



1 NOA

2 ALISSA A. COOLEY, ESQ.

3 Nevada Bar No. 13467

4 LAW OFFICES OF MARTIN HART, LLC

5 526 South 7th Street

6 Las Vegas, NV 89101

7 Telephone: (702) 380-4278

8 Facsimile: (702) 384-6006

9 associate@martinhartlaw.com

10 Attorney for Lucia Aguilar Aguilar

11 DISTRICT COURT  
12 CLARK COUNTY, NEVADA

13 In the matter of the Guardianship of,  
14 the person:

15 Bryan Ariel Aguilar Rivas

16 DOB: 07/31/2001

17 A protected minor.

Case No: G-19-051011-M

Dept. No: M

18 NOTICE OF APPEAL

19 Notice is hereby given that Petitioner, LUCIA AGUILAR AGUILAR, appeals to the  
20 Supreme Court of Nevada from the Findings of Fact and Conclusions of Law filed on the 28th  
21 day of March, 2019.

22 DATED this 11<sup>th</sup> day of April, 2019.

LAW OFFICES OF MARTIN HART, LLC

23 By:

24 ALISSA A. COOLEY, ESQ.

25 Nevada Bar No. 13467

26 526 South 7th Street

27 Las Vegas, NV 89101

**CERTIFICATE OF SERVICE**

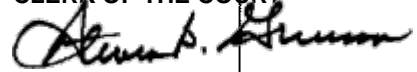
I hereby certify that a true and accurate copy of the foregoing NOTICE OF APPEAL was served on this 17<sup>th</sup> day of April, 2019, via U.S. mail to the following:

Jesus Vidal Aguilar  
3311 Fico Avenue  
Las Vegas, NV 89141

Maria Marta Rivas  
Caserio Los Rivas  
Canton Llano Largo  
Jutiapa, Cabañas  
El Salvador



Employee of Law Offices of Martin Hart, LLC



ASTA

ALISSA A. COOLEY, ESQ.

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Las Vegas, NV 89101

Telephone: (702) 380-4278

Facsimile: (702) 384-6006

associate@martinhartlaw.com

*Attorney for Lucia Aguilar Aguilar*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

In the matter of the Guardianship of,  
the person:

Bryan Ariel Aguilar Rivas

DOB: 07/31/2001

A protected minor.

Case No: G-19-051011-M

Dept. No: M

1. Name of appellant filing this case appeal statement: Lucia Aguilar Aguilar.
2. Identify the judge issuing the decision, judgment, or order appealed from:  
  
Judge William Potter.
3. Identify each appellant and the name and address of counsel for each appellant:

LUCIA AGUILAR AGUILAR

Alissa A. Cooley, Esq.

Nevada Bar #013467

526 South 7th Street

Las Vegas, Nevada 89101

Telephone: (702) 380-4278

Facsimile: (702) 384-6006

associate@martinhartlaw.com

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

1 JESUS VIDAL AGUILAR

2 Current Counsel unknown. Party is the father of the protected minor and did not  
3 respond to the Petition or appear at the hearings.

4 MARIA MARTA RIVAS

5 Current Counsel unknown. Party is the mother of the protected minor and did not  
6 respond to the Petition or appear at the hearings.

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

11 6. Indicate whether appellant is represented by appointed or retained counsel in the  
12 district court:

13 Retained.

14 7. Indicate whether appellant is represented by appointed or retained counsel on appeal:

15 Retained, low bono.

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

18 Appellant was not granted leave to proceed in forma pauperis. She will pay filing  
19 fees, bond, and costs in this Appeal.

20 9. Indicate the date the proceedings commenced in the district court (e.g., date  
21 complaint, indictment, information, or petition was filed):

22 01/10/2019

23 Petition for Appointment of Guardian of the Person, Minor

24 Case No. G-19-051011-M

25 10. Provide a brief description of the nature of the action and result in the district court,  
26 including type of judgment or order being appealed and the relief granted by the district court:  
27  
28

1 This appeal arises from Findings of Fact and Conclusions of Law filed on March 28,  
2 2019 by the district court denying a Motion for Findings on the Issue of Special Immigrant  
3 Juvenile Status. On January 10, 2019, Appellant filed a Petition for the Appointment of  
4 Guardian of the Person for her minor nephew and served the Petition on the relatives within the  
5 second degree of consanguinity. No interested party objected to the Petition, either in writing or  
6 in person at any of the hearings in this matter. The initial hearing on the Petition was scheduled  
7 for January 30, 2019. The district court denied the Petition because the court did not yet have  
8 jurisdiction over the proposed protected minor. Appellant re-filed the Petition and had a second  
9 hearing on March 27, 2019. Appellant contemporaneously filed a Motion for Findings on the  
10 Issue of Special Immigrant Juvenile Status pursuant to Nev. Rev. Stat. § 3.0223 and two  
11 declarations in support thereof. The clerk set the hearing on the Motion for the same day. At  
12 the hearing on March 27, 2019, without appearance of any other interested parties, the district  
13 court granted the Petition and appointed Appellant as guardian of the person over her nephew.  
14

15 Appellant and her nephew were prepared to offer testimony at the hearing, however,  
16 the district court did not permit them. The district court ignored Appellant's arguments  
17 regarding negligent treatment, instead stating that there was insufficient evidence for abuse or  
18 abandonment. The district court further opined it did not believe that it had the jurisdiction to  
19 find make the findings considering the incidents did not occur in Nevada. In a written order  
20 filed the following day, the district court denied the motion for SIJS findings on the ground  
21 Appellant did not provide sufficient evidence of abuse "as the sole purveyor of said abuse no  
22 longer resides in the household." The Appellant argued the abuse of his sister by his mother's  
23 live-in boyfriend and subsequent threats to kill the protected minor constituted negligent  
24 treatment by his mother because she knew about the abuse and threats yet did nothing to protect  
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1 her children. The district court also dismissed the claim of neglect based on the protected  
2 minor's frequent hunger, his dropping out of school, and growing corn to have enough to eat as  
3 mere poverty that does not rise to the level of neglect. The district court found no abandonment  
4 by either parent, despite Appellant not arguing there was abandonment, and that the "allegations  
5 of poverty are insufficient, without greater detail, to support a finding of neglect." This appeal  
6 follows.  
7

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

12 N/A.

13 12. Indicate whether this appeal involves child custody or visitation:  
14

15 N/A

16 13. If this is a civil case, indicate whether this appeal involves the possibility of  
17 settlement:  
18

19 Interested parties who did not consent to the appointment of guardian did not file an  
20 objection, respond to the Motion, or otherwise appear at the hearings in this matter. Thus, this  
21 case does not involve the possibility of a settlement.

22 DATED this 17<sup>th</sup> day of April, 2019.

23 Respectfully submitted,

24 LAW OFFICES OF MARTIN HART LLC

25 By:

26 ALISSA A. COOLEY, ESQ.

27 Nevada Bar #013467

28 526 South 7th Street

Las Vegas, NV 89101

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing CASE APPEAL  
STATEMENT was served on this 17th day of April, 2019, via U.S. mail to the following:

Jesus Vidal Aguilar  
3311 Fico Avenue  
Las Vegas, NV 89141

Maria Marta Rivas  
Caserio Los Rivas  
Canton Llano Largo  
Jutiapa, Cabañas  
El Salvador

  
\_\_\_\_\_  
Employee of Law Offices of Martin Hart, LLC

# CASE SUMMARY

## CASE NO. G-19-051011-M

In the Matter of the Guardianship of:  
Bryan A Aguilar Rivas, Protected Minor(s)

§  
§  
§  
§

Location: **Department M**  
Judicial Officer: **Potter, William**  
Filed on: **01/10/2019**

### CASE INFORMATION

#### Statistical Closures

03/27/2019 Settled/Withdrawn With Judicial Conference or Hearing

Case Type: **Guardianship of Minor**

Subtype: **Person Only - Minor**

Case Status: **03/27/2019 Adjudicated**

### DATE

### CASE ASSIGNMENT

#### Current Case Assignment

Case Number G-19-051011-M  
Court Department M  
Date Assigned 01/10/2019  
Judicial Officer Potter, William







### PARTY INFORMATION

<b>Petitioner</b>	<b>Aguilar Aguilar, Lucia</b> 8157 Chambersberg Street las Vegas, NV 89140	<i>Attorneys</i> <b>Cooley, Alissa A, ESQ</b> <i>Retained</i> 702-380-4278(W)
<b>Protected Person</b>	<b>Aguilar Rivas, Bryan A</b> 8157 Chambersberg Stret Las vegas, NV 89147	
<b>Guardian of Person</b>	<b>Aguilar Aguilar, Lucia</b> 8157 Chambersberg Street las Vegas, NV 89140	<b>Cooley, Alissa A, ESQ</b> <i>Retained</i> 702-380-4278(W)

### DATE

### EVENTS & ORDERS OF THE COURT

#### EVENTS

01/10/2019	 Petition for Appointment of General Guardian <i>Petition for Appointment of Guardian (Special Immigrant Juvenile Findings to br Requested)</i>
01/10/2019	 Consent Filed By: Guardian of Person Aguilar Aguilar, Lucia <i>Consent and Waiver</i>
01/10/2019	 Consent Filed By: Guardian of Person Aguilar Aguilar, Lucia <i>Consent and Waiver</i>
01/10/2019	 Consent Filed By: Guardian of Person Aguilar Aguilar, Lucia <i>Consent and Waiver</i>
01/10/2019	 Consent Filed By: Guardian of Person Aguilar Aguilar, Lucia <i>Consent and Waiver</i>
01/10/2019	 Consent Filed By: Guardian of Person Aguilar Aguilar, Lucia



**CASE SUMMARY**  
**CASE NO. G-19-051011-M**

*Consent and Waiver*

01/10/2019



Consent

Filed By: Guardian of Person Aguilar Aguilar, Lucia  
*Consent and Waiver*

01/10/2019



Confidential Information Sheet - Guardianship

Filed by: Guardian of Person Aguilar Aguilar, Lucia  
*Confidential Information Sheet*

01/10/2019



Citation

Filed By: Attorney Cooley, Alissa A, ESQ  
*Citation*

01/23/2019



Certificate of Mailing

Filed By: Guardian of Person Aguilar Aguilar, Lucia  
*Certificate of Mailing*

02/27/2019



Petition for Appointment of General Guardian

Filed by: Guardian of Person Aguilar Aguilar, Lucia  
*Petition for Appointment of General Guardian (Special Immigrant Juvenile Findings to be Requested)*

02/27/2019



Declaration

Filed By: Guardian of Person Aguilar Aguilar, Lucia  
*Declaration of Lucia Aguilar in Support of Motion for finding on the Issue of Immigrant Juvenile Status*

02/27/2019



Declaration

Filed By: Guardian of Person Aguilar Aguilar, Lucia  
*Declaration of Bryan Ariel Aguilar in Support of Motion for finding on the Issue of Immigrant Juvenile Status*

02/27/2019



Citation to Appear and Show Cause

Filed By: Guardian of Person Aguilar Aguilar, Lucia  
*Citation to Appear and Show Cause*

02/27/2019



Motion

Filed By: Guardian of Person Aguilar Aguilar, Lucia  
Party 2: Protected Person Aguilar Rivas, Bryan A  
*Motion for finding on the Issue of Immigrant Juvenile Status*

03/21/2019



Certificate of Mailing

Filed By: Guardian of Person Aguilar Aguilar, Lucia  
*Certificate of Mailing*

03/27/2019



Order Appointing General Guardian - Person Only

*Order Appointing Guardian*

03/27/2019



Guardian's Acknowledgment of Duties

*Guardian's Acknowledgement of Duties and Responsibilites Under NRS 159*

03/27/2019



Notice of Entry of Order

*Notice of Enrty of Order*

03/28/2019



Findings of Fact, Conclusions of Law and Judgment

*Findings of Fact, Conclusions of Law*

03/28/2019



Notice of Entry of Order

*Notice of Entry of Order*

03/28/2019



Certificate of Mailing

*Certificate of Mailing*

03/28/2019



Letters of General Guardianship

Filed by: Guardian of Person Aguilar Aguilar, Lucia  
*General Letters of Guardianship*

**CASE SUMMARY**  
**CASE NO. G-19-051011-M**

04/17/2019



Notice of Appeal

Filed By: Guardian of Person Aguilar Aguilar, Lucia

*Notice of Appeal*

04/17/2019



Case Appeal Statement

Filed By: Guardian of Person Aguilar Aguilar, Lucia

*Case Appeal Statement*

**HEARINGS**

01/30/2019



**Citation (10:00 AM)** (Judicial Officer: Potter, William)

Events: 01/10/2019 Citation

*Petitioner's Citation on Petition for Appointment of Guardian(Minor)*

**MINUTES**



Citation

Filed By: Attorney Cooley, Alissa A, ESQ

*Citation*

Denied;

Journal Entry Details:

*CITATION TO APPEAR AND SHOW CAUSE REGARDING PETITION FOR APPOINTMENT OF GUARDIAN Court Interpreter, Michelle Roth, present on behalf of Proposed Protected Minor and Petitioner. Discussion regarding lack of subject matter jurisdiction based on Proposed Protected Minor not residing in Nevada for at least six months, possible temporary guardianship, and affidavits from Proposed Protected Minor and Petitioner that lay out the facts. COURT ORDERED, Petition for Appointment of Guardian shall be DENIED. Attorney Cooley may file a new petition in this case once Proposed Protected Minor has resided in Nevada for at least six months and renew the service. Attorney Cooley may effectuate service via regular mail.;*

*Denied*

03/27/2019

**Citation (9:00 AM)** (Judicial Officer: Potter, William)

Events: 02/27/2019 Citation to Appear and Show Cause

*Citation to Appear and Show Cause*

Approved and Granted;

*Approved and Granted*

03/27/2019

**Motion (9:00 AM)** (Judicial Officer: Potter, William)

Events: 02/27/2019 Motion

*Motion for finding on the Issue of Immigrant Juvenile Status*

**MINUTES**



Motion

Filed By: Guardian of Person Aguilar Aguilar, Lucia

Party 2: Protected Person Aguilar Rivas, Bryan A

*Motion for finding on the Issue of Immigrant Juvenile Status*

Decision Made; 3/28/19 Decision

*Decision Made*

03/27/2019



**All Pending Motions (9:00 AM)** (Judicial Officer: Potter, William)

Matter Heard;

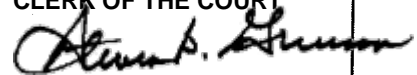
Journal Entry Details:

*CITATION TO APPEAR AND SHOW CAUSE REGARDING PETITION FOR APPOINTMENT OF GUARDIAN...MOTION FOR SPECIAL FINDINGS ON THE ISSUE OF IMMIGRANT JUVENILE STATUS Court Interpreter, Patricia Tejeda, present on behalf of Proposed Protected Minor and Petitioner. Court noted the appearance of Proposed Protected Minor. Court canvassed Proposed Protected Minor. Court further noted Attorney Cooley should look through the statutes to make sure she is familiar with the new statutes and the statutes require the orders for appointment of guardianship include additional information, such as names and addresses of the people who are required to be served in the second degree of consanguinity. Further, Court noted all of the Special Immigrant Juvenile (SIJ) orders are required to be met under state law and it was not sure what theory she was advancing the petition under. Attorney Cooley represented Proposed Protected Minor was not abused directly, his sister was abused directly and his mother allowed the abuse to continue, he never saw the boyfriend abuse the mother aside from pushing; however, he did witness his mother's boyfriend abuse his sister several times by grabbing her and throwing her around. Attorney Cooley further represented the abuse took place in the family home, but not in the jurisdiction here. There being no objection, COURT ORDERED, Order Appointing Guardian shall be APPROVED and GRANTED. Order EXECUTED IN OPEN COURT and returned to Attorney Cooley for filing. Motion for Special Findings on the Issue of Immigrant Juvenile Status*

**CASE SUMMARY**

**CASE No. G-19-051011-M**

*taken UNDER ADVISEMENT. CASE ADJUDICATED.;*  
*Matter Heard*



DISTRICT COURT

CLARK COUNTY, NEVADA

\* \* \* \* \*

In the Matter of the Guardians of:	)	Case No. G-19-051011-M
	)	Dept. No. M
BRYAN A. AGUILAR RIVAS,	)	
	)	Hearing Date: 3/27/19
Protected Minor.	)	Hearing Time: 9:00 a.m.

**FINDINGS OF FACTS, CONCLUSIONS OF LAW**

The Petitioner herein has requested the Court to make specific findings to support a Petition for Special Immigrant Juvenile status. The petition alleges the minor cannot be reunified with his mother due to abuse. Said abuse came through the mother's boyfriend, Jose. The allegations are that Jose continuously fought with the mother, including some pushing that was observed by the subject minor; and that there was physical abuse (pushing and throwing around) of the subject minor's younger sister; and there were threats of violence made against the subject minor. The declaration of the subject minor states that the abuser, Jose, separated from the mother in November 2017, which appears to be well before the time when the subject minor left his mother's home about June 2018.

NRS 3.2203(3) allows the court to make a determination that:

(b) The reunification of the child with one or both of his or her parents was determined not to be viable because of abandonment, abuse or neglect or a similar basis under the laws of this State; and

(c) It is not in the best interests of the child to be returned to the previous country of nationality or last habitual residence of the child or his or her parents.

**VILLIAM S. POTTER**  
DISTRICT JUDGE

FAMILY DIVISION, DEPT. M  
LAS VEGAS NV 89101-2408

1 The Allegations set forth in the Motion and the declarations seem to emphasize the  
2 abuse of Jose and the mother's inadequate response. However, it is clear that Jose was out  
3 of the home by the time the subject minor left. There are other allegations made in the  
4 Motion that are not very well developed or articulated in the Declarations in support thereof,  
5 mostly related to poverty; along with the obligatory threats from a local gang.  
6

7 The Court finds insufficient factual support for a finding that reunification is not  
8 viable due to abuse, as the sole purveyor of said abuse no longer resides in the household.  
9

10 The Court finds that there has been no abandonment by either parent.

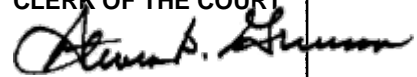
11 The Court finds that the allegations of poverty are insufficient, without greater  
12 detail<sup>1</sup>, to support a finding of neglect.

13 IT IS THEREFORE ORDERED that the petition for Special Immigrant Juvenile  
14 Status Findings (titled as a motion) is hereby denied without prejudice.

15 DATED this 28th day of March, 2019.

16   
17 \_\_\_\_\_  
18 DISTRICT COURT JUDGE  
19  
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26 \_\_\_\_\_  
27 <sup>1</sup> This Court would require very specific and detailed history of neglect if the sole basis for such neglect is a  
28 parent's poverty. While lack of financial resources may be sufficient to temporarily remove a child from a  
parent it is never a sufficient basis to terminate the relationship; or in other words, to find that reunification  
is not viable.



1 NEOJ

2  
3 **DISTRICT COURT**  
4 **CLARK COUNTY, NEVADA**

\*\*\*

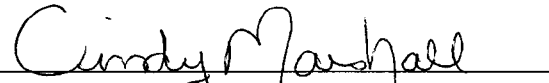
5 In the Matter of the Guardianship of:  
6 Bryan A Aguilar Rivas, Protected  
Minor(s)

Case No.: G-19-051011-M  
Department M

7 **NOTICE OF ENTRY OF ORDER**

8 Please take notice that the Findings of Facts, Conclusions of Law was entered in  
9 the foregoing action on the 28th day of March, 2019 and the following is a true  
10 and correct copy thereof.  
11

12 Dated: This 28th day of March, 2019.

13   
14 Judicial Executive Assistant  
15 Department M

16 **CERTIFICATE OF SERVICE**

17 I hereby certify that on or about the above file stamp date, a copy of the  
foregoing Notice of Entry of Order was:

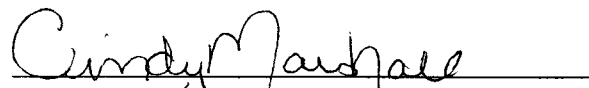
18 ☒ E-served pursuant to NEFCR 9 or placed in the folder of counsel maintained in  
the Office of the Clerk of Court.

19 **Alissa A Cooley, ESQ**

20 ☒ E-served pursuant to NEFCR 9, or mailed, via first-class mail, postage fully  
prepaid, to:

21 **Jesus Vidal Aguilar**  
22 **3311 Fico Ave.**  
**Las Vegas, NV 89141**

23 **Maria Marta Rivas**  
24 **Jutiapa, Cabanas**  
25 **El Salvador**

26   
27 Judicial Executive Assistant  
28 Department M



DISTRICT COURT

CLARK COUNTY, NEVADA

\*\*\*\*\*

In the Matter of the Guardians of:	)	Case No. G-19-051011-M
	)	Dept. No. M
BRYAN A. AGUILAR RIVAS,	)	
	)	Hearing Date: 3/27/19
Protected Minor.	)	Hearing Time: 9:00 a.m.

**FINDINGS OF FACTS, CONCLUSIONS OF LAW**

The Petitioner herein has requested the Court to make specific findings to support a Petition for Special Immigrant Juvenile status. The petition alleges the minor cannot be reunified with his mother due to abuse. Said abuse came through the mother's boyfriend, Jose. The allegations are that Jose continuously fought with the mother, including some pushing that was observed by the subject minor; and that there was physical abuse (pushing and throwing around) of the subject minor's younger sister; and there were threats of violence made against the subject minor. The declaration of the subject minor states that the abuser, Jose, separated from the mother in November 2017, which appears to be well before the time when the subject minor left his mother's home about June 2018.

NRS 3.2203(3) allows the court to make a determination that:

(b) The reunification of the child with one or both of his or her parents was determined not to be viable because of abandonment, abuse or neglect or a similar basis under the laws of this State; and

(c) It is not in the best interests of the child to be returned to the previous country of nationality or last habitual residence of the child or his or her parents.

**WILLIAM S. POTTER**  
DISTRICT JUDGE

FAMILY DIVISION, DEPT. M  
LAS VEGAS NV 89101-2408

1 The Allegations set forth in the Motion and the declarations seem to emphasize the  
2 abuse of Jose and the mother's inadequate response. However, it is clear that Jose was out  
3 of the home by the time the subject minor left. There are other allegations made in the  
4 Motion that are not very well developed or articulated in the Declarations in support thereof,  
5 mostly related to poverty; along with the obligatory threats from a local gang.  
6

7 The Court finds insufficient factual support for a finding that reunification is not  
8 viable due to abuse, as the sole purveyor of said abuse no longer resides in the household.  
9

10 The Court finds that there has been no abandonment by either parent.

11 The Court finds that the allegations of poverty are insufficient, without greater  
12 detail<sup>1</sup>, to support a finding of neglect.

13 IT IS THEREFORE ORDERED that the petition for Special Immigrant Juvenile  
14 Status Findings (titled as a motion) is hereby denied without prejudice.

15 DATED this 28th day of March, 2019.

16   
17 \_\_\_\_\_  
18 DISTRICT COURT JUDGE  
19  
20  
21  
22  
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25

26 \_\_\_\_\_  
27 <sup>1</sup> This Court would require very specific and detailed history of neglect if the sole basis for such neglect is a  
28 parent's poverty. While lack of financial resources may be sufficient to temporarily remove a child from a  
parent it is never a sufficient basis to terminate the relationship; or in other words, to find that reunification  
is not viable.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Guardianship of Minor**

**COURT MINUTES**

**January 30, 2019**

G-19-051011-M

In the Matter of the Guardianship of:  
Bryan A Aguilar Rivas, Protected Minor(s)

**January 30, 2019**

**10:00 AM**

**Citation**

**HEARD BY:** Potter, William

**COURTROOM:** RJC Courtroom 10B

**COURT CLERK:** Ashley Gonzales

**PARTIES:**

Bryan Aguilar Rivas, Protected Person, present

Lucia Aguilar Aguilar, Petitioner, present

Alissa Cooley, Attorney, present

**JOURNAL ENTRIES**

- CITATION TO APPEAR AND SHOW CAUSE REGARDING PETITION FOR APPOINTMENT OF GUARDIAN

Court Interpreter, Michelle Roth, present on behalf of Proposed Protected Minor and Petitioner.

Discussion regarding lack of subject matter jurisdiction based on Proposed Protected Minor not residing in Nevada for at least six months, possible temporary guardianship, and affidavits from Proposed Protected Minor and Petitioner that lay out the facts.

COURT ORDERED, Petition for Appointment of Guardian shall be DENIED.

Attorney Cooley may file a new petition in this case once Proposed Protected Minor has resided in Nevada for at least six months and renew the service. Attorney Cooley may effectuate service via regular mail.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

PRINT DATE:	04/19/2019	Page 1 of 3	Minutes Date:	January 30, 2019
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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**

**Guardianship of Minor**

**COURT MINUTES**

**March 27, 2019**

G-19-051011-M      In the Matter of the Guardianship of:  
Bryan A Aguilar Rivas, Protected Minor(s)

**March 27, 2019      9:00 AM      All Pending Motions**

**HEARD BY:** Potter, William

**COURTROOM:** RJC Courtroom 10B

**COURT CLERK:** Ashley Gonzales

**PARTIES:**

Bryan Aguilar Rivas, Protected Person, present

Lucia Aguilar Aguilar, Petitioner, present

Alissa Cooley, Attorney, present

**JOURNAL ENTRIES**

- CITATION TO APPEAR AND SHOW CAUSE REGARDING PETITION FOR APPOINTMENT OF GUARDIAN...MOTION FOR SPECIAL FINDINGS ON THE ISSUE OF IMMIGRANT JUVENILE STATUS

Court Interpreter, Patricia Tejeda, present on behalf of Proposed Protected Minor and Petitioner.

Court noted the appearance of Proposed Protected Minor.

Court canvassed Proposed Protected Minor.

Court further noted Attorney Cooley should look through the statutes to make sure she is familiar with the new statutes and the statutes require the orders for appointment of guardianship include additional information, such as names and addresses of the people who are required to be served in the second degree of consanguinity. Further, Court noted all of the Special Immigrant Juvenile (SIJ) orders are required to be met under state law and it was not sure what theory she was advancing the petition under.

Attorney Cooley represented Proposed Protected Minor was not abused directly, his sister was abused directly and his mother allowed the abuse to continue, he never saw the boyfriend abuse the mother aside from pushing; however, he did witness his mother's boyfriend abuse his sister several

PRINT DATE:	04/19/2019	Page 2 of 3	Minutes Date:	January 30, 2019
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

times by grabbing her and throwing her around. Attorney Cooley further represented the abuse took place in the family home, but not in the jurisdiction here.

There being no objection, COURT ORDERED, Order Appointing Guardian shall be APPROVED and GRANTED. Order EXECUTED IN OPEN COURT and returned to Attorney Cooley for filing.

Motion for Special Findings on the Issue of Immigrant Juvenile Status taken UNDER ADVISEMENT.

CASE ADJUDICATED.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

PRINT DATE:	04/19/2019	Page 3 of 3	Minutes Date:	January 30, 2019
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**



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

**ALISSA A. COOLEY, ESQ.**  
**526 S. 7<sup>TH</sup> ST.**  
**LAS VEGAS, NV 89101**

**DATE: April 19, 2019**  
**CASE: G-19-051011-M**

**RE CASE:** In the Matter of the Guardianship of: BRYAN A. AGUILAR RIVAS, Protected Minor(s)

NOTICE OF APPEAL FILED: April 17, 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.*

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

# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT  
DOCKET ENTRIES; FINDINGS OF FACTS, CONCLUSIONS OF LAW; NOTICE OF ENTRY OF  
ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

In the Matter of the Guardianship of:

BRYAN A. AGUILAR RIVAS,

Protected Minor(s)

Case No: G-19-051011-M

Dept No: M

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 19 day of April 2019.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk