

Electronically Filed
Jun 28 2019 03:36 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Appellant,

V.

Supreme Court No.: 78966

District Court No.: D489542

1. Name of appellant filing this case appeal statement:

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

The Honorable T. Arthur Ritchie Jr., Eighth Judicial District Court, Family
Division, Department H.

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

Appellant: Kevin Adrianzen

Attorneys for Appellant: Emily McFarling, Esq.
Michael Burton, Esq.
McFarling Law Group
6230 W. Desert Inn Rd.
Las Vegas, NV 89146

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4. Identify each respondent and the name and address of appellate counsel, if known, for each respondent:

Respondent: Paige Petit

Attorney for Respondent: Melvin R. Grimes, Esq.
808 South 7th Street
Las Vegas NV 89101

5. Indicate whether any attorney identified above is not licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission to appear under SCR 42:

Both attorneys mentioned above are authorized to practice law in Nevada.

6. Indicate whether appellant was represented by appointed or retained counsel in the District Court:

Appellant was represented by retained counsel, Michael Burton, Esq. of McFarling Law Group.

7. Indicate whether appellant was represented by appointed or retained counsel on the appeal:

Appellant is represented by retained counsel in the instant appeal.

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

No such leave was granted to Appellant.

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

December 12, 2013.

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

4 This is a post decree action involving child custody and visitation matters. On
5 July 31, 2018, Respondent filed a Motion, to modify the parties' timeshare and on
6 August 23, 2018, Appellant filed his Opposition and Countermotion for
7 Modification of Physical Custody to Joint physical custody, timeshare & child
8 support.

9
10 The Court denied Respondent's Motion and did not set an evidentiary hearing
11 on Plaintiff's Countermotion for Modification of Physical Custody to Joint physical
12 custody. On February 28, 2019, Appellant filed a Motion for Reconsideration of the
13 District Court's Orders. In the motion for reconsideration, Appellant raised the issue
14 that the parties' original custody order contains no statutory findings—making it
15 impossible to meet a change in circumstances standard when the court never made
16 findings as to why it made its custody order in the first place. However, on April 9,
17 2019, the Court denied Plaintiff's Motion for Reconsideration.

18
19 This Appeal follows.

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

4 This matter was the subject of an appeal in the Supreme Court under Case No.
5 78966 bearing case caption: Page Petit vs. Kevin Adrianzen.
6

7 **12.Indicate whether this appeal involves child custody or visitation:**

8 This appeal involves child custody or visitation matters.

9 **13.If this is a civil case, indicate whether this appeal involves the possibility of**
10 **settlement:**

11 This appeal does not involve the possibility of settlement and is not
12 appropriate for the Settlement Program.
13

14 DATED this 28th of June, 2019.

15 **McFARLING LAW GROUP**

16 /s/Michael Burton

17 Michael Burton, Esq.
18 Nevada Bar Number 14351
19 6230 W. Desert Inn Road
20 Las Vegas, NV 89146
21 (702) 565-4335
22 Attorney for Plaintiff,
23 Kevin Adrianzen
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CERTIFICATE OF SERVICE

The undersigned, an employee of McFarling Law Group, hereby certifies that on this 28th day of June, 2019, served a true and correct copy of Case Appeal Statement via the Supreme Court's electronic filing and service system (eFlex):

Mel Grimes, Esq.
808 South 7th Street
Las Vegas NV 89101

/s/Maria Rios Landin
Maria Rios Landin