. The purpose of the appraisal inspection is to visualize the property and improvements. This appraisal inspection considers only items that are readily identifiable and observable from a casual inspection from ground level. I am not a licensed building contractor or professional building inspector. I am not qualified to survey or analyze physical items that are not readily visible. If any of the parties in this transaction have questions or concerns regarding any mechanical or structural physical problems, conditions, infestations, contamination or other issues regarding the subject property, an expert in that field of specialty should be consulted.

Market Conditions Addendum to the Appraisal Report

HOLMES

File No. 1806041

The purpose of this addendum is to provide the lender/client with a clear and accurate understanding of the market trends and conditions prevalent in the subject neighborhood. This is a required addendum for all appraisal reports with an effective date on or after April 1, 2009.

Property Address: 10550 Farrington Ct City: Las Vegas State: NV ZIP Code: 89183

Appraiser: Cheryl Wilber-Holmes

Instructions: The appraiser must use the information required on this form as the basis for his/her conclusions, and must provide support for those conclusions, regarding housing trends and overall market conditions as reported in the Neighborhood section of the appraisal report form. The appraiser must fill in all the information to the extent it is available and reliable and must provide analysis as indicated below. If any required data is unavailable or is considered unreliable, the appraiser must provide an explanation. It is recognized that not all data sources will be able to provide data for the shaded areas below. If it is available, however, the appraiser must include the data in the analysis. If data sources provide the required information as an average instead of the median, the appraiser should report the available figure and identify it as an average. Sales and listings must be properties that compete with the subject property, determined by applying the criteria that would be used by a prospective buyer of the subject property. The appraiser must explain any anomalies in the data, such as seasonal markets, new construction, foreclosures, etc.

Inventory Analysis	Prior 7-12 Months	Prior 4-6 Months	Current - 3 Months	Overall Trend		
Total # of Comparable Sales (Settled)	9	4	3	Increasing	Stable	Declining
Absorption Rate (Total Sales/Months)	1.33	1.33	1.60	Increasing	Stable	Declining
Total # of Comparable Active Listings	14	13	15	Declining	Stable	Increasing
Months of Housing Supply (Total Listings/Abs Rate)	10.6	8.8	15.0	Declining	Stable	Increasing
Median Sale & List Price, DOM, Sale/List %	Prior 7-12 Months	Prior 4-6 Months	Current - 3 Months	Overall Trend		
Median Comparable Sale Price	\$504,000	\$502,000	\$500,000	Increasing	Stable	Declining
Median Comparable Sales Days on Market	56	166	55	Declining	Stable	Increasing
Median Comparable List Price	\$574,238	\$588,775	\$649,500	Increasing	Stable	Declining
Median Comparable Listings Days on Market	183	154	57	Declining	Stable	Increasing
Median Sale Price as % of List Price	86.17%	86.01%	86.33%	Increasing	Stable	Declining

Seller (developer, builder, etc.) paid financial assistance provided? ☒ Yes ☐ No
 Explain in detail the seller concessions trends for the past 12 months (e.g., seller contributions increased from 3% to 5%, increasing use of buydowns, closing costs, condo fees, options, etc.). Seller concession trends had been stable/consistent in the market over the last 7 years and were typically around 2-3%. As the market had shifted to lower inventories, sellers were in a stronger position and seller concessions had been decreasing. Seller concessions have been on the rise as the market stabilizes.

Are foreclosing sales (REO sales) a factor in the market? ☒ Yes ☐ No If yes, explain (including the trends in listings and sales of foreclosed properties).
 The Las Vegas market had had the number of foreclosing filings during the last 7 years. While the number of foreclosures has dropped in the last 2 years, there are still foreclosing sales at about 15% of the total market. The trends have remained relatively stable with the market absorbing many of these bank owned properties.

Cite data sources for above information. Interally/MLS - Software for the compilation of the above data has been provided by the local MLS. The software is deemed suitable for compiling the information but may have errors.

Summarize the above information as support for your conclusions in the Neighborhood section of the appraisal report form. If you used any additional information, such as an analysis of pending sales and/or expired and withdrawn listings, to formulate your conclusions, provide both an explanation and support for your conclusions. The points of data above show a market in fluctuation. The number of settled sales has been stable as well as the number of listed properties, keeping the months of housing supply stable overall. A review of the most recent data indicates a market correction as the market shows signs of resistance to the upward pressures in median pricing.

It should be noted that the data set is relatively small, which makes determining trends more challenging.

If the subject is a unit in a condominium or cooperative project, complete the following:				Project Name:		
Subject Project Data	Prior 7-12 Months	Prior 4-6 Months	Current - 3 Months	Overall Trend		
Total # of Comparable Sales (Settled)				Increasing	Stable	Declining
Absorption Rate (Total Sales/Months)				Increasing	Stable	Declining
Total # of Active Comparable Listings				Declining	Stable	Increasing
Months of Unit Supply (Total Listings/Abs Rate)				Declining	Stable	Increasing

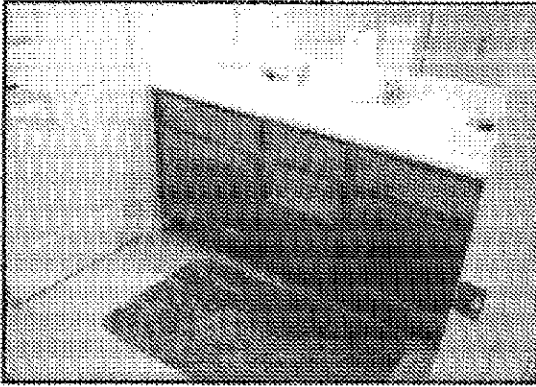
Are foreclosing sales (REO sales) a factor in the project? ☐ Yes ☐ No If yes, indicate the number of REO listings and explain the trends in listings and sales of foreclosed properties.

Summarize the above trends and address the impact on the subject unit and project.

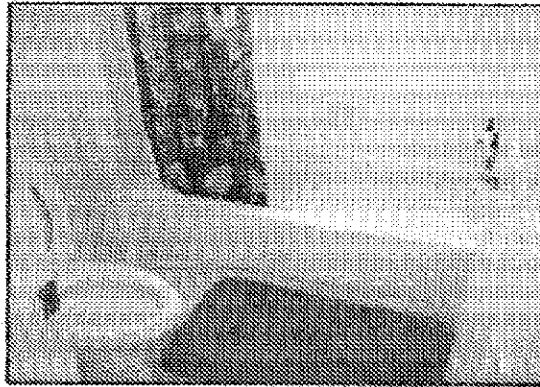
Signature: [Signature]
 Appraiser Name: W. Snow - Cert. Real Estate Appraiser
 Company Name: The Appraisal Source
 Company Address: 10330 Paradise Road #A-102, Las Vegas, NV 89119
 State License/Certification #: A-0001156-CR State: NV
 Email Address: bestappraisal@aol.com
 Signature: [Signature]
 Supervisory Appraiser Name:
 Company Name:
 Company Address:
 State License/Certification #: State:

Photograph Addendum

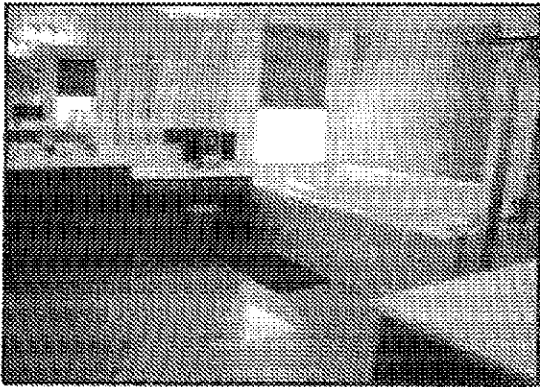
Borrower	Client: Wilbert Holmes			
Property Address	10569 Pattingham Ct			
City	Las Vegas	County	Clark	State NV Zip Code 89133
Lender	Client: Wilbert Holmes			



**'Jack-n-Jill' Bathroom
(view A)**



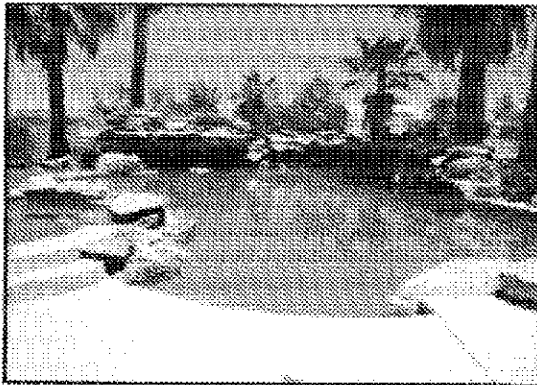
**'Jack-n-Jill' Bathroom
(view B)**



Master Bathroom



Basketball Court



Pool/Spa



Courtyard

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Tax ID #01-8533552

INVOICE	DATE	REFERENCE
1605041	06/15/2016	HOLMES

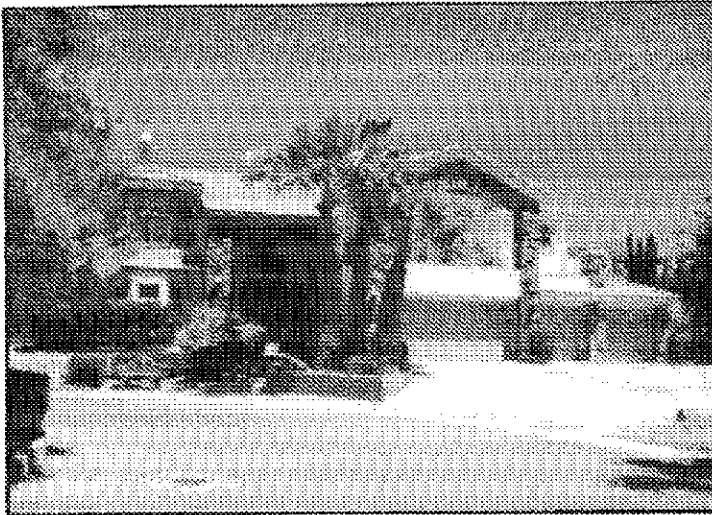
Client: Wilbert Holmes
10550 Pattington Ct, Las Vegas, NV 89183

[illegible]

THANK YOU FOR YOUR BUSINESS!!

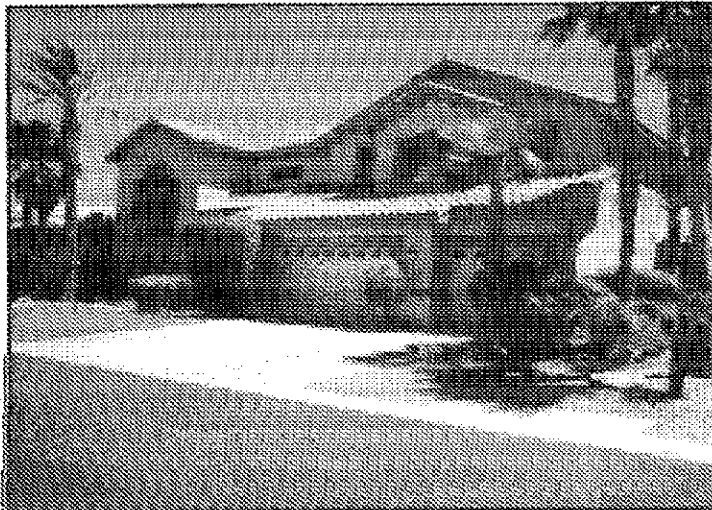
Listing Photo Page

Borrower	Client: Wilber Holmes				
Property Address	10550 Palmington Ct				
City	Las Vegas	County	Clerk	State	NV Zip Code 89163
Lender	Client: Wilbert Holmes				



Listing 1

10504 Placid St
 Proximity to Subject 0.15 miles SE.
 List Price 789,900
 Days on Market est CDOM=27+
 Gross Living Area 4,883
 Total Rooms 10
 Total Bedrooms 4
 Total Bathrooms 4.1
 Age 15



Listing 2

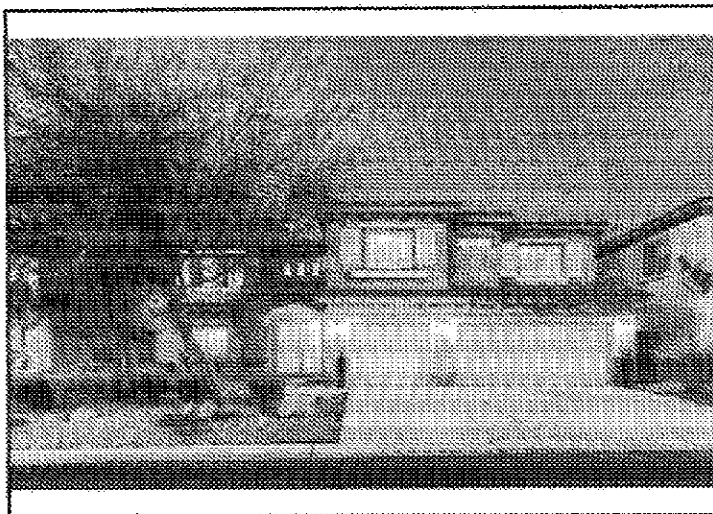
171 Jollyn Rae Ct
 Proximity to Subject 0.54 miles NW
 List Price 600,000
 Days on Market est CDOM=20+
 Gross Living Area 4,658
 Total Rooms 9
 Total Bedrooms 4
 Total Bathrooms 3.1
 Age 13

Listing 3

Proximity to Subject
 List Price
 Days on Market
 Gross Living Area
 Total Rooms
 Total Bedrooms
 Total Bathrooms
 Age

Comparable Photo Page

Broker	Client: Wilbert Holmes						
Property Address	10550 Stratington Ct.						
City	Las Vegas	County	Clark	State	NV	Zip Code	89180
Listing	Client: Wilbert Holmes						



Comparable 1

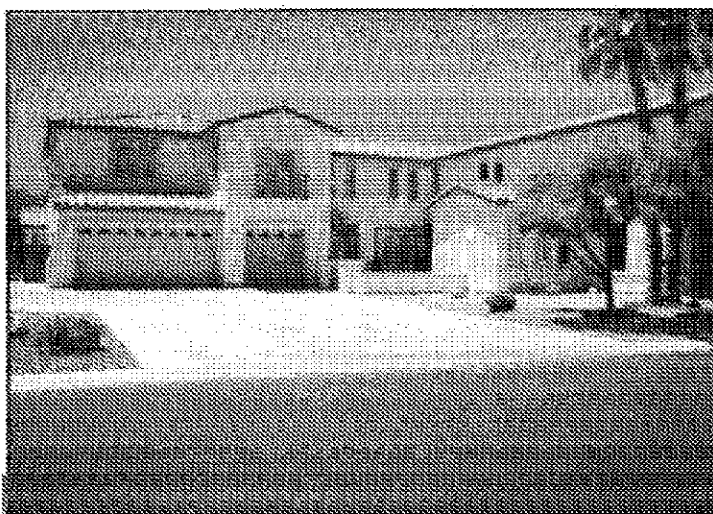
11580 Capemore Rosso Pl
 Prop. to Subject 2.00 miles SW
 Sale Price \$90,000
 Gross Living Area 4,502
 Total Rooms 12
 Total Bedrooms 4
 Total Bathrooms 4.1
 Location Residential-Gated
 View Neighborhood
 Site 5,693 sf
 Quality Similar
 Age 12

IMAGE OBTAINED FROM
 GLVAR / REALTOR



Comparable 2

10770 Hawes End Ct
 Prop. to Subject 0.24 miles S
 Sale Price \$40,000
 Gross Living Area 4,813
 Total Rooms 10
 Total Bedrooms 5
 Total Bathrooms 4.1
 Location Residential-Gated
 View Neighborhood
 Site 25,125 sf
 Quality Similar
 Age 18

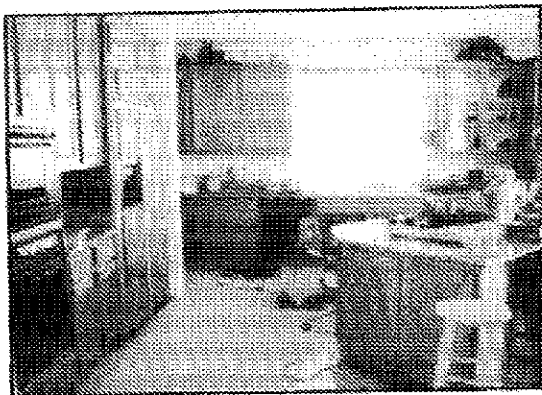


Comparable 3

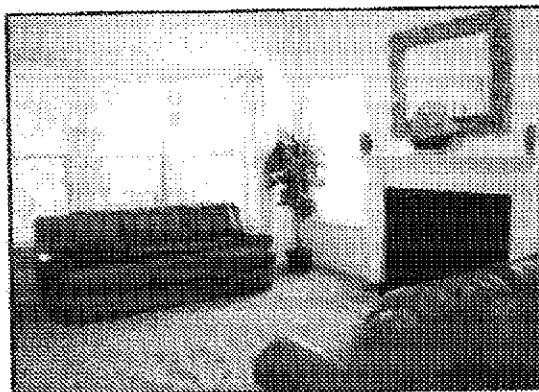
10075 Chillingham Dr
 Prop. to Subject 0.32 miles SE
 Sale Price 700,000
 Gross Living Area 5,677
 Total Rooms 11
 Total Bedrooms 5
 Total Bathrooms 4.1
 Location Residential-Gated
 View Neighborhood
 Site 22,210 sf
 Quality Similar
 Age 17

Photograph Addendum

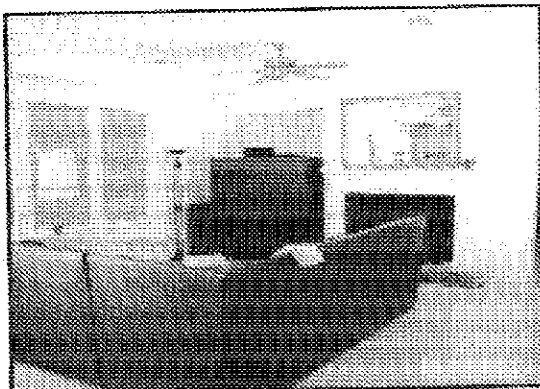
Borrower	Client: Wilbert Holmes				
Property Address	10550 Pattingham Ct				
City	Las Vegas	County	Clark	State	NV Zip Code 89193
Lender	Client: Wilbert Holmes				



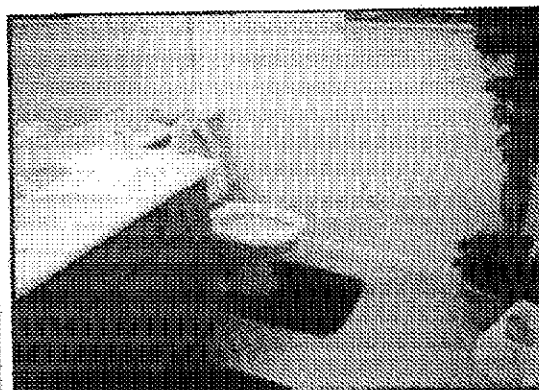
Kitchen



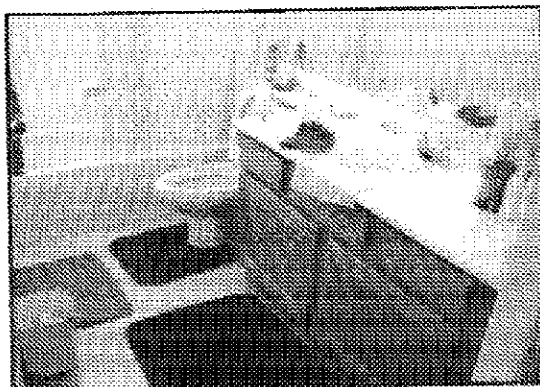
Living Room



Family Room



Powder Bathroom



**Private Bathroom
(downstairs)**



**Private Bathroom
(upstairs)**

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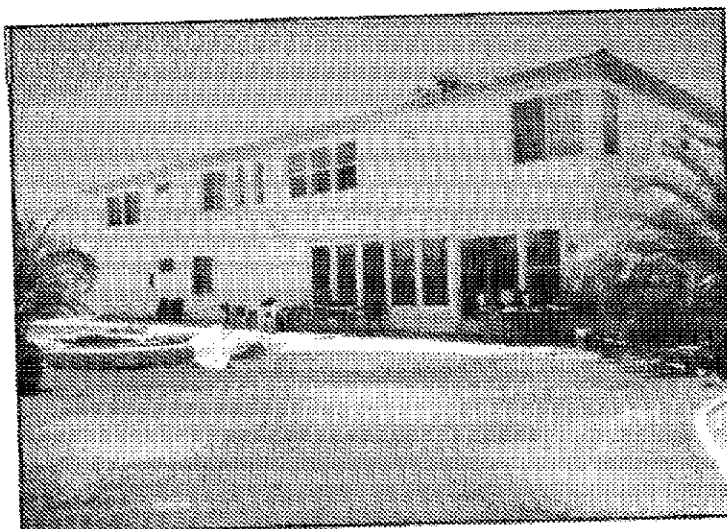
Subject Photo Page

Borrower	Client: Wilbert Holmes				
Property Address	10550 Peirington Ct	County	Clark	State	NV
City	Las Vegas			Zip Code	89183
Lender	Client: Wilbert Holmes				

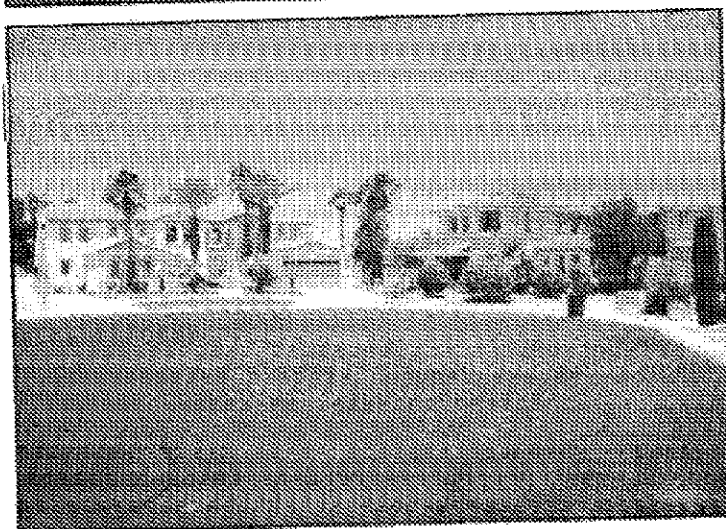


Subject Front

10550 Peirington Ct
 Sales Price
 Gross Living Area 4,871
 Total Rooms 10
 Total Bedrooms 6
 Total Bathrooms 4.1
 Location Residential-Gated
 View Neighborhood
 Site 25,255 sf
 Quality Average-Good
 Age 19

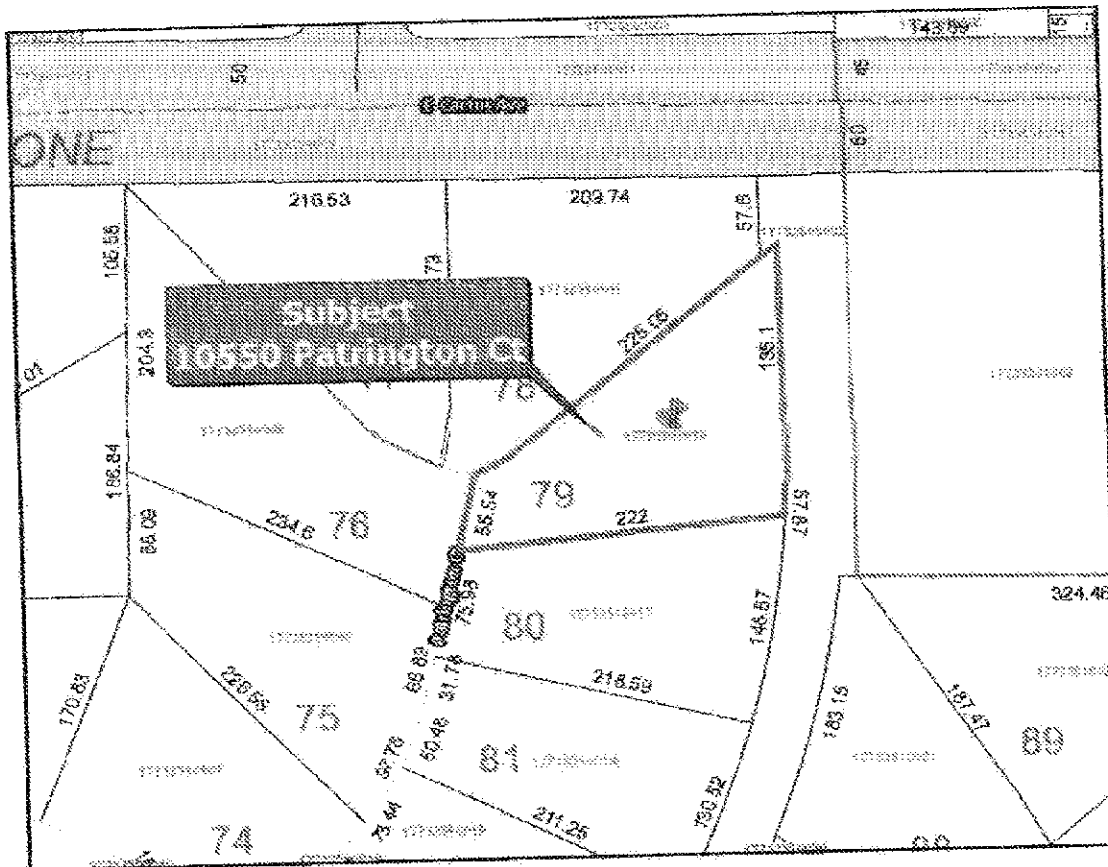


Subject Front



Subject Street

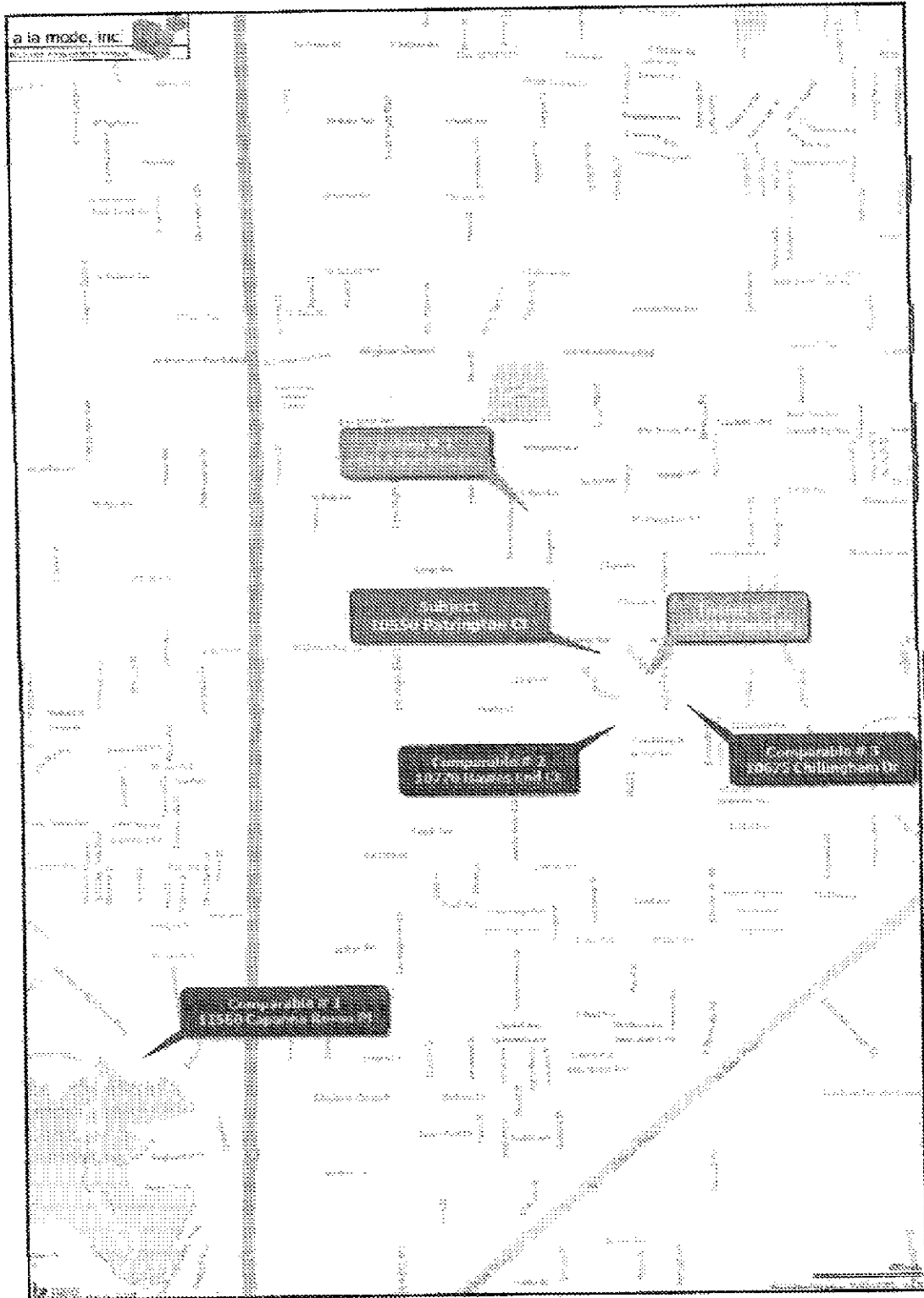
Borrower	Client: Wilbert Holmes				
Property Address	10550 Pahrump Trl	County	Clark	State	NV
City	Las Vegas			Zip Code	89193
Lender	Client: Wilbert Holmes				



453

Location Map

Borrower	Client: Wilbert Holmes		
Property Address	10550 Partridge Ct		
City	Las Vegas	County	Clark
State	NV	Zip Code	89183
Lender	Client: Wilbert Holmes		



Building Sketch

Borrower	Client: Wilbert Holmes				
Property Address	10550 Farrington Ct				
City	Las Vegas	County	Clark	State	NV Zip Code 89163
Lender	Client: Wilbert Holmes				

		Calculation Details	
Living Area	2597.4 Sq ft	18 x 17.7 =	318.6
Front Porch		50.4 x 22.1 =	1123.02
		2.5 x 5.6 =	16.5
		13.6 x 12.7 =	172.72
		38.5 x 23.2 =	893.2
		1.5 x 6.2 =	9.3
		1.6 x 14.6 =	23.36
Second Floor	2415.55 Sq ft	13.5 x 8.5 =	114.75
		5.1 x 7.6 =	46.36
		31.2 x 6.2 =	193.44
		7 x 0.8 =	5.6
		6.5 x 2.7 =	17.55
		60.1 x 11.8 =	709.18
		39.5 x 6.6 =	260.7
		7.6 x 4.4 =	33.44
		37.1 x 13 =	482.3
		Art	2.37
Total Living Area (Rounded):	4871 Sq ft		
Non-Living Area	976.6 Sq ft	12 x 18 =	216
3+ Car Built-in		21.2 x 29.7 =	629.56
		14.7 x 1.5 =	22.05
Covered Porch	232.8 Sq ft	12 x 10.4 =	124.8
		14.4 x 7.5 =	108

Alvin D. Lamm

CLERK OF THE COURT

1 AFFRM

2 (Your name)

WILBERT R. HOLMES

3 (Address)

*10550 PATRINGTON CT.
LAS VEGAS NV 89143*

4 (Telephone)

702 281-5752

In Proper Person

6 DISTRICT COURT

7 CLARK COUNTY, NEVADA

8
9 *CAROLINE Y. HOLMES*

Plaintiff,

10 vs.

11 *WILBERT R. HOLMES*

12 Defendant.

CASE NO.:

0135235920

DEPT. NO.:

J

14 **AFFIRMATION – CASE CONFERENCE REPORT OR PRE-TRIAL MEMORANDUM**
15 Pursuant to NRS 239.030

16 The undersigned does hereby affirm that the following documents do not contain the
17 social security number of any person: **(check the documents being filed at this time)**

18 ☐ Notice of Early Case Conference

☐ Individual Case Conference Report

19 ☐ Notice of Joinder

☐ Joint Case Conference Report

20 ☒ Pre-Trial Memorandum

☐ Affidavit of Financial Condition

☒ Certificate of Mailing

☐ Other _____

21 The undersigned does hereby affirm that the following documents contain the social
22 security number of a person as required by state or federal law or for the administration of a
23 public program or for an application for a federal or state grant: **(check the documents being
filed at this time)**

24 ☐ Other (name of document) *NONE*

25
26 (your signature) *W. Holmes*

(date)

12/10/2016

THIS SEALED
DOCUMENT,
NUMBERED PAGE(S)
458 - 465
WILL FOLLOW VIA
U.S. MAIL

Alvin D. Blum

CLERK OF THE COURT

CERT
Name: WILLIAM R. HOLMES
Address: 10550 RICHMOND CT.
LAS VEGAS, NV 89133
Telephone: 702-291-5752
Email Address: W.HOLMES71@AOL.COM
In Proper Person

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CAROLINE Y. HOLMES
Plaintiff,

CASE NO.: D15-573582-D

DEPT: J

vs.

WILLIAM R. HOLMES
Defendant.

CERTIFICATE OF MAILING

I, (name of person who mailed the document) William Miller

declare under penalty of perjury under the law of the State of Nevada that the following is true
and correct. That on (month) 10th (day) Dec, 2016, service of the:

(☒ check all that apply)

☐ Motion

☐ Answer

☒ Financial Disclosure Form

☐ Opposition

☐ Reply

☐ Notice of Entry of Judgment / Order / Decree

☒ Other: DEF PRE-TRIAL MEMO, AFFIRM CASE CONFERENCE

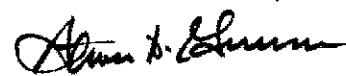
was made pursuant to NRCP 5(b) by depositing a copy in the U.S. Mail in the State of Nevada,
postage prepaid, addressed to:

(Print the name and address of the person you mailed the document to)

MARLENE KIMBLE SIMONS
2560 W. BROOKS AVE STE 101
NORTH LAS VEGAS, NV 89032

DATED this 10th day of DECEMBER, 2016

William Miller
WILLIAM MILLER (Signature)



CLERK OF THE COURT

MISC

Name: WILBERT R HOLMES

Address: 10550

PARTRINGTON CT.

Telephone: 702.281.5752

Email Address: WHOLMES711@AOL.COM

In Proper Person

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CAPUCINE Y HOLMES

Plaintiff

CASE NO.: DI5523582D

vs.

DEPT: J

WILBERT R HOLMES

Defendant

UPDATED WITNESS LETTER/KIM PANFIELD

Title of Document

Respectfully submitted by:

(Your signature)

(Your name)

WILBERT R HOLMES

☐ Plaintiff / ☒ Defendant In Proper Person

D/55235820

The correct spelling for my name is Kimberly Panfil. I am a Nevada Realtor, License # 33994, I am a full time Realtor 22 years in Las Vegas, NV. I work at Urban Nest Realty, 10220 W. Charleston Blvd Suite # 3, Las Vegas, NV, 89135. My broker / owner is Dave Tina, Sr., GLVAR President Realtor 2015, President Realtor of the Year of Nevada 2016 and National Association Realtor of the Year 2017.

Here is my professional statement for my listing I have worked very hard to try to sell:
Client, Seller / Owner, Wilbert Holmes, 10550 PATRINGTON CT, Las Vegas, NV 89183

The property has been listed for approximately 2 years. It is still currently listed and held up to sell, due to a divorce LIEN, the value appraisal court date and the plaintiff's attorney blocking the sale we did receive, now cancelled. We did have a very good offer at \$650,000.00 escrow at Chicago Title with Kerrie Kissane....however after the buyers home inspection the home needed several repairs, about \$30,000 per the inspection report to include the very large pool to be resurfaced and roof issues...etc. The buyers backed out since they would have to wait to close the home several months, since the plaintiff's attorney would not remove their LIEN to close the sale. The offer and home inspection are available.

Later, the home appraisal came in at \$620,000.00 by a certified and licensed appraiser. We have been unable to sell the home and the market time has hurt the sales from other buyers, more than one time, again due to the LIEN placed by the plaintiff and her attorney.

I did receive 2 threatening calls from the plaintiff's attorney soon after the LIEN was placed on this home, to not continue with the sale, due to their divorce. I was personally asked questions by the plaintiff's attorney calling me directly, though due to my duties owed to my seller Wilbert Holmes, I refused to comply with any answers to the plaintiff's attorney and or I did not call her back.

I have heard and watched my seller Wilbert Holmes become extremely stressed and ill over this divorce. I also have seen Wilbert Holmes, not being able to sell this 'expensive to run pool and home'. He is unable to pay the many repairs needed. The appraiser did take all repairs and or needed upgrades the home does not have in comparison to the current market. Example: The home has not been painted since it was purchased in the late 1990's inside or outside. The entire huge pool and spa needs to be resurfaced. These 2 repairs will be approximately \$22,000.00. A new buyer sees the obvious repairs needed.

Wilbert Holmes has done a number of repairs over the 2 years, like the kitchen granite counters being leveled, new kitchen sink, new carpet upstairs was needed in order to show and sell this home. I believe Wilbert Holmes has paid approximately \$15,000.00 of upgrades to sell his home during our listing time period of 2 years...besides maintaining the pool and landscaping, plus all the utilities he has paid.

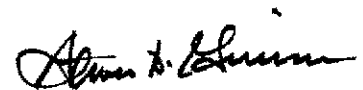
It would be nice for the parties to end this divorce, before the home needs more repairs my seller Wilbert Holmes cannot pay. The repairs are causing a depreciating the value. Wilbert Holmes has been depleted monetarily and spiritually. I have seen his mental and physical health take a toll over the great

stress and his on going medical brain issues. This is much too hard for a senior citizen, former veteran and family man to keep taking. We pray the courts and judges can help get this divorce over with, so everyone can go on in their lives in a healthier less stressful manner. It is stressful enough to just sell a home for some elderly senior citizen sellers. But this divorce being prolonged and situation has taken a great toll on my client.

My phone number is 202-524-8020 if you have any questions, please call me if needed.

Respectfully~

~Kimberly Panfil



CLERK OF THE COURT

MISC
Name: WILBERT R HOLMES
Address: 10550 PATRINGTON CT
LAS VEGAS NV 89183
Telephone: 702 281 5752
Email Address: WHOLMES711@AOL.COM
In Proper Person

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CAPUCINE Y HOLMES

Plaintiff

CASE NO.: D-15523582-D

vs.

DEPT: J

WILBERT R. HOLMES

Defendant

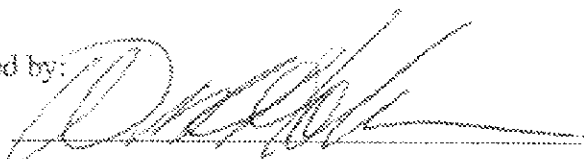
MALICIOUS PROSECUTION DETAIL AND EXHIBITS

Title of Document

Respectfully submitted by:

(Your signature)

(Your name)


WILBERT R HOLMES

☐ Plaintiff / ☒ Defendant In Proper Person

Details and Exhibits for MALICIOUS PROSECUTION CASE NO. D-15523582-D

The following information cited on these documents pertain to the matter of the COMPLAINT FOR MALICIOUS PROSECUTION that is to be heard on 12/20/2016 by Judge Rena Hughes.

In addition to the statements I submitted in my original filing there are additional documents and exhibits that pertain to this case that should be recognized.

The plaintiff along with her counsel have maliciously and personally harrassed and insulted me along with being illegally prosecuted (exhibit A) since the filing of the divorce 11/5/2015.

I have suffered their personal cruel acts for over one year. All of which would have been avoided if their constant quest for equity in my home had not been attempted thru the court. The evidence of there being no equity distribution for the plaintiff is quite factual and available for anyone to see and realize with public recorded county records (exhibit B), before the filing for divorce.

"Some" of these acts are documented in the EXHIBITS that are attached. I have lived with a spouse who has had numerous "extramarital affairs" since marriage (exhibit C), its not always the man who has sordid extramarital affairs. The current relationship she has with her cohabitating mate started before her filing before divorce (exhibit D). This individual Ernest H. Miller has physically assaulted and constantly threatens me at her behest, I fear for my life, althought I am not scared of him, concerning my divorce involvement with "my still legal wife".

This among other life threatening incidents, one being incarcerated with my health issues. Where in jail, for the first time in my life, I was not permitted to take my prescribed medications. These would have never happened if the plaintiff and counsel would have not pursued this unworthy property equity claim. The divorce would have been final at the onset.

There are numerous incidents since 11/5/2015 I have suffered, my life has been a nightmare waiting on the long and purposely drawn out court proceedings by the opposing attorney Marsha Kimble-Simms. Who has stated to me "I will have you arrested and locked up"...well she did(exhibit E).

Albeit I am not in the best of health. I suffer a terminal condition TRIGEMNAL NEURALGIA resulting from a brain tumor operation in 2009 of which I still carry a unoperable portion of the original tumor. I am not looking for sympathy, althought the past years events deriving from the divorce has not helped my physical and MENTAL condition. I am currently seeing pyshiatric counseling and having numerous medical issues and treatment. (Exhibit F)

My objective TODAY is to have Marsha Kimble-Simms and plaintiff pay for their blatent illegal actions in having me incarcerated without any just reason. Just a deliberate unprofessional personal attack on myself.

Also obtaining the final divorce de-cree and getting on with my life after suffering over 17 years with a dishonest, infidelious spouse. Who m has been arrested and convicted twice for domestic violence against me.(exhibit G). "Its not always the man who is the villian in these cases."

I hate the phrase men here "What did he do to you "girl" to make you do what you did"!

D-15523582D (MAL PROSE)

EXHIBIT A

12 PAGES

Judge: RAMSEY, CATHERINE

Case No. CR094072-15
Ticket No. CA091453-16
CTH: CA091453-16

HOLMES, WILBER TROY

By: CRITTE III, RASH A

HOLMES, WILBER TROY
10550 PATRINGTON CT
NORTH LAS VEGAS, NV 89030

DEFEND

By: MOODY BSG, TODD
10030 WEST ALTA DRIVE
SUITE 200
LAS VEGAS, NV 89145

DOB: 11/21/1946
LIC:

Sex: M
SID:

Plate#:

Make:

Year:

Type:

Vender:

Location: CNLV

Accident: No

MOODY BSG, TODD
CITY ATTORNEY

CPA
CPLMT

Bond:
Type:

Sex:
Posted:

Charges:

CT.1 NRS 33.100 VIOL DOM VIOLENCE SPO

DISMISSED BEFORE TRIAL AT
PRE-TRIAL

Offense Dt: 07/14/2016

CVE:

Arrest Dt: 08/30/2016

Comments:

Sentencing:

CT.1 Sentence Suspended Credit

Jail (Days)

Fines

Costs

Restitution

Probation(Mo):

Expires:

Comm Svc (Hr)

REMARKS:

No	Filed	Action	Operator	Fine/Cost	Due
1	11/07/16	BOND EXONERATED	BYPHUSS	0.00	0.00
2	11/07/16	PRESIDING JUDGE AND STAFF ATTENDING IN-COURT Court Location: NORTH LAS VEGAS MUNICIPAL COURT DEPT. 1 Check In: Judge: RAMSEY, CATHERINE Location: NORTH LAS VEGAS MUNICIPAL COURT DEPT. 1 Staff: AUSTAD, MARTA - COURT CLERK 1: Present PELAG, VERONICA - INTERPRETER: Present SMEDLEY BSG, JAMES J. - DEPUTY CITY ATTORNEY: Present BYPHUSS, BRADLEY - COURT CLERK 2: Present Prosecutors: CITY ATTORNEY: Present CRITTE III, RASH A: Present Parties:	BYPHUSS	0.00	0.00
3	11/07/16	CASE CLOSED	BYPHUSS	0.00	0.00
4	11/07/16	DEFENDANT'S ATTORNEY PRESENT P. MADE FOR T. MOODY	BYPHUSS	0.00	0.00
5	11/07/16	EVENT COMPLETED The following event: PRETRIAL scheduled for 11/07/2016 at 11:00 am has been rescheduled as follows: Result: EVENT COMPLETED Judge: RAMSEY, CATHERINE Location: NORTH LAS VEGAS MUNICIPAL COURT DEPT. 1	BYPHUSS	0.00	0.00

MICHSSSE

No.	Filed	Action	Operator	Fine/Cost	Due
6	11/07/16	CHARGE DISMISSED Charge #1: VIOL DOM VIOLENCE EPO	BYRHOSE	0.00	0.00
7	10/05/16	CITY TO PROVIDE ATTORNEY FOR DEPENDANT (NO FEE) PER-ES Attorney: WOODY REQ. TCDD (005430)	TAYLOR	0.00	0.00
8	10/03/16	DOCUMENT RECEIVED: AFFIDAVIT FOR COURT APPOINTED ATTORNEY	TELLER	0.00	0.00
9	10/03/16	EVENT COMPLETED The following event: ARRAIGNMENT scheduled for 10/03/2016 at 8:00 am has been resulted as follows: Result: EVENT COMPLETED Judge: SCHULKE, KURT Location: NORTH LAS VEGAS MUNICIPAL COURT DEPT. 1	GARMONC	0.00	0.00
10	10/03/16	PRETRIAL HEARING SCHEDULED: Event: PRETRIAL Date: 11/07/2016 Time: 11:00 am Judge: KAMMEY, CATHERINE Location: NORTH LAS VEGAS MUNICIPAL COURT DEPT. 1	GARMONC	0.00	0.00
11	10/03/16	PRESIDING JUDGE AND STAFF ATTENDING IN-COURT Court Location: NORTH LAS VEGAS MUNICIPAL COURT DEPT. 1 Check In: Judge: SCHULKE, KURT Location: NORTH LAS VEGAS MUNICIPAL COURT DEPT. 1 Staff: GARMONC, CHERYL - COURT CLERK 3: Present PALOMO, GUILHERMO - INTERPRETER: Present PHILLIPS, KIMBERLY - DEPUTY CITY ATTORNEY: Present TAYLOR, BRANDY - COURT CLERK 3: Present Prosecutors: CITY ATTORNEY: Present GRYE III, RAUL A: Present Parties:	GARMONC	0.00	0.00
12	10/03/16	FILED NOT GUILTY Charge #1: VIOL DOM VIOLENCE EPO	GARMONC	0.00	0.00
13	10/03/16	REQUEST AFFIDAVIT FOR COURT APPOINTED ATTORNEY Charge #1: VIOL DOM VIOLENCE EPO	GARMONC	0.00	0.00
14	08/30/16	SURETY BOND FILED Arrest Bond Added to Case with: Action Code: VIOL DOM VIOLENCE EPO Arrest Date: 08/30/2016 Bond Status: ACTIVE BOND Status Date: 08/30/2016 Blanket Bond: No Okay to Apply: No Bond Type: SURETY BOND Bond Amount: 1140 Bond/Pwr No.: SVS4766726 Bonding Co.: ALADDIN BAIL BONDS Insurance Co.: SEAVIEW INSURANCE COMPANY	LANCER	0.00	0.00

NO.	Filed	Action	Operator	Fine/Cost	Due
15	08/30/16	ARRAIGNMENT AND SENTENCING HEARING SCHEDULED The following event: ARRAIGNMENT (IN CUSTODY) scheduled for 08/31/2016 at 9:30 am has been rescheduled as follows: Event: ARRAIGNMENT Date: 10/03/2016 Time: 9:00 am Judge: RAMSEY, CATHERINE Location: NORTH LAS VEGAS MUNICIPAL COURT DEPT. 1 Result: EVENT COMPLETED	TELEEE	0.00	0.00
16	08/30/16	CASE IS RESET The following event: ARRAIGNMENT (IN CUSTODY) scheduled for 08/31/2016 at 9:30 am has been resulted as follows: Result: HEARING RESET Judge: RAMSEY, CATHERINE Location: NORTH LAS VEGAS MUNICIPAL COURT DEPT. 1	TELEEE	0.00	0.00
17	08/30/16	BOND FEE Receipt: 2087779 Date: 08/30/2016	TELEEE	50.00	0.00
18	08/30/16	DEFENDANT RELEASED FROM DETENTION	TELEEE	0.00	0.00
19	08/30/16	ARRAIGNMENT AND SENTENCING HEARING SCHEDULED Event: ARRAIGNMENT (IN CUSTODY) Date: 08/31/2016 Time: 9:30 am Judge: RAMSEY, CATHERINE Location: NORTH LAS VEGAS MUNICIPAL COURT DEPT. 1 Result: HEARING RESET	RYANM	0.00	0.00
20	08/29/16	WARRANT OF ARREST SERVED P1912	HOWARDV	0.00	0.00
21	08/29/16	DEFENDANT ARRESTED/IN-CUSTODY	HOWARDV	0.00	0.00
22	08/29/16	CASE REACTIVATED	HOWARDV	0.00	0.00
23	08/02/16	ALERT ISSUED ACTIVE WARRANT issued on: 08/02/2016 For: HOLMES, WILBER TROY Bond Amt: \$ 0.00	TURNERSJ	0.00	0.00
24	08/02/16	WARRANT PRINTED	TURNERSJ	0.00	0.00
25	08/02/16	BAIL SET - \$1140	DELAHUEETA	0.00	0.00
26	08/02/16	WARRANT OF ARREST ISSUED	DELAHUEETA	0.00	0.00
27	08/01/16	WARRANT ROUTED TO JUDGE FOR SIGNATURE	DELAHUEETA	0.00	0.00
28	08/01/16	COMPLAINT FILED Attorney: ORTIZ III, RAUL A (13716)	DELAHUEETA	0.00	0.00
29	07/14/16	NOT BOOKED	DELAHUEETA	0.00	0.00
Total:				50.00	0.00
Totals By:				50.00	0.00
FEE INFORMATION				0.00	0.00

*** End of Report ***

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY,
NEVADA

-FILED IN OPEN COURT-
October 05, 2016

Alana L. Schuman
CLERK OF THE COURT

CAPUCINE Y HOLMES
Applicant.

vs.

WILBERT R HOLMES
Adverse Party.

☒ Present
☐ Not present
☒ With counsel
☒ Present
☐ Not present
☐ With counsel

CASE NO.: T-16-171478-T
DEPT.: TPO/DEPARTMENT J

AMENDED PROTECTION ORDER AGAINST DOMESTIC VIOLENCE

Having considered the filings, testimony and evidence presented this day, and the Court having jurisdiction in this matter, and

_____ it appearing that service has not been effectuated on ☐ Applicant ☐ Adverse Party, ☐ Applicant ☐ Adverse Party was given instructions regarding service of process and the matter set for a Return Hearing.

_____ it appearing that service has not been effectuated on Adverse Party and more than 45 days having passed since application was made for the Temporary Protection Order, the Temporary Protection Order is hereby dissolved.

WLC the ☐ Applicant ☒ Adverse Party having been served with notice of the hearing on 09-06, 2016, the Court hereby finds and recommends as follows: OSC Hearing. APPL indicates in the Motion that there were emails, social media posts, and 3rd party contacts in June and July following the 06-02-2016 Hearing Extending the Order of Protection. Testimony clear that there were emails and threats to post on FB. ADV filed a civil action against APPL and other members of her social organization. The case dismissed. APPL said third parties contacted but no proof that it was intended to be relayed to the APPL. even though APPL said that they were relayed. ADV in cross examination pointedly asked if the APPL had the emails and APPL produced some. APPL could not produce clear and convincing evidence of direct contacts or attempts to communicate w/ the APPL. Although content appears to be intended for the APPL. None of the information appears to be threatening in nature and there has not been any communication recently. ADV denies sending anything directly. ADV argues that APPL could not produce and did not produce any real proof of contact. ADV says he posts generally to other contacts. Court does not feel the need to impose any additional sanctions to induce the compliance as the ADV has apparently complied for the most part over the course of the last several months. Future violations will be dealt with harshly to insure the Extended Order. Court is simply extending the Order w/ additional admonishments regarding future conduct.

That, pursuant to NRS 33.010, et seq., the Court is satisfied domestic violence has actually occurred or there exists a credible threat of domestic violence; therefore, the Court finds good cause to ISSUE the TEMPORARY PROTECTION ORDER immediately. The Adverse Party is hereby ordered to have no contact whatsoever with the Applicant and to stay away from the following locations frequented by the Applicant and/or minor child(ren).

1 That the TEMPORARY PROTECTION ORDER issued in this case is CONTINUED in effect
2 until the hearing date specified below, under the same terms and conditions as it was originally
3 issued, subject to any exceptions noted below.

4 That the parties are ordered to appear at a RETURN HEARING , 20 at
5 m. at ☐ Family Court and Services Center, 601 North Pecos Road, Las Vegas, Nevada
6 89101, Department ☒ Regional Justice Center, 290 Lewis Avenue, Las Vegas, Nevada
7 89155, Department

8 WLC Wherefore, an EXTENDED PROTECTION ORDER is issued in this case until 12-31-2016.
9 The Adverse Party is ordered to continue to obey all of the orders, terms and conditions of the
10 Temporary Order issued in this case subject to any exceptions noted below.

11 Exceptions to the foregoing:

12 That the Protection Order issued in this case is hereby DISSOLVED.

13 That the request to extend the Order of Protection is DENIED.

14 WLC Additionally, Extended Order to exclude appearances related to the divorce proceedings. ADV
15 is advised that one email and one phone call to APPL's counsel per business day and business hours
16 and business related material only.

17 That the following additional provisions shall also apply if marked with an "x":

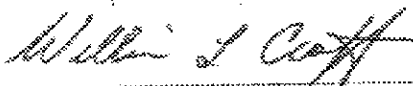
18 Custody and visitation shall remain as ordered in Case No. D- on , 20 ☐
19 except as follows:

20 That pursuant to NRS chapter 125, the Court has jurisdiction to address custody of the parties'
21 minor child(ren); wherefore, Applicant is awarded temporary physical custody of the minor
22 child(ren). Adverse Party is awarded visitation as follows:

23 Such visitation shall be supervised by . Supervised visitation requires the identified
24 supervisor(s) to be present for the duration of the visitation, ☐ unless specified otherwise
25 herein

26 Adverse Party is ordered to pay to the Applicant \$ per month as and for the temporary
27 support of the minor child(ren) until a permanent order for child support is established or until the
28 expiration of the Extended Order. This amount is based upon the obligor's gross monthly income of
\$ and shall be payable \$ beginning

SO ORDERED on this the 5th day of October, 2016.


DOMESTIC VIOLENCE HEARING MASTER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the foregoing Findings and
Recommendations are approved and are hereby made Orders of the Court. These Orders are effective
immediately. Pursuant to EDCR 5.22(m), you have 10 days from your receipt of this Order to file an
Objection to this Decision.

CITY OF LAS VEGAS
DETENTION &
CITIZENSHIP

Inmate ID Card

HOLMES, WILSON TROY

Inmate ID: 6441840



MUNICIPAL COURT OF THE CITY OF NORTH LAS VEGAS
COUNTY OF CLARK, STATE OF NEVADA

FILED

CITY OF NORTH LAS VEGAS,	CASE NO. <u>12-4-16</u>
Plaintiff,	
vs.	WARRANT OF ARREST
WILBER TROY HOLMES,	
Defendant.	
DOB: 11/21/1946	

THE CITY OF NORTH LAS VEGAS TO ANY SHERIFF, CONSTABLE,
MARSHAL, OR ANY PEACE OFFICER IN THIS STATE:

A complaint upon oath has been laid before me by RAUL A ORTIZ III,
Deputy City Attorney, charging that the crime(s) of

VIOL DOM VIOLENCE EPO

has been committed, and accusing THE ABOVE NAMED DEFENDANT with
the commission thereof. YOU ARE THEREFORE COMMANDED forthwith to
arrest the above named and bring such person before the Municipal Court
in the City of North Las Vegas, County of Clark, State of Nevada, or in case
of my absence or inability to act, before the nearest and most accessible
magistrate. This warrant may be served at any hour of the day or night.

It is so ordered this date 8-2-16

Catherine Romay
MUNICIPAL JUDGE

BAIL \$ 1140

I HEREBY CERTIFY that I received the above Warrant on the _____ day
of _____ A.D. 20____ and served said Warrant by arresting the
within named defendant and bringing him/her to court this _____ day of
_____, A.D. , 20____.

Peace Officer

ID# PROS CASE # CA001453-16
PD CASE # 160715012153
JC

**PLEADING
CONTINUES
IN NEXT
VOLUME**

IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
Jul 27 2017 01:23 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

WILBERT R. HOLMES,
Appellant(s),

vs.

CAPUCINE Y. HOLMES,
Respondent(s),

Case No: D-15-523582-D

Docket No: 73291

RECORD ON APPEAL VOLUME 2

ATTORNEY FOR APPELLANT
WILBERT R. HOLMES,
PROPER PERSON
10550 PATRINGTON CT.
LAS VEGAS, NV 89183

ATTORNEY FOR RESPONDENT
CAPUCINE Y. HOLMES,
PROPER PERSON
637 TWILIGHT BLUE AVE.
NORTH LAS VEGAS, NV 89032

I N D E X

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VOLUNTARY STATEMENT

160205-1008

THIS PORTION TO BE COMPLETED BY OFFICER

Specific Crime <u>Harassment</u>	Date Occurred <u>10/2015 - 02/2016</u>	Time Occurred <u>1200 hrs.</u>
Location of Occurrence <u>10550 Patrington Ct. LV, NV 89183</u>	Sector/Beat <u>I4</u>	City <input type="checkbox"/>
		County <input checked="" type="checkbox"/>

Your Name (Last / First / Middle) <u>Holmes Capucine Yolanda</u>						Date of Birth <u>3/10/68</u>		Social Security # <u>[REDACTED]</u>	
Race <u>Blk</u>	Sex <u>F</u>	Height <u>5'6</u>	Weight <u>240</u>	Hair <u>Brown</u>	Eyes <u>Brown</u>	Work Sched. (Hours) <u></u>	Days Off <u></u>	Business / School <u></u>	
Residence Address (Number & Street) Bldg/Apt. # <u>4610 Cliff Breeze</u>						City <u>N. Las Vegas</u>	State <u>NV</u>	Zip Code <u>89108</u>	Res. Phone <u>702 642-2628</u>
Business (Local) Address (Number & Street) Bldg/Apt. # <u></u>						City <u></u>	State <u></u>	Zip Code <u></u>	Bus. Phone <u></u>
Occupation <u>grant writer</u>						Departure Date (If Visitor) <u></u>			
Best place to contact you during the day: <u>702 642-2628</u>						Best time to contact you during the day: <u>702 642-2628</u>			Can you identify the suspect? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

DETAILS:

I'm being stalked, harassed, intimidated, blackmailed and coercion through my estranged husband Will R. Holmes. He is using Facebook to continue to abuse me by utilizing the internet media sources. He has sent me messages, emails and other things to create blackmail coercion and intimidation tactics. He has an injunction not to do these things. However not abiding by it. He has posts that are slanders. He has contacted my friends and potential business associates through messages, emails, phone calls and other forms of communication. He has sent derogatory messages. They have called me about the behavior. I am attending counseling they have stated this is another form of domestic abuse. I have an affair on 2/6/16 at Sun City Anthem - Hannerman Hall. He has posted derogatory messages on the page. I serve as the Vice President of the Detroit Connection. My husband has physically, mentally and verbally abused me over the years. I feel scared of his response/behavior due to me filing for divorce.

For Official Use Only
The Use and Dissemination of this Material is Regulated by Law. Secondary Dissemination of any kind is Prohibited and could subject the offender to Criminal and Civil Liability.
This Information Released To:
Holmes, Capucine Yolanda
By: 15373D Date: 2/05/16
Las Vegas Metro Police Dept.

I HAVE READ THIS STATEMENT AND I AFFIRM TO THE TRUTH AND ACCURACY OF THE FACTS CONTAINED HEREIN. THIS STATEMENT

WAS COMPLETED AT (LOCATION) 400 S. Martin L. King Blvd.ON THE 5th DAY OF February, 2016 AT 0830 ☒ A.M. ☐ P.M.Witness/Officer: Anadeo DiazWitness/Officer: Anadeo Diaz 15373

CONTINUATION

Event #: 160205-1008

My husband has threatened me by stating he would put my head on stick. My husband owns guns. He has used it on me in the past. He hit me with it. He has stated that I should be dead due to the things I have put him through. He has stated he will not know what he would do if he seen me with anyone. I have received calls with no one saying anything. My cousin Kimberly Buyck Akpabio stated she spoke to him and he retrieved my phone records by using the internet. He has my emails converted to his email address. It shows on the emails C.I.E. Will Holmes <ucine68@yahoo.com>. I am scared as he constantly sends me messages and emails and they are derogatory and threatening. Mostly of his verbal statements to me as well.



Administrative

Location 10550 PATRINGTON CT Las Vegas, NV 89183 Sector / Beat 14
Occurred On (Date / Time) Thursday 10/1/2015 12:00:00 AM
Reporting Officer 15373 - Diaz, Amadeo Reported On 2/5/2016
Entered By 15373 - Diaz, Amadeo Entered On 2/5/2016 8:30:08 AM
Related Cases Jurisdiction Clark County

Traffic Report Place Type Accident Involved

Offenses:

Harassment, (1st)(M)-NRS 200.571.2A
Completed Yes Domestic Violence No Hate/Bias
Entry Premises Entered Type Security Tools
Weapons Location Type Other/Unknown
Criminal Activities

Victims:

Name: Holmes, Capucine Yolanda

Victim Type Individual Written Statement Yes Can ID Suspect Yes
Victim of 50328 - Harassment, (1st)(M)-NRS 200.571.2A

DOB 3/10/1968 Age 47 Sex Female Race Black or African American Ethnicity Not Hispanic or Latino

Height 5' 6" Weight 225 Hair Color Brown Eye Color Brown

Employer/School
Occupation/Grade
Injury

Work Schedule
Injury Weapons

The Use and Dissemination of this
Report is Regulated by Law. Secondary
Dissemination of any kind is Prohibited
and could subject the offender to Criminal
and Civil Liability.

Addresses

Residence 10550 Pattrington Ct. Las Vegas, NV 89183 United States

Phones

Cellular (702) 642-2628

Offender Relationships

Notes:

This Information Released To:
Holmes, Capucine Yolanda
By: 15373-D Date: 2/16/16
Las Vegas Metro Police Dept.

Suspects:

Name: Holmes, Wilbert

Alias:

Scope ID DOB 11/21/1948 Age 66 Race Black or African American Ethnicity Not Hispanic or Latino

Sex Male Height 6' 2" Weight 265 Hair Color Brown Eye Color Brown

Employer/School Self Employed Occupation/Grade

Addresses

Residence 10550 Pattrington Ct. Las Vegas, NV 89183 United States

Residence 2675 Agate #247 Las Vegas, NV 89183 United States

Phones

Cellular (702) 217-5752

Notes:

Narrative

On 02/05/2016 at 0845 hours Holmes, Capucine Yolanda came into LVMPD Records to file a police report for Harassment.

Capucine stated that between 10/01/2015 and 02/04/2016 her ex husband Holmes, Wilbert has been harassing her nonstop. Capucine stated that Wilbert harasses her through Facebook, sent messages, emails, and other forms of communication. Capucine stated that she has an injunction against him to not do these things however he is not abiding by the injunction. Capucine also stated that Wilbert has contacted her friends and potential business associates through messages, emails and phone calls. Capucine brought in printed out copies of some of the messages that Wilbert sends her. Some of the messages sent have a derogatory nature. Capucine also mentioned that Wilbert has threatened her life by stating he would put her head on a stick. Capucine is scared for her life due to his responses and behavior ever since filing for divorce.

1 11. Have YOU ever been arrested or charged with domestic violence, or any other crime committed against
2 your spouse, partner, or child(ren)? ☒ Yes ☐ No If yes, WHEN and where?

3 6/15/15 Las Vegas - Las Vegas 15M13321X
4

5
6 12. To your knowledge, has the ADVERSE PARTY ever been arrested or charged with domestic violence, or
7 any other crime committed against his/her spouse, partner, or child(ren)? ☒ Yes ☐ No ☐ I don't know
8 If yes, WHEN and where?

9 1997- Ex-Wife Barbara Holmes -He was arrested in Detroit, Michigan for assualting wife
10 in a elevator- Poured coffee
11

12 13. An emergency exists, and I need a TEMPORARY ORDER FOR PROTECTION AGAINST DOMESTIC
13 VIOLENCE issued immediately, without notice to the Adverse Party, to avoid irreparable injury or harm. I
14 request that it include the following relief, and any other relief the Court deems necessary in an emergency
15 situation. (Please check all the choice(s) that may apply to YOU):

16 ☒ (A) Prohibit the Adverse Party, either directly or through an agent, from threatening, physically
17 injuring, or harassing me and/or the minor child(ren).

18 ☒ (B) Prohibit the Adverse Party from any contact with me whatsoever.

19 ☒ (C) Exclude the Adverse Party from my residence and order the Adverse Party to stay at least 100
20 yards away from my residence.

21 ☐ (D) Obtain law enforcement assistance to ☐ accompany me to the following residence,
22 _____

23 ☐ or ☐ to accompany the Adverse Party to the following residence, _____
24 _____ to obtain personal property.

25 ☐ (E) Grant temporary custody of the minor child(ren) to me.

☐ (F) Order that custody, visitation, and support of the minor child(ren) remain as ordered in the

Decree of Divorce/Order entered in Case Number _____

in the _____ Court of the State of _____

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☐ (G) Order the Adverse Party to stay at least 100 yards away from the minor child(ren)'s school, or day care, located at ☐ **CONFIDENTIAL**. (If confidential, do not write name of school and address here)

☐ If not confidential, write name of school and address(es) below:

1. Name of school/daycare: _____

Address: _____

City _____ County _____ State _____

2. Name of school/daycare: _____

Address: _____

City _____ County _____ State _____

3. Name of school/daycare: _____

Address: _____

City _____ County _____ State _____

☒ (H) Order the Adverse Party to stay at least 100 yards away from my place of employment.

☒ (I) Order the Adverse Party to stay at least 100 yards away from the following places which I or the minor child(ren) frequent regularly:

1. Second Baptist Church

Address: 500 Madison Ave.

City Las Vegas County Clark State NV

2. William Pearson Community Center (meeting place)

Address: 1625 W. Carey Ave

City North Las Vegas County Clark State NV

3. Blue Martini (I perform here as a singer)

Address: Town Square 6593 S. Las Vegas B214

City Las Vegas County Clark State NV

4. Silverton Hotel & Casino (perform here)
3333 Blue Diamond Rd., LV, NV

☐ (J) (1) Prohibit the Adverse Party, either directly or through an agent, from physically injuring or threatening to injure any animal that is owned or kept by the Adverse Party, the minor child(ren), or me.

1 ☒ (J) (2) Prohibit the Adverse Party, either directly or through an agent, from taking possession of
2 any animal owned or kept by me or the minor child(ren).

3 ☒ (K) I further request the following other conditions:

4 Adverse Party Will R. Holmes does not disclose any personal
5 information of the applicant on the internet or other sources.
6 Do not contact people the applicant does business with. Do not attend
7 any meetings or events that the applicant serves as a
8 present or past executive board member or member of
9 Detroit Connection, Inc. Girlfriend, Inc. Urban Chamber, NCBW,
NAACP, Southern Nevada Children's First, Urban League

10 IF YOU WISH TO APPLY FOR A HEARING FOR AN EXTENDED ORDER FOR
11 PROTECTION COMPLETE THE FOLLOWING INFORMATION

12 14. ☒ I request the Court hold a hearing for an EXTENDED ORDER FOR PROTECTION AGAINST
13 DOMESTIC VIOLENCE (which could be in effect for up to one year), and at that hearing the Court issue an
14 Extended Order for Protection Against Domestic Violence and that it include the following relief and any
15 other relief the Court deems appropriate.

(Please check all the choice(s) that may apply to YOU).

- 16 ☒ (A) Prohibit the Adverse Party, either directly or through an agent, from threatening, physically
17 injuring, or harassing me and/or the minor child(ren).
18 ☒ (B) Prohibit the Adverse Party from any contact with me whatsoever.
19 ☒ (C) Exclude the Adverse Party from my residence and order the Adverse Party to stay at least 100
20 yards away from my residence.
21 ☐ (D) Grant temporary custody of the minor child(ren) to me.
22 ☐ (E) Grant the Adverse Party visitation with the minor child(ren).
23 ☐ (F) Order the Adverse Party to pay support and maintenance of the minor child(ren). (You may be
24 required to file an Affidavit of Financial Condition prior to the hearing.)
25 ☐ (G) Order the Adverse Party to pay the rent or make payments on a mortgage or pay towards my
support and maintenance.
☐ (H) Order that custody, visitation, and support of the minor child(ren) remain as ordered in the
Decree of Divorce/Order entered in Case Number _____
in the _____ Court of the State of _____

☐ (I) Order the Adverse Party to stay at least 100 yards away from the minor child(ren)'s school, or day care, located at: ☐ **CONFIDENTIAL** (if confidential, do not write name of school and address here).

☐ If address is not confidential, please write name of school and address(es) below:

1. Name of School/Daycare _____

Address _____

City _____ County _____ State _____

2. Name of School/Daycare _____

Address: _____

City _____ County _____ State _____

3. Name of School/Daycare _____

Address _____

City _____ County _____ State _____

☒ (J) Order the Adverse Party to stay at least 100 yards away from my place of employment.

☒ (K) Order the Adverse Party to stay at least 100 yards away from the following places which I or the minor child(ren) frequent regularly:

1. Name Same as pg #6 Fiesta Hotel and Casino

Address 2400 N. Rancho Dr.

City Las Vegas County NV State NV

2. Name Skinny Duggans

Address 4127 W. Charleston Blvd.

City Las Vegas County Clark State NV

3. Name Silverton Hotel and Casino

Address 3333 Blue Diamond Rd, Las Vegas, NV 89139

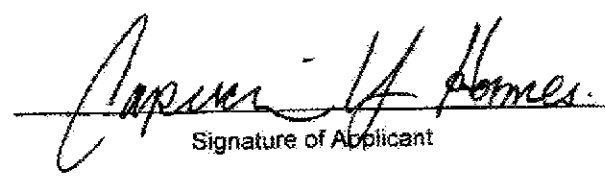
City Las Vegas County Clark State NV

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- ☐ (L) (1) Prohibit the Adverse Party, either directly or through an agent, from physically injuring or threatening to injure any animal that is owned or kept by the Adverse Party, the minor child(ren), or me.
- ☒ (L) (2) Prohibit the Adverse Party, either directly or through an agent, from taking possession of any animal owned or kept by me or the minor child(ren).
- ☐ (L) (3) I request the Court to specify the arrangements for the possession and care of any such animal owned or kept by the Adverse Party, the minor child(ren) or me.
- ☐ (M) Order the Adverse Party to pay for lost earnings and expenses incurred as a result of my attendance at any hearing concerning this Application.
- ☒ (N) I further request the following other conditions:

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF NEVADA THAT
I HAVE READ THE STATEMENTS CONTAINED IN THIS APPLICATION, KNOW THE CONTENTS
THEREFORE, AND BELIEVE THEM TO BE TRUE AND CORRECT

Date 2/8/16


Signature of Applicant

Capucine Yolanda Holmes
Applicant's Name (Please Print)

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NOTICES TO THE ADVERSE PARTY

THIS ORDER IS VALID AND ENFORCEABLE THROUGHOUT THE STATE OF NEVADA.

PURSUANT TO THE VIOLENCE AGAINST WOMEN ACT, 18 U.S.C. §2265, THE EXTENDED ORDER FOR PROTECTION OF THE COURT SHALL BE GIVEN FULL FAITH AND CREDIT IN ANY OTHER STATE OR TRIBAL LAND AND SHALL BE ENFORCED AS IF IT WERE AN ORDER ISSUED IN THAT STATE OR TRIBAL LAND.

IF YOU ARE SUBJECT TO AN EXTENDED ORDER FOR PROTECTION AGAINST DOMESTIC VIOLENCE AND YOU POSSESS, SHIP OR TRANSPORT ANY FIREARM OR AMMUNITION IN INTERSTATE COMMERCE, OR YOU RECEIVE ANY FIREARM OR AMMUNITION WHICH HAS BEEN SHIPPED OR TRANSPORTED IN INTERSTATE OR FOREIGN COMMERCE, YOU MAY BE CONVICTED OF COMMITTING A FEDERAL OFFENSE. 18 U.S.C. §922(g)(8).

IF ANY PERSON SELLS OR OTHERWISE DISPOSES OF ANY FIREARM OR AMMUNITION TO YOU, KNOWING OR HAVING REASONABLE CAUSE TO BELIEVE THAT YOU ARE SUBJECT TO AN ORDER FOR PROTECTION AGAINST DOMESTIC VIOLENCE, THAT PERSON MAY BE CONVICTED OF COMMITTING A FEDERAL OFFENSE. 18 U.S.C. §922(d)(8).

IF YOU TRAVEL ACROSS STATE OR FEDERAL LAND LINES WITH THE INTENT TO VIOLATE THE EXTENDED ORDER FOR PROTECTION AND SUBSEQUENTLY VIOLATE SUCH ORDER, YOU MAY BE CONVICTED OF COMMITTING A FEDERAL OFFENSE UNDER THE VAWA, 18 U.S.C. §2262(a)(1). YOU MAY ALSO BE CONVICTED OF COMMITTING A FEDERAL OFFENSE IF YOU CAUSE THE APPLICANT TO CROSS STATE OR TRIBAL LAND LINES FOR THIS PURPOSE. 18 U.S.C. §2262(a)(2).

IF YOU TRAVEL ACROSS STATE OR TRIBAL LAND LINES WITH THE INTENT TO INJURE THE APPLICANT AND THEN INTENTIONALLY COMMIT A CRIME OF VIOLENCE CAUSING BODILY INJURY TO THE APPLICANT, YOU MAY BE CONVICTED OF COMMITTING A FEDERAL OFFENSE UNDER THE VAWA, 18 U.S.C. §2261(a)(1). YOU MAY ALSO BE CONVICTED OF COMMITTING A FEDERAL OFFENSE IF YOU CAUSE THE APPLICANT TO CROSS STATE OR TRIBAL LAND LINES FOR THIS PURPOSE. 18 U.S.C. §2261(a)(2).

1 **ORDR**
2 **207188**

3 **DISTRICT COURT**
4 **FAMILY DIVISION**
5 **CLARK COUNTY, NEVADA**


6 **CLERK OF THE COURT**

7 Case No. T16171478T

8 Dept No. TPO/I

9 **CAPUCINE HOLMES**

10 Applicant,

11 vs.

12 **WILBERT ROY HOLMES**

13 Adverse Party,

**TEMPORARY ORDER
FOR PROTECTION AGAINST
DOMESTIC VIOLENCE**

Date Issued: 05/12/16

Date Expires: 06/02/16

VIOLATION OF THIS ORDER IS A CRIME

14 **YOU, THE ADVERSE PARTY, ARE NOTIFIED THAT YOU CAN BE ARRESTED** even if the person who obtained this Order invites or allows you to contact them. You have the sole responsibility to avoid or refrain from violating the terms of this Order. Only the Court can change this Order upon written application.

15 **YOU ARE FURTHER NOTIFIED THAT IF YOU ARE ARRESTED FOR VIOLATING THIS ORDER** you will not be admitted to bail sooner than 12 hours after your arrest if: (1) the arresting officer determines that the violation is accompanied by a direct or indirect threat of harm; or (2) you have previously violated a temporary or extended order for protection of the type for which you have been arrested; or (3) at the time of the violation or within 2 hours after the violation, you have: (a) a concentration of alcohol of 0.08 or more in your blood or breath; or (b) an amount of a prohibited substance in your blood or urine that is equal to or greater than the amount set forth in subsection 3 of NRS 484.379.

16 **YOU ARE FURTHER NOTIFIED** that child stealing/kidnapping is a felony.

17 **THIS ORDER** is valid and enforceable throughout the State of Nevada. This Order meets all Full Faith and Credit provisions of the Violence Against Women Act, and is enforceable in all 50 states, the District of Columbia, U.S. Territories and Indian Nations. All other courts and law enforcement agencies with jurisdiction within the United States and all Indian Nations shall give full faith and credit to this Order pursuant to 18 U.S.C. Sec. 2265.

19 An application and affidavit having been filed in this Court by the above-named Applicant requesting that a Temporary Order for Protection against Domestic Violence be issued by this Court against **YOU**, the above-named Adverse Party, or the Court having received specific facts by telephone/facsimile pursuant to NRS 33.020(5), and the Court having jurisdiction over the parties and the matter pursuant to NRS 33.010, *et seq.*, and it appearing to the satisfaction of the Court from specific facts shown by a verified application that an act of domestic violence has occurred, there exists a threat of domestic violence, and/or you represent a credible threat to the physical safety of the Applicant or minor child(ren) and good cause appearing for issuing such Order without hearing, **YOU ARE HEREBY ORDERED** as follows:

1 **YOU ARE PROHIBITED**, either directly or through an agent, from threatening, physically
2 injuring or harassing the Applicant and/or minor child(ren). **YOU ARE FURTHER**
3 **PROHIBITED** from selling, damaging, destroying, giving away, or otherwise disposing of, or
tampering with, any property owned by the Applicant, or in which Applicant has an interest;

4 **YOU ARE PROHIBITED** from any contact whatsoever with the Applicant, including but not limited to, in person,
5 by telephone, through the mail, through electronic mail (e-mail), or through another person;

6 1. X **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from Applicant's
7 residence located in CLARK COUNTY, NEVADA. ☐ CONFIDENTIAL, at ☒ 637 TWILIGHT BLUE AVENUE
8 NORTH LAS VEGAS, or any other place that Applicant may reside. **YOU** shall not interfere with Applicant's
9 possession and use of residence, including utilities, phones, leases and other related residential services;

10 2. N/A A law enforcement officer, within whose jurisdiction Applicant/Adverse Party's residence is
11 located, shall on **ONE OCCASION ONLY** accompany Applicant/Adverse Party's to Applicant/Adverse Party's
12 residence located at NOT APPLICABLE and shall stand by while Not Applicable obtains clothing,
13 toiletries and the following additional items: NOT APPLICABLE.

14 **(ANY PROPERTY NOT LISTED ABOVE IN DISPUTE SHALL REMAIN IN THE RESIDENCE UNLESS IT IS**
15 **SPECIFICALLY IDENTIFIED IN THIS ORDER)**

16 3. N/A The Court, having jurisdiction under and meeting the requirements of Chapter 125A of the
17 Nevada Revised Statutes (UCCJA), grants to Applicant temporary custody of the following minor child(ren) of the
18 parties: NOT APPLICABLE; **YOU ARE PROHIBITED** from interfering with Applicant's custody of
19 the minor child(ren) named in this paragraph. It is in the best interest of the child(ren) that no negative, insulting, or
disparaging comments be made by one party against the other party in the presence of the minor child(ren);

20 4. N/A Custody, visitation, and support of the minor child(ren) of the parties shall remain as ordered in
21 the Decree of Divorce/Order entered between the parties in Case Number NOT APPLICABLE in the NOT
22 APPLICABLE Judicial District Court of the State of Nevada;

23 5. N/A **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from the minor
24 child(ren)'s school, or day care, including, but not limited to the places listed below; located in CLARK COUNTY,
25 NEVADA ☐ CONFIDENTIAL, or at.

1
2 6. X **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from these place(s) of
3 employment or any other place that Applicant may be employed. **YOU ARE PROHIBITED** from any contact
4 whatsoever with Applicant's place of employment, in person, by telephone, by mail, or any other means of
5 communication, located in CLARK COUNTY, NEVADA, ☒ CONFIDENTIAL, at .

6 7. X **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from the following
7 places, frequented regularly by Applicant and/or minor child(ren) located in CLARK COUNTY, NEVADA, ☐
8 CONFIDENTIAL, at ☒ 500 MADISON AVENUE, LAS VEGAS.

9 8. X The following provisions and exceptions are made a part of the order:
10 HEARING TO EXTEND TPO JUNE 2, 2016 9:00AM.

11 **THIS ORDER WILL REMAIN IN EFFECT UNTIL 11:59 P.M. ON THE DATE SET FORTH ON PAGE 1**
12 **UNLESS THE JUDGE ORDERS OTHERWISE.** If an Application for an Extended Order is filed, this Temporary
13 Order will remain in effect until the hearing on an extended order is held.

14 If you wish to dispute the order or have it changed, you may request a hearing by filing a written request with
15 this Court. Court staff will give you information about how to file your request. The Court will set a hearing on your
16 request as quickly as possible.

17 **IT IS FURTHER ORDERED** that a copy of this Order shall be transmitted forthwith together with the verified
18 Application and supporting Affidavit, to the Clark County Sheriff's Civil Bureau, who will promptly attempt to serve
19 the same upon the Adverse Party, and upon service, file a Return of Service form with the Court by the end of the
20 next business day after service is made.

1
2 **ORDER TO LAW ENFORCEMENT**

3 (A) Any law enforcement officer who has probable cause to believe a violation of any provision of this Order
4 has occurred is ordered to arrest the Adverse Party. Such party is to be charged with a criminal violation of this
5 Order, in addition to any other criminal charges which may be justified.

6 (B) If such law enforcement officer cannot verify that the Adverse Party was served with a copy of the
7 Application and Order, the officer shall inform the Adverse Party of the following: (1) the specific terms of this
8 Order; (2) that the Adverse Party now has notice of the provisions of this Order; (3) that a violation of this Order will
9 result in the Adverse Party's arrest; (4) the location of the Court that issued the original Order and the hours during
10 which the Adverse Party can obtain a copy of the Order; and (5) the date and time set for a hearing on an
11 Application for an Extended order, if any. The law enforcement officer shall then provide written proof of notice to
12 the officer's agency and to the court.

13 (C) It shall be the duty of the law enforcement officer serving this Order to remove the Adverse Party from
14 Applicant's residence as set forth in paragraph 1.

15 **All fees are deferred.**

16 **IT IS ORDERED, ADJUDGED AND DECREED that the herein Temporary Protection Order Findings and**
17 **Recommendations are hereby approved. These Orders are effective immediately.**

18 **DATED: May 12, 2016**

19 

20 _____
21 **District Court Judge**
22 **(For Assigned Judge)**
23
24
25

NOTICES TO THE ADVERSE PARTY

THIS ORDER IS VALID AND ENFORCEABLE THROUGHOUT THE STATE OF NEVADA.

PURSUANT TO THE VIOLENCE AGAINST WOMEN ACT, 18 U.S.C. §2265, THE TEMPORARY ORDER FOR PROTECTION OF THE COURT SHALL BE GIVEN FULL FAITH AND CREDIT IN ANY OTHER STATE OR TRIBAL LAND AND SHALL BE ENFORCED AS IF IT WERE AN ORDER ISSUED IN THAT STATE OR TRIBAL LAND.

IF YOU TRAVEL ACROSS STATE OR TRIBAL LAND LINES WITH THE INTENT TO INJURE THE APPLICANT AND THEN INTENTIONALLY COMMIT A CRIME OF VIOLENCE CAUSING BODILY INJURY TO THE APPLICANT, YOU MAY BE CONVICTED OF COMMITTING A FEDERAL OFFENSE UNDER THE VAWA, 18 U.S.C. §2261(a)(1). YOU MAY ALSO BE CONVICTED OF COMMITTING A FEDERAL OFFENSE IF YOU CAUSE THE APPLICANT TO CROSS STATE OR TRIBAL LAND LINES FOR THIS PURPOSE. 18 U.S.C. §2261(a)(2).

IF YOU TRAVEL ACROSS STATE OR FEDERAL LAND LINES WITH THE INTENT TO VIOLATE THE TEMPORARY ORDER FOR PROTECTION AND SUBSEQUENTLY VIOLATE SUCH ORDER, YOU MAY BE CONVICTED OF COMMITTING A FEDERAL OFFENSE UNDER THE VAWA, 18 U.S.C. §2262(a)(1). YOU MAY ALSO BE CONVICTED OF COMMITTING A FEDERAL OFFENSE IF YOU CAUSE THE APPLICANT TO CROSS STATE OR TRIBAL LAND LINES FOR THIS PURPOSE. 18 U.S.C. §2262(a)(2).

1 APPO

Anna L. Schuman

CLERK OF THE COURT

DISTRICT COURT,
FAMILY DIVISION,
CLARK COUNTY, NEVADA

2
3 Capucine Y Holmes

4 Capucine Yolanda Holmes

5 Applicant,

T-16-171478-T

Case No. T

6 vs.

J

7 Wilbert Roy Holmes

8 Adverse Party.

9 APPLICATION FOR A TEMPORARY AND/OR EXTENDED ORDER FOR PROTECTION
AGAINST DOMESTIC VIOLENCE

10 Please write or print clearly. Use black or dark blue ink. Complete this Application to the best of your
11 knowledge.

12 Applicant states the following facts under penalty of perjury:

13 1. Applicant's Date of Birth: 3/10/68 Adverse Party's Date of Birth: 11/21/46

Relationship: I am the WIFE

(for example, wife, ex-husband, girlfriend, father, sister, etc.) of the Adverse Party.

14 A. Length of relationship: 16 years

15 B. Have you ever lived together? Yes ☒ No ☐ If so, how long? _____

16 C. Are you living together now? Yes ☐ No ☒

17 D. Date of Separation: 10/16/15

E. We have child(ren) TOGETHER: Yes ☐ No ☒ If yes, where and with whom are these
child(ren) living? _____

18 2. My address is: ☒ CONFIDENTIAL. (If confidential, do not write address here)

19 If address is not confidential, write below:

20 Address 637 Twilight Blue

21 City North Las Vegas County CL State NV

I ☐ own ☐ rent this residence. Lease/title is held in all the following name(s):

22 A Friend's Home

23 How long have you been living in this residence? 4.5 months

24 3 Adverse Party's address is:

Address 10550 Patrington Ct.

(Phone) (702) 270 4312

25 City Las Vegas County Clark State NV Zip Code 89183

How long has the Adverse Party been living in this residence? 16 years

-1-

T: NO CODE APP012109

-2-

(b) Have you or the Adverse Party ever been awarded custody/guardianship of the minor child(ren) by Court Order? ☐ Yes ☐ No

Who was awarded custody/guardianship? ☐ Applicant ☐ Adverse Party

By what Court? _____

Court Case No. (if known) _____

NAME (first and last)	DATE OF BIRTH	APPLICANT'S CHILD (Yes/No)	ADVERSE PARTY'S CHILD (Yes/No)	WHO CHILD LIVES WITH
1.		Yes Circle one	No Yes Circle one	No Yes Circle one
2.		Yes Circle one	No Yes Circle one	No Yes Circle one
3.		Yes Circle one	No Yes Circle one	No Yes Circle one
4.		Yes Circle one	No Yes Circle one	No Yes Circle one
5.		Yes Circle one	No Yes Circle one	No Yes Circle one
6.		Yes Circle one	No Yes Circle one	No Yes Circle one

6. (a) The name(s) and date(s) of birth of the minor child(ren) of whom I am the parent, appointed guardian or who live in my home, are as follows:

Adverse Party's employer is Self employed

Address: 10550 Pattington Ct.

City: Las Vegas State: NV Zip Code: 89183

Name of employer: _____

Address: _____

City: _____ State: _____

4 My place of employment is ☒ CONFIDENTIAL (If confidential, do not write address here) If not confidential, state place of employment.

7. Please check the appropriate box, IF YOU or the ADVERSE PARTY have ever filed a case in any court for a ☒ Divorce, ☐ Custody, ☐ Paternity, ☐ Child Support, ☐ Guardianship, ☒ Order for Protection Against Domestic Violence, ☐ Stalking/Harassment Order. Please indicate when and where the case(s) was filed, and list the case number(s) if known.

11/9/15 CLARK COUNTY FAMILY COURT
2/10/16 T16169488T TPO/J

8. (a) Has CHILD PROTECTIVE SERVICES (CPS) ever been contacted regarding any member of the household in the past year ☐ Yes ☐ No

(b) Is CPS currently involved with this family? ☐ Yes ☐ No

If yes, give details, including the caseworker's name:

9. (a) Does the Adverse Party possess a firearm, or does the Adverse Party have a firearm under his or her custody or control? ☒ Yes ☐ No ☐ I don't know.

(b) Has the Adverse Party ever threatened, harassed, or injured you, the minor child(ren), or anyone else with a firearm or any other weapon? ☒ Yes ☐ No ☐ I don't know.

If yes, give details:

2012-2013
He has hit me with a gun and I fell down then he kicked and spit on me. He has put a gun to my head and has told me I should be dead. He has ²⁰¹⁶left a large # of threatening voice mails stating he will not do a day in jail because he is declared insane. He will have sex with me, even if he has to take it (rape) over and over again.

10. (a) ☒ I have been or reasonably believe I will become a victim of domestic violence committed by the Adverse Party.

(b) ☐ The child(ren) have been or are in danger of becoming a victim of domestic violence committed by the Adverse Party.

1 In the following space, state the facts which support your Application. Be as specific as you can, starting with the most recent incident. Include the approximate dates and locations, and whether law enforcement or medical personnel have been involved.

THIS APPLICATION IS A PUBLIC RECORD

4 MR. WILBERT HOLTS has left a large sum of

5 threatening and harassing voice-mails day and
6 night back to back, stating threatening acts that
7 will be done to me. ~~Wilbert~~ He stated that
8 I should be dead and he will get revenge. Also,
9 I wish I was dead after he got through. I
10 should watch myself. He says we has eyes on
11 me and can get information about me. He
12 stated that he is going to have sex with me
13 even if he has to take it (rape). He stated he
14 is going crazy. He is not in control of what he
15 does. He has lost mental capacity. He said he
16 will not do a day in jail because he has been
17 declared insane. Also, stated he talked to a
18 psychiatrist. Mr. Holmes posted on the
19 internet that he has guns and ~~has~~ has
20 went to get a concealed weapon permit.
21 I know that Mr. Holmes has weapons.
22 He has posted weapons on the internet. I
23 have the recordings of the voice-mails.
24 He is harassing and threatening I am
25 scared and in fear of my life.
26 His threats started again on April 13, 2016 and to this

PLEASE DO NOT WRITE ON THE BACKS OF ANY PAGES.

day he is posting outrageous things on Facebook. See

Attachments

TI: NO CODE APP#12165

I wish she had been that good to me. That I would not mind risking a violent painful death
by some crazed (temporary insanity) husband.

(I wonder what Arabs do to ADULTERS?)
call me "AHBO BEN HASSIN WILL HOLMES"...lol

SHE and YOU have nothing coming but to pay my atty fees, and for "me" to receive alimony from your rich? ass....lol.

You will soon be writing and bankrolling a grant for me with your money. :) Mr Grant Writer! That's one of the things that's keeping you ALL.....today.

Your sure love that woman?

Damn I am a black man born and raised in
DETROIT MICHIGAN
and you my wife in your bed right now and I haven't "had that thing" since
September and you have been hittin it for over a year
and I know where you live. Go head...SUGARDADDY you a bad man!

More of this to come until the Divorce is final.

(well at least I am not posting this stuff on FACEBOOK. ..not yet!)

For Real,

Will Holmes...the DISTURBED ONE(ask my shrink)

702 281 5752

----- Original message -----From:
2:43 AM (GMT-08:00) To:

Date: 04/16/2016

Subject: Missing Cap...

From: wholmes711@aol.com (wholmes711@aol.com)

To: ucine68@yahoo.com; ucine68@gmail.com;

Date: Saturday, April 16, 2016 5:45 PM

CAPUCINE,

WHY DO I MISS YOU SO MUCH...EVERY DAY AND NIGHT?? I CAN'T
CONTROL MY THOUGHTS ABOUT YOU. WOW, YOU HAVE SOME
AFFECT ON A MAN. GOD BLESSED YOU WITH "IT".

WILL

Sent from AOL Mobile Mail

2675 Agate #27 89183.



PHOTOGRAPH



PHOTOGRAPH

PHOTOGRAPH

He posted this on
Facebook on May 1, 2016



WILLIAM B. HARRIS

Look out: JAMES BOND





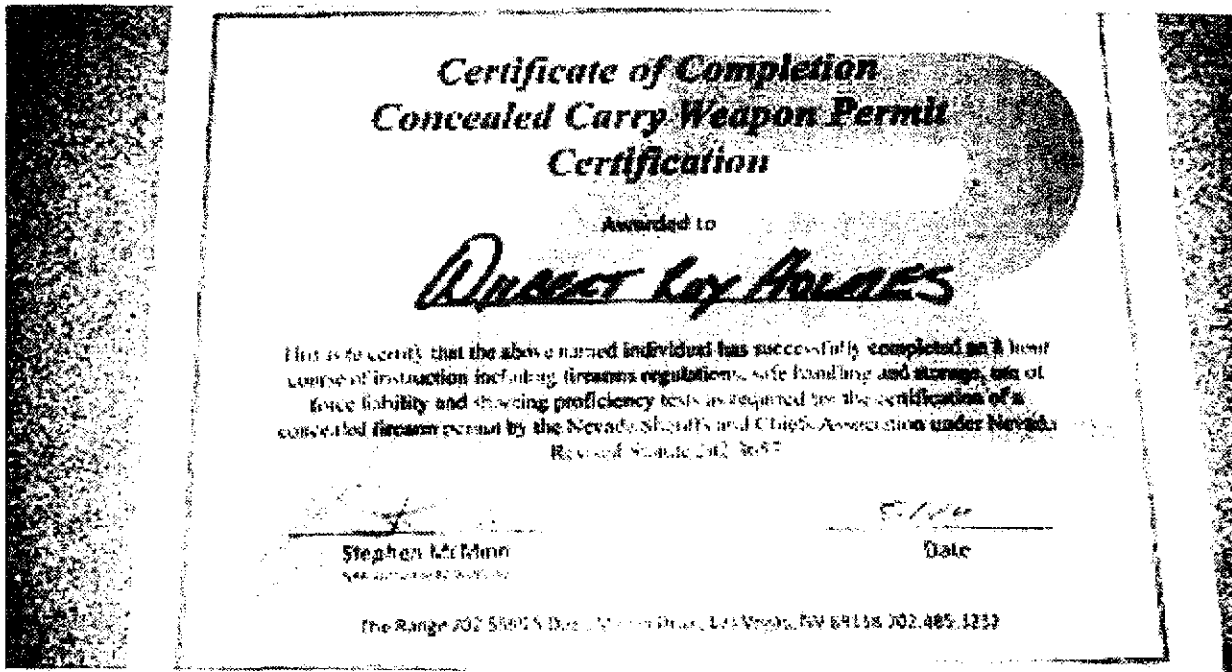
THE RANGE

THE ULTIMATE SHOOTING EXPERIENCE



1. The first...

Again...



11. Have YOU ever been arrested or charged with domestic violence, or any other crime committed against your spouse, partner, or child(ren)? ☒ Yes ☐ No If yes, WHEN and where?

10/15/15 - LAS Vegas 15M13321X

12. To your knowledge, has the ADVERSE PARTY ever been arrested or charged with domestic violence, or any other crime committed against his/her spouse, partner, or child(ren)? ☒ Yes ☐ No ☐ I don't know If yes, WHEN and where?

1997 - EX WIFE - Barbara Holmes - Detroit, Michigan

13. An emergency exists, and I need a TEMPORARY ORDER FOR PROTECTION AGAINST DOMESTIC VIOLENCE issued immediately, without notice to the Adverse Party, to avoid irreparable injury or harm. I request that it include the following relief, and any other relief the Court deems necessary in an emergency situation. (Please check all the choice(s) that may apply to YOU):

☒ (A) Prohibit the Adverse Party, either directly or through an agent, from threatening, physically injuring, or harassing me and/or the minor child(ren).

☒ (B) Prohibit the Adverse Party from any contact with me whatsoever.

☒ (C) Exclude the Adverse Party from my residence and order the Adverse Party to stay at least 100 yards away from my residence.

☐ (D) Obtain law enforcement assistance to ☐ accompany me to the following residence,

or ☐ to accompany the Adverse Party to the following residence,

_____ to obtain personal property.

☐ (E) Grant temporary custody of the minor child(ren) to me.

☐ (F) Order that custody, visitation, and support of the minor child(ren) remain as ordered in the

Decree of Divorce/Order entered in Case Number _____

in the _____ Court of the State of _____

☐ (G) Order the Adverse Party to stay at least 100 yards away from the minor child(ren)'s school, or day care, located at ☐ CONFIDENTIAL. (If confidential, do not write name of school and address here)

☐ If not confidential, write name of school and address(es) below.

1. Name of school/daycare: _____

Address: _____

City _____ County _____ State _____

2. Name of school/daycare: _____

Address: _____

City _____ County _____ State _____

3. Name of school/daycare: _____

Address: _____

City _____ County _____ State _____

☒ (H) Order the Adverse Party to stay at least 100 yards away from my place of employment.

☒ (I) Order the Adverse Party to stay at least 100 yards away from the following places which I or the minor child(ren) frequent regularly:

1. Second Baptist Church

Address: 500 Madison Ave

City Las Vegas County Clark State NV

2. _____

Address: _____

City _____ County _____ State _____

3. _____

Address: _____

City _____ County _____ State _____

☒ (J) (1) Prohibit the Adverse Party, either directly or through an agent, from physically injuring or threatening to injure any animal that is owned or kept by the Adverse Party, the minor child(ren), or me.

1 ☒ (J) (2) Prohibit the Adverse Party, either directly or through an agent, from taking possession of
2 any animal owned or kept by me or the minor child(ren).

3 ☒ (K) I further request the following other conditions:

4 ADVERSE PARTY WILL R. HOLMES DOES NOT DISCLOSE ANY PERSONAL
5 INFORMATION OF THE APPLICANT ON THE INTERNET OR OTHER SOURCES
6 DO NOT CONTACT PEOPLE THE APPLICANT DOES BUSINESS WITH. DO NOT ATTEND
7 ANY MEETINGS OR EVENTS THAT THE APPLICANT SERVES AS A PRESENT
8 OR PAST EXECUTIVE BOARD MEMBER OR MEMBER OF DETROIT CONNECTION
9 GIRLFRIEND INC, URBAN CHAMPION NARCP, NCBW SOUTHERN NEVADA
10 CHILDREN'S FIRST, URBAN LEAGUE. ALSO TO STOP ANY PERSECUTORY
11 INTERNET BULLYING/HARRASSMENT.

12 IF YOU WISH TO APPLY FOR A HEARING FOR AN EXTENDED ORDER FOR
13 PROTECTION COMPLETE THE FOLLOWING INFORMATION

14 14. ☒ I request the Court hold a hearing for an EXTENDED ORDER FOR PROTECTION AGAINST
15 DOMESTIC VIOLENCE (which could be in effect for up to one year), and at that hearing the Court issue an
16 Extended Order for Protection Against Domestic Violence and that it include the following relief and any
17 other relief the Court deems appropriate.

18 (Please check all the choice(s) that may apply to YOU).

- 19 ☒ (A) Prohibit the Adverse Party, either directly or through an agent, from threatening, physically
20 injuring, or harassing me and/or the minor child(ren).
21 ☒ (B) Prohibit the Adverse Party from any contact with me whatsoever.
22 ☒ (C) Exclude the Adverse Party from my residence and order the Adverse Party to stay at least 100
23 yards away from my residence.
24 ☐ (D) Grant temporary custody of the minor child(ren) to me.
25 ☐ (E) Grant the Adverse Party visitation with the minor child(ren).
26 ☐ (F) Order the Adverse Party to pay support and maintenance of the minor child(ren). (You may be
required to file an Affidavit of Financial Condition prior to the hearing.)
☐ (G) Order the Adverse Party to pay the rent or make payments on a mortgage or pay towards my
support and maintenance.
☐ (H) Order that custody, visitation, and support of the minor child(ren) remain as ordered in the
Decree of Divorce/Order entered in Case Number _____
in the _____ Court of the State of _____

☐ (I) Order the Adverse Party to stay at least 100 yards away from the minor child(ren)'s school, or day care, located at: ☐ CONFIDENTIAL (If confidential, do not write name of school and address here).

☐ If address is not confidential, please write name of school and address(es) below:

1. Name of School/Daycare _____

Address _____

City _____ County _____ State _____

2. Name of School/Daycare _____

Address: _____

City _____ County _____ State _____

3. Name of School/Daycare _____

Address _____

City _____ County _____ State _____

☒ (J) Order the Adverse Party to stay at least 100 yards away from my place of employment.

☒ (K) Order the Adverse Party to stay at least 100 yards away from the following places which I or the minor child(ren) frequent regularly:

1. Name _____

Address _____

City _____ County _____ State _____

2. Name _____

Address _____

City _____ County _____ State _____

3. Name _____

Address _____

City _____ County _____ State _____

1 ☐ (L) (1) Prohibit the Adverse Party, either directly or through an agent, from physically injuring or
2 threatening to injure any animal that is owned or kept by the Adverse Party, the minor child(ren), or
3 me.

4 ☒ (L) (2) Prohibit the Adverse Party, either directly or through an agent, from taking possession of any
5 animal owned or kept by me or the minor child(ren).

6 ☐ (L) (3) I request the Court to specify the arrangements for the possession and care of any such
7 animal owned or kept by the Adverse Party, the minor child(ren) or me.

8 ☐ (M) Order the Adverse Party to pay for lost earnings and expenses incurred as a result of my
9 attendance at any hearing concerning this Application.

10 ☐ (N) I further request the following other conditions:
11 _____
12 _____
13 _____
14 _____
15 _____

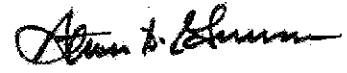
16 I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF NEVADA THAT
17 I HAVE READ THE STATEMENTS CONTAINED IN THIS APPLICATION, KNOW THE CONTENTS
18 THEREFORE, AND BELIEVE THEM TO BE TRUE AND CORRECT

19 Date 5/10/16
20 _____

21 Capucine Holmes
22 _____
23 Signature of Applicant

24 Capucine Holmes
25 _____
Applicant's Name (Please Print)

1 **ORDR**
2 207188


CLERK OF THE COURT

3 **DISTRICT COURT**
4 **FAMILY DIVISION**
5 **CLARK COUNTY, NEVADA**

Case No. **T16171478T**

Dept. No. **TPO/J**

6 **CAPUCINE HOLMES**,
7 Applicant,

EXTENDED ORDER
FOR PROTECTION AGAINST
DOMESTIC VIOLENCE

8 vs.

Date Issued: **06/02/16**

9 **WILBERT ROY HOLMES**,
Adverse Party,

Date Expires: **10/11/16**

10 **YOU ARE HEREBY NOTIFIED** that any **VIOLATION OF THIS ORDER IS A CRIMINAL VIOLATION** and will result in a
11 misdemeanor offense, unless a more severe penalty is prescribed by law. If the violation is accompanied by a violent physical
12 act, sentence will include incarceration of not less than five days nor more than six months in the county/city jail; \$1,000.00 fine
or a minimum of 200 hours community service; reimbursement of all costs, fees and medical expenses incurred; and
participation in professional counseling.

13 **YOU ARE FURTHER NOTIFIED** that you **CAN BE ARRESTED** even if the person who obtained the order invites or
14 allows you to contact them. You have the sole responsibility to avoid or refrain from violating the terms of this order. Only the
court can change the order upon written application.

15 **YOU ARE FURTHER NOTIFIED** that if you **ARE ARRESTED FOR VIOLATING THIS ORDER** you will not be admitted
to bail sooner than 12 hours after your arrest if the arresting officer determines that the violation is accompanied by a direct
threat of harm.

16 **YOU ARE FURTHER NOTIFIED** that child stealing is a felony offense, punishable by possible incarceration.

17 **WARNING:** Possession of a firearm or ammunition while this order is in effect may constitute a felony under
18 federal law punishable by a fine of up to \$250,000 and/or a prison sentence of up to ten (10)
years.

19 This order meets all Full Faith and Credit provisions of the Violence Against Women Act and is enforceable in
20 all 50 states, the District of Columbia, U.S. Territories and Indian Nations. All other courts and law enforcement with
jurisdiction within the United States and all Indian Nations shall give full faith and credit to this Order pursuant to 18
U.S.C. Sec. 2265. Violation of the order may subject you, the offender, to federal charges and punishment pursuant to
18 U.S.C. Sec 2261(a)(1) and (2) and 2262(a)(1) and (2).

21 The court having considered the filings, testimony and evidence presented at hearing, and the
22 court having found that the Adverse Party received actual notice of hearing at which such person
23 had an opportunity to participate, and the Adverse Party ☒ was present ☐ was not present, ☐
was represented by counsel, NOT APPLICABLE, and the Applicant ☒ was present ☐
24 was represented by counsel, NOT APPLICABLE, and the Court having jurisdiction over
the parties and this matter pursuant to NRS 33.010, et seq., and it appearing to the satisfaction of
25 the Court from specific facts shown that an act of domestic violence has occurred and/or you
represent a credible threat to the physical safety of the above-named Applicant or minor child(ren),
the court enters an extended order and as a result:

1 **YOU ARE PROHIBITED**, either directly or through an agent, from threatening, physically injuring or harassing
2 the above-named Applicant and/or minor child(ren), and from selling, damaging, destroying, giving away, or
3 otherwise disposing of, or tampering with, any property owned by the Applicant, or in which Applicant has an
4 interest;

5 **YOU ARE PROHIBITED** from any contact whatsoever with the Applicant, including but not limited to, in
6 person, by telephone, through the mail, through electronic mail (e-mail), or through another person;

7 1. X **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from Applicant's
8 residence located in CLARK COUNTY, NEVADA , ☐ CONFIDENTIAL , at ☒ 637 TWILIGHT BLUE AVENUE
9 NORTH LAS VEGAS or any other place that Applicant may reside. **YOU** shall not interfere with Applicant's
10 possession and use of residence, including utilities, phones, leases and other related residential services;

11 2. N/A The Court, having jurisdiction under and meeting the requirements of Chapter 125A of the
12 Nevada Revised Statutes (NCCJA), grants to Applicant temporary custody of the following minor child(ren) of the
13 parties: NOT APPLICABLE ; **YOU ARE PROHIBITED** from interfering with Applicant's custody of
14 the minor child(ren) named in this paragraph. It is in the best interest of the child(ren) that no negative, insulting, or
15 disparaging comments be made by one party against the other party in the presence of the minor child(ren);

16 3. N/A **YOU ARE GRANTED** visitation with the minor child(ren): NOT APPLICABLE ,
17 under the following terms and conditions: NOT APPLICABLE .

18 4. N/A **YOU ARE ORDERED** to pay support and maintenance of the minor child(ren) as set forth in
19 the attached addendum.

20 5. N/A **YOU ARE ORDERED** to pay the rent or make payments on a mortgage on the Applicant's
21 place of residence or pay towards the support and maintenance of the Applicant, as follows: NOT
22 APPLICABLE .

23 6. N/A Custody, visitation, and support of the minor child(ren) of the parties shall remain as ordered in
24 the Decree of Divorce/Order entered between the parties in case number NOT APPLICABLE , in the NOT
25 APPLICABLE Court of the State of Nevada;

1 7. N/A YOU ARE EXCLUDED AND ORDERED to stay at least 100 yards away from the minor
2 child(ren)'s school, or day care, located in ☐ CONFIDENTIAL, at ☒ Not Applicable, or any other school or
3 day care that the child(ren) may be attending;

4 8. X YOU ARE EXCLUDED AND ORDERED to stay at least 100 yards away from Applicant's place
5 of employment located in CLARK COUNTY, NEVADA, ☒ CONFIDENTIAL, at , or any other place that Applicant
6 may be employed. YOU ARE PROHIBITED from any contact whatsoever with Applicant's place of employment, in
7 person, by telephone, by mail, or any other means of communication;

8 9. X YOU ARE EXCLUDED AND ORDERED to stay at least 100 yards away from the following
9 places, which Applicant and/or minor child(ren) frequents regularly listed as/described as: , located in CLARK
10 COUNTY, NEVADA ☐ CONFIDENTIAL, at ☒ 500 MADISON AVENUE, LAS VEGAS.

11 10. X Notwithstanding other provisions of this order, the following provisions and exceptions are made
12 a part of this order:

13 ADVERSE PARTY MAY CORRESPOND WITH APPLICANTS COUNSEL (KIMBLE-SIMMS) REGARDING
DIVORCE PROCEEDINGS.

14 11. THIS ORDER WILL REMAIN IN EFFECT UNTIL 11:59 P.M. ON THE DATE SET FORTH ON PAGE
15 1, UNLESS THE JUDGE ORDERS OTHERWISE.

ORDER TO LAW ENFORCEMENT

(A) Any law enforcement officer who has probable cause to believe a violation of any provision of this Order has occurred is ordered to arrest the Adverse Party. Such party is to be charged with a misdemeanor violation of this Order in addition to any other criminal charges which may be justified.

(B) If such law enforcement officer cannot verify that the Adverse Party was served with a copy of the Application and Order, the officer shall inform the Adverse Party of the specific terms of the Order, inform the Adverse Party that he/she now has notice of the provisions of the Order and that a violation of the Order will result in his/her arrest, and inform the Adverse Party of the location of the court that issued the original order and the hours during which he/she can obtain a copy of the Order. The law enforcement officer shall then provide written proof of notice to his agency and to the Court.

The Adverse Party is assessed cost and fees in the amount of \$00 and payable to N/A

Date: June 14, 2016


District Court Judge

RENA G. HUGHES

JUN 22 2016

CERTIFIED COPY
INSENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

MOT

Marsha Kimble- Simms
Nevada Bar No. 8350
Cheyenne West Corporate Park
Simms Law Firm, Llc
2560 W. Brooks Ave, Suite #101
North Las Vegas, Nevada 89032
(702)275-4185 (o)
(702) 664-0457 (f)
Attorney for Plaintiff
CAPUCINE YOLANDA HOLMES

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CAPUCINE YOLANDA HOLMES,

Applicant,

vs.

WILBERT ROY HOLMES,

Adverse Party,

) Case No.: T16171478T

) Dept No.: TPO/J

) **NOTICE OF MOTION TO AMEND**

) **EXTENDED ORDER FOR PROTECTIVE**

) **AGAINST DOMESTIC VIOLENCE**

) **Date Issued: 06/02/16, Date Expires: 10/11/16**

) **DATE OF HEARING:**

) **TIME OF HEARING:**

TO: Adverse Party WILBERT ROY HOLMES

TO: District Court Judge Rena G. Hughes

YOU ARE REQUIRED TO FILE A WRITTEN RESPONSE TO THIS MOTION WITH THE CLERK OF THE COURT AND TO PROVIDE THE UNDER-SIGNED WITH A COPY OF YOUR RESPONSE WITHIN TEN (10) DAYS OF YOUR RECEIPT OF THIS MOTION. FAILURE TO FILE A WRITTEN RESPONSE WITH THE CLERK OF THE COURT WITHIN TEN (10) DAYS OF YOUR RECEIPT OF THIS MOTION MAY RESULT IN THE REQUESTED RELIEF BEING GRANTED BY THE COURT WITHOUT HEARING PRIOR TO THE SCHEDULED HEARING DATE.

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the undersigned will bring the above and foregoing Motion on for hearing before the Court at the courtroom of the above-entitled court, on the 23 day of August, 2016, at 10:00 a.m./p.m., Department "TPO", of the Eighth Judicial District Court, Family Division, located at 601 N.

(19)

1 Pecos Road, Las Vegas, Nevada 89101.

2 Dated this 15 day of July, 2016.

3 **SIMMS LAW FIRM, LLC**

4
5 By: 

6 Marsha Kimble-Simms, Esq.
7 State Bar of Nevada No. 8530
8 2560 W. Brooks Ave., Suite 101
9 North Las Vegas, Nevada 89032
10 Attorney for Plaintiff,
11 CAPUCINE YOLANDA HOLMES

12 COMES NOW Applicant, CAPUCINE YOLANDA HOLMES, by and through her
13 attorney Marsha Kimble-Simms, Esq., and says that an Order was entered by the above named
14 Court on June 2, 2016 in paragraph (10) ten, page (3) three, lines (10-13) ten through thirteen
15 "Notwithstanding other provisions of this order, the following provisions and exceptions are
16 made a part of this order: ADVERSE PARTY MAY CORRESPOND WITH APPLICANT'S
17 COUNSEL (KIMBLE-SIMMS) REGARDING DIVORCE PROCEEDINGS."

18 Applicant moves that the attached order be changed, modified, and or/amended as
19 follows: Remove or abolished the aforementioned provisions and exceptions from and
20 provisions in the order for the following reasons: Attorney Marsha Kimble-Simms, Esq.,
21 contacted the was advised by North Las Vegas Police Department that since the court made an
22 exception to the no contact order that they could would have a difficult time protecting me from
23 the adverse party. I am requesting that in light of the aforementioned that Order be amended
24 removing the exception that allows the Defendant to correspond with me or contact me.

25 I respectfully, request that the Court grant my relief.

26 Dated: July 15, 2016

27 Submitted by: 

28 Marsha Kimble-Simms, Esq.

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DECLARATION IN SUPPORT OF MOTION TO AMEND

The Adverse party on July, 14, 2016, called me after hours at 6:00pm. I could not take the call because I was having dinner with my family. I returned the call. Adverse party wanted me to located the applicant and get her to agree to place a Motion on Calendar. I advised him that I would consult with my client.

On July 14, 2016, Adverse party sent a text message to my cell phone with a picture of me stating the following: Please call in the morning as discussed THANK YOU....who is that next to you?...a client that you can't reach....

I awoke at 1:15am and looked at my telephone. I sent Mr. Holmes a text and I called him informing him that he had crossed the line and not to contact me again. I do not recall the entire conversation, however, I was frightened, scared, and upset and angry. I feel threatened by his behavior and I do not want him to have the power to contact me because the court said he could. His behavior is threatening to myself and shows a lack of regard for my person and my family. He has sent over 300 emails to the Applicant, pictures of guns indicating that he is going to kill her and now that he cannot contact her, abuse, or stalk her he harassing and stalking me. He then sent me several more texts at 1:31am, at 1:35am, 1:39am, 1:40am, at 1:41am, at 1:43am, at 1:54am.

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

DATED July 18, 2016.

Submitted By:


Marsh Kimble-Simms, Esq.

Heather L. Hume
CLERK OF THE COURT

OST

Nevada Bar No. 8350
Cheyenne West Corporate Park
Simms Law Firm, Llc
2560 W. Brooks Ave, Suite #101
North Las Vegas, Nevada 89032
(702)275-4185 (o), 702) 664-0457 (f)
Attorney for CAPUCINE YOLANDA HOLMES

DISTRICT COURT
CLARK COUNTY, NEVADA

CAPUCINE YOLANDA HOLMES,

Plaintiff,

vs.

WILBERT ROY HOLMES,

Defendant.

Case No.: T16171478T

Dept No.: TPO/J

ORDER SHORTENING TIME

Upon application of the Movant, appearing in by and through her attorney Marsha Kimble-Simms, Esq., of the SIMMS LAW FIRM, LLC, and good cause appearing therefore:

IT IS HEREBY ORDERED that the time for hearing Movant's CAPUCINE YOLANDA HOLMES is hereby shortened and shall be heard on the 2nd day of

August, 20 16 at the hour of 9:00 A.m. in Department T.P.O

DATED this 20th day of July, 20 16.

William L. Craft (Sr.)
DISTRICT COURT JUDGE

Submitted By *[Signature]*

MARSHA KIMBLE-SIMMS, ESQ.

RECEIVED

JUL 20 2016

DOMESTIC VIOLENCE

TO: Chief Judge Natalie Tyrell
FROM: Capucine Holmes
DATE: June 16, 2016
RE: **Abuse of Process NRS 18.010 Wilbert Holmes/Abuse of Process/Using Court to Harass Capucine Holmes, her friends, and an organization I belong to the Detroit Connection, Inc.**

VIA FASIMILE: 702-455-7832

Please be advised that I am divorcing Mr. Wilbert Holmes, because he was abusive. He is angry and using the Court system to harass me. Mr. Holmes is pretending to be indigent and the Court is waiving his fees. He is filing meritless lawsuits based upon an incident where he was asked to leave an event I was attending because he did not have a ticket. He is manipulating the court system to harass me. I am asking you to dismiss his cases with prejudice because they are an abuse of process, meritless, fraudulent, and a waste of the Courts resources. Attached you will find the following:

A copy of a Protective Order or Restraining Order,

My declaration,

A listing for our home for \$799,000 located at 10550 Patrington Ct., LV, NV,

A copy of a judgment for approximately \$135,000.00 (money Mr. Holmes stole), and

A copy of a Sun City Security Report indicating Mr. Holmes was trespassing at the event in he mentions in the lawsuits.

A copy of his divorce lawyer's Motion to withdraw because of fraud upon the Court.

Declaration of Capucine Holmes

1. That Mr. Holmes is not indigent.
2. That when we married he sold a business for approximately one million dollars.
3. That he stole approximately \$135,000 from his nephew (See attached Judgement.)
4. That he owns our marital home and it is listed for \$799,000.00.
5. That he rents our home using Home Away and others for approximately \$3,000 per week up to \$12,000 a month.
6. That he is hiding his income.
7. That his divorce lawyer withdrew from his case because he was using her services to perpetrate fraud upon the court.
8. He filed three cases #: 16AN000083, 16AN000097 and 16AN000096 based upon one incident.
9. That the incident he is referring to occurred because Mr. Holmes refused to leave an event he did not have a ticket to attend the Detroit Connection Inc., event.
10. That Mr. Holmes was told that all tickets for the event were sold out and that he would be denied entry.
11. That Mr. Holmes refused to leave and Sun City Anthem security asked him to leave.
12. That Henderson police department was called and they asked him to leave.
13. That there is an extended restraining order for Mr. Holmes.

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

Date June, 16, 2016


Capucine Holmes



10550 Patrington Ct,
Las Vegas, NV 89183
5 beds • 4 baths • 4,813 sqft

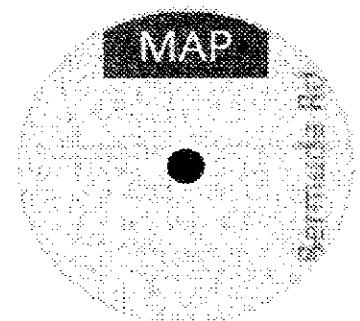
● **FOR SALE**

\$775,000

Zestimate[®]: \$767,169

Est. Mortgage: \$2,879/mo

Financing your new home?



Overview

Spectacular Silverado Ranch home. Incredible Private "Resort" style Backyard w/Enormous Rock Pool w/Waterfalls and Jacuzzi. Beautiful living room with fire place & family and kitchen boast open floorplans.

Suitability: Events Allowed, Long-term Renters Welcome, Minimum Age Limit for Renters, non smoking only, pets considered, wheelchair accessible



WILL HOLMES (Owner)

Member since: 2015

Call Owner

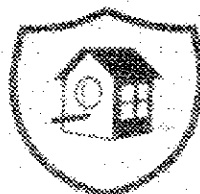
Speaks: english

About WILL HOLMES

Response time: **Within a few hours**

Response rate: **100%**

Calendar last updated: **June 28, 2015**



Overview

Las Vegas House Rental Photos and Description

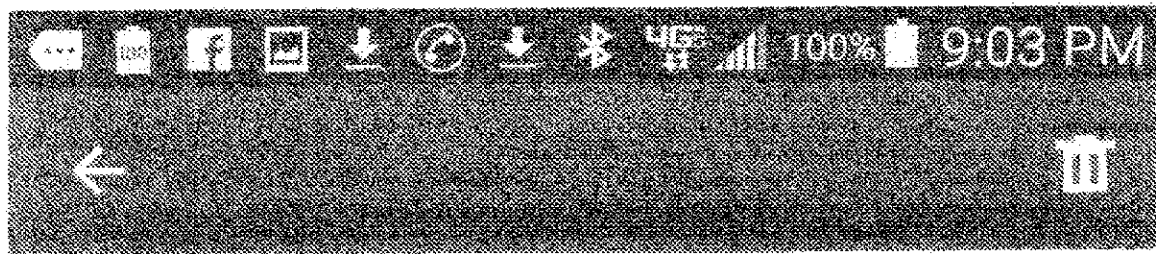
HALF ACRE LOT...POOL AND SPA.....8 MINUTES FROM
"THE STRIP"

Beautiful upscale large home on rare half acre lot in quiet gated community. Marble tiled flooring, natural rock 40ft by 20 ft swimming pool and spa, sports court, courtyard/natural rock fountain, jacuzzi bathtub in master bedroom with other extras. Beautiful upscale large home on rare half acre lot in quit gated community. Marble tiled flooring, natural rock 40ft by 20 ft swimming pool and spa, sports court, courtyard/natural rock fountain, jacuzzi bathtub in master bedroom with other extras.

Spectacular Silverado Ranch home. Incredible Private "Resort" style Backyard w/Enormous Rock Pool w/Waterfalls and Jacuzzi. Beautiful living room with fire place & family and kitchen boast open floorplans.

Suitability: Events Allowed, Long-term Renters Welcome, Minimum Age Limit for Renters, non smoking only, pets considered, wheelchair accessible





wholmes711



To: Me

11/02/2015 8:35 PM



As you can see I have started to confirm
Rentals again. Getting a lot in inquiries.

I have confirmed 4 already Christmas.

Call me please I will listen for the house
phone....we/you can make legit money right
away. Let's do this together.

Sent from my Verizon Wireless 4G LTE
smartphone



1 RAVEN C. VILTZ, ESQ. - SBN 198904
2 LAW OFFICE OF RAVEN C. VILTZ
3 110 South La Brea Avenue, Suite 240
4 Inglewood, CA 90301
5 Telephone: (310) 672-3513
6 Facsimile: (310) 672-2057

7 Attorney for Objector and Interim Successor
8 Trustee, WILLIAM A. GEORGE

FILED
Superior Court of California
County of Los Angeles
MAR 03 2015
Sherry C. Coney, Executive Officer/Clerk
By: [Signature] Deputy
Alicia Gonzalez

9 SUPERIOR COURT OF CALIFORNIA
10 COUNTY OF LOS ANGELES

11 In Re the Matter of:

Case No. BP 116 544

12
13 WILLIAM H. GEORGE TRUST

ORDER ON FIRST AND FINAL
ACCOUNTING OF TRUST AND REPORT;
AND ORDER FOR SURCHARGE

14 JUDGE: Hon. Lesley C. Green
15 DEPT: 11

16
17 Hearing on the First and Final Accounting of Trust and Report Prepared By Former
18 Attorney for Wilbert Holmes, supplements, objections, and response thereto came on regularly,
19 August 4, 2014 in Department 11 of the Los Angeles County Superior Court before the
20 HONORABLE LESLEY C. GREEN, Judge. RAVEN C. VILTZ, ESQ. appeared on behalf of
21 WILLIAM A. GEORGE. DEIDRA L. STAUFF appeared in pro per. The Court finds that
22 WILBERT R. HOLMES had notice of the hearing, but did not appear.

23 At the hearing on August 4, 2014, the parties stipulated that the issues raised in the
24 accounting, objections and response thereto should be decided by the Court on the papers filed.

25 The Court finds that notice of the stipulation was served on August 19, 2014, providing
26 that if any party who was not present at the hearing objects to proceeding by submission on the
27 papers filed, said party must file a verified response or objection to proceeding in that manner by
28 August 25, 2014. The Court finds that no one filed an objection before or after August 25, 2014.

ORDER ON FIRST AND FINAL ACCOUNTING AND REPORT; AND ORDER FOR SURCHARGE

1 Therefore, the matter was taken under submission as of August 29, 2014, and the Court ruled on
2 the submitted matter on September 23, 2014 as follows:

3
4 IT IS HEREBY ORDERED that:

5 1. The First and Final Accounting of Trust and Report Prepared by Former Attorney
6 for Wilbert Holmes is approved for the period September 14, 2008 through April 30, 2013;

7 2. WILBERT R. HOLMES has forfeited his right to receive further trustee's fees due
8 to mismanagement of the WILLIAM H. GEORGE TRUST assets and failure to account;

9 3. WILBERT R. HOLMES is removed as trustee;

10 4. Payment to Vernon Goins, Esq. is allowed only, and in the sum of \$500.00 only.

11 It is further ordered that the balance of payments WILBERT R. HOLMES made to his lawyer
12 Vernon Goins without court order and for personal services to Wilbert R. Holmes rather than the
13 William H. George Trust, in the amount of \$22,773.75, is disallowed as a misappropriation of
14 Trust funds by WILBERT R. HOLMES in violation of his fiduciary duties;

15 5. Payments WILBERT R. HOLMES made to himself from the WILLIAM H.
16 GEORGE TRUST funds in the sum of \$114,756.24 were without authorization and in violation
17 of his fiduciary duties;


18 6. WILBERT R. HOLMES misappropriated from the WILLIAM H. GEORGE
19 TRUST the sum of at least \$134,529.99. Therefore, on its own motion, the Court enters a
20 surcharge in the amount of \$134,529.99 against WILBERT R. HOLMES, and in favor of the
21 WILLIAM H. GEORGE TRUST;

22 7. The remaining objections not addressed above are overruled, and additional
23 requests for relief are denied without prejudice.

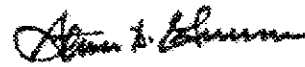
24 //

25 //

26 DATED: 3-3-15


Judge of the Superior Court

1 WILLIAM C. DEVINE II, ESQ.
2 Nevada Bar No. 10874
3 DEVINE LAW FIRM, PLLC
4 8905 S. Pecos Road, Suite 238
5 Henderson, Nevada 89072
6 Phone: (702) 515-1500
7 Fax: (702) 515-1500
8 Email: william@devinelawfirm.com
9 Attorney for Judgment Creditor
10 William H. George Trust



CLERK OF THE COURT

11 EIGHTH JUDICIAL DISTRICT COURT
12 CLARK COUNTY, NEVADA

13 In Re the Matter of:

Case No.: A- 15- 722160- F

14 WILLIAM H. GEORGE TRUST

Dept: I

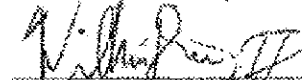
15 APPLICATION OF FOREIGN JUDGMENT

16 COMES NOW Judgment Creditor, WILLIAM H. GEORGE TRUST, by and through its
17 counsel, William Devine II, Esq, of DEVINE LAW FIRM, PLLC, and hereby files this Foreign
18 Judgment pursuant to NRS 17, specifically NRS 17.350, and registers an exemplified copy of the
19 Judgment, attached hereto as Exhibit "1". The Judgment is described as follows;

20 ORDER ON FIRST AND FINAL ACCOUNTING OF TRUST AND REPORT; AND ORDER
21 FOR SURCHARGE FILED MARCH 3, 2015, in the Superior Court for the State of
22 California, County of Los Angeles -- Exemplification signed July 20, 2015,

23 DATED this 24th day of July, 2015.

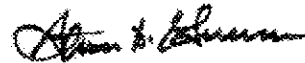
24 Respectfully Submitted:
25 DEVINE LAW FIRM, PLLC



26 William Devine II, Esq.
27 Nevada Bar No. 10874
28 8905 S. Pecos Road, Suite 238
Henderson, Nevada 89074
Attorney for Judgment Creditor
William H. George Trust

DEVINE LAW FIRM, PLLC
8905 S. Pecos Road, Suite 238
Henderson, Nevada 89074
Ph: (702) 515-1500 | Fax: (702) 515-1504

1 WILLIAM C. DEVINE II, ESQ.
Nevada Bar No. 10874
2 DEVINE LAW FIRM, PLLC
8905 S. Pecos Road, Suite 238
3 Henderson, Nevada 89072
Phone: (702) 515-1500
4 Fax: (702) 515-1500
Email: william@devinelawfirm.com
5 Attorney for Judgment Creditor
William H. George Trust


CLERK OF THE COURT

6
7 EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA

8
9 In Re the Matter of:

Case No.: A-15-722160-F

10 WILLIAM H. GEORGE TRUST

Dept: I

11
12
13 DECLARATION OF ATTORNEY WILLIAM DEVINE II, ESQ

14 1. I, WILLIAM C. DEVINE II, ESQ., declare under penalty of perjury that the matters
15 set forth herein are true to the best of my knowledge.

16 2. I am duly licensed to practice law in the State of Nevada and am currently a
17 partner with DEVINE LAW FIRM, PLLC, and counsel for the Judgment Creditor WILLIAM H.
18 GEORGE TRUST (the "Judgment Creditor") in the above-entitled matter. I have personal
19 knowledge of the facts stated herein, except for those stated upon information and belief and,
20 as to those, I believe them to be true. I am competent to testify as to the facts stated herein in
21 a court of law and will so testify if called upon.

22 3. I make this Declaration pursuant to Nevada Revised Statute 17.360 for
23 domestication of a foreign judgment.

24 4. The name and last known post office address of the Judgment Creditor WILLIAM
25 H. GEORGE TRUST is: WILLIAM GEORGE, Trustee, c/o Devine Law Firm PLLC, 8905 S. Pecos
26 Road, Suite 238, Henderson, Nevada 89074.

DEVINE LAW FIRM, PLLC
8905 S. Pecos Road, Suite 238
Henderson, Nevada 89074
Ph: (702) 515-1500 / Fax: (702) 577-1934

1 5. The name and last known post office address of the Judgment Debtor are as
2 follows:

3 a. WILBERT R. HOLMES, 10550 Pattrington Court, Las Vegas, Nevada 89183

4 6. The foreign judgment, issued in the Superior Court for the State of California,
5 County of Los Angeles, is valid and enforceable, as evidenced by an exemplified copy of this
6 judgment filed concurrently with this Declaration.

7 7. At this time, the Judgment Debtor has not paid anything to the Judgment
8 Creditor on this judgment, as such, none of the judgment has been satisfied.

9 8. Upon information and belief, as of July 24, 2015, the total amount owed on this
10 judgment is \$134,529.99 in principal, plus \$5,270.63 in interest based on the 10% interest rate
11 allowed under California Code of Civil Procedure Section 685.010(a), for a total judgment owed
12 of \$139,800.62;

13 9. Upon information and belief, having a principal amount of \$134,529.99, this
14 judgment will accrue at a rate of around \$36.85 per day.

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

17 Dated this 24th day of July, 2015.

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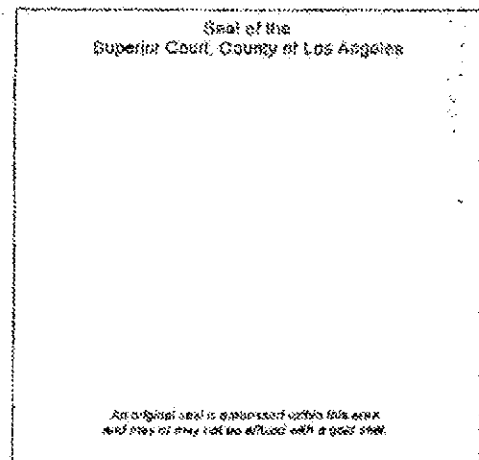

WILLIAM DEVINE II, ESQ.

DEVINE LAW FIRM, PLLC
6905 S. Pecos Road, Suite 136
Henderson, Nevada 89074
Ph: (702) 515-1566 / Fax: (702) 577-1934

EXEMPLIFICATION

CASE TITLE: <p>Mailor of: William H. George Trust</p>	COURT NUMBER: <p>BP 116944</p>
--	-----------------------------------

SUPERIOR COURT FOR THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES



I, SHERRI R. CARTER, Executive Officer/Clerk of the Superior Court of the State of California for the County of Los Angeles do hereby certify and attest that I am the custodian of records of the said Court, and that the foregoing document is a full, true and correct copy of the original

ORDER ON FIRST AND FINAL ACCOUNTING OF TRUST
AND REPORT; AND ORDER FOR SURCHARGE FILED
MARCH 3, 2015. ~~~~~

on file or of record in my office, and that I have carefully compared the same with the original.

Executed and Seal of said Court affixed in the County of Los Angeles, California on

JUL 20 2015

Sherri R. Carter
(DATE)
EXECUTIVE OFFICER/CLERK OF THE SUPERIOR COURT OF
CALIFORNIA FOR THE COUNTY OF LOS ANGELES

SUPERIOR COURT FOR THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I, CAROLYN B. KUHIL, Presiding Judge of the Superior Court of the State of California for the County of Los Angeles do hereby certify that SHERRI R. CARTER is Executive Officer/Clerk of the Superior Court of the State of California for the County of Los Angeles (which is a court of record having by law a seal); that the signature to the foregoing certificate and attestation is the genuine signature of the said SHERRI R. CARTER as such officer; that the seal annexed thereto is the seal of said Superior Court; that said SHERRI R. CARTER as such officer is the legal custodian of the original records or documents described and referred to in the foregoing certificate; is the proper officer having the authority to execute said certificate and attestation, and that said attestation is in due and proper form according to the laws of the State of California. I further certify that my oath of office as a Judge of the Superior Court of California and handwritten signature, or a true and correct copy thereof, is on file or of record with the Secretary of State for the State of California for the purposes of authentication.

Executed at Los Angeles, California on

JUL 20 2015

Carolyn B. Kuhil
PRESIDING JUDGE OF THE SUPERIOR COURT OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

LACIV 111 (Rev. 01/15)
LASC Approved 04/04
For Optional Use

EXEMPLIFICATION

Inst #: 20160407-0000866

Fee: \$18.00

N/C Fee: \$0.00

04/07/2016 11:27:54 AM

Receipt #: 2729710

Requestor:

WOLF RIFKIN (LEGAL WINGS)

Recorded By: RYUD Pgs: 2

DEBBIE CONWAY

CLARK COUNTY RECORDER

RECORDING REQUESTED BY:
WHEN RECORDED MAIL TO:

NAME: Board of Directors
San Rafael Homeowners Association
ADDRESS: c/o FirstService Residential

8290 Arville Street
CITY: Las Vegas,
STATE & ZIP: Nevada, 89139

APN: 177-33-310-012

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF VIOLATION LIEN

NOTICE IS HEREBY GIVEN, that in accordance with the Nevada Revised Statutes, Chapter 116 ("NRS 116") and the Declaration of Covenants, Conditions and Restrictions ("CC&Rs") for the San Rafael Homeowners Association ("Association"), of which 10550 Patrington Court, Las Vegas, NV 89183 ("Property") is subject to, and such Property being owned by Wilbert R. Holmes as Trustee of the Wilbert R. Holmes Separate Property Trust ("Owner"), the Association has, after adequate notice and a hearing called pursuant to NRS 116.31031 and the Association's CC&Rs, levied fines against the Owner for leasing its Property for transient commercial purposes (as that term is defined in NRS 116.340). Owner has been advertising the Property online as a short term rental Property. The Association maintains that, in doing so, Owner is in violation of both the statute and the CC&Rs and other governing documents, which limit all properties to single family uses only.

The Property is more particularly described as:

Lot Seventy Nine (79) in Block One (1) as shown on the final map of DOMINION PHASE ONE, as shown by map thereof on file in Book 74 of Plats, Page 4, in the Office of the County Recorder, Clark County, Nevada.


The amount owing and unpaid total as of the date of this Notice of Lien is \$20,000.00, and shall increase by \$1,100.00 for every 7 day period that the above stated violations remain uncured or otherwise unresolved pursuant to NRS 116.31031(5), plus other costs to be determined at time of payment of such total.

///

///

///

Dated: April 7, 2016



Gregory P. Kerr, counsel for and
on behalf of the Association.

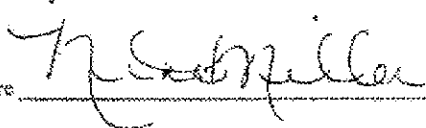
STATE OF NEVADA
COUNTY OF CLARK

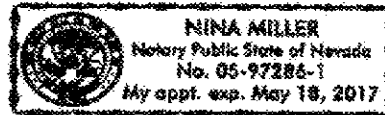
)
ss.

On April 7, 2016 before me, Nina Miller, personally appeared
Gregory P. Kerr personally known to me (or proved to me on the basis
of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s)
acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____





SUN CITY ANTHEM COMMUNITY ASSOCIATION, INC.
INCIDENT/ACCIDENT REPORT FORM

2450 Hampton Road, Henderson, NV 89052, TEL: 702.614.5800, FAX: 702.614.5813

DATE: 2/6/16 TIME: 10:05 ☐ AM ☒ PM TYPE OF INCIDENT: TRESSPASSING
LOCATION: ☒ Inside ☐ Outside BUILDING: ☒ Anthem ☐ Independence ☐ Liberty Other: RED DRESS GALA
SPECIFIC LOCATION: HANNEMAN HALL
CONDITIONS/WEATHER: N/A

PERSON(S) INVOLVED (COMPLAINANT, SUBJECT, WITNESSES, ETC.) - Use Page 2 for Additional Space

NAME: WILBERT HOLMES
ADDRESS: 10550 Palmington Ct
CITY/STATE/ZIP: Las Vegas, NV 89183 PHONE: 702-281-5752

MEDICAL TREATMENT REQUIRED: ☐ YES ☒ NO MEDICAL TREATMENT REFUSED: ☐ YES ☐ NO 911/311 CALLED: ☐ YES ☐ NO

WAS PERSONAL PROTECTION EQUIPMENT USED: ☐ YES ☒ NO

DID BLOOD/INFECTIOUS MATERIAL MAKE CONTACT WITH YOUR SKIN: ☐ YES ☐ NO (If yes was checked fill out a C-1 form)

TRANSPORTED BY EMERGENCY RESPONDERS: ☐ YES ☒ NO WHERE TO: _____

PHOTOGRAPHS TAKEN: ☐ YES ☒ NO

THESE PROVIDE COPIES OF PHOTOS TO SUN CITY ANTHEM MANAGEMENT STAFF

INCIDENT DESCRIPTION (INCLUDE WHO, WHAT, WHY, AND ACTION TAKEN)

There were two gentlemen, one Wilbert Holmes, the other not identified. They did not purchase tickets for the event. The tickets are advance purchase only. Mrs. Cason approached Mr. Holmes & he started being belligerent. She asked him to leave politely. He refused & said security had to get him. At this function, there were two security personnel. Their names: Sonny Kaminski and Terrian Meyers with Green Valley Security. Mrs. Cason asked Mr. Kaminski to ask Mr. Holmes to leave which he did but Mr. Holmes refused. The security waited an hour at which time Mr. Holmes did not leave. Mr. Kaminski the security officer called the Metro during this time Mr. Holmes approached his wife & made negative comments. He called her "whore". The police escorted Mr. Holmes out of the building.

FOLLOW UP INFORMATION

THE POLICE REPORT # IS: 160206000646, OFFICER
T. BAILEY # 1538

ADDITIONAL PERSON(S) INVOLVED (WITNESS, COMPLAINANT, SUBJECT, VICTIM, ETC.)

NAME: CHRISTY CASON ^{DETROIT CONNECTION} PRESIDENT SIGNATURE: [Signature]
ADDRESS 4610 Cliff Breeze
CITY/STATE/ZIP Las Vegas, NV 89081 PHONE 702-505-2439

ADDITIONAL PERSON(S) INVOLVED (WITNESS, COMPLAINANT, SUBJECT, VICTIM, ETC.)

NAME: TAMMY CASON SIGNATURE: [Signature]
ADDRESS 4610 Cliff Breeze
CITY/STATE/ZIP Las Vegas NV 89081 PHONE 702-505-2439

ADDITIONAL PERSON(S) INVOLVED (WITNESS, COMPLAINANT, SUBJECT, VICTIM, ETC.)

NAME: PAQUINE HOLMES (WIFE) SIGNATURE: [Signature]
ADDRESS 4610 CLIFF BREEZE
CITY/STATE/ZIP LAS VEGAS, NV 89081 PHONE 702-642-2628

REPORT MADE BY

NAME: FAYE (FAY) JONES SIGNATURE: [Signature]
MANAGEMENT STAFF POSITION: NIGHTTIME MONITOR

REPORT REVIEWED BY

MANAGER: _____ DATE: _____ SIGNATURE: _____

REPORT ONLY: ☒ YES ☐ NO SUBMITTED TO INSURANCE: ☐ YES ☒ NO INVESTIGATION: ☐ YES ☒ NO

DATE LOGGED: _____ SIGNATURE: _____

FACILITIES MANAGER: _____ DATE: _____ SIGNATURE: _____

COMMUNITY MANAGER: _____ DATE: _____ SIGNATURE: _____



Administrative

Location **10550 PATRINGTON CT Las Vegas, NV 89183**
Occurred On (Date / Time) **Thursday 10/1/2016 12:00:00 AM**
Reporting Officer **15373 - Diaz, Amadeo**
Entered By **15373 - Diaz, Amadeo**
Related Cases

Or Between (Date / Time) **Thursday 2/4/2016 12:00:00 AM**
Reported On **2/5/2016**
Entered On **2/8/2016 8:30:08 AM**
Jurisdiction **Clark County**

Traffic Report Place Type Accident Involved

Offenses:

Harassment, (1st)(M)-NRS 200.571.2A

Completed **Yes** Domestic Violence **No** Hate/Bias
Entry Premises Entered Type Security
Weapons Location Type **Other/Unknown** Tools
Criminal Activities

Victims:

Name: **Holmes, Capucine Yolanda**

Victim Type **Individual** Written Statement **Yes** Can ID Suspect **Yes**
Victim of **50328 - Harassment, (1st)(M)-NRS 200.571.2A**

DOB **3/10/1968** Age **47** Sex **Female** Race **Black or African American** Ethnicity **Not Hispanic or Latino**
Height **5' 6"** Weight **225** Hair Color **Brown** Eye Color **Brown**

Employer/School
Occupation/Grade
Injury Work Schedule
Injury Weapons

Addresses

Residence **10550 Pattrington Ct Las Vegas, NV 89183 United States**
Phones
Cellular **(702) 642-2628**

Offender Relationships

Notes:

The Use and Dissemination of this Report is Regulated by Law. Secondary Dissemination of any kind is Prohibited and could subject the offender to Criminal and Civil Liability.

This Information Released To:
Holmes, Capucine Yolanda
By **15373 - Diaz, Amadeo** Date **2/15/16**
Las Vegas Metro Police Dept.

Suspects:

Name: **Holmes, Wilbert**

Alias:

Scope ID DOB **11/21/1946** Age **68** Race **Black or African American** Ethnicity **Not Hispanic or Latino**
Sex **Male** Height **6' 2"** Weight **265** Hair Color **Brown** Eye Color **Brown**
Employer/School **Self Employed** Occupation/Grade

Addresses

Residence **10550 Pattrington Ct Las Vegas, NV 89183 United States**
Residence **2675 Agate #247 Las Vegas, NV 89183 United States**
Phones
Cellular **(702) 217-5752**

Notes:

Narrative

On 02/05/2016 at 0945 hours Holmes, Capucine Yolanda came into LVMPD Records to file a police report for Harassment.

Capucine stated that between 10/01/2015 and 02/04/2016 her ex husband Holmes, Wilbert has been harassing her nonstop. Capucine stated that Wilbert harasses her through Facebook, sent messages, emails, and other forms of communication. Capucine stated that she has an injunction against him to not do these things however he is not abiding by the injunction. Capucine also stated that Wilbert has contacted her friends and potential business associates through messages, emails and phone calls. Capucine brought in printed out copies of some of the messages that Wilbert sends her. Some of the messages sent have a derogatory nature. Capucine also mentioned that Wilbert has threatened her life by stating he would put her head on a stick. Capucine is scared for her life due to his responses and behavior ever since filing for divorce.

16AN000097

Case Type: SMALL CLAIMS NLV
 Case Status: OPEN
 File Date: 05/25/2016
 DCM Track:

Action: SC 7500.01 TO 10000/\$195 FILING FEE
 Status Date: 05/25/2016
 Case Judge: HOO, KALANI
 Next Event:

All Information Party Event Docket Disposition

Party Information**HOLMES, WILBERT R - PLAINTIFF**

Disposition
 Disp Date

Alias

Party Attorney[More Party Information](#)[Pending Cases](#)**HOLMES, CAPUCINE Y - DEFENDANT**

Disposition
 Disp Date

Alias

Party Attorney[More Party Information](#)**Events**

Date/Time	Location	Type	Result	Event Judge
07/27/2016 01:00 PM	DEPARTMENT 2	MEDIATION HEARING NLV	COURT DATE - VACATED	TYRRELL, NATALIE L

Docket Information

Date	Description	Docket Text	Amount Owed
05/25/2016	SMALL CLAIMS \$7500.01 TO \$10,000 FILING FEE \$195	SMALL CLAIMS \$7500.01 TO \$10,000 FILING FEE \$195	\$195.00
05/25/2016	REQUEST FOR SERVICE ISSUED	Issue Date: 05/25/2016 Service: SC - AFFIDAVIT OF COMPLAINT / SERVICE Method: SERVICE INITIATED Cost Per: \$	
		HOLMES, CAPUCINE Y 638 TWILIGHT BLUE NORTH LAS VEGAS, NV 89032 Tracking No: U2003040700	
05/26/2016	MOTION FOR FORMA PAUPERIS GRANTED	MOTION FOR FORMA PAUPERIS GRANTED	
05/26/2016	HEARING - SET FOR SMALL CLAIMS MANDATORY MEDIATION	HEARING - SET FOR SMALL CLAIMS MANDATORY MEDIATION Event: MEDIATION HEARING NLV Date: 07/27/2016 Time: 1:00 pm Judge: TYRRELL, NATALIE L Location: DEPARTMENT 2	

Date	Description	Docket Text	Amount Owed
		Result: COURT DATE - VACATED	
05/26/2016	DOCUMENT FILED -	MR. HOLMES NOTIFIED, AFFIDAVIT IS READY FOR PICKUP BY SPEAKING WITH HIM AT THE NUMBER PROVIDED.	
05/26/2016	DOCUMENT FILED -	***ALSO SEE 16AN0083, 16AN0096 AND 16AN0113***	
06/16/2016	SERVED	SERVED Method : SERVICE INITIATED Issued : 05/25/2016 Service : SC - AFFIDAVIT OF COMPLAINT / SERVICE Served : 06/15/2016 Return : 06/16/2016 On : HOLMES, CAPUCINE Y Signed By : Reason : SERVED Comment : Tracking #: U2003040700 Service Location :	
06/17/2016	DOCUMENT FILED -	CORRESPONDENCE RECEIVED, SUBMITTED TO DEPT 2	
06/23/2016	ORDER	ORDER: PER JUDGE TYRRELL: THE IFP PREVIOUSLY GRANTED IS HEREBY REVOKED. PLAINTIFF HOLMES FAILED TO LIST PROPERTY AT 10550 PATRINGTON CT, LAS VEGAS, NV 89183 AS AN ASSET. ALSO, MISSING P. 2 OF APPLICATION. MUST PAY FILING FEE TO PROCEED.	
06/23/2016	VACATED COURT DATE	MEDIATION HEARING VACATED The following event, MEDIATION HEARING NLV scheduled for 07/27/2016 at 1:00 pm has been resulted as follows: Result: MEDIATION HEARING - VACATED Judge: TYRRELL, NATALIE L. Location: DEPARTMENT 2	
06/24/2016	DOCUMENT FILED -	WILBERT HOLMES CONTACTED THE COURT AND WAS NOTIFIED FEE WAIVER HAS BEEN DENIED ON THIS CASE AND ON 16AN0113, 16AN0096 AND 16AN0097	
06/30/2016	DOCUMENT FILED -	CORRESPONDENCE RECEIVED FROM MR. HOLMES - PER JUDGE TYRRELL. THE COURT VERIFIED INFORMATION PROVIDED IN SWORN AFFIDAVITS. YOU FAILED TO LIST THE PROPERTY PERIOD. YOU USED THE ADDRESS IN YOUR PLEADINGS. THE COURT VERIFIED OWNERSHIP ON THE CLARK COUNTY WEBSITE. YOU ARE NOT ELIGIBLE FOR WAIVER OF THE FEES.	
06/30/2016	DOCUMENT FILED -	MR. HOLMES CONTACTED THE COURT AND WAS NOTIFIED OF JUDGE TYRRELL'S DECISION.	

Case Disposition

Disposition	Date	Case Judge
UNDISPOSED		HOO, KALANI

16AN000083

Case Type	SMALL CLAIMS NLV	Action:	SC 7500.01 TO 10000/\$196 FILING FEE
Case Status:	OPEN	Status Date:	04/20/2016
File Date:	04/20/2016	Case Judge:	TYRRELL, NATALIE L
OCIS Track:		Next Event:	

All Information	Party	Event	Docket	Disposition
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Party Information**HOLMES, WILBERT R - PLAINTIFF**Disposition
Disp Date

Alias

Party Attorney

[More Party Information](#)**DETROIT CONNECTION INC - DEFENDANT**Disposition
Disp Date

Alias

Party Attorney

[More Party Information](#)**CASON, C - DEFENDANT**Disposition
Disp Date

Alias

Party Attorney

[More Party Information](#)**Events**

Date/Time	Location	Type	Result	Event Judge
07/27/2016 01:00 PM	DEPARTMENT 2	MEDIATION HEARING NLV	COURT DATE - VACATED	TYRRELL, NATALIE L

Docket Information

Date	Description	Docket Text	Amount Owed
04/20/2016	SMALL CLAIMS \$7500.01 TO \$10,000 FILING FEE \$196	SMALL CLAIMS \$7500.01 TO \$10,000 FILING FEE \$196	\$196.00
04/20/2016	REQUEST FOR SERVICE ISSUED	<p>Issue Date: 04/20/2016 Service: SC - AFFIDAVIT OF COMPLAINT / SERVICE Method: SERVICE INITIATED Cost Per: \$</p> <p>DETROIT CONNECTION INC 4610 CLIFF BREEZE DRIVE NORTH LAS VEGAS, NV 89081 Tracking No: U2003040842</p> <p>CASON, C 4610 CLIFF BREEZE DRIVE NORTH LAS VEGAS, NV 89081</p>	

Date	Description	Court Text	Amount Owed
		Result: COURT DATE - VACATED	
05/26/2016	DOCUMENT FILED -	MR. HOLMES NOTIFIED. AFFIDAVIT IS READY FOR PICKUP BY SPEAKING WITH HIM AT THE NUMBER PROVIDED.	
06/26/2016	DOCUMENT FILED -	***ALSO SEE 16AN0083, 16AN0096 AND 16AN0113*** *****	
06/16/2016	SERVED	SERVED Method : SERVICE INITIATED Issued : 05/25/2016 Service : SC - AFFIDAVIT OF COMPLAINT / SERVICE Served : 06/15/2016 Return : 06/16/2016 On : HOLMES, CAPUCINE Y Signed By : Reason : SERVED Comment : Tracking #: U2003040700 Service Location :	
06/17/2016	DOCUMENT FILED -	CORRESPONDENCE RECEIVED, SUBMITTED TO DEPT 2	
06/23/2016	ORDER	ORDER: PER JUDGE TYRRELL: THE IFP PREVIOUSLY GRANTED IS HEREBY REVOKED. PLAINTIFF HOLMES FAILED TO LIST PROPERTY AT 10556 PATRINGTON CT. LAS VEGAS, NV 89183 AS AN ASSET. ALSO, MISSING P. 2 OF APPLICATION. MUST PAY FILING FEE TO PROCEED.	
06/23/2016	VACATED COURT DATE	MEDIATION HEARING VACATED The following event: MEDIATION HEARING NLV scheduled for 07/27/2016 at 1:00 pm has been resulted as follows: Result: MEDIATION HEARING - VACATED Judge: TYRRELL, NATALIE L Location: DEPARTMENT 2	
06/24/2016	DOCUMENT FILED -	WILBERT HOLMES CONTACTED THE COURT AND WAS NOTIFIED FEE WAIVER HAS BEEN DENIED ON THIS CASE AND ON 16AN0113, 16AN0096 AND 16AN0097	
06/30/2016	DOCUMENT FILED -	CORRESPONDENCE RECEIVED FROM MR. HOLMES - PER JUDGE TYRRELL. THE COURT VERIFIED INFORMATION PROVIDED IN SWORN AFFIDAVITS. YOU FAILED TO LIST THE PROPERTY PERIOD. YOU USED THE ADDRESS IN YOUR PLEADINGS. THE COURT VERIFIED OWNERSHIP ON THE CLARK COUNTY WEBSITE. YOU ARE NOT ELIGIBLE FOR WAIVER OF THE FEES.	
06/30/2016	DOCUMENT FILED -	MR. HOLMES CONTACTED THE COURT AND WAS NOTIFIED OF JUDGE TYRRELL'S DECISION.	

Case Disposition

Disposition	Date	Case Judge
UNDISPOSED		HOO, KALANI

16AN000096

Case Type:	SMALL CLAIMS NLV	Action:	SC 7500.01 TO 10000/\$196 FILING FEE
Case Status:	OPEN	Status Date:	05/25/2016
File Date:	05/25/2016	Case Judge:	LEE, CHRIS
DCM Track:		Next Event:	

[All Information](#)
[Party](#)
[Event](#)
[Docket](#)
[Disposition](#)

Party Information**HOLMES, WILBERT R - PLAINTIFF**

Disposition
Disp Date

Alias

Party Attorney[More Party Information](#)**MILLER, ERNEST H - DEFENDANT**

Disposition
Disp Date

Alias

Party Attorney[More Party Information](#)**Events**

Date/Time	Location	Type	Result	Event Judge
07/27/2016 01:00 PM	DEPARTMENT 2	MEDIATION HEARING NLV	COURT DATE - VACATED	TYRRELL, NATALIE L

Docket Information

Date	Description	Docket Text	Amount Owed
05/25/2016	SMALL CLAIMS \$7500.01 TO \$10,000 FILING FEE \$196	SMALL CLAIMS \$7500.01 TO \$10,000 FILING FEE \$196	\$196.00
05/25/2016	REQUEST FOR SERVICE ISSUED	Issue Date: 05/25/2016 Service: SC - AFFIDAVIT OF COMPLAINT / SERVICE Method: SERVICE INITIATED Cost Per: \$ MILLER, ERNEST H 638 TWILIGHT BLUE NORTH LAS VEGAS, NV 89032 Tracking No. U2003040899	
05/26/2016	MOTION FOR FORMA PAUPERIS GRANTED	MOTION FOR FORMA PAUPERIS GRANTED	
05/26/2016	HEARING - SET FOR SMALL CLAIMS MANDATORY MEDIATION	HEARING - SET FOR SMALL CLAIMS MANDATORY MEDIATION Event: MEDIATION HEARING NLV Date: 07/27/2016 Time: 1:00 pm Judge: TYRRELL, NATALIE L Location: DEPARTMENT 2 Result: COURT DATE - VACATED	

Date	Description	Docket Text	Amount Owed
		Tracking No: U2003040643	
04/20/2016	DOCUMENT FILED	MOTION TO PROCEED IN FORMA PAUPERIS -	
04/21/2016	MOTION FOR FORMA PAUPERIS GRANTED	MOTION FOR FORMA PAUPERIS GRANTED PLAINTIFF NOTIFIED BY SPEAKING WITH MR. HOLMES.	
04/21/2016	DOCUMENT FILED	WHEN PLAINTIFF COMES IN, SET A MEDIATION DATE FOR THIS CASE.	
04/29/2016	SERVED	<p>SERVED</p> <p>Method : SERVICE INITIATED</p> <p>Issued : 04/20/2016</p> <p>Service : SC - AFFIDAVIT OF COMPLAINT / SERVICE</p> <p>Served : 04/26/2016</p> <p>Return : 04/29/2016</p> <p>On : CASON, C</p> <p>Signed By : C. CASON</p> <p>Reason : SERVED</p> <p>Comment :</p> <p>Tracking #: U2003040643</p> <p>Service Location :</p>	
04/29/2016	SERVED	<p>SERVED</p> <p>Method : SERVICE INITIATED</p> <p>Issued : 04/20/2016</p> <p>Service : SC - AFFIDAVIT OF COMPLAINT / SERVICE</p> <p>Served : 04/26/2016</p> <p>Return : 04/29/2016</p> <p>On : DETROIT CONNECTION INC</p> <p>Signed By : CAPUCIONE HOLMES</p> <p>Reason : SERVED</p> <p>Comment :</p> <p>Tracking #: U2003040642</p> <p>Service Location :</p>	
05/26/2016	HEARING - SET FOR SMALL CLAIMS MANDATORY MEDIATION	<p>HEARING - SET FOR SMALL CLAIMS MANDATORY MEDIATION</p> <p>Event: MEDIATION HEARING NLV</p> <p>Date: 07/27/2016 Time: 1:00 pm</p> <p>Judge: TYRRELL, NATALIE L Location: DEPARTMENT 2</p> <p>Result: COURT DATE - VACATED</p>	
05/26/2016	DOCUMENT FILED	<p>***ALSO SEE 16AN0096, 16AN0083 AND 16AN00113***</p> <p>*****</p>	
06/23/2016	ORDER	ORDER: PER JUDGE TYRRELL: THE JFP PREVIOUSLY GRANTED IS HEREBY REVOKED. PLAINTIFF HOLMES FAILED TO LIST PROPERTY AT 10550 PATRINGTON CT, LAS VEGAS, NV 89183 AS AN ASSET. MUST PAY FILING FEE TO PROCEED.	
06/23/2016	VACATED COURT DATE	<p>MEDIATION HEARING VACATED</p> <p>The following event: MEDIATION HEARING NLV scheduled for 07/27/2016 at 1:00 pm has been resulted as follows:</p> <p>Result: MEDIATION HEARING VACATED</p> <p>Judge: TYRRELL, NATALIE L Location: DEPARTMENT 2</p>	
06/24/2016	DOCUMENT FILED	<p>WILBERT HOLMES CONTACTED THE COURT AND WAS NOTIFIED FEE</p> <p>WAIVER HAS BEEN DENIED ON THIS CASE AND ON</p> <p>16AN0113, 16AN0096 AND 16AN0097</p>	
08/30/2016	DOCUMENT FILED	<p>CORRESPONDENCE RECEIVED FROM MR. HOLMES - PER JUDGE</p> <p>TYRRELL,</p> <p>THE COURT VERIFIED INFORMATION PROVIDED IN SWORN</p>	

Date	Description	Docket Text	Amount Owed
		AFFIDAVITS. YOU FAILED TO LIST THE PROPERTY PERIOD. YOU USED THE ADDRESS IN YOUR PLEADINGS. THE COURT VERIFIED OWNERSHIP ON THE CLARK COUNTY WEBSITE. YOU ARE NOT ELIGIBLE FOR WAIVER OF THE FEES.	
06/30/2016	DOCUMENT FILED	MR. HOLMES CONTACTED THE COURT AND WAS NOTIFIED OF JUDGE TYRRELL'S DECISION.	

Case Disposition

Disposition	Date	Case Judge
UNDISPOSED		TYRRELL, NATALIE L

16AN000113

Case Type:	SMALL CLAIMS NLV	Action:	SC 7500.01 TO 10000/\$196 FILING FEE
Case Status:	OPEN	Status Date:	06/23/2016
File Date:	06/23/2016	Case Judge:	LEE, CHRIS
CCM Track:		Next Event:	

[All Information](#)
[Party](#)
[Docket](#)
[Disposition](#)
Party Information**HOLMES, WILBERT R - PLAINTIFF**Disposition
Disp Date

Alias

Party Attorney[More Party Information](#)[Pending Cases](#)**CASON, TOMMIE - DEFENDANT**Disposition
Disp Date

Alias

Party Attorney[More Party Information](#)**Docket Information**

Date	Description	Docket Text	Amount Qwert
06/23/2016	SMALL CLAIMS \$7500.01 TO \$10,000 FILING FEE \$196	SMALL CLAIMS \$7500.01 TO \$10,000 FILING FEE \$196	\$196.00
06/23/2016	REQUEST FOR SERVICE ISSUED	Issue Date: 06/23/2016 Service: SC - AFFIDAVIT OF COMPLAINT / SERVICE Method: SERVICE INITIATED Cost Per: \$ CASON, TOMMIE 4810 CLIFF BREEZE DR NORTH LAS VEGAS, NV 89081 Tracking No: U2003040769	
06/23/2016	MOTION FOR FORMA PAUPERIS DENIED	MOTION FOR FORMA PAUPERIS DENIED	
06/24/2016	DOCUMENT FILED -	WILBERT HOLMES CONTACTED THE COURT AND WAS NOTIFIED FEE WAIVER HAS BEEN DENIED ON THIS CASE AND ON 16ANS083, 16AN0096 AND 16AN0097	

Case Disposition

Disposition	Date	Case Judge
UNDISPOSED		LEE, CHRIS

Date	Description	Docket Text	Amount Owed
05/26/2016	DOCUMENT FILED -	MR. HOLMES NOTIFIED. AFFIDAVIT IS READY FOR PICKUP BY SPEAKING WITH HIM AT THE NUMBER PROVIDED.	
05/26/2016	DOCUMENT FILED -	***ALSO SEE 16AN0083, 16AN0097 AND 16AN0113*** *****	
06/16/2016	SERVED	SERVED Method : SERVICE INITIATED Issued : 05/25/2016 Service : SC - AFFIDAVIT OF COMPLAINT / SERVICE Served : 06/16/2016 Return : 06/16/2016 On : MILLER, ERNEST H Signed By Reason : SERVED Comment Tracking #: U2003040666 Service Location	
06/23/2016	ORDER	ORDER; PER JUDGE TYRRELL: THE IFP PREVIOUSLY GRANTED IS HEREBY REVOKED. PLAINTIFF HOLMES FAILED TO LIST PROPERTY AT 10550 PATRINGTON CT. LAS VEGAS, NV 89183 AS AN ASSET. ALSO, MISSING P. 2 OF APPLICATION. MUST PAY FILING FEE TO PROCEED	
06/23/2016	VACATED COURT DATE	MEDIATION HEARING VACATED The following event: MEDIATION HEARING NLV scheduled for 07/27/2016 at 1:00 pm has been resulted as follows: Result: MEDIATION HEARING - VACATED Judge: TYRRELL, NATALIE L. Location: DEPARTMENT 2	
06/24/2016	DOCUMENT FILED -	WILBERT HOLMES CONTACTED THE COURT AND WAS NOTIFIED FEE WAIVER HAS BEEN DENIED ON THIS CASE AND ON 16AN0113, 16AN0096 AND 16AN0097	
06/30/2016	DOCUMENT FILED -	CORRESPONDENCE RECEIVED FROM MR. HOLMES - PER JUDGE TYRRELL. THE COURT VERIFIED INFORMATION PROVIDED IN SWORN AFFIDAVITS. YOU FAILED TO LIST THE PROPERTY PERIOD. YOU USED THE ADDRESS IN YOUR PLEADINGS. THE COURT VERIFIED OWNERSHIP ON THE CLARK COUNTY WEBSITE. YOU ARE NOT ELIGIBLE FOR WAIVER OF THE FEES.	
06/30/2016	DOCUMENT FILED -	MR. HOLMES CONTACTED THE COURT AND WAS NOTIFIED OF JUDGE TYRRELL'S DECISION.	

Case Disposition

Disposition	Date	Case Judge
UNDISPOSED		LEE, CHRIS

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[Locations: Justice Court](#) [Help](#)**REGISTER OF ACTIONS**

CASE NO. 16A002301

Wilbert R Holmes, Plaintiff(s) vs. Jacqueline W Cook, Defendant(s)

07/05/2016

 Case Type: **Small Claims - General Individual Plaintiff**
 Date Filed: **07/05/2016**
 Location: **JC Department 7**
PARTY INFORMATION

Defendant	Cook, Jacqueline W	Lead Attorneys
Plaintiff	Holmes, Wilbert R	Pro Se

EVENTS & ORDERS OF THE COURT

OTHER EVENTS AND HEARINGS

07/05/2016 Start Time Tracking: JCRCP 41(e) - 2 years

07/05/2016 Start Time Tracking: JCRCP 41(e) - 5 years

07/05/2016 Start Time Tracking: JCRCP 93

07/05/2016 Small Claims Affidavit of Complaint - \$7,500.01 to \$10,000
Small Claims Complaint \$10,000.00

07/05/2016 Application to Proceed in Forma Pauperis - Fee Waiver Req
Fee Waiver

07/05/2016 Summons and Complaint
Cook, Jacqueline W Unserved

07/06/2016 Order to Proceed in Forma Pauperis Granted
Order Regarding Application to Proceed in Forma Pauperis Granted

FINANCIAL INFORMATION

Plaintiff Holmes, Wilbert R	
Total Financial Assessment	198.00
Total Payments and Credits	198.00
Balance Due as of 07/15/2016	0.00
07/05/2016 Transaction Assessment	198.00
07/05/2016 Fee Waiver	(198.00)



**Henderson Police Department
Incident Report**

6/9/2016 5:00:48 PM

[Back](#) [Close](#)

Incident: LHP160206000646	Report:
Date/Time: 02/06/2016 21:52:07	Officer: BAILEY T
Address: 2450 HAMPTON RD - ANTHEM SUN CITY REC	
Type: 416B - DISTURBANCE OTHER	

Comments:

Date/Time:

2/6/2016 9:55:08 PM
2/6/2016 9:55:08 PM
2/6/2016 9:55:08 PM
2/6/2016 9:55:08 PM
2/6/2016 9:55:08 PM
2/6/2016 9:57:25 PM
2/6/2016 9:57:25 PM
2/6/2016 10:41:55 PM
2/6/2016 10:41:55 PM
2/6/2016 10:41:55 PM
2/6/2016 10:42:41 PM
2/6/2016 10:42:41 PM
2/6/2016 10:43:22 PM
2/6/2016 10:45:02 PM
2/6/2016 10:45:02 PM
2/6/2016 10:45:02 PM
2/6/2016 10:45:02 PM
2/6/2016 10:46:00 PM
2/6/2016 10:46:00 PM
2/6/2016 10:46:00 PM
2/6/2016 10:47:02 PM
2/6/2016 10:47:02 PM
2/6/2016 10:47:02 PM
2/6/2016 10:47:02 PM
2/6/2016 10:47:57 PM
2/6/2016 10:47:57 PM
2/6/2016 10:47:57 PM
2/6/2016 10:48:04 PM
2/6/2016 10:48:04 PM

Comment:

Incident Initiated By: HP/JACKSON,C
Original Location : ANTHEM SUN CITY REC
2 BMA'S AT LOC REFUSING TO LEAVE, SUBJS DIDN'T HAVE TICKETS TO GET INS
PRIVATE EVENT, ALL SUBJS HBD
Primary Event: MAIN Opened: 16/02/06 21:55
BOTH SUBJS WENT INTO BALLROOM ON DANCE FLOOR, PR WILL BE STANDING BY AT
FRONT DOOR
SECURITY AND ESTABLISHMENT MANAGEMENT BOTH CONTACTED WHO ADVISED THAT
THERE WAS A LARGE EVENT HERE THIS EVENING AND THE ESTRANGED HUSBAND OF A
WOMAN AT THE EVENT SHOWED UP WITHOUT BUYING A TICKET AND BEGAN ACTING
OUT
OFFICERS ATTEMPTED TO ALLOW THE SECURITY AND MANAGER TO WORK IT OUT WITH
THE INDIVIDUAL (WILBERT HOLMES DOB 11/21/46
-
WHILE OFFICERS WERE STANDING BY A LOUD VERBAL BROKE OUT WHEN WILBERT
CONFRONTED HIS ESTRANGED WIFE CAPUCINE HOLMES DOB 3/10/68 AND
BEGAN TO USE PROFANITY AND WAIVE HIS CANE AT MULTIPLE INDIVIDUALS IN
SCENE
OFFICERS ATTEMPTED TO CALM WILBERT DOWN BUT WERE UNABLE TO. WILBERT
BEGAN WAIVING HIS CANE IN A THREATENING MANNER TOWARDS OFFICERS SO 3W71
CONFISCATED IT TO PREVENT INJURY TO ANY PARTY.
MULTIPLE ATTEMPTS WERE MADE TO TELL WILBERT THAT HE WOULD BE GIVEN HIS
CANE AS SOON AS HE CALMED DOWN AND AGREED TO QUIT WAIVING IT AROUND.
WILBERT STORMED OUT AND BEGAN TO THREATEN AND USE RACIAL SLURS TO
OFFICERS ON SCENE
WILBERTS FRIENDS INTERVENED TO STOP HIS BEHAVIOR AND OFFICERS GAVE
WILBERT'S CANE TO THEM BECAUSE HE WOULD NOT TAKE IT FROM OFFICERS ON
SCENE. WILBERT WAS ESCORTED ON THE PROPERTY BY AN UNKNOWN FRIEND WHO
WAS
ATTEMPTING TO CALM HIM DOWN
Route Closed: MAIN SET
Incident Closed: 16/02/06 22:48

AFFIDAVIT OF BARBARA LOCKE-JONES

STATE OF NEVADA)
COUNTY OF CLARK)

1. I Barbara Jean Locke-Jones for Blocke and Associates, LLC and as such I act as the Managing Principle of the company which I have the employment function.
2. On the 30th day of October, 2016 I wanted to hire Plaintiff as a grant writer and marketing consultant for Blocke and Associates. Plaintiff would have been working remotely and virtually with the team through video and telephone conference.
3. I wanted to extend an offer to Plaintiff to be part of the company that would result in excess of \$40,000 in consultant fees.
4. Shortly, thereafter I received text and phone messages from Wilbert Holmes. He suggested I was a male or a person who was having an affair with Plaintiff. He posted a phone bill with my cell phone on the internet through social media Facebook on or about January 2016.
5. Wilbert Holmes left message stating "Who is this?" "Why are you calling so much? We were on a trip?" in a threatening tone. I called Wilbert Holmes and identified myself and asked that he would not call me. Shortly thereafter, he started yelling derogatory words and using profanity. Shortly, thereafter, I ended the call from Wilbert Holmes.
6. I called Plaintiff and informed what occurred with myself and Wilbert Holmes. Shortly thereafter I informed Plaintiff that due to the issue that occurred I did not feel that moving forward with her was a good fit for Blocke and Associates.

I certify that under PENALTY OF PERJURY under of laws of the State of Nevada that foregoing statement is true and correct.

Dated this 14th day of July 2016

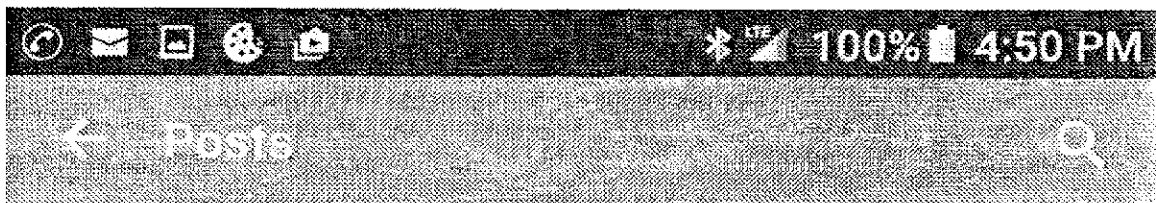
Barbara J. Locke-Jones
Signature

Barbara J. Locke-Jones
Printed Name

Subscribed and Sworn to before me
on this 14 day of July, 2016

Dana L. Hughes
NOTARY PUBLIC

NOTARY
MY CO
ACTING IN
DANA L. HUGHES
NOTARY PUBLIC, STATE OF MI
COUNTY OF WAYNE
MY COMMISSION EXPIRES Jun 7, 2018
ACTING IN COUNTY OF Wayne



to engage my wife in an adulterous relationship. Our marriage has been ruined.

My wife has even demanded of herself to have an ABORTION, apparently as a result of her sexual relationship with Rand Ballard.

It is my understanding that there are civil laws which attempt to rectify the harm resulting from such infidelity. Because this matter involves your company and a key officer, I would like to hear from you with regard to your company's response to this troubling matter. I suppose if I do not receive a response, I will have no choice but to consult my counsel with regard to what remedies are available.

This is not a threat against your company; it is merely notice and opportunity to address a matter over which I am deeply concerned. I would appreciate hearing from you at your earliest opportunity. My phone number is BLANK.

Sincerely,
BLANK

MORE OF THIS TO COME.....THIS IS EPISODE ONE

Share

Mattie Pritchett likes this.



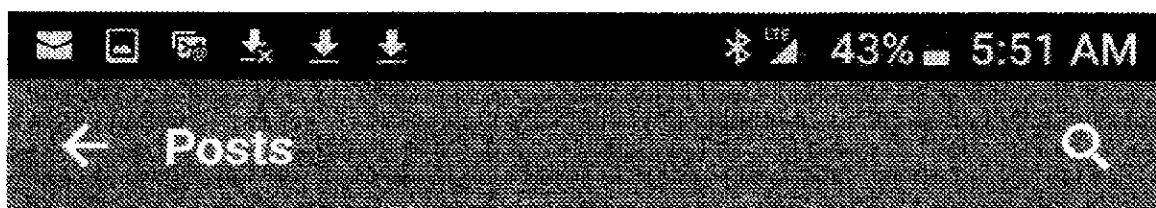
Will R. Holmes
your comments please

2 hours ago · Reply



Mattie Pritchett
Wow

2 hours ago · Reply



Will R. Holmes

3 hrs · 🌐

Dear Facebook Friends,

Over the last couple of weeks I have been posting things of a personal but not private nature. If you have read and interpreted my posts you have realized that I Wilbert R. Holmes aka Will is going through a Divorce. After a marriage on July 3rd, 1999.

The information posted sites certain occurrences that happened during said marriage. All of which are facts and can be documented with proof...no lies!

I am exposing this detail for many reasons of which some will be self explanatory when you read the post. Yes it reads like a soap opera although everything is TRUE.

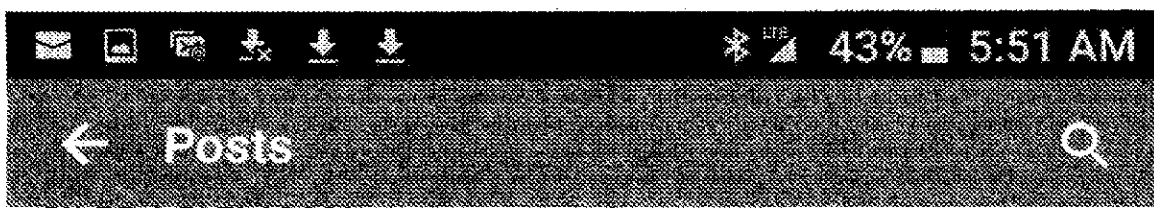
I am not posting this information for sympathy in the matter of divorce.

Even as divorce is a very painful and disturbing fact of some people's lives.

If you should read these post's of mine it will probably be mainly for your entertainment value than anything else. Unless you are a "REAL FRIEND or CARING RELATIVE" not just a Facebook friend. But that's o k.

So you can read the posts and make your COMMENTS if you please. Just make them based on not personally knowing the people involved. As I have not used any names you should recognize in these post.

Although you will know, if you know me.



The information posted sites certain occurrences that happened during said marriage. All of which are facts and can be documented with proof...no lies!

I am exposing this detail for many reasons of which some will be self explanatory when you read the post. Yes it reads like a soap opera although everything is TRUE.

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So you can read the posts and make your COMMENTS if you please. Just make them based on not personally knowing the people involved. As I have not used any names you should recognize in these post.

Although you will know, if you know me.

Thanks for READING this letter even with no pictures
lol.....yet!

A SINCERE LETTER,

Will Holmes

I

 Share

FINANCIAL STATEMENT OF WILBERT ROY HOLMES

JUNE 28, 1999

ASSETS:

Cash and Savings:

Cash, Savings Accounts, CDs	6,000.00
Money-Market Funds	8,700.00

Taxable Investments: (excluding retirement accounts)

Stocks	1,600.00
Stock and Bond Mutual Funds	99,800.00
Investment Real Estate	800,000.00
Cash value of life insurance	1,600.00

Retirement Accounts Annuities	82,000.00
---	-----------

Home and Personal Property:

Cars, recreational vehicles, art, collectibles, jewelry and furnishings	<u>35,000.00</u>
---	------------------

TOTAL ASSETS	958,900.00
-------------------------------	-------------------

LIABILITIES

Car loans/lease	+20,000.00
---------------------------	------------

Credit Card Balances	+2,000.00
--------------------------------	-----------

Installment Loans	+2,000.00
-----------------------------	-----------

TOTAL LIABILITIES	(24,000.00)
------------------------------------	--------------------

TOTAL NET ASSETS	934,900.00
-----------------------------------	-------------------

Michigan Department Of Licensing And Regulatory Affairs
CARD ISSUE REPORT FOR BUSINESS ID 2163

All Licensees

MYTEL RENAISSANCE LLC #2
DBA MYTEL RENAISSANCE CLUB
Address 12980 GREENFIELD
 DETROIT, MI 48227
LGU DETROIT CITY
County WAYNE

Permits:

Status DEAD
File Number D-SCG18
Total Bars 1

Active Violations? N
Violation History? Y
Penalty Hearing Pending? N
Responsible Vendor? N

Concessions:

Received Date	Description	Req Id	Amount	Comp. Date	Completion Type
05/13/1980	TRANSFER OWNERSHIP 179 CLASS C WITH SUNDAY SALES FROM THELMA M. THOMAS, TRANSFER LOCATION FROM ESCROW AT 3408 FIFTEENTH TO 12980 GREENFIELD, DETROIT, RENOV FOR '80 LICENSES YEAR, NEW OFFICIAL PERMIT (F000), DANCE-ENTERTAINMENT & REFRIG LICENSE FROM ESCROW, STOCKHOLDERS: WILBERT R. BOLES & WYNG KAG TON. OP(2) HOURS: 2:00 AM TO 5:30 AM WEEKDAYS & 2:00 AM TO 5:30 AM SUNDAYS	86326		05/13/1980	APPROVED
02/07/1981	NEW OUTDOOR SERVICE. (DENIED)	86326		04/10/1981	DENIED
04/14/1981	RENEWED FOR '81 & '82	86326		04/01/1982	APPROVED
06/11/1982	CANCEL EXISTING POOL PERMIT.	86326		06/23/1982	APPROVED
06/25/1982	DROP SPACE.	86326		03/07/1984	APPROVED
06/28/1982	NEW OUTDOOR SERVICE - 1 AREA.	86326		03/07/1984	APPROVED
09/02/1982	NEW OFFICIAL PERMIT (F000). (DENIED)	86326		04/12/1983	DENIED
04/18/1983	RENEWED FOR '83 & '84	86326		04/02/1984	APPROVED
01/06/1985	ADD SPACE	86326		07/12/1988	APPROVED
04/22/1985	RENEWED FOR '85 THRU '86	86326		04/10/1994	APPROVED
05/23/1994	DUPLICATE LICENSE ISSUED.	86326		05/23/1994	APPROVED
04/29/1995	RENEWED FOR '95 THRU '96	86326		04/28/1998	APPROVED
01/06/1999	RENEW FOR 1999	36331		04/01/2003	CANCELLED
05/24/1994	UNEVOCATED '96 RENEWAL & '98 LICENSE RECEIVED FOR ESCROW. (DE-2)	48727		04/07/2003	APPROVED
01/08/1999	TRANSFER OWNERSHIP 198 C WITH SUNDAY SALES, DANCE-ENTERTAINMENT & 1 OUTDOOR SERVICE AREA TO BARAKA LLC. (CANCELLED)	51554		06/12/2000	CANCELLED
07/08/1999	TRANSFER LOCATION FROM 1986 GREENFIELD TO 1300 JOHN C LODGE, DETROIT. (CANCELLED)	51554		06/12/2000	CANCELLED
07/08/1999	MANAGEMENT AGREEMENT WITH BARAKA LLC RECEIVED. (CANCELLED)	51554		06/12/2000	CANCELLED
03/27/2000	EXTENSION OF ESCROW (COMMISSION ORDER DATED 6-12-00 DEFERRED RENEWAL TO APRIL 30, 2001).	48727		04/07/2003	APPROVED
07/12/2001	EXTENSION OF ESCROW (COMMISSION ORDER DATED 6-20-01 DEFERRED RENEWAL TO APRIL 30, 2002)	48727		07/17/2002	APPROVED
03/12/2001	CANCEL EXISTING SUNDAY SALES PERMIT.	48727		03/20/2001	APPROVED

LLLC0930

July 20, 2016 03:10 PM

Page 1 of 2

Michigan Department Of Licensing And Regulatory Affairs
CARD ISSUE REPORT FOR BUSINESS ID 2163

Received Date	Description	Req Id	Amount	Comp. Date	Completion Type
08/23/2001	TRANSFER OWNERSHIP '98 CLASS C WITH DANCE-ENTERTAINMENT & OUTDOOR SERVICE - 1 AREA TO JOHN G. SEMMA	136619		08/16/2002	CANCELLED
08/29/2001	TRANSFER LOCATION FROM 13980 GREENFIELD TO 11300 S. EIGHT MILE, DETROIT	136619		05/16/2002	CANCELLED
04/26/2002	EXTENSION OF ESCROW (COMMISSION ORDER DATED JULY 17, 2002 DEFERRED RENEWAL TO NOVEMBER 1, 2002.)	48727		01/28/2003	APPROVED
04/26/2002	TRANSFER OWNERSHIP '98 CLASS C LICENSE WITH DANCE-ENTERTAINMENT & OUTDOOR SERVICE - 1 AREA TO NPV INVESTMENTS, INC.	183716		07/23/2002	CANCELLED
04/26/2002	TRANSFER LOCATION FROM 13980 GREENFIELD TO 19030 WOODWARD, DETROIT	183716		07/23/2002	CANCELLED
02/06/2002	TRANSFER OWNERSHIP '01 CLASS C LICENSE WITH DANCE-ENTERTAINMENT & OUTDOOR SERVICE - 1 AREA TO WINGS SEVEN INC. D-69028 BUSINESS ID 143848	193857		04/07/2003	APPROVED
02/06/2002	TRANSFER LOCATION FROM 13980 GREENFIELD, DETROIT TO 13615 RIVERA, BOWTIEGATE	193857		04/07/2003	APPROVED
09/06/2002	TRANSFER GOVERNMENTAL UNIT UNDER 1531(1) FROM DETROIT CITY TO SOMERSET CITY & CHANGE LGU FROM D-200 TO D-220.5	193857		04/07/2003	APPROVED
01/03/2003	EXTENSION OF ESCROW - (NO REQUEST RECEIVED) COMMISSION ORDER DATED JANUARY 29, 2003 DEFERRED RENEWAL TO NOVEMBER 1, 2003	48727		04/07/2003	APPROVED
03/03/2003	RENEW CLASSE FOR 1999 THRU 2001	218065		04/07/2003	APPROVED

Department of the Treasury
Internal Revenue Service

- ▶ See separate instructions. ▶ Attach to your tax return.
▶ Use a separate form for each sale or other disposition of property on the installment method.

1999

79

Name(s) Shown on Return

Identifying Number

WILBERT R & CAPUCINE Y HOLMES

380-46-0666

1 Description of property ▶ 13980 GREENFIELD DET MI 48227

2a Date acquired (month, day, year) ▶ 06/01/1979

b Date sold (month, day, year) ▶ 02/19/1999

3 Was the property sold to a related party after May 14, 1980? See instructions. If 'No,' skip line 4. ☐ Yes ☒ No4 Was the property you sold to a related party a marketable security? If 'Yes,' complete Part III. If 'No,' complete Part III for the year of sale and the 2 years after the year of sale. ☐ Yes ☐ No**Part I Gross Profit and Contract Price.** Complete this part for the year of sale only.

5 Selling price including mortgages and other debts. Do not include interest whether stated or unstated	5	750,000.
6 Mortgages and other debts the buyer assumed or took the property subject to, but not new mortgages the buyer got from a bank or other source	6	
7 Subtract line 6 from line 5	7	750,000.
8 Cost or other basis of property sold	8	605,500.
9 Depreciation allowed or allowable	9	85,775.
10 Adjusted basis. Subtract line 9 from line 8	10	519,725.
11 Commissions and other expenses of sale	11	39,250.
12 Income recapture from Form 4797, Part III. See instructions	12	8,775.
13 Add lines 10, 11, and 12	13	567,750.
14 Subtract line 13 from line 7. If zero or less, stop here. Do not complete the rest of this form	14	182,250.
15 If the property described on line 1 above was your main home, enter the amount of your excluded gain. Otherwise, enter -0-. See instructions	15	
16 Gross profit. Subtract line 15 from line 14	16	182,250.
17 Subtract line 13 from line 6. If zero or less, enter -0-	17	0.
18 Contract price. Add line 7 and line 17	18	750,000.

Part II Installment Sale Income. Complete this part for the year of sale and any year you receive a payment or have certain debts you must treat as a payment on installment obligations.

19 Gross profit percentage. Divide line 16 by line 18. For years after the year of sale, see instructions	19	0.2430
20 For year of sale only: Enter amount from line 17 above; otherwise, enter -0-	20	0.
21 Payments received during year. See instructions. Do not include interest whether stated or unstated	21	211,938.
22 Add lines 20 and 21	22	211,938.
23 Payments received in prior years. See instructions. Do not include interest whether stated or unstated	23	
24 Installment sale income. Multiply line 22 by line 19	24	51,501.
25 Part of line 24 that is ordinary income under recapture rules. See instructions	25	
26 Subtract line 25 from line 24. Enter here and on Schedule D or Form 4797. See instructions	26	51,501.

Part III Related Party Installment Sale Income. Do not complete if you received the final payment this tax year.

27 Name, address, and taxpayer identifying number of related party		
28 Did the related party, during this tax year, resell or dispose of the property (second disposition)?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
29 If the answer to question 28 is 'Yes,' complete lines 30 through 37 below unless one of the following conditions is met. Check only the box that applies.		
a <input type="checkbox"/> The second disposition was more than 2 years after the first disposition (other than dispositions of marketable securities). If this box is checked, enter the date of disposition (month, day, year)		
b <input type="checkbox"/> The first disposition was a sale or exchange of stock to the issuing corporation.		
c <input type="checkbox"/> The second disposition was an involuntary conversion where the threat of conversion occurred after the first disposition.		
d <input type="checkbox"/> The second disposition occurred after the death of the original seller or buyer.		
e <input type="checkbox"/> It can be established to the satisfaction of the Internal Revenue Service that tax avoidance was not a principal purpose for either of the dispositions. If this box is checked, attach an explanation. See instructions.		
30 Selling price of property sold by related party	30	
31 Enter contract price from line 18 for year of first sale	31	
32 Enter the smaller of line 30 or line 31	32	
33 Total payments received by the end of your 1999 tax year. See instructions	33	
34 Subtract line 33 from line 32. If zero or less, enter -0-	34	
35 Multiply line 34 by the gross profit percentage on line 19 for year of first sale	35	
36 Part of line 35 that is ordinary income under recapture rules. See instructions	36	
37 Subtract line 36 from line 35. Enter here and on Schedule D or Form 4797. See instructions	37	

BAA For Paperwork Reduction Act Notice, see separate instructions.

Form 6252 (1999)

FD-21551 12/22/99



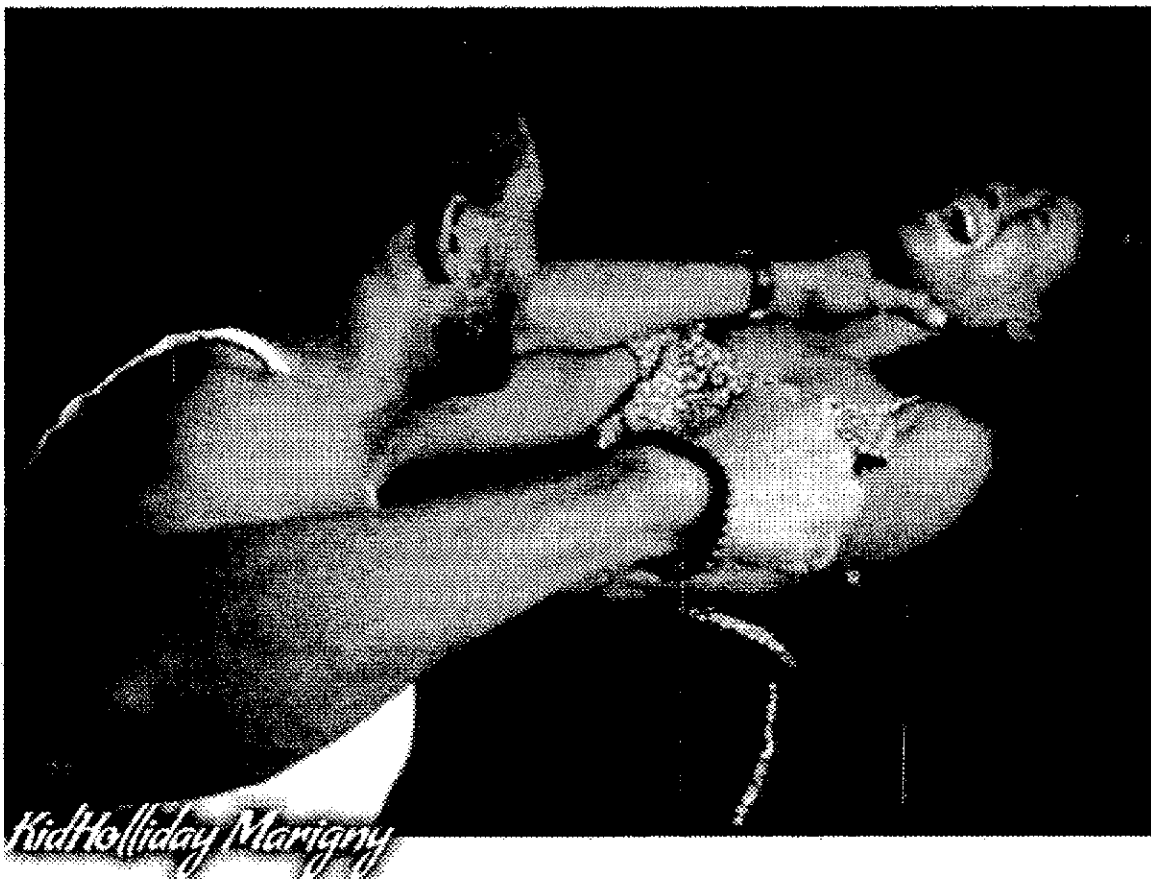
Will R. Holmes shared **Kidholliday Marigny's** post.
9 hrs • 🌐



Kidholliday Marigny
Jan 27 at 5:03pm • 🌐

When a man does this it's time to go. Ladies type "YES" if you fully agree.

WHEN A MAN DOES THIS

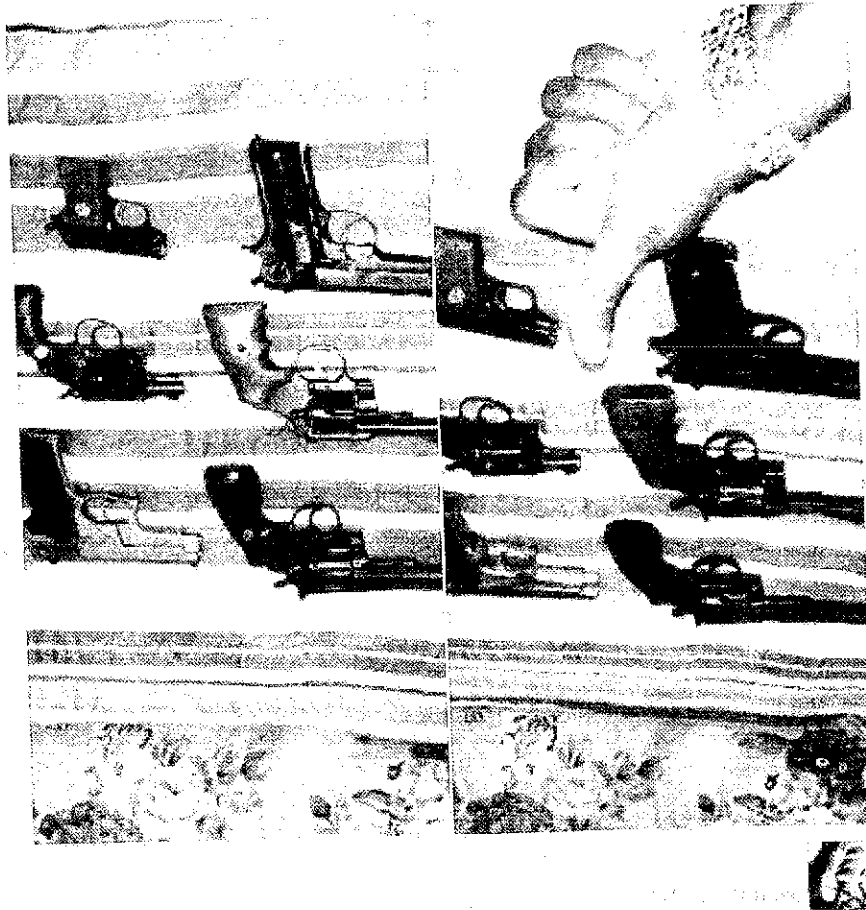


IT'S TIME TO GO!! RIGHT?

1 like 1 comment

🔗 Share

He posted this on
facebook on May 1, 2016





Will R. Holmes

Wednesday at 10:59 PM · 🌐

Everybody has one.....or more..

What do you Think?

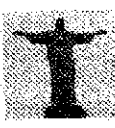
These are all "legal" and for sale.

I have enough...for over 35 years I have been
licensed to carry.

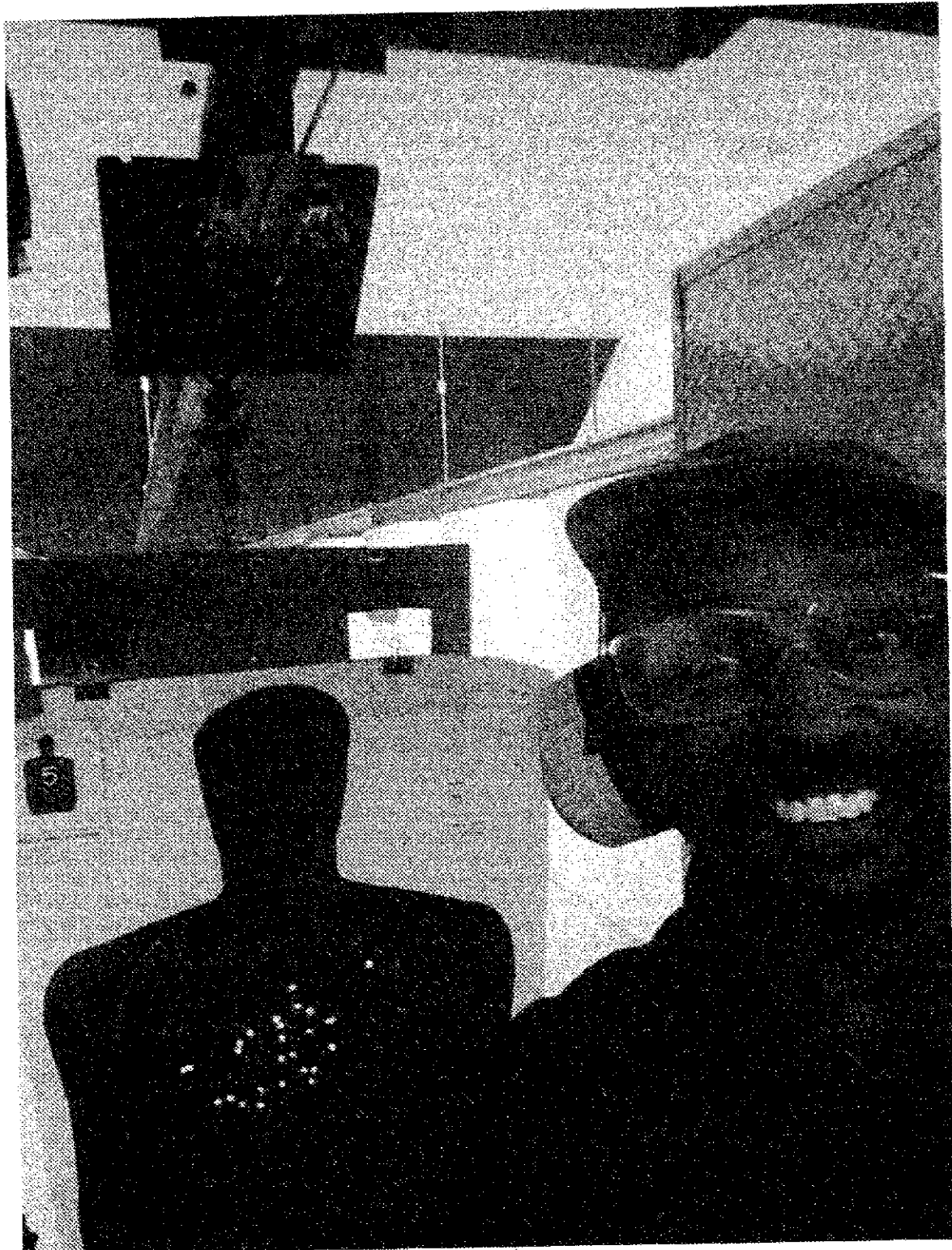
Call me.....





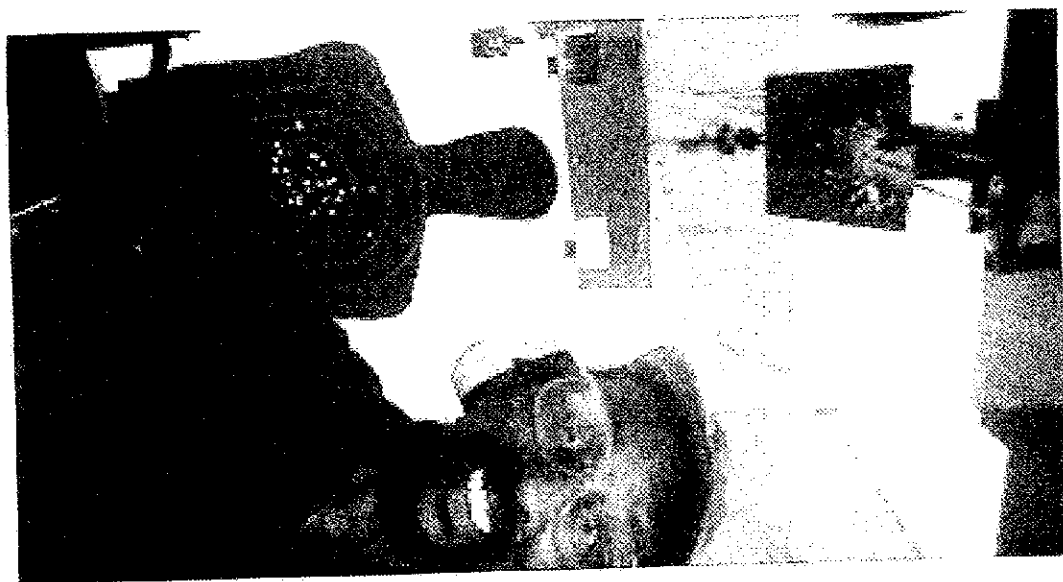


Will R. Holmes
May 1 at 5:27pm • Enterprise, Nevada •





LOOK OUT JAMES BOND



Steph L. Johnson
CLERK OF THE COURT

1 ORD

2 RACHEL M. JACOBSON, LTD.
3 Nevada Bar No: 007827
4 JACOBSON LAW OFFICE, LTD.
5 64 North Pecos Road, Suite 200
6 Henderson, Nevada 89074
7 Phone (702) 601-0770
8 Attorney for Defendant

9 DISTRICT COURT
10 CLARK COUNTY, NEVADA

11 CAPUCINE YOLANDA HOLMES,

12 PLAINTIFF,

13 vs.

14 WILBERT ROY HOLMES

15 DEFENDANT

Case No. D-15-523582-D
Dept. No. J

ORDER REGARDING HEARING
OF APRIL 6, 2016

16 THIS MATTER having come on before the Court for Case Management Conference;
17 Plaintiff, CAPUCINE YOLANDA HOLMES, present and represented by her attorney,
18 MARSHA KIMBLE-SIMMS, ESQ., and Defendant, WILBERT ROY HOLMES, present and
19 represented by and through his attorney RACHEL M. JACOBSON, ESQ.; the Court having read
20 the pleadings and papers on file herein, being fully advised in the premises and good cause
21 appearing, makes the following findings and Orders:

22 IT IS HEREBY ORDERED that the PRE-NUP TIAL AGREEMENT is presumed valid
23 unless someone attacks it and that shall govern the division of property. VC 11.26.19. *validity.*

24 IT IS FURTHER ORDERED the MARITAL APPRAISAL shall be PREPARED, by
25 SCOTT DUGAN, Defendant shall FRONT the COST; HOWEVER, in the END, said COST
26 shall be EQUALLY DIVIDED 50/50 by the Parties.

IT IS FURTHER ORDERED that DISCOVERY is OPEN.

IT IS FURTHER ORDERED that, pursuant to 16.2, EXCHANGE OF DOCUMENTS

shall be VOLUNTARILY COMPLETED.

IT IS FURTHER ORDERED that Counsel shall be permitted to AMEND the

PLEADINGS to INCLUDE the FORM and WASTE claims within the next 30 days.

IT IS FURTHER ORDERED that Attorney Jacobson to prepare an Order from today's

hearing.

IT IS FURTHER ORDERED that CALENDAR CALL is set for September 27, 2016 at

11:00 a.m.

IT IS FURTHER ORDERED that an EVIDENTIARY HEARING on Fineness and

quality in residence is set for October 11, 2016 at 1:30 p.m. (Room #2).

DATED the 12 day of May, 2016.

REENA O. HUGHES DISTRICT COURT JUDGE

Approved as to Form and Content:

SIMMS LAW FIRM, LLC

MARSHA KIMBLE-SIMMS, ESQ.

Nevada Bar No. 008530

1918 Ninth Shindigw Avenue

North Las Vegas, Nevada 89031

(702) 275-4185

Attorney for Plaintiff

JACOBSON LAW OFFICE, LTD.

Respectfully Submitted:

KACHET M. JACOBSON, ESQ.

Nevada Bar No. 007827

64 N. Pecos Road, Suite 200

Henderson, Nevada 89074

(702) 601-0770

Attorney for Defendants



Dec 24, 2015 at 1:55pm •

Dats me....Xmas eve...2015
Glad to be here..alive...thank you
Lord...in RIO DE JANIERO !
!

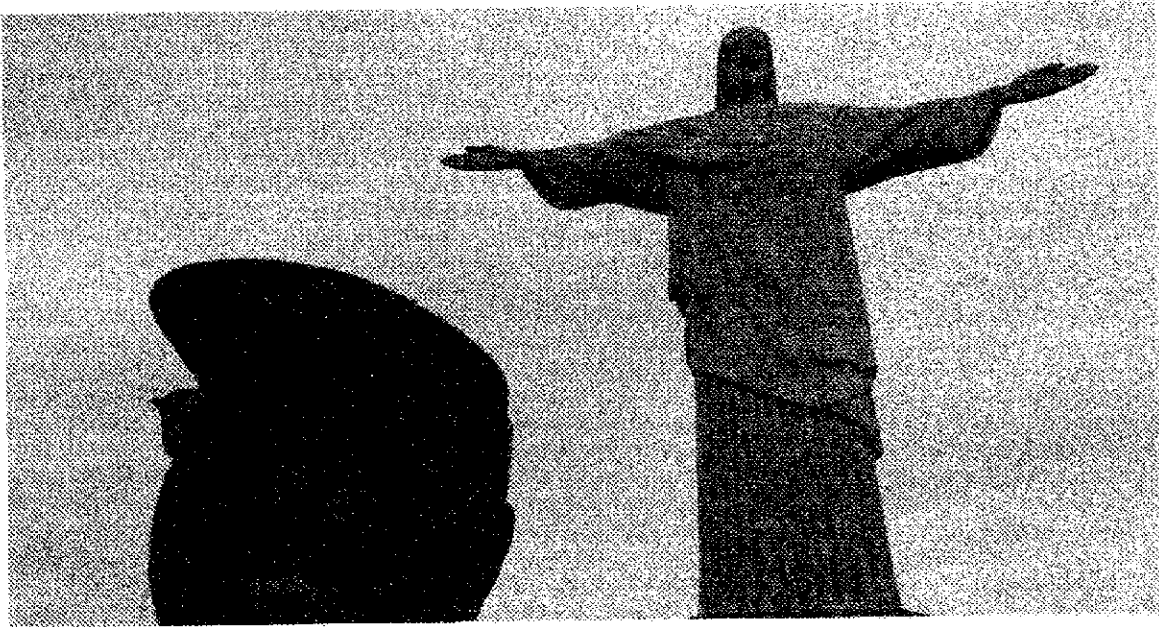




Will R. Holmes

Jan 11 at 6:55am • 🌐

And Again. ...



Like



Comment



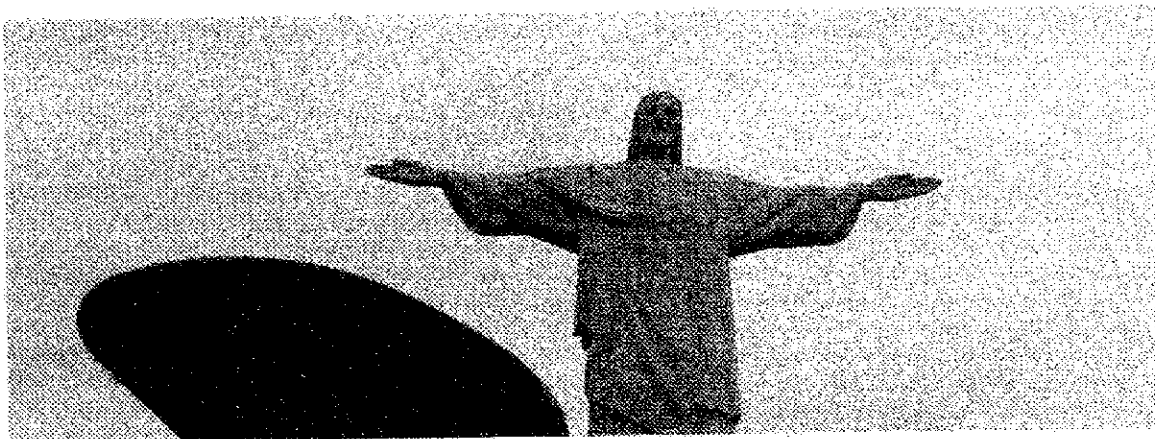
Share



Will R. Holmes


Jan 11 at 6:56am • 🌐

Amenagain





Will R. Holmes

Jan 10 at 1:30pm • 

On top of the hill....five star joi...HOTEL!



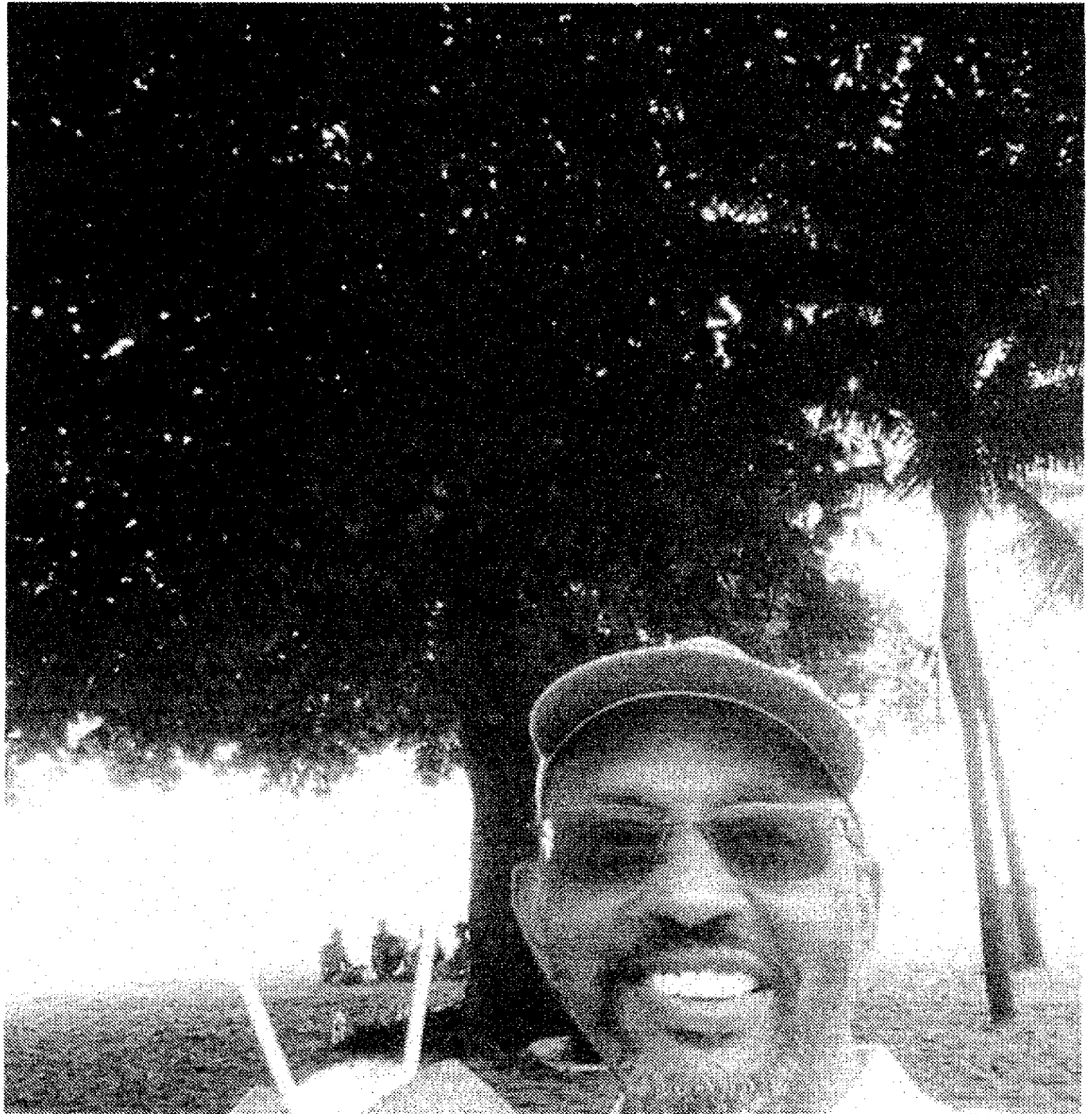


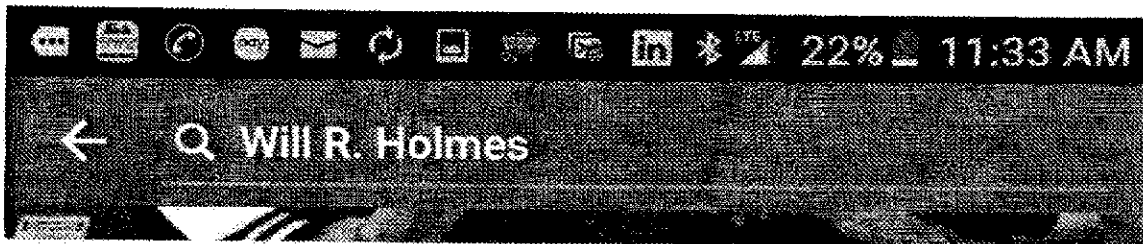
Will R. Holmes

Jan 14 at 8:28am • 🌐

Last call.....in RIO

These COCONUT drinks on me!






 Like

 Comment

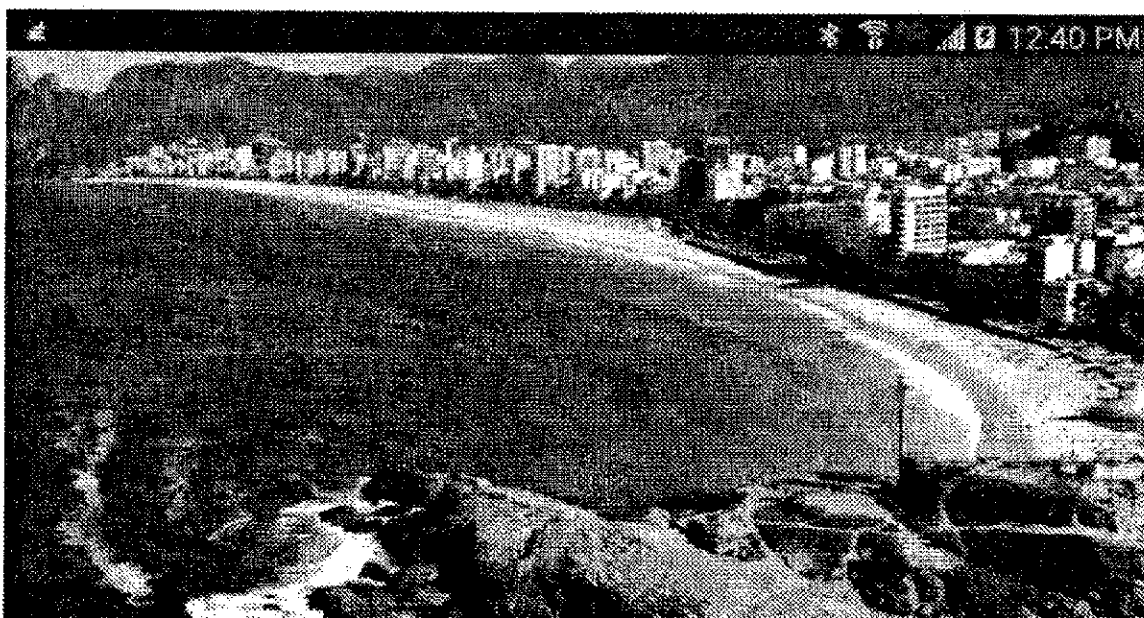
 Share



Will R. Holmes in Rio de Janeiro, Brazil.

Mar 2 at 12:41pm • Rio de Janeiro, Brazil • 


I'LL BE BACK.....NEXT WEEK!



3 likes 2 comments

 Like

 Comment

 Share




Will R. Holmes shared Kings & Queens Awake's photo.

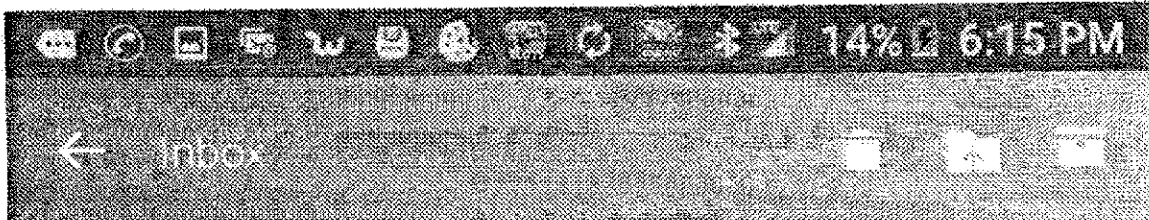
Mar 2 at 8:32am • 



Kings & Queens Awake

Feb 18 at 2:42pm • 

Before we start disrespecting black women, and before you black women disrespect yourselves, remember what your ancestors went through for you



Private...



WIL HOLMES

Me

March 15, 2016, 4:48 PM

I'm leaving shortly for Costa Rica...
I'm only going because I miss you
I wish you could go with me.

I see that will never happen again.

Have a good week.

:(



Battery fully charged.



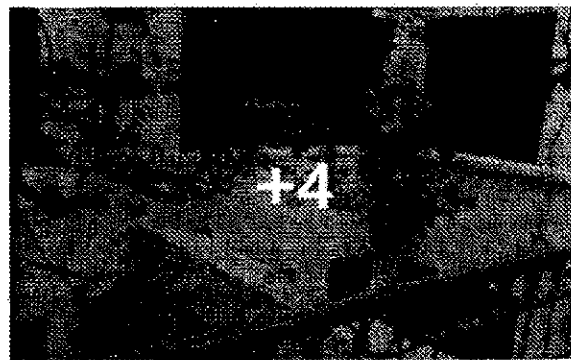
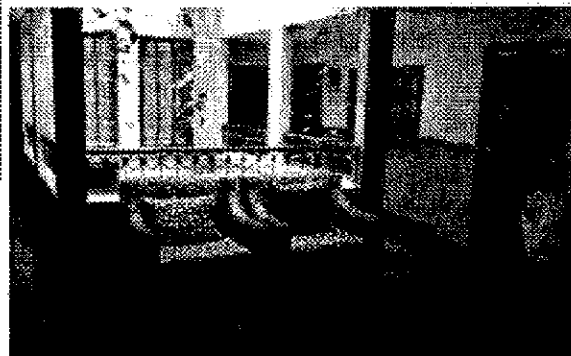
Will R. Holmes



Will R. Holmes added 8 new photos — feeling happy.

Mar 16 at 1:15pm •

I'm here yall.....and that's the pretty.."Clean up Woman"....is a woman too!



8 likes 4 comments



Like



Comment



Share




Will R. Holmes

Mar 16 at 2:13am • Panama City, Panama •

MOT

Marsha Kimble- Simms
Nevada Bar No. 8350
Cheyenne West Corporate Park
Simms Law Firm, Llc
2560 W. Brooks Ave, Suite #101
North Las Vegas, Nevada 89032
(702)275-4185 (o), 702) 664-0457 (f)
Attorney for CAPUCINE YOLANDA HOLMES



CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

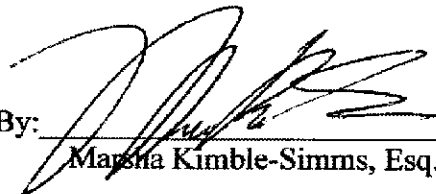
CAPUCINE YOLANDA HOLMES,) Case No.: D-15-523582-D
)
Plaintiff,) Dept No.:J
)
vs.)
)
WILBERT ROY HOLMES,)
)
Defendant.)

EX PARTE MOTION FOR AN ORDER SHORTENING TIME

COME NOW Applicant, CAPUCINE YOLANDA HOLMES, by and through her attorney Marsha Kimble-Simms, Esq., and hereby files an Ex Parte Motion for an Order Shortening Time pursuant to EDCR 5.31, and requests that this Court shorten the time in which to hear the Movant's Motion to Amend The Pleadings, For An Order To Enforce and For An Order to Show Cause, and To Set Aside The Premarital Agreement, which was filed July 22, 2016. This application is based upon the pleadings and papers on file and the affidavit of Marsha Kimble-Simms, Esq., attached to this motion.

DATED this 25th day of July, 2016.

Respectfully Submitted By:


Marsha Kimble-Simms, Esq.

**DECLARATION IN SUPPORT OF EX PARTE MOTION FOR AN ORDER
SHORTENING TIME**

I declare, under penalty of perjury:

1. I am the Movant in the above-entitled action. I have personal knowledge of the facts contained herein and am competent to testify to these facts.

2. I filed my Motion on July 22, 2016. I was given a hearing date of October 4, 2016 at 10:00 a.m.

3. There is an emergency that cannot wait until that date to be heard. The emergency is that the Defendant has failed to Comply with the Court Order requiring him to get an appraisal of the marital home. In addition, Plaintiff has learned that the defendant did not reveal all his assets in the Financial Statement of the Premarital Agreement essentially voided said agreement, and Plaintiff interests will be harm if the Motion is heard at a later date due to Defendant's failure to comply with the Court's Order entered on May, 16, 2016.

4. This Ex Parte Motion for an Order Shortening Time is made in good faith.

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

DATED this 25th day of July, 2016.

Submitted By: 

Marsha Kimble-Simms, Esq.

1 **OST**
2 Nevada Bar No. 8350
3 Cheyenne West Corporate Park
4 Simms Law Firm, Llc
5 2560 W. Brooks Ave, Suite #101
6 North Las Vegas, Nevada 89032
7 (702)275-4185 (o), 702) 664-0457 (f)
8 Attorney for CAPUCINE YOLANDA HOLMES


CLERK OF THE COURT

9 **DISTRICT COURT**
10 **CLARK COUNTY, NEVADA**

11 CAPUCINE YOLANDA HOLMES,) Case No.: D-15-523582-D
12 Plaintiff,) Dept No.:J
13 vs.)
14 WILBERT ROY HOLMES,)
15 Defendant.)

16 **ORDER SHORTENING TIME**

17 Upon application of the Plaintiff, appearing in by and through her attorney Marsha
18 Kimble-Simms, Esq., of the SIMMS LAW FIRM, LLC, and good cause appearing therefore:

19 **IT IS HEREBY ORDERED** that the time for hearing Plaintiff CAPUCINE YOLANDA
20 is hereby shortened and shall be heard on the 4th day of August, 2016 at the hour of
21 2:30 a.m. pm in Department J.

22 DATED this 26 day of July, 20 16.

23 
24 DISTRICT COURT JUDGE

25 RENA G. HUGHES

26 Submitted By: 
27 MARSHA KIMBLE-SIMMS, ESQ.
28