



TCM LAW
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*Attorneys for Paul Valer Colman and
The Colman Family Revocable Living
Trust dated June 23, 2011*

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Nov 21 2018 12:34 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

DISTRICT COURT
CLARK COUNTY, NEVADA

In the Matter of the Colman Family Revocable
Living Trust date June 23, 2011,

Case No.: P-17-093518-T
Dept. No.: PC1 (Probate)

A Non-Testamentary Trust.

CASE APPEAL STATEMENT

PAUL COLMAN, by and through his attorney, Thomas C. Michaelides, Esq., TCM Law,
hereby files his Case Appeal Statement.

1. Name of Appellant filing this case appeal statement: Paul Colman
2. Identify the Judge issuing the decision, judgment, or order appealed from: The
Honorable Gloria J. Sturman, District Court Judge.
3. Identify each appellant and name and address of counsel for each appellant: Paul Colman
is the only appellant and is represented on appeal by Thomas C. Michaelides, Esq., TCM
Law, 2620 Regatta Drive #219, Las Vegas, NV 89128. (702) 462-6161
4. Identify each Respondent and name and address of appellate counsel, if known, for each
respondent (if the name of respondent's counsel is unknown, indicate as much and provide the name
and address of respondent's trial counsel: Respondent Tonya Collier, Kennedy Lee, Esq.
Rushforth Lee & Kiefer LLP– Appellant's counsel believes the same attorneys will represent
respondent on appeal.

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

5 6 . Indicate whether appellant was represented by appointed or retained counsel in the
6 district court: Was represented by retained counsel.

7 7 . Indicate whether appellant is represented by appointed or retained counsel on appeal:
8 Represented by retained counsel
9

10 8 . Indicate whether appellant was granted leave to proceed in forma pauperis and the date
11 of entry of the district court order granting appellant permission: Appellant did not request to proceed
12 in forma pauperis and therefore there is no order.

13 9 . Indicate the date the proceeding commenced in district court: The Petition was filed
14 on November 13, 2017.

15 10 . Provide a brief description of the nature of the Action and result in the district court,
16 including the type of judgment or order being appealed and the relief granted by the district court:
17

18 Appellant (Paul Colman) and his deceased wife (Chari Colman), while married, placed their
19 marital residence owned at the time by Chari solely, in a family trust via a quitclaim deed. Both
20 Colman's were beneficiaries under the Trust as to the marital residence. Thereafter Chari became
21 very ill. In order to qualify for medical benefits under Medicare Chari and Paul filed for
22 divorce. The sole purpose for the divorce was for qualifying Chari for medical benefits. The
23 Colman's did not address the marital residence in the Joint Petition for Divorce because they had
24 already placed the property in their Trust. The couple remained happily living together and
25 residing together in the marital residence. The Trust listed the neighbor, Tonya Collier, as the
26 secondary beneficiary. Chari died shortly thereafter. Ms. Collier, a neighbor who never contributed
27 anything to the marital residence, filed for ownership based upon NRS 111.781. Collier argued that
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1 this statute revoked the Trust that gave Appellant an equal right to the house upon his wife's
2 death. As a result, Ms. Collier successfully argued that since she was the successor beneficiary
3 under the Trust, and Appellant was stripped of his rights per the Trust via the statute cited above, she
4 was now the lawful owner of the residence. Appellant maintains that the statute was misconstrued
5 by the lower court and misapplied. The statute was never intended to transfer ownership from a
6 divorced ex-spouse and give it to a third party who had no legal right prior under law. Appellant
7 maintains Collier had no standing, and that the intent of the statute was not intended to achieve such
8 an unjust result. The lower court quitted title in Colliers name.

9 11. Indicate whether the case was previously the subject of an appeal to or original writ
10 proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior
11 proceeding. Docket Number 75029; unfortunately, the appeal was filed prematurely.

12 12. Indicate whether this appeal involves child custody or visitation. Does not involve
13 child custody or visitation.

14 13. If this is a civil case, indicate whether this involves the possibility of settlement:
15 Settlement is worth pursuing.

16 DATED: October 1, 2018

17 /s/ Thomas C. Michaelides
18 THOMAS C. MICHAELIDES, ESQ.
19 Nevada Bar No. 5425
20 TCM LAW FIRM
21 2620 Regatta Drive #219
22 Las Vegas, NV 89128
23 (702) 462-6161
24 Attorney for Paul Colman
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CERTIFICATE OF MAILING

I hereby certify that on the 1st day of October 2018, I served the foregoing Case Appeal Statement on all interested parties by placing a true and correct copy thereof in a sealed envelope with first class postage thereon and depositing same in the United States Mail at Las Vegas, Nevada addressed as follows:

Kennedy Lee, Esq.
Rushforth Lee & Kiefer LLP
1707 Village Center Circle., Ste. 150
Las Vegas, NV 89134

/s/ Natasha Smith
An Employee of TCM LAW