

MAR 27 2020

Deputy Clerk

Electronically Filed
Apr 02 2020 01:48 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

NOTICE OF CROSS-APPEAL
TWYLA MARIE STANTON
7088 Los Banderos Avenue
Las Vegas, Nevada 89179-1207
Telephone (702) 764-4692
twylamstanton24@gmail.com
In Proper Person

**IN THE FIFTH JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA, IN AND FOR THE COUNTY OF NYE**

TWYLA MARIE STANTON,
AN INDIVIDUAL;
First Joint Petitioner/Plaintiff,
And
DENNIS VINCENT STANTON
AN INDIVIDUAL;
Second Joint Petitioner/Defendant.

Case No.: **CV-39304**

Dept. No.: **2**

NOTICE OF CROSS-APPEAL

NOTICE IS HEREBY GIVEN that Twyla Marie Stanton, the First Joint Petitioner/Plaintiff in Case No. CV-39304, by and through in proper person, hereby appeals to The Supreme Court of The State of Nevada the Findings of Fact, Conclusions of Law, The Order of the Dismissing of the Amended Joint Petition for Divorce with Prejudice *in my absence*, The Order of Setting Aside the New Decree of Divorce *in my absence*, and The Improper Monetary Award of Attorney's Fees to be paid to the Un-Registered Ex-Temporary Co-Guardians in the Form of Sanctions under NRCP Rule 11 *in my absence* entered in this action on March 20, 2019, which was the date of the Notice of Entry of Order. A tolling Motion for Reconsideration was timely filed in the district court on April 15, 2019. February 28, 2020 is the date that the district court entered the order resolving the tolling motion.

DATED this 27th day of March, 2020.

TWYLA MARIE STANTON



TWYLA MARIE STANTON

7088 Los Banderos Avenue
Las Vegas, Nevada 89179-1207
Telephone (702) 764-4692
twylamstanton24@gmail.com
In Proper Person

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FILED
FIFTH JUDICIAL DISTRICT

MAR 30 2020

Nye County Clerk
Deputy

Case No. CV39304

Dept. No. 2

IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF NYE

TWYLA MARIE STANTON,
Appellant,

vs.

THE STATE OF NEVADA
Respondent,

CASE APPEAL STATEMENT

1. Name of the appellant filing the case appeal statement: **TWYLA MARIE STANTON.**

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

**This case has been assigned to the Honorable Robert W. Lane. The
appellant is appealing the Court Order, filed on February 28, 2020.**

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

**TWYLA MARIE STANTON is one of two Appellants (second is DENNIS VINCENT
STANTON), whose address is: 7088 Los Banderos Ave., Las Vegas, NV 89179-1202
and they are filing in Proper Person.**

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

known, for each respondent (if the name of the respondent's appellate
counsel is unknown, indicate as much and provide the name and address of the
respondent's trial counsel): **The State of Nevada is the Respondent. The
representative for the State of Nevada is the Nye County District Attorney.**

The address for the Nye County District Attorney is:

Nye County District Attorney

1 **1520 E. Basin Ave.**
2 **Pahrump, NV 89060**

3 **Appellant:**

4 **Twyla Marie Stanton**
5 **7088 Los Banderos Ave**
6 **Las Vegas, NV 89179**

- 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
9 granted that attorney permission to appear under SCR 42 (attach a copy of any district
10 court order granting such permission): **All attorneys are licensed to practice law in the**
11 **State of Nevada.**
- 12 6. Indicate whether appellant was represented by appointed or retained counsel in
13 the district court: **N/A co-petitioner was in proper person.**
- 14 7. Indicate whether appellant is represented by appointed or retained counsel on
15 appeal: **Appellant has not been appointed nor retained counsel.**
- 16 8. Indicate whether appellant was granted leave to proceed in forma pauperis, and
17 the date of entry of the district court order granting such leave: **The Appellant has not**
18 **filed an Application to Proceed in Forma Pauperis.**
- 19 9. Indicate the date the proceedings commenced in the district court (e.g., date complaint,
20 indictment, information, or petition was filed): **On May 17, 2018 a Joint Petition for**
21 **Summary Decree of Divorce was filed.**
- 22 10. Provide a brief description of the nature of the action and result in the district court,
23 including the type of judgment or order being appealed and the relief granted by the
24 district court: **The Appellant filed a Joint Petition for Summary Decree of Divorce**
25 **and a New Decree of Divorce was entered on June 7, 2018, then a Motion to Set**
 Aside the Decree was filed November 27, 2018.
11. Indicate whether the case has previously been the subject of an appeal to or original writ
 proceeding in the Supreme Court and, if so, the caption and Supreme Court docket

1 number of the prior proceeding: **The Appellant has previously filed a Notice of**
2 **Appeal, docket number 78617 date of filing: April 16, 2019.**

3 12. Indicate whether this appeal involves child custody or visitation: **N/A**

4 13. If this is a civil case, indicate whether this appeal involves the possibility of
5 Settlement: **N/A**

6 Dated this 30th day of March, 2020.

8 SANDRA L. MERLINO
9 NYE COUNTY CLERK

10 By: 

11 Juanita L. Torres, Deputy Clerk
12 Nye County Clerk's Office
13 1520 E. Basin Ave.
14 Pahrump, NV 89060
15 (775) 751-7040
16
17
18
19
20
21
22
23
24
25

Fifth Judicial District Court - Nye County
Case Summary

Run: 03/30/2020
13:38:39

Page 1

Case #: CV0039304
Judge: LANE, ROBERT W
Date Filed: 05/17/2018 **Department:**
Case Type: DIVORCE W/ CHILDREN

Petitioner	Attorney(s)
STANTON, DENNIS VINCENT	PROPER PERSON
Petitioner	
STANTON, TWYLA MARIE	PROPER PERSON

Hearings:

Date	Time	Hearing	Court Result
01/07/2019	9:00AM	MOTION TO SET ASIDE DECREE/DISMISS JOINT PET.	
06/10/2019	9:00AM	DEFT'S MOTION FOR RECONSIDERATION	
02/10/2020	9:00AM	40 ALL PENDING MOTIONS	

Filings:

Date	Filing
05/17/2018	REQUEST FOR SUMMARY DISPOSITION OF DECREE
05/17/2018	JOINT PETITION FOR SUMMARY DECREE OF DIVORCE
05/17/2018	COURT ORDER INFORMATION SHEET
05/17/2018	AFFIDAVIT IN SUPPORT OF REQUEST FOR SUMMARY DISPOSITION
05/17/2018	AFFIDAVIT OF RESIDENT WITNESS
06/05/2018	AMENDED JOINT PETITION FOR SUMMARY DECREE OF DIVORCE
06/07/2018	QUALIFIED DOMESTIC RELATIONS ORDER(4 PAGES)
06/07/2018	NEW DECREE OF DIVORCE(24 PAGES)
07/05/2018	CERTIFICATE OF MAILING(DENNIS STANTON - NEW DECREE OF DIVORCE)
07/05/2018	EX PARTE APPLICATION TO SEAL FILE
07/09/2018	ORDER SEALING FILE
11/20/2018	EX PARTE REQUEST FOR SUBMISSION OF EX PARTE APPLICATION TO UNSEAL COURT RECORD
11/20/2018	EX PARTE APPLICATION TO UNSEAL COURT RECORD
11/27/2018	FIRST JOINT PETITIONER/PLAINTIFF'S MOTION PURSUANT TO RULE 60(B) TO SET ASIDE DECREE OF DIVORCE AS FRAUDULENTLY
11/27/2018	MOTION/OPPOSITION FEE INFORMATION SHEET
11/27/2018	EX PARTE REQUEST FOR SUBMISSION OF FIRST JOINT PETITIONER/ PLAINTIFF'S MOTION PURSUANT TO RULE 60(B) TO SET ASIDE
11/27/2018	NOTICE OF MOTION
11/28/2018	ORDER TO UNSEAL COURT RECORD
12/06/2018	CERTIFICATE OF SERVICE

Run: 03/30/2020
13:38:44

Case Summary

Page 2

12/13/2018	EX PARTE MOTION FOR CONTINUANCE	
12/13/2018	EX PARTE MOTION FOR TO EXTEND THE TIME REQUIRED TO FILE A WRITTEN RESPONSE TO THIS MOTION	
12/14/2018	COURT ORDER (DENYING)	
12/26/2018	OPPOSITION TO PLAINTIFFS MOTION PURSUANT TO RULE 60(B) TO SET ASIDE DECREE OF DIVORCE AS FRAUDULENTLY OBTAINED TO DISMISS	
01/02/2019	FIRST JOINT PETITIONER/PLAINTIFF'S REPLY TO OPPOSITION TO MOTION PURSUANT TO RULE 60(B) TO SET ASIDE DECREE OF	
01/04/2019	AFFIDAVIT OF TWYLA M. STANTON IN REGARDS TO THE SIGNING AND FILING OF THE NEW DECREE OF DIVORCE AND THE AMENDED JOINT	
01/07/2019	Court Minutes	
03/18/2019	ORDER AND JUDGMENT	
03/20/2019	NOTICE OF ENTRY OF ORDER AND JUDGMENT	
03/21/2019	NOTICE OF WITHDRAWAL OF COUNSEL (CHRISTOPHER OWEN COUNSEL FOR TEMPORARY CO GUARDIANS ROBERT AND CARMEN CRAWFORD)	
04/15/2019	EXHIBIT APPENDIX (EXHIBIT U - KK)	
04/15/2019	NOTICE OF MOTION/MOTION FOR RECONSIDERATION	
04/15/2019	EXHIBIT APPENDIX (EXHIBIT A - T)	
04/16/2019	CERTIFICATE OF SERVICE	
04/16/2019	NOTICE OF APPEAL	(PAID \$500 BOND)
04/17/2019	CASE APPEAL STATEMENT	
04/17/2019	NOTICE OF CROSS-APPEAL	(PAID \$500 BOND)
04/22/2019	CASE APPEAL STATEMENT (CROSS-APPEAL)	
04/25/2019	RECEIPT FOR DOCUMENTS	
04/29/2019	AMENDED NOTICE OF APPEAL (DENNIS STANTON)	
04/29/2019	AMENDED NOTICE OF CROSS-APPEAL (TWYLA STANTON/78617)	
05/01/2019	RECEIPT FOR DOCUMENTS	
05/01/2019	EX PARTE MOTION FOR "STAY" EXECUTION OF THE JUDGMENT/ SANCTION (DENNIS STANTON)	
05/06/2019	RECEIPT FOR DOCUMENTS	
05/06/2019	RECEIPT FOR DOCUMENTS	
05/07/2019	COURT ORDER (6/10/19)	
05/10/2019	FIRST JOINT PETITIONER/PLAINTIFF'S NOTICE OF NON-OPPOSITION TO SECOND JOINT PETITIONER/DEFENDANT'S MOTION FOR	
05/10/2019	SUPPLEMENT TO THE MOTION FOR RECONSIDERATION	
05/17/2019	NOTICE OF WITHDRAWAL AS ATTORNEY OF RECORD FOR DEFENDANT (JAMES S KENT, ESQ FOR DENNIS VINCENT STANTON)	
06/05/2019	SECOND JOINT PETITIONER/DEFENDANTS' MOTION TO DISQUALIFY THE HONORABLE JUDGE ROBERT W. LANE FROM HEARING CASE	
06/05/2019	ORDER DISMISSING APPEALS	
06/06/2019	NOTICE OF ENTRY OF ORDER/JUDGMENT (STIPULATION AND ORDER TO CONTINUE HEARING)	
06/06/2019	NOTICE OF MOTION	
06/10/2019	REPLY TO NOTICE OF NON-OPPOSITION TO MOTION FOR RECONSIDERATION (FILED BY DENNIS STANTON)	
06/10/2019	Court Minutes	
06/10/2019	Court Minutes	
06/12/2019	COURT ORDER (TRANSFERRING MATTER TO D1-KAW FOR DETERMINATION WHETHER D2-RWL ENTERTAINS AN ACTUAL/IMPLIED BIAS/PREJUDICE	
06/12/2019	JUDGE LANE'S AFFIDAVIT	
07/01/2019	REMITTITUR	
07/01/2019	CLERK'S CERTIFICATE (JUDGMENT)	

Run: 03/30/2020
13:38:44

Case Summary

Page 3

07/01/2019	ORDER DISMISSING APPEAL
07/05/2019	AFFIDAVIT OF ROBERT CRAWFORD AND CARMEN CRAWFORD
07/05/2019	OPPOSITION TO MOTION FOR RECONSIDERATION
07/05/2019	CERTIFICATE OF MAILING
07/11/2019	REPLY TO JUDGE LANE'S AFFIDAVIT
07/19/2019	FIRST JOINT PETITIONER/PLAINTIFF'S NOTICE OF NON-OPPOSITION TO SECOND JOINT PETITIONER/DEFENDANT'S MOTION TO
08/06/2019	CERTIFICATE OF MAILING (DENNIS STANTON-REPLY)
08/22/2019	CERTIFICATE OF MAILING (FIRST JOINT PETITIONER/PLAINTIFF'S NOTICE OF NON-OPPOSITION TO SECOND JOINT PETITIONER/
10/16/2019	ORDER DENYING SECOND JOINT PETITIONER/DEFENDANTS MOTION TO DISQUALIFY THE HONORABLE ROBERT W LANE
01/08/2020	COURT ORDER
02/07/2020	SECOND SUPPLEMENT TO THE MOTION FOR RECONSIDERATION
02/07/2020	NOTICE OF INTENT TO APPEAR BY COMMUNICATION EQUIPMENT
02/10/2020	COURT MINUTES
02/28/2020	COURT ORDER
03/26/2020	PAYMENT \$524.00 REFUND \$548.00 RECEIPT #1624
03/26/2020	NOTICE OF APPEAL
03/26/2020	CASE APPEAL STATEMENT
03/30/2020	NOTICE OF CROSS-APPEAL
03/30/2020	CASE APPEAL STATEMENT

FEB 28 2020

Case No. CV 39304
Dept. 2P

Nye County Clerk
Deputy

IN THE FIFTH JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA, IN AND FOR THE COUNTY OF NYE

TWYLA MARIE STANTON,
Plaintiff/First Joint Petitioner,

vs.

DENNIS VINCENT STANTON,
Defendant/Second Joint Petitioner.

COURT ORDER

The parties were married on July 7, 2004. As shown below, the parties have engaged in multiple filings to obtain a divorce. This Court granted a divorce on June 7, 2018. On November 27, 2018, a Motion Pursuant to Rule 60(b) To Set Aside Decree of Divorce as Fraudulently Obtained, To Dismiss the Joint Petition for Divorce with Prejudice, and to Sanction Defendant for Forum Shopping and Perpetrating a Fraud Upon the Court in the Full Amount of Plaintiff's Fees and Costs was filed. The parties then remarried on December 14, 2018. The Court set aside the divorce on March 18, 2019. On April 15, 2019, Petitioner filed a Motion for Reconsideration. A hearing was held on February 10, 2020. This Order follows.



I. CASE HISTORY

To increase ease of understanding of this matter, the case history is put forth in chronological order, and numbered by each separate action, discussed below.

1. Complaint for Divorce, Eighth Judicial District Court, filed October 12, 2016, and dismissed on March 30, 2017.
2. Complaint for Divorce, Eighth Judicial District Court, filed September 13, 2017, and dismissed on February 26, 2018.
3. Complaint for Divorce, Eighth Judicial District Court, filed March 29, 2018, and dismissed on May 17, 2018.
4. Complaint for Divorce, Fifth Judicial District Court, filed May 17, 2018, and granted June 7, 2018.
5. Petition for Guardianship of Twyla Stanton, Circuit Court of Faulkner County, Arkansas Probate Division, 5th Division, temporary granted October 26, 2018.
6. Motion to Set Aside Divorce of item 4 above, Fifth Judicial District Court, filed November 27, 2018.
7. Parties Remarried, Las Vegas NV, December 14, 2018.
8. Order to Set Aside Divorce of item 4 above, Fifth Judicial District Court, granted March 20, 2019.
9. Motion for Reconsideration filed by Petitioner, Fifth Judicial District Court, April 15, 2019.
10. This Order follows Denying Motion for Reconsideration, Fifth Judicial District Court, February 28, 2020.

1. On October 12, 2016, Mr. Dennis Stanton ("Dennis") filed a Complaint for Divorce in the Eighth Judicial District Court, Case No. D-16-540966-D. The case was assigned to Judge Rena Hughes. Also on October 12, 2016, Mrs. Twyla Stanton ("Twyla") filed a Complaint for Divorce against Dennis in the Eighth Judicial District Court, Case No. D-16-541006-D. This case was also assigned to Judge Hughes. Cases D-16-540966-D and D-16-541006-D were consolidated. Over the next several months, Judge Hughes presided over multiple motion hearings and made numerous substantive rulings on



1
2 contested matters in the case. Pursuant to a Stipulation, on March 30, 2017, Judge Hughes
3 entered an Order dismissing both cases.

4 **2. On September 13, 2017,** Dennis filed a Complaint for Separate Maintenance in
5 the Eighth Judicial District Court, Case No. D-17-558626-S, wherein Dennis sought
6 maintenance from Twyla, who was at that time, and still remains, unemployed. Pursuant
7 to E.D.C.R. Rule 5.103 the case was again assigned to Judge Hughes. On January 31,
8 2018, Dennis filed a Notice of Voluntary Dismissal.

9
10 On February 1, 2018, in the Court's Minute Order, Sua Sponte, Judge Hughes
11 stated *"the Court is aware that [Twyla] has a diminished mental capacity and lacks the*
12 *ability to comprehend legal documents or make judgments as to legal matters. In good*
13 *conscience, and for purposes of due process, the Court cannot approve [Twyla's] alleged*
14 *agreements with [Dennis] until [Twyla] receives independent legal counsel."* (emphasis
15 added).

16
17 On February 12, 2018, Judge Hughes appointed Twyla counsel of the Owen Law
18 firm.

19 On February 26, 2018, pursuant to a Stipulation which was not signed by appointed
20 counsel, Judge Hughes entered an Order dismissing the case.

21 **3. On March 29, 2018,** the parties filed a Joint Petition for Divorce in the Eighth
22 Judicial District Court, Case No. D-18-568604. The matter was assigned back to Judge
23 Hughes pursuant to E.D.C.R. Rule 5.103. A Peremptory Challenge was filed by Twyla on
24 the same day. The case was then reassigned to Judge Bryce Duckworth who denied the
25



peremptory challenge and ordered reassignment of the matter back to Judge Hughes on April 18, 2018. In the minute order of the Court Judge Duckworth provided:

The parties to litigation are not permitted to file a peremptory challenge against a district judge who has previously made rulings on contested issues. This prohibition applies in any subsequent cases between the same parties, which are assigned to that same district judge pursuant to a local case assignment rule. "Allowing a plaintiff to file a peremptory challenge after the filing of any counterclaim would give a plaintiff the opportunity to disqualify the district judge simply because he has made previous unfavorable rulings." [Citations omitted]...

The cause of action and issues in this case are identical to those in cases D-16-541006-D and D-16-540966-D because they are both actions for divorce. Had either of these earlier cases resulted in a decree of divorce, the instant case would have been barred under the principle of res judicata. The cause of action and issues in this case are substantively indistinguishable from those in case D-16-558626-S because of the natural overlap between divorce and separate maintenance cases. Should that case have resulted in a decree of separate maintenance, the instant case would not have been barred under res judicata; however, the principle of collateral estoppel would have been dispositive for all issues in the divorce action except whether the parties are incompatible.

The general prohibition against forum shopping between district judges prohibits a party from filing a peremptory challenge under the circumstances detailed above.

Therefore, under these circumstances, the Court concludes that the peremptory challenge filed by Twyla Stanton on March 29, 2018 is untimely under Nevada Supreme Court Rule 48.1(3) because it was not filed 3 days prior to a contested hearing. Additionally, the Court concludes that the peremptory challenge is prohibited by SCR 48.1(5) because it was filed against a district judge that has made rulings on contested issues between the parties.

On May 17, 2018, the matter was voluntarily dismissed through a stipulation and order.

4. Also on May 17, 2018, Petitioners filed in the Fifth Judicial District Court a Joint Petition for Summary Decree of Divorce, the case at bar, CV 39304. The document was verified by both parties. A letter was sent to both parties regarding the Joint Petition for Summary Decree of Divorce because it sought sole legal custody, which is typically



not granted by this Court without a hearing, though a hearing to grant joint legal custody would not be required with an amended joint petition. On June 5, 2018, an Amended Joint Petition for Summary Decree of Divorce was filed, again verified by the petitioners. In pertinent part, the Amended Joint Petition for Summary Decree of Divorce provided that:

- Parties had six children together, who are residents of Nevada
- That the Petitioners should be granted joint legal custody of the minor children
- Husband to get primary physical custody of the children, while Wife had the children every other weekend from Friday at 6:00 p.m. to Monday at 3:00 p.m., and every other Thursday night from 5:00 p.m. to 8:00 p.m.
- A holiday visitation schedule was also proposed.
- That Wife should maintain medical and dental insurance for the minor children.
- Parties to adopt the 30/30 rule
- That child support would be paid by Twyla in the amount of \$1,517.00 a month, which was based on income of \$4,333.33 a month.
- Petitioners requested a wage withholding against the obligor parent.
- Petitioners agreed that the husband should be awarded child support arrears in the total amount of \$4,551.00.
- That there was a division of property and a division of debts.
- That there was to be no spousal support.
- That the wife would have her former name of McCurdy restored.

The Decree of Divorce was filed on June 7, 2018. On July 5, 2018, Petitioner Twyla Stanton filed an Ex Parte Application to Seal File which was signed on July 9, 2018.

The Court was unaware of the Clark County filings listed 1-3 above when it granted this divorce.

5. On October 26, 2018, in the Circuit Court of Faulkner County, Arkansas Probate Division, 5th Division, the Honorable H.G. Foster signed an Order Appointing Temporary Co-Guardians of the Person and Estate for Petitioner's Robert Crawford and



1
2 Carmen Crawford over Twyla Marie McCurdy. A Petition for Appointment as Co-
3 Guardians had also been filed in the matter. Twyla, through counsel, Ron Goodman, filed
4 a Response to the Petition for Appointment of Co-guardians on December 6, 2018, and
5 motioned the Court to continue the final hearing scheduled for December 10, 2018.

6 On November 20, 2018, counsel at the Owen Law Firm, on behalf of Twyla Marie
7 Stanton, filed an Ex Parte Request for Submission of Ex Parte Application to Unseal Court
8 Record. Attached as an exhibit to the petition was an Order Appointing Temporary Co-
9 Guardians of the Person and Estate. An Order to Unseal Court Record was filed on
10 November 28, 2018.

11
12 **6. On November 27, 2018,** Twyla's counsel filed a Motion Pursuant to Rule 60(b)
13 To Set Aside Decree of Divorce as Fraudulently Obtained, To Dismiss the Joint Petition
14 for Divorce with Prejudice, and to Sanction Defendant for Forum Shopping and
15 Perpetrating a Fraud Upon the Court in the Full Amount of Plaintiff's Fees and Costs. The
16 hearing on the motion was placed on calendar for January 7, 2019.

17 On December 13, 2018, Dennis filed an Ex Parte Motion to Extend the Time
18 Required to File a Written Response to the Motion. The Ex Parte Motion was denied on
19 December 14, 2018.

20 Dennis, through counsel, James S. Kent, Esq., filed his Opposition and
21 Countermotion to Strike Movant's Motion on December 26, 2018. In the motion, Mr.
22 Kent stated that he was only technically retained by Dennis, but that in reality the
23
24
25
26
27
28



1
2 Opposition was being filed on behalf and for the benefit of both named parties. Reply and
3 Opposition to counter motion was filed on January 2, 2019.

4 On January 4, 2019, Twyla, not through counsel, filed an Affidavit regarding the
5 signing and filing of the Decree of Divorce and Amended Joint Petition for Summary
6 Decree of Divorce, which appeared to be signed and notarized *back from June 18, 2018*.
7 Neither counsel was aware of this filing until the hearing when the Court informed them
8 about it.
9

10 On January 7, 2019, the hearing on the motion was held. Charles LoBello, Esq.,
11 and Christopher Owen, Esq., were present on behalf of Twyla Stanton and the temporary
12 co-guardians Robert Crawford and Carmen Crawford, and Dennis Stanton was present
13 with counsel, James S. Kent, Esq. Twyla was not present at the hearing. Through the
14 pleadings and argument at the hearing, the Court was *informed for the first time* of items
15 1, 2, 3, 5 and 7 above.
16

17 The following arguments were made:

18 Twyla's counsel argued that:

- 19
- The decree should be set aside pursuant to NRCP 60(b)(3) as fraudulently obtained and the joint petition being dismissed.
 - That Twyla does not possess the requisite capacity to comprehend any of the pleadings and papers filed in the action and a report from Dr. Prather regarding Twyla's diminished mental capacity was provided.
 - That Plaintiff should be entitled to an award of attorney fees and costs pursuant to NRS 18.010 and Rule 11 violations.
 - That even without registering the guardianship, the Court has authority under Rule 11 to address Dennis's misconduct.
 - That the motion was brought in good faith to meet the deadline in NRCP Rule 60(b) of six months.
- 20
21
22
23
24
25



- That there was sufficient evidence of Dennis's misdeeds even if no affidavit was provided by the temporary co-guardians.
- That there was no conflict of interest if Twyla does not understand the proceedings.
- That Dennis reconciled in the first divorce primarily to avoid having the court remove the children from his custody and having an award of attorney's fees leveled against him.
- That Dennis had used Twyla as a straw person to file peremptory challenge documents in Case No. D-18-568604.
- That the Amended Joint Petition for Summary Decree of Divorce in case CV 39304 somehow had agreement by Twyla to pay Dennis \$1,500.00 per month in child support, based on an alleged annual income of over \$52,000.00, when Twyla had not held a job since July 8, 2016.
- That Twyla did not have a job and she has had difficulties in the past holding even a minimum wage job.
- That past filings had varying child support payments based on an imaginary income and past arrearages.
- That the joint petition also contained other numerous material false statements such as
 - That Twyla even understood what she was signing and that the entire joint petition, besides Twyla's name and signature, was in Dennis's handwriting.
 - That it is obvious Dennis forum shopped.
 - That Twyla should be the party responsible for maintaining medical and dental insurance for the six children when she is not employed.
 - The claims regarding child support and the alleged annual income for Twyla, who is unemployed.
 - That Twyla would not knowingly agree for Dennis to have primary physical custody of the children.
 - That Twyla owes Dennis child support arrears in the amount of \$4,551.00 when she has no job or income.
 - That Twyla would receive 100% of Dennis's I.B.E.W. 357 Pension Trust Plan B. The evidence would show that Twyla received a check in the amount of \$36,176.00 and on August 9, 2018, it was believed to be deposited into her savings account at Bank of American. However, four days later, on August 13, 2018, it is believed that Dennis drove Twyla to the bank, ordered her to withdraw the funds in cash, and close the account. Dennis then allegedly took the cash.
 - That the decree awarded Dennis 100% of the parties' marital residence located at 7088 Los Banderos Ave., which had sixty thousand to one hundred thousand in equity.
 - That there was an entering of an equitable agreement and that no spousal support was appropriate even though the parties had been married 14 years.



- That Dennis, after being denied a request for continuation of the hearing on January 7, 2019, withdrew the children from school, drove them to Arkansas, hired an attorney to contest the guardianship, brought Twyla back to Las Vegas, and hurriedly re-married her.

Dennis's counsel made arguments regarding:

- The motion should be stricken.
- That he technically represented Dennis but in reality the opposition was being filed on behalf of Mr. and Twyla.
- NRS 125.185 standing.
- The co-guardians not being parties to the divorce and that standing was only possible through the Order appointing them as temporary co-guardians.
- That Twyla had counsel challenging the guardianship.
- Guardians' authority pursuant to NRS 159.2025.
- That the motion contained no statement from the temporary co-guardians, and that the allegations were baseless.
- DCR 13 rules regarding affidavits and factual allegations made in the motion.
- That counsel for the Co-Guardians had been previously appointed as counsel for Twyla and that there was a direct conflict of interest.
- That the parties had since reconciled.

After oral argument, the Court issued its ruling granting the set aside.

8. On March 18, 2019, an Order and Judgment was filed granting the set aside of the divorce listed in item 4 above. Findings were made regarding the previous filings by the parties in the Eighth Judicial District Court and its history, the temporary guardianship, remarriage of the parties, and the subsequent unusual affidavit filed by Twyla. The Court found that Dennis engaged in or caused to be filed multiple divorces and/or separate maintenance actions; that he failed to advise the Court of these proceedings and the others Court's findings that Twyla had a diminished mental capacity, lacks the ability to comprehend legal documents, and is unable to make judgments as to legal matters; that based on the information, the previous court refused to approve the alleged



1
2 agreements of the parties without first affording Twyla independent legal counsel; that
3 Dennis had made representations to the Clark County Family Court that Twyla earned
4 \$3,052.00 a month and should pay him \$1,300.00 in child support per month; that Dennis
5 made representations to this Court regarding Twyla's employment and earnings, falsely
6 representing that Twyla was earning \$4,333.33 per month, that she should pay Dennis
7 child support of \$1,517.00 per month, and that she owed Dennis arrears of \$4,551.00; that
8 the totality of the circumstances shocked the Court as to Dennis's conduct over the past
9 few years; that Dennis's serial filings and further actions were consistent with the
10 perpetration of a fraud upon this Court; that James S. Kent, Esq., had nothing to do with
11 Dennis's past fraudulent conduct and representations; and that based upon review of the
12 record, arguments of counsel, and the totality of circumstances, Dennis's conduct was and
13 is in direct violation of NRCP 11(b)(1) and was further in violation of NRCP 11(b)(3).

14
15 The Court ordered the following

- 16
17
- That the motion to set aside be granted.
 - That the Joint Petition for Divorce filed in Nye County, Case No. CV-39304, on May 17, 2018, be dismissed with prejudice.
 - That the Decree of Divorce filed and entered in Case No. CV-39304, on June 7, 2018, is set aside in its entirety and is of no force and effect and shall not be given full faith and credit by any other State or Federal court or agency.
 - That so long as the Eighth Judicial District Court in Clark County, Nevada shall have jurisdiction of any further, future filings for divorce or separate maintenance by either or both of the parties hereto, that should there be any further, future filings for divorce or separate maintenance, whether by one or both parties, these shall be filed in Clark County, Nevada, and that it shall be considered the further perpetration of a fraud upon the Court should a future filing for divorce or separate maintenance be made anywhere other than Clark County, Nevada.
 - That Dennis be sanctioned for violations of NRCP Rule 11(b)(1) and 11(b)(3), and shall pay the temporary co-guardians \$3,000.00 as for their attorney's fees.
- 24
25
26
27
28



- That the temporary co-guardians are awarded judgment against Dennis, in the amount of \$3,000.00, plus post-judgment interest.
- That counsel James S. Kent, Esq., did not act in any manner that may be construed as assisting the Defendant in perpetrating a fraud upon the court.
- That the countermotion to strike movants motion was denied.

Notice of Entry of Order and Judgment was filed on March 20, 2019. On March 21, 2019, the Owen Law Firm provided its Notice of Withdrawal of Counsel.

9. On April 15, 2019, Dennis filed a Motion for Reconsideration. The guardians of Twyla were not noticed of this motion. On April 16, 2019, Dennis filed a Notice of Appeal. On April 17, 2019, Twyla filed a Notice of Cross-Appeal. On May 1, 2019, Dennis filed an Ex Parte Motion for "Stay" Execution of the Judgment/Sanction, which was set for hearing on June 10, 2019. On May 10, 2019, Twyla filed a Notice of Non-Opposition to Second Joint Petitioner/Defendant's Motion for Reconsideration. Dennis filed a Supplement to the Motion for Reconsideration on May 10, 2019. A Stipulation and Order to Continue the Hearing was signed by Mr. and Twyla on May 8, 2019, and the hearing was continued through the Order filed on May 13, 2019, to June 10, 2019. James Kent, Esq., filed Notice of Withdrawal as Attorney of Record for Dennis on May 17, 2019.

On June 5, 2019, Dennis filed a Motion to Disqualify Judge Lane. On June 10, 2019, Dennis filed a Reply to Notice of Non-Opposition to Motion for Reconsideration. At the hearing on the Motion for Reconsideration on June 10, 2019, Dennis was present and Mr. Crawford, the former guardian of Twyla, was present telephonically. Twyla was not present. Due to the motion to disqualify, the Court did not issue any orders other than



1
2 reassignment for Judge Kimberly Wanker to resolve the issue. Judge Lane filed an
3 Affidavit on June 12, 2019, regarding Dennis's Motion to Disqualify. On July 5, 2019, an
4 Opposition to Motion for Reconsideration was filed by Robert and Carmen Crawford.
5 Dennis filed a Reply to Judge Lane's Affidavit on July 11, 2019. On July 19, 2019, Twyla
6 filed a Notice of Non-Opposition to the Motion to Disqualify Judge Lane. On October 1,
7 2019, Judge Kimberly Wanker issued an Order Denying Second Joint
8 Petitioner/Defendants' Motion to Disqualify the Honorable Robert W. Lane.
9

10 A hearing on the pending motions was set for February 10, 2020, and the
11 Petitioners were ordered to be present.

12 On February 4, 2020, the Court received two stipulations from the parties, one to
13 try and continue the hearing on February 10, 2020, and the other being a stipulation to
14 reinstate the Amended Joint Petition for Divorce filed on June 7, 2018, and the Decree of
15 Divorce granted on June 7, 2018. The Court did not sign either Stipulation.
16

17 On February 7, 2020, Dennis filed a Second Supplement to the Motion for
18 Reconsideration. On the afternoon of the Friday before the hearing, February 7, 2020,
19 Twyla filed a Notice of Intent to Appear by Communication Equipment. The Court does
20 not use these forms to allow telephonic communication, and Twyla was informed that she
21 must appear in person for the hearing. **At the hearing on the Motion for**
22 **Reconsideration held on February 10, 2019**, Twyla was not present despite the Court
23 wanting her present. Dennis was present in person and Mr. Crawford was present
24 telephonically. Dennis indicated he was still married to Twyla.
25
26
27
28



II. DISCUSSION

Dennis argued for reconsideration of the order and requested for the following relief 1) for an Order reinstating the parties' Joint Petition for Divorce and Decree of Divorce filed on June 7, 2018; 2) for an Order that the Rule 11 Sanctions be eliminated; and 3) For an Order to strike the motion as being filed without authority. Dennis cites to NRCp 59(e) for relief as a Motion to Alter or Amend a judgment. Opposition by Mr. and Ms. Crawford argued the timeliness of the motion and that the fraud upon the court was undeniable.

A motion to alter or amend judgment under Rule 59(e) is "an extraordinary remedy which should be used sparingly." *McDowell v. Calderon*, 197 F.3d 1253, 1255 n. 1 (9th Cir.1999) (citation and quotation marks omitted). It is available in four "basic" situations: (1) where the motion is necessary to correct "manifest errors of law or fact upon which the judgment rests;" (2) where the motion is necessary to present newly discovered or previously unavailable evidence; (3) where the motion is necessary to "prevent manifest injustice;" and (4) where the amendment is justified by an intervening change in controlling law. *Allstate Insurance Co. v. Herron*, 634 F.3d 1101, 1111 (9th Cir.2011). Since Rule 59(e) does not itself provide standards for granting or denying a motion to alter or amend, "the district court enjoys considerable discretion in granting or denying the motion." *Id.* (citations and quotation marks omitted). Yet the Rule 59(e) motion may not be used to "relitigate old matters, or to raise arguments or present evidence that could have



1
2 been raised prior to the entry of judgment.” 11 Charles Alan Wright et al., *Federal*
3 *Practice and Procedure* § 2810.1 (2d ed. 1995). Finally, amendment of the judgment will
4 be denied if it would serve no useful purpose. *Id.*

5 The Nevada Supreme Court has determined that “[o]nly in very rare instances in
6 which new issues of fact or law are raised supporting a ruling contrary to the ruling already
7 reached should a motion for rehearing be granted.” *Moore v. City of Las Vegas*, 92 Nev. 402,
8 405, 551 P.2d 244, 246 (1976). Additionally, a district court may consider a motion for
9 reconsideration concerning a previously decided issue if the decision was clearly erroneous.
10 *Masonry and Tile v. Jolley, Urga & Wirth*, 113 Nev. 737, 741, 941 P.2d 486, 489 (1997).
11 “Points or contentions not raised in the original hearing cannot be maintained or considered
12 on rehearing.” *Achrem v. Expressway Plaza Ltd.*, 112 Nev. 737, 742, 917 P.2d 447, 450
13 (1996).
14

15 In Dennis’s initial Motion for Reconsideration he reargues the deficiencies in the
16 guardianship, lack of affidavit, and registration of guardianship; that the divorce cannot be
17 contested by third persons not parties thereto; and that the conflict of interest was more
18 wide ranging. Dennis also argues that Judge Hughes’ minute order was not part of the
19 public record; that there was never an intent to fail to misinform the Court about multiple
20 proceedings; that Twyla knew exactly what she was doing; that Rule 11 sanctions were not
21 in accordance with Nevada Law; and that the ex-temporary co-guardianship was not
22 established for Twyla’s best interest.
23
24
25
26
27
28



1
2 Dennis's additional supplements were not authorized by the Court, but the Court
3 will note them for the record. These supplements, however, do not provide any additional
4 facts or argument that would warrant relief. In the supplement filed on May 10, 2019, he
5 argues that there was never a fraud perpetrated upon the court and issues with the written
6 order and judgment. In his second supplement, filed on February 7, 2020, he reargues the
7 standing of the co-guardians; the conduct of the co-guardians with Twyla, and the lack of
8 *Brunzell* factors in determining attorney fees.
9

10 Dennis's argument to allow him relief under NRCP 59, as stated in his initial
11 motion, was because Dennis's "Opposition and Countermotion to the Motion to set aside
12 was largely a legal brief derived from the Nevada Revised Statutes, Procedure, and Rules
13 rather than a factual based Opposition and Countermotion."
14

15 After reviewing the file, and finding that reconsideration is not appropriate, the
16 Court finds it appropriate to briefly characterize the Order after the hearing. After the
17 motion to set aside was filed, it became obvious that there was a large history between the
18 parties and the courts that was not disclosed to this Court. After full briefing and
19 argument, the record before the Court of the previous divorce matters and their minute
20 orders, peremptory challenges, and the timings of dismissal and refile, clearly showed
21 forum shopping of the divorce and manipulation of the system. Further, concerns by Judge
22 Rena Hughes regarding Twyla's ability to understand the legal proceedings in Clark
23 County became another warning sign for this Court. Neither counsel was aware of Twyla
24 filing an affidavit which also worried the Court. Further, that the joint petition contained
25



1
2 multiple averments, as outlined above, that are not in line with a party that is unemployed
3 and made it obvious that there could be no confidence in the decree of divorce signed by
4 the Court. The parties even remarried before the hearing could be held, and counsel for
5 Dennis provided that Dennis was not opposed to vacating the Decree, Joint Petition, and
6 any accompanying documents.¹ Curiously, after the hearing and order, Dennis, through
7 his motion for reconsideration, wanted to reinstate the divorce and all of its terms.
8

9 Dennis's motion for reconsideration is unclear on what manifest errors of law or
10 fact occurred, what newly discovered evidence was discovered that was not previously
11 available, that the motion is necessary to prevent manifest injustice, or if there was an
12 intervening change in the controlling law. It appears that Dennis is largely attempting to
13 relitigate old matters, or to raise arguments or present evidence that could have been raised
14 prior to the entry of judgment. While he may not have been satisfied with his counsel's
15 strategy in opposing the motion to set aside, Dennis did not oppose the tactic until an
16 adverse ruling. Further, the majority of Dennis's arguments could have been previously
17 raised or presented and the record alone clearly spoke about the actions of Dennis in the
18 case.
19
20
21

22 ¹ The Court notes that there has been a disturbing pattern in all of the proceedings where Dennis and Twyla
23 have stipulated to continuances or dismissal of the matter before an adverse order can be issued. Each
24 dismissal was, within a few months, followed by a new divorce action or motion to obtain a new divorce
25 favorable to Dennis. This also occurred at the latest hearing, where on February 4, 2020, only 6 days before
26 the hearing, Dennis and Twyla submitted a stipulation to reinstate the joint petition and divorce and a
27 stipulation to continue the hearing. The previous co-guardians were not noticed of either of these filings.
28 There is also no indication that the co-guardians were noticed by Dennis of any of the subsequent motions,
filings, or appeal.



1
2 The deficiencies of the guardianship procedure and allegations of abuse are
3 irrelevant to the extent that Dennis is arguing the merits of the guardianship that were not
4 before this Court. The Arkansas Court issued an order dismissing the guardianship on
5 February 19, 2019, which appears to be the only new evidence that could have been raised
6 prior to the hearing. Further, the dismissal does not place any affirmative findings of fraud
7 and merely states the expiration of the temporary guardianship and guardianship matter
8 being dismissed. Dennis uses the dismissal and alleged fraud and abuse as arguments to
9 bolster his previous arguments regarding NRS 159 and NRCP 60. This is merely,
10 however, relitigating the previously decided issue, which as argued before, the Court has
11 broad powers under NRCP 11 to redress filings that violate NRCP 11(b). The record of
12 the previous divorce proceedings was sufficient to show forum shopping by Dennis and
13 grant the motion to set aside. To the extent that Dennis argues that the Court should not
14 have been aware of the other divorce proceedings, that argument is non sensible, lacks
15 merit, and would just help perpetuate any fraud on the court. As such, relief is not
16 warranted based on the fact that the guardianship had been dismissed.

17
18 To the extent that Dennis argues that there was not a fraud perpetrated upon the
19 Court, the lack of intent to misinform, and that Twyla was aware of what she was doing,
20 these arguments could have been brought before the Court at the time of hearing. Dennis's
21
22
23
24
25
26
27
28




1
2 additional supplementation does not change the characterization of the record itself and the
3 concerns of Twyla's ability to comprehend the legal consequences of her actions.²
4 Additionally the Court notes that granting Dennis's requested relief to reinstate the joint
5 petition and divorce is not appropriate as it would require the Court to readopt and reorder
6 the questionable findings for Twyla's income and support obligations.
7

8 Therefore, based upon the above, the Court issues the following order

9 **IT IS HEREBY ORDERED** that Dennis's Motion for Reconsideration filed on
10 April 15, 2019, is DENIED.

11 DATED this 28th day of February, 2020.

12
13 
14 District Court Judge
15
16
17

18
19
20
21
22
23
24 ² The Court notes that Twyla has conveniently been unavailable for each hearing before this Court and only
25 provided documents that have been signed and notary stamped. Given the concerns about comprehension
26 and manipulation, there is no harm in assuring that Twyla has had independent counsel or an examination by
27 the Court before granting her agreement. On the other hand, if Twyla does not comprehend these documents
28 and manipulation is occurring, there is great harm in granting these agreements.



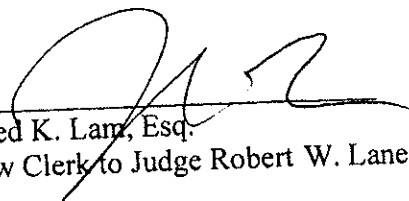
CERTIFICATION OF SERVICE

The undersigned hereby certifies that on the 28th day of February, 2020, he mailed copies of the foregoing Court Order to the following:

DENNIS VINCENT STANTON
7088 Los Banderos Ave
Las Vegas, NV 89179

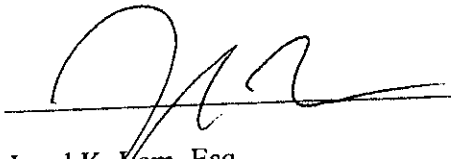
TWYLA MARIE STANTON
7088 Los Banderos Ave
Las Vegas, NV 89179

ROBERT CRAWFORD
CARMEN CRAWFORD
129 Mill Creek Dr.
Greenbrier, Arkansas 72058


Jared K. Lam, Esq.
Law Clerk to Judge Robert W. Lane

AFFIRMATION

The undersigned hereby affirms that this Court Order does not contain the social security number of any person.


Jared K. Lam, Esq.
Law Clerk to Judge Robert W. Lane

Fifth Judicial District Court - Nye County

Run: 03/30/2020

Case Summary

Page 1

13:39:29

Case #: CV0039304

Judge: LANE, ROBERT W

Date Filed: 05/17/2018 Department:

Case Type: DIVORCE W/ CHILDREN

Petitioner	Attorney(s)
STANTON, DENNIS VINCENT	PROPER PERSON
Petitioner	
STANTON, TWYLA MARIE	PROPER PERSON

Fees:

Date Assessed:	Fee	Total	Paid	Waived	Outstanding
05/17/2018	STVIT	\$10.00	\$10.00	\$0.00	\$0.00
05/17/2018	CRTSEC	\$20.00	\$20.00	\$0.00	\$0.00
05/17/2018	DRUGCRT	\$10.00	\$10.00	\$0.00	\$0.00
05/17/2018	ELDERLY	\$4.00	\$4.00	\$0.00	\$0.00
05/17/2018	LAWLIB	\$30.00	\$30.00	\$0.00	\$0.00
05/17/2018	CRTIMP	\$99.00	\$99.00	\$0.00	\$0.00
05/17/2018	INDIGNT	\$10.00	\$10.00	\$0.00	\$0.00
05/17/2018	CTYDIV	\$29.00	\$29.00	\$0.00	\$0.00
05/17/2018	STDIV	\$32.00	\$32.00	\$0.00	\$0.00
05/17/2018	STDISHM	\$30.00	\$30.00	\$0.00	\$0.00
07/06/2018	CGENERA	\$5.00	\$5.00	\$0.00	\$0.00
11/27/2018	CRTIMP	\$129.00	\$129.00	\$0.00	\$0.00
12/28/2018	MISCFEE	\$15.00	\$15.00	\$0.00	\$0.00
01/07/2019	CGENERA	\$4.00	\$4.00	\$0.00	\$0.00
01/14/2019	CGENERA	\$5.69	\$5.69	\$0.00	\$0.00
01/14/2019	CGENERA	\$5.69	\$5.69	\$0.00	\$0.00
02/24/2019	MISCFEE	\$14.00	\$14.00	\$0.00	\$0.00
02/25/2019	MISCFEE	\$51.00	\$51.00	\$0.00	\$0.00
04/12/2019	CRTIMP	\$57.00	\$57.00	\$0.00	\$0.00
04/12/2019	CGENERA	\$24.00	\$24.00	\$0.00	\$0.00
04/16/2019	CGENERA	\$24.00	\$24.00	\$0.00	\$0.00
03/26/2020	CGENERA	\$24.00	\$24.00	\$0.00	\$0.00
03/26/2020	APLBOND	\$500.00	\$500.00	\$0.00	\$0.00

Hearings:

Date	Time	Hearing	Court Result
01/07/2019	9:00AM	MOTION TO SET ASIDE DECREE/DISMISS JOINT PET.	
06/10/2019	9:00AM	DEFT'S MOTION FOR RECONSIDERATION	
02/10/2020	9:00AM	40 ALL PENDING MOTIONS	

Filings:

Date	Filing
05/17/2018	REQUEST FOR SUMMARY DISPOSITION OF DECREE
05/17/2018	JOINT PETITION FOR SUMMARY DECREE OF DIVORCE
05/17/2018	COURT ORDER INFORMATION SHEET
05/17/2018	AFFIDAVIT IN SUPPORT OF REQUEST FOR SUMMARY DISPOSITION
05/17/2018	AFFIDAVIT OF RESIDENT WITNESS
06/05/2018	AMENDED JOINT PETITION FOR SUMMARY DECREE OF DIVORCE
06/07/2018	QUALIFIED DOMESTIC RELATIONS ORDER(4 PAGES)
06/07/2018	NEW DECREE OF DIVORCE(24 PAGES)
07/05/2018	CERTIFICATE OF MAILING(DENNIS STANTON - NEW DECREE OF DIVORCE)
07/05/2018	EX PARTE APPLICATION TO SEAL FILE
07/09/2018	ORDER SEALING FILE
11/20/2018	EX PARTE REQUEST FOR SUBMISSION OF EX PARTE APPLICATION TO UNSEAL COURT RECORD
11/20/2018	EX PARTE APPLICATION TO UNSEAL COURT RECORD
11/27/2018	FIRST JOINT PETITIONER/PLAINTIFF'S MOTION PURSUANT TO RULE 60(B) TO SET ASIDE DECREE OF DIVORCE AS FRAUDULENTLY
11/27/2018	MOTION/OPPOSITION FEE INFORMATION SHEET
11/27/2018	EX PARTE REQUEST FOR SUBMISSION OF FIRST JOINT PETITIONER/ PLAINTIFF'S MOTION PURSUANT TO RULE 60(B) TO SET ASIDE
11/27/2018	NOTICE OF MOTION
11/28/2018	ORDER TO UNSEAL COURT RECORD
12/06/2018	CERTIFICATE OF SERVICE
12/13/2018	EX PARTE MOTION FOR CONTINUANCE
12/13/2018	EX PARTE MOTION FOR TO EXTEND THE TIME REQUIRED TO FILE A WRITTEN RESPONSE TO THIS MOTION
12/14/2018	COURT ORDER (DENYING)
12/26/2018	OPPOSITION TO PLAINTIFFS MOTION PURSUANT TO RULE 60(B)TO SET ASIDE DECREE OF DIVORCE AS FRAUDULENTY OBTAINED TO DISMISS
01/02/2019	FIRST JOINT PETITIONER/PLAINTIFF'S REPLY TO OPPOSITION TO MOTION PURSUANT TO RULE 60(B) TO SET ASIDE DECREE OF
01/04/2019	AFFIDAVIT OF TWYLA M. STANTON IN REGARDS TO THE SIGNING AND FILING OF THE NEW DECREE OF DIVORCE AND THE AMENDED JOINT

01/07/2019 Court Minutes - JUDGE: ROBERT W. LANE; CLERK: VERONICA AGUILAR; BAILIFF: JAMELE TAYLOR; APP: CHARLES LEBELLO, ESQ., WITH CO-COUNSEL CHRISTOPHER OWEN, ESQ., WHO ARE PRESENT ON BEHALF TWYLA MCCURDY, PLAINTIFF BY GUARDIANS, ROBERT CRAWFORD AND CARMEN CRAWFORD; JAMES KENT, ESQ., IS PRESENT WITH DEFENDANT, DENNIS STANTON. MR. LEBELLO BEGINS BY ADDRESSING THE PLAINTIFF'S MOTION TO SET ASIDE THE DIVORCE, SANCTIONS AGAINST THE DEFENDANT FOR HIS FORUM SHOPPING AND PERPETRATING A FRAUD UPON THE COURT BY THE EXCESSIVE FALSE ALLEGATIONS IN BOTH NYE COUNTY AND CLARK COUNTY COURT. MR. LEBELLO PROCEEDS TO EXPLAIN THAT THE DEFENDANT ALSO FILED IN ARKANSAS. MR. LEBELLO QUOTES STATE LAW IN SUPPORT TO SHOW THE CAPACITY OF THE PLAINTIFF, WHO CANNOT ENTER INTO A CONTRACT WITH THE DEFENDANT DUE TO HER MENTAL CAPACITY AND SHOULD NOT HAVE SIGNED THE DIVORCE. THE COURT INQUIRES IF THERE ARE ANY ISSUES WHY THE DEFENDANT HAS FILED MULTIPLE FILINGS. MR. LEBELLO EXPLAINS IT IS A 14-YEAR MARRIAGE, BUT THE PROBLEMS WOULD BE CHILD CUSTODY, CHILD SUPPORT, PENSION, AND SPOUSAL SUPPORT, BUT THE PARTIES REMARRIED. MR. OWENS REITERATES THE ISSUES IN THE CASE. MR. KENT EXPLAINS THAT HE HAS NOT RECEIVED THE OPPOSITION REFERENCED NOR DOES THE MOTION REFLECT THAT THE PLAINTIFF IS MENTALLY INCAPACITATED AND EXPRESSES HIS CLIENT'S CONCERN THAT THE PLAINTIFF IS UNABLE TO CARE FOR THEIR SIX CHILDREN. MR. KENT QUESTIONS THAT A THIRD-PARTY PROCEEDS ON BEHALF OF THE PLAINTIFF WHICH IS NOW MUTE SINCE THE PARTIES HAVE RECONCILED. THE COURT REQUESTS THAT MR. KENT DISCUSS THE MATTER OF RULE 11. MR. KENT STATES HE HAS NOT REVIEWED THE OPPOSITION AND IS NOT PREPARED TO MAKE ARGUMENT ADDRESSING RULE 11. THE COURT TRAILS THE MATTER. THE COURT RECALLS THE MATTER. MR. KENT EXPLAINS THE PARTIES HAVE RECONCILED. THE COURT ADDRESSES THE AFFIDAVIT FILED BY THE PLAINTIFF WHICH WAS NOTARIZED AND OFFERS THE COPY TO COUNSEL FOR REVIEW. MR. KENT EXPLAINS THAT HE DID NOT RECALL THE FILING AND WAS NOT NOTIFIED BY HIS CLIENT REGARDING THE FILING. THE COURT CONFIRMS THAT MR. KENT IS NOT LIABLE FOR THE DEFENDANT'S FILING. THE COURT INSTRUCTS MR. LEBELLO TO FILE AN ORDER ADDRESSING THE VIOLATION OF RULE 11, INCLUDE HIS MOTION ARGUMENTS. THE COURT PROCEEDS TO GRANT THE TRANSFER OF THE CASE TO CLARK COUNTY. MR. KENT INQUIRES IF THE MATTER IS DISMISSED. THE COURT CLARIFIES THAT THE TRANSFER WILL CONFIRM THAT CLARK COUNTY WILL HAVE JURISDICTION FOR FUTURE PROCEEDINGS. MR. LEBELLO INQUIRES IF THE DECREE IS SET ASIDE AND PETITION IS DISMISSED. THE COURT SETS ASIDE THE DECREE. MR. LEBELLO REQUESTS ATTORNEY'S FEES AND EXPLAINS SANCTIONS CAN BE ALSO BE ORDERED AS ATTORNEY'S FEES AND PROCEEDS TO REQUEST \$3,200 FOR ATTORNEY'S FEES. THE COURT FINDS A VIOLATION OF RULE 11 AND GRANTS THE PLAINTIFF'S REQUESTS THAT THE ORDER INCLUDES MR. KENT IS NOT HELD ACCOUNTABLE FOR THE DEFENDANT'S ACTIONS. MR. KENT OBJECTS THE DECISION FOR SANCTION. THE COURT GRANTS A \$3,000 SANCTION, TO BE PAID BY DEFENDANT WITHIN 60 DAYS. MR. KENT REQUESTS NO ARREARS SINCE THE PARTIES RECONCILED. THE COURT CONFIRMS NO ARREARS ARE DUE. MR. KENT CLAIMS THAT THE DEFENDANT WILL NOT BE ABLE TO PAY THE \$3,000 IN 60 DAYS. MR. LEBELLO REQUESTS THAT THE FUNDS BE AWARDED TO THE GUARDIANS SINCE THEY PAID \$3,200 FOR ATTORNEY FEES. THE COURT REITERATES THE AMOUNT OF THE SANCTION WILL REMAIN AT \$3,000 AND INSTRUCTS THAT MR. KENT TO DISCUSS PAYMENT WITH MR. LEBELLO.

03/18/2019 ORDER AND JUDGMENT

03/20/2019 NOTICE OF ENTRY OF ORDER AND JUDGMENT

03/21/2019 NOTICE OF WITHDRAWAL OF COUNSEL (CHRISTOPHER OWEN COUNSEL FOR TEMPORARY CO GUARDIANS ROBERT AND CARMEN CRAWFORD)

04/15/2019 EXHIBIT APPENDIX (EXHIBIT U - KK)

04/15/2019 NOTICE OF MOTION/MOTION FOR RECONSIDERATION

04/15/2019 EXHIBIT APPENDIX (EXHIBIT A - T)

04/16/2019 CERTIFICATE OF SERVICE

04/16/2019 NOTICE OF APPEAL (PAID \$500 BOND)

04/17/2019 CASE APPEAL STATEMENT

04/17/2019 NOTICE OF CROSS-APPEAL (PAID \$500 BOND)

Run: 03/30/2020
13:39:33

Case Summary

Page 4

04/22/2019 CASE APPEAL STATEMENT (CROSS-APPEAL)
04/25/2019 RECEIPT FOR DOCUMENTS
04/29/2019 AMENDED NOTICE OF APPEAL (DENNIS STANTON)
04/29/2019 AMENDED NOTICE OF CROSS-APPEAL (TWYLA STANTON/78617)
05/01/2019 RECEIPT FOR DOCUMENTS
05/01/2019 EX PARTE MOTION FOR "STAY" EXECUTION OF THE JUDGMENT/ SANCTION (DENNIS STANTON)
05/06/2019 RECEIPT FOR DOCUMENTS
05/06/2019 RECEIPT FOR DOCUMENTS
05/07/2019 COURT ORDER(6/10/19)
05/10/2019 FIRST JOINT PETITIONER/PLAINTIFF'S NOTICE OF NON-OPPOSITION TO SECOND JOINT PETITIONER/DEFENDANT'S MOTION FOR
05/10/2019 SUPPLEMENT TO THE MOTION FOR RECONSIDERATION
05/17/2019 NOTICE OF WITHDRAWAL AS ATTORNEY OF RECORD FOR DEFENDANT (JAMES S KENT, ESQ FOR DENNIS VINCENT STANTON)
06/05/2019 SECOND JOINT PETITIONER/DEFENDANTS' MOTION TO DISQUALIFY THE HONORABLE JUDGE ROBERT W. LANE FROM HEARING CASE
06/05/2019 ORDER DISMISSING APPEALS
06/06/2019 NOTICE OF ENTRY OF ORDER/JUDGMENT (STIPULATION AND ORDER TO CONTINUE HEARING)
06/06/2019 NOTICE OF MOTION
06/10/2019 REPLY TO NOTICE OF NON-OPPOSITION TO MOTION FOR RECONSIDERATION(FILED BY DENNIS STANTON)
06/10/2019 Court Minutes - ***** REFER TO MINUTES ABOVE *****
06/10/2019 Court Minutes - JUDGE: ROBERT W. LANE; CLERK: VERONICA AGUILAR; BAILIFF: JAMELLE TAYLOR; APP: DENNIS STANTON IS PRESENT IN PROPER PERSON; ROBERT CRAWFORD, PLAINTIFF'S GUARDIAN, IS APPEARING TELEPHONICALLY. THE COURT INQUIRES REGARDING THE SERVICE OF THE MOTION RECENT DOCUMENTS. MR. CRAWFORD EXPLAINS HE RECEIVED THE EXPARTE MOTION TO STAY AND THAT HIS PREVIOUS ATTORNEY INFORMED HIM OF TODAY'S HEARING. MR. STANTON INFORMS THE COURT THAT MS. STANTON IS AT HOME BECAUSE SHE HAS A HIGH-RISK PREGNANCY AND CAN ONLY APPEAR BY PHONE. THE COURT INFORMS THE PARTIES THAT HE CANNOT RULE ON THE MOTIONS DUE TO THE MOTION TO RECUSE AND EXPLAINS THAT THE FILE WILL BE SENT TO JUDGE WANKER TO DETERMINE IF REASSIGNMENT IS NECESSARY. THE COURT INFORMS MR. STANTON THAT SERVICE HAS NOT BEEN COMPLETED PROPERLY AND SUGGESTS THAT MR. STANTON REVIEWS THE PROCEDURE OF HIS FILING TO AVOID DELAY. MR. CRAWFORD STATES HE WAS NOT SERVED AND REQUESTS ADDITIONAL TIME TO RESPOND. THE COURT STATES THAT A LETTER WILL BE MAILED OUT TO THEM TO NOTIFY THEM IF THE MATTER IS REASSIGNED.
06/12/2019 COURT ORDER (TRANSFERRING MATTER TO D1-KAW FOR DETERMINATION WHETHER D2-RWL ENTERTAINS AN ACTUAL/IMPLIED BIAS/PREJUDICE
06/12/2019 JUDGE LANE'S AFFIDAVIT
07/01/2019 REMITTITUR
07/01/2019 CLERK'S CERTIFICATE (JUDGMENT)
07/01/2019 ORDER DISMISSING APPEAL
07/05/2019 AFFIDAVIT OF ROBERT CRAWFORD AND CARMEN CRAWFORD
07/05/2019 OPPOSITION TO MOTION FOR RECONSIDERATION
07/05/2019 CERTIFICATE OF MAILING
07/11/2019 REPLY TO JUDGE LANE'S AFFIDAVIT
07/19/2019 FIRST JOINT PETITIONER/PLAINTIFF'S NOTICE OF NON-OPPOSITION TO SECOND JOINT PETITIONER/DEFENDANT'S MOTION TO
08/06/2019 CERTIFICATE OF MAILING(DENNIS STANTON-REPLY)
08/22/2019 CERTIFICATE OF MAILING (FIRST JOINT PETITIONER/PLAINTIFF'S NOTICE OF NON-OPPOSITION TO SECOND JOINT PETITIONER/

Run: 03/30/2020
13:39:33

Case Summary

Page 5

10/16/2019 ORDER DENYING SECOND JOINT PETITIONER/DEFENDANTS MOTION TO DISQUALIFY THE
HONORABLE ROBERT W LANE
01/08/2020 COURT ORDER
02/07/2020 SECOND SUPPLEMENT TO THE MOTION FOR RECONSIDERATION
02/07/2020 NOTICE OF INTENT TO APPEAR BY COMMUNICATION EQUIPMENT
02/10/2020 COURT MINUTES - HEARING ON ALL PENDING MOTIONS
JUDGE: ROBERT LANE;
CLERK: JUANITA TORRES;
BAILIFF: JAMELE TAYLOR;
APPEAR: TWYLA STANTON NOT PRESENT;
DENNIS STANTON PRESENT IN PRO PER;
GUARDIAN ROBERT CRAWFORD (TWYLA'S FATHER) PRESENT VIA COURT CALL.
COURT CALLS THE MATTER(S).
STANTON BRIEFS THE RECORD; OUTLINES HIS MOTION, REQUEST SEALING OF COURT
RECORD, CLAIMS NOTICE WAS NOT GIVEN ON 11/20/2018 FOR THE EX PARTE REQUEST
TO UNSEAL RECORDS; ARGUES 3RD PARTIES ARE NOT A PARTY TO THIS ACTION;
ADVISES THE COURT THEY HAVE REMARRIED; CLAIMS PREJUDICE IN THE GUARDIANSHIP
CASE, ARGUES IT SHOULD HAVE BEEN DISMISSED; CO-GUARDIANSHIP WAS NOT
REGISTERED IN NEVADA, IT WAS A COURT IN ARKANSAS; CLAIMS THEY DID NOT
COMMIT FRAUD IN THE DECREED OF DIVORCE; CLAIMS CONFLICT OF INTEREST WITH
THE OWEN LAW FIRM RE: THE GUARDIANSHIP CASE, THEY USED INFORMATION AGAINST
MRS. STANTON THAT WAS NOT GENERALLY KNOWN TO THE PUBLIC; ARGUES SANCTIONS
ARE TO BE MADE SEPARATELY FROM OTHER MOTIONS, HE WAS NOT SERVED PRIOR TO 21
DAYS BEFORE THE HEARING; ARGUES AGAINST ATTORNEY FEES; CLAIMS INCOME WAS
NOT TAKEN INTO CONSIDERATION, NO FINANCIAL DISCLOSURE FORMS WERE FILED,
CLAIMS THE GUARDIANS COMBINED ASSISTS IS WORTH 3-5 MILLION, HIS INCOME IS
APPROXIMATELY \$60K ANNUALLY; CONDUCT OF THE GUARDIANS IS ABUSIVE, CLAIMS
THE GUARDIANS NEVER GAVE THE SOCIAL SECURITY DEATH BENEFIT TO HIS WIFE;
PROTECTIVE SERVICES IN ARKANSAS OPENED AN INVESTIGATION; HE NEVER INTENT TO
MISLEAD THE COURT REGARDING THE OTHER CASES; ARGUES THE GUARDIANS ARE NOT
PARTIES TO THIS ACTION; AT THE 1/7/2018 HEARING THE SANCTION WERE REDUCED
TO JUDGMENT.
CRAWFORD ADVISES THE COURT THE ASSETS CLAIMED BY STANTON ARE UNTRUE, HE IS
A DISABLE VET AND STANTON'S STATEMENT REGARDING DEATH BENEFITS IS UNTRUE.
COURT TAKES THE MATTER UNDER ADVISEMENT; AND INQUIRES IF THE STANTON'S ARE
CURRENTLY MARRIED.
STANTON CONFIRMS THEY ARE.
02/28/2020 COURT ORDER
03/26/2020 PAYMENT \$524.00 REFUND \$548.00 RECEIPT #1624
03/26/2020 NOTICE OF APPEAL
03/26/2020 CASE APPEAL STATEMENT
03/30/2020 NOTICE OF CROSS-APPEAL
03/30/2020 CASE APPEAL STATEMENT

CERTIFICATION OF COPY

**STATE OF NEVADA
COUNTY OF NYE**

I, **SANDRA L. MERLINO**, the duly elected, qualifying and acting Clerk of Nye County, in the State of Nevada, and Ex-Officio Clerk of the District Court, do hereby certify that the foregoing is a true, full and correct copy of the original:

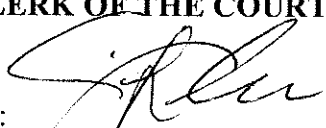
Documents Filed and of record in CV39304: Notice of Appeal filed March 27, 2020; Case Appeal Statement filed March 30, 2020; District Court Docket entries; Court Order filed 02/28/2020; and District Court Minutes.

TWYLA MARIE STANTON,)	
)	
Cross-Appellant/Joint Petitioner,)	
)	
v.)	DC Case No.: CV39304
)	
DENNIS VINCENT STANTON,)	
)	
Respondent/Joint Petitioner.)	
_____)	

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, Pahrump, Nevada, this 30 day of March, 2020.

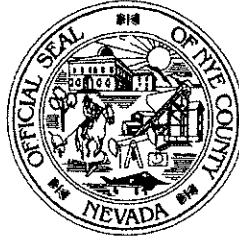
**SANDRA L. MERLINO
CLERK OF THE COURT**

By: 

Juanita Torres, Deputy Clerk

**OFFICE OF THE NYE COUNTY CLERK
SANDRA L. MERLINO**

Tonopah Office
Nye County Courthouse
P.O. Box 1031
101 Radar Road
Tonopah, Nevada 89049
Phone (775) 482-8127
Fax (775) 482-8133



Pahrump Office
Government Complex
1520 East Basin Avenue
Pahrump, Nevada 89060
Phone (775) 751-7040
Fax (775) 751-7047

March 30, 2020

NOTICE OF DEFICIENCY
FEES WERE COLLECTED
VIA E-FILE

Supreme Court Clerk
201 South Carson Street, #201
Carson City, NV 89701-4702

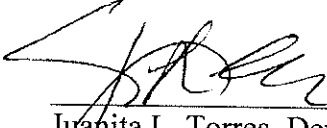
Re: CV39304, TWYLA MARIE STANTON, Appellant, and DENNIS VINCENT
STANTON, Respondent

Dear Ms. Brown:

I am submitting a Notice of Appeal filed on March 27, 2020, in the above referenced matter. I have included the supporting documents required on this appeal.

If you have any questions or need any additional information, please contact the Pahrump office at the number above.

Sincerely,
SANDRA L. MERLINO
NYE COUNTY CLERK

By: 
Juanita L. Torres, Deputy Clerk

cc: Twyla Stanton, Appellant
The Honorable Robert Lane
The State of Nevada