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IN THE SUPREME COURT OF THE STATE OF NEVADA

2017 SEP 10 AM 10:55

INDICATE FULL CAPTION:

In The Matter of the W. N. Connell and
Marjorie T. Connell Liing Trust dated May 18,
2017

Eleanor Connell Hartman Ahern
Appeliant

Jacqueline M. Montoya and Kathryn A. Bouvier
Respondent

No. 73837

DOCKETING STATEMENT
CIVIL APPEALS

FILED

SEP 21 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

GENERAL INFORMATION

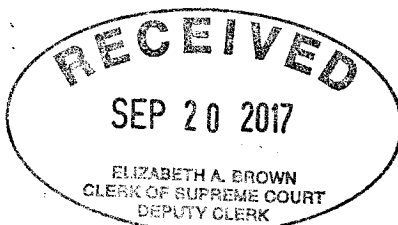
Appellants must complete this docketing statement in compliance with NRAP 14(a). The purpose of the docketing statement is to assist the Supreme Court in screening jurisdiction, identifying issues on appeal, assessing presumptive assignment to the Court of Appeals under NRAP 17, scheduling cases for oral argument and settlement conferences, classifying cases for expedited treatment and assignment to the Court of Appeals, and compiling statistical information.

WARNING

This statement must be completed fully, accurately and on time. NRAP 14(c). The Supreme Court may impose sanctions on counsel or appellant if it appears that the information provided is incomplete or inaccurate. *Id.* Failure to fill out the statement completely or to file it in a timely manner constitutes grounds for the imposition of sanctions, including a fine and/or dismissal of the appeal.

A complete list of the documents that must be attached appears as Question 27 on this docketing statement. Failure to attach all required documents will result in the delay of your appeal and may result in the imposition of sanctions.

This court has noted that when attorneys do not take seriously their obligations under NRAP 14 to complete the docketing statement properly and conscientiously, they waste the valuable judicial resources of this court, making the imposition of sanctions appropriate. See KDI Sylvan Pools v. Workman, 107 Nev. 340, 344, 810 P.2d 1217, 1220 (1991). Please use tab dividers to separate any attached documents.



17-31966

Revised December 2015

10810

1. Judicial District 8th Department 26
County Clark Judge Gloria Sturman
District Ct. Case No. P066426

2. Attorney filing this docketing statement:

Attorney Eleanor Ahern Pro se Telephone 702 346 3635
Firm _____ Fax 702 346 7909
Address 355 West Mesquite Bld. D30 #176
Mesquite, Nevada 89027

Client(s) _____

If this is a joint statement by multiple appellants, add the names and addresses of other counsel and the names of their clients on an additional sheet accompanied by a certification that they concur in the filing of this statement.

3. Attorney(s) representing respondents(s):

Attorney Joseph Powell Telephone 702 255 3552
Firm The Rushforth Firm
Address 1701 Village Center Circle Sta 150
Las Vegas, Nevada 89134

Client(s) Jacqueline M. Montoya and Kathlyn A. Bouvier

Attorney _____ Telephone _____
Firm _____
Address _____

Client(s) _____

(List additional counsel on separate sheet if necessary)

4. Nature of disposition below (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Judgment after bench trial | <input type="checkbox"/> Dismissal: |
| <input type="checkbox"/> Judgment after jury verdict | <input type="checkbox"/> Lack of jurisdiction |
| <input type="checkbox"/> Summary judgment | <input type="checkbox"/> Failure to state a claim |
| <input type="checkbox"/> Default judgment | <input type="checkbox"/> Failure to prosecute |
| <input type="checkbox"/> Grant/Denial of NRCp 60(b) relief | <input type="checkbox"/> Other (specify): _____ |
| <input type="checkbox"/> Grant/Denial of injunction | <input type="checkbox"/> Divorce Decree: |
| <input type="checkbox"/> Grant/Denial of declaratory relief | <input type="checkbox"/> Original <input type="checkbox"/> Modification |
| <input type="checkbox"/> Review of agency determination | <input type="checkbox"/> Other disposition (specify): <u>Damages \$3,600 Million</u> |

5. Does this appeal raise issues concerning any of the following?

- ☐ Child Custody
☐ Venue
☐ Termination of parental rights

6. Pending and prior proceedings in this court. List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal:

No 66231 Jacqueline M. Montoya & Katheryn A. Bouvier Filed May 22, 2017
Consolidated with No 67782 and No 68046
No 72877 Marquis Aurbach Coffing
No 67782 Jacqueline M. Montoya and Kathryn A. Bouvier Filed Nov 20, 2015
Consolidated with No. 68046 Brownstein Hyatt Farber Schreck, LLP
No. 72897 Marquis Aurbach Coffing filed June 09, 2017
No 72897 Brownstein Hyatt Farber Schreck, LLP Filed June 18. 2017
No 71577 W. N. Connell Trust
No 72897 Brownstein Hyatt Farber Schreck, LLP Filed Aug 16, 2017
No 73837 Jacqueline M. Montoya & Kathy A. Bouvier Filed Sept. 07, 2017

7. Pending and prior proceedings in other courts. List the case name, number and court of all pending and prior proceedings in other courts which are related to this appeal (e.g., bankruptcy, consolidated or bifurcated proceedings) and their dates of disposition:

None

8. Nature of the action. Briefly describe the nature of the action and the result below:

The 2009 Petition and Order were created by Trust Attorney, Mark Solomon, upon my request because David Strauss who had been my trust attorney now was my daughters attorney said I must reconstruct the trust and make my daughters Remaindermen so they would be able to get everything I inherited from my father and what I had created when I died, The 2009 Solomon Document and Order confirms the words in my father's trust about me being the residual income beneficiary during my lifetime. The Solomon Petition and Order, signed by Judge Ritchie also states my two daughters are not to be in the flow of money untill I died. I am very much alive. Marjorie, who my father insisted she adopt me in 1996, just 3 years before he died, states she is not in the flow of money from his sole and seperate property untill my two daughters and I were were died. I made a vow and a promise to my father After the adoption became final, I was invited over to their house.

9. Issues on appeal. State concisely the principal issue(s) in this appeal (attach separate sheets as necessary):

The Disstrict Couirt conducted a hearing where the appellant did not have legal representation and was not prepared to defend herself against alligations of appellees and was unprepared. Should the District have conducted heartings when appellent who had no attorney and no money to engage an attorney and was unable to engage hersself in legal proceedings which led to a denial of due process law? The conclusion reached by the District Court was based on improper evidence and testimony.

10. Pending proceedings in this court raising the same or similar issues. If you are aware of any proceedings presently pending before this court which raises the same or similar issues raised in this appeal, list the case name and docket numbers and identify the same or similar issue raised:

11. Constitutional issues. If this appeal challenges the constitutionality of a statute, and the state, any state agency, or any officer or employee thereof is not a party to this appeal, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

☐ N/A

☒ Yes I was denied the right to an Attorney and I had plenty of money to pay for a good attorney, like Larry Semenza I requested an attorney before each of the hearings started in 2017. Judge Sturman DENIED my requests. I had no one to protect me or to object to all the lies thrown at me which Judge Sturman believed.
☐ No
If not, explain:

12. Other issues. Does this appeal involve any of the following issues?

☐ Reversal of well-settled Nevada precedent (identify the case(s))

☒ An issue arising under the United States and/or Nevada Constitutions

☐ A substantial issue of first impression

☒ An issue of public policy

☐ An issue where en banc consideration is necessary to maintain uniformity of this court's decisions

☐ A ballot question

If so, explain: Before each and every Hearing in 2017, I requested an attorney and each time Judge Gloria Sturman DENIED my request. Life altering decisions came out of each of the four (4) Hearings against me I was without representation, completely alone and my Constitutional Rights and the issue of public policy was withheld from me. The outcome was that my constitutional Rights and any protection of public policy was DENIED me. I had no one to protect me from all the lies said against me. Fred Waid, my beneficiary for my trust is NOT QUALIFIED to say I stole millions of dollars and that I mismanaged the trust money. I did not but I had no one to say the truth for me. He only had words with no documentation to support his lies against me. I have plenty of money in my account Fred is holding and has refused to release any money for Larry Semenza to be my attorney.

13. Assignment to the Court of Appeals or retention in the Supreme Court. Briefly set forth whether the matter is presumptively retained by the Supreme Court or assigned to the Court of Appeals under NRAP 17, and cite the subparagraph(s) of the Rule under which the matter falls. If appellant believes that the Supreme Court should retain the case despite its presumptive assignment to the Court of Appeals, identify the specific issue(s) or circumstance(s) that warrant retaining the case, and include an explanation of their importance or significance:

I believe this matter needs to be retained by the Supreme Court and NOT assigned to the Court of Appeals. The specific issues is that I have been denied four time in the Court of Appeals, Judge Sturman's Court. She has denied me an attorney 4 times in all her hearings in 2017. The decisions that came down from this Court were extremely life damaging to me. By being denied an attorney I had my Constitutional Rights trampled and I was rolled over by the law firms of Hutchison and Steffen who was hired by Fred Waid Temporary Trustee of the W. N. Connell and Marjorie T. Connell Living Trust dated 1972. Fred Waid built up a case of lies against me and Judge Gloria Sturman believed then all. I never stole any of the Trust money nor did I miss manage any money. The Rushforth Firm, Attorney Joseph Powell, and my daughter's also lied. Layne Rushforth testified and Lied against me. By not having an attorney, I had NO DEFENSE and my Constitutional Rights were denied four times.

14. Trial. If this action proceeded to trial, how many days did the trial last? No Trial

Was it a bench or jury trial? _____

15. Judicial Disqualification. Do you intend to file a motion to disqualify or have a justice recuse him/herself from participation in this appeal? If so, which Justice? No

TIMELINESS OF NOTICE OF APPEAL

16. Date of entry of written judgment or order appealed from _____

after the August 2, 2017 Hearing.

If no written judgment or order was filed in the district court, explain the basis for

seeking appellate review: **Evidentiary Hearing.** Judge Gloria Sturman DENIED me my

Constitutional Rights by saying DENIED when I demanded to have an attorney with me who could defend me from Fred Waid's lies, the temporary trustee of my father's trust. Fred Waid piled so much evil words with no documentation against me that Judge Sturman believed every word without documentation proving I stole and Mismanaged Trust Funds. Which I never did mismanage trust funds, per the 2009 Solomon Petition and the 2009 Order signed by Judge Ritchie. According to my father's 1972 Living Trust and the Solomon Petition and Order. No money ever should have been paid into the MTC Trust to benefit my mother or my two daughters.

NOTICE OF ENTRY OF ORDER REGARDING MOTION FOR ASSESSMENT OF DAMAGES AGAINST ELEANOR AHERN

17. Date written notice of entry of judgment or order was served August 9, 2017

Was service by:

☐ Delivery

☒ Mail/electronic/fax

18. If the time for filing the notice of appeal was tolled by a post-judgment motion (NRCP 50(b), 52(b), or 59)

(a) Specify the type of motion, the date and method of service of the motion, and the date of filing.

☐ NRCP 50(b) Date of filing _____

☐ NRCP 52(b) Date of filing _____

☐ NRCP 59 Date of filing _____

NOTE: Motions made pursuant to NRCP 60 or motions for rehearing or reconsideration may toll the time for filing a notice of appeal. See AA Primo Builders v. Washington, 126 Nev. ___, 245 P.3d 1190 (2010).

(b) Date of entry of written order resolving tolling motion _____

(c) Date written notice of entry of order resolving tolling motion was served _____

Was service by:

☐ Delivery

☐ Mail

19. Date notice of appeal filed August 21, 2017

If more than one party has appealed from the judgment or order, list the date each notice of appeal was filed and identify by name the party filing the notice of appeal:

20. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(a) or other

SUBSTANTIVE APPEALABILITY

21. Specify the statute or other authority granting this court jurisdiction to review the judgment or order appealed from:

(a)

☐ NRAP 3A(b)(1)

☐ NRS 38.205

☐ NRAP 3A(b)(2)

☐ NRS 233B.150

☐ NRAP 3A(b)(3)

☐ NRS 703.376

☐ Other (specify) _____

(b) Explain how each authority provides a basis for appeal from the judgment or order:

22. List all parties involved in the action or consolidated actions in the district court:

(a) Parties:

Eleanor Connell Hartman Ahern In Forma Pauperis

Jacqueline M. Montoya and Kathryn A. Bouvier

(b) If all parties in the district court are not parties to this appeal, explain in detail why those parties are not involved in this appeal, e.g., formally dismissed, not served, or other:

23. Give a brief description (3 to 5 words) of each party's separate claims, counterclaims, cross-claims, or third-party claims and the date of formal disposition of each claim.

Appellate claims not intitled. Compensatory punitive damages awarded to Montoya/Bouvier.

24. Did the judgment or order appealed from adjudicate ALL the claims alleged below and the rights and liabilities of ALL the parties to the action or consolidated actions below?

☒ Yes

☐ No

25. If you answered "No" to question 24, complete the following:

(a) Specify the claims remaining pending below:

(b) Specify the parties remaining below:

(c) Did the district court certify the judgment or order appealed from as a final judgment pursuant to NRCP 54(b)?

☐ Yes

☐ No

(d) Did the district court make an express determination, pursuant to NRCP 54(b), that there is no just reason for delay and an express direction for the entry of judgment?

☐ Yes

☐ No

26. If you answered "No" to any part of question 25, explain the basis for seeking appellate review (e.g., order is independently appealable under NRAP 3A(b)):

27. Attach file-stamped copies of the following documents:

- The latest-filed complaint, counterclaims, cross-claims, and third-party claims
- Any tolling motion(s) and order(s) resolving tolling motion(s)
- Orders of NRCP 41(a) dismissals formally resolving each claim, counterclaims, cross-claims and/or third-party claims asserted in the action or consolidated action below, even if not at issue on appeal
- Any other order challenged on appeal
- Notices of entry for each attached order

VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement.

Eleanor Connell Hartman Ahern Pro se
Name of appellant

Name of counsel of record

September 17, 2017
Date

Signature of counsel of record

Nevada Clark County
State and county where signed

CERTIFICATE OF SERVICE

I certify that on the 15th day of September, 2017, I served a copy of this completed docketing statement^{15g} upon all counsel of record:

☐ By personally serving it upon him/her; or

☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attach a separate sheet with the addresses.)

Todd J. Moody Esq.
The Hutchison & Steffen Law Firm
10080 West Alta Drive Ste 200
Las Vegas, Nevada 89145
Phone 702 385 2300
Fax 702 385 2086
Attorney for Fred Waid, TT

Joseph J. Powell J. D.
The Rushforth Firm
1701 Village Center Circle Ste 150
Las Vegas, Nevada 89134
Phone 702 255 3552
Fax 702 255 4677
Attorney for Jacqueline M. Montoya and
Kathryn A. Bouvier

Dated this 15th day of September, 2017

Eleanor Ahern
Signature