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Elizabeth A. Brown
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IN THE SUPREME COURT OF NEVADA

YOAV EGOSI,

Appellant,

vs.

PATRICIA EGOSI,

Respondent.

Case No.: 76144

Dist. Ct. No. D-16-540174-D

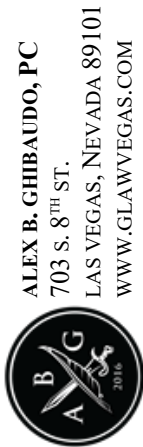
**APPELLANT'S PETITION
FOR REHEARING**

COMES NOW, Yoav Egosi ("Appellant"), through his attorney of record, Alex Ghibaud, Esq., of Alex B. Ghibaud, P.C. and files his petition for rehearing:

DATED this 19th day of May, 2020.

/s/ Alex Ghibaud

ALEX B. GHIBAUDO, Nevada Bar No. 10592
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Attorney for Appellant



Attorney's Certificate of Compliance

1. I certify that this brief complies with the formatting requirements of NRAP 32(a)(4), the typeface requirements of NRAP 32(a)(5) and the type style requirements of NRAP 32(a)(6) because it has been prepared in a proportionally spaced typeface using Microsoft Word 2016 in 14 point Times New Roman.
2. I further certify that this brief complies with the page- or type-volume limitations of NRAP 32(a)(7) because, excluding the parts of the brief exempted by NRAP 32(a)(7)(C), it is proportionately spaced, has a typeface of 14 points or more, and contains 822 words.
3. Finally, I certify that I have read this petition, and to the best of my knowledge, information, and belief, it is not frivolous or interposed for any improper purpose. I further certify that this petition complies with all applicable Nevada Rules of Appellate Procedure, in particular NRAP 28(e)(1), which requires every assertion in the petition regarding matters in the record to be supported by a reference to the page and volume number, if any, of the transcript or appendix where the matter relied on is to be found. I understand that I may be subject to sanctions in the event that the



accompanying petition is not in conformity with the requirements
of the Nevada Rules of Appellate Procedure.

DATED this 19th day of May, 2020.

/s/ Alex Ghibaud

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MEMORANDUM OF POINTS AND AUTHORITIES

I. SUMMARY OF FACTS

On April 24, 2020 this court this Court affirmed the decision below.

In its order of affirmance, this Court considers two arguments advanced by Appellant: 1) whether the district court advanced the correct legal standard; and 2) even if the correct legal standard were used, whether the district court abused its discretion. This Court determined that the correct legal standard was utilized and that the district court did not abuse its discretion.

In his amended opening brief, filed August 23, 2019, Appellant indicated the following was at issue: Should this Court adopt California's rules regarding petitions to relocate with minor children when one parent has sole legal and sole physical custody? See Appellant's amended opening brief, filed August 23, 2019, page ii, attached. The actual argument for adopting California rules concerning sole custody situations is found beginning on page 27 of Appellant's opening brief filed August 23, 2019.

It appears from the order of affirmance that this issue was not considered by this Court. If that was in error, Appellant requests this court consider the matter before issuing Remittitur.



II. LEGAL ANALYSIS

- a. Rehearing is appropriate in this matter because it appears this Court overlooked a legal issue raised by Appellant in his opening brief

Rehearing is appropriate when (1) the appellate court has overlooked or misapprehended a material fact in the record or a material question of law in the case; (2) the appellate court has overlooked, misapplied or failed to consider a statute, procedural rule, regulation or decision directly controlling a dispositive issue in the case; or (3) as required to promote substantial justice. NRAP 40(c); *Bahena v. Goodyear Tire & Rubber Co.*, 126 Nev. 606, 609 (2010). Here, Appellant contends this Court overlooked a material question of law: i.e., whether this Court should adopt California's rules concerning relocation with a minor child when the relocating parent has sole legal and sole physical custody of the minor child. That issue was raised in Appellant's opening brief on page ii, where the issues are listed and on page 27, where the issue is actually argued.

CONCLUSION

This Court appears to have overlooked a critical legal issue raised by Appellant: i.e., whether this Court should adopt California rules concerning relocation with a minor child by a parent who enjoys sole legal and sole



physical custody of the minor child. If this was in error, Appellant requests this Court consider that issue.

DATED this 19th day of May, 2020.

/s/ Alex Ghibaud

ALEX B. GHIBAUDO, Nevada Bar No. 10592

ALEX B. GHIBAUDO, PC

Attorney for Appellant

Certificate of Service

Pursuant to NRAP 25, on January 19th, 2020 APPELLANT'S PETITION FOR REHEARING was served upon each of the parties to appeal 76144 via electronic service through the Supreme Court of Nevada's electronic filing system.

/s/ Alex Ghibaud

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