

1 **NOAS**  
2 **LAW OFFICES OF F. PETER JAMES, ESQ.**  
3 **F. Peter James, Esq.**  
4 **Nevada Bar No. 10091**  
5 **Peter@PeterJamesLaw.com**  
6 **3821 West Charleston Boulevard, Suite 250**  
7 **Las Vegas, Nevada 89102**  
8 **702-256-0087**  
9 **702-256-0145 (fax)**  
10 **Counsel for Petitioner**

Electronically Filed  
Aug 30 2018 11:51 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

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

8 In the matter of the Visitation of the  
9 Persons of:

CASE NO. : D-18-571209-O  
DEPT. NO. : B

10 Jeremiah Caleb Blount, Kaydi Rose  
11 Blount, Lune Bell Blount, and Logan  
12 Alexander Blount, minors;

**NOTICE OF APPEAL**

13 **PAULA BLOUNT,**

14 **Petitioner,**

15 **vs.**

16 **JUSTIN CRAIG BLOUNT,**

**Respondent.**


17 Notice is hereby given that Petitioner, Paula Blount, hereby appeals to the  
18 Supreme Court of Nevada from the Orders entered on August 14, 2018 and

19 ///

20 ///

1 August 23, 2018.

2 Dated this 24 day of August, 2018

3 

4 

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LAW OFFICES OF F. PETER JAMES

5 F. Peter James, Esq.

6 Nevada Bar No. 10091

7 3821 W. Charleston Blvd., Suite 250

8 Las Vegas, Nevada 89102

9 702-256-0087

10 Counsel for Petitioner

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1 **CERTIFICATE OF SERVICE**

2 I certify that on this 24 day of August, 2018, I caused the above and  
3 foregoing document entitled **NOTICE OF APPEAL** to be served as follows:

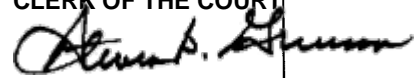
4 ☒ pursuant to EDCR 8.05(A), EDCR 8.05(F), NRCP 5(b)(2)(D)  
5 and Administrative Order 14-2 captioned "In the Administrative  
6 Matter of Mandatory Electronic Service in the Eighth Judicial  
7 District Court," by mandatory electronic service through the  
8 Eighth Judicial District Court's electronic filing system;

9 to the attorney(s) / party(ies) listed below at the address(es), email address(es),  
10 and/or facsimile number(s) indicated below:

11 John T. Kelleher, Esq.  
12 40 S. Stephanie Street., Suite 201  
13 Henderson, Nevada 89012  
702-384-7494  
Counsel for Respondent

14  
15 By: 

16 An employee of the Law Offices of F. Peter James, Esq., PLLC  
17  
18  
19  
20



ASTA  
LAW OFFICES OF F. PETER JAMES, ESQ.  
F. Peter James, Esq.  
Nevada Bar No. 10091  
Peter@PeterJamesLaw.com  
3821 West Charleston Boulevard, Suite 250  
Las Vegas, Nevada 89102  
702-256-0087  
702-256-0145 (fax)  
Counsel for Petitioner

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

In the matter of the Visitation of the  
Persons of:

CASE NO. : D-18-571209-O  
DEPT. NO. : B

Jeremiah Caleb Blount, Kaydi Rose  
Blount, Lune Bell Blount, and Logan  
Alexander Blount, minors;

**CASE APPEAL STATEMENT**

PAULA BLOUNT,

Petitioner,

vs.

JUSTIN CRAIG BLOUNT,

Respondent.

**1. Name of the appellant filing this Case Appeal Statement:**

Paula Blount, the Petitioner in the district court

///

///

1 **2. Identify the judge issuing the decision, judgment, or order appealed**  
2 **from:**

3 Hon. Linda Marquia, District Court Judge (Family Division), Department

4 B.

5 **3. Identify each appellant and the name and address of counsel for each**  
6 **appellant:**

7 Paula Blount, Appellant

8 F. Peter James, Esq.

9 Law Offices of F. Peter James, Esq.

10 3821 West Charleston Boulevard, Suite 250

11 Las Vegas, Nevada 89102

12 702-256-0087

13 702-256-0145 (fax)

14 Counsel for Appellant

15 **4. Identify each respondent and the name and address of appellate**  
16 **counsel, if known, for each respondent (if the name of a respondent's**  
17 **appellate counsel is unknown, indicate as much and provide the name**  
18 **and address of that respondent's trial counsel):**

19 Respondent, Justin Blount

20 Kelleher & Kelleher, LLC

John T. Kelleher, Esq.

40 South Stephanie Street, Suite 201

Henderson, Nevada 89012

702-384-7494

Counsel for Respondent

1 **5. Indicate whether any attorney identified above in response to question**  
2 **3 or 4 is not licensed to practice law in Nevada and, if so, whether the**  
3 **district court granted that attorney permission to appear under SCR**  
4 **42 (attach a copy of any district court order granting such**  
5 **permission):**

6 All counsel referenced above are licensed to practice law in the State of  
7 Nevada.

8 **6. Indicate whether appellant is represented by appointed or retained**  
9 **counsel in the district court:**

10 Appellant was represented by retained counsel in the district court.

11 **7. Indicate whether appellant is represented by appointed or retained**  
12 **counsel on appeal:**

13 Appellant is represented by retained counsel on appeal.

14 **8. Indicate whether appellant was granted leave to proceed in forma**  
15 **pauperis and the date of entry of the district court order granting such**  
16 **leave:**

17 Appellant was never granted leave to proceed in forma pauperis.

18 **9. Indicate the date the proceedings commenced in the district court:**

19 The Petition for Grandparent Visitation was filed on May 18, 2018.  
20

1 **10. Provide a brief description of the action and result in the district court,**  
2 **including the type of judgment or order being appealed and the relief**  
3 **granted by the district court:**

4 The action in the district court is a for Grandparent visitation under NRS  
5 125C.050. The district court dismissed the action for lack of jurisdiction.  
6 The district court issued an order awarding Respondent attorney's fees.  
7 Both orders are on appeal.

8 **11. Indicate whether the case has previously been the subject of an appeal**  
9 **to or original writ proceeding in the Supreme Court and, if so, the**  
10 **caption and Supreme Court docket number of the prior proceeding:**

11 N/A.

12 **12. Please state whether the appeal involves child custody or visitation:**

13 The appeal does involve child visitation issues, though not custodial  
14 visitation.

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20 ///

1 **13. Please state whether the appeal involves the possibility of settlement:**

2 With a good mediator, settlement might be possible. Appellant just wants  
3 to visit with her grandchildren.

4 Dated this 24 day of August, 2018

5 

6 

---

LAW OFFICES OF F. PETER JAMES

7 F. Peter James, Esq.

8 Nevada Bar No. 10091

9 3821 W. Charleston Blvd., Suite 250

10 Las Vegas, Nevada 89102

11 702-256-0087

12 Counsel for Petitioner

13

14

15

16

17

18

19

20




1 **CERTIFICATE OF SERVICE**

2 I certify that on this 24 day of August, 2018, I caused the above and  
3 foregoing document entitled **CASE APPEAL STATEMENT** to be served as  
4 follows:

5 ☒ pursuant to EDCR 8.05(A), EDCR 8.05(F), NRCP 5(b)(2)(D)  
6 and Administrative Order 14-2 captioned "In the Administrative  
7 Matter of Mandatory Electronic Service in the Eighth Judicial  
8 District Court," by mandatory electronic service through the  
9 Eighth Judicial District Court's electronic filing system;  
10 to the attorney(s) / party(ies) listed below at the address(es), email address(es),  
11 and/or facsimile number(s) indicated below:

12 John T. Kelleher, Esq.  
13 40 S. Stephanie Street., Suite 201  
14 Henderson, Nevada 89012  
702-384-7494  
Counsel for Respondent

15   
16 By: \_\_\_\_\_  
17 An employee of the Law Offices of F. Peter James, Esq., PLLC  
18  
19  
20

# CASE SUMMARY

## CASE NO. D-18-571209-O

In the Matter of the Petition of:  
Paula Blount, Petitioner(s).

§  
§  
§  
§

Location: Department B  
Judicial Officer: Marquis, Linda  
Filed on: 05/18/2018

### CASE INFORMATION

Case Type: Miscellaneous Petition

Case Status: 05/18/2018 Open

Case Flags: Order After Hearing Required  
Proper Person Mail Returned  
Appealed to Supreme Court

### DATE

### CASE ASSIGNMENT

#### Current Case Assignment

Case Number D-18-571209-O  
Court Department B  
Date Assigned 05/18/2018  
Judicial Officer Marquis, Linda





### PARTY INFORMATION

<b>Petitioner</b>	<b>Blount, Paula</b> <i>P.O. Box 6856 Kingman, AZ 86402</i>	<i>Attorneys</i> <b>James, F Peter, ESQ</b> <i>Retained</i> 702-256-0087(W)
<b>Respondent</b>	<b>Blount, Justin</b> <i>100 North Wallace Drive #156 Las Vegas, NV 89107</i>	<b>Kelleher, John T., ESQ</b> <i>Retained</i> 702-384-7494(W)
<b>Subject Minor</b>	<b>Blount, Jeremiah Caleb</b>  <b>Blount, Kaydi Rose</b>  <b>Blount, Logan Alexander</b>  <b>Blount, Luna Bell</b>	

### DATE


















### EVENTS & ORDERS OF THE COURT

#### EVENTS

05/18/2018	 Petition Filed by: Petitioner Blount, Paula <i>Petition for Grandparent Visitation (NRS 125C.050)</i>
06/12/2018	 Motion Filed by: Petitioner Blount, Paula <i>Motion for Temporary Orders</i>
06/14/2018	 Summons Issued Only Filed by: Petitioner Blount, Paula <i>Summons Issued Only</i>
06/19/2018	 Notice of Appearance Party: Respondent Blount, Justin <i>Notice of Appearance of Counsel</i>

**CASE SUMMARY**

**CASE NO. D-18-571209-O**

06/22/2018	 Proof of Service Filed by: Petitioner Blount, Paula <i>Proof of Service</i>
07/05/2018	 Opposition Filed by: Respondent Blount, Justin <i>Opposition to Petitioner's Motion for Temporary Orders and Countermotion for Dismissal of Action and Attorney's Costs and Fees</i>
07/05/2018	 Answer to Complaint Filed By: Respondent Blount, Justin <i>Answer to Petition for Grandparent Visitation</i>
07/16/2018	 Exhibits <i>Supplemental Exhibits to Respondent;s Opposition</i>
07/18/2018	 Exhibits Filed by: Petitioner Blount, Paula <i>Second Supplemental Exhibits to Respondent's Opposition</i>
07/19/2018	 Brief Filed by: Petitioner Blount, Paula <i>Brief as to Jurisdictional Issues and Related Matters</i>
07/19/2018	 Exhibits Filed by: Petitioner Blount, Paula <i>Exhibits in Support of Brief as to Jurisdictional Issues and Related Matters</i>
07/24/2018	 Reply Filed by: Respondent Blount, Justin <i>Reply to Petitioner's Brief</i>
07/31/2018	 Financial Disclosure Form Filed by: Petitioner Blount, Paula <i>General Financial Disclosure Form</i>
08/03/2018	 Financial Disclosure Form Filed by: Petitioner Blount, Paula <i>General Financial Disclosure Form</i>
08/03/2018	 Financial Disclosure Form <i>General Financial Disclosure Form</i>
08/03/2018	 Memorandum Filed by: Respondent Blount, Justin <i>Respondent's Memorandum of Fees and Costs for June 25, 2018 Hearing</i>
08/14/2018	 Brief Filed by: Petitioner Blount, Paula <i>Petitioner's Brief Opposing Award of Fees and Cost to Respondent</i>
08/16/2018	 Order <i>Findings of Fact, Conclusions of Law, and Order From July 25, 2018 Hearing</i>
08/20/2018	 Notice of Entry of Order <i>Notice of Entry of Order</i>
08/23/2018	 Order <i>Order Awarding Attorney's Fees and Costs</i>
08/24/2018	 Notice of Appeal Filed by: Petitioner Blount, Paula <i>Notice of Appeal</i>
08/24/2018	

# CASE SUMMARY

CASE NO. D-18-571209-O



Case Appeal Statement

Filed by: Petitioner Blount, Paula

Case Appeal Statement

08/24/2018



Estimate of Transcript

July 17, 2018; July 25, 2018

08/27/2018



Notice of Entry of Order

Notice of Entry of Order

## DISPOSITIONS

08/23/2018

**Judgment** (Judicial Officer: Marquis, Linda)

Judgment (\$9,931.05, In Full , Filed 08-23-18)

## HEARINGS

07/17/2018

**Motion** (9:00 AM) (Judicial Officer: Marquis, Linda)

Events: 06/12/2018 Motion

Petitioner Paula Blount - Motion for Temporary Orders

Matter Continued; See 7/17/18 All Pending Motions

07/17/2018

**Opposition & Countermotion** (9:00 AM) (Judicial Officer: Marquis, Linda)

Events: 06/12/2018 Motion

Respondant Justin - Opposition to Petitioner's Motion for Temporary Orders and

Countermotion for Dismissal of Action and Attorney's Costs and Fees

Matter Continued; See 7/17/18 All Pending Motions

07/17/2018



**All Pending Motions** (9:00 AM) (Judicial Officer: Marquis, Linda)

Matter Heard;

Journal Entry Details:

PETITIONER'S MOTION FOR TEMPORARY ORDERS...RESPONDENT'S OPPOSITION TO PETITIONER'S MOTION FOR TEMPORARY ORDERS AND COUNTERMOTION FOR DISMISSAL OF ACTION AND ATTORNEY'S COSTS AND FEES. Respondent's wife, who is the natural mother of minor children Luna and Logan, also present with Respondent. Counsel advised there has been no resolution. Mr. James advised Petitioner is close with the two older children but not the two younger ones as Respondent has kept them from her. Respondent and his family have lived with Petitioner while between residences. Mr. James acknowledged Katie and Jeremiah are members of a Native American tribe. Mr. James advised UCCJEA does not apply to grandparents rights. Petitioner requested additional visitation time with the children. Discussion regarding the addition of natural mother as a necessary party. Mr. Kelleher requested the award of attorney's fees against Petitioner. Mr. Kelleher advised his office sent a two page letter outlining the case and received no response from Petitioner. Discussion regarding jurisdiction and enrollment in the tribe as a sovereign nation. Mr. Kelleher advised the sovereign nation already heard this case. In addition, the two younger children have not lived here for six months, so this court has no jurisdiction. Mr. James advised Petitioner is not a party to the tribal case. It was the other grandparents. Mr. Kelleher noted it doesn't matter who is a party to the action. It is the children who are the object of the two separate orders. Mr. James again stated UCCJEA is only between the parents. Court questioned the citation, and inquired if the Hualapai tribe accepts UCCJEA. Mr. James advised he thought they did. Mr. Kelleher cited 25 USCA Section 1911 regarding jurisdiction. Court noted Mr. James believes that is for custody and not visitation. COURT ORDERED: Matter CONTINUED to 7/25/18 at 10:30 AM. Counsel shall submit REPLY within 72 hours to include confirmation of whether or not Hualapai Tribe accepts UCCJEA; why the natural mother was not named as a party; jurisdiction for children living here less than six months. Jurisdiction is the pivotal issue.;

07/25/2018



**Motion** (10:30 AM) (Judicial Officer: Marquis, Linda)

Cont. from 7/17/18

Denied; See 7/25/18 ALL PENDING journal entry

07/25/2018

**Opposition & Countermotion** (10:30 AM) (Judicial Officer: Marquis, Linda)

Events: 07/05/2018 Opposition

Continued from 7/17/18

Granted; See 7/25/18 ALL PENDING journal entry

07/25/2018



**All Pending Motions** (10:30 AM) (Judicial Officer: Marquis, Linda)

# CASE SUMMARY

CASE NO. D-18-571209-O

## MINUTES

Matter Heard;

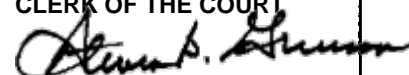
Journal Entry Details:

*CONTINUED FROM 7/17/18 Attorney Saira Haseebullah, Bar #13500, also present on behalf of Defendant. Court reviewed Defendant's Reply to Plaintiff's supplemental brief. Discussion regarding UCCJEA and the distinction between custodial visitation and visitation. Attorney James stated the UCCJEA applies to custody and proceedings regarding custody. Attorney Kelleher cited Friedman vs Eighth Judicial District Court and stated this case should have never been filed here as Nevada does not have jurisdiction. Attorney Kelleher requested attorney's fees. Court noted the natural mother is alive, and oldest children have a different mother than the two younger children. Natural mother was not named as a party or served. COURT stated FINDINGS and ORDERED, Relative to minor children Logan and Luna, Plaintiff's Motion is DENIED. Relative to the oldest children, Hualapai Tribe has continued exclusive jurisdiction. Defendant's Motion is GRANTED. Attorney's Fees shall be AWARDED to Defendant. Attorney Kelleher shall submit a Memorandum of Fees and Costs, Brunzell Miller Affidavit and a proposed order within 10 days from today and served upon opposing counsel. Proposed order shall include Findings of Facts and Conclusion of Law. Opposing counsel shall have 10 days to file a Response. Matter will be set on Chamber's Calendar; no appearances required. Attorney Kelleher shall prepare an order from today's hearing.;*

08/27/2018 **Petition for Fees** (11:57 PM) (Judicial Officer: Marquis, Linda)  
Attorney's Fees

06/14/2018 **Summons**  
Blount, Justin  
Served: 06/14/2018

Electronically Filed  
8/16/2018 11:24 AM  
Steven D. Grierson  
CLERK OF THE COURT


**ORDR**

JOHN T. KELLEHER, ESQ.

Nevada State Bar No. 6012

SAIRA HASEEBULLAH, ESQ.

Nevada State Bar No. 13500

**KELLEHER & KELLEHER, LLC**

40 S. Stephanie Street, Suite #201

Henderson, Nevada 89012

Telephone: (702) 384-7494

Facsimile: (702) 384-7545

kelleherjt@aol.com

Attorney for Respondent

**DISTRICT COURT****CLARK COUNTY, NEVADA**

In the Matter of the Visitation of the Persons of: ) Case No: D-18-571209-O

JEREMIAH CALEB BLOUNT )

KAYDI ROSE BLOUNT ) Dept: B

LUNA BELL BLOUNT )

LOGAN ALEXANDER BLOUNT, minors: )

PAULA BLOUNT, )

Petitioner )

vs. )

JUSTIN CRAIG BLOUNT, )

Respondent/CounterPetitioner )

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND**  
**ORDER FROM JULY 25, 2018 HEARING**

THIS MATTER having come on for hearing on the 25<sup>th</sup> day of July, 2018, on a continued Hearing from 07/17/18; Petitioner, Paula Blount, present and represented by F. Peter James, Esq. of the Law Offices of F. Peter James, Esq.; Respondent, Justin Craig Blount, not present but represented by John T. Kelleher, Esq., and Saira Haseebullah, Esq., of the law firm Kelleher & Kelleher LLC; the Court having reviewed the papers and pleadings on file herein, having been fully apprised as to the facts and matters herein; wherefore:

THE COURT HEREBY NOTED that the natural mother of the younger two children is alive, and the oldest children have a different mother than the two younger children. (See Hearing Video

**RECEIVED****AUG 14 2018****DEPT. B**

LAW OFFICES  
**KELLEHER & KELLEHER LLC**  
40 S. STEPHANIE STREET, SUITE #201  
HENDERSON, NEVADA 89012  
(702) 384-7494

LAW OFFICES  
**KELLEHER & KELLEHER LLC**  
40 S. STEPHANIE STREET, SUITE #201  
HENDERSON, NEVADA 89012  
(702) 364-7494

1 dated July 25, 2018, Time Stamped at 10:54:14) Natural mother was not named as a party or served  
2 in this action. (See *Id* at 10:54:18). Petitioner has alleged nothing that would allow visitation with Luna  
3 or Logan. (See *Id* at 10:54:35)

4 THE COURT HEREBY FINDS that the Hualapai Tribe has exercised jurisdiction over the two older  
5 children in two separate proceedings. As such, the Hualapai Tribe has continuing, exclusive  
6 jurisdiction over the children. (See *Id* at 10:54.)

7 THE COURT HEREBY FINDS that Nevada does not have jurisdiction in this matter. (See *Id*  
8 at 10:55.) The two oldest children were not present in Las Vegas or Clark County for the six  
9 consecutive months prior to the onset of this action, including any temporary absence, immediately  
10 before the commencement proceedings. (See *Id* at 10:55:08)

11 THE COURT FURTHER FINDS that the children may have been in Las Vegas for six months  
12 as of the current hearing date but that is not the requirement or statute or in the case file that follows.  
13 (See *Id* at 10:55:21.)

14 THE COURT FURTHER FINDS that the argument that visitation is not custody and custodial  
15 visitation is separate and different from any third party visitation is inaccurate. (See *Id* at 10:55:38)  
16 Visitation is as the Nevada Supreme Court and *Friedman v. Eighth Judicial Dist. Court of State*, ex  
17 rel. Cty. of Clark, 127 Nev. 842, 849, 264 P.3d 1161, 1166 (2011), discussed and find that a  
18 proceeding in which legal custody, physical custody or visitation with respect to a child is at issue. (See  
19 *Id* at 10:55:46 - 10:55:52.)

20 THE COURT FURTHER FINDS that the Court does not view non-custodial visitation or  
21 visitation with a third party through separate lenses. Any visitation rights given to a non-parent affects  
22 a parents' visitation and custody rights. (See *Id* at 10:56:00 - 10:56:14.)

23 THE COURT FURTHER FINDS that accordingly, it is more appropriate for the Tribe and  
24 Judge who has heard two separate matters relative to these children to continue to hear these issues.  
25 In addition, that forum is more convenient. (See *Id* at 10:56:15 - 10:56:35.) The children are older and  
26 have only been in Nevada for a handful of months. (See *Id* at 10:56:48). All of the paperwork and  
27  
28

witnesses that would be relevant for an evidentiary hearing as to visitation reside or are in the control of the tribe and the surrounding area. (See *Id* at 10:56:50 - 10:57:09).

IT IS HEREBY ORDERED that Respondent's Request is GRANTED, denying Petitioner visitation with all four minor children and dismissing the action. (See *Id* at 10:57:18).

IT IS FURTHER ORDERED that Attorney's Fees shall be awarded to Respondent. Attorney Kelleher shall submit a Memorandum of Fees and Costs, and a *Brunzell-Miller* Affidavit and a proposed order within 10 days from today and served upon opposing counsel. Proposed order shall include Findings of Facts and Conclusions of Law. Opposing counsel shall have 10 days to file a Response. Matter will be set on Chamber's Calendar, and no appearances are required.

IT IS FURTHER ORDERED that Attorney Kelleher shall prepare the Order form today's hearing, with Attorney James to review and countersign.

IT IS SO ORDERED this 15<sup>th</sup> day of August 2018.

  
DISTRICT COURT JUDGE  
LINDA MARQUIS

Submitted by:

KELLEHER & KELLEHER, LLC

  
JOHN T. KELLEHER, ESQ.

Nevada Bar No. 6012  
40 S. Stephanie Street, Suite #201  
Henderson, Nevada 89012  
Attorney for Respondent

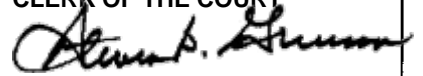
Approved as to form and content:

LAW OFFICES OF F. PETER JAMES, ESQ.

  
F. PETER JAMES ESQ.

Nevada Bar No. 10091  
3821 W. Charleston Blvd, Suite 250  
Las Vegas, NV 89012  
Attorney for Petitioner





1 **NEOJ**  
2 **JOHN T. KELLEHER, ESQ.**  
3 Nevada Bar No. 6012  
4 **KELLEHER & KELLEHER, LLC**  
5 40 S. Stephanie Street, Suite #201  
6 Henderson, Nevada 89012  
7 Phone: (702) 384-7494  
8 Fax: (702) 384-7545  
9 Email: kelleherjt@aol.com  
10 Attorney for Respondent

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

\* \* \* \* \*

9 In the Matter of the Visitation of the Persons of: ) Case No: D-18-571209-O  
10 JEREMIAH CALEB BLOUNT )  
11 KAYDI ROSE BLOUNT ) Dept: B  
12 LUNA BELL BLOUNT )  
13 LOGAN ALEXANDER BLOUNT, minors: )  
14 PAULA BLOUNT, )  
15 Petitioner )  
16 vs. )  
17 JUSTIN CRAIG BLOUNT, )  
18 Respondent/CounterPetitioner )  
19 \_\_\_\_\_ )

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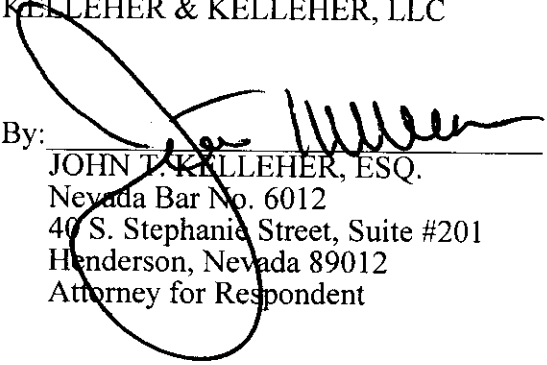
**NOTICE OF ENTRY OF ORDER**

18 TO: PAULA BLOUNT, Petitioner, and to F. PETER JAMES, ESQ., her attorney:

19 PLEASE TAKE NOTICE that the Findings of Fact, Conclusions of Law, and Order from  
20 July 25, 2018 Hearing was entered in the above-entitled matter on the 16<sup>th</sup> day of August, 2018, a  
21 copy of which is attached hereto.

22 DATED this 17 day of August, 2018.

23 KELLEHER & KELLEHER, LLC

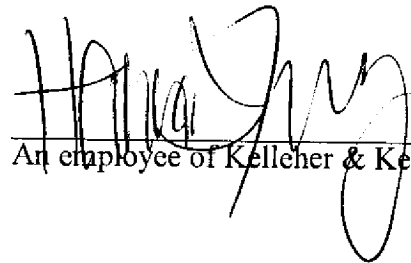
24  
25  
26 By:   
27 JOHN T. KELLEHER, ESQ.  
28 Nevada Bar No. 6012  
40 S. Stephanie Street, Suite #201  
Henderson, Nevada 89012  
Attorney for Respondent

LAW OFFICES  
KELLEHER & KELLEHER LLC  
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HENDERSON, NEVADA 89012  
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Facsimile (702) 384-7545

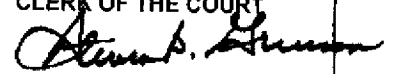
**CERTIFICATE OF MAILING**

I hereby certify that on the 17 day of August, 2018, I deposited a true and correct copy of the above and foregoing NOTICE OF ENTRY OF ORDER in the United States Mail, postage prepaid and addressed as follows:

F. Peter James, Esq.  
LAW OFFICES OF F. PETER JAMES, ESQ.  
3821 West Charleston Boulevard, Suite 250  
Las Vegas, Nevada 89102  
Attorney for Petitioner

  
An employee of Kelleher & Kelleher, LLC

Electronically Filed  
8/16/2018 11:24 AM  
Steven D. Grierson  
CLERK OF THE COURT


**ORDR**

JOHN T. KELLEHER, ESQ.

Nevada State Bar No. 6012

SAIRA HASEEBULLAH, ESQ.

Nevada State Bar No. 13500

**KELLEHER & KELLEHER, LLC**

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Telephone: (702) 384-7494

Facsimile: (702) 384-7545

kelleherjt@aol.com

Attorney for Respondent

**DISTRICT COURT****CLARK COUNTY, NEVADA**

In the Matter of the Visitation of the Persons of: )

Case No: D-18-571209-O

JEREMIAH CALEB BLOUNT )

KAYDI ROSE BLOUNT )

Dept: B

LUNA BELL BLOUNT )

LOGAN ALEXANDER BLOUNT, minors: )

PAULA BLOUNT, )  
Petitioner )

)

)

vs. )

)

JUSTIN CRAIG BLOUNT, )

Respondent/CounterPetitioner )

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND**  
**ORDER FROM JULY 25, 2018 HEARING**

THIS MATTER having come on for hearing on the 25<sup>th</sup> day of July, 2018, on a continued Hearing from 07/17/18; Petitioner, Paula Blount, present and represented by F. Peter James, Esq. of the Law Offices of F. Peter James, Esq.; Respondent, Justin Craig Blount, not present but represented by John T. Kelleher, Esq., and Saira Haseebullah, Esq., of the law firm Kelleher & Kelleher LLC; the Court having reviewed the papers and pleadings on file herein, having been fully apprised as to the facts and matters herein; wherefore:

THE COURT HEREBY NOTED that the natural mother of the younger two children is alive, and the oldest children have a different mother than the two younger children. (See Hearing Video

**RECEIVED**

AUG 14 2018

**DEPT. B**

LAW OFFICES  
**KELLEHER & KELLEHER LLC**  
40 S. STEPHANIE STREET, SUITE #201  
HENDERSON, NEVADA 89012  
(702) 384-7494

LAW OFFICES  
**KELLEHER & KELLEHER LLC**  
40 S. STEPHANIE STREET, SUITE #201  
HENDERSON, NEVADA 89012  
(702) 384-7494

1 dated July 25, 2018, Time Stamped at 10:54:14) Natural mother was not named as a party or served  
2 in this action. (See *Id* at 10:54:18). Petitioner has alleged nothing that would allow visitation with Luna  
3 or Logan. (See *Id* at 10:54:35)

4 THE COURT HEREBY FINDS that the Hualapai Tribe has exercised jurisdiction over the two older  
5 children in two separate proceedings. As such, the Hualapai Tribe has continuing, exclusive  
6 jurisdiction over the children. (See *Id* at 10:54.)

7 THE COURT HEREBY FINDS that Nevada does not have jurisdiction in this matter. (See *Id*  
8 at 10:55.) The two oldest children were not present in Las Vegas or Clark County for the six  
9 consecutive months prior to the onset of this action, including any temporary absence, immediately  
10 before the commencement proceedings. (See *Id* at 10:55:08)

11 THE COURT FURTHER FINDS that the children may have been in Las Vegas for six months  
12 as of the current hearing date but that is not the requirement or statute or in the case file that follows.  
13 (See *Id* at 10:55:21.)

14 THE COURT FURTHER FINDS that the argument that visitation is not custody and custodial  
15 visitation is separate and different from any third party visitation is inaccurate. (See *Id* at 10:55:38)  
16 Visitation is as the Nevada Supreme Court and *Friedman v. Eighth Judicial Dist. Court of State*, ex  
17 rel. Cty. of Clark, 127 Nev. 842, 849, 264 P.3d 1161, 1166 (2011), discussed and find that a  
18 proceeding in which legal custody, physical custody or visitation with respect to a child is at issue. (See  
19 *Id* at 10:55:46 - 10:55:52.)

20 THE COURT FURTHER FINDS that the Court does not view non-custodial visitation or  
21 visitation with a third party through separate lenses. Any visitation rights given to a non-parent affects  
22 a parents' visitation and custody rights. (See *Id* at 10:56:00 - 10:56:14.)

23 THE COURT FURTHER FINDS that accordingly, it is more appropriate for the Tribe and  
24 Judge who has heard two separate matters relative to these children to continue to hear these issues.  
25 In addition, that forum is more convenient. (See *Id* at 10:56:15 - 10:56:35.) The children are older and  
26 have only been in Nevada for a handful of months. (See *Id* at 10:56:48). All of the paperwork and  
27  
28

1 witnesses that would be relevant for an evidentiary hearing as to visitation reside or are in the control  
2 of the tribe and the surrounding area. (See *Id* at 10:56:50 - 10:57:09).

3 IT IS HEREBY ORDERED that Respondent's Request is GRANTED, denying Petitioner  
4 visitation with all four minor children and dismissing the action. (See *Id* at 10:57:18).

5 IT IS FURTHER ORDERED that Attorney's Fees shall be awarded to Respondent. Attorney  
6 Kelleher shall submit a Memorandum of Fees and Costs, and a *Brunzell-Miller* Affidavit and a  
7 proposed order within 10 days from today and served upon opposing counsel. Proposed order shall  
8 include Findings of Facts and Conclusions of Law. Opposing counsel shall have 10 days to file a  
9 Response. Matter will be set on Chamber's Calendar, and no appearances are required.

10 IT IS FURTHER ORDERED that Attorney Kelleher shall prepare the Order form today's  
11 hearing, with Attorney James to review and countersign.

12 IT IS SO ORDERED this 15<sup>th</sup> day of August 2018.

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DISTRICT COURT JUDGE  
LINDA MARQUIS

Submitted by:

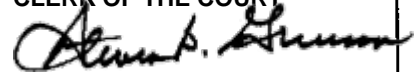
KELLEHER & KELLEHER, LLC

JOHN T. KELLEHER, ESQ.  
Nevada Bar No. 6012  
40 S. Stephanie Street, Suite #201  
Henderson, Nevada 89012  
Attorney for Respondent

Approved as to form and content:

LAW OFFICES OF F. PETER JAMES, ESQ.

F. PETER JAMES ESQ.  
Nevada Bar No. 10091  
3821 W. Charleston Blvd, Suite 250  
Las Vegas, NV 89012  
Attorney for Petitioner



**ORDR**

JOHN T. KELLEHER, ESQ.  
Nevada Bar No. 6012  
KELLEHER & KELLEHER, LLC  
40 S. Stephanie Street, Suite #201  
Henderson, Nevada 89012  
Telephone (702) 384-7494  
Facsimile (702) 384-7545  
kelleherjt@aol.com  
Attorney for Respondent

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

In the Matter of the Visitation of the Persons of:	)	Case No: D-18-571209-O
JEREMIAH CALEB BLOUNT	)	
KAYDI ROSE BLOUNT	)	Dept: B
LUNA BELL BLOUNT	)	
LOGAN ALEXANDER BLOUNT, minors:	)	
	)	
PAULA BLOUNT,	)	
Petitioner	)	
	)	
vs.	)	
	)	
JUSTIN CRAIG BLOUNT,	)	
Respondent/CounterPetitioner	)	
	)	

**ORDER AWARDING ATTORNEY'S FEES AND COSTS**

THIS MATTER having come on for hearing on the 27<sup>th</sup> day of August, 2018 on Respondent's Request for Attorney's Fees, with Respondent having filed a Memorandum of Costs and Fees on August 3, 2018 and Petitioner's Counsel having filed Petitioner's Brief Opposing Award of Fees and Costs on August 14, 2018; Petitioner, Paula Blount, represented by F. Peter James, Esq. of the Law Offices of F. Peter James, Esq.; Respondent, Justin Craig Blount, represented by John T. Kelleher, Esq., and Saira Haseebullah, Esq., of the law firm Kelleher & Kelleher LLC; the Court having reviewed the papers and pleadings on file herein, having been fully apprised as to the facts and matters herein; wherefore:

THE COURT HEREBY FINDS that Respondent was awarded attorney's costs and fees in this matter.

**RECEIVED**  
AUG 21 2018  
DEPT. B

1 THE COURT FURTHER FINDS that the natural mother of the younger two children, LOGAN  
2 BLOUNT and LUNA BLOUNT, is alive, but was not named as a party to this action nor was she  
3 personally served.

4 THE COURT FURTHER FINDS that the natural mother of the two older children, KAYDI  
5 BLOUNT and JEREMIAH BLOUNT, is deceased.

6 THE COURT FURTHER FINDS that the Hualapai Tribe has exercised jurisdiction over the  
7 two older children in two separate proceedings. As such, the Hualapai Tribe has continuing, exclusive  
8 jurisdiction over the children. (See *Id* at 10:54.)

9 THE COURT FURTHER FINDS that Nevada does not have jurisdiction in this matter. (See  
10 *Id* at 10:55.) The two oldest children were not present in Las Vegas or Clark County for the six  
11 consecutive months prior to the onset of this action, including any temporary absence, immediately  
12 before the commencement proceedings. (See *Id* at 10:55:08)

13 THE COURT FURTHER FINDS that the children may have been in Las Vegas for six months  
14 as of the current hearing date but that is not the requirement or statute. (See *Id* at 10:55:21.)

15 THE COURT FURTHER FINDS that the argument that visitation is not custody and custodial  
16 visitation is separate and different from any third party visitation is inaccurate. (See *Id* at 10:55:38)  
17 Visitation is as the Nevada Supreme Court and *Friedman v. Eighth Judicial Dist. Court of State*, ex  
18 rel. Cty. of Clark, 127 Nev. 842, 849, 264 P.3d 1161, 1166 (2011), discussed and find that a  
19 proceeding in which legal custody, physical custody or visitation with respect to a child is at issue. (See  
20 *Id* at 10:55:46 - 10:55:52.)

21 THE COURT FURTHER FINDS that the Court does not view non-custodial visitation or  
22 visitation with a third party through separate lenses. Any visitation rights given to a non-parent affects  
23 a parents' visitation and custody rights. (See *Id* at 10:56:00 - 10:56:14.)

24 THE COURT FURTHER FINDS that Respondent made efforts to minimize the legal fees  
25 incurred in this matter, by sending a detailed letter to Petitioner addressing the issues, however  
26 Petitioner pursued her request for visitation.

27 THE COURT FURTHER FINDS that Petitioner's request was DENIED as to all four minor  
28

1 children.

2 THE COURT FURTHER FINDS that Respondent's Counsel is an AAML Certified attorney  
3 who specializes in the practice of family law and has experience of more than twenty years.

4 THE COURT FURTHER FINDS that Respondent's counsel has provided billing statements  
5 as appropriate, and there is no indication that those bills were excessive or unreasonable.

6 THE COURT FURTHER FINDS that Respondent filed a General Financial Disclosure Form  
7 ("FDF") reflecting a gross monthly income of \$1,596.00 from Social Security Income. (Respondent's  
8 spouse also contributes financially in the amount of \$3,000.00 per month, however she is not a named  
9 party to this action.) Petitioner also filed a General Financial Disclosure Form ("FDF") reflecting a  
10 gross monthly income of \$5,032.41 per month.

11 THE COURT FURTHER FINDS that Respondent's counsel has filed an affidavit in support  
12 of the requests for costs and fees.

13 THE COURT FURTHER FINDS a legal basis to award attorney's fees in NRS 18.010  
14 allowing the Court to make an allowance of attorney's fees to a prevailing party and EDCR 7.60 based  
15 on the frivolous nature of Petitioner's filings.

16 THE COURT FURTHER FINDS that Respondent's Memorandum complied with the  
17 requirements in NRCP 54(d)(2)(A), NRCP 54(d)(2)(B), and *Miller v. Wilfong*, 121 Nev. 619, 119  
18 P.3d 727 (2005).

19 THE COURT FURTHER FINDS that Respondent's Memorandum of Attorney's Fees and  
20 Costs contained a request for the sum of \$9,931.05 and was supported by an analysis of the factors  
21 required pursuant to *Brunzell v. Gold Gate National Bank* 85 Nev. 345, 455 P.2d 31 (1969) to include  
22 the qualities of the advocate, the character and difficulty of the work performed, the work actually  
23 performed by the attorney, and the result obtained, together with the detailed billing statements, and  
24 those factors, together with the billing statements, were reviewed and considered by this Court.

25 THE COURT FURTHER FINDS that pursuant to *Love v. Love*, 114 Nev. 572 (1998),  
26 Petitioner was provided the opportunity to review and dispute Respondent's billing statements and fees  
27 requested.



1 NOW, THEREFORE, IT IS HEREBY ORDERED that Respondent is hereby awarded the sum  
2 of \$9,931.05 as and for attorney's fees and costs against Petitioner, which sum is hereby  
3 reduced to judgment and which may be collected by any and all legal means.

4 IT IS SO ORDERED this 23 day of August, 2018.

5  
6   
7 DISTRICT COURT JUDGE

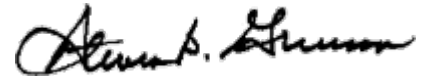
**LINDA MARQUIS**

8 Submitted by:

9 KELLEHER & KELLEHER, LLC

10  
11 By: 

12 JOHN KELLEHER, ESQ.  
13 Nevada Bar No. 6012  
14 40 S. Stephanie Street  
15 Henderson, NV 89012  
16 Attorney for Respondent  
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1 **NEOJ**  
2 JOHN T. KELLEHER, ESQ.  
3 Nevada Bar No. 6012  
4 KELLEHER & KELLEHER, LLC  
5 40 S. Stephanie Street, Suite #201  
6 Henderson, Nevada 89012  
7 Phone: (702) 384-7494  
8 Fax: (702) 384-7545  
9 Email: kelleherjt@aol.com  
10 Attorney for Respondent

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

8 \* \* \* \* \*

9 In the Matter of the Visitation of the Persons of: ) Case No: D-18-571209-O  
10 JEREMIAH CALEB BLOUNT )  
11 KAYDI ROSE BLOUNT ) Dept: B  
12 LUNA BELL BLOUNT )  
13 LOGAN ALEXANDER BLOUNT, minors: )  
14 PAULA BLOUNT, )  
15 Petitioner )  
16 vs. )  
17 JUSTIN CRAIG BLOUNT, )  
18 Respondent/CounterPetitioner )

17 **NOTICE OF ENTRY OF ORDER**

18 TO: PAULA BLOUNT, Petitioner, and to F. PETER JAMES, ESQ., her attorney:  
19 PLEASE TAKE NOTICE that an Order Awarding Attorney's Fees and Costs was entered  
20 in the above-entitled matter on the 23<sup>rd</sup> day of August, 2018, a copy of which is attached hereto.

21 DATED this 24 day of August, 2018.

22 KELLEHER & KELLEHER, LLC

23 By: 

24 JOHN T. KELLEHER, ESQ.  
25 Nevada Bar No. 6012  
26 40 S. Stephanie Street, Suite #201  
27 Henderson, Nevada 89012  
28 Attorney for Respondent

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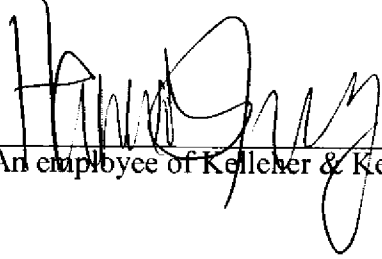
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LAW OFFICES  
KELLEHER & KELLEHER LLC  
40 S. STEPHANIE STREET, SUITE #201  
HENDERSON, NEVADA 89012  
(702) 384-7494  
Facsimile (702) 384-7545

**CERTIFICATE OF MAILING**

I hereby certify that on the 24 day of August, 2018, I deposited a true and correct copy of the above and foregoing NOTICE OF ENTRY OF ORDER in the United States Mail, postage prepaid and addressed as follows:

F. Peter James, Esq.  
LAW OFFICES OF F. PETER JAMES, ESQ.  
3821 West Charleston Boulevard, Suite 250  
Las Vegas, Nevada 89102  
Attorney for Petitioner

  
An employee of Kelleher & Kelleher, LLC

*Steven D. Grierson*

**ORDR**

JOHN T. KELLEHER, ESQ.  
Nevada Bar No. 6012  
KELLEHER & KELLEHER, LLC  
40 S. Stephanie Street, Suite #201  
Henderson, Nevada 89012  
Telephone (702) 384-7494  
Facsimile (702) 384-7545  
kelleherjt@aol.com  
Attorney for Respondent

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

In the Matter of the Visitation of the Persons of:	)	Case No: D-18-571209-O
JEREMIAH CALEB BLOUNT	)	
KAYDI ROSE BLOUNT	)	Dept: B
LUNA BELL BLOUNT	)	
LOGAN ALEXANDER BLOUNT, minors:	)	
PAULA BLOUNT,	)	
Petitioner	)	
vs.	)	
JUSTIN CRAIG BLOUNT,	)	
Respondent/CounterPetitioner	)	

**ORDER AWARDING ATTORNEY'S FEES AND COSTS**

THIS MATTER having come on for hearing on the 27<sup>th</sup> day of August, 2018 on Respondent's Request for Attorney's Fees, with Respondent having filed a Memorandum of Costs and Fees on August 3, 2018 and Petitioner's Counsel having filed Petitioner's Brief Opposing Award of Fees and Costs on August 14, 2018; Petitioner, Paula Blount, represented by F. Peter James, Esq. of the Law Offices of F. Peter James, Esq.; Respondent, Justin Craig Blount, represented by John T. Kelleher, Esq., and Saira Haseebullah, Esq., of the law firm Kelleher & Kelleher LLC; the Court having reviewed the papers and pleadings on file herein, having been fully apprised as to the facts and matters herein; wherefore:

THE COURT HEREBY FINDS that Respondent was awarded attorney's costs and fees in this matter.

**RECEIVED**  
AUG 21 2018  
DEPT. B

1 THE COURT FURTHER FINDS that the natural mother of the younger two children, LOGAN  
2 BLOUNT and LUNA BLOUNT, is alive, but was not named as a party to this action nor was she  
3 personally served.

4 THE COURT FURTHER FINDS that the natural mother of the two older children, KAYDI  
5 BLOUNT and JEREMIAH BLOUNT, is deceased.

6 THE COURT FURTHER FINDS that the Hualapai Tribe has exercised jurisdiction over the  
7 two older children in two separate proceedings. As such, the Hualapai Tribe has continuing, exclusive  
8 jurisdiction over the children. (See *Id* at 10:54.)

9 THE COURT FURTHER FINDS that Nevada does not have jurisdiction in this matter. (See  
10 *Id* at 10:55.) The two oldest children were not present in Las Vegas or Clark County for the six  
11 consecutive months prior to the onset of this action, including any temporary absence, immediately  
12 before the commencement proceedings. (See *Id* at 10:55:08)

13 THE COURT FURTHER FINDS that the children may have been in Las Vegas for six months  
14 as of the current hearing date but that is not the requirement or statute. (See *Id* at 10:55:21.)

15 THE COURT FURTHER FINDS that the argument that visitation is not custody and custodial  
16 visitation is separate and different from any third party visitation is inaccurate. (See *Id* at 10:55:38)  
17 Visitation is as the Nevada Supreme Court and *Friedman v. Eighth Judicial Dist. Court of State*, ex  
18 rel. Cty. of Clark, 127 Nev. 842, 849, 264 P.3d 1161, 1166 (2011), discussed and find that a  
19 proceeding in which legal custody, physical custody or visitation with respect to a child is at issue. (See  
20 *Id* at 10:55:46 - 10:55:52.)

21 THE COURT FURTHER FINDS that the Court does not view non-custodial visitation or  
22 visitation with a third party through separate lenses. Any visitation rights given to a non-parent affects  
23 a parents' visitation and custody rights. (See *Id* at 10:56:00 - 10:56:14.)

24 THE COURT FURTHER FINDS that Respondent made efforts to minimize the legal fees  
25 incurred in this matter, by sending a detailed letter to Petitioner addressing the issues, however  
26 Petitioner pursued her request for visitation.

27 THE COURT FURTHER FINDS that Petitioner's request was DENIED as to all four minor  
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children.

THE COURT FURTHER FINDS that Respondent's Counsel is an AAML Certified attorney who specializes in the practice of family law and has experience of more than twenty years.

THE COURT FURTHER FINDS that Respondent's counsel has provided billing statements as appropriate, and there is no indication that those bills were excessive or unreasonable.

THE COURT FURTHER FINDS that Respondent filed a General Financial Disclosure Form ("FDF") reflecting a gross monthly income of \$1,596.00 from Social Security Income. (Respondent's spouse also contributes financially in the amount of \$3,000.00 per month, however she is not a named party to this action.) Petitioner also filed a General Financial Disclosure Form ("FDF") reflecting a gross monthly income of \$5,032.41 per month.

THE COURT FURTHER FINDS that Respondent's counsel has filed an affidavit in support of the requests for costs and fees.

THE COURT FURTHER FINDS a legal basis to award attorney's fees in NRS 18.010 allowing the Court to make an allowance of attorney's fees to a prevailing party and EDCR 7.60 based on the frivolous nature of Petitioner's filings.

THE COURT FURTHER FINDS that Respondent's Memorandum complied with the requirements in NRCP 54(d)(2)(A), NRCP 54(d)(2)(B), and *Miller v. Wilfong*, 121 Nev. 619, 119 P.3d 727 (2005).

THE COURT FURTHER FINDS that Respondent's Memorandum of Attorney's Fees and Costs contained a request for the sum of \$9,931.05 and was supported by an analysis of the factors required pursuant to *Brunzell v. Gold Gate National Bank* 85 Nev. 345, 455 P.2d 31 (1969) to include the qualities of the advocate, the character and difficulty of the work performed, the work actually performed by the attorney, and the result obtained, together with the detailed billing statements, and those factors, together with the billing statements, were reviewed and considered by this Court.

THE COURT FURTHER FINDS that pursuant to *Love v. Love*, 114 Nev. 572 (1998), Petitioner was provided the opportunity to review and dispute Respondent's billing statements and fees requested.

1 NOW, THEREFORE, IT IS HEREBY ORDERED that Respondent is hereby awarded the sum  
2 of \$9,931.05 as and for attorney's fees and costs against Petitioner, which sum is hereby  
3 reduced to judgment and which may be collected by any and all legal means.

4 IT IS SO ORDERED this 23 day of August, 2018.

5  
6   
7 DISTRICT COURT JUDGE

**LINDA MARQUIS**

8 Submitted by:

9 KELLEHER & KELLEHER, LLC

10  
11 By: 

12 JOHN KELLEHER, ESQ.  
13 Nevada Bar No. 6012  
14 40 S. Stephanie Street  
15 Henderson, NV 89012  
16 Attorney for Respondent  
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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Miscellaneous Petition**

**COURT MINUTES**

July 17, 2018

D-18-571209-O      In the Matter of the Petition of:  
Paula Blount, Petitioner(s).

**July 17, 2018      9:00 AM      All Pending Motions**

**HEARD BY:** Marquis, Linda

**COURTROOM:** Courtroom 07

**COURT CLERK:** Karen Christensen

**PARTIES:**

Jeremiah Blount, Subject Minor, not present	
Justin Blount, Respondent, present	John Kelleher, Attorney, present
Kaydi Blount, Subject Minor, not present	
Logan Blount, Subject Minor, not present	
Luna Blount, Subject Minor, not present	
Paula Blount, Petitioner, present	F James, Attorney, present

<b>JOURNAL ENTRIES</b>
------------------------

- PETITIONER'S MOTION FOR TEMPORARY ORDERS...RESPONDENT'S OPPOSITION TO PETITIONER'S MOTION FOR TEMPORARY ORDERS AND COUNTERMOTION FOR DISMISSAL OF ACTION AND ATTORNEY'S COSTS AND FEES.

Respondent's wife, who is the natural mother of minor children Luna and Logan, also present with Respondent.

Counsel advised there has been no resolution.

Mr. James advised Petitioner is close with the two older children but not the two younger ones as Respondent has kept them from her. Respondent and his family have lived with Petitioner while between residences. Mr. James acknowledged Katie and Jeremiah are members of a Native American tribe. Mr. James advised UCCJEA does not apply to grandparents rights. Petitioner requested additional visitation time with the children.

Discussion regarding the addition of natural mother as a necessary party.

PRINT DATE:	08/29/2018	Page 1 of 4	Minutes Date:	July 17, 2018
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**Notice:** Journal entries are prepared by the courtroom clerk and are not the official record of the Court.



Mr. Kelleher requested the award of attorney's fees against Petitioner. Mr. Kelleher advised his office sent a two page letter outlining the case and received no response from Petitioner. Discussion regarding jurisdiction and enrollment in the tribe as a sovereign nation. Mr. Kelleher advised the sovereign nation already heard this case. In addition, the two younger children have not lived here for six months, so this court has no jurisdiction.

Mr. James advised Petitioner is not a party to the tribal case. It was the other grandparents. Mr. Kelleher noted it doesn't matter who is a party to the action. It is the children who are the object of the two separate orders. Mr. James again stated UCCJEA is only between the parents. Court questioned the citation, and inquired if the Hualapai tribe accepts UCCJEA. Mr. James advised he thought they did. Mr. Kelleher cited 25 USCA Section 1911 regarding jurisdiction. Court noted Mr. James believes that is for custody and not visitation.

**COURT ORDERED:**

Matter CONTINUED to 7/25/18 at 10:30 AM. Counsel shall submit REPLY within 72 hours to include confirmation of whether or not Hualapai Tribe accepts UCCJEA; why the natural mother was not named as a party; jurisdiction for children living here less than six months. Jurisdiction is the pivotal issue.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:** Jul 25, 2018 10:30AM Motion  
Cont. from 7/17/18  
Courtroom 07 Marquis, Linda

Jul 25, 2018 10:30AM Opposition & Countermotion  
Continued from 7/17/18  
Courtroom 07 Marquis, Linda

PRINT DATE:	08/29/2018	Page 2 of 4	Minutes Date:	July 17, 2018
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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Miscellaneous Petition**

**COURT MINUTES**

July 25, 2018

D-18-571209-O      In the Matter of the Petition of:  
Paula Blount, Petitioner(s).

**July 25, 2018      10:30 AM      All Pending Motions**

**HEARD BY:** Marquis, Linda

**COURTROOM:** Courtroom 07

**COURT CLERK:** Marlana Elliott

**PARTIES:**

Jeremiah Blount, Subject Minor, not present	
Justin Blount, Respondent, not present	John Kelleher, Attorney, present
Kaydi Blount, Subject Minor, not present	
Logan Blount, Subject Minor, not present	
Luna Blount, Subject Minor, not present	
Paula Blount, Petitioner, present	F James, Attorney, present

<b>JOURNAL ENTRIES</b>
------------------------

- CONTINUED FROM 7/17/18

Attorney Saira Haseebullah, Bar #13500, also present on behalf of Defendant.

Court reviewed Defendant's Reply to Plaintiff's supplemental brief.

Discussion regarding UCCJEA and the distinction between custodial visitation and visitation. Attorney James stated the UCCJEA applies to custody and proceedings regarding custody. Attorney Kelleher cited Friedman vs Eighth Judicial District Court and stated this case should have never been filed here as Nevada does not have jurisdiction. Attorney Kelleher requested attorney's fees.

Court noted the natural mother is alive, and oldest children have a different mother than the two younger children. Natural mother was not named as a party or served.

COURT stated FINDINGS and ORDERED,

PRINT DATE:	08/29/2018	Page 3 of 4	Minutes Date:	July 17, 2018
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**Notice:** Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Relative to minor children Logan and Luna, Plaintiff's Motion is DENIED. Relative to the oldest children, Hualapai Tribe has continued exclusive jurisdiction. Defendant's Motion is GRANTED.

Attorney's Fees shall be AWARDED to Defendant. Attorney Kelleher shall submit a Memorandum of Fees and Costs, Brunzell Miller Affidavit and a proposed order within 10 days from today and served upon opposing counsel. Proposed order shall include Findings of Facts and Conclusion of Law. Opposing counsel shall have 10 days to file a Response. Matter will be set on Chamber's Calendar; no appearances required.

Attorney Kelleher shall prepare an order from today's hearing.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

PRINT DATE:	08/29/2018	Page 4 of 4	Minutes Date:	July 17, 2018
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**



**EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE**  
**NOTICE OF DEFICIENCY**  
**ON APPEAL TO NEVADA SUPREME COURT**

**F. PETER JAMES, ESQ.**  
**3821 W. CHARLESTON BLVD., STE 250**  
**LAS VEGAS, NV 89102**

**DATE: August 29, 2018**  
**CASE: D-18-571209-O**

**RE CASE:** In the Matter of the Petition of: PAULA BLOUNT, Petitioner(s).

NOTICE OF APPEAL FILED: August 24, 2018

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)\*\*
  - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)\*\*
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)\*\*
  - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☐ Case Appeal Statement
  - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

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NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. The district court clerk shall apprise appellant of the deficiencies in writing, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

*Please refer to Rule 3 for an explanation of any possible deficiencies.*

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*\*\*Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.*

# Certification of Copy

State of Nevada }  
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER FROM JULY 25, 2018 HEARING; NOTICE OF ENTRY OF ORDER; ORDER AWARDING ATTORNEY'S FEES AND COSTS; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

In the Matter of the Petition of:

PAULA BLOUNT,

Petitioner(s).

Case No: D-18-571209-O

Dept No: B

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 29 day of August 2018.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk