

NOT
Frederick O Silver
P.O BOX 276353
SAN ANTONIO, TX 78227
E-mail: ASCLV1@gmail.com
Tel: 210-803-2299

Electronically Filed
Jan 30 2019 02:18 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

DISTRICT COURT
CLARK COUNTY, NEVADA

Candice Katie Towner,)	CASE NO: D-18-565588-C
)	
Plaintiff,)	Related Cases
)	D-18-565588-C
vs.)	D-15-518374-C
)	R-17-196685-R
Frederick O Silver,)	UPI-605017100A
)	
)	DEPT NO: H / CHILD SUPPORT
)	
		Demand for Trial by Jury

NOTICE TO APPEAL TO SUPREME COURT OF NEVADA.

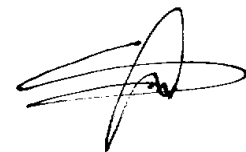
COMES NOW Frederick O Silver, a Man, Demand and gives Notice that Frederick O Silver is
Appealing to the Nevada Supreme Court, the following listed entry and Orders:

1. 01/18/2019: Order After Hearing Certifying Intent to Grant Relief/ 01/18/2019: Notice of Entry of Order After Hearing
2. 02/07/2018 Complaint for Custody / Complaint for Custody
3. 04/09/2018 Affidavit in Support/Affidavit in Support of Service
4. 05/16/2018 Default/Default
5. 07/10/2018 Certificate of Service / Certificate of Service
- 6. 07/30/2018 Certificate of Service / Amended Certificate of Service**
7. 07/31/2018 NRCP 16.2 Case Management Conference/Order Setting Case Management Conference and Directing Compliance with NRCP 16.205

- 1 8. 08/21/2018 Motion / Judicial Officer'; Ritchie, T. Arthur, Jr./Hearing Time 11:00
2 AM/Result Denied/ Comment: Defendant Frederick O Silver Motion to Dismiss Pursuant
3 to Rule 12(B)(6) and Counterclaim and Cross- Claim Pursuant to Rule 13
4 9. 09/12/2018 Order / Order After Hearing.
5 10. 09/14/2018 Notice of Entry of Order / Notice of Entry of Order.
6 11. 10/01/2018 Return Hearing Judicial Officer Ritchie, T. Arthur, Jr./ Hearing Time 10:00
7 AM/ Result Decision Made/ Comment DNA TESTING/ Parties Present Plaintiff:
8 Towner, Candice K, Attorney: Perry, Mary D.
9 12. 10/02/2018 Order / Comment Order.
10 13. 11/15/2018 Notice of Entry of Order / Comment Notice of Entry of Order.
11 **14. 11/19/2018 Decree / Comment Decree of Child Custody.**
12 15. 11/30/2018 Order / Comment Decision and Order.
13 16. 12/03/2018 Notice of Entry of Order / Comment Notice of Entry of Order.
14 17. 12/14/2018 Notice of Entry of Decree / Comment Notice of Entry of Decree of Child
15 Custody.
16 **18. 01/18/2019 Order / Comment Order After Hearing Certifying Intent to Grant Relief**
17 **19. 01/18/2019 Notice of Entry / Comment Notice of Entry of Order After Hearing**

18
19 Dated this 23rd day of January 2019

20
21 Signature: _____



22 Frederick O Silver
23 P. O BOX 276353
24 SAN ANTONIO, TX 78227
25 Tel: 210-803-2299
Email: ASCLV1@gmail.com

CERTIFICATE OF SERVICE / MAILING

I HEREBY CERTIFY that on the 23rd day of January 2019, A true copy and accurate copies of the foregoing document was electronically filed on-line using Odyssey File & Serve:

(a) On Odyssey File & Serve system, which will automatically serve a notice of Electronic filing;

(b) By deposit in the U.S. Mail

(c) By e-mail to the below identified on the following persons:

1. Clark County Child Support Division/DA Family Support Division
1900 East Flamingo Road Suite 100, Las Vegas, NV 89119

2. Candice Katie Towner

8216 MT BRODIE CIR, LAS VEGAS, NV 89145-4559

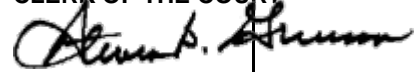
(Attorney) Mary D Perry: 840 S Rancho Dr. Suite 4-256, Las Vegas, NV 89106.

DATED this 23rd day of January 2019.



Signature: _____

Frederick O Silver
P. O BOX 276353
SAN ANTONIO, TX 78227
Tel: 210-803-2299
Email: ASCLV1@gmail.com



1 ASTA

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3
4
5
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**

9 CANDICE K. TOWNER,

10 Plaintiff(s)

11 vs.

12 FREDERICK O. SILVER,

13 Defendant(s),

Case No: D-18-565588-C

Dept No: H

14
15
16 **CASE APPEAL STATEMENT**

17 1. Appellant(s): Frederick O. Silver

18 2. Judge: T. Arthur Ritchie, Jr.

19 3. Appellant(s): Frederick O. Silver

20 Counsel:

21 Frederick O. Silver
22 P.O. Box 276353
23 San Antonio, TX 78227

24 4. Respondent (s): Candice K. Towner

25 Counsel:

26 Mary D. Perry, Esq.
27 840 S. Rancho Dr., Suite 4-256
28 Las Vegas, NV 89106

1 5. Appellant(s)'s Attorney Licensed in Nevada: N/A
2 Permission Granted: N/A

3 Respondent(s)'s Attorney Licensed in Nevada: Yes
4 Permission Granted: N/A

5 6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

6 7. Appellant Represented by Appointed Counsel On Appeal: N/A

7 8. Appellant Granted Leave to Proceed in Forma Pauperis: Yes, July 3, 2018

8 Appellant Filed Application to Proceed in Forma Pauperis: N/A
9 Date Application(s) filed: N/A

10 9. Date Commenced in District Court: February 7, 2018

11 10. Brief Description of the Nature of the Action: DOMESTIC - Child Custody

12 Type of Judgment or Order Being Appealed: Misc. Order

13 11. Previous Appeal: Yes

14 Supreme Court Docket Number(s): 77673, 77787

15 12. Case involves Child Custody and/or Visitation: Custody
16 Appeal involves Child Custody and/or Visitation: Custody

17 13. Possibility of Settlement: Unknown

18 Dated This 25 day of January 2019.

19 Steven D. Grierson, Clerk of the Court

20
21 /s/ Heather Ungermann
22 Heather Ungermann, Deputy Clerk
23 200 Lewis Ave
24 PO Box 551601
25 Las Vegas, Nevada 89155-1601
26 (702) 671-0512

27 cc: Frederick O. Silver
28

CASE SUMMARY**CASE NO. D-18-565588-C**

Candice K Towner, Plaintiff.
vs.
Frederick O Silver, Defendant.

§
 §
 §
 §

Location: **Department H**
 Judicial Officer: **Ritchie, T. Arthur, Jr.**
 Filed on: **02/07/2018**

CASE INFORMATION**Related Cases**

D-15-518374-C (1J1F Related - Rule 5.103)

R-17-196685-R (1J1F Related - Rule 5.103)

Case Type: **Child Custody Complaint**Case Status: **11/20/2018 Reopened****Statistical Closures**

11/19/2018 Settled/Withdrawn With Judicial Conference or Hearing






Case Flags: **Proper Person Documents Mailed****Appealed to Supreme Court****Vexatious Litigant***Per Order Filed 01/18/2019***In Forma Pauperis Granted***Granted to Frederick Silver**07/03/2018***DATE****CASE ASSIGNMENT****Current Case Assignment**

Case Number	D-18-565588-C
Court	Department H
Date Assigned	02/07/2018
Judicial Officer	Ritchie, T. Arthur, Jr.

PARTY INFORMATION

Plaintiff	Towner, Candice K 8216 Mount Brodie CIR Las Vegas, NV 89145	<i>Attorneys</i> Perry, Mary D. Retained 702-384-9911(W)
Defendant	Silver, Frederick O PO Box 276353 San Antonio, TX 78227	Pro Se 210-803-2299(H)
Subject Minor	Towner, Gabriel William	

DATE**EVENTS & ORDERS OF THE COURT****EVENTS**

02/07/2018	 Complaint for Custody <i>Complaint for Custody</i>
04/09/2018	 Affidavit in Support <i>Affidavit in Support of Service</i>
05/16/2018	 Default Filed by: Plaintiff Towner, Candice K Party 2: Defendant Silver, Frederick O <i>Default</i>
06/22/2018	 Application to Proceed in Forma Pauperis Filed by: Defendant Silver, Frederick O
07/03/2018	 Order to Proceed In Forma Pauperis Filed by: Defendant Silver, Frederick O

















CASE SUMMARY

CASE NO. D-18-565588-C

07/03/2018	 Answer Filed by: Defendant Silver, Frederick O Party 2: Plaintiff Towner, Candice K <i>Defendant Fredrick O Silver response to Complaint to establish Custody and Demand for Termination of Parental Rights</i>
07/10/2018	 Motion Filed by: Defendant Silver, Frederick O For: Plaintiff Towner, Candice K <i>Defendant Frederick O Silver Motion to Dismiss Pursuant to Rule 12(B)(6) and Counterclaim and Cross- Claim Pursuant to Rule Rule 13</i>
07/10/2018	 Certificate of Service Filed by: Defendant Silver, Frederick O <i>Certificate of Service</i>
07/16/2018	 Motion Filed by: Defendant Silver, Frederick O For: Plaintiff Towner, Candice K <i>Motion/Petition For Termination Of Child Support Order</i>
07/16/2018	 Document Filed Filed by: Defendant Silver, Frederick O <i>Income Withholding For Support</i>
07/18/2018	 Reply to Counterclaim Filed by: Plaintiff Towner, Candice K <i>Reply to Frederick O Silver's Response to Complaint to Establish Custody and Demand for Termination of Parental Righths</i>
07/19/2018	 Notice Filed by: Defendant Silver, Frederick O <i>Notice of Intent to Appear by Communication Equipment</i>
07/23/2018	 Financial Disclosure Form Filed by: Plaintiff Towner, Candice K
07/23/2018	 Opposition and Countermotion Filed by: Plaintiff Towner, Candice K Party 2: Defendant Silver, Frederick O <i>Pltf's Combined Opposition To Motion To Dismiss And Motion To Terminate Child Support Counter Motion To Consolidate Cases Determination Of Child Custody Confirm Child Support For Attys Fees</i>
07/24/2018	 Certificate of Mailing Filed by: Plaintiff Towner, Candice K For: Defendant Silver, Frederick O <i>Certificate of Mailing</i>
07/24/2018	 Order
07/26/2018	 Miscellaneous Filing <i>Defts Request for Correction of Name on Register of Actions</i>
07/26/2018	 Certificate of Mailing Filed by: Defendant Silver, Frederick O For: Plaintiff Towner, Candice K <i>Certificate of Mailing</i>
07/30/2018	 Certificate of Service <i>Amended Certificate of Service</i>
07/31/2018	 NRCP 16.2 Case Management Conference <i>Order Setting Case Management Conference and Directing Compliance with NRCP 16.205</i>
08/01/2018	 Notice of Change of Address

















CASE SUMMARY

CASE NO. D-18-565588-C

	Filed by: Defendant Silver, Frederick O <i>Notice of Change of Address</i>
08/10/2018	 Notice Filed by: Defendant Silver, Frederick O <i>Defendant Frederick O Silver Notice of Motion to the Court and Judge T. Arthur Ritchie Jr.</i>
08/15/2018	 Notice Filed by: Defendant Silver, Frederick O <i>Def't's Non- Consent and Non-Waiver to Trial by a Judge</i>
08/16/2018	 Objection Filed by: Defendant Silver, Frederick O <i>Objection to Order Setting Case Management Conference and Directing Compliance with NRCP 16.205</i>
09/07/2018	 Request Filed by: Defendant Silver, Frederick O <i>Frederick O Silver Demand to Produce</i>
09/07/2018	 Objection <i>Frederick O Silver Objection and Rejection to DNA Testing and Rescission of Acknowledgemetn of Paternity to T Arthur Ritchie</i>
09/12/2018	 Order <i>Order After Hearing</i>
09/14/2018	 Notice of Entry of Order Filed by: Plaintiff Towner, Candice K <i>Notice of Entry of Order</i>
09/18/2018	 Response Filed by: Plaintiff Towner, Candice K <i>Response to Defendant's Objection</i>
09/25/2018	 Notice Filed by: Defendant Silver, Frederick O <i>Notice of Intent to Appear by Communication Equipment</i>
09/25/2018	 Objection Filed by: Defendant Silver, Frederick O <i>Frederick O Silver Objection and Rejection of Order Signed by Person with Name T. Arthur Ritchie, Jr.</i>
10/02/2018	 Order <i>Order</i>
10/09/2018	 Notice Filed by: Defendant Silver, Frederick O <i>NOTICE OF FINAL WARNING</i>
11/05/2018	 Motion to Set Aside Filed by: Defendant Silver, Frederick O <i>Motion and Notice of Motion for Orders to Set Aside Order, Judgment, and/or Default</i>
11/05/2018	 Notice Filed by: Defendant Silver, Frederick O <i>Frederick O Silver Notice to Fat Face Idiot With Name T. Arthur Ritchie, Jr.</i>
11/07/2018	 Demand Filed by: Defendant Silver, Frederick O <i>Frederick O Silver Demand for Service of Process by US Postal Certified Mail to Fat Face Idiot With Name T. Arthur Ritchie, Jr.</i>
11/11/2018	 Demand Filed by: Defendant Silver, Frederick O <i>Demand for copy of order signed on 10/02/2018</i>

















CASE SUMMARY

CASE NO. D-18-565588-C

11/13/2018	 Demand Filed by: Defendant Silver, Frederick O <i>Demand for Affidavit of Service Process and Motions in limine</i>
11/15/2018	 Opposition to Motion Filed by: Plaintiff Towner, Candice K <i>Plaintiff's Opposition to Motion to Set Aside</i>
11/15/2018	 Motion Filed by: Plaintiff Towner, Candice K For: Defendant Silver, Frederick O <i>Pltf's Motion And Notice Of Motion For Determination Of Vexations Litigants For Sanctions Atty Fees And Restraining Order</i>
11/15/2018	 Notice of Entry of Order <i>Notice of Entry of Order</i>
11/15/2018	 Demand Filed by: Defendant Silver, Frederick O <i>Demand to Produce Affidavit of Paternity</i>
11/16/2018	 Reply Filed by: Defendant Silver, Frederick O <i>Defendant's Demand In Support of Motion to Set Aside a Void Judgment, Rescission of Paternity and Paternity Disestablishment</i>
11/16/2018	 Family Court Motion Opposition Fee Information Sheet Filed by: Defendant Silver, Frederick O <i>Paternity Disestablishment by Frederick O Silver</i>
11/19/2018	 Motion Filed by: Defendant Silver, Frederick O <i>Motion to produce signed affidavit of paternity</i>
11/19/2018	 Family Court Motion Opposition Fee Information Sheet Filed by: Defendant Silver, Frederick O <i>Motion to produce signed affidavit of paternity</i>
11/19/2018	 Motion Filed by: Defendant Silver, Frederick O <i>Motion For Termination Of Child Support Order</i>
11/19/2018	 Family Court Motion Opposition Fee Information Sheet Filed by: Defendant Silver, Frederick O <i>Motion/Opposition Fee Information Sheet</i>
11/19/2018	 Decree <i>Decree of Child Custody</i>
11/20/2018	 Motion to Dismiss Filed by: Defendant Silver, Frederick O <i>Frederick O Silver Motion to Dismiss Pursuant To Rule 12(B)(1) and Counterclaim and Cross Claim Pursuant to Rule 13 (H) Joinder of Additional Parties</i>
11/20/2018	 Family Court Motion Opposition Fee Information Sheet Filed by: Defendant Silver, Frederick O <i>FEE SHEET</i>
11/20/2018	 Objection Filed by: Defendant Silver, Frederick O <i>Def't's Objection to Plaintiff's Motion and Notice of Motion for Determination of Vexations Litigants for Sanctions Attorney Fees and Restraining Order.</i>
11/20/2018	 Family Court Motion Opposition Fee Information Sheet


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CASE NO. D-18-565588-C

	Filed by: Defendant Silver, Frederick O <i>Family Court Motion Opposition Fee Information Sheet</i>
11/23/2018	 Notice of Motion Filed by: Defendant Silver, Frederick O <i>Notice of Motion</i>
11/23/2018	 Motion Filed by: Defendant Silver, Frederick O <i>Motion for an Demand to Produce the Foreign Agents Registration Statement Act of 1938</i>
11/23/2018	 Family Court Motion Opposition Fee Information Sheet Filed by: Defendant Silver, Frederick O <i>Motion and Opposition Fee Information Sheet</i>
11/27/2018	 Notice of Motion Filed by: Defendant Silver, Frederick O <i>Notice of Motion</i>
11/28/2018	 Motion Filed by: Defendant Silver, Frederick O <i>Motion to Produce Affidavit of Paternity</i>
11/28/2018	 Notice of Motion Filed by: Defendant Silver, Frederick O <i>Notice of Motion</i>
11/28/2018	 Family Court Motion Opposition Fee Information Sheet Filed by: Defendant Silver, Frederick O <i>Motion and Opposition Fee Information Sheet</i>
11/29/2018	 Motion Filed by: Defendant Silver, Frederick O <i>Motion and Notice of Fraud by Person With Name Ritchie, T. Arthur, Jr.</i>
11/29/2018	 Notice of Motion Filed by: Defendant Silver, Frederick O <i>Notice of Motion</i>
11/29/2018	 Family Court Motion Opposition Fee Information Sheet Filed by: Defendant Silver, Frederick O <i>Motion and Opposition Fee Information Sheet</i>
11/29/2018	 Reply Filed by: Plaintiff Towner, Candice K <i>Reply and Supplement to Motion for Determination of Vexatious Litigant and Supplement</i>
11/29/2018	 Motion Filed by: Defendant Silver, Frederick O <i>Dft's Motion For Receipted Of Itemized Services Provided To Frederick O Silver By Mary D Perry For \$5000</i>
11/29/2018	 Family Court Motion Opposition Fee Information Sheet Filed by: Defendant Silver, Frederick O <i>Motion/Opposition Fee Information Sheet</i>
11/29/2018	 Notice of Motion Filed by: Defendant Silver, Frederick O <i>Notice of Motion</i>
11/30/2018	 Motion Filed by: Defendant Silver, Frederick O <i>Def't's Motion Rebutting All and Any Presumptions by Mary D. Perry</i>
11/30/2018	 Notice of Motion Filed by: Defendant Silver, Frederick O

CASE SUMMARY

CASE NO. D-18-565588-C

	<i>Notice of Motion</i>
11/30/2018	 Family Court Motion Opposition Fee Information Sheet Filed by: Defendant Silver, Frederick O <i>Motion and Opposition Fee Information Sheet</i>
11/30/2018	 Order <i>Decision and Order</i>
12/02/2018	 Ex Parte Motion Filed by: Defendant Silver, Frederick O <i>Ex Parte Motion for Continuance</i>
12/02/2018	 Notice of Motion Filed by: Defendant Silver, Frederick O <i>Notice of Motion</i>
12/02/2018	 Family Court Motion Opposition Fee Information Sheet Filed by: Defendant Silver, Frederick O <i>Motion and Opposition Fee Information Sheet</i>
12/03/2018	 Notice of Entry of Order <i>Notice of Entry of Order</i>
12/07/2018	 Objection Filed by: Defendant Silver, Frederick O <i>Objection to Decision and Order by Face Person With Name Ritchie, T. Arthur, Jr.</i>
12/07/2018	 Family Court Motion Opposition Fee Information Sheet Filed by: Defendant Silver, Frederick O <i>Motion Opposition Fee Information</i>
12/07/2018	 Notice of Motion Filed by: Defendant Silver, Frederick O <i>Notice of Motion</i>
12/07/2018	 Notice of Appeal Filed by: Defendant Silver, Frederick O <i>NOTIC OF APPEAL</i>
12/09/2018	 Motion for Summary Judgment Filed by: Defendant Silver, Frederick O <i>Motion for Summary Judgment</i>
12/09/2018	 Family Court Motion Opposition Fee Information Sheet Filed by: Defendant Silver, Frederick O <i>Family Court Motion/Opposition Fee Information Sheet - MOFI</i>
12/09/2018	 Notice of Motion Filed by: Defendant Silver, Frederick O <i>Notice of Motion</i>
12/11/2018	 Case Appeal Statement Filed by: Defendant Silver, Frederick O <i>Case Appeal Statement</i>
12/14/2018	 Notice of Entry of Decree Party: Plaintiff Towner, Candice K <i>Notice of Entry of Decree of Child Custody</i>
01/07/2019	 Estimate of Transcript <i>Hearing date August 21, 2018; October 1, 2018; December 18, 2018</i>
01/18/2019	 Order Filed by: Plaintiff Towner, Candice K

CASE SUMMARY

CASE NO. D-18-565588-C

Order After Hearing Certifying Intent to Grant Relief

01/18/2019



Notice of Entry

Filed by: Plaintiff Towner, Candice K
Notice of Entry of Order After Hearing

01/23/2019



Notice of Appeal

Filed by: Defendant Silver, Frederick O
Notice of Appeal

01/23/2019



Family Court Motion Opposition Fee Information Sheet

Filed by: Defendant Silver, Frederick O
Motion Opposition Fee Information Sheet

01/23/2019



Notice of Motion

Filed by: Defendant Silver, Frederick O
Notice of Motion

01/24/2019



Objection

Filed by: Defendant Silver, Frederick O
*Frederick O Silver Objection and Rejection of Order Signed by Fat Face Idiot With Name T. Arthur Ritchie, Jr
Filed on 01/18/2019*

01/24/2019



Family Court Motion Opposition Fee Information Sheet

Filed by: Defendant Silver, Frederick O
Motion and Opposition Fee Information Sheet

01/24/2019



Notice of Motion

Filed by: Defendant Silver, Frederick O
Notice of Motion

01/25/2019



Case Appeal Statement

Filed by: Defendant Silver, Frederick O
Case Appeal Statement

HEARINGS

08/21/2018

Motion (11:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.)

Events: 07/10/2018 Motion

*Defendant Frederick O Silver Motion to Dismiss Pursuant to Rule 12(B)(6) and Counterclaim and Cross- Claim
Pursuant to Rule Rule 13*

MINUTES



Motion

Filed by: Defendant Silver, Frederick O

For: Plaintiff Towner, Candice K

*Defendant Frederick O Silver Motion to Dismiss Pursuant to Rule 12(B)(6) and Counterclaim and Cross-
Claim Pursuant to Rule Rule 13*

Denied;

08/21/2018



Case Management Conference (11:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.)

Events: 07/31/2018 NRCP 16.2 Case Management Conference

Referred for Paternity Testing;

08/21/2018



All Pending Motions (11:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.)

Matter Heard;




Journal Entry Details:

*CASE MANAGEMENT CONFERENCE...DEFENDANT FREDERICK O. SILVER'S MOTION TO DISMISS
PURSUANT TO RULE 12(B)(6) AND COUNTERCLAIM AND CROSS-CLAIM PURSUANT TO RULE 13
Defendant appeared telephonically. Defendant stated he resides in San Antonio, TX. Court reviewed the history
of the case. Attorney Perry stated Defendant filed a Petition to terminate his parental rights in Nevada (Case no.
D-18-572202-R and never did anything else. Court stated there is no question as to jurisdiction based on the
filings. Court stated the child support case is not consolidated with the domestic case. Attorney Perry stated the
DNA Diagnostic Center did the pre-birth test and Defendant acknowledged as to paternity. Attorney Perry stated
Plaintiff was never served with the Termination Of Parental Rights Petition. Defendant stated he merely wants*

CASE SUMMARY

CASE NO. D-18-565588-C

his name removed from the birth certificate. Court stated Plaintiff is requesting sole legal custody and sole physical custody. Court noted Defendant does not want anything to do with the child. Court stated Defendant is the father due to the acknowledgement of parentage. Court stated Plaintiff alleged in the child support case, in this case, and in the dismissed case that she is the mother and Defendant is the father. Court noted the Termination Of Parental Rights Petition was never served and the case was open 2 1/2 months. By Defendant filing the Petition to terminate his parental rights, indicates he is the father. Court stated Defendant has raised a legitimate issue of biology. COURT ORDERED, the following: Parties REFERRED to LABCORP. for DNA TESTING. Defendant shall have SIXTY (60) DAYS to take the test in TEXAS. Return date set. TEMPORARILY, Plaintiff shall have SOLE LEGAL CUSTODY and SOLE PHYSICAL CUSTODY. Defendant's MOTION shall be DENIED. All of Defendant's REQUESTS are DENIED. The TERMINATION OF PARENTAL RIGHTS case shall be DISMISSED and the HEARING scheduled for 8/28/18 shall be VACATED. Plaintiff's REQUEST to CONSOLIDATE is DENIED. Attorney Perry shall prepare the Order. 10/1/18 10:00 AM RETURN: DNA TESTING - Regional Justice Center, Courtroom 3G;

- 08/28/2018 **CANCELED Motion** (11:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.)
Vacated - per Judge
Motion/Petition For Termination Of Child Support Order
- 08/28/2018 **CANCELED Opposition & Countermotion** (11:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.)
Vacated - per Judge
Pltf's Combined Opposition To Motion To Dismiss And Motion To Terminate Child Support Counter Motion To Consolidate Cases Determination Of Child Custody Confirm Child Support For Attys Fees
- 10/01/2018  **Return Hearing** (10:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.)
DNA TESTING
Decision Made;
Journal Entry Details:
Defendant was not present. Court noted no DNA test was done. COURT ORDERED, the TEMPORARY ORDERS become PERMANENT. Court reviewed the history of the case. Court stated the process ends, since Defendant did not test. Court stated if Defendant does file something, Plaintiff will need to cooperate. Plaintiff sworn and testified. Attorney Perry canvassed the Plaintiff. Plaintiff stated the Child Support Court will continue monitoring child support in case no. R-17-196685-R. Court signed the Order from the 8/21/18 hearing in OPEN COURT, that was provided by Attorney Perry. COURT FURTHER ORDERED, the following: Based on the Answer filed, it is in the best interest of the child for Plaintiff to have SOLE LEGAL CUSTODY and SOLE PHYSICAL CUSTODY. Attorney Perry shall prepare the Custody Decree.;
- 12/04/2018 **CANCELED Motion** (11:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.)
Vacated
Def't's Motion and Notice of Motion for Orders to Set Aside Order, Judgment, and/or Default
- 12/04/2018 **CANCELED Opposition** (11:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.)
Vacated
Plaintiff's Opposition to Motion to Set Aside
- 12/04/2018 **CANCELED Hearing** (11:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.)
Vacated
Demand In Support of Motion to Set Aside a Void Judgment, Rescission of Paternity and Paternity Disestablishment
- 12/18/2018 **Motion** (9:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.)
Events: 11/15/2018 Motion
Pltf's Motion And Notice Of Motion For Determination Of Vexations Litigants For Sanctions Atty Fees And Restraining Order
Matter Heard;
- 12/18/2018  **Hearing** (9:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.)
Events: 11/29/2018 Reply
Pltf's Reply And Supplement To Motion For Determination Of Vexatious Litigant And Supplement
Matter Heard;
- 12/18/2018  **All Pending Motions** (9:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.)
Matter Heard;
Journal Entry Details:
PLAINTIFF'S MOTION AND NOTICE OF MOTION FOR DETERMINATION OF VEXATIOUS LITIGANT, FOR SANCTIONS, ATTORNEY'S FEES, AND RESTRAINING ORDER...PLAINTIFF'S REPLY AND SUPPLEMENT TO MOTION FOR DETERMINATION OF VEXATIOUS LITIGANT AND SUPPLEMENT
Neither party was present. Court reviewed the history of the case. Court noted there is a Notice Of Appeal filed on 11/7/18, and the Court can only rule on issues collateral to the appeal. Court stated its FINDINGS regarding the vexatious filings. Attorney Perry stated there were ten or fifteen filings in November and early December of

CASE SUMMARY

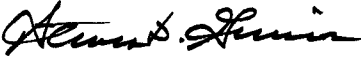
CASE NO. D-18-565588-C

2018. Attorney Perry stated the appeal is on the Affidavit Of Paternity. Court stated the Defendant has requested to appear telephonically at previous hearings, however, he did not make that request for today's hearing. COURT FINDS, Defendant continues to harass the Plaintiff and Defendant's filings are vexatious and repetitive. Court stated it concludes the ruling on this Motion, to deem Defendant a vexatious litigant is not collateral to the appeal and further stated if the appeal is dismissed or the Supreme Court remands it back, then the Court will deal with the vexatious litigant, since it will have jurisdiction to do so. COURT ORDERED, the HEARINGS scheduled for 1/8/19 at 10:00 AM and 1/14/19 at 10:00 AM shall be VACATED. Attorney Perry shall prepare the Order. ;

01/07/2019	CANCELED Motion (10:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.) Vacated Def't's Motion to Produce Affidavit of Paternity
01/07/2019	CANCELED Motion (10:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.) Vacated Def't's Motion and Notice of Fraud by Person With Name Ritchie, T. Arthur, Jr.
01/07/2019	CANCELED Motion (10:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.) Vacated Def't's Motion Rebutting All and Any Presumptions by Mary D. Perry
01/07/2019	CANCELED Motion (10:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.) Vacated Dft's Motion For Receipted Of Itemized Services Provided To Frederick O Silver By Mary D Perry For \$5000
01/07/2019	CANCELED Motion (10:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.) Vacated - per Judge Def't's Ex Parte Motion for Continuance
01/08/2019	CANCELED Motion for Summary Judgment (10:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.) Vacated - per Judge Pltf's Motion For Summary Judgment
01/14/2019	CANCELED Motion (10:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.) Vacated - per Judge Notice of Motion
01/14/2019	CANCELED Motion (11:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.) Vacated Def't.'s Notice of Motion
03/27/2019	Objection (9:00 AM) (Judicial Officer: Ritchie, T. Arthur, Jr.) Events: 01/24/2019 Notice of Motion Frederick O Silver Objection and Rejection of Order Signed and Filed on 01/18/2019

SERVICE

02/07/2018	Summons Silver, Fredrick D Served: 03/30/2018
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CLERK OF THE COURT

ORDR
MARY D. PERRY, ESQ.
Nevada Bar No.: 7863
840 Rancho Drive, Suite 4-256
Las Vegas, NV 89106
Telephone (702) 384-9911
maryd@marydperryllaw.com
Attorney for Plaintiff

DISTRICT COURT, FAMILY DIVISION
CLARK COUNTY, NEVADA

CANDICE KATIE TOWNER,
Plaintiff,

vs.

FREDERICK O. SILVER,
Defendant.

Case No: D-18-565588-C
Dept No: H

*Linked/Related with Case Nos.:
D-18-572202-R & R-17-196685-R*

Date: 12/18/18
Time: 9:00 am

ORDER AFTER HEARING CERTIFYING INTENT TO GRANT RELIEF

This matter having come on regularly before the Court for upon the Motion for Determination of Vexations Litigant for Sanctions/Attorney's Fees and Restraining Order and the Plaintiff, Candice Katie Towner not appearing personally and being represented by her attorney, MARY D. PERRY, ESQ.; and the Defendant, Frederick O. Silver not personally appearing; and the Court, having reviewed all the pleadings and papers filed herein, and good cause appearing, hereby finds:

FINDINGS:

1. That the Court must analyze the various factors in that any individual with a valid claim access to the courts;
2. That the Court seeks to protect litigants from frivolous and/or abusive filings;
3. That any Court access restrictions have to be justified;
4. That the Court has the inherent powers to control how individuals exercise matters in a civil case;

1 5. That there was notice to the Defendant, Frederick O. Silver, which protected
2 his due process rights, and there sufficient evidence in the record that he had actual
3 notice, as well as his response and participation in this matter and oppositions to the
4 within motion;

5 6. That the Court has made allowances for the Defendant to appear via
6 telephonic appearance in previous hearings, and Defendant made no such request for
7 this hearing, and the Court will consider his filed pleadings;

8 7. That the Court is required to create an accurate record;

9 8. That the Order of November 30, 2018, with Notice of Entry filed December
10 3, 2018, from which Defendant appeals, did not relate to the Motion for
11 Determination of Vexatious Litigant, but rather post judgment matters (approximate
12 15 filings) which were being filed by the Defendant on an almost daily basis;

13 9. That as to substance of the filings, the Court is required to review the
14 entirety of the matter as well as said applications to make any determination as to
15 whether or not they are frivolous and/or harassing in nature; that the Defendant has
16 not helped himself by the repeated language he uses and/or his descriptive of the
17 Plaintiff, the minor child, judicial officers, etc.;

18 10. That the Court has sought to look past the offensive descriptives to see if
19 the Defendant has made any claim which had any substantive merit;

20 11. The Court finds that the pleadings filed are repetitive, containing the same
21 requests for relief, over and over again;

22 12. That there is no factual or legal basis to challenge the court's orders;

23 13. That the Defendant made assertions that the Court cannot make orders as
24 to child custody/child support, etc., as he was not the father;

25 14. That the Court, in an abundance of caution as to this particular issue, the
26 Court stated that even though, through prior proceedings that the Defendant was
27 determined to be the father, the Defendant was provided, on the outside chance that
28 he may have an actual defense, allowed for the Defendant to take a DNA test to at
least to have some factual basis that Defendant is the actual parent;

15. The Defendant refused to avail himself of said order of the Court, in fact, multiple pleadings have been filed, and are in the record, of his voluntary refusal to take same;

16. Subsequently, after further hearing, the Decree of Custody was entered, with the Defendant again determined to be the biological parent of the subject minor child; the Defendant was granted partial relief in that he wanted absolutely no relationship or contact with the minor child, and that sole legal and phisical custody was awarded to the Plaintiff in the child's best interests;

17. That the issues presented herein were simple - the determination of child custody and/or child support;

18. That the Court, in reviewing the record, finds that the multitude of pleadings were intended by the Defendant to harass the Plaintiff with his abuse of process, and that the Plaintiff's motion is meritorious;

CONCLUSIONS OF LAW

19. That the Court, after review and analysis, determines that with the Notice of Appeal having been filed, that the ruling on the within motion is not collateral to the Decree of Custody and that it is a separate issue, one not being solely for attorneys fees or contempt;

20. That it is the intent of the Court to grant the relief requested, which will still leave the Defendant the ability to have access to the Court process, but with restrictions.

ORDER

IT IS HEREBY ORDERED, that the Court certifies its intention to grant the *Determination of Vexatious Litigant for Sanctions/Attorney's Fees and Restraining Order*, and is making this record for the purposes of a remand as stated in Huneycutt v. Huneycutt, 94 Nev. 79, 575 P.2d 585 (1978); and it is further

1 ORDERED, that it is directed to the Supreme Court that should it provide a
2 *Huneycutt* remand, in that it is the intention of the within court to grant the relief to
3 the Plaintiff as requested in said motion.

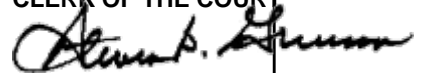
4
5 Dated the 10 day of Jan., 2019.

6
7 
8 DISTRICT COURT JUDGE
9 T ART RITCHIE, JR. *XR*

10 Submitted by:

11 

12 **MARY D. PERRY, ESQ.**
13 Nevada Bar No.: 7863
14 840 Rancho Drive, Suite 4-256
15 Las Vegas, NV 89106
16 Telephone (702) 384-9911
17 maryd@marydperryllaw.com
18 Attorney for Plaintiff
19
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28



1 **NEOJ**
2 **MARY D. PERRY, ESQ.**
3 Nevada Bar #007863
4 840 South Rancho Dr., Suite 4-256
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6 Telephone (702) 384-9911
7 Email: maryd@marydperrylaw.com
8 Attorney for Plaintiff

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

8 CANDICE KATIE TOWNER,
9 Plaintiff,

Case No: D-18-565588-C
Dept No: H

10 vs.


Linked/Related with Case Nos.:
D-18-572202-R & R-17-196685-R

11 FREDERICK O. SILVER,
12 Defendant.

14 **NOTICE OF ENTRY OF ORDER AFTER HEARING**

15 PLEASE TAKE NOTICE that an *Order After Hearing* was duly entered in the
16 above-referenced case on the 18th day of January, 2019, attached hereto as *Exhibit*
17 "A".

18 **DATED** this 18th day of January, 2019.

20 
21 **MARY D. PERRY, ESQ.**
22 Nevada Bar #007863
23 840 South Rancho Dr., Suite 4-256
24 Las Vegas, NV 89106
25 Telephone (702) 384-9911
26 Email: maryd@marydperrylaw.com
27 Attorney for Plaintiff

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of the Law Office of
3 Mary D. Perry, LLC and that on this 18th day of January, 2018, I caused the *Notice*
4 *of Entry of Order After Hearing* to be served as follows:

- 5 ☐ Pursuant to EDCR 8.05(a), EDCR 8.05(f) and Administrative Order 14-
6 2 captioned "In the Administrative Matter of Mandatory Electronic
7 Service in the Eighth Judicial" by mandatory electronic service through
8 the Eighth Judicial District Court's electronic filing system;
9 ☒ by placing same to be deposited for mailing in the United States Mail,
10 in a sealed envelope upon which first class postage was prepaid in Las
11 Vegas, Nevada;
12 ☐ pursuant to EDCR 7.26 to be sent via facsimile or email, by duly
13 executed consent for service by electronic means;

14 Frederick O. Silver
15 P. O. Box 276353
16 San Antonio, TX 78227

17 

18 Mary D. Perry, Esq.
19
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21
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23
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25
26
27
28


CLERK OF THE COURT

ORDR
MARY D. PERRY, ESQ.
Nevada Bar No.: 7863
840 Rancho Drive, Suite 4-256
Las Vegas, NV 89106
Telephone (702) 384-9911
maryd@marydperryllaw.com
Attorney for Plaintiff

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

CANDICE KATIE TOWNER,
Plaintiff,

vs.

FREDERICK O. SILVER,
Defendant.

Case No: D-18-565588-C
Dept No: H

*Linked/Related with Case Nos.:
D-18-572202-R & R-17-196685-R*

Date: 12/18/18
Time: 9:00 am

ORDER AFTER HEARING CERTIFYING INTENT TO GRANT RELIEF

This matter having come on regularly before the Court for upon the Motion for *Determination of Vexations Litigant for Sanctions/Attorney's Fees and Restraining Order* and the Plaintiff, Candice Katie Towner not appearing personally and being represented by her attorney, MARY D. PERRY, ESQ.; and the Defendant, Frederick O. Silver not personally appearing; and the Court, having reviewed all the pleadings and papers filed herein, and good cause appearing, hereby finds:

FINDINGS:

1. That the Court must analyze the various factors in that any individual with a valid claim access to the courts;
2. That the Court seeks to protect litigants from frivolous and/or abusive filings;
3. That any Court access restrictions have to be justified;
4. That the Court has the inherent powers to control how individuals exercise matters in a civil case;

1 5. That there was notice to the Defendant, Frederick O. Silver, which protected
2 his due process rights, and there sufficient evidence in the record that he had actual
3 notice, as well as his response and participation in this matter and oppositions to the
4 within motion;

5 6. That the Court has made allowances for the Defendant to appear via
6 telephonic appearance in previous hearings, and Defendant made no such request for
7 this hearing, and the Court will consider his filed pleadings;

8 7. That the Court is required to create an accurate record;

9 8. That the Order of November 30, 2018, with Notice of Entry filed December
10 3, 2018, from which Defendant appeals, did not relate to the Motion for
11 Determination of Vexatious Litigant, but rather post judgment matters (approximate
12 15 filings) which were being filed by the Defendant on an almost daily basis;

13 9. That as to substance of the filings, the Court is required to review the
14 entirety of the matter as well as said applications to make any determination as to
15 whether or not they are frivolous and/or harassing in nature; that the Defendant has
16 not helped himself by the repeated language he uses and/or his descriptive of the
17 Plaintiff, the minor child, judicial officers, etc.;

18 10. That the Court has sought to look past the offensive descriptives to see if
19 the Defendant has made any claim which had any substantive merit;

20 11. The Court finds that the pleadings filed are repetitive, containing the same
21 requests for relief, over and over again;

22 12. That there is no factual or legal basis to challenge the court's orders;

23 13. That the Defendant made assertions that the Court cannot make orders as
24 to child custody/child support, etc., as he was not the father;

25 14. That the Court, in an abundance of caution as to this particular issue, the
26 Court stated that even though, through prior proceedings that the Defendant was
27 determined to be the father, the Defendant was provided, on the outside chance that
28 he may have an actual defense, allowed for the Defendant to take a DNA test to at
least to have some factual basis that Defendant is the actual parent;

15. The Defendant refused to avail himself of said order of the Court, in fact, multiple pleadings have been filed, and are in the record, of his voluntary refusal to take same;

16. Subsequently, after further hearing, the Decree of Custody was entered, with the Defendant again determined to be the biological parent of the subject minor child; the Defendant was granted partial relief in that he wanted absolutely no relationship or contact with the minor child, and that sole legal and physical custody was awarded to the Plaintiff in the child's best interests;

17. That the issues presented herein were simple - the determination of child custody and/or child support;

18. That the Court, in reviewing the record, finds that the multitude of pleadings were intended by the Defendant to harass the Plaintiff with his abuse of process, and that the Plaintiff's motion is meritorious;

CONCLUSIONS OF LAW

19. That the Court, after review and analysis, determines that with the Notice of Appeal having been filed, that the ruling on the within motion is not collateral to the Decree of Custody and that it is a separate issue, one not being solely for attorneys fees or contempt;

20. That it is the intent of the Court to grant the relief requested, which will still leave the Defendant the ability to have access to the Court process, but with restrictions.

ORDER


IT IS HEREBY ORDERED, that the Court certifies its intention to grant the *Determination of Vexations Litigant for Sanctions/Attorney's Fees and Restraining Order*, and is making this record for the purposes of a remand as stated in Huneycutt v. Huneycutt, 94 Nev. 79, 575 P.2d 585 (1978); and it is further

1 ORDERED, that it is directed to the Supreme Court that should it provide a
2 *Huneycutt* remand, in that it is the intention of the within court to grant the relief to
3 the Plaintiff as requested in said motion.
4

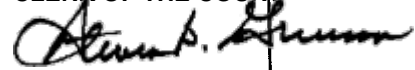
5 Dated the 10 day of Jan., 2019.
6

7 
8 DISTRICT COURT JUDGE
9 T ART RITCHIE, JR. *dp*

10 Submitted by:

11 
12

13 MARY D. PERRY, ESQ.
14 Nevada Bar No.: 7863
15 840 Rancho Drive, Suite 4-256
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ORDR

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Attorney for Plaintiff

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

CANDICE KATIE TOWNER,

Plaintiff,

vs.

FREDERICK O. SILVER,

Defendant.

Case No: D-18-565588-C

Dept No: H

*Linked/Related with Case Nos.:
D-18-572202-R & R-17-196685-R*

Date: 8/21/18

Time: 11:00 am

ORDER

This matter having come on regularly before the Court on the Motion to Dismiss (filed 7/10/18) and Motion to Terminate Child Support (filed 7/16/18) filed by the Defendant; and the Plaintiff having filed an Opposition and Counter motion to Consolidate Cases, Determination of Child Custody, Confirm Child Support and For Attorney's Fees (filed 7/23/18); and the Plaintiff, Candice Katie Towner appearing personally and being represented by her attorney, MARY D. PERRY, ESQ.; and the Defendant, Frederick O. Silver not personally appearing, but telephonically appearing; and the Court, having reviewed all the pleadings and papers filed herein, and having heard arguments of the Defendant and Plaintiff's counsel, and good cause appearing, hereby finds:

FINDINGS:

1. That the Plaintiff's Petition for Custody in this matter was filed February 7, 2018.
2. That the Defendant was served as of March 30, 2018.
3. That Default was filed May 16, 2018.

1 4. That Defendant filed a formal general appearance by his Answer and
2 Counterclaim filed July 10, 2018.

3 5. That on July 10, 2018, Defendant also filed a Motion to Dismiss.

4 6. That on July 16, 2018 Defendant filed a Motion to Terminate Child Support.

5 7. That on July 23, 2018 Plaintiff filed a Combined Opposition and
6 Countermotions.

7 8. That in a separate matter (Case No. D-18-572202-R), Mr. Silver filed a
8 Petition for Termination of Parental Rights.

9 9. That there is a child support matter currently open under Case No. R-17-
10 196685-R, for the payment of child support by Mr. Silver, which he participated in.

11 10. That Defendant has requested a jury trial in a domestic matter in multiple
12 pleadings.

13 11. That should any finding be more construed as a conclusion of law, it so
14 construed.

15 12. That Defendant used extremely inflammatory, descriptive language as it
16 pertains to the Plaintiff and minor child.

17 **CONCLUSIONS OF LAW**

18 1. That the Plaintiff is a resident of the State of Nevada, and Nevada is the
19 home state of the minor child.

20 2. That the Defendant has sufficient contact with Nevada, resided with the
21 child within the state, has subjected himself to the jurisdiction of the Court by his
22 filing of a general appearance in multiple cases, and sought affirmative relief from the
23 Court. (NRS 130.201(1)a-g)

24 4. That Nevada and this Court has both subject matter and personal jurisdiction
25 in this matter.

26 5. That the Defendant signed an acknowledgment of parentage pursuant to
27 NRS 126.053 at the time of the minor child's birth, creating the presumption of
28 paternity.

6. That paternity was established in the "R" case.

1 7. That the multiple matters filed shall be linked and/or related but not
2 consolidated.

3 8. That Family Court matters concerning custody/paternity are not subject to
4 jury trials. (NRS 125.070)

5 9. That should any conclusion of law be more construed as a finding, it so
6 construed.

7 10. In accordance to the pleadings, both parties agree that Plaintiff should have
8 sole legal and sole physical custody of the minor child.

9 ***NOW, THEREFORE***, IT IS HEREBY

10 ORDERED, that this Court has personal and subject matter jurisdiction
11 pursuant to NRS 130.201(1)a-g; and it is further

12 ORDERED that the request for a jury trial in a domestic matter is denied; and
13 it is further

14 ORDERED, that the Defendant's Motion to Dismiss be and hereby is denied;
15 and it is further

16 ORDERED, that the Defendant's Motion to Terminate Child Support is
17 dependent upon the DNA results; and it is further

18 ORDERED, that the Defendant shall appear at LabCor in San Antonio, Texas,
19 of which there are three offices, for paternity testing within ^{SIXTY (60) (AP)} ~~thirty (30)~~ days of the
20 date of this hearing, ^(AP) ~~to wit: September 21, 2018~~; that pursuant to the usual practices
21 of LabCor, they shall take a photograph of the individual presenting themselves for
22 testing as well as procuring a copy of photo ID, and that LabCor shall provide the
23 results and the photographs to this Court and counsel for the Plaintiff; and it is
24 further

25 ORDERED, that should Defendant not appear for testing within the prescribed
26 time, or the Court not have any results, all presumptions of paternity will rise; and it
27 is further

28 ORDERED, that the Plaintiff's Countermotion to Consolidate cases is denied,
but Case No. D-18-572202-R and Case No. R-17-196685-R shall be linked and
related; and it is further

1 ORDERED that Plaintiff's Countermotion to Determine Custody is granted and
2 the Plaintiff, Candice Towner shall be awarded sole legal and physical custody of the
3 minor child, Gabriel William Towner, and the Defendant receiving no visitation
4 pursuant to his statements to that effect; and it is further

5 ORDERED that Defendant shall cease and desist the usage of such
6 inflammatory descriptives as it pertains to Plaintiff and minor child.

7 STATUTORY PROVISIONS

8 ORDERED, that the parties are required to provide their Social Security
9 numbers on a separate form to the Court and to the Welfare Division of the
10 Department of Human Resources pursuant to NRS 125.30. Such information shall
11 be maintained by the Clerk in a confidential manner and not part of the public record;
12 and it is further

13 ORDERED, that:

14 NOTICE IS HEREBY GIVEN of the following provision of NRS
15 125C.0045(6):

16 PENALTY FOR VIOLATION OF ORDER: THE ABDUCTION,
17 CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF
18 THIS ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS
19 PROVIDED IN NRS 193.130. NRS 200.359 provides that every person
20 having a limited right of custody to a child or any parent having no right of
21 custody to the child who willfully detains, conceals or removes the child from
22 a parent, guardian or other person having lawful custody or a right of visitation
23 of the child in violation of this court, or removes the child from the jurisdiction
24 of the court without the consent of either the court or all persons who have the
25 right to custody or visitation is subject to being punished for a category D
26 felony as provided in NRS 193.130.

27 NOTICE IS HEREBY GIVEN that the terms of the Hague Convention of
28 October 25, 1980, adopted by the 14th Session of the Hague Conference on Private
International Law apply if a parent abducts or wrongfully retains a child in a foreign
country. The parties are also put on notice of the following provisions in NRS
125C.0045(8):

If a parent of the child lives in a foreign country or has significant
commitments in a foreign country:

(a) The parties may agree, and the court shall include in the order for
custody of the child, that the United States is the country of habitual residence

1 of the child for the purposes of applying the terms of the Hague Convention
2 as set forth in subsection 7.

3 (b) Upon motion of one of the parties, the court may order the parent to
4 post a bond if the court determines that the parent poses an imminent risk of
5 wrongfully removing or concealing the child outside the country of habitual
6 residence. The bond must be in an amount determined by the court and may
7 be used only to pay for the cost of locating the child and returning him to his
8 habitual residence if the child is wrongfully removed from or concealed
9 outside the country of habitual residence. The fact that a parent has significant
10 commitments in a foreign country does not create a presumption that the parent
11 poses an imminent risk of wrongfully removing or concealing the child.

12 **NOTICE IS HEREBY GIVEN** that the parties are placed on notice of the
13 following provisions in NRS 125C.006:
14

15 1. If primary physical custody has been established pursuant to an order,
16 judgment or decree of a court and the custodial parent intends to relocate his
17 or her residence to a place outside of this State or to a place within this State
18 that is at such a distance that would substantially impair the ability of the other
19 parent to maintain a meaningful relationship with the child, and the custodial
20 parent desires to take the child with him or her, the custodial parent shall,
21 before relocating:

22 (a) Attempt to obtain the written consent of the noncustodial parent to
23 relocate with the child; and

24 (b) If the noncustodial parent refuses to give that consent, petition the
25 Court for permission to relocate with the child;

26 2. The court may award reasonable attorney's fees and costs to the relocating
27 parent if the court finds that the noncustodial parent refused to consent to the
28 relocating parent's relocation with the child:

(a) Without having reasonable grounds for such refusal; or

(b) For the purposes of harassing the custodial parent.

3. A parent who relocates with a child pursuant to this section without the
written consent of the noncustodial parent or the permission of the court is
subject to the provisions of NRS 200.359.

This provision does not apply to vacations outside Nevada planned by either party.

NOTICE IS HEREBY GIVEN that the parties are placed on notice of the
following provisions in NRS 125C.0065:

1. If joint physical custody has been established pursuant to an order, judgment
or decree of a court and one parent intends to relocate his or her residence to
a place outside of this State or to a place within this State that is at such a
distance that would substantially impair the ability of the other parent to
maintain a meaningful relationship with the child, and the relocating parent
desires to take the child with him or her, the relocating parent shall, before
relocating:

(a) Attempt to obtain the written consent of the non-relocating parent
to relocate with the child;

(b) If the non-relocating parent refuses to give that consent, petition the
court for primary physical custody for the purpose of relocating.

The court may award reasonable attorney's fees and costs to the relocating

parent if the court finds that the non-relocating parent refused to consent to the relocating parent's relocation with the child:

- (a) Without having reasonable grounds for such refusal; or
- (b) For the purposes of harassing the relocating parent.

3. A parent who relocates with a child pursuant to this section before the court enters an order granting the parent primary physical custody of the child and permission to relocate. with the child is subject to the provisions of NRS 200.359.


This provision does not apply to vacations outside Nevada planned by either party.

ORDERED, that the parties, together with any counsel shall appear for hearing as to the result of the DNA test, and any further proceedings, on **October 1, 2018** at **10:00 am**, and the Defendant may appear via telephone.

Dated the 31st day of Aug., 2018.


DISTRICT COURT JUDGE *dsp*
T ART RITCHIE, JR.

Submitted by:


MARY D. PERRY, ESQ.
Nevada Bar No.: 7863
840 Rancho Drive, Suite 4-256
Las Vegas, NV 89106
Telephone (702) 384-9911
maryd@marydperrylaw.com
Attorney for Plaintiff

1 **NEOJ**
2 **MARY D. PERRY, ESQ.**
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5 Las Vegas, NV 89106
6 Telephone (702) 384-9911
7 Email: maryd@marydperrylaw.com
8 Attorney for Defendant

Electronically Filed
09/14/2018


CLERK OF THE COURT

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

8 CANDICE KATIE TOWNER,
9 Plaintiff,

10 vs.

11 FREDERICK O. SILVER,
12 Defendant.

Case No: D-18-565588-C
Dept No: H

Linked/Related with Case Nos.:
D-18-572202-R & R-17-196685-R

Date: 8/21/18
Time: 11:00 am

14 **NOTICE OF ENTRY OF ORDER**

15 PLEASE TAKE NOTICE that a *Order After Hearing* was duly entered in the
16 above-referenced case on the 12th day of July, 2017, attached hereto as *Exhibit "A"*.
17

18 DATED this 13th day of September, 2018.



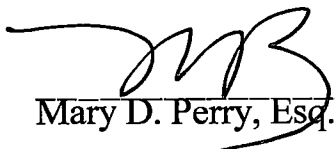
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25 Telephone (702) 384-9911
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27 Attorney for Plaintiff
28

1
2 **CERTIFICATE OF SERVICE**

3 Pursuant to NRCP 5(b), I certify that I am an employee of the Law Office of
4 Mary D. Perry, LLC and that on this 14th day of September, 2018, I caused the *Notice*
5 *of Entry of Order After Hearing* to be served as follows:

- 6 ☐ Pursuant to EDCR 8.05(a), EDCR 8.05(f) and Administrative Order 14-
7 2 captioned "In the Administrative Matter of Mandatory Electronic
8 Service in the Eighth Judicial" by mandatory electronic service through
9 the Eighth Judicial District Court's electronic filing system;
10 ☒ by placing same to be deposited for mailing in the United States Mail,
11 in a sealed envelope upon which first class postage was prepaid in Las
12 Vegas, Nevada;
13 ☐ pursuant to EDCR 7.26 to be sent via facsimile or email, by duly
14 executed consent for service by electronic means;

15 Frederick O. Silver
16 P. O. Box 276353
17 San Antonio, TX 78227

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19 Mary D. Perry, Esq.
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27
28

Steven D. Grierson

ORDR

MARY D. PERRY, ESQ.

Nevada Bar No.: 7863

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Attorney for Plaintiff

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

CANDICE KATIE TOWNER,

Plaintiff,

vs.

FREDERICK O. SILVER,

Defendant.

Case No: D-18-565588-C

Dept No: H

*Linked/Related with Case Nos.:
D-18-572202-R & R-17-196685-R*

Date: 8/21/18

Time: 11:00 am

ORDER

This matter having come on regularly before the Court on the Motion to Dismiss (filed 7/10/18) and Motion to Terminate Child Support (filed 7/16/18) filed by the Defendant; and the Plaintiff having filed an Opposition and Counter motion to Consolidate Cases, Determination of Child Custody, Confirm Child Support and For Attorney's Fees (filed 7/23/18); and the Plaintiff, Candice Katie Towner appearing personally and being represented by her attorney, MARY D. PERRY, ESQ.; and the Defendant, Frederick O. Silver not personally appearing, but telephonically appearing; and the Court, having reviewed all the pleadings and papers filed herein, and having heard arguments of the Defendant and Plaintiff's counsel, and good cause appearing, hereby finds:

FINDINGS:

1. That the Plaintiff's Petition for Custody in this matter was filed February 7, 2018.
2. That the Defendant was served as of March 30, 2018.
3. That Default was filed May 16, 2018.

1 4. That Defendant filed a formal general appearance by his Answer and
2 Counterclaim filed July 10, 2018.

3 5. That on July 10, 2018, Defendant also filed a Motion to Dismiss.

4 6. That on July 16, 2018 Defendant filed a Motion to Terminate Child Support.

5 7. That on July 23, 2018 Plaintiff filed a Combined Opposition and
6 Countermotions.

7 8. That in a separate matter (Case No. D-18-572202-R), Mr. Silver filed a
8 Petition for Termination of Parental Rights.

9 9. That there is a child support matter currently open under Case No. R-17-
10 196685-R, for the payment of child support by Mr. Silver, which he participated in.

11 10. That Defendant has requested a jury trial in a domestic matter in multiple
12 pleadings.

13 11. That should any finding be more construed as a conclusion of law, it so
14 construed.

15 12. That Defendant used extremely inflammatory, descriptive language as it
16 pertains to the Plaintiff and minor child.

17 CONCLUSIONS OF LAW

18 1. That the Plaintiff is a resident of the State of Nevada, and Nevada is the
19 home state of the minor child.

20 2. That the Defendant has sufficient contact with Nevada, resided with the
21 child within the state, has subjected himself to the jurisdiction of the Court by his
22 filing of a general appearance in multiple cases, and sought affirmative relief from the
23 Court. (NRS 130.201(1)a-g)

24 4. That Nevada and this Court has both subject matter and personal jurisdiction
25 in this matter.

26 5. That the Defendant signed an acknowledgment of parentage pursuant to
27 NRS 126.053 at the time of the minor child's birth, creating the presumption of
28 paternity.

6. That paternity was established in the "R" case.

1 7. That the multiple matters filed shall be linked and/or related but not
2 consolidated.

3 8. That Family Court matters concerning custody/paternity are not subject to
4 jury trials. (NRS 125.070)

5 9. That should any conclusion of law be more construed as a finding, it so
6 construed.

7 10. In accordance to the pleadings, both parties agree that Plaintiff should have
8 sole legal and sole physical custody of the minor child.

9 ***NOW, THEREFORE, IT IS HEREBY***

10 ORDERED, that this Court has personal and subject matter jurisdiction
11 pursuant to NRS 130.201(1)a-g; and it is further

12 ORDERED that the request for a jury trial in a domestic matter is denied; and
13 it is further

14 ORDERED, that the Defendant's Motion to Dismiss be and hereby is denied;
15 and it is further

16 ORDERED, that the Defendant's Motion to Terminate Child Support is
17 dependent upon the DNA results; and it is further

18 ORDERED, that the Defendant shall appear at LabCor in San Antonio, Texas,
19 of which there are three offices, for paternity testing within ^{Sixty (60) (kp)} ~~thirty (30)~~ days of the
20 date of this hearing, ^(kp) ~~to wit: September 21, 2018~~; that pursuant to the usual practices
21 of LabCor, they shall take a photograph of the individual presenting themselves for
22 testing as well as procuring a copy of photo ID, and that LabCor shall provide the
23 results and the photographs to this Court and counsel for the Plaintiff; and it is
24 further

25 ORDERED, that should Defendant not appear for testing within the prescribed
26 time, or the Court not have any results, all presumptions of paternity will rise; and it
27 is further

28 ORDERED, that the Plaintiff's Countermotion to Consolidate cases is denied,
but Case No. D-18-572202-R and Case No. R-17-196685-R shall be linked and
related; and it is further

1 ORDERED that Plaintiff's Countermotion to Determine Custody is granted and
2 the Plaintiff, Candice Towner shall be awarded sole legal and physical custody of the
3 minor child, Gabriel William Towner, and the Defendant receiving no visitation
4 pursuant to his statements to that effect; and it is further

5 ORDERED that Defendant shall cease and desist the usage of such
6 inflammatory descriptives as it pertains to Plaintiff and minor child.

7 STATUTORY PROVISIONS

8 ORDERED, that the parties are required to provide their Social Security
9 numbers on a separate form to the Court and to the Welfare Division of the
10 Department of Human Resources pursuant to NRS 125.30. Such information shall
11 be maintained by the Clerk in a confidential manner and not part of the public record;
12 and it is further

13 ORDERED, that:

14 NOTICE IS HEREBY GIVEN of the following provision of NRS
15 125C.0045(6):

16 PENALTY FOR VIOLATION OF ORDER: THE ABDUCTION,
17 CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF
18 THIS ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS
19 PROVIDED IN NRS 193.130. NRS 200.359 provides that every person
20 having a limited right of custody to a child or any parent having no right of
21 custody to the child who willfully detains, conceals or removes the child from
22 a parent, guardian or other person having lawful custody or a right of visitation
23 of the child in violation of this court, or removes the child from the jurisdiction
24 of the court without the consent of either the court or all persons who have the
25 right to custody or visitation is subject to being punished for a category D
26 felony as provided in NRS 193.130.

27 NOTICE IS HEREBY GIVEN that the terms of the Hague Convention of
28 October 25, 1980, adopted by the 14th Session of the Hague Conference on Private
International Law apply if a parent abducts or wrongfully retains a child in a foreign
country. The parties are also put on notice of the following provisions in NRS
125C.0045(8):

If a parent of the child lives in a foreign country or has significant
commitments in a foreign country:

(a) The parties may agree, and the court shall include in the order for
custody of the child, that the United States is the country of habitual residence

1 of the child for the purposes of applying the terms of the Hague Convention
2 as set forth in subsection 7.

3 (b) Upon motion of one of the parties, the court may order the parent to
4 post a bond if the court determines that the parent poses an imminent risk of
5 wrongfully removing or concealing the child outside the country of habitual
6 residence. The bond must be in an amount determined by the court and may
7 be used only to pay for the cost of locating the child and returning him to his
8 habitual residence if the child is wrongfully removed from or concealed
9 outside the country of habitual residence. The fact that a parent has significant
10 commitments in a foreign country does not create a presumption that the parent
11 poses an imminent risk of wrongfully removing or concealing the child.

12 **NOTICE IS HEREBY GIVEN** that the parties are placed on notice of the
13 following provisions in NRS 125C.006:

14 1. If primary physical custody has been established pursuant to an order,
15 judgment or decree of a court and the custodial parent intends to relocate his
16 or her residence to a place outside of this State or to a place within this State
17 that is at such a distance that would substantially impair the ability of the other
18 parent to maintain a meaningful relationship with the child, and the custodial
19 parent desires to take the child with him or her, the custodial parent shall,
20 before relocating:

21 (a) Attempt to obtain the written consent of the noncustodial parent to
22 relocate with the child; and

23 (b) If the noncustodial parent refuses to give that consent, petition the
24 Court for permission to relocate with the child;

25 2. The court may award reasonable attorney's fees and costs to the relocating
26 parent if the court finds that the noncustodial parent refused to consent to the
27 relocating parent's relocation with the child:

28 (a) Without having reasonable grounds for such refusal; or

(b) For the purposes of harassing the custodial parent.

3. A parent who relocates with a child pursuant to this section without the
written consent of the noncustodial parent or the permission of the court is
subject to the provisions of NRS 200.359.

This provision does not apply to vacations outside Nevada planned by either party.

NOTICE IS HEREBY GIVEN that the parties are placed on notice of the
following provisions in NRS 125C.0065:

1. If joint physical custody has been established pursuant to an order, judgment
or decree of a court and one parent intends to relocate his or her residence to
a place outside of this State or to a place within this State that is at such a
distance that would substantially impair the ability of the other parent to
maintain a meaningful relationship with the child, and the relocating parent
desires to take the child with him or her, the relocating parent shall, before
relocating:

(a) Attempt to obtain the written consent of the non-relocating parent
to relocate with the child;

(b) If the non-relocating parent refuses to give that consent, petition the
court for primary physical custody for the purpose of relocating.

The court may award reasonable attorney's fees and costs to the relocating

parent if the court finds that the non-relocating parent refused to consent to the relocating parent's relocation with the child:

- (a) Without having reasonable grounds for such refusal; or
- (b) For the purposes of harassing the relocating parent.

3. A parent who relocates with a child pursuant to this section before the court enters an order granting the parent primary physical custody of the child and permission to relocate with the child is subject to the provisions of NRS 200.359.

This provision does not apply to vacations outside Nevada planned by either party.


ORDERED, that the parties, together with any counsel shall appear for hearing as to the result of the DNA test, and any further proceedings, on **October 1, 2018** at **10:00 am**, and the Defendant may appear via telephone.

Dated the 31st day of Aug., 2018.


DISTRICT COURT JUDGE *dsp*

T ART RITCHIE, JR.

Submitted by:


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Attorney for Plaintiff



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Attorney for Plaintiff

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

CANDICE KATIE TOWNER,
Plaintiff,

vs.

FREDERICK O. SILVER,
Defendant.

Case No: D-18-565588-C
Dept No: H

*Linked/Related with Case Nos.:
D-18-572202-R & R-17-196685-R*

Date: 8/21/18
Time: 11:00 am

ORDER

This matter having come on regularly before the Court on the Motion to Dismiss (filed 7/10/18) and Motion to Terminate Child Support (filed 7/16/18) filed by the Defendant; and the Plaintiff having filed an Opposition and Counter motion to Consolidate Cases, Determination of Child Custody, Confirm Child Support and For Attorney's Fees (filed 7/23/18); and the Plaintiff, Candice Katie Towner appearing personally and being represented by her attorney, MARY D. PERRY, ESQ.; and the Defendant, Frederick O. Silver not personally appearing, but telephonically appearing; and the Court, having reviewed all the pleadings and papers filed herein, and having heard arguments of the Defendant and Plaintiff's counsel, and good cause appearing,


1 **NOW, THEREFORE, IT IS HEREBY**

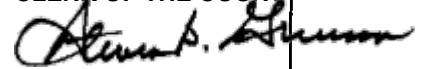
2 ORDERED, that the Office of Vital Statistics and/or Secretary of Health and
3 Human Services shall provide a copy of the Affidavit of Paternity signed by
4 Frederick O. Silver regarding the parentage of Gabriel William Towner, dob
5 January 13, 2014, with Candice Katie Towner being the mother. Case File
6 Number on this is "3753297" and Birth Number "2014000910."

7
8 Dated the 1st day of Oct, 2018.

9
10 
11 DISTRICT COURT JUDGE
12 T ART RITCHIE, JR.

13 Submitted by:

14 
15 **MARY D. PERRY, ESQ.**
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8 Attorney for Defendant

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

8 CANDICE KATIE TOWNER,)
9 Plaintiff,)

Case No: D-18-565588-C
Dept No: H

10 vs.)


Linked/Related with Case Nos.:
D-18-572202-R & R-17-196685-R

11 FREDERICK O. SILVER,)
12 Defendant.)

14 **NOTICE OF ENTRY OF ORDER**

15 PLEASE TAKE NOTICE that a *Order After Hearing* was duly entered in the
16 above-referenced case on the 2nd day of October, 2018, attached hereto as *Exhibit*
17 "A".

18 **DATED** this 13th day of October, 2018.

20 
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27 Attorney for Plaintiff
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the Law Office of Mary D. Perry, LLC and that on this 15th day of November, 2018, I caused the foregoing to be served as follows:

[x] Pursuant to EDCR 8.05(a), EDCR 8.05(f) and Administrative Order 14-2 captioned "In the Administrative Matter of Mandatory Electronic Service in the Eighth Judicial" by mandatory electronic service through the Eighth Judicial District Court's electronic filing system;

Frederick O. Silver
asclv1@gmail.com

[] by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;

[] pursuant to EDCR 7.26 to be sent via facsimile or email, by duly executed consent for service by electronic means;



Mary D. Perry, Esq.



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Attorney for Plaintiff

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

CANDICE KATIE TOWNER,

Plaintiff,

vs.

FREDERICK O. SILVER,

Defendant.

Case No: D-18-565588-C
Dept No: H

*Linked/Related with Case Nos.:
D-18-572202-R & R-17-196685-R*

Date: 8/21/18
Time: 11:00 am

ORDER

This matter having come on regularly before the Court on the Motion to Dismiss (filed 7/10/18) and Motion to Terminate Child Support (filed 7/16/18) filed by the Defendant; and the Plaintiff having filed an Opposition and Counter motion to Consolidate Cases, Determination of Child Custody, Confirm Child Support and For Attorney's Fees (filed 7/23/18); and the Plaintiff, Candice Katie Towner appearing personally and being represented by her attorney, MARY D. PERRY, ESQ.; and the Defendant, Frederick O. Silver not personally appearing, but telephonically appearing; and the Court, having reviewed all the pleadings and papers filed herein, and having heard arguments of the Defendant and Plaintiff's counsel, and good cause appearing,


1 **NOW, THEREFORE, IT IS HEREBY**

2 **ORDERED, that the Office of Vital Statistics and/or Secretary of Health and**
3 **Human Services shall provide a copy of the Affidavit of Paternity signed by**
4 **Frederick O. Silver regarding the parentage of Gabriel William Towner, dob**
5 **January 13, 2014, with Candice Katie Towner being the mother. Case File**
6 **Number on this is "3753297" and Birth Number "2014000910."**

7
8 Dated the 1st day of Oct, 2018.

9
10 
11 **DISTRICT COURT JUDGE**
12 **T ART RITCHIE, JR.**

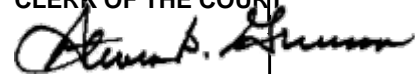
13 **Submitted by:**

14 
15 **MARY D. PERRY, ESQ.**
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20 **maryd@marydperrylaw.com**
21 **Attorney for Plaintiff**

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23
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27 NOV 13 2018

28
- CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE



ORDR
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Attorney for Plaintiff

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

CANDICE KATIE TOWNER,
Plaintiff,

vs.

FREDERICK O. SILVER,
Defendant.

Case No: D-18-565588-C
Dept No: H

*Linked/Related with Case Nos.:
D-18-572202-R & R-17-196685-R*

Date: 10/1/18
Time: 10:00 am

DECREE OF CUSTODY

This matter having come on regularly before the Court for the Return Hearing of ordering DNA testing and temporary orders; and the Plaintiff, Candice Katie Towner appearing personally and being represented by her attorney, MARYD. PERRY, ESQ.; and the Defendant, Frederick O. Silver not personally appearing; and the Court, having reviewed all the pleadings and papers filed herein, and having heard arguments of the Defendant and Plaintiff's counsel, and good cause appearing, hereby finds:

FINDINGS:

1. That the Plaintiff's Petition for Custody in this matter was filed February 7, 2018.
2. That the Defendant was served as of March 30, 2018.
3. That Default was filed May 16, 2018.
4. That Defendant filed a formal general appearance by his Answer and Counterclaim filed July 10, 2018.
5. That on July 10, 2018, Defendant also filed a Motion to Dismiss.

Non-Trial Dispositions:
☐ Other
☐ Dismissed - Want of Prosecution
☐ Involuntary (Statutory) Dismissal
☐ Default Judgment
☐ Transferred
☐ Disposed After Trial Start
☐ Settlement Reached by Trial
Settled/Withdrawn:
☐ Without Judicial Conf/Hrg
☐ With Judicial Conf/Hrg
☐ By ADR
Trial Dispositions:
☐ Disposed After Trial Start
☐ Settlement Reached by Trial

6. That on July 16, 2018 Defendant filed a Motion to Terminate Child Support.

7. That on July 23, 2018 Plaintiff filed a Combined Opposition and Countermotions.

8. That in a separate matter (Case No. D-18-572202-R), Mr. Silver filed a Petition for Termination of Parental Rights.

9. That there is a child support matter currently open under Case No. R-17-196685-R, for the payment of child support by Mr. Silver, which he appeared and participated in.

11. That should any finding be more construed as a conclusion of law, it so construed.

CONCLUSIONS OF LAW

1. That the Plaintiff is a resident of the State of Nevada, and Nevada is the home state of the minor child.

2. That the Defendant has sufficient contact with Nevada, resided with the child within the state, has subjected himself to the jurisdiction of the Court by his filing of a general appearance in multiple cases, and sought affirmative relief from the Court. (NRS 130.201(1)a-g)

4. That Nevada and this Court has both subject matter and personal jurisdiction in this matter.

5. That the Defendant signed a acknowledgment of parentage pursuant to NRS 126.053 at the time of the minor child's birth, creating the presumption of paternity.

6. That paternity was also established in the “R” case.

7. That Defendant has failed and/or refused to follow the court's orders as to name calling, or despite the request for DNA testing, has openly refused to subject himself to the court's orders.

8. That should any conclusion of law be more construed as a finding, it so construed.

1 ***NOW, THEREFORE***, IT IS HEREBY

2 ORDERED, that this Court has personal and subject matter jurisdiction as the
3 home state of the subject minor child, pursuant to NRS 130.201(1)a-g, and has
4 continuing, exclusive jurisdiction over the issues of child custody (NRS Chapters
5 125C and 126) and child support (NRS 130.202); and it is further

6 ORDERED, that the Court previously denied the Motion to Terminate the
7 Defendant's parental rights under Case No. D-18-572202-R.

8 ORDERED, that the Defendant's Motion to Terminate Child Support
9 dependent upon the DNA results is denied; and it is further

10 ORDERED, that as Defendant, after being given the opportunity to rebut the
11 paternity presumption, or to provide him with due process and any sort of defense,
12 intentionally did not appear for testing within the prescribed time, and the Court not
13 having any results, all presumptions of paternity have been confirmed, that the DNA
14 testing process has ended, and the Defendant Frederick O. Silver is the biological
15 child of the subject minor child, Gabriel Towner, and the Defendant's requests to be
16 removed from the birth certificate, be and hereby is denied, with prejudice; and it is
17 further

18 ORDERED that Plaintiff's Countermotion to Determine Custody is granted,
19 as in the best interests of the child (NRS 125C.003, 125C.0035), and the Plaintiff,
20 Candice Towner shall be awarded sole legal and sole physical custody of the minor
21 child, Gabriel William Towner, and the Defendant receiving no visitation pursuant
22 to his voluntary requests to that effect; and it is further

23 ORDERED, that should Defendant seek any visitation in the future that he will
24 need to file a proper motion with the Court; and it is further

25 ORDERED, that the original child support setting under Case No. R-17-
26 196685-R in the amount of \$562.00, plus \$51.00 for medical support, plus \$60.00 per
27 month towards arrears for a total monthly payment of \$673.00 has been established
28 and same be and hereby is confirmed, due and owing and collectible, and the District
Attorney's Office, Family Support Unit is ordered to continue to monitor and
maintain collection of said amounts from the Defendant for payment to the Plaintiff;
and it is further

1 **NOTICE IS HEREBY GIVEN** that the parties are placed on notice of the
2 following provisions in NRS 125C.006:

3 1. If primary physical custody has been established pursuant to an order,
4 judgment or decree of a court and the custodial parent intends to relocate his
5 or her residence to a place outside of this State or to a place within this State
6 that is at such a distance that would substantially impair the ability of the other
parent to maintain a meaningful relationship with the child, and the custodial
parent desires to take the child with him or her, the custodial parent shall,
before relocating:

7 (a) Attempt to obtain the written consent of the noncustodial parent to
relocate with the child; and

8 (b) If the noncustodial parent refuses to give that consent, petition the
Court for permission to relocate with the child;

9 2. The court may award reasonable attorney's fees and costs to the relocating
parent if the court finds that the noncustodial parent refused to consent to the
relocating parent's relocation with the child:

10 (a) Without having reasonable grounds for such refusal; or

11 (b) For the purposes of harassing the custodial parent.

12 3. A parent who relocates with a child pursuant to this section without the
written consent of the noncustodial parent or the permission of the court is
subject to the provisions of NRS 200.359.

13 This provision does not apply to vacations outside Nevada planned by either party.

14 **NOTICE IS HEREBY GIVEN** that the parties are placed on notice of the
15 following provisions in NRS 125C.0065:

16 1. If joint physical custody has been established pursuant to an order, judgment
17 or decree of a court and one parent intends to relocate his or her residence to
18 a place outside of this State or to a place within this State that is at such a
distance that would substantially impair the ability of the other parent to
19 maintain a meaningful relationship with the child, and the relocating parent
desires to take the child with him or her, the relocating parent shall, before
relocating:

20 (a) Attempt to obtain the written consent of the non-relocating parent
to relocate with the child;

21 (b) If the non-relocating parent refuses to give that consent, petition the
court for primary physical custody for the purpose of relocating.

22 The court may award reasonable attorney's fees and costs to the relocating
parent if the court finds that the non-relocating parent refused to consent to the
relocating parent's relocation with the child:

23 (a) Without having reasonable grounds for such refusal; or

24 (b) For the purposes of harassing the relocating parent.

25 3. A parent who relocates with a child pursuant to this section before the court
enters an order granting the parent primary physical custody of the child and
26 permission to relocate, with the child is subject to the provisions of NRS
200.359.

27 This provision does not apply to vacations outside Nevada planned by either party.

1 **NOTICE IS HEREBY GIVEN** that they are subject to the provisions of NRS
2 31A.025 to 31A.240, inclusive, the parent obligated to pay child support shall be
3 subject to wage assignment by that parent's employer should that parent become more
4 than thirty days delinquent in said child support payments.


5 **NOTICE IS HEREBY GIVEN** that either party may request a review of child
6 support pursuant to NRS 125B.145 at least every three years to determine whether the
7 order should be modified or adjusted.

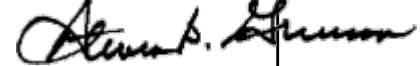
8
9 **THIS IS A FINAL ORDER**

10
11 Dated the 2 day of NOV., 2018.

12
13 
14 DISTRICT COURT JUDGE 
T ART RITCHIE, JR.

15 Submitted by:

16
17 
18 **MARY D. PERRY, ESQ.**
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Attorney for Plaintiff



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8 Attorney for Defendant

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

8 CANDICE KATIE TOWNER,)
9 Plaintiff,)

Case No: D-18-565588-C
Dept No: H

10 vs.)

Linked/Related with Case Nos.:
D-18-572202-R & R-17-196685-R

11 FREDERICK O. SILVER,)
12 Defendant.)

Date: 8/21/18
Time: 11:00 am

14 **NOTICE OF ENTRY OF DECREE**

15 PLEASE TAKE NOTICE that a *DECREE OF CHILD CUSTODY* was duly
16 entered in the above-referenced case on the 19th day of November, 2018, attached
17 hereto as *Exhibit "A"*.

18 **DATED** this 28th day of November, 2018.



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Steven D. Grierson

ORDR
MARY D. PERRY, ESQ.
Nevada Bar No.: 7863
840 Rancho Drive, Suite 4-256
Las Vegas, NV 89106
Telephone (702) 384-9911
maryd@marydperryllaw.com
Attorney for Plaintiff

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

CANDICE KATIE TOWNER,
Plaintiff,

vs.

FREDERICK O. SILVER,
Defendant.

Case No: D-18-565588-C
Dept No: H

*Linked/Related with Case Nos.:
D-18-572202-R & R-17-196685-R*

Date: 10/1/18
Time: 10:00 am

DECREE OF CUSTODY

This matter having come on regularly before the Court for the Return Hearing of ordering DNA testing and temporary orders; and the Plaintiff, Candice Katie Towner appearing personally and being represented by her attorney, MARYD. PERRY, ESQ.; and the Defendant, Frederick O. Silver not personally appearing; and the Court, having reviewed all the pleadings and papers filed herein, and having heard arguments of the Defendant and Plaintiff's counsel, and good cause appearing, hereby finds:

FINDINGS:

1. That the Plaintiff's Petition for Custody in this matter was filed February 7, 2018.
2. That the Defendant was served as of March 30, 2018.
3. That Default was filed May 16, 2018.
4. That Defendant filed a formal general appearance by his Answer and Counterclaim filed July 10, 2018.
5. That on July 10, 2018, Defendant also filed a Motion to Dismiss.

Non-Trial Dispositions: ☐ Other ☐ Settled/Withdrawn
☐ Dismissed - Want of Prosecution ☐ Without Judicial Conf/Htg
☐ Involuntary (Statutory) Dismissal ☐ With Judicial Conf/Htg
☐ Default Judgment ☐ By ADR
☐ Transferred
Trial Dispositions: ☐ Disposed After Trial Start ☐ Assignment Reached by Trial

6. That on July 16, 2018 Defendant filed a Motion to Terminate Child Support.

7. That on July 23, 2018 Plaintiff filed a Combined Opposition and Countermotions.

8. That in a separate matter (Case No. D-18-572202-R), Mr. Silver filed a Petition for Termination of Parental Rights.

9. That there is a child support matter currently open under Case No. R-17-196685-R, for the payment of child support by Mr. Silver, which he appeared and participated in.

11. That should any finding be more construed as a conclusion of law, it so construed.

CONCLUSIONS OF LAW

1. That the Plaintiff is a resident of the State of Nevada, and Nevada is the home state of the minor child.

2. That the Defendant has sufficient contact with Nevada, resided with the child within the state, has subjected himself to the jurisdiction of the Court by his filing of a general appearance in multiple cases, and sought affirmative relief from the Court. (NRS 130.201(1)a-g)

4. That Nevada and this Court has both subject matter and personal jurisdiction in this matter.

5. That the Defendant signed a acknowledgment of parentage pursuant to NRS 126.053 at the time of the minor child's birth, creating the presumption of paternity.

6. That paternity was also established in the "R" case.

7. That Defendant has failed and/or refused to follow the court's orders as to name calling, or despite the request for DNA testing, has openly refused to subject himself to the court's orders.

8. That should any conclusion of law be more construed as a finding, it so construed.

1 **NOW, THEREFORE**, IT IS HEREBY

2 ORDERED, that this Court has personal and subject matter jurisdiction as the
3 home state of the subject minor child, pursuant to NRS 130.201(1)a-g, and has
4 continuing, exclusive jurisdiction over the issues of child custody (NRS Chapters
5 125C and 126) and child support (NRS 130.202); and it is further

6 ORDERED, that the Court previously denied the Motion to Terminate the
7 Defendant's parental rights under Case No. D-18-572202-R.

8 ORDERED, that the Defendant's Motion to Terminate Child Support
9 dependent upon the DNA results is denied; and it is further

10 ORDERED, that as Defendant, after being given the opportunity to rebut the
11 paternity presumption, or to provide him with due process and any sort of defense,
12 intentionally did not appear for testing within the prescribed time, and the Court not
13 having any results, all presumptions of paternity have been confirmed, that the DNA
14 testing process has ended, and the Defendant Frederick O. Silver is the biological
15 child of the subject minor child, Gabriel Towner, and the Defendant's requests to be
16 removed from the birth certificate, be and hereby is denied, with prejudice; and it is
17 further

18 ORDERED that Plaintiff's Countermotion to Determine Custody is granted,
19 as in the best interests of the child (NRS 125C.003, 125C.0035), and the Plaintiff,
20 Candice Towner shall be awarded sole legal and sole physical custody of the minor
21 child, Gabriel William Towner, and the Defendant receiving no visitation pursuant
22 to his voluntary requests to that effect; and it is further

23 ORDERED, that should Defendant seek any visitation in the future that he will
24 need to file a proper motion with the Court; and it is further

25 ORDERED, that the original child support setting under Case No. R-17-
26 196685-R in the amount of \$562.00, plus \$51.00 for medical support, plus \$60.00 per
27 month towards arrears for a total monthly payment of \$673.00 has been established
28 and same be and hereby is confirmed, due and owing and collectible, and the District
Attorney's Office, Family Support Unit is ordered to continue to monitor and
maintain collection of said amounts from the Defendant for payment to the Plaintiff;
and it is further

1 **NOTICE IS HEREBY GIVEN** that the parties are placed on notice of the
2 following provisions in NRS 125C.006:

3 1. If primary physical custody has been established pursuant to an order,
4 judgment or decree of a court and the custodial parent intends to relocate his
5 or her residence to a place outside of this State or to a place within this State
6 that is at such a distance that would substantially impair the ability of the other
parent to maintain a meaningful relationship with the child, and the custodial
parent desires to take the child with him or her, the custodial parent shall,
before relocating:

7 (a) Attempt to obtain the written consent of the noncustodial parent to
relocate with the child; and

8 (b) If the noncustodial parent refuses to give that consent, petition the
Court for permission to relocate with the child;

9 2. The court may award reasonable attorney's fees and costs to the relocating
parent if the court finds that the noncustodial parent refused to consent to the
relocating parent's relocation with the child:

10 (a) Without having reasonable grounds for such refusal; or

11 (b) For the purposes of harassing the custodial parent.

12 3. A parent who relocates with a child pursuant to this section without the
written consent of the noncustodial parent or the permission of the court is
subject to the provisions of NRS 200.359.

13 This provision does not apply to vacations outside Nevada planned by either party.

14 **NOTICE IS HEREBY GIVEN** that the parties are placed on notice of the
15 following provisions in NRS 125C.0065:

16 1. If joint physical custody has been established pursuant to an order, judgment
17 or decree of a court and one parent intends to relocate his or her residence to
18 a place outside of this State or to a place within this State that is at such a
distance that would substantially impair the ability of the other parent to
19 maintain a meaningful relationship with the child, and the relocating parent
desires to take the child with him or her, the relocating parent shall, before
relocating:

20 (a) Attempt to obtain the written consent of the non-relocating parent
to relocate with the child;

21 (b) If the non-relocating parent refuses to give that consent, petition the
court for primary physical custody for the purpose of relocating.

22 The court may award reasonable attorney's fees and costs to the relocating
parent if the court finds that the non-relocating parent refused to consent to the
23 relocating parent's relocation with the child:

24 (a) Without having reasonable grounds for such refusal; or

25 (b) For the purposes of harassing the relocating parent.

26 3. A parent who relocates with a child pursuant to this section before the court
enters an order granting the parent primary physical custody of the child and
permission to relocate. with the child is subject to the provisions of NRS
200.359.

27 This provision does not apply to vacations outside Nevada planned by either party.

1 **NOTICE IS HEREBY GIVEN** that they are subject to the provisions of NRS
2 31A.025 to 31A.240, inclusive, the parent obligated to pay child support shall be
3 subject to wage assignment by that parent's employer should that parent become more
4 than thirty days delinquent in said child support payments.


5 **NOTICE IS HEREBY GIVEN** that either party may request a review of child
6 support pursuant to NRS 125B.145 at least every three years to determine whether the
7 order should be modified or adjusted.

8
9 ***THIS IS A FINAL ORDER***

10
11 Dated the 2 day of NOV., 2018.

12
13 
14 DISTRICT COURT JUDGE
15 T. ART RITCHIE, JR. *dxp*

16 Submitted by:


17 
18 **MARY D. PERRY, ESQ.**
19 Nevada Bar No.: 7863
20 840 Rancho Drive, Suite 4-256
21 Las Vegas, NV 89106
22 Telephone (702) 384-9911
23 maryd@marydperryllaw.com
24 Attorney for Plaintiff
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26
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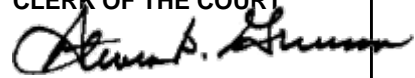
1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of the Law Office of
3 Mary D. Perry, LLC and that on this 28th day of November, 2018, I caused the *Notice*
4 *of Entry of Decree* to be served as follows:

- 5 ☐ Pursuant to EDCR 8.05(a), EDCR 8.05(f) and Administrative Order 14-
6 2 captioned "In the Administrative Matter of Mandatory Electronic
7 Service in the Eighth Judicial" by mandatory electronic service through
8 the Eighth Judicial District Court's electronic filing system;
9 ☒ by placing same to be deposited for mailing in the United States Mail,
10 in a sealed envelope upon which first class postage was prepaid in Las
11 Vegas, Nevada;
12 ☐ pursuant to EDCR 7.26 to be sent via facsimile or email, by duly
13 executed consent for service by electronic means;

14 Frederick O. Silver
15 P. O. Box 276353
16 San Antonio, TX 78227

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18 Mary D. Perry, Esq.
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1 ORDR
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DISTRICT COURT
CLARK COUNTY, NEVADA

9 CANDICE K. TOWNER,)

10 Plaintiff,)

11 vs.)

12)
13 FREDERICK O. SILVER,)

14 Defendant.)
15)

CASE NO. D-18-565588-C
DEPT. NO. "H"

DECISION AND ORDER

16 Date of Hearing: N/A

17 Time of Hearing: N/A

18 This decision and order concerns serial filings made by Frederick O. Silver
19 since October 1, 2018. On that date the court made findings and orders and
20 directed the matter to be closed on a Custody Decree. Plaintiff's counsel
21 prepared a judgment and the Decree of Custody was filed on November 19, 2018.
22
23

24 Since October 1, 2018, Frederick O. Silver has filed the following
25 documents:
26
27
28

1. Frederick O. Silver Notice of Final Warning to Persons With Name:
T. Arthur Ritchie, Jr., Jane D. Femiano, Mary D. Perry, Esq., filed on
October 9, 2018.
2. Motion for Orders to Set Aside Order, Judgement, And /Or Default
filed on November 5, 2018, and set for hearing on December 4, 2018.
3. Frederick O. Silver Notice to Fat Face Idiot With Name T. Arthur
Ritchie, Jr., filed on November 5, 2018.
4. Frederick O. Silver Demand for Service of Process by US Postal
Certified Mail to Fat Face Idiot With Name T. Arthur Ritchie, Jr., filed
on November 7, 2018.
5. Frederick O. Silver Demand for Copy of Order, Signed by Fat Face
Idiot With Name T. Arthur Ritchie, Jr., on October 2, 2018, filed on
November 11, 2018.
6. Combined Demand to Produce Proof of Process, Affidavit of
Personal Service, and Motion in Limine filed on November 13, 2018.
7. Demand to Produce Affidavit of Paternity filed on November 15,
2018.
8. Demand in Support of Motion to Set Aside a Void Judgment,
Rescission of Paternity, and Paternity Disestablishment, filed on
November 16, 2018.

- 1 9. Motion for Termination of Child Support Order filed on November
2 19, 2018.
- 3
- 4 10. Motion to Produce Signed Affidavit of Paternity filed November 19,
5 2018.
- 6
- 7 11. Motion to Dismiss filed November 20, 2018.
- 8
- 9 12. Objection to Plaintiff's Motion and Notice of Motion for
10 Determination of Vexatious Litigant for Sanctions, Attny Fees and
11 Restraining Order filed on November 20, 2018.
- 12 13. Motion for and Demand to Produce the Foreign Agents Registration
13 Statement Act of 1938 filed on November 23, 2018.
- 14
- 15 14. Notice of Motion setting a hearing on January 14, 2019, at 11:00
16 a.m. for a Motion/ Demand, filed on November 27, 2018.
- 17 15. Motion to Produce Affidavit of Paternity, filed on November 28,
18 2018.
- 19
- 20 16. Notice of Motion setting a hearing on January 7, 2019, at 10:00 a.m.
21 for a Motion/ Demand, filed on November 28, 2018.
- 22
- 23 17. Motion and Notice of Fraud by Person With Name Ritchie, T.
24 Arthur, Jr. filed on November 29, 2018.
- 25 18. Notice of Motion setting a hearing on January 7, 2019, at 10:00 a.m.
26 for a Motion/ Demand, filed on November 29, 2019.
- 27
- 28

1 The matter was reviewed by this court prior to the December 4, 2018,
2 hearing on its chambers calendar. This court reviewed the motion pursuant to
3 EDCR 2.23 (c), which provides, in part:
4

5 (c) The judge may consider the motion on the merits at anytime
6 with or without oral argument, and grant or deny it.
7

- 8 1. This matter was heard on October 1, 2018. The case was decided,
9 and the court approved a Decree of Custody that was filed on
10 November 19, 2018.
11
- 12 2. This matter would be closed but for the numerous filings by
13 Frederick Silver, and Plaintiff's filing of a motion for determination
14 of vexatious litigant set for hearing on December 18, 2018, at 9:00
15 a.m.
16
- 17 3. This court has jurisdiction over the parties, and the subject matter.
18
- 19 4. The filings made by Frederick Silver since October 1, 2018, do not
20 state any facts or argument that constitutes adequate cause to
21 reconsider the orders from that hearing. The court concludes that the
22 Defendant's motions set for hearing on December 4, 2018, at 11:00
23 a.m., on January 7, 2019, at 10:00 a.m., and on January 14, 2019, at
24 11:00 a.m. lack merit and should be denied.
25
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1 5. The court cannot close this matter prior to hearing Plaintiff's motion
2 for determination of vexatious litigant set for hearing on December
3 18, 2018, at 9:00 a.m.

4
5 Therefore,

6 **IT IS HEREBY ORDERED** that Frederick O. Silver's motions and
7
8 demands for relief addressed in his numerous filings identified in this Decision
9 and Order are denied.

10 **IT IS FURTHER ORDERED** that the hearings scheduled for December
11
12 4, 2018, at 11:00 a.m., for January 7, 2019, at 10:00 a.m., and for January 14,
13 2019, at 11:00 a.m. are vacated.

14 DATED this 30 day of November, 2018.

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19 _____
20 DISTRICT COURT JUDGE
21 T ART RITCHIE, JR.

Heather L. Hemin
CLERK OF THE COURT

1 NEOJ

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3
4 DISTRICT COURT
5 CLARK COUNTY, NEVADA

6 ***

7 CANDICE K. TOWNER,

8 Plaintiff,

9 vs.

10 FREDERICK O. SILVER,

11 Defendant.

CASE NO.: D-18-565588-C
DEPARTMENT H

12 NOTICE OF ENTRY OF ORDER

13 TO: ALL PARTIES AND/OR THEIR ATTORNEYS

14
15 Please take notice that the Decision and Order was prepared and filed by the court.
16 A copy of the Decision and Order is attached hereto, and the following is a true and
17 correct copy thereof.

18 I hereby certify that on or about the file stamp date the foregoing Notice of Entry of
19 Order was:

20 ☒ E-Served pursuant to NEFCR 9; placed in attorney folder(s) at the RJC; or
21 mailed to proper person litigants, via first-class mail, postage fully prepaid to:

22 Mary D. Perry, Esq. for
23 PLAINTIFF

Frederick O. Silver
P.O. Box 276353
San Antonio, TX 78227
DEFENDANT

Katrina Rausch
Katrina Rausch
Judicial Executive Assistant
Department H

CLERK OF THE COURT

DEC 03 2018

RECEIVED

Steven D. Grierson

1 ORDR

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3
4 DISTRICT COURT

5 CLARK COUNTY, NEVADA

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9 CANDICE K. TOWNER,)

10 Plaintiff,)

11 vs.)

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13 FREDERICK O. SILVER,)

14 Defendant.)
15)

CASE NO. D-18-565588-C
DEPT. NO. "H"

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16 Date of Hearing: N/A

17 Time of Hearing: N/A

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3 EDCR 2.23 (c), which provides, in part:
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5 (c) The judge may consider the motion on the merits at anytime
6 with or without oral argument, and grant or deny it.
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10 November 19, 2018.
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17 3. This court has jurisdiction over the parties, and the subject matter.
18

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20 state any facts or argument that constitutes adequate cause to
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2 for determination of vexatious litigant set for hearing on December
3 18, 2018, at 9:00 a.m.
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5 Therefore,

6 **IT IS HEREBY ORDERED** that Frederick O. Silver's motions and
7 demands for relief addressed in his numerous filings identified in this Decision
8 and Order are denied.
9

10 **IT IS FURTHER ORDERED** that the hearings scheduled for December
11 4, 2018, at 11:00 a.m., for January 7, 2019, at 10:00 a.m., and for January 14,
12 2019, at 11:00 a.m. are vacated.
13

14 DATED this 30 day of November, 2018.
15
16
17

18 
19 _____
20 DISTRICT COURT JUDGE
21 T ART RITCHIE, JR.
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23
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25
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27
28

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

August 21, 2018

D-18-565588-C Candice K Towner, Plaintiff.
vs.
Frederick O Silver, Defendant.

August 21, 2018 11:00 AM All Pending Motions

HEARD BY: Ritchie, T. Arthur, Jr.

COURTROOM: RJC Courtroom 03G

COURT CLERK: Kathy Prock

PARTIES:

Candice Towner, Plaintiff, present	Mary Perry, Attorney, present
Frederick Silver, Defendant, present	Pro Se
Gabriel Towner, Subject Minor, not present	

JOURNAL ENTRIES

- CASE MANAGEMENT CONFERENCE...DEFENDANT FREDERICK O. SILVER'S MOTION TO DISMISS PURSUANT TO RULE 12(B)(6) AND COUNTERCLAIM AND CROSS-CLAIM PURSUANT TO RULE 13

Defendant appeared telephonically. Defendant stated he resides in San Antonio, TX.

Court reviewed the history of the case.

Attorney Perry stated Defendant filed a Petition to terminate his parental rights in Nevada (Case no. D-18-572202-R and never did anything else.

Court stated there is no question as to jurisdiction based on the filings.

Court stated the child support case is not consolidated with the domestic case. Attorney Perry stated the DNA Diagnostic Center did the pre-birth test and Defendant acknowledged as to paternity.

Attorney Perry stated Plaintiff was never served with the Termination Of Parental Rights Petition. Defendant stated he merely wants his name removed from the birth certificate. Court stated Plaintiff

PRINT DATE:	01/25/2019	Page 1 of 6	Minutes Date:	August 21, 2018
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

is requesting sole legal custody and sole physical custody. Court noted Defendant does not want anything to do with the child. Court stated Defendant is the father due to the acknowledgement of parentage.

Court stated Plaintiff alleged in the child support case, in this case, and in the dismissed case that she is the mother and Defendant is the father. Court noted the Termination Of Parental Rights Petition was never served and the case was open 2 1/2 months. By Defendant filing the Petition to terminate his parental rights, indicates he is the father. Court stated Defendant has raised a legitimate issue of biology.

COURT ORDERED, the following:

Parties REFERRED to LABCORP. for DNA TESTING. Defendant shall have SIXTY (60) DAYS to take the test in TEXAS.

Return date set.

TEMPORARILY, Plaintiff shall have SOLE LEGAL CUSTODY and SOLE PHYSICAL CUSTODY.

Defendant's MOTION shall be DENIED. All of Defendant's REQUESTS are DENIED.

The TERMINATION OF PARENTAL RIGHTS case shall be DISMISSED and the HEARING scheduled for 8/28/18 shall be VACATED.

Plaintiff's REQUEST to CONSOLIDATE is DENIED.

Attorney Perry shall prepare the Order.

10/1/18 10:00 AM RETURN: DNA TESTING - Regional Justice Center, Courtroom 3G

INTERIM CONDITIONS:

FUTURE HEARINGS: Oct 01, 2018 10:00AM Return Hearing
DNA TESTING
RJC Courtroom 03G Ritchie, T. Arthur, Jr.

PRINT DATE:	01/25/2019	Page 2 of 6	Minutes Date:	August 21, 2018
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

October 01, 2018

D-18-565588-C Candice K Towner, Plaintiff.
vs.
Frederick O Silver, Defendant.

October 01, 2018 10:00 AM Return Hearing

HEARD BY: Ritchie, T. Arthur, Jr.

COURTROOM: RJC Courtroom 03G

COURT CLERK: Kathy Prock

PARTIES:

Candice Towner, Plaintiff, present	Mary Perry, Attorney, present
Frederick Silver, Defendant, not present	Pro Se
Gabriel Towner, Subject Minor, not present	

JOURNAL ENTRIES

- Defendant was not present. Court noted no DNA test was done.

COURT ORDERED, the TEMPORARY ORDERS become PERMANENT.

Court reviewed the history of the case.

Court stated the process ends, since Defendant did not test. Court stated if Defendant does file something, Plaintiff will need to cooperate.

Plaintiff sworn and testified. Attorney Perry canvassed the Plaintiff.

Plaintiff stated the Child Support Court will continue monitoring child support in case no. R-17-196685-R.

Court signed the Order from the 8/21/18 hearing in OPEN COURT, that was provided by Attorney Perry.

COURT FURTHER ORDERED, the following:

PRINT DATE:	01/25/2019	Page 3 of 6	Minutes Date:	August 21, 2018
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Based on the Answer filed, it is in the best interest of the child for Plaintiff to have SOLE LEGAL CUSTODY and SOLE PHYSICAL CUSTODY.

Attorney Perry shall prepare the Custody Decree.

INTERIM CONDITIONS:

FUTURE HEARINGS: Oct 01, 2018 10:00AM Return Hearing
DNA TESTING
RJC Courtroom 03G Ritchie, T. Arthur, Jr.

PRINT DATE:	01/25/2019	Page 4 of 6	Minutes Date:	August 21, 2018
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

December 18, 2018

D-18-565588-C Candice K Towner, Plaintiff.
vs.
Frederick O Silver, Defendant.

December 18, 2018 9:00 AM

All Pending Motions

HEARD BY: Ritchie, T. Arthur, Jr.

COURTROOM: RJC Courtroom 03G

COURT CLERK: Kathy Prock

PARTIES:

Candice Towner, Plaintiff, not present
Frederick Silver, Defendant, not present
Gabriel Towner, Subject Minor, not present

Mary Perry, Attorney, present
Pro Se

JOURNAL ENTRIES

- PLAINTIFF'S MOTION AND NOTICE OF MOTION FOR DETERMINATION OF VEXATIOUS LITIGANT, FOR SANCTIONS, ATTORNEY'S FEES, AND RESTRAINING ORDER...PLAINTIFF'S REPLY AND SUPPLEMENT TO MOTION FOR DETERMINATION OF VEXATIOUS LITIGANT AND SUPPLEMENT

Neither party was present.

Court reviewed the history of the case. Court noted there is a Notice Of Appeal filed on 11/7/18, and the Court can only rule on issues collateral to the appeal.

Court stated its FINDINGS regarding the vexatious filings. Attorney Perry stated there were ten or fifteen filings in November and early December of 2018.

Attorney Perry stated the appeal is on the Affidavit Of Paternity.

Court stated the Defendant has requested to appear telephonically at previous hearings, however, he did not make that request for today's hearing.

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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

COURT FINDS, Defendant continues to harass the Plaintiff and Defendant's filings are vexatious and repetitive.

Court stated it concludes the ruling on this Motion, to deem Defendant a vexatious litigant is not collateral to the appeal and further stated if the appeal is dismissed or the Supreme Court remands it back, then the Court will deal with the vexatious litigant, since it will have jurisdiction to do so.

COURT ORDERED, the HEARINGS scheduled for 1/8/19 at 10:00 AM and 1/14/19 at 10:00 AM shall be VACATED.

Attorney Perry shall prepare the Order.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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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 TO SUPREME COURT OF NEVADA., DEMAND FOR TRIAL BY JURY; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; ORDER AFTER HEARING CERTIFYING INTENT TO GRANT RELIEF; NOTICE OF ENTRY OF ORDER AFTER HEARING; ORDER; NOTICE OF ENTRY OF ORDER; ORDER; NOTICE OF ENTRY OF ORDER; DECREE OF CUSTODY; NOTICE OF ENTRY OF DECREE; DECISION AND ORDER; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES

CANDICE K. TOWNER,

Plaintiff(s),

vs.

FREDERICK O. SILVER,

Defendant(s),

Case No: D-18-565588-C

Dept No: H

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 25 day of January 2019.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk