



Form 1. **Notice of Appeal to the Supreme Court From a Judgment or Order**

CASE NO. D-15-523582-D

Dept. J

IN THE ...8TH..... JUDICIAL DISTRICT COURT OF THE  
STATE OF NEVADA IN AND FOR  
THE COUNTY OF ..CLARK..

Electronically Filed  
Nov 08 2019 09:06 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

CAPUCINE Y HOLMES

v.

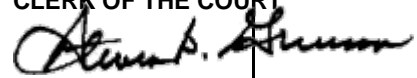
WILBERT R HOLMES

**NOTICE OF APPEAL**

Notice is hereby given that C. D., defendant above named, hereby appeals to the Supreme Court of Nevada (from the final judgment) (from the order (describing it)) entered in this action on the 29th day of October 2019

WILBERT R HOLMES pro se

240 E SILVERADO RANCH BLVD  
LAS VEGAS NV 89183



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

9 CAPUCINE YOLANDA HOLMES,

10 Plaintiff(s)

11 vs.

12 WILBERT ROY HOLMES,

13 Defendant(s),

Case No: D-15-523582-D

Dept No: J

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16 **CASE APPEAL STATEMENT**

17 1. Appellant(s): Wilbert R. Holmes

18 2. Judge: Rena G. Hughes

19 3. Appellant(s): Wilbert R. Holmes

20 Counsel:

21 Wilbert R. Holmes  
22 240 E. Silverado Ranch Blvd.  
23 Las Vegas, NV 89183

24 4. Respondent (s): Capucine Yolanda Holmes

25 Counsel:

26 James A. Fontano  
27 5135 Camino al Norte, Ste. 273  
28 North Las Vegas, NV 89031

- 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, June 14, 2018  
8 *Expired*  
9 Appellant Filed Application to Proceed in Forma Pauperis: No  
10 Date Application(s) filed: N/A  
11 9. Date Commenced in District Court: November 5, 2015  
12 10. Brief Description of the Nature of the Action: DOMESTIC - Marriage Dissolution  
13 Type of Judgment or Order Being Appealed: Misc. Order  
14 11. Previous Appeal: Yes  
15 Supreme Court Docket Number(s): 73291, 76206  
16 12. Case involves Child Custody and/or Visitation: N/A  
17 Appeal involves Child Custody and/or Visitation: N/A  
18 13. Possibility of Settlement: Unknown

19 Dated This 4 day of November 2019.

20 Steven D. Grierson, Clerk of the Court

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: Wilbert R. Holmes  
28

## EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY****CASE NO. D-15-523582-D**

**Capucine Yolanda Holmes, Plaintiff**  
**vs.**  
**Wilbert Roy Holmes, Defendant.**

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Location: **Department J**  
 Judicial Officer: **Hughes, Rena G.**  
 Filed on: **11/05/2015**

**CASE INFORMATION****Related Cases**

D-08-399088-D (1J1F Related - Rule 5.42)

Case Type: **Divorce - Complaint**Subtype: **Complaint No Minor(s)****Statistical Closures**

10/29/2019 Settled/Withdrawn With Judicial Conference or Hearing  
 09/17/2019 Settled/Withdrawn Without Judicial Conference or Hearing  
 10/30/2018 Settled/Withdrawn Without Judicial Conference or Hearing  
 01/30/2018 Settled/Withdrawn Without Judicial Conference or Hearing  
 06/01/2017 Settled/Withdrawn With Judicial Conference or Hearing

Case Status: **10/29/2019 Closed**

Case Flags: **Order After Hearing Required  
 Proper Person Mail Returned  
 Appealed to Supreme Court  
 In Forma Pauperis Granted  
 OIFP Granted to Wilbert  
 Holmes on 06/14/2018**

**DATE****CASE ASSIGNMENT****Current Case Assignment**

Case Number D-15-523582-D  
 Court Department J  
 Date Assigned 11/05/2015  
 Judicial Officer Hughes, Rena G.

**PARTY INFORMATION****Plaintiff**

**Holmes, Capucine Yolanda**  
 637 Twilight Blue AVE  
 North Las Vegas, NV 89032


**Fontano, James A.**  
 Retained  
 702-329-9901(W)


**Defendant**


**Holmes, Wilbert Roy**  
 240 E Silverado Ranch BLVD  
 Las Vegas, NV 89183


**Pro Se**  
 702-281-5752(H)


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

11/05/2015  Complaint for Divorce  
*Complaint for Divorce (No Children)*

11/16/2015  Affidavit of Service  
 Filed By: Plaintiff Holmes, Capucine Yolanda  
 Party 2: Defendant Holmes, Wilbert Roy

11/19/2015  Application to Proceed in Forma Pauperis  
 Filed By: Defendant Holmes, Wilbert Roy  
*Application to Proceed in Forma Pauperis (Sealed)*




















12/07/2015  Answer and Counterclaim - Divorce, Annulment, Separate Maint  
 Filed by: Defendant Holmes, Wilbert Roy  
 For: Plaintiff Holmes, Capucine Yolanda  
*Answer and Counterclaim for Divorce (No Children)*

12/17/2015  Certificate of Service  
 Filed by: Defendant Holmes, Wilbert Roy

12/23/2015

# CASE SUMMARY

CASE NO. D-15-523582-D

	 Reply to Counterclaim Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy
12/30/2015	 Notice of Case Management Conference <i>Notice of NRCP 16.2 Case Management Conferences</i>
01/05/2016	 Financial Disclosure Form Filed by: Plaintiff Holmes, Capucine Yolanda <i>General Financial Disclosure Form (Sealed)</i>
02/02/2016	 Notice of Appearance Party: Defendant Holmes, Wilbert Roy <i>Notice of Appearance and Request for Notice</i>
02/08/2016	 Subpoena Duces Tecum Filed by: Plaintiff Holmes, Capucine Yolanda <i>Subpoena Duces Tecum for Business Records (No Appearance Required)</i>
02/09/2016	 Notice of Rescheduling of Hearing
02/18/2016	 Substitution of Attorney Filed By: Defendant Holmes, Wilbert Roy
02/18/2016	 Notice Filed By: Defendant Holmes, Wilbert Roy <i>Notice of Unavailability</i>
02/22/2016	 Notice of Rescheduling of Hearing
03/16/2016	 Financial Disclosure Form Filed by: Defendant Holmes, Wilbert Roy <i>General Financial Disclosure Form (Sealed)</i>
03/30/2016	 Notice of Rescheduling of Hearing
04/11/2016	 Trial Management Order Filed by: Plaintiff Holmes, Capucine Yolanda
04/14/2016	 Motion to Withdraw As Counsel Filed By: Defendant Holmes, Wilbert Roy <i>Motion to Withdraw as Attorney of Record for Defendant</i>
04/18/2016	 Certificate of Service Filed by: Defendant Holmes, Wilbert Roy
05/16/2016	 Order to Withdraw as Attorney of Record Filed by: Defendant Holmes, Wilbert Roy <i>Order Re: Motion to Withdraw as Attorney of Record for Defendant</i>
05/16/2016	 Notice of Entry of Order Filed By: Defendant Holmes, Wilbert Roy <i>Notice of Entry of Order Re: Motion to Withdraw as Attorney of Record for Defendant</i>
05/16/2016	 Order Filed By: Defendant Holmes, Wilbert Roy <i>Order Regarding Hearing of April 6, 2016</i>
05/16/2016	 Amended Answer Filed by: Defendant Holmes, Wilbert Roy <i>Amended Answer and Counterclaim</i>
05/17/2016	 Notice of Entry of Order Filed By: Plaintiff Holmes, Capucine Yolanda





















# CASE SUMMARY

CASE NO. D-15-523582-D

05/26/2016	 Reply to Counterclaim Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy <i>Reply to Amended Answer and Counterclaim</i>
06/29/2016	 Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy <i>Ex Parte Motion for an Order Shortening Time</i>
07/07/2016	 Subpoena Duces Tecum Filed by: Plaintiff Holmes, Capucine Yolanda
07/12/2016	 Request Filed By: Plaintiff Holmes, Capucine Yolanda <i>Request for Production of Documents</i>
07/12/2016	 Interrogatories Filed By: Plaintiff Holmes, Capucine Yolanda
07/15/2016	 Application to Proceed in Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy <i>Application to Proceed Informa Pauperis (Sealed)</i>
07/16/2016	 Motion for Change of Venue Filed By: Defendant Holmes, Wilbert Roy
07/18/2016	 Notice of Motion Filed By: Defendant Holmes, Wilbert Roy
07/19/2016	 Application to Proceed in Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy <i>Application to Proceed Informa Pauperis (Sealed)</i>
07/22/2016	 Motion to Amend Filed by: Plaintiff Holmes, Capucine Yolanda <i>Motion to Amend the Pleadings, for an Order to Enforce and for an Order to Show Cause, and to Set Aside the Premarital Agreement</i>
07/25/2016	 Ex Parte Motion Filed by: Plaintiff Holmes, Capucine Yolanda <i>Ex Parte Motion for an Order Shortening Time</i>
07/26/2016	 Order Shortening Time Filed By: Plaintiff Holmes, Capucine Yolanda
07/29/2016	 Affidavit of Service Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy
08/03/2016	 Proof of Service Filed By: Plaintiff Holmes, Capucine Yolanda Party Served: Defendant Holmes, Wilbert Roy
08/04/2016	 Certificate of Mailing Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy <i>Certificate</i>
08/05/2016	 Memorandum Filed By: Defendant Holmes, Wilbert Roy <i>Defendant Wilbert Holmes Memorandum of Law in Support of Motion to Disqualify Judge Rena G. Hughes Under 28U.S.C.144</i>
08/18/2016	 Notice of Motion

# CASE SUMMARY

CASE NO. D-15-523582-D

	Filed By: Defendant Holmes, Wilbert Roy
08/31/2016	 Certificate of Mailing Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy
08/31/2016	 Opposition to Motion Filed by: Plaintiff Holmes, Capucine Yolanda <i>Opposition to Motion to Disqualify Judge Rena G. Hughes</i>
08/31/2016	 Subpoena Duces Tecum Filed by: Plaintiff Holmes, Capucine Yolanda
09/02/2016	 Certificate of Service Filed by: Plaintiff Holmes, Capucine Yolanda
09/23/2016	 Order Denying Filed by: Plaintiff Holmes, Capucine Yolanda <i>Order Denying Motion to Disqualify</i>
10/05/2016	 Notice of Rescheduling of Hearing <i>Notice of Rescheduling of Evidentiary Hearing</i>
10/06/2016	 Trial Management Order
10/10/2016	 Order to Proceed In Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy <i>Order to Proceed in Forma Pauperis (Sealed)</i>
10/11/2016	 Application to Proceed in Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy <i>Application to Proceed in Forma Pauperis (Sealed)</i>
10/11/2016	 Trial Management Order Filed by: Plaintiff Holmes, Capucine Yolanda
10/17/2016	 Notice Filed By: Plaintiff Holmes, Capucine Yolanda <i>Notice of Taking Evidentiary Hearing Off Calendar</i>
10/17/2016	 Certificate of Service Filed by: Plaintiff Holmes, Capucine Yolanda
10/18/2016	 Motion Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy
10/19/2016	 Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy <i>Ex Parte Motion for an Order Shortening Time</i>
10/19/2016	 Notice of Motion Filed By: Defendant Holmes, Wilbert Roy
10/26/2016	 Notice of Hearing
10/26/2016	 Notice of Rescheduling of Hearing
10/26/2016	 Trial Management Order
11/29/2016	 Notice of Rescheduling of Hearing Filed by: Plaintiff Holmes, Capucine Yolanda
12/01/2016	 Motion to Withdraw As Counsel Filed By: Attorney Kimble-Simms, Marsha

# CASE SUMMARY

CASE NO. D-15-523582-D

*Motion to Withdraw as Counsel of Record*

12/07/2016



Order Shortening Time

Filed By: Plaintiff Holmes, Capucine Yolanda

12/11/2016



Pre-trial Memorandum

Filed By: Defendant Holmes, Wilbert Roy

*Defendant's Pre-Trial Memorandum*

12/11/2016



Affirmation

Filed By: Defendant Holmes, Wilbert Roy

*Affirmation - Case Conference Report or Pre-Trial Memorandum Pursuant to NRS 239.030*

12/12/2016



Financial Disclosure Form

Filed by: Defendant Holmes, Wilbert Roy

*General Financial Disclosure Form (Sealed)*

12/13/2016



Certificate of Mailing

Filed By: Defendant Holmes, Wilbert Roy

Party 2: Plaintiff Holmes, Capucine Yolanda

12/14/2016



Miscellaneous Filing

*Updated Witness Letter/Kim Panfield*

12/18/2016



Exhibits

Filed By: Defendant Holmes, Wilbert Roy

*Malicious Prosecution Detail and Exhibits*

12/19/2016



Pre-trial Memorandum

Filed By: Defendant Holmes, Wilbert Roy

*Updated Pre Trial Memorandum*

12/20/2016



Certificate of Mailing

Filed By: Plaintiff Holmes, Capucine Yolanda

Party 2: Defendant Holmes, Wilbert Roy

12/22/2016



Pre-trial Memorandum

Filed By: Plaintiff Holmes, Capucine Yolanda

12/22/2016



Certificate of Mailing

Filed By: Plaintiff Holmes, Capucine Yolanda

Party 2: Defendant Holmes, Wilbert Roy

12/31/2016



Certificate of Mailing

Filed By: Plaintiff Holmes, Capucine Yolanda

Party 2: Defendant Holmes, Wilbert Roy

01/03/2017



Pre-trial Memorandum

Filed By: Defendant Holmes, Wilbert Roy

*Updated Pre Trial Memorandum*

01/04/2017



Pre-trial Memorandum

Filed By: Defendant Holmes, Wilbert Roy

*Pre Trial Memorandum Exhibit E and F*

01/05/2017



Amended

Filed By: Plaintiff Holmes, Capucine Yolanda

*Amended Pre-Trial Memorandum*

01/05/2017



Certificate of Mailing

Filed By: Plaintiff Holmes, Capucine Yolanda

Party 2: Defendant Holmes, Wilbert Roy

01/05/2017



Pre-trial Memorandum


Filed By: Defendant Holmes, Wilbert Roy



# CASE SUMMARY

CASE NO. D-15-523582-D

*Pre Trial Memorandum Computation Schedule A A*

01/08/2017	 Pre-trial Memorandum Filed By: Defendant Holmes, Wilbert Roy <i>Pre Trial Memorandum - Updated Fin Disclo Form with Exhibit J (Sealed)</i>
01/10/2017	 Financial Disclosure Form Filed by: Defendant Holmes, Wilbert Roy <i>General Financial Disclosure Form (Sealed)</i>
01/10/2017	 Financial Disclosure Form Filed by: Plaintiff Holmes, Capucine Yolanda <i>General Financial Disclosure Form (Sealed)</i>
01/16/2017	 Pre-trial Memorandum Filed By: Defendant Holmes, Wilbert Roy <i>Pre Trial Memorandum Exhibit A and D Updated</i>
01/17/2017	 Amended Filed By: Plaintiff Holmes, Capucine Yolanda <i>Amended Pre-Trial Memorandum</i>
01/18/2017	 Certificate of Service Filed by: Plaintiff Holmes, Capucine Yolanda
01/20/2017	 Subpoena Duces Tecum Filed by: Plaintiff Holmes, Capucine Yolanda
01/24/2017	 Affidavit of Service Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy
02/01/2017	 Request Filed By: Defendant Holmes, Wilbert Roy <i>Divorce Status and Finalization Request</i>
02/05/2017	 Motion to Enforce Filed by: Defendant Holmes, Wilbert Roy <i>Motion and Notice of Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt</i>
02/09/2017	 Notice of Change of Hearing <i>Clerk of the Court's Notice of Change of Hearing</i>
02/10/2017	 Miscellaneous Filing <i>Property Detail Required</i>
02/14/2017	 Affidavit of Service Filed By: Defendant Holmes, Wilbert Roy Party 2: Plaintiff Holmes, Capucine Yolanda
02/14/2017	 Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy <i>Ex Parte Motion for an Order Shortening Time</i>
02/16/2017	 Document Filed Filed by: Plaintiff Holmes, Capucine Yolanda <i>Document of Property Settlment Statement Purchase Sheet</i>
02/16/2017	 Statement Filed By: Defendant Holmes, Wilbert Roy <i>Buyer Settlement Statement</i>
02/18/2017	 Notice of Rescheduling of Hearing

# CASE SUMMARY

CASE NO. D-15-523582-D

02/21/2017	 Statement Filed By: Defendant Holmes, Wilbert Roy <i>Buyer Settlement Statement</i>
04/06/2017	 Miscellaneous Filing <i>Closing Instructions</i>
04/06/2017	 Order Filed By: Plaintiff Holmes, Capucine Yolanda <i>Order from Hearing 4-05-17</i>
06/01/2017	 Decree of Divorce Filed by: Defendant Holmes, Wilbert Roy; Plaintiff Holmes, Capucine Yolanda
06/01/2017	 Notice of Entry of Decree <i>Notice of Entry of Decree of Divorce</i>
06/08/2017	 Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy
06/09/2017	 Notice of Entry of Order Filed By: Plaintiff Holmes, Capucine Yolanda
06/09/2017	 Withdrawal of Attorney Filed By: Plaintiff Holmes, Capucine Yolanda
06/14/2017	 Case Appeal Statement Filed By: Defendant Holmes, Wilbert Roy
07/18/2017	 Motion to Stay Filed by: Defendant Holmes, Wilbert Roy
09/19/2017	 Motion to Disqualify Judge Filed by: Defendant Holmes, Wilbert Roy <i>Defendant Wilbert Holmes Memorandum of Law in Support of Motion to Disqualify Judge Rena G. Hughes Under 28U.S.C. 144</i>
09/25/2017	 Motion Filed By: Defendant Holmes, Wilbert Roy Party 2: Plaintiff Holmes, Capucine Yolanda <i>Motion and Notice of Motion for Orders to Set Aside Order, Judgment, and/or Default</i>
09/25/2017	 Notice of Motion Filed By: Defendant Holmes, Wilbert Roy
09/25/2017	 Amended Motion Filed by: Defendant Holmes, Wilbert Roy <i>Amended Motion and Notice of Motion for Orders to Set Aside Order, Judgment, and/or Default</i>
10/05/2017	 Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy <i>Ex Parte Motion for an Order Shortening Time</i>
10/06/2017	 Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy <i>Ex Parte Motion for Motion to Stay</i>
10/11/2017	 Notice of Appearance Party: Plaintiff Holmes, Capucine Yolanda
10/11/2017	 Motion for Order to Show Cause Filed By: Plaintiff Holmes, Capucine Yolanda <i>Motion for Order to Show Cause Why Defendant Should Not Be Found in Contempt, to Compel Compliance with Decree of Divorce, and for Award of Attorney's Fees and Costs</i>


# CASE SUMMARY

CASE NO. D-15-523582-D

10/11/2017	 Ex Parte Application for Order <i>Ex Parte Application for Order to Show Cause</i>
10/11/2017	 Exhibits Filed By: Plaintiff Holmes, Capucine Yolanda <i>Exhibit Appendix</i>
10/12/2017	 Ex Parte Motion Filed by: Plaintiff Holmes, Capucine Yolanda <i>Ex Parte Motion for Order Shortening Time</i>
10/20/2017	 Order to Show Cause Filed By: Plaintiff Holmes, Capucine Yolanda
10/20/2017	 Order Shortening Time Filed By: Plaintiff Holmes, Capucine Yolanda
10/20/2017	 Notice of Entry of Order Filed By: Plaintiff Holmes, Capucine Yolanda <i>Notice of Entry of Order to Show Cause</i>
10/20/2017	 Notice of Entry of Order Filed By: Plaintiff Holmes, Capucine Yolanda <i>Notice of Entry of Order Shortening Time</i>
11/03/2017	 Affidavit <i>Affidavit of the Honorable Rena G. Hughes in Response to "Motion to Disqualify Judge" Filed in Case D-15-523582-D</i>
11/03/2017	 Certificate of Mailing
11/08/2017	 Order Denying <i>Order Denying Motion to Disqualify</i>
01/30/2018	 Domestic Notice to Statistically Close Case
05/17/2018	 Application to Proceed in Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy <i>Application to Proceed in Forma Pauperis (Sealed)</i>
05/17/2018	 Addendum Filed By: Defendant Holmes, Wilbert Roy <i>Addendum (1) Divorce</i>
05/31/2018	 NV Supreme Court Clerks Certificate/Judgment - Affd/Rev Part <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed in Part, Reversed in Part and Remand</i>
06/12/2018	 Order <i>Order Upon Remand Clarifying Decree of Divorce</i>
06/14/2018	 Order to Proceed In Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy <i>Order to Proceed In Forma Pauperis (Sealed)</i>
06/14/2018	 Notice of Entry of Order <i>Notice of Entry of Order Upon Remand Clarifying Decree of Divorce</i>
06/18/2018	 Motion to Disqualify Judge Filed by: Defendant Holmes, Wilbert Roy <i>Motion to Disqualify</i>
06/20/2018	 Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy

# CASE SUMMARY

CASE NO. D-15-523582-D


06/21/2018	 Case Appeal Statement
06/30/2018	 Addendum Filed By: Defendant Holmes, Wilbert Roy <i>Addendum (3) Divorce</i>
07/09/2018	 Request Transcript of Proceedings
07/16/2018	 Addendum Filed By: Defendant Holmes, Wilbert Roy <i>Addendum (4) Divorce</i>
07/17/2018	 Motion to Disqualify Judge Filed by: Defendant Holmes, Wilbert Roy <i>Motion to Disqualify</i>
07/26/2018	 Receipt of Copy Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy <i>Receipt of Copy</i>
08/07/2018	 Request Transcript of Proceedings Party: Defendant Holmes, Wilbert Roy <i>Request Transcript of Proceedings</i>
08/13/2018	 Addendum Filed By: Defendant Holmes, Wilbert Roy <i>ADDENDUM 5 FOR DIV APPEAL CASE NO 76206</i>
08/13/2018	 Affidavit <i>Affidavit of the Honorable Rena G. Hughes in Response to "Defendant's Motion to Disqualify"</i> <i>Filed in Case D-15-523582-D</i>
08/13/2018	 Certificate of Mailing <i>Certificate of Mailing</i>
08/31/2018	 Subpoena Duces Tecum Filed by: Defendant Holmes, Wilbert Roy <i>Subpeona Duces Tecum</i>
09/04/2018	 Subpoena Duces Tecum Filed by: Defendant Holmes, Wilbert Roy <i>BANK OF AMERICA CY Subpeona Duces Tecum</i>
08/02/2019	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed; Review Denied</i>
08/16/2019	 Order <i>Order Quashing Subpoena</i>
08/16/2019	 Order <i>Order Quashing Subpoena</i>
08/19/2019	 Notice of Entry <i>Notice of Entry of Order Quashing Subpoena</i>
08/19/2019	 Notice of Entry <i>Notice of Entry of Order Quashing Subpoena</i>
08/19/2019	 Motion Filed By: Defendant Holmes, Wilbert Roy <i>Motion for Rehearing</i>
08/20/2019	 Amended Motion

# CASE SUMMARY


CASE NO. D-15-523582-D

Filed by: Defendant Holmes, Wilbert Roy  
*AMENDED TO CORRECT MOT FOR DIV REHRG*


08/20/2019

 Notice of Hearing  
*Notice of Hearing*


08/20/2019

 Notice of Hearing  
*Notice of Hearing*


09/25/2019

 Re-Notice of Motion  
 Filed by: Defendant Holmes, Wilbert Roy  
*Re-Notice of Motion DIVORCE*


09/26/2019

 Notice of Hearing  
*Notice of Hearing*


10/21/2019

 Opposition  
 Filed By: Plaintiff Holmes, Capucine Yolanda  
*Opposition to Motion for Rehearing*


10/28/2019

 Request  
 Filed By: Defendant Holmes, Wilbert Roy  
*REQUEST FOR TELEPHONIC HEARING*


10/28/2019

 Request  
 Filed By: Defendant Holmes, Wilbert Roy  
*UPDATED REQUEST FOR TELEPHONIC HEARING*

10/30/2019

 Notice of Appeal  
 Filed By: Defendant Holmes, Wilbert Roy  
*DIV REHEARING NOTICE OF APPEAL*

11/04/2019

 Case Appeal Statement  
 Filed By: Defendant Holmes, Wilbert Roy  
*Case Appeal Statement*


## DISPOSITIONS

06/01/2017

**Judgment** (Judicial Officer: Hughes, Rena G.)  
 Judgment (\$100,862.73, In Full , Wilburt Roy Holmes shall pay Capucine Yolanda Holmes for her interest in the marital residence.)

## HEARINGS

03/30/2016

 **Case Management Conference** (11:00 AM) (Judicial Officer: Hughes, Rena G.)

**03/30/2016, 04/06/2016**


Events: 02/09/2016 Notice of Rescheduling of Hearing

*Reset, from 3/30/16, due to JNA.*

**02/24/2016** *Reset by Court to 03/30/2016*

**02/24/2016** *Reset by Court to 02/24/2016*

## **MINUTES**

 Notice of Rescheduling of Hearing

Notice of Unavailability filed 2/18/16

Off Calendar;

Evidentiary Hearing;

Journal Entry Details:

*Arguments regarding, pre nuptial agreement, division of property, appraisal of marital residence, selling of the marital residence, job search for Plaintiff, assets and debts, domestic violence, TORTE claims and battery. COURT stated FINDINGS and ORDERED: 1. The MARTIAL APPRAISAL shall be PREPARED, by SCOTT DUGAN. Defendant shall FRONT the COST; HOWEVER, in the END, said COST shall be EQUALLY DIVIDED, by the Parties. 2. The PRE NUPTIAL AGREEMENT shall GOVERN the DIVISION, of PROPERTY. 3. DISCOVERY shall be OPEN. 4. Pursuant to 16.2, EXCHANGE of DOCUMENTS shall be*

# CASE SUMMARY

CASE NO. D-15-523582-D

*VOLUNTARILY COMPLETED. 5. Counsel shall AMEND the PLEADINGS, to INCLUDE the TORTE CLAIM and COMMUNITY WASTE, within the next 30 days. Attorney Jacobson to prepare an Order, from today's hearing. 9/27/16 11:00 am CALENDAR CALL 10/11/16 1:30 pm EVIDENTIARY HEARING - finances and equity in residence (stack #2);*

## MINUTES



Notice of Rescheduling of Hearing

Notice of Unavailability filed 2/18/16

Off Calendar;

Evidentiary Hearing;

Journal Entry Details:

*Due to the unavailability, of the Court, matter OFF CALENDAR and RESET, for 4/6/16. A copy of today's minute order and Notice of Rescheduling of Hearing, placed, in counsel's folder, at Family Court.;*

*Off Calendar*

05/17/2016

**CANCELED Motion** (10:00 AM) (Judicial Officer: Hughes, Rena G.)

*Vacated*

*Def't's Attorney's Motion to Withdraw as Attorney of Record*

07/26/2016



**Minute Order** (11:00 AM) (Judicial Officer: Hughes, Rena G.)

Minute Order - No Hearing Held;

Journal Entry Details:

*Per Judge Hughes NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.11(e), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed. On July 16, 2016 Defendant filed a Motion for Change of Venue, with a Notice of Motion filed July 22, 2016 setting a hearing for September 21, 2016 at 10:00 a.m. The basis of Defendant's motion to change venue is his assertion that Plaintiff somehow can exert undue influence over the judiciary in Clark County, Nevada, and thus he will not receive a fair trial. Defendant further asserts that members of the judiciary have attended social events at his home, and that Plaintiff, his wife, is friends with members of the judiciary. Defendant does not assert Judge Rena Hughes attended social events at his home, or that Judge Rena Hughes is friends with his wife. Judge Rena Hughes has in fact not attended any social events at the parties home, and is not friends with Plaintiff. Judge Rena Hughes has no bias, nor prejudice for, or against, either party. Plaintiff has no undue influence over Judge Rena Hughes, and there is no basis to change venue as Defendant asserts. See, SCR 2.11. Defendant's Motion for Change of Venue is devoid of legal points and authorities, and does not meet the requirements of EDCR 2.20. Even if Defendant had cited to the appropriate statute or rule, the Court finds no basis for a change in venue. Both parties reside in Clark County, Nevada, the forum is convenient, and there is no obstacle to a fair and impartial trial. See, NRS 13.040 and 13.050. Defendant's Motion is DENIED, and the hearing of September 21, 2016 is VACATED. Clerk's note, a copy of today's was mailed to Defendant, at the address, on file and placed, in counsel's folder, at Family Court.;*

*Minute Order - No Hearing Held*

09/21/2016

**CANCELED Motion** (10:00 AM) (Judicial Officer: Hughes, Rena G.)

*Vacated - per Judge*

*Def't's Motion for Change of Venue*

09/22/2016



**Motion to Disqualify Judge** (3:00 AM) (Judicial Officer: Barker, David)

Events: 08/18/2016 Notice of Motion

*Def't's Memorandum of Law in Support of Motion to Disqualify Judge Rena G. Hughes Under 28U.S.C.144*

## MINUTES



Notice of Motion

Filed By: Defendant Holmes, Wilbert Roy

Matter Continued;

Journal Entry Details:

*The Court notes that in Plaintiff's Motion to Amend Pleadings, filed July 22, 2016, and set for hearing on October 4, 2016, Plaintiff's counsel references having spoken with this Court and being referred to Presiding Judge of the Family Division, Judge Charles Hoskin. See motion at 8:9-14. To avoid the appearance of impropriety Defendant's Motion to Disqualify Judge Hughes is ORDERED transferred to the Department 11 September 23, 2016, chamber*

# CASE SUMMARY


CASE NO. D-15-523582-D

calendar for either reassignment or decision by Judge Gonzalez at her discretion. CLERK'S NOTE: A copy of this Minute Order has been placed in the attorney folder of Marsha Kimble-Simms, Esq., and mailed to: Wilbert Roy Holmes 10550 Patrington Ct. Las Vegas, NV 89183.ann/9/22/16 ;  
Matter Continued

09/23/2016


**Motion to Disqualify Judge** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  
Deft's Memorandum of Law in Support of Motion to Disqualify Judge Rena G. Hughes Under 28U.S.C.144

09/23/2016

 **Minute Order** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)


Minute Order: Motion to Disqualify  
Minute Order - No Hearing Held; Motion to disqualify denied.  
Journal Entry Details:  
COURT ORDERED, as it does not appear that the motion was properly served upon the judge under NRS 1.235(4) the motion to disqualify is DENIED. See written order. CLERK'S NOTE: A copy of the above minute order was electronically mailed to Atty. Marsha Simms, counsel for Plaintiff, and mailed to Wilbert Holmes, Defendant in Pro Se, at 10550 Patrington Ct Las Vegas, NV 89183. / dr 9-28-16 ;  
Minute Order - No Hearing Held

09/27/2016

 **Calendar Call** (11:00 AM) (Judicial Officer: Hughes, Rena G.)


due to stacking - set EH on 10/12/16  
Matter Heard;  
Journal Entry Details:  
Court noted, there were no appearance, for today's hearing, due to confusion, regarding the final order dealing with Defendant's motion, to disqualify. Court clerk trainee, Marlana Elliott, present. COURT ORDERED, DUE to STACKING, the EVIDENTIARY HEARING shall be RESET, to 10/12/16. Court's JEA to NOTICE said HEARING. The MOTION set, for 10/4/16, STANDS.;  
Matter Heard

10/04/2016

 **Motion** (10:00 AM) (Judicial Officer: Hughes, Rena G.)

Events: 07/22/2016 Motion to Amend  
Pltf's Motion to Amend the Pleadings, For An Order to Enforce and for An Order to Show Cause, and to Set Aside the Premarital Agreement per OST  
08/04/2016 Reset by Court to 10/04/2016

## MINUTES

 Motion to Amend

Filed by: Plaintiff Holmes, Capucine Yolanda  
Motion to Amend the Pleadings, for an Order to Enforce and for an Order to Show Cause, and to Set Aside the Premarital Agreement

JEA


for the OST. rescheduled back to original date

Evidentiary Hearing;

Journal Entry Details:

PLTF'S MOTION TO AMEND THE PLEADINGS, FOR AN ORDER TO ENFORCE AND FOR AN ORDER TO SHOW CAUSE, AND TO SET ASIDE THE PREMARITAL AGREEMENT PER OST Court clerk Tiffany Skaggs present. Discussion regarding lack of full disclosure, prenuptial agreement, 4/6/16 hearing and SOGG. Counsel stated Plaintiff found out after the 4/16 hearing that Defendant owned a liquor business and did not disclose everything. Attorney advised, Defendant represented he was not going to appear in court anymore. COURT ORDERED, 1. Behavioral Order shall be in EFFECT immediately. 2. Plaintiff's request to AMEND, regarding the TORQUE CLAIM and COMMUNITY WASTE shall be GRANTED. 3. Defendant's Complaint for Malicious Prosecution filed 9/28/16 shall be STRICKEN as it is not a Motion or Proper Document. 4. Plaintiff's claim that Defendant interfered with a job offer shall NOT be ALLOWED as claim does NOT relate to Divorce. 5. Plaintiff's Intentional Infliction claim shall NOT be ALLOWED as claim does NOT relate to Divorce. 6. Attorney shall file briefs pursuant to Michigan Law. 7. Evidentiary hearing regarding financials and marital residence STANDS. 12/15/2016 10:00 am EVIDENTIARY HEARING - validity of prenuptial agreement Minute's from today's hearing to suffice.;  
Evidentiary Hearing

10/11/2016

 **Minute Order** (10:00 AM) (Judicial Officer: Hughes, Rena G.)



# CASE SUMMARY

CASE NO. D-15-523582-D

Minute Order - No Hearing Held;

Journal Entry Details:

*-PER JUDGE NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.11(e), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed. At the April 6, 2016 Case Management Conference hearing, the Court set the matter for an Evidentiary Hearing regarding finances and equity in the marital residence. The Court Ordered a marital appraisal be prepared by Scott Dugan, for the prenuptial agreement to govern the division of property, for discovery to open, for the exchange of documents to be voluntarily completed pursuant to 16.2, and for counsel to amend the pleadings to include the tort claim and the community waste claim within the next 30 days. The Evidentiary Hearing was scheduled for October 12, 2016. Subsequent to the April 6, 2016 hearing, Plaintiff filed a Motion to Amend the Pleadings, for an Order to Enforce and for an Order to Show Cause and to Set Aside the Premarital Agreement. At the Motion hearing on October 4, 2016, the Court granted Plaintiff's request to amend the complaint to include the tort and community waste claim. The Court set an Evidentiary Hearing on the validity of the prenuptial agreement. The Evidentiary Hearing was scheduled for December 15, 2016. This Court has read and considered the current underlying pleadings in this matter. As the prenuptial agreement controls the marital estate and the validity of the prenuptial agreement is being contested, the Court is hereby continuing the Evidentiary Hearing re: finances and equity in the marital estate from October 12, 2016 to April 18, 2017. The Court will first hear the Evidentiary Hearing re: the validity of the prenuptial agreement, on December 15, 2016. Thereafter the Court will address the Evidentiary Hearing regarding the finances and the equity in the marital residence. Clerk's note, a copy of today's minute order, was mailed to Defendant, at the address on file and placed in Attorney's folder, at Family Court. ;*

Minute Order - No Hearing Held

12/15/2016 **CANCELED Evidentiary Hearing** (10:00 AM) (Judicial Officer: Hughes, Rena G.)

*Vacated - per Attorney or Pro Per*

*Validity of Pre nuptial agreement - per Judge one hour*

12/20/2016 **Motion** (11:00 AM) (Judicial Officer: Hughes, Rena G.)

*Events: 10/19/2016 Notice of Motion*

*Deft's Motion for Malicious Prosecution*

**12/20/2016 Reset by Court to 12/20/2016**

*Denied;*

*Denied*

12/20/2016 **Status Check** (11:00 AM) (Judicial Officer: Hughes, Rena G.)

*Events: 10/26/2016 Notice of Hearing*

**11/29/2016 Reset by Court to 12/20/2016**

**12/20/2016 Reset by Court to 12/20/2016**

*Matter Heard;*

*Matter Heard*

12/20/2016 **Calendar Call** (11:00 AM) (Judicial Officer: Hughes, Rena G.)

*Events: 11/29/2016 Notice of Rescheduling of Hearing*

*Stack #5*

*Matter Heard;*

*Matter Heard*

12/20/2016 **Motion** (11:00 AM) (Judicial Officer: Hughes, Rena G.)


*Events: 12/01/2016 Motion to Withdraw As Counsel*

*Motion to Withdraw as Counsel of Record per OST*

**01/25/2017 Reset by Court to 12/20/2016**

*Off Calendar;*

*Off Calendar*

12/20/2016  **All Pending Motions** (11:00 AM) (Judicial Officer: Hughes, Rena G.)

*Matter Heard;*

*Journal Entry Details:*

*DEFT'S MOTION FOR MALICIOUS PROSECUTION...CALENDAR CALL...STATUS CHECK...MOTION TO WITHDRAW AS COUNSEL OF RECORD PER OST Court discussed Defendant's notice of motion failed to provide points or authorities, and a proper motion was not filed. Further, Plaintiff has not filed a pre trial memorandum. Court addressed counsel's*



# CASE SUMMARY

CASE NO. D-15-523582-D

*motion to withdraw was not served; therefore, can not be heard, today. Discussion regarding not having the entire pre nuptial agreement, from Michigan, appraisals of the residence and the length of time the case has been ongoing. Court reviewed the pre nuptial agreement, which was filed, with the Court. Court noted, there is enough information, in the pre nuptial to apply the laws, of Michigan, to the document. Counsel stated she does not feel comfortable moving forward, with the trial, with the documents she has, as they are not complete. Further, counsel has attempted to retrieve a copy of the full document, however has been able to, due to needing Defendant's authorization. COURT stated FINDINGS and ORDERED: 1. Defendant's MOTION shall be DENIED. 2. As Defendant FILED his EXHIBITS, in his PRE TRIAL MEMORANDUM (12/11/16), EXHIBITS B and C shall be STRICKEN. 3. EVIDENTIARY HEARING STANDS. ;*  
*Matter Heard*

01/10/2017



**Evidentiary Hearing** (1:30 PM) (Judicial Officer: Hughes, Rena G.)

01/10/2017, 01/18/2017

Events: 10/05/2016 Notice of Rescheduling of Hearing

DAY 2 - Finances / equity in marital residence

10/11/2016 Reset by Court to 10/12/2016

10/12/2016 Reset by Court to 04/18/2017

01/10/2017 Reset by Court to 01/10/2017

04/18/2017 Reset by Court to 01/10/2017

## MINUTES



Notice of Rescheduling of Hearing

Notice of Rescheduling of Evidentiary Hearing

Due to stacking

reset to 4/18/17. New TMO will be sent by JEA

Stack #5

Matter Continued;

Under Advisement;

Journal Entry Details:

*Court noted both parties filed an Amended Pretrial Memorandum with additional exhibits. Testimony and exhibits presented (see worksheets). COURT ORDERED, matter is taken UNDER ADVISEMENT. As the Court is unable to make a DECISION at this time, Ms. Kimble-Simms shall obtain the closing documents from the title company on the home when it was purchased in 1999 and file it with the Court; she may prepare an Order for the Court to sign should a subpoena not be sufficient. Ms. Kimble-Simms shall prepare the Order from today's hearing. Clerk's Note: After the hearing, COURT ORDERED, Defendant is to make Plaintiff's personal items in the home available for her to pick up within 10 days of today's date. (ag);*

## MINUTES



Notice of Rescheduling of Hearing

Notice of Rescheduling of Evidentiary Hearing

Due to stacking

reset to 4/18/17. New TMO will be sent by JEA

Stack #5

Matter Continued;

Under Advisement;

Journal Entry Details:

*HOUSEKEEPING ISSUES. Review of issues and the pre marital agreement. Witness's sworn and testified. Court heard testimony, from Plaintiff and Wendell Snow. Exhibits offered and admitted. See exhibit worksheet. Court addressed, exhibit C1 is an appraisal, for 2002, however, an appraisal, for 2001 was requested. Due to TIME RESTRICTIONS, COURT ORDERED, matter CONTINUED, to 1/18/17. ;*

*Matter Continued*

04/04/2017

**CANCELED Calendar Call** (11:00 AM) (Judicial Officer: Hughes, Rena G.)

Vacated - per Secretary

Stack #2

04/05/2017



**Motion** (11:00 AM) (Judicial Officer: Hughes, Rena G.)

Events: 02/05/2017 Motion to Enforce

DEFENDANT'S MOTION TO ENFORCE/SHOW CAUS

# CASE SUMMARY

CASE NO. D-15-523582-D

03/08/2017 Reset by Court to 04/06/2017

04/06/2017 Reset by Court to 04/05/2017

## MINUTES



Motion to Enforce

Filed by: Defendant Holmes, Wilbert Roy

*Motion and Notice of Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt*

Decision Made;

Journal Entry Details:

*Clerk's note, matter was on the IN CHAMBERS calendar and a hearing was not heard.*

*However, a DECISION was made, on the PLEADINGS, with the ORDER, FILED 4/6/17.;*

*Decision Made*

08/23/2017



**Motion to Stay** (11:00 AM) (Judicial Officer: Hughes, Rena G.)

Events: 07/18/2017 Motion to Stay

*Def't's Motion to Stay*

## MINUTES



Motion to Stay

Filed by: Defendant Holmes, Wilbert Roy

Minute Order - No Hearing Held;

Journal Entry Details:

*Per Judge Hughes NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action.*

*Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed. This matter came on for hearing on the Court's in chambers calendar on August 23, 2017 for Defendant's Motion to Stay. This Court has read and considered the current underlying pleadings in this matter.*

*Defendant has filed an Appeal of the final Decree of Divorce in this matter and applied to the District Court for a stay of the Decree of Divorce pending the appeal. Defendant's Motion for Stay is devoid of legal authorities and any factual basis. Any motion filed without points and authorities is subject to being denied pursuant to EDCR 2.20 (c) A party filing a motion must also serve and file with it a memorandum of points and authorities in support of each ground thereof. The absence of such memorandum may be construed as an admission that the motion is not meritorious, as cause for its denial or as a waiver of all grounds not so supported.*

*Further, Defendant has not filed a supersedeas bond. Defendant's Motion to Stay is therefore denied. NRCP 62 (d) Stay Upon Appeal. When an appeal is taken the appellant by giving a supersedeas bond may obtain a stay subject to the exceptions contained in subdivision (a) of this rule. The bond may be given at or after the time of filing the notice of appeal. The stay is effective when the supersedeas bond is filed. Clerk's note, a copy, of today's minute order, was mailed to the Parties, at the addresses, on file.;*

*Minute Order - No Hearing Held*

10/03/2017



**Minute Order** (3:39 PM) (Judicial Officer: Gonzalez, Elizabeth)

*Minute Order re: Ex Parte Motion for OST for the Motion to Disqualify Judge Rena G. Hughes*

Minute Order - No Hearing Held;

Journal Entry Details:

*The Court reviewed the Ex Parte Motion for Order Shortening Time (OST) submitted for the Motion to Disqualify Judge filed 9/1/17. As it does not appear that the Motion or Amended Motion has been served on the judge as required by NRS 1.235(4) the Ex parte Motion is DENIED WITHOUT PREJUDICE. CLERK'S NOTE: A copy of this minute order was distributed to: Wilbert R. Holmes 10550 Pattrington Ct. Las Vegas, NV 89183 / dr 10-4-17;*

*Minute Order - No Hearing Held*

11/03/2017

**Motion to Disqualify Judge** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Events: 09/25/2017 Notice of Motion

*Deft Wilbert Holmes' Memorandum of Law in Support of Motion to Disqualify Judge Rena G. Hughes Under 28 U.S.C. 144*

## MINUTES






Notice of Motion

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. D-15-523582-D**

<p>11/08/2017</p>	<p>Filed By: Defendant Holmes, Wilbert Roy          Denied;          Journal Entry Details:  <i>See order denying motion to disqualify.;</i>          Denied</p>
<p>11/08/2017</p>	<p><b>CANCELED Motion</b> (11:00 AM) (Judicial Officer: Hughes, Rena G.)          Vacated  <i>Deft's Ex Parte Motion to Stay</i></p>
<p>11/20/2017</p>	<p> <b>Minute Order</b> (1:30 PM) (Judicial Officer: Hughes, Rena G.)          Minute Order - No Hearing Held;          Journal Entry Details:  <i>MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed. This Court has read and considered the current underlying pleadings in this matter. The Defendant has failed to comply with EDCR 5.206 by failing to file proof of service for the Motion he filed on September 25, 2017. Therefore, Defendant's Motion for Orders to Set Aside Order, Judgment, and/or Default scheduled for November 29, 2017, is taken off calendar for failure to serve. Plaintiff's Motion for an Order to Show Cause and the Order to Show Cause hearing, scheduled for November 29, 2017, shall remain on calendar. Clerk's note, a copy, of today's minute order, was mailed, to the Defendant, at the address, on file and placed, in counsel's folder, at Family Court.;</i>          Minute Order - No Hearing Held</p>
<p>11/28/2017</p>	<p> <b>Minute Order</b> (2:00 PM) (Judicial Officer: Hughes, Rena G.)          Minute Order - No Hearing Held;          Journal Entry Details:  <i>MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES This matter having come before the Court on Plaintiff's Motion for an Order to Show Cause Why Defendant Should Not Be Held in Contempt, to Compel Compliance with Decree of Divorce, and for Award of Attorney's Fees and Costs filed on October 11, 2017 and on Plaintiff's Order to Show Cause, signed by the Court on October 18, 2017 and filed on October 20, 2017, set to be heard by the Court on November 29, 2017. The Court finds that pursuant to NRCP 1 and EDCR 1.10, the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. The Court finds that subsequent to the Court signing off on Plaintiff's Order to Show Cause, the Court was unaware that the case was under appeal, as Defendant had erroneously filed a Notice of Appeal and a Case Appeal Statement under the District Court caption. The case was therefore not flagged as a case under appeal. The Court was only notified that the case was under appeal when a Notice of Transfer to Court of Appeals was filed on October 19, 2017. The Court finds that a notice of appeal divests this Court of jurisdiction to act and vests the jurisdiction in the appellate court. Rust v. Clark Cty. School District, 103 Nev. 686, 688, 747 P.2d 1380, 1382 (1987). As this case was appealed to the Court of Appeals and the District Court no longer has jurisdiction to hear this matter, the Court is hereby vacating the Order to Show Cause hearing and Plaintiff's Motion without prejudice. The hearing set on November 29, 2017 is hereby vacated. Minute Order to suffice. JEA to mail/fax a copy of this Minute Order to the parties and/or their respective counsel. ;</i>          Minute Order - No Hearing Held</p>
<p>11/29/2017</p>	<p><b>CANCELED Motion</b> (10:00 AM) (Judicial Officer: Hughes, Rena G.)          Vacated - per Law Clerk  <i>Deft's Motion and Notice of Motion for Orders to Set Aside Order, Judgment, and/or Default</i>  <b>10/25/2017 Reset by Court to 11/29/2017</b></p>
<p>11/29/2017</p>	<p><b>CANCELED Motion for Order to Show Cause</b> (10:00 AM) (Judicial Officer: Hughes, Rena G.)          Vacated - per Law Clerk  <i>Motion For Order To Show Cause Why Defendant Should Not Be Found In Contempt, To Compel Compliance With Decree Of Divorce, And For Award OF Attorney's Fees adn Cost's</i>  <b>01/03/2018 Reset by Court to 11/29/2017</b></p>
<p>11/29/2017</p>	<p><b>CANCELED Order to Show Cause</b> (10:00 AM) (Judicial Officer: Hughes, Rena G.)          Vacated - per Law Clerk</p>
<p>06/29/2018</p>	<p> <b>Motion to Disqualify Judge</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)</p>

# CASE SUMMARY

CASE NO. D-15-523582-D

Events: 06/18/2018 Motion to Disqualify Judge  
Defendant's Motion to Disqualify Judge

## MINUTES



Motion to Disqualify Judge

Filed by: Defendant Holmes, Wilbert Roy

*Motion to Disqualify*

Denied; Denied without prejudice.

Journal Entry Details:

*The Court has reviewed the latest Motion to Disqualify filed by Defendant in this matter. As the Motion was not served upon the Judge, the matter is DENIED WITHOUT PREJUDICE to refile and serve in accordance with NRS 1.235(4). CLERK'S NOTE: A copy of this minute order was mailed to: Wilbert Holmes 10550 Pattrington Ct. Las Vegas, NV 89183 Defendant in Pro Se Capucine Holmes 637 Twilight Blue Avenue North Las Vegas, NV 89032 Plaintiff James A. Fontano, Esq. 5135 Camino al Norte, Suite 273 North Las Vegas, NV 89031 Counsel for Plaintiff / dr;*

*Denied*

09/17/2019



**Minute Order** (4:00 PM) (Judicial Officer: Hughes, Rena G.)

Minute Order - No Hearing Held;

Journal Entry Details:

*Minute Order D-15-523582-D Holmes v Holmes NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed. This Court has read and considered the current underlying pleadings in this matter. On August 19, 2019 Defendant filed a Motion for Rehearing. On August 20, 2019 Defendant filed an Amended Motion for Rehearing. Defendant filed a Certificate of Service indicating he had the Motions electronically served on August 16, 2019. As Defendant's Motions were not e-filed until August 20, 2019, Defendant's claimed date of service is deficient. Therefore the Motion hearing scheduled for September 24, 2019 is hereby vacated. Defendant may re-notice his Motion through the Clerk's Office to set this matter back on calendar. Case closed. Clerk's note, a copy, of today's minute order was mailed, to Defendant and counsel, at the addresses, on file.;*

*Minute Order - No Hearing Held*

09/24/2019

**CANCELED Motion** (10:00 AM) (Judicial Officer: Hughes, Rena G.)

*Vacated*

*Motion for Rehearing*

09/24/2019

**CANCELED Motion** (10:00 AM) (Judicial Officer: Hughes, Rena G.)

*Vacated*

*Defendant's Motion for Rehearing*

10/29/2019

**Motion** (1:30 PM) (Judicial Officer: Hughes, Rena G.)

Events: 09/25/2019 Re-Notice of Motion

*Defendant's Re-Notice of Motion Motion for Rehearing*

Denied;

*Denied*

10/29/2019

**Opposition** (1:30 PM) (Judicial Officer: Hughes, Rena G.)

Events: 10/21/2019 Opposition

*Opposition to Motion for Rehearing.....Wilbert Homes to appear by phone his number is 702.281.5752.*

Decision Made;

*Decision Made*

10/29/2019



**All Pending Motions** (1:30 PM) (Judicial Officer: Hughes, Rena G.)

## MINUTES

Matter Heard;

Journal Entry Details:

*OPPOSITION TO MOTION FOR REHEARING...DEFT'S RE NOTICE OF MOTION FOR REHEARING Defendant appeared TELEPHONICALLY. Court inquired if the request for a rehearing is for the final decree, which Defendant said yes. Defendant stated there was an item that has not been recognized, on his behalf, in the divorce. Court discussed, the matter was*

**CASE SUMMARY**

**CASE NO. D-15-523582-D**

*taken up to the Court of Appeals and is on appeal; therefore, this Court no longer has jurisdiction. Defendant stated he was informed the matter was sent back to District Court, to make a decision. Court reviewed the case file. Further, addressed the matter was appealed and has been confirmed. Defendant discussed Plaintiff signed off on a quick claim deed and signed off on any property rights. Defendant does not understand how Plaintiff can be awarded any equity in the property, when she has no rights to it. Plaintiff had to sign off before the house could be put under the Senior Citizen Home Equity Program. Defendant stated his argument is Plaintiff signed legal documents that Plaintiff does not have any equity then, or in the future, on that property. Court addressed, it was recognized Defendant was the only title holder, at the time of trial and the Court heard evidence and testimony. Further, Plaintiff signed the quick claim deed because it was necessary for Defendant to be able to refinance the residence and get equity out of the property. Court reviewed the trial notes. COURT FOUND, the motion is legally deficient, has no legal or factual basis, it has been appealed and affirmed, by the Supreme Court. COURT ORDERED: 1. As Defendant's MOTION is LEGALLY DEFICIENT the MOTION shall be DENIED. 2. Attorney Fontano shall FILE a MEMORANDUM of FEES and COSTS, for THIS HEARING, which INCLUDES the BRUNZELL FACTORS, within the next 10 days. Upon RECEIPT, Defendant shall have 10 days to FILE a RESPONSE. COURTESY COPIES shall be PROVIDED, to the DEPARTMENT. Attorney Fontano to prepare an Order, from today's hearing. CASE CLOSED. Clerk's note, as Defendant was being disruptive and over talking the Court, the Court lowered the volume of Defendant speaking, so the Court could make findings and the order, without interruptions.;*  
*Matter Heard*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint**

**COURT MINUTES**

**March 30, 2016**

---

D-15-523582-D      Capucine Yolanda Holmes, Plaintiff  
vs.  
Wilbert Roy Holmes, Defendant.

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**March 30, 2016      11:00 AM      Case Management  
Conference**

**HEARD BY:** Hughes, Rena G.

**COURTROOM:** Courtroom 04

**COURT CLERK:** Tiffany Skaggs

**PARTIES:**

Capucine Holmes, Plaintiff, not present  
Wilbert Holmes, Defendant, not present

James Fontano, Attorney, not present  
Pro Se

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

- Due to the unavailability, of the Court, matter OFF CALENDAR and RESET, for 4/6/16.

A copy of today's minute order and Notice of Rescheduling of Hearing, placed, in counsel's folder, at Family Court.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint**

**COURT MINUTES**

**April 06, 2016**

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D-15-523582-D      Capucine Yolanda Holmes, Plaintiff  
vs.  
Wilbert Roy Holmes, Defendant.

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**April 06, 2016      11:00 AM      Case Management  
Conference**

**HEARD BY:** Hughes, Rena G.

**COURTROOM:** Courtroom 04

**COURT CLERK:** Tiffany Skaggs

**PARTIES:**

Capucine Holmes, Plaintiff, present  
Wilbert Holmes, Defendant, present

Marsha Kimble-Simms, Attorney, present  
Pro Se

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

- Arguments regarding, pre nuptial agreement, division of property, appraisal of marital residence, selling of the marital residence, job search for Plaintiff, assets and debts, domestic violence, TORTE claims and battery.

COURT stated FINDINGS and ORDERED:

1. The MARTIAL APPRAISAL shall be PREPARED, by SCOTT DUGAN. Defendant shall FRONT the COST; HOWEVER, in the END, said COST shall be EQUALLY DIVIDED, by the Parties.
2. The PRE NUPTIAL AGREEMENT shall GOVERN the DIVISION, of PROPERTY.
3. DISCOVERY shall be OPEN.
4. Pursuant to 16.2, EXCHANGE of DOCUMENTS shall be VOLUNTARILY COMPLETED.
5. Counsel shall AMEND the PLEADINGS, to INCLUDE the TORTE CLAIM and COMMUNITY WASTE, within the next 30 days.

PRINT DATE:	11/04/2019	Page 2 of 35	Minutes Date:	March 30, 2016
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

Attorney Jacobson to prepare an Order, from today's hearing.

9/27/16 11:00 am CALENDAR CALL

10/11/16 1:30 pm EVIDENTIARY HEARING - finances and equity in residence (stack #2)

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:** Apr 06, 2016 11:00AM Case Management Conference  
Reset, from 3/30/16, due to JNA.  
Courtroom 04 Hughes, Rena G.

PRINT DATE:	11/04/2019	Page 3 of 35	Minutes Date:	March 30, 2016
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint****COURT MINUTES**

July 26, 2016

D-15-523582-D      Capucine Yolanda Holmes, Plaintiff  
vs.  
Wilbert Roy Holmes, Defendant.

**July 26, 2016      11:00 AM      Minute Order**

**HEARD BY:** Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

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

- Per Judge Hughes

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.11(e), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

On July 16, 2016 Defendant filed a Motion for Change of Venue, with a Notice of Motion filed July 22, 2016 setting a hearing for September 21, 2016 at 10:00 a.m. The basis of Defendant's motion to change venue is his assertion that Plaintiff somehow can exert undue influence over the judiciary in Clark County, Nevada, and thus he will not receive a fair trial. Defendant further asserts that members of the judiciary have attended social events at his home, and that Plaintiff, his wife, is friends with members of the judiciary. Defendant does not assert Judge Rena Hughes attended social events at his home, or that Judge Rena Hughes is friends with his wife.

Judge Rena Hughes has in fact not attended any social events at the parties' home, and is not friends with Plaintiff. Judge Rena Hughes has no bias, nor prejudice for, or against, either party. Plaintiff has no undue influence over Judge Rena Hughes, and there is no basis to change venue as Defendant

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asserts. See, SCR 2.11.

Defendant s Motion for Change of Venue is devoid of legal points and authorities, and does not meet the requirements of EDCR 2.20. Even if Defendant had cited to the appropriate statute or rule, the Court finds no basis for a change in venue. Both parties reside in Clark County, Nevada, the forum is convenient, and there is no obstacle to a fair and impartial trial. See, NRS 13.040 and 13.050.

Defendant s Motion is DENIED, and the hearing of September 21, 2016 is VACATED.

Clerk's note, a copy of today's was mailed to Defendant, at the address, on file and placed, in counsel's folder, at Family Court.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:** Sep 27, 2016 11:00AM Calendar Call  
due to stacking - set EH on 10/12/16  
Courtroom 04 Hughes, Rena G.

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint****COURT MINUTES****September 22, 2016**

D-15-523582-D      Capucine Yolanda Holmes, Plaintiff  
vs.  
Wilbert Roy Holmes, Defendant.

**September 22,      3:00 AM      Motion to Disqualify  
2016                              Judge**

**HEARD BY:** Barker, David**COURTROOM:****COURT CLERK:****PARTIES:**

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

<b>JOURNAL ENTRIES</b>
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- The Court notes that in Plaintiff's Motion to Amend Pleadings, filed July 22, 2016, and set for hearing on October 4, 2016, Plaintiff's counsel references having spoken with this Court and being referred to Presiding Judge of the Family Division, Judge Charles Hoskin. See motion at 8:9-14. To avoid the appearance of impropriety Defendant's Motion to Disqualify Judge Hughes is ORDERED transferred to the Department 11 September 23, 2016, chamber calendar for either reassignment or decision by Judge Gonzalez at her discretion.

CLERK'S NOTE: A copy of this Minute Order has been placed in the attorney folder of Marsha Kimble-Simms, Esq., and mailed to:  
Wilbert Roy Holmes  
10550 Patrington Ct.  
Las Vegas, NV 89183.anm/9/22/16

**INTERIM CONDITIONS:**

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**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint**

**COURT MINUTES**

**September 23, 2016**

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D-15-523582-D      Capucine Yolanda Holmes, Plaintiff  
vs.  
Wilbert Roy Holmes, Defendant.

---

**September 23, 2016      3:00 AM      Minute Order**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**PARTIES:**

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

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

- COURT ORDERED, as it does not appear that the motion was properly served upon the judge under NRS 1.235(4) the motion to disqualify is DENIED. See written order.

CLERK'S NOTE: A copy of the above minute order was electronically mailed to Atty. Marsha Simms, counsel for Plaintiff, and mailed to Wilbert Holmes, Defendant in Pro Se, at 10550 Patrington Ct Las Vegas, NV 89183. / dr 9-28-16

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint**

**COURT MINUTES**

September 27, 2016

---

D-15-523582-D      Capucine Yolanda Holmes, Plaintiff  
vs.  
Wilbert Roy Holmes, Defendant.

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**September 27,      11:00 AM      Calendar Call**  
**2016**

**HEARD BY:** Hughes, Rena G.

**COURTROOM:** Courtroom 04

**COURT CLERK:** Tiffany Skaggs

**PARTIES:**

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

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

- Court noted, there were no appearance, for today's hearing, due to confusion, regarding the final order dealing with Defendant's motion, to disqualify.

Court clerk trainee, Marlana Elliott, present.

COURT ORDERED, DUE to STACKING, the EVIDENTIARY HEARING shall be RESET, to 10/12/16. Court's JEA to NOTICE said HEARING. The MOTION set, for 10/4/16, STANDS.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint**

**COURT MINUTES**

**October 04, 2016**

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D-15-523582-D      Capucine Yolanda Holmes, Plaintiff  
vs.  
Wilbert Roy Holmes, Defendant.

---

**October 04, 2016      10:00 AM      Motion**

**HEARD BY:** Hughes, Rena G.

**COURTROOM:** Courtroom 04

**COURT CLERK:** Tiffany Skaggs

**PARTIES:**

Capucine Holmes, Plaintiff, present  
Wilbert Holmes, Defendant, not present

Marsha Kimble-Simms, Attorney, present  
Pro Se

<b>JOURNAL ENTRIES</b>
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- PLTF'S MOTION TO AMEND THE PLEADINGS, FOR AN ORDER TO ENFORCE AND FOR AN ORDER TO SHOW CAUSE, AND TO SET ASIDE THE PREMARITAL AGREEMENT PER OST

Court clerk Tiffany Skaggs present.

Discussion regarding lack of full disclosure, prenuptial agreement, 4/6/16 hearing and SOGG.

Counsel stated Plaintiff found out after the 4/16 hearing that Defendant owned a liquor business and did not disclose everything.

Attorney advised, Defendant represented he was not going to appear in court anymore.

COURT ORDERED,

1. Behavioral Order shall be in EFFECT immediately.

2. Plaintiff's request to AMEND, regarding the TORQUE CLAIM and COMMUNITY WASTE shall be GRANTED.

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

3. Defendant's Complaint for Malicious Prosecution filed 9/28/16 shall be STRICKEN as it is not a Motion or Proper Document.

4. Plaintiff's claim that Defendant interfered with a job offer shall NOT be ALLOWED as claim does NOT relate to Divorce.

5. Plaintiff's Intentional Infliction claim shall NOT be ALLOWED as claim does NOT relate to Divorce.

6. Attorney shall file briefs pursuant to Michigan Law.

7. Evidentiary hearing regarding financials and marital residence STANDS.

12/15/2016 10:00 am EVIDENTIARY HEARING - validity of prenuptial agreement

Minute's from today's hearing to suffice.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint****COURT MINUTES****October 11, 2016**

D-15-523582-D      Capucine Yolanda Holmes, Plaintiff  
vs.  
Wilbert Roy Holmes, Defendant.

**October 11, 2016      10:00 AM      Minute Order**

**HEARD BY:** Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Marlana Elliott**PARTIES:**

Capucine Holmes, Plaintiff, not present  
Wilbert Holmes, Defendant, not present

James Fontano, Attorney, not present  
Pro Se

<b>JOURNAL ENTRIES</b>
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- -PER JUDGE

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.11(e), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

At the April 6, 2016 Case Management Conference hearing, the Court set the matter for an Evidentiary Hearing regarding finances and equity in the marital residence. The Court Ordered a marital appraisal be prepared by Scott Dugan, for the prenuptial agreement to govern the division of property, for discovery to open, for the exchange of documents to be voluntarily completed pursuant to 16.2, and for counsel to amend the pleadings to include the tort claim and the community waste claim within the next 30 days. The Evidentiary Hearing was scheduled for October 12, 2016.

Subsequent to the April 6, 2016 hearing, Plaintiff filed a Motion to Amend the Pleadings, for an Order to Enforce and for an Order to Show Cause and to Set Aside the Premarital Agreement. At the Motion hearing on October 4, 2016, the Court granted Plaintiff's request to amend the complaint to include the tort and community waste claim. The Court set an Evidentiary Hearing on the validity of the prenuptial agreement. The Evidentiary Hearing was scheduled for December 15, 2016.

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This Court has read and considered the current underlying pleadings in this matter. As the prenuptial agreement controls the marital estate and the validity of the prenuptial agreement is being contested, the Court is hereby continuing the Evidentiary Hearing re: finances and equity in the marital estate from October 12, 2016 to April 18, 2017.

The Court will first hear the Evidentiary Hearing re: the validity of the prenuptial agreement, on December 15, 2016. Thereafter the Court will address the Evidentiary Hearing regarding the finances and the equity in the marital residence.

Clerk's note, a copy of today's minute order, was mailed to Defendant, at the address on file and placed in Attorney's folder, at Family Court.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint****COURT MINUTES**

December 20, 2016

D-15-523582-D      Capucine Yolanda Holmes, Plaintiff  
vs.  
Wilbert Roy Holmes, Defendant.

**December 20, 2016   11:00 AM****All Pending Motions****HEARD BY:** Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Capucine Holmes, Plaintiff, present  
Wilbert Holmes, Defendant, present

Marsha Kimble-Simms, Attorney, present  
Pro Se

<b>JOURNAL ENTRIES</b>
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- DEFT'S MOTION FOR MALICIOUS PROSECUTION...CALENDAR CALL...STATUS  
CHECK...MOTION TO WITHDRAW AS COUNSEL OF RECORD PER OST

Court discussed Defendant's notice of motion failed to provide points or authorities, and a proper motion was not filed. Further, Plaintiff has not filed a pre trial memorandum. Court addressed counsel's motion to withdraw was not served; therefore, can not be heard, today.

Discussion regarding not having the entire pre nuptial agreement, from Michigan, appraisals of the residence and the length of time the case has been ongoing.

Court reviewed the pre nuptial agreement, which was filed, with the Court. Court noted, there is enough information, in the pre nuptial to apply the laws, of Michigan, to the document.

Counsel stated she does not feel comfortable moving forward, with the trial, with the documents she has, as they are not complete. Further, counsel has attempted to retrieve a copy of the full document, however has been able to, due to needing Defendant's authorization.

COURT stated FINDINGS and ORDERED:

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1. Defendant's MOTION shall be DENIED.
2. As Defendant FILED his EXHIBITS, in his PRE TRIAL MEMORANDUM (12/11/16), EXHIBITS B and C shall be STRICKEN.
3. EVIDENTIARY HEARING STANDS.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint**

**COURT MINUTES**

January 10, 2017

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D-15-523582-D      Capucine Yolanda Holmes, Plaintiff  
vs.  
Wilbert Roy Holmes, Defendant.

---

**January 10, 2017      1:30 PM      Evidentiary Hearing**

**HEARD BY:** Hughes, Rena G.

**COURTROOM:** Courtroom 04

**COURT CLERK:** Tiffany Skaggs

**PARTIES:**

Capucine Holmes, Plaintiff, present  
Wilbert Holmes, Defendant, present

Marsha Kimble-Simms, Attorney, present  
Pro Se

<b>JOURNAL ENTRIES</b>
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- HOUSEKEEPING ISSUES.

Review of issues and the pre marital agreement.

Witness's sworn and testified. Court heard testimony, from Plaintiff and Wendell Snow.

Exhibits offered and admitted. See exhibit worksheet.

Court addressed, exhibit C1 is an appraisal, for 2002, however, an appraisal, for 2001 was requested.

Due to TIME RESTRICTIONS, COURT ORDERED, matter CONTINUED, to 1/18/17.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint**

**COURT MINUTES**

January 18, 2017

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D-15-523582-D      Capucine Yolanda Holmes, Plaintiff  
vs.  
Wilbert Roy Holmes, Defendant.

---

**January 18, 2017      1:30 PM      Evidentiary Hearing**

**HEARD BY:** Hughes, Rena G.

**COURTROOM:** Courtroom 04

**COURT CLERK:** April Graham

**PARTIES:**

Capucine Holmes, Plaintiff, present  
Wilbert Holmes, Defendant, present

Marsha Kimble-Simms, Attorney, present  
Pro Se

<b>JOURNAL ENTRIES</b>
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- Court noted both parties filed an Amended Pretrial Memorandum with additional exhibits.

Testimony and exhibits presented (see worksheets).

COURT ORDERED, matter is taken UNDER ADVISEMENT. As the Court is unable to make a DECISION at this time, Ms. Kimble-Simms shall obtain the closing documents from the title company on the home when it was purchased in 1999 and file it with the Court; she may prepare an Order for the Court to sign should a subpoena not be sufficient.

Ms. Kimble-Simms shall prepare the Order from today's hearing.

Clerk's Note: After the hearing, COURT ORDERED, Defendant is to make Plaintiff's personal items in the home available for her to pick up within 10 days of today's date. (ag)

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:** Jan 18, 2017 1:30PM Evidentiary Hearing

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DAY 2 - Finances / equity in marital residence  
Courtroom 04 Hughes, Rena G.

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint**

**COURT MINUTES**

April 05, 2017

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D-15-523582-D      Capucine Yolanda Holmes, Plaintiff  
vs.  
Wilbert Roy Holmes, Defendant.

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**April 05, 2017      11:00 AM      Motion**

**HEARD BY:** Hughes, Rena G.

**COURTROOM:** Courtroom 04

**COURT CLERK:** Tiffany Skaggs

**PARTIES:**

Capucine Holmes, Plaintiff, not present  
Wilbert Holmes, Defendant, not present

James Fontano, Attorney, not present  
Pro Se

<b>JOURNAL ENTRIES</b>
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- Clerk's note, matter was on the IN CHAMBERS calendar and a hearing was not heard. However, a DECISION was made, on the PLEADINGS, with the ORDER, FILED 4/6/17.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint****COURT MINUTES**

August 23, 2017

D-15-523582-D      Capucine Yolanda Holmes, Plaintiff  
vs.  
Wilbert Roy Holmes, Defendant.

**August 23, 2017      11:00 AM      Motion to Stay**

**HEARD BY:** Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Capucine Holmes, Plaintiff, not present  
Wilbert Holmes, Defendant, not present

James Fontano, Attorney, not present  
Pro Se

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

- Per Judge Hughes

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

This matter came on for hearing on the Court's in chambers calendar on August 23, 2017 for Defendant's Motion to Stay.

This Court has read and considered the current underlying pleadings in this matter.

Defendant has filed an Appeal of the final Decree of Divorce in this matter and applied to the District Court for a stay of the Decree of Divorce pending the appeal. Defendant's Motion for Stay is devoid of legal authorities and any factual basis. Any motion filed without points and authorities is subject to being denied pursuant to EDCR 2.20(c). A party filing a motion must also serve and file with it a memorandum of points and authorities in support of each ground thereof. The absence of such memorandum may be construed as an admission that the motion is not meritorious, as cause for its

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denial or as a waiver of all grounds not so supported.

Further, Defendant has not filed a supersedeas bond. Defendant's Motion to Stay is therefore denied.

NRCP 62 (d) Stay Upon Appeal. When an appeal is taken the appellant by giving a supersedeas bond may obtain a stay subject to the exceptions contained in subdivision (a) of this rule. The bond may be given at or after the time of filing the notice of appeal. The stay is effective when the supersedeas bond is filed.

Clerk's note, a copy, of today's minute order, was mailed to the Parties, at the addresses, on file.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint**

**COURT MINUTES**

**October 03, 2017**

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D-15-523582-D      Capucine Yolanda Holmes, Plaintiff  
vs.  
Wilbert Roy Holmes, Defendant.

---

**October 03, 2017      3:39 PM      Minute Order**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:**

**COURT CLERK:** Dulce Romea

**PARTIES:**

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

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

- The Court reviewed the Ex Parte Motion for Order Shortening Time (OST) submitted for the Motion to Disqualify Judge filed 9/1/9/17. As it does not appear that the Motion or Amended Motion has been served on the judge as required by NRS 1.235(4) the Ex parte Motion is DENIED WITHOUT PREJUDICE.

CLERK'S NOTE: A copy of this minute order was distributed to:

Wilbert R. Holmes  
10550 Patrington Ct.  
Las Vegas, NV 89183

/ dr 10-4-17

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint**

**COURT MINUTES**

November 03, 2017

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D-15-523582-D      Capucine Yolanda Holmes, Plaintiff  
vs.  
Wilbert Roy Holmes, Defendant.

---

**November 03,      3:00 AM      Motion to Disqualify  
2017                                  Judge**

**HEARD BY:**    Gonzalez, Elizabeth

**COURTROOM:**    Chambers

**COURT CLERK:**    Dulce Romea

**PARTIES:**

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

<b>JOURNAL ENTRIES</b>
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- See order denying motion to disqualify.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint****COURT MINUTES**

November 20, 2017

D-15-523582-D      Capucine Yolanda Holmes, Plaintiff  
vs.  
Wilbert Roy Holmes, Defendant.

**November 20, 2017      1:30 PM      Minute Order**

**HEARD BY:** Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

<b>JOURNAL ENTRIES</b>
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- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

This Court has read and considered the current underlying pleadings in this matter.

The Defendant has failed to comply with EDCR 5.206 by failing to file proof of service for the Motion he filed on September 25, 2017.

Therefore, Defendant s Motion for Orders to Set Aside Order, Judgment, and/or Default scheduled for November 29, 2017, is taken off calendar for failure to serve.

Plaintiff s Motion for an Order to Show Cause and the Order to Show Cause hearing, scheduled for November 29, 2017, shall remain on calendar.

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Clerk's note, a copy, of today's minute order, was mailed, to the Defendant, at the address, on file and placed, in counsel's folder, at Family Court.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint****COURT MINUTES**

November 28, 2017

D-15-523582-D      Capucine Yolanda Holmes, Plaintiff  
vs.  
Wilbert Roy Holmes, Defendant.

**November 28, 2017      2:00 PM      Minute Order**

**HEARD BY:** Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

<b>JOURNAL ENTRIES</b>
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- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES

This matter having come before the Court on Plaintiff s Motion for an Order to Show Cause Why Defendant Should Not Be Held in Contempt, to Compel Compliance with Decree of Divorce, and for Award of Attorney s Fees and Costs filed on October 11, 2017 and on Plaintiff s Order to Show Cause, signed by the Court on October 18, 2017 and filed on October 20, 2017, set to be heard by the Court on November 29, 2017.

The Court finds that pursuant to NRCP 1 and EDCR 1.10, the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action.

The Court finds that subsequent to the Court signing off on Plaintiff s Order to Show Cause, the Court was unaware that the case was under appeal, as Defendant had erroneously filed a Notice of Appeal and a Case Appeal Statement under the District Court caption. The case was therefore not flagged as a case under appeal.

The Court was only notified that the case was under appeal when a Notice of Transfer to Court of Appeals was filed on October 19, 2017.

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The Court finds that a notice of appeal divests this Court of jurisdiction to act and vests the jurisdiction in the appellate court. Rust v. Clark Cty. School District, 103 Nev. 686, 688, 747 P.2d 1380, 1382 (1987).

As this case was appealed to the Court of Appeals and the District Court no longer has jurisdiction to hear this matter, the Court is hereby vacating the Order to Show Cause hearing and Plaintiff s Motion without prejudice.

The hearing set on November 29, 2017 is hereby vacated. Minute Order to suffice. JEA to mail/fax a copy of this Minute Order to the parties and/or their respective counsel.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint**

**COURT MINUTES**

June 29, 2018

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D-15-523582-D      Capucine Yolanda Holmes, Plaintiff  
vs.  
Wilbert Roy Holmes, Defendant.

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**June 29, 2018      3:00 AM      Motion to Disqualify  
Judge**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** Chambers

**COURT CLERK:** Dulce Romea

**PARTIES:**

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

<b>JOURNAL ENTRIES</b>
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- The Court has reviewed the latest Motion to Disqualify filed by Defendant in this matter. As the Motion was not served upon the Judge, the matter is DENIED WITHOUT PREJUDICE to refile and serve in accordance with NRS 1.235(4).

CLERK'S NOTE: A copy of this minute order was mailed to:

Wilbert Holmes  
10550 Patrington Ct.  
Las Vegas, NV 89183  
Defendant in Pro Se

Capucine Holmes  
637 Twilight Blue Avenue  
North Las Vegas, NV 89032  
Plaintiff

James A. Fontano, Esq.  
5135 Camino al Norte, Suite 273

PRINT DATE:	11/04/2019	Page 30 of 35	Minutes Date:	March 30, 2016
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

D-15-523582-D

North Las Vegas, NV 89031  
Counsel for Plaintiff

/ dr

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

PRINT DATE:	11/04/2019	Page 31 of 35	Minutes Date:	March 30, 2016
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint****COURT MINUTES****September 17, 2019**

D-15-523582-D      Capucine Yolanda Holmes, Plaintiff  
vs.  
Wilbert Roy Holmes, Defendant.

**September 17,      4:00 PM      Minute Order**  
**2019**

**HEARD BY:** Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Capucine Holmes, Plaintiff, not present  
Wilbert Holmes, Defendant, not present

James Fontano, Attorney, not present  
Pro Se

<b>JOURNAL ENTRIES</b>
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- Minute Order  
D-15-523582-D  
Holmes v Holmes

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

This Court has read and considered the current underlying pleadings in this matter. On August 19, 2019 Defendant filed a Motion for Rehearing. On August 20, 2019 Defendant filed an Amended Motion for Rehearing. Defendant filed a Certificate of Service indicating he had the Motions electronically served on August 16, 2019. As Defendant's Motions were not e-filed until August 20, 2019, Defendant's claimed date of service is deficient. Therefore the Motion hearing scheduled for September 24, 2019 is hereby vacated. Defendant may re-notice his Motion through the Clerk's Office to set this matter back on calendar. Case closed.

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

Clerk's note, a copy, of today's minute order was mailed, to Defendant and counsel, at the addresses, on file.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Complaint****COURT MINUTES****October 29, 2019**

D-15-523582-D      Capucine Yolanda Holmes, Plaintiff  
vs.  
Wilbert Roy Holmes, Defendant.

**October 29, 2019      1:30 PM      All Pending Motions**

**HEARD BY:** Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Capucine Holmes, Plaintiff, not present  
Wilbert Holmes, Defendant, present

James Fontano, Attorney, present  
Pro Se

<b>JOURNAL ENTRIES</b>
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- OPPOSITION TO MOTION FOR REHEARING...DEFT'S RE NOTICE OF MOTION FOR REHEARING

Defendant appeared TELEPHONICALLY.

Court inquired if the request for a rehearing is for the final decree, which Defendant said yes. Defendant stated there was an item that has not been recognized, on his behalf, in the divorce. Court discussed, the matter was taken up to the Court of Appeals and is on appeal; therefore, this Court no longer has jurisdiction.

Defendant stated he was informed the matter was sent back to District Court, to make a decision.

Court reviewed the case file. Further, addressed the matter was appealed and has been confirmed.

Defendant discussed Plaintiff signed off on a quick claim deed and signed off on any property rights. Defendant does not understand how Plaintiff can be awarded any equity in the property, when she has no rights to it. Plaintiff had to sign off before the house could be put under the Senior Citizen Home Equity Program. Defendant stated his argument is Plaintiff signed legal documents that Plaintiff does not have any equity then, or in the future, on that property.

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

Court addressed, it was recognized Defendant was the only title holder, at the time of trial and the Court heard evidence and testimony. Further, Plaintiff signed the quick claim deed because it was necessary for Defendant to be able to refinance the residence and get equity out of the property.

Court reviewed the trial notes.

COURT FOUND, the motion is legally deficient, has no legal or factual basis, it has been appealed and affirmed, by the Supreme Court.

COURT ORDERED:

1. As Defendant's MOTION is LEGALLY DEFICIENT the MOTION shall be DENIED.
2. Attorney Fontano shall FILE a MEMORANDUM of FEES and COSTS, for THIS HEARING, which INCLUDES the BRUNZELL FACTORS, within the next 10 days. Upon RECEIPT, Defendant shall have 10 days to FILE a RESPONSE. COURTESY COPIES shall be PROVIDED, to the DEPARTMENT.

Attorney Fontano to prepare an Order, from today's hearing. CASE CLOSED.

Clerk's note, as Defendant was being disruptive and over talking the Court, the Court lowered the volume of Defendant speaking, so the Court could make findings and the order, without interruptions.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

PRINT DATE:	11/04/2019	Page 35 of 35	Minutes Date:	March 30, 2016
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**



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I intend to introduce the following exhibits at trial:

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APMEM

Marsha Kimble Simms, Esq.  
Nevada Bar No. 008530  
The Simms Law Firm, LLC  
2560 W. Brooks Ave., Suite 101  
North Las Vegas, Nevada 89032  
(702) 333-1449 (O), 702-644-0457 (F)  
simmslawfirm@aol.com  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

CAPUCINE YOLANDA HOLMES,

Plaintiff,

vs.

WILBERT ROY HOLMES,

Defendant.

CASE NO.: D-15-523582-D

DEPT NO.: J

AMENDED PRE-TRIAL MEMORANDUM

The plaintiff's Pretrial Memorandum is amended as follows:

1. Six additional exhibits are added to the list of exhibits.

V. LIST OF EXHIBITS

- |                                     |  |   |  |  |
|-------------------------------------|--|---|--|--|
| <input checked="" type="checkbox"/> | Exhibit P. Henderson Police Department Incident Report 6/9/2016                                |   |  |  |
| <input checked="" type="checkbox"/> | 17. Exhibit Q. Lien on Property of Creditor William H. George Case No.: A-15-722160-F          | X |  |  |
| <input checked="" type="checkbox"/> | 18. Exhibit R. Lien on Property HOA violation failure to use Property single family uses only. | X |  |  |
| <input checked="" type="checkbox"/> | 19. Exhibit S. Affidavit of Capucine Holmes to Chief Judge Tyrell.                             | X |  |  |
| <input checked="" type="checkbox"/> | 20. Exhibit T. Response to Letter to San Rafeal HOA  | X |  |  |
| <input checked="" type="checkbox"/> | Exhibit U. Advertisement for listing of home for rent.   |   |  |  |

DATED: January 5, 2017

Submitted by: 

~~21. FDE~~

~~23. Justin Wadinger report~~

## EXHIBITS

CASE NO D-15-523582-1

**ADMITTED**

**OFFERED**[illegible]

D15 523 582D

# IX. LIST OF EXHIBITS

I intend to introduce the following exhibits at trial:

1. ~~EXHIBIT A~~ My proposed distribution of property and debts is attached as
2. ~~EXHIBIT B~~ Recorded deeds and documents showing ownership in real property
3. ~~EXHIBIT C~~ Letter document showing reverse mortgage required release from plaintiff
4. ~~EXHIBIT D~~ Court required certified property appraisals
5. ~~EXHIBIT E~~ Violated fiduciary duties and immoral actions resulting in financial loss and hardship
6. ~~EXHIBIT F~~ see exhibit E documents..also
7. ~~EXHIBIT G~~ Detail from IED case filed in NLV court
8. ~~EXHIBIT H~~ Letter from Nevada Legal Aid Center

OFFERED	OBJECTION	ADMITTED

# X. UNUSUAL ISSUES TO BE PRESENTED AT TRIAL

The following unusual legal or factual issues may be presented at trial: \_\_\_\_\_

These would be Exhibits E and F showing "some of !" the plaintiffs adulterous extramarital affairs and activities that factually date back to 2004. These "bisexual affairs" and events has caused marital discourse and financial and mental stress upon myself. Thusly the true reason for the dissolution of a happy marriage.

EXHIBIT ~~A~~ 7/3/02 APPRAISAL  
11 ✓ C2 6/5/14 APPRAISAL

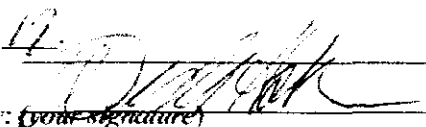
X	X	
X	X	1/10/17

# XI. LENGTH OF TRIAL

This trial should take approximately \_\_\_\_ 1 \_\_\_\_ x ☒ hours / ☐

days.

DATED January 2, 2017 . 2017

Submitted By: 

(print your name)

WILBERT R. HOLMES

Defendant's

## EXHIBITS

CASE NO D-15-523582-0

**ADMITTED**

OFFERED

[illegible]



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

**WILBERT R. HOLMES**  
**240 E. SILVERADO RANCH BLVD.**  
**LAS VEGAS, NV 89183**

**DATE: November 4, 2019**  
**CASE: D-15-523582-D**

**RE CASE:** CAPUCINE YOLANDA HOLMES vs. WILBERT ROY HOLMES

NOTICE OF APPEAL FILED: October 30, 2019

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

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

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

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

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

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

---

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

# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT  
DOCKET ENTRIES; CIVIL COVER SHEET; DISTRICT COURT MINUTES; EXHIBITS LIST;  
NOTICE OF DEFICIENCY

CAPUCINE YOLANDA HOLMES,

Plaintiff(s),

vs.

WILBERT ROY HOLMES,

Defendant(s),

Case No: D-15-523582-D

Dept No: J

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 4 day of November 2019.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk