

IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
Jun 17 2020 10:53 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

DENNIS VINCENT STANTON,
Appellant/Cross-Respondent,

vs.

Case No. 80910

TWYLA MARIE STANTON,
Respondent/Cross-Appellant.

_____ /

RECORD ON APPEAL
Volume 2

Pages # 193 - 391

Dennis Vincent Stanton
7088 Los Banderos Ave.
Las Vegas, NV 89179-1207

Twyla Marie Stanton
7088 Los Banderos Ave.
Las Vegas, NV 89179-1207

Appellant In Proper Person

Respondent In Proper Person

I N D E X
FOR CASE# CV 39304

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EXMT

Name:

Address:

Telephone:

Email Address:

In Proper Person

Dennis Vincent Stanton
7088 Los Banderas Avenue
Las Vegas, Nevada 89179-1707
(702) 764-4690
dennisvstanton30@gmail.com

FILED

2018 DEC 13 P 3:21

NYE COUNTY CLERK

BY

DEPUTY

DISTRICT COURT

NYE, NEVADA

COUNTY

Twyla Marie Stanton

Plaintiff/First Joint Petitioner

CASE NO.:

CV-39304

VS.

DEPT:

2

Dennis Vincent Stanton

Defendant/Second Joint Petitioner

EX PARTE MOTION FOR to extend the time required to file a written response to this motion provide a short title that sums up what you are asking the judge to order)

(Your name) Dennis Vincent Stanton, the (☒ check one) ☐ Plaintiff
☒ Defendant in Proper Person, moves this Honorable Court for an Order granting the relief requested. This motion is brought in good faith and is based on the attached Points and Authorities, Affidavit of Movant, the papers and pleadings on file herein, and such further evidence and argument that may be requested.

DATED December 13,, 2018.

Submitted By: (your signature)

(print your name)

Dennis V. Stanton
Dennis Vincent Stanton

MOTION

(☒ check one)

- ☒ I tried to resolve this issue with the other party before filing this motion.
- ☐ I did not try to resolve this issue with the other party before filing this motion. Any attempt to resolve the issue would have been useless or impractical because (explain why you did not try to resolve this issue directly with the other party before filing this motion)
- _____
- _____

POINTS AND AUTHORITIES

LEGAL ARGUMENT. (explain all relevant laws and cases that support your argument)

An extension would not prejudice opposing counsel. The proceedings also will not be negatively affected by this brief delay. Their request for an extension is made in good faith. I have not otherwise engaged in unnecessary delays or dilatory conduct in this action. This would be the first extension granted to myself in this action.

FACTS AND ARGUMENT (explain all relevant facts the judge needs to know to make a decision)

1) I need more time to respond to this motion. As the sole provider and sole caretaker of 6 minor children my time and money are very scarce. The allegations and accusations made in the opposing parties court pleadings are very serious and I need more time to respond to the motion. It is also very close to the holidays when money is very tight. I need more time to hire an attorney and prepare a response. Please See Exhibit A.

2) Twyla Marie Stanton (Plaintiff/First Joint Petitioner) has retained her own attorney and is disputing the allegations of incapacity raised in the Petitioners' request for Guardianship over her. So even though case # 23PR-18-640 is being heard in Faulkner County, Arkansas, it is directly related to this case. Please See Exhibit B.

CONCLUSION (explain what you want the judge to order)

I respectfully ask the Court to grant me the following, and any other relief the Court finds appropriate.

1. to extend the time required to file a written response to this motion
2. _____
3. _____

DATED 17 December 13, 20 18.

Submitted By: (your signature)

(print your name)

Dennis V. Stanton
Dennis Vincent Stanton

DECLARATION IN SUPPORT OF MOTION

I declare, under penalty of perjury:

- a. I have read the foregoing motion, and the factual averments it contains are true and correct to the best of my knowledge, except as to those matters based on information and belief, and as to those matters, I believe them to be true. Those factual averments contained in the referenced filing are incorporated here as if set forth in full.

- b. Additional facts to support my requests include: (write anything else that the judge should know to make a decision about your case, or write "N/A" if there is nothing else to add)

I have a lot of information that I have to gather together to dispute their pleadings in their motion.

- c. Any Exhibit(s) in support of this Motion will be filed separately in an Exhibit Appendix.

Exhibit A - Communications between myself and opposing counsel.

Exhibit B - Response to Petitioners' Petition For Appointment as Co-Guardians

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

DATED 17 December 13, 20 18.

Submitted By: (your signature)

(print your name)

Dennis V. Stanton
Dennis Vincent Stanton

12/7/2018



Exhibit A

Gmail - CASE # CV39304

Dennis Stanton <dennisvstanton30@gmail.com>

CASE # CV39304

4 messages

Dennis Stanton <dennisvstanton30@gmail.com>

To: cowen@chrisowenlaw.com

Cc: clobello@chrisowenlaw.com

Wed, Dec 5, 2018 at 2:41 PM

Mr. Owens,

I was wondering and hoping if you would agree to a stipulation and order to extend the time for me to reply to your motion and also for a request to continue the hearing. I'm going to need more time to prepare as there were a lot of inaccuracies and inconsistencies in your court pleadings that I'm going to have to correct for the record. If you can get that to me as soon as possible, I would greatly appreciate it. I also called your office yesterday evening to discuss this, however, there was no answer so I left a message and I did not receive a callback. Thank you in advance.

Sincerely,

Dennis V. Stanton
Direct - (702) 764-4690
dennisvstanton30@gmail.com

Dennis Stanton <dennisvstanton30@gmail.com>

To: cowen@chrisowenlaw.com

Thu, Dec 6, 2018 at 1:36 PM

Chris or Charles,

Any word yet?

[Quoted text hidden]

Christopher Owen <cowen@chrisowenlaw.com>

To: Dennis Stanton <dennisvstanton30@gmail.com>

Thu, Dec 6, 2018 at 2:48 PM

Dennis,

Our clients are unwilling to agree to a stipulation and order as you requested below.

Thank you for your attention,

196

Christopher F. Owen

Attorney at Law
1785 E. Sahara Ave., Suite 157
Las Vegas, Nevada 89104
Tel.: 702.733.2800
Fax: 702.425.9883
www.chrisowenlaw.com



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From: Dennis Stanton <dennisvstanton30@gmail.com>
Sent: Thursday, December 6, 2018 1:36 PM
To: Christopher Owen <cowen@chrisowenlaw.com>
Subject: Re: CASE # CV39304

[Quoted text hidden]

Dennis Stanton <dennisvstanton30@gmail.com>
To: cowen@chrisowenlaw.com
Cc: clobello@chrisowenlaw.com

Thu, Dec 6, 2018 at 3:13 PM

Chris,

Thank you for your response.

Sincerely,

Dennis V. Stanton
Direct - (702) 764-4690
dennisvstanton30@gmail.com

[Quoted text hidden]

Exhibit B

ELECTRONICALLY FILED
Faulkner County Circuit Court Probate Division
Margaret Darter, County Clerk
2018-Dec-06 18:43:52
23PR-18-640
200853 Pages

IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS
PROBATE DIVISION

IN THE MATTER OF TWYLA MARIE MCCURDY
An incapacitated person

23PR-18-640

RESPONSE TO PETITIONERS'
PETITION FOR APPOINTMENT AS
CO-GUARDIANS

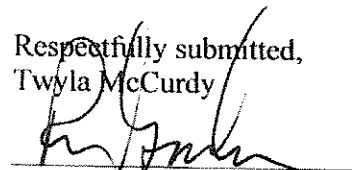
Comes Twyla Marie McCurdy, by and through her attorney, Ron Goodman, and for her Response to Petitioners' Petition for Appointment as Co-Guardians of her person and estate states as follows:

1. Twyla McCurdy, Respondent, disputes the allegations of incapacity raised in the Petitioners' Petition:
2. Respondent states that she does not reside at 129 Mill Creek Drive in Greenbrier, Arkansas as the Petitioners have alleged;
3. Respondent states that she is an adult person who has never had a guardian or need of a guardian. She was married for 14 years, kept house, raised six (6) children and cared for them and was gainfully employed.
4. Robert Crawford, Petitioner is not Respondent's natural father as claimed in the Petition;
5. Respondent had never met or been examined by Dr. Ann Prather before the Petitioners instituted this action and I dispute her findings;
6. Respondent would like to be examined by a physician of her choosing or in the alternative have the records of her long standing physician Dr. Pamela Greenspun presented to the Court;

7. Until approximately four (4) months ago Respondent was a resident of Las Vegas, Nevada. All of her friends, her children, her ex-husband and any persons she would call as witnesses on her behalf to refute the Petitioners' allegations reside in Las Vegas, Nevada.
8. The Petitioners are attempting to gain control of Respondent to obtain funds on her behalf to convert for their use and benefit. Petitioners loaned Respondent a large sum of money to pay for a divorce and are using the Guardianship process to obtain re-payment of that money. This is the true motivation of the Petitioners.
9. Respondent requests the Court to deny Petitioners' Petition for Guardianship, to continue the Court's hearing of December 10, 2018 so as to allow Respondent the time to secure witness testimony and to secure and present documentation refuting Petitioners' allegations.
10. Respondent requests the Court to caution the Petitioners to allow Respondent to have communication with anyone she wishes especially her attorney in the preparation and presentation of her defense.

Respectfully submitted,
Twyla McCurdy

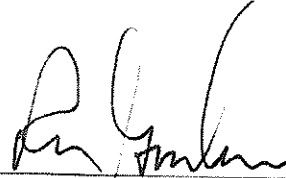
By:


Ron Goodman (86070)
Attorney at Law
515 Oak, Suite A
Conway, AR 72032
501-993-3824
rlgoodmanlaw@msn.com

CERTIFICATE OF SERVICE

I, Ron Goodman, hereby certify that a copy of the above pleading was served electronically and also placed in the U.S. Mail with sufficient postage this 6th day of December 2018 and addressed as follows:

Boyd Tackett Jr.
P.O. Box 1433
Conway, AR 72033

A handwritten signature in black ink, appearing to read 'Ron Goodman', written over a horizontal line.

Ron Goodman (86070)

**IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS
PROBATE DIVISION**

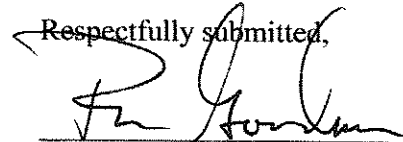
IN THE MATTER OF TWYLA MARIE MCCURDY
An incapacitated person

23PR-18-640

ENTRY OF APPEARANCE

Comes Ron Goodman, attorney at law, and hereby enters his appearance on behalf of
Twyla Marie McCurdy in all matters before the Court relating to her.

Respectfully submitted,

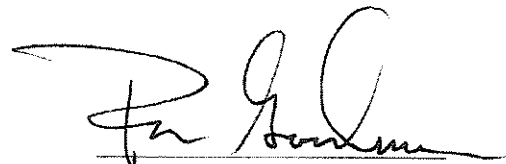


Ron Goodman (86070)
Attorney at Law
515 Oak, Suite A
Conway, AR 72032
501-993-3824
rlgoodmanlaw@msn.com

CERTIFICATE OF SERVICE

I, Ron Goodman, hereby certify that a copy of the above pleading was served
electronically and also placed in the U.S. Mail with sufficient postage this 6th day of December
2018 and addressed as follows:

Boyd Tackett Jr.
P.O. Box 1433
Conway, AR 72033



Ron Goodman (86070)

DEC 14 2018

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

On November 27, 2018, TWYLA MARIE STANTON filed a motion to set aside the decree of divorce in the above matter. On December 13, 2018, DENNIS VINCENT STANTON filed an Ex Parte Motion for Continuance and an Ex Parte Motion to Extend the Time Required to File a Written Response to this Motion. After reviewing Mr. Stanton's reasoning for a continuance and time to respond, the Court does not find that a continuance and time to respond is in good faith and reasonably necessary. Good cause appearing.

IT IS HEREBY ORDERED that Defendant's Ex Parte Motions filed on December 13, 2018, are DENIED.

DATED this 14th day of December, 2018.

District Court Judge





CERTIFICATION OF SERVICE

The undersigned hereby certifies that on the 14th day of December, 2018, he mailed
copies of the foregoing Court Order to the following:


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

OWEN LAW FIRM
1785 E. Sahara Ave., Suite 157
Las Vegas, NV 89104


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

1 **OPP**

James S. Kent, Esq.
Nevada Bar No.: 5034
JAMES S. KENT, LTD.
9480 S. Eastern Avenue, Suite 228
Las Vegas, Nevada 89123
(702) 385-1100
jamie@jamiakent.org
Attorney for Second Joint Petitioner/Defendant

FILED
2018 DEC 26 P 1:00
NYE COUNTY CLERK
BY [Signature]
DEPUTY

2
3
4
5
6
7 **IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
8 **IN AND FOR THE COURT OF NYE**

9 TWYLA MARIE STANTON,
10

11 Plaintiff,

12 vs.

13 DENNIS VINCENT STANTON,
14

Defendant.

CASE NO. CV-39304

DEPT. NO. 2

HEARING DATE: January 7, 2019

HEARING TIME: 9:00 a.m.

15 **ORAL ARGUMENT REQUESTED X YES NO**

16
17 **OPPOSITION TO PLAINTIFF'S MOTION PURSUANT TO RULE 60(B) TO SET ASIDE**
18 **DECREE OF DIVORCE AS FRAUDULENTLY OBTAINED, TO DISMISS THE JOINT**
19 **PETITION FOR DIVORCE WITH PREJUDICE, AND TO SANCTION DEFENDANT FOR**
20 **FORUM SHOPPING AND PERPETRATING A FRAUD UPON THE COURT IN THE FULL**
21 **AMOUNT OF PLAINTIFF'S FEES AND COSTS, AND COUNTERMOTION TO STRIKE**
22 **MOVANT'S MOTION AS BEING FILED WITHOUT AUTHORITY AND IN A DIRECT**
23 **CONFLICT OF INTEREST, AND FOR ATTORNEY'S FEES**

24 **COMES NOW**, Second Joint Petitioner/Defendant, DENNIS VINCENT STANTON, by and
25 through his attorney, JAMES S. KENT, ESQ., and herewith files this Opposition and Countermotion
26 for the basis and relief stated in this pleading's title.

27 While the undersigned has technically only been retained by Dennis, the reality is that this
28 Opposition is being filed on behalf and for the benefit of both named parties.

As noted in the Motion, the parties prepared, signed, notarized, and did all the requirements to
obtain a divorce from this Court. Had there been something failing in compliance with state or local
law, the divorce would not have been granted. As such, it should continue to stand.

Even the Movants believe the Decree to be valid and binding. In their filings in Arkansas, the Movants referred to Twyla as Twyla McCurdy, not Twyla Stanton. It is interesting that the Decree, which Movants claim is fraudulent, Twyla was restored to her former name of McCurdy. All of Movants' paperwork in Arkansas states Twyla's last as McCurdy, so they obviously agree that the Decree is a valid and binding document. Further basis the Decree was properly and lawfully entered.

In Opposition to the pending Motion, it must first be stated that the parties attacking the divorce, namely the Temporary Co-Guardians Robert and Carmen Crawford, are not parties to the divorce. NRS 125.185 states: "No divorce from the bonds of matrimony heretofore or hereafter granted by a court of competent jurisdiction of the State of Nevada, which divorce is valid and binding upon each of the parties thereto, may be contested or attacked by third persons not parties thereto."

The Movants are clearly neither Dennis Stanton nor Twyla Stanton. As such, the law is clear that they cannot attack the divorce to have it set aside, dismissed, or any other changes to the proceeding. Movants attempt to attack the divorce under NRCP 60(b), but nothing cited by the Movants give them the right or standing to attack this divorce.

Second, the only way the Movants could conceivably claim to have a right to attack the Decree would be to claim that through their Order Appointing them as Temporary Co-Guardians (Movants' Exhibit 1), and that they are acting for Twyla and thus are inserted into her shoes. Movants, in their footnote number 1, accurately state that Mr. Owens and Mr. Lobello are acting on behalf of Temporary Co-Guardians Robert and Carmen Crawford. The Order appointing the Crawfords *Temporary Co-Guardians* is an order from Faulkner County, Arkansas, as mentioned, is attached to their Motion as Exhibit 1.

The Order provided by the Movants was gained by only having to file an affidavit by the Temporary Co-Guardians. There has not been a hearing on the merits or other determination on the facts and law that Twyla is in need of a guardian. In fact, Twyla has retained counsel in Arkansas and is fighting the guardianship proceedings in Arkansas. See Exhibit A attached hereto. Per her filing in Arkansas, Twyla wants to submit the records of her long standing physician, as well as her friends, family, and any other persons on her behalf. That hearing is currently pending in Arkansas, as not date has been set as of the date of this pleading.

1 Movants simply attaching a copy of an Order Appointing Co-Guardians to their Motion is
2 insufficient basis upon which this Court can now be asked to give benefit and authority to the Movants.
3 NRS 159.2025 provides the handling of guardianship orders issued in another state.

4 If a guardian has been appointed in another state and a petition for the appointment of a
5 guardian is not pending in this State, the guardian appointed in the other state, *after*
6 *giving notice to the appointing court of an intent to register and the reason for*
7 *registration, may register the guardianship order in this State by filing as a foreign*
8 *judgment in a court, in any appropriate county of this State:*

1. Certified copies of the order and letters of office; and
2. A copy of the guardian's driver's license, passport, permanent resident card, tribal identification card or other valid photo identification card in a sealed envelope.

9 (Emphasis added). None of the foregoing has been done, or at least Movants have failed to indicate that
10 any of it has been performed. Further, they have failed to provide any documents evidencing it as having
11 been done, nor have they even acknowledged these steps as needing to be done. In fact, a review of the
12 Docket Report from the open and pending Arkansas case shows that Movants have failed to give the
13 Arkansas Court notice and basis for their intent to proceed on the Temporary Co-Guardianship in
14 Nevada. Exhibit B.

15 Additionally, in obtaining their Temporary Co-Guardianship, the Movants failed to inform the
16 Arkansas Court of any of the proceedings in Nevada. Their Arkansas Petition, attached hereto as Exhibit
17 C, is silent on any of the facts that they put in their current. No mention of fraud, of having been taken
18 advantage of, of the recent divorce- NOTHING! Further, while the note Twyla's doctor as a person
19 having knowledge of Twyla's alleged disabilities, they make no mention of Dennis, Twyla's husband
20 of some 14 years (and father of the parties' children).

21 Third, the Motion contains no statement from the Temporary Co-Guardians. No affidavit. No
22 statement of any conversation they had (or allegedly may have had with her) in regards to wanting to
23 move to set aside the Decree. There are plenty of baseless and false allegations of Dennis allegedly
24 doing this and doing that, but there is no proof whatsoever, no statement from Twyla this is what
25 happened, and no sworn affidavit from anyone putting forth these allegations under oath and penalty of
26 perjury. In fact, Dennis asked the undersigned to seek an apology for the false and baseless allegations
27 made, and the wrong claim of fraud, but, quite frankly, the undersigned did not know who to seek the
28 apology from. The attorneys? The Temporary Co-Guardians? The doctor who submitted the report to

the Arkansas Court? The grandmother, who happens to be the only one to have signed a statement? The point, while an apology is valid, is that there is no verification of any of the allegations made.

Rule 13 (Motions: Procedure for making motions; affidavits; renewal, rehearing of motions) of the Rules of the District Courts of the State of Nevada provides in pertinent part:

5. The affidavits to be used by either party shall identify the affiant, the party on whose behalf it is submitted, and the motion or application to which it pertains and shall be served and filed with the motion, or opposition to which it relates.

Affidavits shall contain only factual, evidentiary matter, shall conform with the requirements of NRCPP 56(e), and shall avoid mere general conclusions or argument. Affidavits substantially defective in these respects may be stricken, wholly or in part.

6. Factual contentions involved in any pre-trial or post-trial motion shall be initially presented and heard upon affidavits. Oral testimony may be received at the hearing with the approval of the court, or the court may set the matter for a hearing at a time in the future and allow oral examination of the affiants to resolve factual issues shown by the affidavits to be in dispute.

Without any affidavit, any and all factual allegations made in the Motion must be disregarded. Further, Movants should not simply be allowed to now amend their Motion. The fact is their Motion fails on numerous levels that cannot simply be corrected in a Reply. The Motion is deficient, and should be stricken for lack of authority to file, and lack of any affidavit to support their factual allegations.

Fourth, as touched upon above, the Movants basically have gone rogue and taken it upon themselves to seek relief without authority or permission to do so.

Dennis argues that without going through the requirements as stated above, the Movants' Temporary Guardianship Order has no effect or power to enforce in the State of Nevada. NRS 159.2027 provides what is the effect of registering of guardianship orders issued in another state:

1. Upon registration of a guardianship, the guardian may exercise in this State all powers authorized in the order of appointment except as prohibited under the laws of this State, including maintaining actions and proceedings in this State and, if the guardian is not a resident of this State, subject to any conditions imposed upon nonresident parties.

2. A court of this State may grant any relief available under NRS 159.1991 to 159.2029, inclusive, and other law of this State to enforce a registered order.

NRS 159.2027 clearly shows that *only upon and after the registration* of a foreign guardianship does that guardianship obtain the powers as if that guardianship had been entered in the State of Nevada. If that power was conferred automatically, there would be no need for the process of registration as set forth in the Nevada Revised Statutes. The fact that the process is well set forth provides the basis that without the abiding by the process, the Temporary Guardianship from Arkansas has no power or effect.

1 One could reasonably argue that the basis for this is to prevent persons, such as the Movants
2 herein, from exceeding the powers given to them by the Court granting the same.

3 What the Movants provide as to the Temporary Co-Guardianship is bare bones. We do not have
4 any letters of Guardianship, or any powers afforded to the Temporary Co-Guardians. In fact, Arkansas
5 Code Annotated 28-65-218(a)(1) provides the authorization for Temporary Guardians, and this should
6 be utilized in determining what authority, if any, the Movants have:

7 Except as provided under subdivision (a)(2) of this section, **if the court finds that there**
8 **is imminent danger to the life or health of the incapacitated person or of loss,**
9 **damage, or waste to the property of an incapacitated person and that this requires**
10 **the immediate appointment of a guardian of his or her person or estate, or both, the**
11 **court may, with or without notice, appoint a temporary guardian for the**
12 **incapacitated person for a specified period, which period, including all extensions,**
13 **shall not exceed ninety (90) days, and the court may remove or discharge him or her or**
14 **terminate the guardianship.**

15 (Emphasis added). In the Order and the Movants Application for , which is all we have, it indicates that
16 Twyla has an estate of less than \$500. Again, there is not mention of the Divorce, of the custody of
17 Twyla's (and Dennis') children, nothing about what she did or did not receive in the divorce, nothing
18 about the allegation of Dennis forcing her to sign things, and nothing about Dennis allegedly forcing her
19 to give him money. Further, the Order does not specify any specific orders or allowances of the
20 Temporary Co-Guardians. There are no provisions nor allowances for the Movants to register the
21 Temporary Co-Guardianship in Nevada for the purposes of setting aside Twyla's divorce from Dennis.

22 The forgoing failures to abide by the legal requirements makes the Movants' Motion improper
23 and without proper legal authority. Accordingly, Dennis requests that not only should all relief requested
24 by the Movants be denied, but their Motion be stricken for the aforementioned deficiencies.

25 Fifth, the counsel for Movants, by their own admission, were previously appointed as counsel
26 for Twyla. Based upon Twyla's opposing the Movants' request for a guardianship in Arkansas, there
27 appears to be a direct conflict of interest in Movants' counsel having previously represented Twyla and
28 now representing the same persons she is fighting against (the Temporary Co-Guardians). While the
Movants' counsel may not have known it at the time of the filing their Motion, the fact Twyla's
opposition to the Temporary Co-Guardians has now been presented should provide basis why they
cannot continue to represent the Movants.

1 Rule of Professional Conduct 1.9 states:

2 Rule 1.9. Duties to Former Clients.

3 (a) A lawyer who has formerly represented a client in a matter shall not thereafter
4 represent another person in the same or a substantially related matter in which that
5 person's interests are materially adverse to the interests of the former client unless the
6 former client gives informed consent, confirmed in writing.

(b) A lawyer shall not knowingly represent a person in the same or a substantially
related matter in which a firm with which the lawyer formerly was associated had
previously represented a client:

- (1) Whose interests are materially adverse to that person; and
- (2) About whom the lawyer had acquired information protected by
Rules 1.6 and 1.9(c) that is material to the matter;
- (3) Unless the former client gives informed consent, confirmed in
writing.

(c) A lawyer who has formerly represented a client in a matter or whose
present or former firm has formerly represented a client in a matter shall not
thereafter:

- (1) Use information relating to the representation to the
disadvantage of the former client except as these Rules would permit
or require with respect to a client, or when the information has
become generally known; or
- (2) Reveal information relating to the representation except as these
Rules would permit or require with respect to a client.

14 Emphasis added.

15 In this instance, Movants' counsel represent that they were previously appointed to represent
16 Twyla in her divorce based upon concerns of Twyla's mental capacity. This is now being used against
17 Twyla in the Movants' Motion. They now represent the Temporary Co-Guardians. Twyla and the
18 Temporary Co-Guardians are on opposite sides in relation to the Temporary Guardianship, which is the
19 vessel in the Movants' attempt to set aside the Decree. While Movants' counsel may or may not have
20 received confidential information directly from Twyla, their representation of a third, attacking party to
21 now set aside a Decree of Divorce which appears that Twyla entered into voluntarily and of her own
22 knowledge presents a significant concern for independence of counsel and lack of conflict. This is basis
23 not only to dismiss Movants's counsel, but as said counsel make numerous references back to times and
24 items which occurred during or about the time they were appointed for Twyla is basis to strike their
25 Motion for fear inclusion of inappropriate or conflicted materials and/or argument.

26 Finally, Dennis and Twyla have since the divorce reconciled and remarried. Exhibit D. Further,
27 based upon their reconciliation and remarriage, Dennis is not opposed to vacating the Decree, Joint
28 Petition, and any accompanying documents; however, as provided above, there is no basis to grant the

vacating of this divorce based upon the Motion, and the premises therein, and that distinction needs to be made clear. Movants' Motion needs to be stricken first and foremost. After that, this Court can: 1) leave things as they are, based upon the parties having reconciled and remarried and thus making any concerns or claims moot; 2) can vacate the prior divorce and all pleadings therein, restoring the parties to the position of husband and wife as if this case never took place; or 3) authorize Dennis and Twyla to file a joint request to vacate their divorce and have placed back to the position of husband and wife as if this divorce proceeding never occurred. Dennis is fine with any of these options, but, again, wants it absolutely clear there was never any intention of fraud or deceit; rather, it was simply the desire of two parties to get a divorce the quickest and least costly way available.

Regarding attorney's fees, the Movants' request should be denied for the deficiencies noted above. They have failed to review the necessary and appropriate statutes, both in Nevada and Arkansas, where the Temporary Co-Guardianship was issued from. They failed to seek and obtain permission from the issuing Arkansas Court. They failed to register anything in the State of Nevada. There are no letters of guardianship. There are no Orders of authority. There were insufficient affidavits for the relief sought. For these and the other reasons stated above, not only must the Movants' Motion be denied, it should also be stricken.

As to NRS 18.010 and NRCP 11(b), these support Dennis' request for fees. The Movants' failure to abide by the clear rules regarding guardianships and their intent on punishing and harassing Dennis. Other than degrading Twyla to support their position of Temporary Co-Guardians, everything else was vengeance against Dennis. In their rush to punish Dennis, they simply ignored rules and statutes, and the same should not go unadmonished.

In awarding attorney's fees, the Nevada case of Miller v. Wilfong provides the information a court must review in awarding attorney's fees.

Second, while it is within the trial court's discretion to determine the reasonable amount of attorney fees under a statute or rule, in exercising that discretion, the court must evaluate the factors set forth in *Brunzell v. Golden Gate National Bank*. Under *Brunzell*, when courts determine the appropriate fee to award in civil cases, they must consider various factors, including the qualities of the advocate, the character and difficulty of the work performed, the work actually performed by the attorney, and the result obtained. We take this opportunity to clarify our jurisprudence in family law cases to require trial courts to evaluate the *Brunzell* factors when deciding attorney fee awards. Additionally, in *Wright v. Osburn*, this court stated that family law trial courts must also consider the disparity in income of the parties when awarding fees. Therefore, parties seeking

1 attorney fees in family law cases must support their fee request with affidavits or other
2 evidence that meets the factors in *Brunzell* and Wright.

3 Miller v. Wilfong, 119 P.3d 727, 730, 121 Nev. 619 (2005) (footnotes omitted).

4 The undersigned has been a licensed attorney for approximately 23 years, with the majority of
5 my practice being family law. My hourly billing rate is \$350 per hour, and is consistent with my
6 experience, and even as noted by Movants, is well below what others charge.


7 This matter was unique in that it involved an out-of-state guardianship, and its ability (or lack
8 thereof) to be effectuated in Nevada. There were pleadings to review in both states, as well as statutes,
9 regulations, and court rules. This was largely a legal brief from Dennis' position, rather than a factually
10 based Opposition and Countermotion, and was not what one would or could consider a "run of the mill"
11 family court proceeding.

12 The work performed and provided for per the aforementioned billing was normal and necessary
13 for the appropriate presentation of Dennis' concerns before the Court. This included meeting with the
14 client to determine the issues, perform legal research on the concerns presented, review of prior orders,
15 review of records, emails and phone calls with the client, and eventually the hearing in this matter.

16 It is believed, based upon the law, that the results to be received will favor Dennis. Again, the
17 Movants failed to diligently understand their case and the laws affecting the same, but the undersigned
18 had to do the same, making the difference in this case. Dennis seeks an award of \$3,000 as and for his
19 legal fees.

20 DATED this 26th day of December, 2018.

21 JAMES S. KENT, LTD.

22 
23 JAMES S. KENT, ESQ.
24 Nevada Bar No. 005034
25 9480 S. Eastern Avenue, Suite 228
26 Las Vegas, Nevada 89123
27 (702) 385-1100
28 Attorney for

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am employed in the County of Clark, State of Nevada, am over the age of
3 18 years and not a party to this action. My business address is James S. Kent, Ltd., 9480 S. Eastern
4 Ave., Suite 228, Las Vegas, Nevada 89123.

5 On this day I served the **OPPOSITION TO PLAINTIFF'S MOTION PURSUANT TO**
6 **RULE 60(B) TO SET ASIDE DECREE OF DIVORCE AS FRAUDULENTLY OBTAINED, TO**
7 **DISMISS THE JOINT PETITION FOR DIVORCE WITH PREJUDICE, AND TO SANCTION**
8 **DEFENDANT FOR FORUM SHOPPING AND PERPETRATING A FRAUD UPON THE**
9 **COURT IN THE FULL AMOUNT OF PLAINTIFF'S FEES AND COSTS, AND**
10 **COUNTERMOTION TO STRIKE MOVANT'S MOTION AS BEING FILED WITHOUT**
11 **AUTHORITY AND IN A DIRECT CONFLICT OF INTEREST, AND FOR ATTORNEY'S**
12 **FEES** in this action or proceeding by electronic service as agreed upon by the parties pursuant to NRC
13 5(b)(2)(D), which will cause this document to be served upon the following counsel of record:

14 **Charles C. LoBello, Esq.**

Email:

clobello@chrisowenlaw.com

Nevada Bar No.: 5052

15 **Christopher F. Owen, Esq.**

cowen@chrisowenlaw.com

Nevada Bar No.: 13211

16 **OWEN LAW FIRM**

17 1785 E. Sahara Ave., Suite 157

Las Vegas, Nevada 89104

18 Facsimile: (702) 425-9883

Attorneys for First Joint Petitioner/Plaintiff

19 I certify under penalty that the foregoing is true and correct, and that I executed this Certificate
20 of Service on December 26, 2018 at Las Vegas, Nevada.
21

22 */s/ Alesha Dessaints*

23 An employee of JAMES S. KENT, LTD.
24
25
26
27
28

EXHIBIT A

IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS
PROBATE DIVISION

IN THE MATTER OF TWYLA MARIE MCCURDY
An incapacitated person

23PR-18-640

RESPONSE TO PETITIONERS'
PETITION FOR APPOINTMENT AS
CO-GUARDIANS

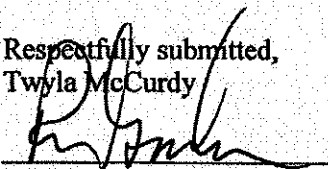
Comes Twyla Marie McCurdy, by and through her attorney, Ron Goodman, and for her
Response to Petitioners' Petition for Appointment as Co-Guardians of her person and estate
states as follows:

1. Twyla McCurdy, Respondent, disputes the allegations of incapacity raised in the
Petitioners' Petition:
2. Respondent states that she does not reside at 129 Mill Creek Drive in Greenbrier,
Arkansas as the Petitioners have alleged;
3. Respondent states that she is an adult person who has never had a guardian or need of a
guardian. She was married for 14 years, kept house, raised six (6) children and cared for
them and was gainfully employed.
4. Robert Crawford, Petitioner is not Respondent's natural father as claimed in the Petition;
5. Respondent had never met or been examined by Dr. Ann Prather before the Petitioners
instituted this action and I dispute her findings;
6. Respondent would like to be examined by a physician of her choosing or in the
alternative have the records of her long standing physician Dr. Pamela Greenspun
presented to the Court;

7. Until approximately four (4) months ago Respondent was a resident of Las Vegas, Nevada. All of her friends, her children, her ex-husband and any persons she would call as witnesses on her behalf to refute the Petitioners' allegations reside in Las Vegas, Nevada.
8. The Petitioners are attempting to gain control of Respondent to obtain funds on her behalf to convert for their use and benefit. Petitioners loaned Respondent a large sum of money to pay for a divorce and are using the Guardianship process to obtain re-payment of that money. This is the true motivation of the Petitioners.
9. Respondent requests the Court to deny Petitioners' Petition for Guardianship, to continue the Court's hearing of December 10, 2018 so as to allow Respondent the time to secure witness testimony and to secure and present documentation refuting Petitioners' allegations.
10. Respondent requests the Court to caution the Petitioners to allow Respondent to have communication with anyone she wishes especially her attorney in the preparation and presentation of her defense.

Respectfully submitted,
Twyla McCurdy

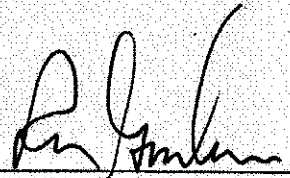
By:


Ron Goodman (86070)
Attorney at Law
515 Oak, Suite A
Conway, AR 72032
501-993-3824
rlgoodmanlaw@msn.com

CERTIFICATE OF SERVICE

I, Ron Goodman, hereby certify that a copy of the above pleading was served electronically and also placed in the U.S. Mail with sufficient postage this 6th day of December 2018 and addressed as follows:

Boyd Tackett Jr.
P.O. Box 1433
Conway, AR 72033



Ron Goodman (86070)

**IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS
PROBATE DIVISION**

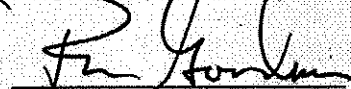
**IN THE MATTER OF TWYLA MARIE MCCURDY
An incapacitated person**

23PR-18-640

ENTRY OF APPEARANCE

Comes Ron Goodman, attorney at law, and hereby enters his appearance on behalf of
Twyla Marie McCurdy in all matters before the Court relating to her.

Respectfully submitted,

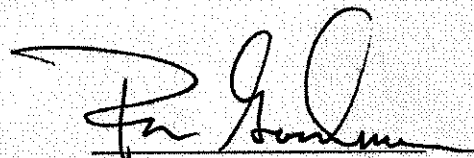


Ron Goodman (86070)
Attorney at Law
515 Oak, Suite A
Conway, AR 72032
501-993-3824
rlgoodmanlaw@msn.com

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2018 and addressed as follows:

Boyd Tackett Jr.
P.O. Box 1433
Conway, AR 72033



Ron Goodman (86070)

**IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS
PROBATE DIVISION**

**IN THE MATTER OF TWYLA MARIE MCCURDY
An incapacitated person**

23PR-18-640

MOTION FOR CONTINUANCE

Comes the Respondent, Twyla McCurdy, by and through her attorney, Ron Goodman,
and for her Motion for Continuance pursuant to Rule 40 of the Arkansas Rules of Civil
Procedure states as follows:

1. A hearing for the determination of guardianship of the person and estate of Respondent is
set for Monday December 10, 2018 at 9:00 am in Faulkner County Probate Court;
2. Respondent has just recently been able to talk with an attorney about the actions of
Petitioners;
3. All of Respondent's friends, her six (6) children, ex-husband and long-time physician
reside in Las Vegas, Nevada where Respondent has resided all of her life prior to the last
four (4) months. Respondent needs additional time to secure testimony and
documentation to refute the Petitioners' allegations and oppose the guardianship.
4. These serious matters before the Court warrant all caution being taken before the
Respondent's rights are essentially terminated;

5. No prejudice will result in continuing this matter to allow Respondent to present her defense;

WHEREFORE, Respondent respectfully requests the Court to continue the December 10, 2018 hearing for sixty (60) days to allow her to gather documentation and secure witnesses to assist her in her defense of the action before the Court.

Respectfully submitted,

Twyla McCurdy

By:


Ron Goodman (86070)

Attorney at Law

515 Oak, Suite A

Conway, AR 72032

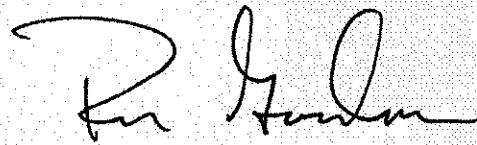
515-993-3824

rlgoodmanlaw@msn.com

CERTIFICATE OF SERVICE

I, Ron Goodman, hereby certify that a copy of the above pleading was served electronically and also placed in the U.S. Mail with sufficient postage this 6th day of December 2018 and addressed as follows:

Boyd Tackett Jr.
P.O. Box 1433
Conway, AR 72033



Ron Goodman (86070)

Ron L. Goodman
Attorney at Law



"Over 25 Years of Experience"

December 6, 2018
HAND DELIVERED

The Honorable Judge H.G. Foster
Faulkner County Circuit/Probate Division
Faulkner County Courthouse
Conway, AR

Re: IN THE MATTER OF TWYLA MARIE MCCURDY
An incapacitated person, 23 PR-18-640

Dear Judge Foster,

I have just been retained to represent Ms. McCurdy in the above referenced matter. As per her Response and Motion for Continuance we respectfully request a continuance of the December 10, 2018 hearing on guardianship.

Thank you for your consideration of our Motion. I have enclosed a proposed Order granting same if the Motion meets with your approval.

Best regards,

A handwritten signature in black ink, appearing to read "Ron Goodman".

Ron Goodman (86070)
Attorney at Law
515 Oak, Suite A
Conway, AR 72032
501-993-3824

(Enclosure)

Cc: Boyd Tackett Jr.

RLG: vsw

515 Oak Street, Suite A . Conway, Arkansas 72032 . rlgoodmanlaw@msn.com
Phone: 501-993-3824 . Fax: 501-664-3458

EXHIBIT B

Report Selection Criteria

Case ID: 23PR-18-640
 Citation No:
 Docket Start Date:
 Docket Ending Date:

Case Description

Case ID: 23PR-18-640 - TWYLA MARIE MCCURDY -NON-TRIAL
 Filing Date: Friday , October 19th, 2018
 Court: 23 - FAULKNER
 Location: CO - COUNTY
 Type: GA - GUARDIANSHIP OF AN ADULT
 Status: OPEN - CASE OPEN
 Images:

Case Event Schedule

Event	Date/Time	Room	Location	Judge
FINAL HEARING		COURTROOM 3C	CIRCUIT	20TH CIRCUIT DIVISION 5

Case Parties

Seq #	Assoc	End Date	Type	ID	Name
5			PLAINTIFF/PETITIONER ATTORNEY	<u>1001020</u>	TACKETT JR , BOYD ANDERSON
				Aliases:	JR., BOYD ANDERSON TACKET JR., BOYD TACKETT
6			DEFENDANT/RESPONDENT ATTORNEY	<u>1003871</u>	GOODMAN, RON L
				Aliases:	GOODMAN, RON L. GOODMAN, RON
4			GUARDIAN	<u>16347745</u>	CRAWFORD, CARMEN
				Aliases:	none
2			WARD	<u>16347743</u>	MCCURDY, TWYLA MARIE
				Aliases:	none

222

3		GUARDIAN	16347	CRAWFORD, ROBERT
			Aliases:	none
1		JUDGE	7965463	20TH CIRCUIT DIVISION 5
			Aliases:	FOSTER II, HARRY G

Violations**Sentence**

No Sentence Info Found.

Milestone Tracks

No Milestone Tracks found.

Docket Entries

Filing Date	Description	Name	Monetary
10/19/2018 04:17 PM	AOC COVERSHEET PROBATE	TACKETT JR , BOYD ANDERSON	
Entry:	none.		
Images	No Images		
10/19/2018 04:17 PM	PETITION GUARDIANSHIP \$	TACKETT JR , BOYD ANDERSON	
Entry:	none.		
Images	WEB		
10/19/2018 04:17 PM	SUMMONS SUBPOENA FEE 21-6-402	TACKETT JR , BOYD ANDERSON	
Entry:	none.		
Images	No Images		
10/19/2018 04:17 PM	MOF ORIGINAL	TACKETT JR , BOYD ANDERSON	

Entry:	none.		
Images	No Images		
10/19/2018 04:19 PM	PAYMENT RECEIVED		
Entry:	A Payment of \$165.00 was made on receipt 23CO1668.		
Images	No Images		
10/19/2018 04:19 PM	SUMMONS - FILER PREPARED		
Entry:	none.		
Images	<u>WEB</u>		
10/19/2018 04:25 PM	AFFIDAVIT FILED	TACKETT JR , BOYD ANDERSON	
Entry:	none.		
Images	<u>WEB</u>		
10/26/2018 01:12 PM	TEMPORARY ORDER	20TH CIRCUIT DIVISION 5,	
Entry:	none.		
Images	<u>WEB</u>		
11/08/2018 10:11 AM	NOTICE OF HEARING	TACKETT JR , BOYD ANDERSON	
Entry:	none.		
Images	<u>WEB</u>		
11/26/2018 03:53 PM	SUMMONS SERVED	TACKETT JR , BOYD ANDERSON	
Entry:	none.		
Images	<u>WEB</u>		
12/06/2018 06:43 PM	ENTRY OF APPEARANCE	GOODMAN, RON L	
Entry:	none.		
Images	<u>WEB</u>		

12/06/2018 06:43 PM	RESPONSE/REPL	GOODMAN, R L	
Entry:	RESPONSE TO PETITIONERS' PETITION FOR APPOINTMENT AS CO-GUARDIANSHIP		
Images	WEB		
12/06/2018 06:43 PM	MOTION CONTINUANCE	GOODMAN, RON L	
Entry:	none.		
Images	WEB		
12/06/2018 06:43 PM	LETTER TO COURT	GOODMAN, RON L	
Entry:	LETTER TO HON. JUDGE H.G. FOSTER hand delivered with ORDER		
Images	WEB		
12/10/2018 12:53 PM	FINAL HEARING CONTINUED		
Entry:	none.		
Images	No Images		

EXHIBIT C

IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS
PROBATE DIVISION

IN THE MATTER OF TWYLA MARIE MCCURDY,
An incapacitated person

**VERIFIED PETITION FOR APPOINTMENT
OF CO-GUARDIANS OF THE PERSON AND ESTATE**

Comes the Petitioners, Robert Crawford and Carmen Crawford, by and through their attorney of record, Boyd Tackett, Jr., and for their Verified Petition for Appointment of Co-Guardians of the Person and Estate of Twyla Marie McCurdy and states:

1. The alleged incapacitated person is Petitioners' daughter, namely, Twyla Marie McCurdy, DOB: 8/6/85, 129 Mill Creek Drive, Greenbrier, AR 72058. She is incapacitated by physical and mental defect and is impaired by reason of a disability to the extent of lacking ability to care for her daily needs and possessing sufficient understanding or capacity to make or communicate decisions to meet the essential requirements for her health or safety or to manage her estate and has not had any guardian of her person or estate appointed in any state. A copy of an evaluation performed by a medical professional shall be filed with the Clerk of the Court same date as this Petition.

2. The Respondent's property consists mainly of clothing and personal effects with an approximate value of less than \$500.00.

3. Insofar as the petitioner has been able to ascertain, the persons most closely related, by blood or marriage, to the incapacitated person are: Carmen Crawford, the natural mother of same incapacitated person, 129 Mill Creek Drive, Greenbrier, AR 72058 and Robert Crawford, the natural father of same incapacitated person, 129 Mill Creek Drive, Greenbrier, AR 72058.

4. Petitioners, Robert Crawford and Carmen Crawford, are residents of Arkansas, over the age of eighteen (18) years, have not been convicted of a felony, and are not the guardian of any other person. Petitioners request the Court to appoint Petitioners as Co-Guardians of the person and estate of Twyla Marie McCurdy, for the purpose of caring for her and managing her person and estate in her best interest.

5. Petitioners have an interest in said incapacitated person in that they are the natural parents of the incapacitated person.

6. Those having knowledge of the incapacitated person's disabilities are: Petitioners and the incapacitated person's primary care physician, Dr. Ann M. Prather.

WHEREFORE, PREMISES CONSIDERED, Petitioners pray and request the Court to find them suitable and capable to serve as temporary and permanent Co-Guardians of the person and estate of Twyla Marie McCurdy, for the purpose of caring for her and managing her estate and affairs and that bond be waived and for such other and further relief as the Court may award or that Petitioners may be entitled.

VERIFICATION

STATE OF ARKANSAS

COUNTY OF FAULKNER

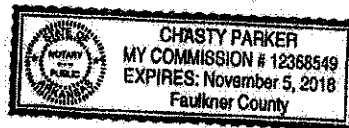
I, Robert Crawford, Petitioner herein, hereby state, under oath, that the above and foregoing is true and correct to the best of my knowledge, information and belief.


Robert Crawford

SUBSCRIBED AND SWORN to, before me, a Notary Public, on this 19th day of October, 2018.


Notary Public

My Commission Expires:
11/5/18



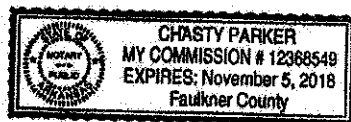
STATE OF ARKANSAS

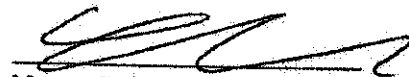
COUNTY OF FAULKNER

I, Carmen Crawford, Petitioner herein, hereby state, under oath, that the above and foregoing is true and correct to the best of my knowledge, information and belief.


Carmen Crawford

SUBSCRIBED AND SWORN to, before me, a Notary Public, on this 19th day of
October, 2018.




Notary Public

My Commission Expires:
11/5/18



Boyd Tackett, Jr.
708 Second Street
P.O. Box 1433
Conway, AR 72033
(501) 329-7722
AR Bar No. 70070

EXHIBIT D

STATE OF NEVADA
MARRIAGE CERTIFICATE KEEPSAKE

No: 201812140731209

STATE OF NEVADA }
COUNTY OF CLARK } SS:

This is to certify that the undersigned, Steve Stoltzfus,
(print name of official performing marriage)
did on the 14th day of the month of December of the year 2018,
at 1665 Lindell Rd,
(name and address of location where marriage performed)
Las Vegas, Nevada, with their mutual consent and witnessed in the
(city)
presence of William Eastman, join in lawful wedlock:
(print name of witness or witnesses)

DENNIS VINCENT STANTON of LAS VEGAS, NEVADA born 06/07/1978, and

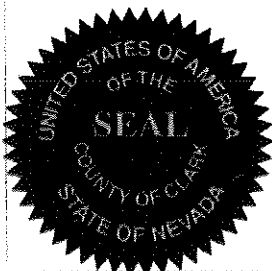
TWYLA MARIE MCCURDY of LAS VEGAS, NEVADA born 08/06/1985, who wishes to use the
name TWYLA MARIE STANTON after marriage.

Lynn Marie Goya

Lynn Marie Goya, County Clerk

Steve Stoltzfus
Signature of Official Performing Marriage (Black Ink Only)
Steve Stoltzfus - Pastor
Print Name and Title of Official
1665 Lindell Rd
Address of Official Performing Marriage
Las Vegas, Nevada 89146
City, State and Zip Code

Nevada Certificate of Permission Officiant ID Number



This is an uncertified copy of your certificate of marriage
and cannot be used for legal purposes.
To obtain your certified legal proof of marriage, please visit
our website ClarkCountyNV.gov/Clerk or MLIC.vegas.

Marriage License

Expires: 12/14/2019

No: 201812140731209

State of Nevada }
County of Clark } SS:

This license will authorize any religious official, notary public, or marriage officiant within the state who has obtained a certificate of permission to perform marriages, any Justice of the Supreme Court, any District Court Judge, any Municipal Court Judge, any Justice of the Peace in their township wherein they are permitted to solemnize marriages, any Commissioner of Civil Marriages or their deputy within a commissioner township wherein they are permitted to solemnize marriages or authorized Mayors; to join in marriage the hereinafter named persons and certify the marriage according to law.

Party 1

Current Name: DENNIS VINCENT STANTON

Birth Last Name: STANTON

Middle Name After Marriage:

Last Name After Marriage:

Full Name After Marriage:

Residence: LAS VEGAS, NEVADA

Date of Birth: 05/07/1978

Age: 40

State/Country of Birth: TEXAS

Marital Status: DIVORCED

Number of this Marriage: 2

When: 06/07/2018

Where: PAHRUMP, NEVADA

Parent 1's Name: IRIS M STANTON

Parent 1's State/Country of Birth: PANAMA

Parent 2's Name: RUBEN RIOS

Parent 2's State/Country of Birth: MEXICO

Party 2

Current Name: TWYLA MARIE MCCURDY

Birth Last Name: MCCURDY

Middle Name After Marriage: MARIE

Last Name After Marriage: STANTON

Full Name After Marriage: TWYLA MARIE STANTON

Residence: LAS VEGAS, NEVADA

Date of Birth: 08/06/1985

Age: 33

State/Country of Birth: ARKANSAS

Marital Status: DIVORCED

Number of this Marriage: 2

When: 06/07/2018

Where: PAHRUMP, NEVADA

Parent 1's Name: CARMEN M CRAWFORD

Parent 1's State/Country of Birth: ARKANSAS

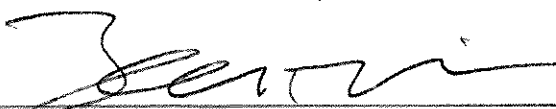
Parent 2's Name: HOMER ANTHONY MCCURDY

Parent 2's State/Country of Birth: NEVADA

Subscribed and sworn to before me this 14th day of December, 2018

LYNN MARIE GOYA, COUNTY CLERK

BY:


Jana Bainum Deputy Clerk



ORIGINAL LICENSE



LYNN MARIE COYA

Clark County Clerk
200 Lewis Ave
Las Vegas, Nevada 89155
(702) 671-0500
<http://www.clarkcountynv.gov/clerk/>

921313



Receipt #: 730726
Cashier Date: 12/14/2018 10:41:48AM
Print Date: 12/14/2018 10:41:56AM

Date Received: 12/14/2018 10:38:50AM
Location: MB
Return Code: FRONT COUNTER
Trans Type: Marriage
Cashier: BAINUMJ

CUSTOMER INFORMATION

STANTON & MCCURDY

PAYMENT SUMMARY

Total Fees	\$77.00
Total Payments	\$80.00
Balance Due:	\$(3.00)
Cash Tendered	\$80.00
Change:	\$3.00

Payment

CASH \$80.00

CHANGE \$3.00

Marriage License

MARRIAGE LICENSE

DOC #: 201812140731209 Pages: 1 Date: 12/14/2018 10:41:47AM Party 1 Full Name STANTON, DENNIS VINCENT Party 2 Full Name MCCURDY, TWYLA MARIE

Fees (MLIC) MARRIAGE LICENSE

77.00

JAN 02 2019

Nye County Clerk
Deputy

ROPP
CHARLES C. LoBELLO, ESQ.
Nevada Bar No. 5052
CHRISTOPHER F. OWEN, ESQ.
Nevada Bar No. 13211
OWEN LAW FIRM
1785 East Sahara Ave., Suite 157
Las Vegas, Nevada 89104
Tel. (702) 733-2800
Fax (702) 425-9883
cowen@chrisowenlaw.com
Attorneys for First Joint Petitioner/Plaintiff

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

TWYLA MARIE STANTON,
an individual;

Case No.: CV-39304
Dept. No.: 2

First Joint Petitioner/Plaintiff,

vs.

DENNIS VINCENT STANTON,
an individual;

DATE OF HEARING: January 7, 2019
TIME OF HEARING: 9 a.m.

Second Joint Petitioner/Defendant.

**FIRST JOINT PETITIONER/PLAINTIFF'S REPLY TO OPPOSITION TO 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**

AND

**OPPOSITION TO COUNTERMOTION TO STRIKE MOVANT'S MOTION AS BEING FILED
WITHOUT AUTHORITY AND IN A DIRECT CONFLICT OF INTEREST, AND FOR
ATTORNEY'S FEES**

COMES NOW, First Joint Petitioner/Plaintiff, TWYLA MARIE STANTON¹ (hereafter "Plaintiff")

¹ For purposes of the caption, the undersigned continues to use First Joint Petitioner/Plaintiff's name. On October 26, 2018, the Circuit Court of Faulkner County, Arkansas appointed the parents of Twyla Stanton, Robert Crawford and Carmen Crawford, as Temporary Co-Guardians of the Person and Estate of Twyla Marie Stanton (McCurdy) See Motion, Exhibit 1 thereto. Accordingly, the Temporary Co-Guardians, Robert and Carmen Crawford, brought this action on behalf of the ward, Twyla Marie Stanton. A hearing in this matter was scheduled for December 10, 2018, at which time it was anticipated that a full guardianship would be established and letters of guardianship issued. However, as is more fully discussed herein, the December 10th hearing has been continued.

or "Twyla"), by and through her attorney of record, CHRISTOPHER F. OWEN, ESQ. of the OWEN LAW FIRM, retained in an unbundled capacity, and hereby submits her² Reply to Opposition to 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 ("Motion to Set Aside" or "Motion"), and Opposition to Countermotion to Strike Movant's Motion as Being Filed Without Authority and in a Direct Conflict of Interest, and for Attorney's Fees ("Opposition"), as follows:

I.

INTRODUCTION

After Defendant, DENNIS VINCENT STANTON (hereafter "Defendant" or "Dennis") was served with Plaintiff's Motion to Set Aside, he asked Plaintiff's counsel if he could get an extension to file an Opposition to the Motion and a continuance of the hearing scheduled for January 7, 2019, allegedly because he was working full time, looking after the parties' six children on his own, and was representing himself in *pro per*. Plaintiff denied this request, after which he withdrew all six children from school, drove them cross country to Arkansas, hired an Arkansas attorney to contest the Arkansas Guardianship proceedings, brought Twyla back to Las Vegas, and hurriedly re-married her.

If the Court needed a display of the lengths to which Dennis will go to avoid facing the consequences of his actions, there could not be a better example. Similar to the First Divorce Action as described in Plaintiff's Motion (see Exhibit 2 thereto), on the eve of having custody of the children awarded to Twyla and Dennis likely being hit with child support as well as attorney's fees and costs, the parties miraculously "reconciled." In the Second Divorce Action (see Motion, Exhibit 3 thereto), no sooner had Judge Hughes appointed the undersigned as counsel for Twyla out of concern for her "diminished mental capacity", Dennis caused a Stipulation and Order for Voluntary Dismissal of the Case to be filed.

After his first two efforts to divorce Twyla failed, both of which would have somehow obligated Twyla to pay Dennis substantial child support based upon Twyla's non-existent income, Dennis (and, ostensibly, Twyla) filed the Third Divorce Action, a Joint Petition (see Motion, Exhibit 5 thereto). Per EDCR 5.42³, the Third Divorce Action was assigned back to Judge Hughes. Twyla (no doubt at Dennis's direction) filed a Preemptory Challenge (see Motion, Exhibit 6 thereto), the case was re-assigned to Judge Duckworth and, no doubt to Dennis's dismay, Judge Duckworth determined that the challenge was

² Despite the recent marriage of Dennis and Twyla, for continuity in pleadings, and until the co-guardianship ceases, the undersigned continues in this Reply to use and refer to Twyla as First Joint Petitioner/Plaintiff.

³ EDCR 5.42 requires the Clerk of the Court to determine upon the filing of a family court matter whether the same parties had previously filed and, if so, assign the case back "to the judicial department assigned to the earlier case." EDCR 5.42 was replaced by EDCR 5.103 effective January 27, 2017, but, as Judge Duckworth notes in his Minute Order, for purposes of his analysis, any difference is immaterial. See Motion, Exhibit 7.

1 improper and untimely, and returned the case to Judge Hughes. The parties again miraculously reconciled,
2 and Dennis caused the Third Divorce Action to be "voluntarily" dismissed. This is what ultimately led
3 Dennis to file his Fourth Divorce Action, the "joint" petition in Nye County.

4 So, on the eve of dealing with a motion that asks the court to consider, among other things, that
5 Dennis may have knowingly used her mental disability against Twyla, fees and costs to be awarded to
6 Plaintiff, and possible sanctions for committing a fraud upon the court, Dennis removed all six children out
7 of school, drove cross country to Arkansas, hired a lawyer in Arkansas to challenge the guardianship and
8 Dr. Prather's findings, got Twyla to return with him to Las Vegas (not a difficult feat given that Twyla
9 hadn't seen her children for months), and remarried her.

10 Dennis is now using the challenge in Arkansas as a basis to argue that the temporary co-guardians
11 have no standing to bring their Motion and has the further temerity to state that, if only he could determine
12 from whom to ask, he would demand an apology for the factual history and allegations of misconduct set
13 forth in the Motion. What chutzpah!

14 Dennis states that, "[w]hile the undersigned has technically only been retained by Dennis, the
15 reality is that this Opposition is being filed on behalf and for the benefit of both named parties," and that
16 both he and Twyla, "prepared, signed, notarized, and did "all the requirements to obtain a divorce." He thus
17 argues that, for these reasons, the divorce "should continue to stand." Opposition, p. 1, l. 24-28. The truth,
18 however, is that, while Dennis has been and is fully aware of what he is doing, Twyla is not. See Minute
19 Order of Judge Hughes, Motion, Exhibit 4. Much as he would like, Dennis cannot continue to ignore the
20 facts.

21 Dennis intentionally failed to address in his Opposition (for obvious reasons) never having
22 informed this Court of his shenanigans in Clark County, just as he chose not to mention the various false
23 statements contained in the filings. Even putting aside Dr. Prather's report for the moment, it might have
24 been of material interest to this Court that Judge Hughes had previously recognized Twyla's "diminished
25 mental capacity" that prevented her from comprehending "legal documents or make judgements as to legal
26 matters." See Motion, Exhibit 4. Had the Court known any of this, Dennis's efforts would again have failed.

27 It is the inability to get around either Judge Hughes or the misdeeds and misstatements evidenced
28 by the prior filings in Clark County that cause Dennis to now concede he has no problem with the relief
sought in the Motion and will agree with having the Divorce set aside in its entirety. See Opposition, p. 7,
l. 1-7.

II.

EVEN WITHOUT REGISTERING THE GUARDIANSHIP, THIS COURT HAS AUTHORITY UNDER RULE 11 TO ADDRESS DENNIS'S MISCONDUCT

Dennis argues that the Motion is deficient and that Movants have gone rogue to seek relief without
authority or permission to do so. This is false.

1 As the Court knows, Rule 60(b) imposes a “not more than six months” deadline to bring a motion
2 seeking relief from a judgment or order. The proceeding which the Motion seeks to remedy, i.e., the Nye
3 County Decree of Divorce, was filed on June 7, 2018. The deadline under Rule 60(b) to bring a motion was
4 therefore set at or about December 7, 2018.

5 Dennis attacks Twyla’s co-guardians as not having “the right or standing to attack this divorce.”
6 See Opposition, p. 2, l. 14. However, when the co-guardians initiated this action, they were approaching
7 the six-month deadline under Rule 60(b), and went ahead with what they thought were Twyla’s best
8 interests by filing their Motion on November 27th. A hearing on the temporary guardianship, where it was
9 anticipated that the Court in Arkansas would grant a permanent guardianship and issue the appropriate
10 letters, was set for December 10, 2018.

11 Dennis relies on NRS 159.2025 (Opposition, p. 3, l. 4-8) to argue that the out-of-state guardianship
12 was not registered in Nevada. However, the temporary co-guardians were facing the expiration of the six-
13 month deadline under Rule 60(b) and anticipated being issued letters of guardianship at the hearing on
14 December 10, 2018. Had they waited for the hearing on December 10th, the six-month window would have
15 closed. Moreover, but for the intervention of counsel in Arkansas, retained to challenge the proceedings in
16 that state and delay issuance of the necessary letters, these would have been issued there and the
17 guardianship registered here. Dennis again successfully thwarted these reasonable efforts.

18 Nevertheless, if the Court determines that it may not properly consider the Motion because the
19 guardianship was not timely registered, so be it. However, this Court has broad powers granted it under
20 NRCP 11(c)(1)(B)⁴ to redress on its own initiative any filing that violates NRCP 11(b). Thus, even if
21 Dennis seeks to exploit a procedural defect in the Motion’s filing, this Court has full authority to act
22 on its own to take all appropriate corrective and sanctioning actions.

23 III.

24 DEFENDANT’S EVIDENTIARY ARGUMENT FAILS

25 Dennis next attacks the actions in this Court, arguing that there are “[n]o statement from the
26 Temporary Co-Guardians. No affidavit. No statement of any conversation they had...” See Opposition, p.
27 3, l. 21-22. Even if true – even if certain allegations against Dennis are not properly supported in the record
28 (such as his conversion of Twyla’s half of the pension funds) -- it makes no difference for purposes of this
Court’s consideration of the Motion because sufficient evidence of Dennis misdeeds are amply supported
by the court record itself.

Specifically, all of the conduct alleged as to the prior divorce filings, the intentional misstatements

⁴ Rule 11(c)(1)(B) provides that a motion for sanctions may be initiated either by a party or, “[o]n its own initiative, the court may enter an order describing the specific conduct that appears to violate subdivision (b) and directing an attorney, law firm, or party to show cause why it has not violated subdivision (b) with respect thereto.”

of facts as to income and child support, the findings of Judge Hughes and Judge Duckworth, all pass evidentiary muster and may be properly considered by this Court. These need not be rehashed herein. This Court need only examine Judge Hughes Minute Order (Motion, Exhibit 4), the Divorce filing (Motion, Exhibit 5) where Twyla "agrees" to pay Dennis \$1,300 per month as child support and that she owes Dennis \$3,900 in arrears, the procedural litany of Judge Duckworth (Motion, Exhibit 7) wherein Judge Duckworth states, "[t]he general prohibition against forum shopping...prohibits a party from filing a peremptory challenge under the circumstances detailed above", the Amended Joint Petition filed with this Court, increasing Twyla's support obligation to \$1,517 per month based upon a fictional gross monthly income of \$4,333.33, and increasing arrears owed to Dennis to \$4,551.00 (Motion, Exhibit 8). **These statements, Dennis is reminded, were made in court filings pursuant to his sworn affidavit attesting to their truth.**

Thus, when Dennis claims there are "plenty of baseless and false allegations of Dennis allegedly doing this and doing that, but there is no proof whatsoever" (Opposition, p. 3, l. 23-24), this is false. Dennis forgets the obvious forum-shopping, the false and fraudulent claims made in the prior actions, including as well, the instant action before this Court. Perhaps this Court should invite Dennis to disprove Judge Hughes' statement that Twyla suffers from a "diminished mental capacity" and that she "lacks the ability to comprehend legal documents." Dennis should be asked to explain how, knowing full well that Twyla has not worked since approximately August 2016, he could properly attest to the "truth" of statements falsely claiming Twyla earned over \$4,300 per month, or that she understood and agreed to pay child support, child support arrears, and medical and dental insurance for the parties' children, or that she fully understood that she was giving up any interest in the parties' marital residence. See Motion, p. 7, l. 23-28, p. 8, l. 1-6 & 16-17. Are these the "allegations" for which Dennis now seeks an apology?

While the court may choose not to consider the Dr. Prather's report at this time, it cannot ignore Judge Hughes, nor may it ignore the many other obviously false statements contained in the prior filings.

IV.

THERE IS NO CONFLICT OF INTEREST IF TWYLA DOES NOT UNDERSTAND THESE PROCEEDINGS

Dennis next attempts to claim that, because the undersigned represented Twyla in prior proceedings, "there appears to be a direct conflict of interest." Opposition, p. 5, l. 22-24. It can hardly be characterized as a conflict when Judge Hughes, recognizing Twyla's inability to comprehend the divorce proceedings or the significant legal rights she appeared to be sacrificing, appointed the undersigned to act as her counsel. The only reason the undersigned was appointed to act as Twyla's counsel was to protect Twyla's rights and interests, not to exploit them. The only reason the temporary guardianship was established was also to protect Twyla's rights and interests.

Dennis cannot silence the co-guardians or the undersigned simply by claiming there is a conflict of interest. The conduct of the co-guardians and the undersigned does not conflict with Twyla in any way. The

1 only attack made in the Motion is as to Dennis's behavior, not Twyla's, using information contained
2 primarily in court filings.

3 If it is proven by Dennis that Twyla fully understands and comprehends these proceedings and the
4 substantial legal and property rights in play, then she may knowingly complain there may be some conflict.
5 However, to claim a conflict before such understanding is proven is premature. Thus, when Dennis argues
6 that counsel's representation of the co-guardians in attacking a filing "which appears that Twyla entered
7 into voluntarily and of her own knowledge" (Opposition, p. 6, l. 20-22), the premise – that she voluntarily
8 and knowingly entered into the filing – has not been established (which is why Dennis carefully inserted
9 the word "appears" in his statement). He knows that without voluntariness or knowledge, his claimed
10 "concern for independence of counsel and lack of conflict" rings hollow. At this stage, the only conflict
11 that exists is Dennis's attempted end-run on this Court and the Courts in Clark County.

12 This end-run includes the recent (re)marriage of Dennis and Twyla. See Opposition, Exhibit D. It
13 is the co-guardian's belief that this is yet another of Dennis's machinations to avoid having to account for
14 his actions. Dennis claims, unbelievably, that "there was never any intention of fraud or deceit." Opposition,
15 p. 7, l. 8. It should by now be blatantly clear there was nothing but fraud and deceit. If both Dennis and
16 Twyla truly wanted to get a divorce, why did they have to file four times to achieve that result? Dennis
17 wants the Court to believe that it was "simply the desire of two parties to get a divorce the quickest and
18 least costly way available." Opposition, p. 7, l. 8-9. The Joint Petition should be set aside because of the
19 Motion (or on the Court's own initiative) and not merely because Dennis now agrees to do so.

20 V.

21 **ATTORNEY'S FEES SHOULD BE AWARDED TO THE PLAINTIFF**

22 Dennis claims that, because "Movants' request should be denied for the deficiencies noted above"
23 (*Id.* p. 7, l. 10-11), they should be denied attorney's fees. In fact, Dennis has the gall to argue that he should
24 be rewarded by having his counsel's fees reimbursed.

25 Plaintiff has moved herein for the Court to Sanction Dennis in the full amount of Plaintiff's fees
26 and costs for forum shopping and perpetrating a fraud upon the Court. Despite Dennis's best efforts, both
27 of these have been conclusively established.

28 When the decision to file was made, there was a Rule 60(b) deadline approaching, as well as a
hearing scheduled in Arkansas to establish a permanent guardianship and issue letters of guardianship to
Twyla's parents. But for Movant's filing, the Court would be unaware of the depth of deception perpetrated
by Dennis. If the Court grants the Motion, whether due to the Motion itself or upon its own initiative, the
undersigned counsel should be awarded his attorney's fees for bringing Dennis's forum shopping and
abuses to the Court's attention and initiating the basis for the Court to correct these abuses and punish
Dennis for his actions.

Dennis divorced his wife and put her on a bus to Arkansas with nothing but a suitcase and \$50.00.

OWEN LAW FIRM
1785 East Sahara Avenue, Suite 157
Las Vegas, Nevada 89104
TEL.: 702-733-2800 FAX: 702-425-9883

1 See Declaration of Monette DuMond, Motion, Exhibit 11. It is believed he took the pension funds from
2 Twyla (facts which can be fully explored at a later point in time), thereby also imposing a potentially
3 significant income tax liability against her. He made it so that Twyla would have to pay him over
4 \$1,500/month for child support, which the D.A. is endeavoring to enforce. Realizing the scope and
5 magnitude of undeniable behavior facing him, and that the only possible means of escape was to attack the
6 guardianship in Arkansas and remarry Twyla, his counsel's request for fees must be denied and the
undersigned's must be granted.

7 Dennis false statements in prior filings have been fully revealed in these filings. As for forum
8 shopping, Judge Duckworth considered Dennis's actions in challenging Judge Hughes as forum shopping.
9 Leaving Clark County for the untarnished venue of Nye County is just further evidence of this behavior.
10 This conduct cannot be countenanced, and Twyla, who by all accounts, neither understood or
11 comprehended them, is not to be blamed. Movants' herein are entitled to an award of their attorney fees
under Rule 11(c)(2).

12 **VI.**

CONCLUSION

13 For all of the foregoing reasons, Movants herein request that their Motion be granted in its entirety
14 and that the Court award attorney's fees to the undersigned.

15 DATED this 31st day of December, 2018.

OWEN LAW FIRM



Christopher F. Owen, Esq.

OWEN LAW FIRM

1785 E. Sahara Ave., Suite 157

Las Vegas, Nevada 89104

cowen@chrisowenlaw.com

Attorney for First Joint Petitioner/Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Owen Law Firm, and that on the 31st day of December, 2018, I caused a true and correct copy of:

First Joint Petitioner/Plaintiff's Reply to Opposition to 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 and Opposition to Countermotion to Strike Movant's Motion as Being Filed Without Authority and in a Direct Conflict of Interest, and For Attorney's Fees

to be served as follows:

☒ VIA CLASS MAIL: by sending a true and correct copy thereof via U.S. Mail, postage prepaid, and addressed as follows:

JAMES S. KENT, ESQ.
9480 S. Eastern Ave., Suite 228
Las Vegas, Nevada 89123


An Employee of Owen Law Firm

In The Fifth Judicial District Court of the
State of Nevada in and for the County of Nye

(Court Level and Jurisdiction)

Twyla Marie Stanton

(Plaintiff)

Plaintiff

-vs-


Dennis Vincent Stanton

(Defendant)

Defendant

CV 39304-Dept. No. 2

(Case ID Number)

FILED
2019 JAN -4 P 3:39
NYE COUNTY CLERK
BY  DEPUTY

AFFIDAVIT OF TWYLA M. STANTON IN REGARDS TO THE SIGNING AND FILING OF
THE NEW DECREE OF DIVORCE AND THE AMENDED JOINT PETITION FOR
SUMMARY DECREE OF DIVORCE

I, Twyla Marie Stanton, of Las Vegas, in Clark County, Nevada, MAKE OATH AND SAY THAT:

1. I am the Wife Joint Petitioner in Case No. CV 39304 in Department 2 in the Fifth Judicial District Court of the State of Nevada, in and for the County of Nye.
2. I have signed, notarized, paid for, and filed a New Decree of Divorce and an Amended Joint Petition for Summary Decree of Divorce in Department 2 in the Fifth Judicial District Court of the State of Nevada, in and for the County of Nye known as Case No. CV 39304 without any fraud, duress, accident, or mistake.
3. I fully and completely understand the law that governs my case and for filing the proper and correct legal documents.

4. I have carefully and thoroughly read the New Decree of Divorce and the Amended Joint Petition for Summary Decree of Divorce.
5. I fully and completely understand all the terms and conditions in the New Decree of Divorce and the Amended Joint Petition for Summary Decree of Divorce.
6. I absolutely agree with everything in the New Decree of Divorce and the Amended Joint Petition for Summary Decree of Divorce.
7. I am fully and completely aware of all of the consequences that may and will occur as a result of filing the New Decree of Divorce and the Amended Joint Petition for Summary Decree of Divorce.
8. I wholly understand that the entry of the New Decree of Divorce constitutes a final adjudication of my rights and obligations with respect to the status of the marriage.
9. I fully and completely understand that I am expressly giving up my respective right to receive written Notice of Entry of any Decree and Judgement of Divorce.
10. I further fully and completely understand that I am giving up my right to request that the Court make certain formal Findings of Fact and Conclusions of Law relating to my agreement in the Joint Petition for Summary Decree of Divorce.
11. I also further understand that I am expressly giving up my respective right to appeal any Judgement or Order of this Court including the New Decree of Divorce and the Amended Joint Petition for Summary Decree of Divorce.
12. I further completely and wholly understand that I am expressly giving up my respective right to also move for a new trial.
13. I have not been coerced, forced, pressured, or intimidated by anyone or anybody into writing or signing this sworn affidavit nor is it an accident or a mistake or under the pretenses of fraud.

STATE OF NEVADA

COUNTY OF CLARK

SUBSCRIBED AND SWORN TO BEFORE

ME, on the 18th day of June, 2018

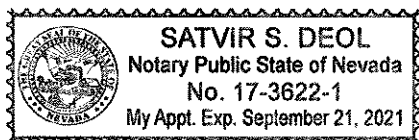
Signature

(Seal)

NOTARY PUBLIC

My Commission expires:

09-21-2021



Twyla M. Stanton

(Signature)

Twyla Marie Stanton

1 **ORDR**

2 CHARLES C. LoBELLO, ESQ.

3 Nevada Bar No. 5052

4 CHRISTOPHER F. OWEN, ESQ.

5 Nevada Bar No. 13211

6 **OWEN LAW FIRM**

7 1785 East Sahara Ave., Suite 157

8 Las Vegas, Nevada 89104

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11 cowen@chrisowenlaw.com

12 Attorneys for *First Joint Petitioner/Plaintiff*

FILED

2019 MAR 13 AM 11:53

BY Bennett
DEPUTY

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

15 TWYLA MARIE STANTON,
16 an individual;

17 First Joint Petitioner/Plaintiff,

18 vs.

19 DENNIS VINCENT STANTON,
20 an individual;

21 Second Joint Petitioner/Defendant.

Case No.: CV-39304

Dept. No.: 2

22 **ORDER AND JUDGMENT**

23 On November 27, 2018, Temporary Guardians, Robert Crawford and Carmen Crawford, on behalf
24 of FIRST JOINT PETITIONER/PLAINTIFF, TWYLA MARIE STANTON filed her Motion Pursuant to
25 Rule 60(B) to Set Aside Decree of Divorce as Fraudulently Obtained, to Dismiss the Joint Petition for
26 Divorce with Prejudice, and to Sanction Defendant for Forum Shopping and Perpetrating a Fraud Upon the
27 Court in the Full Amount of Plaintiff's Fees and Costs ("Motion") and on December 26, 2018, SECOND
28 JOINT PETITIONER/DEFENDANT, DENNIS STANTON, filed his Countermotion to Strike Movant's
Motion as Being Filed Without Authority and in a Direct Conflict of Interest, and For Attorney's Fees
("Countermotion"), and the Court having reviewed the record, including all pleadings filed to date and
having considered arguments of counsel at the hearing on January 7, 2019, and good cause appearing
therefore, the Court hereby issues the following findings of fact and conclusion of law, and Orders, as
follows:

29 **FINDINGS OF FACT**

- 30 1. That on October 12, 2016, SECOND JOINT PETITIONER/DEFENDANT, DENNIS STANTON,
31 (hereafter "Defendant" or "Dennis") filed a Complaint for Divorce, Case No. D-16-540966-D ("the
32 First Divorce Action"), in the Eighth Judicial District Court, Family Division;

2. That on October 12, 2016, FIRST JOINT PETITIONER/PLAINTIFF, TWYLA STANTON (hereafter, "Plaintiff" or "Twyla"), also filed a Complaint for Divorce in the Eighth Judicial District, Case No. D-16-541006-D. Both cases (D-16-540966-D and D-16-541006) were assigned to Judge Rena Hughes and consolidated under Case No. D-16-540966-D;
3. That over the next several months, Judge Hughes presided over multiple motion hearings and made substantive rulings on contested matters in the case (see Judge Duckworth minute order dated April 28, 2018, p. 2), however, considered the Peremptory Challenge invalid and stated, in a Minute Order dated April 18, 2018, holding hearings on November 9, 2016, February 2, 2017, February 9, 2017 and March 16, 2017;
4. That on April 3, 2017, after what had been a hotly contested divorce, the parties ostensibly reached a reconciliation and a Stipulation and Order for Voluntary Dismissal of the First Divorce Action (cases D-16-540966-D and D-16-541006-D) was filed;
5. That on September 13, 2017, Dennis filed in the Eighth Judicial District Court, Family Division a Complaint for Separate Maintenance, Case No. D-17-558626-S (hereafter "the Second Divorce Action") in which Dennis sought separate maintenance from Twyla;
6. That within his Complaint for Separate Maintenance, Dennis stated, in answer to "Question 8" regarding other considerations relevant to the Court in determining child custody, that the Court should consider Twyla's "Mental State" (see Motion, Exhibit 3);
7. That on October 23, 2017, Dennis filed a Request for Summary Disposition of the Second Divorce Action, which contained alleged agreements between the parties as to, among other things, custody, support, and the division of marital assets, that would ostensibly allow the Court to enter a decree of separate maintenance in the Second Divorce Action;
8. That on December 19, 2018, Dennis filed an Affidavit Seeking Disqualification of Judge Hughes due to Bias or Prejudice;
9. That on January 23, 2018, Chief Judge Elizabeth Gonzalez Denied the Motion to Disqualify;
10. That on February 1, 2018, Judge Hughes *sua sponte* stated in a minute order that,

The Court has researched its duties with respect to ensuring due process to the Defendant [Twyla Stanton]. Through the previous case involving the parties (lead case - D-16-540966-D consolidated with D-16-541006-D), the Court is aware that Defendant has a diminished mental capacity and lacks the ability to comprehend legal documents or make judgments as to legal matters. In good conscience, and for purposes of due process, the Court cannot approve the Defendant's alleged agreements with Plaintiff until Defendant receives independent legal counsel. Therefore, the Court is appointing Defendant independent legal counsel to represent the Defendant in this matter, to ensure she is advised of her rights, and that she is truly making an informed judgment as to the legal matters at hand.
11. That on February 12, 2018, the Court issued its Order appointing Christopher F. Owen, Esq. as independent legal counsel for Twyla Stanton;
12. That the parties apparently reconciled thereafter and weeks later, on February 27, 2018, an Amended

- 1 Stipulation and Order to Dismiss the Complaint for Separate Maintenance was filed;
- 2 13. That on March 29, 2018, Dennis caused "the parties" to file a Joint Petition for Divorce (the "Third
- 3 Divorce Action"), again in the Eighth Judicial District Court, Family Division;
- 4 14. That this Third Divorce Action was initially assigned to Judge Hughes;
- 5 15. That upon discovering that the case had been returned to Judge Hughes, Dennis caused Twyla to file a
- 6 Peremptory Challenge of Judge Hughes, and the case was randomly reassigned to Judge Bryce
- 7 Duckworth;
- 8 16. That Judge Duckworth, however, considered the Peremptory Challenge invalid and stated, in a Minute
- 9 Order dated April 18, 2018:

10 The parties to litigation are not permitted to file a peremptory challenge against a district

11 judge who has previously made rulings on contested issues. This prohibition applies in any

12 subsequent cases between the same parties, which are assigned to that same district judge

13 pursuant to a local case assignment rule. "Allowing a plaintiff to file a peremptory

14 challenge after the filing of any counterclaim would give a plaintiff the opportunity to

15 disqualify the district judge simply because he has made previous unfavorable rulings."

16 [Citations omitted]....

17 The cause of action and issues in this case are identical to those in cases D-16-541006-D

18 and D-16-540966-D because they are both actions for divorce. Had either of these earlier

19 cases resulted in a decree of divorce, the instant case would have been barred under the

20 principle of res judicata. The cause of action and issues in this case are substantively

21 indistinguishable from those in case D-16-558626-S because of the natural overlap

22 between divorce and separate maintenance cases. Should that case have resulted in a decree

23 of separate maintenance, the instant case would not have been barred under res judicata;

24 however, the principle of collateral estoppel would have been dispositive for all issues in

25 the divorce action except whether the parties are incompatible.

26 The general prohibition against forum shopping between district judges prohibits a party

27 from filing a peremptory challenge under the circumstances detailed above.

28 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.

17. That Judge Duckworth accordingly ordered that the Third Divorce Action be reassigned and returned
- to Judge Hughes for further handling in accordance with the Rules and Nevada case law;
18. That immediately following the return of the Third Divorce Action to Judge Hughes, the Third Divorce
- Action was dismissed;
19. That, on or about May 17, 2018, Dennis caused "the parties" to file a Joint Petition for Divorce before
- this Court (hereafter the "Fourth Divorce Action"), where the Joint Petition form utilized in Nye County
- does not inquire about participation in prior divorce or separate maintenance cases or ask about "other
- considerations" when it comes to determining custody;
20. That shortly thereafter, an Amended Joint Petition for Summary Decree of Divorce was filed whereby

Twyla ostensibly agreed to pay Dennis \$1,517.00 per month in child support based upon a stated monthly "income" of \$4,333.33, even though she was then unemployed, and also to give up any right to Spousal Support;

21. That on June 7, 2018, this Court granted a Decree of Divorce, adopting the parties' alleged settlement agreement setting forth "equitable" terms including, amongst other things, awarding Dennis sole physical custody of the parties' six children, obligating Twyla to pay Dennis \$1,517.00 per month as and for child support as well as child support arrears of \$4,551.00, and causing Twyla to waive significant legal rights including, without limitation, her right to custody of the children and spousal support;
22. That on October 19, 2018, Twyla's parents, Robert Crawford and Carmen Crawford ("Temporary Co-Guardians") applied to the Circuit Court of Faulkner County, Arkansas to be appointed as co-guardians of the person and estate of Twyla (Opposition, Exhibit C);
23. That on October 26, 2018, the Circuit Court of Faulkner County appointed Robert Crawford and Carmen Crawford as Temporary Co-Guardians of the Person and Estate of Twyla Marie Stanton (McCurdy) (Motion, Exhibit 1), and set a final hearing on the issue of granting Letters of Guardianship for December 10, 2018;
24. That on November 27, 2018, Twyla, through the Temporary Co-Guardians, filed her Motion with this Court;
25. That shortly after the filing and service of the Motion, counsel was retained in Arkansas to challenge the co-guardianship of Twyla's parents (Opposition, Exhibit A);
26. That on December 6, 2018, the Arkansas attorney filed a Response to Petitioners' Petition for Appointment as Co-Guardians (Opposition, Exhibit A), along with a Motion for Continuance of the final hearing (*id.*), resulting in the final hearing scheduled for December 10, 2018 being continued (*id.*, Exhibit B);
27. That on December 18, 2018, Dennis and Twyla remarried (*id.*, Exhibit D);
28. That on December 26, 2018, Dennis filed his Opposition and Countermotion with this Court;
29. That on January 2, 2019, Twyla, through the Temporary Co-Guardians, filed her Reply to Opposition and Opposition to Countermotion;
30. That on January 7, 2019, the Court conducted the hearing on the Motion and Countermotion;
31. That in the Motion, Opposition, Reply, and Exhibits thereto, the Court was made aware of the multiple filings prior to the filing in Nye County, as well as the shenanigans and fraud (Jan. 7, 2019 hearing at 9:57:07) made by Dennis in these filings, including;
 - a. Stating in the Third Divorce Action that Twyla was "earning" \$3,052.00 per month and should therefore be required to pay him child support of \$1,300.00 per month;
 - b. Stating to this Court that Twyla was now earning \$4,333.33 per month and should therefore be ordered to pay Dennis \$1,517.00 per month as child support; and

- 1 c. Representing that, based upon earnings of \$4,333.33 per month her alleged failure to pay in prior
2 months, that the Court should order that Twyla owed Dennis child support arrears of \$4,551.00;
- 3 32. That this Court also then discovered that Dennis had concealed from this Court additional material
4 facts, including:
- 5 a. The fact that Dennis had been involved in, and had caused the filing of, three prior divorce/separate
6 maintenance proceedings in Clark County;
- 7 b. That Judge Hughes had found Twyla to be suffering from a diminished mental capacity that
8 prevented her comprehending legal documents or making judgments as to legal matters there; and
- 9 c. That Twyla could not have possibly comprehended or appreciated what she was signing when she
10 is alleged in this case, the Fourth Divorce Action, to have entered into an equitable agreement
11 settling all issues as to assets, debts, and spousal support;
- 12 33. Finally, on Friday, January 4, 2019, Twyla filed an Affidavit in Regards to the Signing and Filing of
13 the New Decree of Divorce and the Amended Joint Petition for Summary Decree of Divorce
14 ("Affidavit");
- 15 34. That it is strange and unusual, and the Court was shocked and flabbergasted (January 7, 2019, hearing
16 at 10:03:20), that Twyla would file a document such as the Affidavit a week or two after the Decree of
17 Divorce was filed in Nye County, saying that "all of this" was done of my own free will and, to the
18 court is another piece of evidence of "shenanigans";
- 19 35. That the Court expressly makes no finding that Dennis's attorney, James S. Kent, Esq., had nothing to
20 do with Dennis perpetrating a fraud (January 7, 2019, hearing at 10:05:40).

CONCLUSIONS OF LAW

21 Based on the foregoing Findings of Fact, the Court hereby makes the following Conclusions of Law:

- 22 1. That Dennis engaged in or caused to be filed multiple divorce and/or separate maintenance actions in
23 the Eighth Judicial District Court, Family Division, prior to filing a Joint Petition for Divorce in the
24 Fifth Judicial District;
- 25 2. That Dennis failed to advise this Court of the multiple proceedings that preceded his filing in Nye
26 County;
- 27 3. That Dennis failed to advise the Court of the findings of Judge Hughes where, in her Minute Order of
28 February 1, 2018, Judge Hughes found that Twyla has "a diminished mental capacity", "lacks the ability
to comprehend legal documents", and is unable to "make judgments as to legal matters."
4. That Dennis failed to advise the Court that, based upon these findings, Judge Hughes refused to approve
the alleged agreements of the parties as set forth in the Request for Summary Disposition without first
affording Twyla independent legal counsel to make sure she is "truly making an informed judgment as
to the legal matters at hand."
5. That Dennis made representations to the Clark County Family Court in the Third Divorce Action,
falsely claiming in his Complaint for Separate Maintenance (Motion, Exhibit 5) that Twyla was

“earning” \$3,052.00 per month, and that Twyla should therefore be required to pay Dennis child support of \$1,300.00 per month;

6. That Dennis made representations to this Court regarding Twyla’s employment and earnings, falsely representing that Twyla was earning \$4,333.33 per month, that Twyla should therefore pay Dennis child support of \$1,517.00 per month, and that Twyla owed Dennis child support arrears of \$4,551.00;
7. That all of this -- the totality -- shocks the Court as to what Dennis has been doing for the past few years (January 7, 2019, hearing at 10:15:50)
8. That Dennis’s serial filings and further actions including, without limitation, his statements within those filings, were consistent with the perpetration of a fraud upon this Court;
9. That Dennis’s attorney, James S. Kent, Esq., had nothing to do either with Dennis’s past fraudulent conduct and representations made in the Eighth Judicial District Court or in assisting in Dennis’s further perpetration of a fraud upon this Court;
10. That based upon a review of the record, arguments of counsel, and the totality of circumstances (January 7, 2019, hearing at 10:12:30), Dennis’ conduct was and is in direct violation of NRCP 11(b)(1) as the filings as previously described were filed for no reason other than to delay and harass, and needlessly increase the cost of litigation, and, therefore these filings are improper, and was and is in further violation of NRCP 11(b)(3) as Dennis has caused to make false representations of fact as to Twyla’s earnings in the Third Divorce Action and with this Court.

Based on the foregoing Findings of Fact and Conclusions of Law, and upon review and consideration of same, it is hereby:

ORDERED that the Temporary Guardians’, Robert Crawford and Carmen Crawford, on behalf of FIRST JOINT PETITIONER/PLAINTIFF, TWYLA MARIE STANTON, 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 filed by the FIRST JOINT PETITIONER/PLAINTIFF, TWYLA STANTON, by and through the temporary guardians, is hereby **GRANTED**;

IT IS FURTHER ORDERED that the Joint Petition for Divorce filed in this action, Nye County Case No. CV-39304, on May 17, 2018, is hereby **DISMISSED WITH PREJUDICE**;

IT IS FURTHER ORDERED that the Decree of Divorce filed and entered in this Action, Case No. CV-39304, on June 7, 2018, is hereby **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;

IT IS FURTHER ORDERED that so long as the Eight 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

OWEN LAW FIRM
1785 East Sahara Avenue, Suite 157
Las Vegas, Nevada 89104
TEL.: 702-733-2800 FAX: 702-425-9883

or separate maintenance be made anywhere other than CLARK COUNTY, NEVADA;


IT IS FURTHER ORDERED that, for having found to have violated Rules 11(b)(1) and 11(b)(3) of the Nevada Rules of Civil Procedure, Defendant, DENNIS STANTON, is hereby **SANCTIONED** and, as and for said sanction, shall pay to the Temporary Co-Guardians, Robert Crawford and Carmen Crawford, within sixty (60) days of the date of this Order, the sum of Three Thousand Dollars and 0/100 (\$3,000.00) as and for their attorney's fees (January 7, 2019, hearing at 10:14:14);

IT IS FURTHER ORDERED that the Temporary Co-Guardians are awarded JUDGMENT against Defendant, DENNIS STANTON, in the amount of \$3,000.00, plus post-judgment interest at the applicable daily rate of judgment interest allowed under Nevada law, accruing until the Judgment is paid in full, ~~plus any and all additional costs incurred in the collection of this JUDGMENT~~, and that the Temporary Co-Guardians may seek collection on the JUDGMENT by all legal means if the JUDGMENT has not been fully satisfied by Defendant, DENNIS STANTON, within sixty (60) days from the date of this ORDER;

IT IS FURTHER ORDERED that the attorney for Defendant, DENNIS STANTON, James S. Kent, Esq., Nevada Bar No. 5034, has not acted in any manner that may be construed as assisting the Defendant in perpetrating a fraud upon this Court; and

IT IS FURTHER ORDERED that the SECOND JOINT PETITIONER/ DEFENDANT, DENNIS STANTON Countermotion to Strike Movant's Motion as Being Filed Without Authority and in a Direct Conflict of Interest, and For Attorney's Fees is hereby **DENIED**.

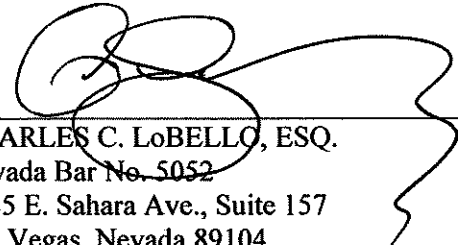
DATED this 15th day of March, 2019.



DISTRICT COURT JUDGE

Respectfully submitted by:

OWEN LAW FIRM


By: _____
CHARLES C. LoBELLO, ESQ.
Nevada Bar No. 5052
1785 E. Sahara Ave., Suite 157
Las Vegas, Nevada 89104
Attorneys for First Joint Petitioner/Plaintiff

CHARLES C. LoBELLO, ESQ.
Nevada Bar No. 5052
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Fax (702) 425-9883
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Attorneys for *First Joint Petitioner/Plaintiff*

FILED
FIFTH JUDICIAL DISTRICT

MAR 20 2019

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,

First Joint Petitioner/Plaintiff,

vs.

DENNIS VINCENT STANTON,

Second Joint Petitioner/Defendant.

Case No.: **CV-39304**
Dept. No.: **2**

**NOTICE OF ENTRY OF
ORDER AND JUDGMENT**

NOTICE IS HEREBY GIVEN that an **ORDER AND JUDGMENT** on First Joint Petitioner/Plaintiff's 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 the Defendant for Forum Shopping and Perpetrating a Fraud Upon the Court in the Full Amount of Plaintiff's Fees and Costs, and on Second Joint Petitioner/Defendant Countermotion to Strike Movant's Motion as Being Filed Without Authority and in a Direct Conflict of Interest, and for Attorney's Fees, was entered in the above-captioned matter on the 18th day of March, 2019. A Copy of the **ORDER AND JUDGMENT** is attached hereto as Exhibit 1.

Dated this 18th day of March, 2019.

OWEN LAW FIRM



Christopher F. Owen, Esq.
1785 E. Sahara Ave., Suite 157
Las Vegas, Nevada 89104
Tel. (702) 733-2800
cowen@chrisowenlaw.com
Attorneys for *First Joint Petitioner/Plaintiff*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Owen Law Firm, and that on the 18th day of March, 2019, I caused a true and correct copy and forgoing **NOTICE OF ENTRY OF ORDER AND JUDGMENT** to be served as follows:

☒ **VIA CLASS MAIL:** by sending a true and correct copy thereof via U.S. Mail, postage pre-paid, and addressed as follows:

JAMES S. KENT, ESQ.
9480 S. Eastern Avenue, Suite 228
Las Vegas, Nevada 89123


An Employee of Owen Law Firm

ORDR
CHARLES C. LoBELLO, ESQ.
Nevada Bar No. 5052
CHRISTOPHER F. OWEN, ESQ.
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Attorneys for First Joint Petitioner/Plaintiff

FILED
2019 MAR 18 AM 11:53
BY *D. Bennett*
DEPUTY

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

TWYLA MARIE STANTON,
an individual;

Case No.: **CV-39304**
Dept. No.: **2**

First Joint Petitioner/Plaintiff,

vs.

DENNIS VINCENT STANTON,
an individual;

Second Joint Petitioner/Defendant.

ORDER AND JUDGMENT

On November 27, 2018, Temporary Guardians, Robert Crawford and Carmen Crawford, on behalf of **FIRST JOINT PETITIONER/PLAINTIFF, TWYLA MARIE STANTON** filed her 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 ("Motion") and on December 26, 2018, **SECOND JOINT PETITIONER/DEFENDANT, DENNIS STANTON**, filed his Countermotion to Strike Movant's Motion as Being Filed Without Authority and in a Direct Conflict of Interest, and For Attorney's Fees ("Countermotion"), and the Court having reviewed the record, including all pleadings filed to date and having considered arguments of counsel at the hearing on January 7, 2019, and good cause appearing therefore, the Court hereby issues the following findings of fact and conclusion of law, and Orders, as follows:

FINDINGS OF FACT

1. That on October 12, 2016, **SECOND JOINT PETITIONER/DEFENDANT, DENNIS STANTON**, (hereafter "Defendant" or "Dennis") filed a Complaint for Divorce, Case No. D-16-540966-D ("the First Divorce Action"), in the Eighth Judicial District Court, Family Division;

- 1 2. That on October 12, 2016, FIRST JOINT PETITIONER/PLAINTIFF, TWYLA STANTON (hereafter,
2 "Plaintiff" or "Twyla"), also filed a Complaint for Divorce in the Eighth Judicial District, Case No. D-
3 16-541006-D. Both cases (D-16-540966-D and D-16-541006) were assigned to Judge Rena Hughes
4 and consolidated under Case No. D-16-540966-D;
- 5 3. That over the next several months, Judge Hughes presided over multiple motion hearings and made
6 substantive rulings on contested matters in the case (see Judge Duckworth minute order dated April 28,
7 2018, p. 2), however, considered the Peremptory Challenge invalid and stated, in a Minute Order dated
8 April 18, 2018, holding hearings on November 9, 2016, February 2, 2017, February 9, 2017 and March
9 16, 2017;
- 10 4. That on April 3, 2017, after what had been a hotly contested divorce, the parties ostensibly reached a
11 reconciliation and a Stipulation and Order for Voluntary Dismissal of the First Divorce Action (cases
12 D-16-540966-D and D-16-541006-D) was filed;
- 13 5. That on September 13, 2017, Dennis filed in the Eight Judicial District Court, Family Division a
14 Complaint for Separate Maintenance, Case No. D-17-558626-S (hereafter "the Second Divorce
15 Action") in which Dennis sought separate maintenance from Twyla;
- 16 6. That within his Complaint for Separate Maintenance, Dennis stated, in answer to "Question 8"
17 regarding other considerations relevant to the Court in determining child custody, that the Court should
18 consider Twyla's "Mental State" (see Motion, Exhibit 3);
- 19 7. That on October 23, 2017, Dennis filed a Request for Summary Disposition of the Second Divorce
20 Action, which contained alleged agreements between the parties as to, among other things, custody,
21 support, and the division of marital assets, that would ostensibly allow the Court to enter a decree of
22 separate maintenance in the Second Divorce Action;
- 23 8. That on December 19, 2018, Dennis filed an Affidavit Seeking Disqualification of Judge Hughes due
24 to Bias or Prejudice;
- 25 9. That on January 23, 2018, Chief Judge Elizabeth Gonzalez Denied the Motion to Disqualify;
- 26 10. That on February 1, 2018, Judge Hughes *sua sponte* stated in a minute order that,
27 The Court has researched its duties with respect to ensuring due process to the Defendant
28 [Twyla Stanton]. Through the previous case involving the parties (lead case - D-16-
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diminished mental capacity and lacks the ability to comprehend legal documents or make
judgments as to legal matters. In good conscience, and for purposes of due process, the
Court cannot approve the Defendant's alleged agreements with Plaintiff until Defendant
receives independent legal counsel. Therefore, the Court is appointing Defendant
independent legal counsel to represent the Defendant in this matter, to ensure she is advised
of her rights, and that she is truly making an informed judgment as to the legal matters at
hand.
11. That on February 12, 2018, the Court issued its Order appointing Christopher F. Owen, Esq. as
independent legal counsel for Twyla Stanton;
12. That the parties apparently reconciled thereafter and weeks later, on February 27, 2018, an Amended

- 1 Stipulation and Order to Dismiss the Complaint for Separate Maintenance was filed;
- 2 13. That on March 29, 2018, Dennis caused "the parties" to file a Joint Petition for Divorce (the "Third
- 3 Divorce Action"), again in the Eighth Judicial District Court, Family Division;
- 4 14. That this Third Divorce Action was initially assigned to Judge Hughes;
- 5 15. That upon discovering that the case had been returned to Judge Hughes, Dennis caused Twyla to file a
- 6 Peremptory Challenge of Judge Hughes, and the case was randomly reassigned to Judge Bryce
- 7 Duckworth;
- 8 16. That Judge Duckworth, however, considered the Peremptory Challenge invalid and stated, in a Minute
- 9 Order dated April 18, 2018:

10 The parties to litigation are not permitted to file a peremptory challenge against a district

11 judge who has previously made rulings on contested issues. This prohibition applies in any

12 subsequent cases between the same parties, which are assigned to that same district judge

13 pursuant to a local case assignment rule. "Allowing a plaintiff to file a peremptory

14 challenge after the filing of any counterclaim would give a plaintiff the opportunity to

15 disqualify the district judge simply because he has made previous unfavorable rulings."

16 [Citations omitted]....

17 The cause of action and issues in this case are identical to those in cases D-16-541006-D

18 and D-16-540966-D because they are both actions for divorce. Had either of these earlier

19 cases resulted in a decree of divorce, the instant case would have been barred under the

20 principle of res judicata. The cause of action and issues in this case are substantively

21 indistinguishable from those in case D-16-558626-S because of the natural overlap

22 between divorce and separate maintenance cases. Should that case have resulted in a decree

23 of separate maintenance, the instant case would not have been barred under res judicata;

24 however, the principle of collateral estoppel would have been dispositive for all issues in

25 the divorce action except whether the parties are incompatible.

26 The general prohibition against forum shopping between district judges prohibits a party

27 from filing a peremptory challenge under the circumstances detailed above.

28 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.

17. That Judge Duckworth accordingly ordered that the Third Divorce Action be reassigned and returned
- to Judge Hughes for further handling in accordance with the Rules and Nevada case law;
18. That immediately following the return of the Third Divorce Action to Judge Hughes, the Third Divorce
- Action was dismissed;
19. That, on or about May 17, 2018, Dennis caused "the parties" to file a Joint Petition for Divorce before
- this Court (hereafter the "Fourth Divorce Action"), where the Joint Petition form utilized in Nye County
- does not inquire about participation in prior divorce or separate maintenance cases or ask about "other
- considerations" when it comes to determining custody;
20. That shortly thereafter, an Amended Joint Petition for Summary Decree of Divorce was filed whereby

Twyla ostensibly agreed to pay Dennis \$1,517.00 per month in child support based upon a stated monthly "income" of \$4,333.33, even though she was then unemployed, and also to give up any right to Spousal Support;

21. That on June 7, 2018, this Court granted a Decree of Divorce, adopting the parties' alleged settlement agreement setting forth "equitable" terms including, amongst other things, awarding Dennis sole physical custody of the parties' six children, obligating Twyla to pay Dennis \$1,517.00 per month as and for child support as well as child support arrears of \$4,551.00, and causing Twyla to waive significant legal rights including, without limitation, her right to custody of the children and spousal support;
22. That on October 19, 2018, Twyla's parents, Robert Crawford and Carmen Crawford ("Temporary Co-Guardians") applied to the Circuit Court of Faulkner County, Arkansas to be appointed as co-guardians of the person and estate of Twyla (Opposition, Exhibit C);
23. That on October 26, 2018, the Circuit Court of Faulkner County appointed Robert Crawford and Carmen Crawford as Temporary Co-Guardians of the Person and Estate of Twyla Marie Stanton (McCurdy) (Motion, Exhibit 1), and set a final hearing on the issue of granting Letters of Guardianship for December 10, 2018;
24. That on November 27, 2018, Twyla, through the Temporary Co-Guardians, filed her Motion with this Court;
25. That shortly after the filing and service of the Motion, counsel was retained in Arkansas to challenge the co-guardianship of Twyla's parents (Opposition, Exhibit A);
26. That on December 6, 2018, the Arkansas attorney filed a Response to Petitioners' Petition for Appointment as Co-Guardians (Opposition, Exhibit A), along with a Motion for Continuance of the final hearing (*id.*), resulting in the final hearing scheduled for December 10, 2018 being continued (*id.*, Exhibit B);
27. That on December 18, 2018, Dennis and Twyla remarried (*id.*, Exhibit D);
28. That on December 26, 2018, Dennis filed his Opposition and Countermotion with this Court;
29. That on January 2, 2019, Twyla, through the Temporary Co-Guardians, filed her Reply to Opposition and Opposition to Countermotion;
30. That on January 7, 2019, the Court conducted the hearing on the Motion and Countermotion;
31. That in the Motion, Opposition, Reply, and Exhibits thereto, the Court was made aware of the multiple filings prior to the filing in Nye County, as well as the shenanigans and fraud (Jan. 7, 2019 hearing at 9:57:07) made by Dennis in these filings, including;
 - a. Stating in the Third Divorce Action that Twyla was "earning" \$3,052.00 per month and should therefore be required to pay him child support of \$1,300.00 per month;
 - b. Stating to this Court that Twyla was now earning \$4,333.33 per month and should therefore be ordered to pay Dennis \$1,517.00 per month as child support; and

- c. Representing that, based upon earnings of \$4,333.33 per month her alleged failure to pay in prior months, that the Court should order that Twyla owed Dennis child support arrears of \$4,551.00;
32. That this Court also then discovered that Dennis had concealed from this Court additional material facts, including:
 - a. The fact that Dennis had been involved in, and had caused the filing of, three prior divorce/separate maintenance proceedings in Clark County;
 - b. That Judge Hughes had found Twyla to be suffering from a diminished mental capacity that prevented her comprehending legal documents or making judgments as to legal matters there; and
 - c. That Twyla could not have possibly comprehended or appreciated what she was signing when she is alleged in this case, the Fourth Divorce Action, to have entered into an equitable agreement settling all issues as to assets, debts, and spousal support;
33. Finally, on Friday, January 4, 2019, Twyla filed an Affidavit in Regards to the Signing and Filing of the New Decree of Divorce and the Amended Joint Petition for Summary Decree of Divorce ("Affidavit");
34. That it is strange and unusual, and the Court was shocked and flabbergasted (January 7, 2019, hearing at 10:03:20), that Twyla would file a document such as the Affidavit a week or two after the Decree of Divorce was filed in Nye County, saying that "all of this" was done of my own free will and, to the court is another piece of evidence of "shenanigans";
35. That the Court expressly makes no finding that Dennis's attorney, James S. Kent, Esq., had nothing to do with Dennis perpetrating a fraud (January 7, 2019, hearing at 10:05:40).

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Court hereby makes the following Conclusions of Law:

1. That Dennis engaged in or caused to be filed multiple divorce and/or separate maintenance actions in the Eighth Judicial District Court, Family Division, prior to filing a Joint Petition for Divorce in the Fifth Judicial District;
2. That Dennis failed to advise this Court of the multiple proceedings that preceded his filing in Nye County;
3. That Dennis failed to advise the Court of the findings of Judge Hughes where, in her Minute Order of February 1, 2018, Judge Hughes found that Twyla has "a diminished mental capacity", "lacks the ability to comprehend legal documents", and is unable to "make judgments as to legal matters."
4. That Dennis failed to advise the Court that, based upon these findings, Judge Hughes refused to approve the alleged agreements of the parties as set forth in the Request for Summary Disposition without first affording Twyla independent legal counsel to make sure she is "truly making an informed judgment as to the legal matters at hand."
5. That Dennis made representations to the Clark County Family Court in the Third Divorce Action, falsely claiming in his Complaint for Separate Maintenance (Motion, Exhibit 5) that Twyla was

1 "earning" \$3,052.00 per month, and that Twyla should therefore be required to pay Dennis child support
2 of \$1,300.00 per month;

- 3 6. That Dennis made representations to this Court regarding Twyla's employment and earnings, falsely
4 representing that Twyla was earning \$4,333.33 per month, that Twyla should therefore pay Dennis
5 child support of \$1,517.00 per month, and that Twyla owed Dennis child support arrears of \$4,551.00;
6 7. That all of this -- the totality -- shocks the Court as to what Dennis has been doing for the past few years
7 (January 7, 2019, hearing at 10:15:50)
8 8. That Dennis's serial filings and further actions including, without limitation, his statements within those
9 filings, were consistent with the perpetration of a fraud upon this Court;
10 9. That Dennis's attorney, James S. Kent, Esq., had nothing to do either with Dennis's past fraudulent
11 conduct and representations made in the Eighth Judicial District Court or in assisting in Dennis's further
12 perpetration of a fraud upon this Court;
13 10. That based upon a review of the record, arguments of counsel, and the totality of circumstances (January
14 7, 2019, hearing at 10:12:30), Dennis' conduct was and is in direct violation of NRCP 11(b)(1) as the
15 filings as previously described were filed for no reason other than to delay and harass, and needlessly
16 increase the cost of litigation, and, therefore these filings are improper, and was and is in further
17 violation of NRCP 11(b)(3) as Dennis has caused to make false representations of fact as to Twyla's
18 earnings in the Third Divorce Action and with this Court.

19 Based on the foregoing Findings of Fact and Conclusions of Law, and upon review and
20 consideration of same, it is hereby:

21 **ORDERED** that the Temporary Guardians', Robert Crawford and Carmen Crawford, on behalf of
22 **FIRST JOINT PETITIONER/PLAINTIFF, TWYLA MARIE STANTON**, Motion Pursuant to Rule 60(B)
23 to Set Aside Decree of Divorce as Fraudulently Obtained, to Dismiss the Joint Petition for Divorce with
24 Prejudice, and to Sanction Defendant for Forum Shopping and Perpetrating a Fraud Upon the Court in the
25 Full Amount of Plaintiff's Fees and Costs filed by the **FIRST JOINT PETITIONER/PLAINTIFF, TWYLA**
26 **STANTON**, by and through the temporary guardians, is hereby **GRANTED**;

27 **IT IS FURTHER ORDERED** that the Joint Petition for Divorce filed in this action, Nye County
28 Case No. CV-39304, on May 17, 2018, is hereby **DISMISSED WITH PREJUDICE**;

IT IS FURTHER ORDERED that the Decree of Divorce filed and entered in this Action, Case
No. CV-39304, on June 7, 2018, is hereby **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;

IT IS FURTHER ORDERED 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;

IT IS FURTHER ORDERED that, for having found to have violated Rules 11(b)(1) and 11(b)(3) of the Nevada Rules of Civil Procedure, Defendant, DENNIS STANTON, is hereby **SANCTIONED** and, as and for said sanction, shall pay to the Temporary Co-Guardians, Robert Crawford and Carmen Crawford, within sixty (60) days of the date of this Order, the sum of Three Thousand Dollars and 0/100 (\$3,000.00) as and for their attorney's fees (January 7, 2019, hearing at 10:14:14);

IT IS FURTHER ORDERED that the Temporary Co-Guardians are awarded JUDGMENT against Defendant, DENNIS STANTON, in the amount of \$3,000.00, plus post-judgment interest at the applicable daily rate of judgment interest allowed under Nevada law, accruing until the Judgment is paid in full, ~~plus any and all additional costs incurred in the collection of this JUDGMENT~~, and that the Temporary Co-Guardians may seek collection on the JUDGMENT by all legal means if the JUDGMENT has not been fully satisfied by Defendant, DENNIS STANTON, within sixty (60) days from the date of this ORDER;

IT IS FURTHER ORDERED that the attorney for Defendant, DENNIS STANTON, James S. Kent, Esq., Nevada Bar No. 5034, has not acted in any manner that may be construed as assisting the Defendant in perpetrating a fraud upon this Court; and


IT IS FURTHER ORDERED that the SECOND JOINT PETITIONER/ DEFENDANT, DENNIS STANTON Countermotion to Strike Movant's Motion as Being Filed Without Authority and in a Direct Conflict of Interest, and For Attorney's Fees is hereby **DENIED**.

DATED this 15th day of March, 2019.


DISTRICT COURT JUDGE

Respectfully submitted by:

OWEN LAW FIRM

By: 
CHARLES C. LoBELLO, ESQ.
Nevada Bar No. 5052
1785 E. Sahara Ave., Suite 157
Las Vegas, Nevada 89104
Attorneys for First Joint Petitioner/Plaintiff

MAR 21 2019

Nye County Clerk
Deputy

CHARLES C. LoBELLO, ESQ.
Nevada Bar No. 5052
CHRISTOPHER F. OWEN, ESQ.
Nevada Bar No. 13211
OWEN LAW FIRM
1785 East Sahara Ave., Suite 157
Las Vegas, Nevada 89104
Tel. (702) 733-2800
cowen@chrisowenlaw.com

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

TWYLA MARIE STANTON,

First Joint Petitioner/Plaintiff,

vs.

DENNIS VINCENT STANTON,

Second Joint Petitioner/Defendant.

Case No.: CV-39304
Dept. No.: 2

NOTICE OF WITHDRAWAL OF COUNSEL

NOTICE IS HEREBY GIVEN that counsel for the parents of First Petitioner/Plaintiff, Twyla Stanton, to wit, Robert Crawford and Carmen Crawford, as Temporary Co-Guardians of the Person and Estate of Twyla Marie Stanton (McCurdy), hereby withdraws from this action in the manner consistent with and according to Supreme Court Rule 46, which states in pertinent part as follows:

After judgment or final determination, an attorney may withdraw as attorney of record at any time upon the attorney's filing a withdrawal, with or without the client's consent.

WHEREFORE, Robert Crawford and Carmen Crawford, may be served with further proceedings, if any, at their last known address of 129 Mill Creek Dr., Greenbrier, Arkansas 72058, and First Petitioner/Plaintiff, Twyla Stanton, may be served with further proceedings, if any, at her last known address of 7088 Los Banderos Ave., Las Vegas, Nevada 89179.

DATED this 19th day of March, 2019.

OWEN LAW FIRM

Christopher F. Owen
Christopher F. Owen, Esq.

OWEN LAW FIRM
1785 E. Sahara Ave., Suite 157
Las Vegas, Nevada 89104
cowen@chrisowenlaw.com

OWEN LAW FIRM

1785 East Sahara Avenue, Suite 157
Las Vegas, Nevada 89104
TEL.: 702-733-2800 FAX: 702-425-9883

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Owen Law Firm, and that on the 19th day of March, 2019, I caused a true and correct copy of the **NOTICE OF WITHDRAWAL OF COUNSEL** to be served as follows:

☒ **VIA CLASS MAIL:** by sending a true and correct copy thereof via U.S. Mail, postage pre-paid, and addressed as follows:

JAMES S. KENT, ESQ.
9480 S. Eastern Ave., Suite 228
Las Vegas, Nevada 89123

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

TWYLA STANTON
7088 Los Banderos Ave.
Las Vegas, Nevada 89179.



An Employee of Owen Law Firm

EXHS

Name: Dennis Vincent Stanton
Address: 7088 Los Banderas Avenue
Las Vegas, Nevada 89179-1207
Telephone: (702) 764-4690
Email Address: dennisvstanton30@gmail.com
In Proper Person

FILED
FIFTH JUDICIAL DISTRICT

APR 15 2019

[Signature]
Nye County Clerk
Deputy

DISTRICT COURT
~~CLARK COUNTY, NEVADA~~
NYE COUNTY,

Twyla Marie Stanton
Plaintiff,

vs.

Dennis Vincent Stanton
Defendant.

CASE NO.: CV-39304
DEPT: 2

DATE OF HEARING: 5/20/19
TIME OF HEARING: 9:00am

EXHIBIT APPENDIX

(your name) Dennis Vincent Stanton, the (check one ☒ ☐ Plaintiff
/ ☒ Defendant, submits the following exhibits in support of my (title of motion / opposition you
filed that these exhibits support) Motion For Reconsideration. I understand that
these are not considered substantive evidence in my case until formally admitted into evidence.

Table of Contents:

1. Exhibit A - Hand Written statement of expenses by Ex-Temporary Co -
2. Exhibit B - Stipulation and Order For Voluntary Dismissal of Case (2nd Action)
3. Exhibit C - Affidavit of Twyla M. Stanton
4. Exhibit D - Stipulation and Order For Voluntary Dismissal of Case (2nd Action)
5. Exhibit E - Peremptory Challenge Receipt from Twyla M. Stanton
6. Exhibit F - Mr. Owen's Ex Parte Letter to Judge Duckworth
7. Exhibit G - Stipulation and Order For Voluntary Dismissal of Case (3rd Action)
8. Exhibit H - Twyla's Attorney Client Agreement
9. Exhibit I - Ex-Temporary Co - Guardianship Dismissal Order
10. Exhibit J - Twyla's Motion to Terminate Temporary Guardianship

11. Exhibit K - Filing of Foreign Guardianship Order Instructions
12. Exhibit L - Fifth Judicial District Court Instructions/ Disclosure
13. Exhibit M - Notice of Seminar Completion - EDCR 5.07
14. Exhibit N - Money Order & Receipt for Joint Petition for Case CV-393
04
15. Exhibit O - Twyla's Nye County Clerk Divorce Filing Fee
16. Exhibit P - Twyla's Official Mail Forwarding Change of Address Order
17. Exhibit Q - Twyla's Official Change-of-Address Validation
18. Exhibit R - Twyla's Envelopes to send/mail documents to Nye County
19. Exhibit S - Twyla's Facebook Post
20. Exhibit T - Twyla's Arkansas I.D.

DATED (month) April (day) 15, 2019

Submitted By: (your signature) Dennis V. Stanton
(print your name) Dennis Vincent Stanton

CERTIFICATE OF MAILING

I, (your name) Dennis Vincent Stanton declare under penalty of perjury under the law of the State of Nevada that on (month) _____ (day) _____, 20____, I served this **Exhibit Appendix** by depositing a copy in the U.S. Mail in the State of Nevada, postage prepaid, addressed to:

Name of Person Served:

Address:

City, State, Zip

Twyla Marie Stanton
7088 Las Banderas Avenue
Las Vegas, Nevada 89179-1207

DATED (month) _____ (day) _____, 20____.

Submitted By: (your signature) ▶ Dennis V. Stanton

EXHIBIT A

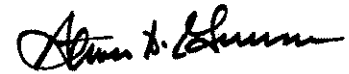
PI

	\$12,500
Dennis Cell Phone Pawn Shop	\$1162.00
- Owen's SC Penny Mastercard Initial payment	\$3,334
- Owen's Jeep Mastercard	\$17,570
- Rhonda Amex	\$6,900
- Home Depot repair for floor	\$330
- Ford Van	Batter 2 \$184
	Gas \$44
	Oil/Change \$74
- Discover Card travel expense	1,349.30

Total = 32,349

This doesn't include all the Western Union wiring to Twyla while she was in Vegas, before we came and got her to take to Arkansas.

EXHIBIT B



CLERK OF THE COURT

1 **SAO**
2 **CHRISTOPHER F. OWEN, ESQ.**
3 Nevada Bar No. 13211
4 **OWEN LAW FIRM**
5 1785 East Sahara Ave., Suite 157
6 Las Vegas, Nevada 89104
7 Tel. (702) 733-2800
8 Fax (702) 425-9883
9 *cowen@chrisowenlaw.com*
10 Attorney for Defendant

11 **EIGHTH JUDICIAL DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 DENNIS VINCENT STANTON,

14 Plaintiff,

15 v.

16 TWYLA MARIE STANTON,

17 Defendant.

CASE NO.: D-16-540966-D

Consolidated with

CASE NO.: D-16-541006-D

DEPT.: J

FAMILY DIVISION

18 ROBERT CRAWFORM and
19 CARMEN CRAWFORD

Intervenors.

20 **STIPULATION AND ORDER**
21 **FOR VOLUNTARY DISMISSAL OF CASES**


22 Plaintiff, Dennis Vincent Stanton, by and through his attorney, Kari T. Molnar, Esq.,
23 Defendant, Twyla Marie Stanton, by and through her attorney, Christopher F. Owen, Esq., and
24 Intervenors, Robert Crawford and Carmen Crawford, by and through their attorney, Rhonda K.
25 Forsberg, Esq., do hereby stipulate and agree to the following terms:

26 **IT IS HEREBY STIPULATED AND AGREED:**


- 27 1. That the parties agree to voluntarily dismiss both divorce cases, Case No. D-16-540966-D
28 and Case No. D-16-541006-D (which was consolidated with Case No. D-16-540966-D),
as well as Case No. T-16-175709 (hereafter referred to collectively as the "Case"), each

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

- 1 party to bear his or her own fees and costs;
- 2 2. That all existing no contact and/or no communication orders in the Case are of no further
- 3 force and effect;
- 4 3. That all temporary orders issued in the Case are of no further force and effect;
- 5 4. That the Court should vacate all future hearings in this matter; and
- 6 5. That there is a Trial presently scheduled for June 5, 2017, which also shall be vacated;
- 7 6. That this matter shall be dismissed.

8 
9 DENNIS VINCENT STANTON

10 
11 TWYLA MARIE STANTON

12 
13 ROBERT CRAWFORD

14 
15 CARMEN CRAWFORD

16 **ORDER**

17 Based upon the stipulation of the parties, the Court having reviewed all pleadings and
18 papers on file herein, and good cause appearing:

19 IT IS HEREBY ORDERED THAT Case No. D-16-540966-D, Case No. D-16-541006-D,
20 and Case No. T-16-175709 are hereby dismissed, each party to bear his, her or their own fees and
21 costs;

22 IT IS FURTHER ORDERED that the Return Hearing scheduled for March 16, 2017, at
23 11:00 a.m., shall be vacated.

24 IT IS FURTHER ORDERED that all future hearings and the Trial of this matter scheduled
25 for June 5, 2017, shall be vacated.

26 IT IS SO ORDERED.

27 DATED this 26 day of March, 2017.

28 RENA G. HUGHES


DISTRICT COURT JUDGE

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Respectfully submitted by:



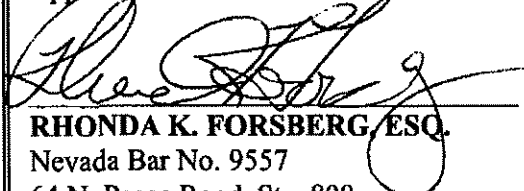
KARI T. MOLNAR, ESQ.
Nevada Bar No. 009869
170 S. Green Valley Parkway, Suite 328
Henderson, Nevada 89012
(702) 318-7333
Attorney for the Plaintiff

Approved as to Form and Content:



CHRISTOPHER F. OWEN, ESQ.
Nevada Bar No.: 13211
1785 E. Sahara Ave., Suite 157
Las Vegas, Nevada 89104
(702) 733-2800
Attorney for Defendant

Approved as to Form and Content:



RHONDA K. FORSBERG, ESQ.
Nevada Bar No. 9557
64 N. Pecos Road, Ste. 800
Henderson, Nevada 89074
(702) 990-6468
Attorney for Intervenors

EXHIBIT C

Heather L. Shuman
CLERK OF THE COURT

EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

Dennis Vincent Stanton

D-17-558626-S / DEPARTMENT J

Plaintiff

-vs-

Twyla Marie Stanton

Defendant

AFFIDAVIT

I, Twyla Marie Stanton, of Las Vegas, in Clark County, Nevada, MAKE OATH AND SAY THAT:

1. I am the Defendant in Separate Maintenance Case, Case No. D-17-558626-S in Department J of the Family Court Division, Eighth Judicial District, Clark County, Nevada.
2. The Plaintiff, Dennis Vincent Stanton, in proper person, in Case No. D-17-558626-S, entitled: Dennis Vincent Stanton vs. Twyla Marie Stanton, filed a default judgement on 10/23/2017 pursuant to EDCR 2.23(c), 5.501(b), and EDCR 2.20(c).
3. I do not have a diminished mental capacity, but a speech impediment, nor have I ever been declared mentally incompetent by any Court or any Administrative Agency ever.
4. I do not have difficulty comprehending legal documents.
5. I do not have difficulty making judgements or decisions as it pertains to legal matters.
6. I do not wish to have independent legal counsel to represent me in this matter.

7. I do not wish to be "coerced", forced, pressured, and intimidated to have Christopher F. Owen, Esq. to represent me in this matter.
8. I have not hired, nor contracted, nor agreed in any way, shape, or form to have Christopher F. Owen, Esq. or any other attorney to represent me in this matter.
9. I am completely advised and fully aware of my legal rights as it pertains to this matter.
10. I am truly making an informed judgement as to the legal matters at hand.
11. I have not been "coerced", forced, pressured, or intimidated by anyone or anybody into settlement nor am I under any kind of duress.
12. I intentionally, purposely, willfully, and deliberately defaulted in this case by knowingly not responding, answering, or replying to any papers in regards to this case even though I was properly served on 09/15/2017.
13. This Court has intentionally, purposely, willfully, and deliberately delayed a judicial determination in this matter pursuant to The Rules of the Code of Judicial Conduct Rule 2.5 in regards to competence, diligence, and cooperation.
14. This Court has shown a bias and prejudice for and against myself, Twyla Marie Stanton, by making false accusations and allegations about my mental state and decision making and abilities pursuant to The Rules of the Code of Judicial Conduct 2.3(A)(B) Bias, Prejudice, and Harassment.
15. I have encountered financial hardship and despair due to the intentional, purposeful, willful, and deliberate delay of a judicial determination in this matter by this Court.
16. I have filed a formal complaint with the Nevada Commission on Judicial Discipline regarding the handling of this case by this Court.
17. Under these circumstances, I wish to voluntarily dismiss this case, Separate Maintenance Case, Case No. D-17-558626-S. Thank you.

STATE OF NEVADA

COUNTY OF CLARK

SUBSCRIBED AND SWORN TO BEFORE
ME, on the 20th day of February, 2018

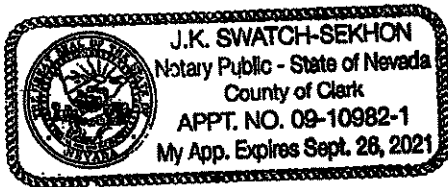
Signature

J. Swatch Sekhon (Seal)

NOTARY PUBLIC

My Commission expires:

Sept 26, 2021



Twyla M. Stanton

(Signature)

Twyla Marie Stanton

EXHIBIT D

Steven D. Grierson

1 SAO

2 Name: Dennis Vincent Stanton
3 Address: 7088 Las Banderas Ave.
4 City, State, Zip: Las Vegas, Nevada 89179-1207
5 Phone: (702) 764-4090
6 Email: dennisv.stanton.30@gmail.com
7 Self-Represented

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

10 Dennis Vincent Stanton
11 Plaintiff,

CASE NO.: D-17-558626-S
DEPT: J

12 vs.

13 Twyla Marie Stanton
14 Defendant.

15 STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL OF CASE

16 The parties in this matter, (Plaintiff's name) Dennis Vincent Stanton
17 and (Defendant's name) Twyla Marie Stanton, both in Proper Person,
18 hereby stipulate and agree to the following:

19 1.) That the parties agree to voluntarily dismiss separate
20 maintenance case, Case No. D-17-558626-S and each
21 party to bear his or her own fees and costs;

22 2.) That the Court should vacate any and all future hearings
23 in this matter;

24 3.) That this matter shall be dismissed.
25
26
27
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☐ Other
☒ Dismissed - Want of Prosecution
☐ Involuntary (Statutory) Dismissal
☐ Default Judgment
☐ Transferred
☐ Trial Discontinuation:
☐ Judgment Reached by Trial
☐ Satisfied/Withdrawn
☐ Without Judicial Confirmation
☐ With Judicial Confirmation
☐ By ADR

RECEIVED
FEB 21 2018
DEPT. J

RECEIVED
FEB 21 2018
DEPT. J

(CHECK ONLY ONE BOX)

☒ No hearing is currently scheduled.

OR

☐ The hearing currently scheduled for (date) _____ at (time) _____
_____m. should be taken off calendar.

DATED this (day) 15th day of (month) February, 20 18.

Respectfully Submitted:

By: Dennis V. Stanton
(Plaintiff's signature)

By: Lynla M. Stanton
(Defendant's signature)

Plaintiff's Name: Dennis Vincent Stanton

Defendant's Name: Lynla Marie Stanton

Address: 7088 Las Banderos Ave.

Address: 7088 Las Banderos Ave.

City, State, Zip: Las Vegas, Nevada 89129

City, State, Zip: Las Vegas, Nevada 89129

Phone: (702) 764-4692

Phone: (702) 764-4692

Email: dennisvstanton30@gmail.com

Email: _____

ACKNOWLEDGMENT (Plaintiff)

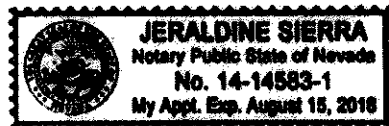
STATE OF NEVADA)

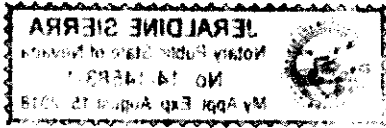
COUNTY OF CLARK)

On this (day) 15 day of (month) February, 20 18, before me, the undersigned Notary Public in and for the said County and State, personally appeared (Plaintiff's name) Dennis V. Stanton, known to me to be the person described in and who executed the foregoing Stipulation and Order, and who acknowledged to me that he / she did so freely and voluntarily and for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

[Signature]
Signature of notarial officer





1 **ACKNOWLEDGMENT (Defendant)**

2 STATE OF NEVADA)
3)
4 COUNTY OF CLARK)

5 On this (day) 15 day of (month) February, 20 18, before me, the
6 undersigned Notary Public in and for the said County and State, personally appeared (Defendant's
7 name) Twyla Stanton, known to me to be the person described in and
8 who executed the foregoing Stipulation and Order, and who acknowledged to me that he / she did so
9 freely and voluntarily and for the uses and purposes therein mentioned.

10 WITNESS my hand and official seal.

11 [Signature]
12 Signature of notarial officer



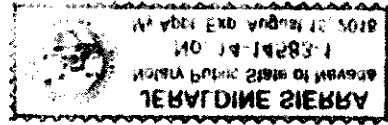
13
14 **ORDER**

15 UPON A READING of the foregoing Stipulation of the parties and good cause appearing,

16 IT IS HEREBY ORDERED that the parties' stipulation is adopted and made an Order of this
17 Court. Pursuant to the attached Affidavit. (Exhibit A)

18 IT IS FURTHER ORDERED that hearing presently scheduled for (date) N/A at
19 (time) N/A .m. shall be taken off calendar.

20
21 IT IS FURTHER ORDERED that each party shall submit the information required in NRS
22 125B.055, NRS 125.130 and NRS 125.230 on a separate form to the Court and the Welfare
23 Division of the Department of Human Resources within ten days from the date this Decree is filed.
24 Such information shall be maintained by the Clerk in a confidential manner and not part of the
25 public record. The parties shall update the information filed with the Court and the Welfare
26 Division of the Department of Human Resources within ten days should any of that information
27 become inaccurate.
28



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

2 **PENALTY FOR VIOLATION OF ORDER:** THE ABDUCTION, CONCEALMENT OR
3 **DETENTION OF A CHILD IN VIOLATION OF THIS ORDER IS PUNISHABLE AS A**
4 **CATEGORY D FELONY AS PROVIDED IN NRS 193.130. NRS 200.359 provides that every**
5 **person having a limited right of custody to a child or any parent having no right of custody to**
6 **the child who willfully detains, conceals or removes the child from a parent, guardian or other**
7 **person having lawful custody or a right of visitation of the child in violation of an order of this**
8 **court, or removes the child from the jurisdiction of the court without the consent of either the**
9 **court or all persons who have the right to custody or visitation is subject to being punished for a**
10 **category D felony as provided in NRS 193.130.**

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

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

17 (a) The parties may agree, and the court shall include in the order for custody of the child,
18 that the United States is the country of habitual residence of the child for the purposes of
19 applying the terms of the Hague Convention as set forth in subsection 7.

20 (b) Upon motion of one of the parties, the court may order the parent to post a bond if the
21 court determines that the parent poses an imminent risk of wrongfully removing or concealing
22 the child outside the country of habitual residence. The bond must be in an amount determined
23 by the court and may be used only to pay for the cost of locating the child and returning him to
24 his habitual residence if the child is wrongfully removed from or concealed outside the country
25 of habitual residence. The fact that a parent has significant commitments in a foreign country
26 does not create a presumption that the parent poses an imminent risk of wrongfully removing or
27 concealing the child.

28 **NOTICE IS HEREBY GIVEN** that the parties are subject to the relocation requirements of
NRS 125C.006 & NRS 125C.0065. If joint or primary physical custody has been established
pursuant to an order, judgment or decree of a court and one parent intends to relocate his or her
residence to a place outside of this State or to a place within this State that is at such a distance that
would substantially impair the ability of the other parent to maintain a meaningful relationship with
the child, and the relocating parent desires to take the child with him or her, the relocating parent
shall, before relocating: (a) attempt to obtain the written consent of the non-relocating parent to
relocate with the child; and (b) if the non-relocating parent refuses to give that consent, petition the

1 court for permission to move and/or for primary physical custody for the purpose of relocating. A
2 parent who desires to relocate with a child has the burden of proving that relocating with the child is
3 in the best interest of the child. The court may award reasonable attorney's fees and costs to the
4 relocating parent if the court finds that the non-relocating parent refused to consent to the relocating
5 parent's relocation with the child without having reasonable grounds for such refusal, or for the
6 purpose of harassing the relocating parent. A parent who relocates with a child pursuant to this
7 section without the written consent of the other parent or the permission of the court is subject to
8 the provisions of NRS 200.359.

9 NOTICE IS HEREBY GIVEN that the parties are subject to the provisions of NRS 31A
10 and 125.007 regarding the collection of delinquent child support payments.

11 NOTICE IS HEREBY GIVEN that either party may request a review of child support
12 every three years pursuant to NRS 125B.145.

13 DATED this (day) 22 day of (month) Feb, 20 18.

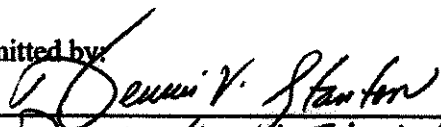

14
15 
16 DISTRICT COURT JUDGE

17 RENA G. HUGHES

18 Respectfully submitted by

19 (Your signature)

20 (Your name)

 / 
Dennis Vincent Stanton / Twyla Marie Stanton

[Signature]

1 SAO

2 Name: Dennis Vincent Stanton
3 Address: 7088 Las Ramblas Ave.
4 City, State, Zip: Las Vegas, Nevada 89129-1207
5 Phone: (702) 764-4090
6 Email: dennisvstanton30@gmail.com
7 Self-Represented

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

10 Dennis Vincent Stanton
11 Plaintiff,

CASE NO.: D-17-558626-S
DEPT: J

12 vs.
13 Twyla Marie Stanton
14 Defendant.

15 Amended STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL OF CASE

16 The parties in this matter, (Plaintiff's name) Dennis Vincent Stanton
17 and (Defendant's name) Twyla Marie Stanton, both in Proper Person,
18 hereby stipulate and agree to the following:

19 1.) That the parties agree to voluntarily dismiss separate
20 Maintenance case, Case No. D-17-558626-S and each
21 party to bear his or her own fees and costs;

22 2.) That the Court should vacate any and all future hearings
23 in this matter;

24 3.) That this matter shall be dismissed.

25
26
27
28
Other: ☐ Settled/Withdrawn
☐ Dismissed - Want of Prosecution
☐ Voluntary (Statutory) Dismissal
☐ Default Judgment
☐ Transferred
Total Dispositions: ☐ Judgment Reached by Trial
☐ Disposed After Trial Start ☐ Judgment Reached by Trial

1 (CHECK ONLY ONE BOX)

2 ☒ No hearing is currently scheduled.

3 OR

4 ☐ The hearing currently scheduled for (date) _____ at (time) _____
5 _____m. should be taken off calendar.

6
7 DATED this (day) 15th day of (month) February, 20 18.

8 Respectfully Submitted:

9 By: Dennis V. Stanton
10 (Plaintiff's signature)

By: Lynla M. Stanton
(Defendant's signature)

11 Plaintiff's Name: Dennis Vincent Stanton

Defendant's Name: Lynla Marie Stanton

12 Address: 7088 Las Banderos Ave.

Address: 7088 Las Banderos Ave.

13 City, State, Zip: Las Vegas, Nevada 89179-1207

City, State, Zip: Las Vegas, Nevada 89179-1207

Phone: (702) 764-4690

Phone: (702) 764-4692

Email: dennisvstanton30@gmail.com

Email: _____

14
15 **ACKNOWLEDGMENT (Plaintiff)**

16 STATE OF NEVADA)

17 COUNTY OF CLARK)

18 On this (day) 15 day of (month) February, 20 18, before me, the
19 undersigned Notary Public in and for the said County and State, personally appeared (Plaintiff's
20 name) Dennis V. Stanton, known to me to be the person described in and
21 who executed the foregoing Stipulation and Order, and who acknowledged to me that he / she did so
22 freely and voluntarily and for the uses and purposes therein mentioned.

24 WITNESS my hand and official seal.

25 [Signature]
26 Signature of notarial officer



1 **ACKNOWLEDGMENT (Defendant)**

2 STATE OF NEVADA)
3)
4 COUNTY OF CLARK)

5 On this (day) 15 day of (month) February, 2018, before me, the
6 undersigned Notary Public in and for the said County and State, personally appeared (Defendant's
7 name) Twyke Stanton, known to me to be the person described in and
8 who executed the foregoing Stipulation and Order, and who acknowledged to me that he / she did so
9 freely and voluntarily and for the uses and purposes therein mentioned.

10 WITNESS my hand and official seal.

11 [Signature]
12 Signature of notarial officer



13
14 **ORDER**

15 UPON A READING of the foregoing Stipulation of the parties and good cause appearing,

16
17 **IT IS HEREBY ORDERED** that the parties' stipulation is adopted and made an Order of this
18 Court. Pursuant to the attached Affidavit. (Exhibit A)

19 **IT IS FURTHER ORDERED** that hearing presently scheduled for (date) N/A at
20 (time) N/A .m. shall be taken off calendar.

21 **IT IS FURTHER ORDERED** that each party shall submit the information required in NRS
22 125B.055, NRS 125.130 and NRS 125.230 on a separate form to the Court and the Welfare
23 Division of the Department of Human Resources within ten days from the date this Decree is filed.
24 Such information shall be maintained by the Clerk in a confidential manner and not part of the
25 public record. The parties shall update the information filed with the Court and the Welfare
26 Division of the Department of Human Resources within ten days should any of that information
27 become inaccurate.

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

2 **PENALTY FOR VIOLATION OF ORDER:** THE ABDUCTION, CONCEALMENT OR
3 **DETENTION OF A CHILD IN VIOLATION OF THIS ORDER IS PUNISHABLE AS A**
4 **CATEGORY D FELONY AS PROVIDED IN NRS 193.130. NRS 200.359 provides that every**
5 **person having a limited right of custody to a child or any parent having no right of custody to**
6 **the child who willfully detains, conceals or removes the child from a parent, guardian or other**
7 **person having lawful custody or a right of visitation of the child in violation of an order of this**
8 **court, or removes the child from the jurisdiction of the court without the consent of either the**
9 **court or all persons who have the right to custody or visitation is subject to being punished for a**
10 **category D felony as provided in NRS 193.130.**

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13 parent abducts or wrongfully retains a child in a foreign country. The parties are also put on notice
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15 If a parent of the child lives in a foreign country or has significant commitments in a foreign
16 country:

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18 that the United States is the country of habitual residence of the child for the purposes of
19 applying the terms of the Hague Convention as set forth in subsection 7.

20 (b) Upon motion of one of the parties, the court may order the parent to post a bond if the
21 court determines that the parent poses an imminent risk of wrongfully removing or concealing
22 the child outside the country of habitual residence. The bond must be in an amount determined
23 by the court and may be used only to pay for the cost of locating the child and returning him to
24 his habitual residence if the child is wrongfully removed from or concealed outside the country
25 of habitual residence. The fact that a parent has significant commitments in a foreign country
26 does not create a presumption that the parent poses an imminent risk of wrongfully removing or
27 concealing the child.

28 **NOTICE IS HEREBY GIVEN** that the parties are subject to the relocation requirements of
NRS 125C.006 & NRS 125C.0065. If joint or primary physical custody has been established
pursuant to an order, judgment or decree of a court and one parent intends to relocate his or her
residence to a place outside of this State or to a place within this State that is at such a distance that
would substantially impair the ability of the other parent to maintain a meaningful relationship with
the child, and the relocating parent desires to take the child with him or her, the relocating parent
shall, before relocating: (a) attempt to obtain the written consent of the non-relocating parent to
relocate with the child; and (b) if the non-relocating parent refuses to give that consent, petition the

1 court for permission to move and/or for primary physical custody for the purpose of relocating. A
2 parent who desires to relocate with a child has the burden of proving that relocating with the child is
3 in the best interest of the child. The court may award reasonable attorney's fees and costs to the
4 relocating parent if the court finds that the non-relocating parent refused to consent to the relocating
5 parent's relocation with the child without having reasonable grounds for such refusal, or for the
6 purpose of harassing the relocating parent. A parent who relocates with a child pursuant to this
7 section without the written consent of the other parent or the permission of the court is subject to
8 the provisions of NRS 200.359.

9 NOTICE IS HEREBY GIVEN that the parties are subject to the provisions of NRS 31A
10 and 125.007 regarding the collection of delinquent child support payments.

11 NOTICE IS HEREBY GIVEN that either party may request a review of child support
12 every three years pursuant to NRS 125B.145.

13 DATED this (day) 22 day of (month) Feb, 2018.

14
15 
16 DISTRICT COURT JUDGE

17 RENA G. HUGHES

18 Respectfully submitted by

19 (Your signature)

20 (Your name)

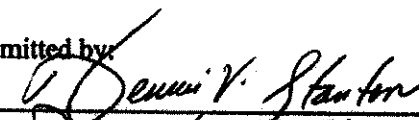

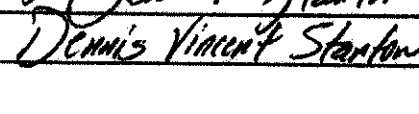
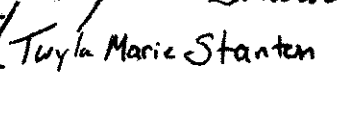
 
 

Exhibit A

Electronically Filed
02/20/2018

Robert J. Smith
CLERK OF THE COURT

EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

Dennis Vincent Stanton

D-17-558626-S / DEPARTMENT J

Plaintiff

-vs-

Twyla Marie Stanton

Defendant

AFFIDAVIT

I, Twyla Marie Stanton, of Las Vegas, in Clark County, Nevada, MAKE OATH AND SAY THAT:

1. I am the Defendant in Separate Maintenance Case, Case No. D-17-558626-S in Department J of the Family Court Division, Eighth Judicial District, Clark County, Nevada.
2. The Plaintiff, Dennis Vincent Stanton, in proper person, in Case No. D-17-558626-S, entitled: Dennis Vincent Stanton vs. Twyla Marie Stanton, filed a default judgement on 10/23/2017 pursuant to EDCR 2.23(c), 5.501(b), and EDCR 2.20(c).
3. I do not have a diminished mental capacity, but a speech impediment, nor have I ever been declared mentally incompetent by any Court or any Administrative Agency ever.
4. I do not have difficulty comprehending legal documents.
5. I do not have difficulty making judgements or decisions as it pertains to legal matters.
6. I do not wish to have independent legal counsel to represent me in this matter.

7. I do not wish to be "coerced", forced, pressured, and intimidated to have Christopher F. Owen, Esq. to represent me in this matter.
8. I have not hired, nor contracted, nor agreed in any way, shape, or form to have Christopher F. Owen, Esq. or any other attorney to represent me in this matter.
9. I am completely advised and fully aware of my legal rights as it pertains to this matter.
10. I am truly making an informed judgement as to the legal matters at hand.
11. I have not been "coerced", forced, pressured, or intimidated by anyone or anybody into settlement nor am I under any kind of duress.
12. I intentionally, purposely, willfully, and deliberately defaulted in this case by knowingly not responding, answering, or replying to any papers in regards to this case even though I was properly served on 09/15/2017.
13. This Court has intentionally, purposely, willfully, and deliberately delayed a judicial determination in this matter pursuant to The Rules of the Code of Judicial Conduct Rule 2.5 in regards to competence, diligence, and cooperation.
14. This Court has shown a bias and prejudice for and against myself, Twyla Marie Stanton, by making false accusations and allegations about my mental state and decision making and abilities pursuant to The Rules of the Code of Judicial Conduct 2.3(A)(B) Bias, Prejudice, and Harassment.
15. I have encountered financial hardship and despair due to the intentional, purposeful, willful, and deliberate delay of a judicial determination in this matter by this Court.
16. I have filed a formal complaint with the Nevada Commission on Judicial Discipline regarding the handling of this case by this Court.
17. Under these circumstances, I wish to voluntarily dismiss this case, Separate Maintenance Case, Case No. D-17-558626-S. Thank you.

STATE OF NEVADA

COUNTY OF CLARK

SUBSCRIBED AND SWORN TO BEFORE
ME, on the 20th day of February, 2018

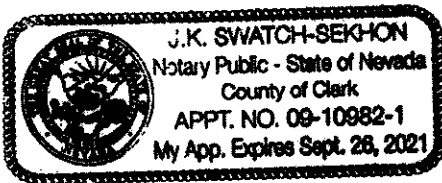
Signature

J. Swatch Sekhon (Seal)

NOTARY PUBLIC

My Commission expires:

Sept 26, 2021



Twyla M. Stanton
(Signature)

Twyla Marie Stanton

EXHIBIT E

OFFICIAL RECEIPT
Office of the County Clerk
Clark County Family Court
601 North Pecos Rd
Las Vegas, NV 89101

Payor
Stanton, Twyla
7088 Los Banderos AVE
Las Vegas, NV 89179

Receipt No.
2018-09287-FAM

Transaction Date
03/29/2018

Description	Amount Paid
-------------	-------------

Stanton, Twyla

D-18-568604-Z

In the Matter of the Joint Petition for Divorce of: Dennis Vincent Stanton and Twyla Marie Stanton

Peremptory Challenge of Judge--Fam fee sch-\$450

450.00

SUBTOTAL

450.00

Remaining Balance Due: \$0.00

PAYMENT TOTAL **450.00**

Cash Tendered 450.00

Total Tendered 450.00

Change 0.00

03/29/2018
02:50 PM

Cashier
Station FC11

Audit
36118418

OFFICIAL RECEIPT

EXHIBIT F



MEMO

From the desk of the
Law Clerk to the
Honorable Bryce C. Duckworth
Family Division, Department Q

Date: April 18, 2018

To: Christopher Owen, Esq.

RE: *Stanton v. Stanton*, D-18-568604-Z

CC: Dennis Stanton, 7088 Los Banderos Ave, Las Vegas, NV 89179
Twyla Stanton, 7088 Los Banderos Ave, Las Vegas, NV 89179

The letter dated April 9, 2018 directed to Judge Duckworth that was received by this Court is being returned to you without consideration by Judge Duckworth because it is "ex parte communication" and is strictly prohibited. ¹ "Ex parte communication" occurs when one party, or a non party, attempts to inappropriately communicate information to the Judge about a case. Please refrain from sending ex parte communication to this Court in the future.

Please note that if there is an issue that you believe needs to be addressed by the Court, then you must file the appropriate motion and/or opposition with the Clerk of the Court.

¹ Nevada Code of Judicial Conduct Rule 2.9.

FAX COVER SHEET

To:

From: Charles LoBello
<clobello@chrisowenlaw.com>

Company:

Date: 04/09/18 01:04:44 PM

Fax Number: 7024551946

Pages (Including cover): 5

Re: Stanton v. Stanton; Case Nos. D-16-540966-D and D-18-568604-Z

Notes:

Please see attached.

Charles C. LoBello

Case Manager

1785 E. Sahara Ave., Suite 157

Las Vegas, Nevada 89104

Tel.: 702.733.2800

Fax: 702.425.9883

www.chrisowenlaw.com



PERSONAL AND CONFIDENTIAL: This message originates from Christopher F. Owen, PLLC dba the OWENLAW FIRM. This message and any file(s) or attachment(s) transmitted with it are confidential, intended only for the named recipient, and may contain information that is a trade secret, proprietary, protected by the attorney work product doctrine, subject to the attorney-client privilege, or is otherwise protected against unauthorized use or disclosure. This message and any file(s) or attachment(s) transmitted with it are transmitted based on a reasonable expectation of privacy consistent with ABA Formal Opinion No. 99-413. Any disclosure, distribution, copying, or use of this information by anyone other than the intended recipient, regardless of address or routing, is strictly prohibited. If you receive this message in error, please advise the sender by immediate reply and delete the original message. Personal messages express only the view of the sender and are not attributable to Christopher F. Owen, PLLC.



April 9, 2018

VIA TELECOPIER ONLY

The Honorable Judge Duckworth
Eighth Judicial District Court, Family Division
601 North Pecos Road
Las Vegas, Nevada 89101
Fax: (702) 455-1946

Re: *Dennis Vincent Stanton vs. Twyla Marie Stanton*
Case No. D-16-540966-D
Case No. D-18-568604-Z

Dear Judge Duckworth:

In the hope that this communication is not out-of-line, I write to express concerns about Family Court proceedings that occurred in related cases involving the same parties prior to the peremptory challenge of Judge Rena Hughes and consequent reassignment of this case (D-16-540966-D) to your Honor on March 29, 2018.

This matter involves four separate filings involving Dennis Stanton and Twyla Stanton, and their six children.

On October 12, 2016, Dennis Stanton filed a Complaint for Divorce (**Case No. D-16-540966-D**). Later that day, Mrs. Stanton, with the undersigned as counsel, filed her Complaint for Divorce (**Case No. D-16-541006-D**). Both cases were consolidated under the earlier Case number. After long and contentious proceedings, the parties reconciled and the case was voluntarily dismissed on or about March 30, 2017.

On September 13, 2017, Dennis Stanton filed a Complaint for Separate Maintenance (**Case No. D-17-558626-S**), which was assigned to Judge Rena Hughes (the "Separate Maintenance Case").

On October 23, 2017, Mr. Stanton requested a summary disposition of the Separate Maintenance Case.

On February 1, 2018, the Court, of its own accord, issued a Minute Order in the Separate Maintenance Case. A copy of that Minute Order is enclosed herewith.

In her Minute Order, Judge Hughes states:

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. The Court has researched its duties with respect to ensuring due process to the Defendant [Twyla Stanton]. Through the previous case involving the parties (lead, case- D-16-540966-D consolidated with D-16-541006-D), the Court is aware that Defendant has a diminished mental capacity and lacks the ability to comprehend legal documents or make judgments as to legal

The Honorable Judge Duckworth
April 9, 2018
Page -2-

matters. In good conscience, and for purposes of due process, the Court cannot approve the Defendant's alleged agreements with Plaintiff until Defendant receives independent legal counsel.

Therefore, the Court is appointing Defendant independent legal counsel to represent the Defendant in this matter, to ensure she is advised of her rights, and that she is truly making an informed judgment as to the legal matters at hand. (Emphasis added).

On February 8, 2018, the Court signed the Order appointing the undersigned as counsel for Mrs. Stanton in the Separate Maintenance Case. It is believed the undersigned was selected because he had represented Ms. Stanton in the previous cases (D-16-540966-D and D-16-541006-D).

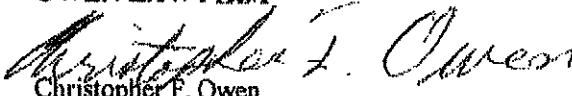
Shortly thereafter, the parties filed a Stipulation and Order to Dismiss and the Separate Maintenance case was dismissed on February 27, 2018.

On March 29, 2018, the parties filed a Joint Petition for Summary Decree of Divorce (Case No. D-18-568604-Z). This case was first assigned to Judge Hughes. A peremptory challenge was filed and the case was then reassigned to your Honor.

Given the comments of Judge Hughes in her Minute Order as to Mrs. Stanton, the undersigned writes this letter to suggest the appointment of a guardian *ad litem* to make sure Ms. Stanton understands the nature of the proceedings and consequent orders of the Court.

Thank you for your attention.

Very truly yours
OWEN LAW FIRM


Christopher F. Owen
Attorney at Law

CFO/cl

cc Dennis Stanton (via U.S. Mail)
Twyla Stanton (via U.S. Mail)
Rhonda K. Forsberg, Esq. (via email)
Michelle Hauser, Esq. (via email)

Enclosure as noted

EXHIBIT G

Name: James Vincent Stanton
Address: 9088 Las Bandejas Avenue
City, State, Zip: Las Vegas, Nevada 89179-1207
Phone: (702) 764-4090
Email: deaniststanton30@gmail.com
Self-Represented

Dennis Vincent Stanton
Plaintiff, First Joint Petitioner

~~VB.~~ Ad

Twyla Marie Stanton
Defendant - Second Job Petitioner

The parties in this matter, ^{First Joint Petitioner} (Plaintiff's name) Dennis Vincent Stanton CASE
and ^{Second Joint Petitioner} (Defendant's name) Twyla Marie Stanton, both in Proper Person,
hereby stipulate and agree to the following:

hereby stipulate and agree to the following:

- 1.) That the parties agree to voluntarily dismiss Joint Petition for Divorce Case, Case No. D-18-568604-Z and each party to bear his or her own fees and costs;
- 2.) That the Court should vacate any and all future hearings in this matter;
- 3.) That this matter shall be dismissed.

☐ 19 Settled/Withdrawn
☐ 20 Settled - Court/ADR
☐ 21 Disposed - Court/ADR
☐ 22 Disposed - Court/ADR
☐ 23 Disposed - Court/ADR
☐ 24 Disposed - Court/ADR
☐ 25 Disposed - Court/ADR
☐ 26 Disposed - Court/ADR
☐ 27 Disposed - Court/ADR
☐ 28 Disposed - Court/ADR
☐ 29 Disposed - Court/ADR
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☐ 98 Disposed - Court/ADR
☐ 99 Disposed - Court/ADR
☐ 100 Disposed - Court/ADR

(CHECK ONLY ONE BOX)

☒ No hearing is currently scheduled.

OR

☐ The hearing currently scheduled for (date) _____ at (time) _____
_____m. should be taken off calendar.

DATED this (day) 25th day of (month) April, 20 18.

Respectfully Submitted:

By: Dennis V. Stanton
(Plaintiff's signature) First Joint Petitioner
Plaintiff's Name: Dennis Vincent Stanton
Address: 7088 Los Banderas Avenue
City, State, Zip: Las Vegas, Nevada 89179
Phone: (702) 704-4690
Email: dennisv.stanton30@gmail.com

By: Lynne M. Stanton
(Defendant's signature) Second Joint Petitioner
Defendant's Name: Lynne Marie Stanton
Address: 7088 Los Banderas Ave.
City, State, Zip: Las Vegas, Nevada 89179
Phone: (702) 704-4692
Email: lynne.stanton23@gmail.com

ACKNOWLEDGMENT (Plaintiff)

First Joint Petitioner

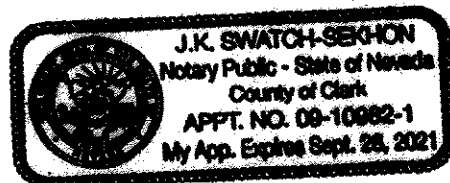
STATE OF NEVADA)

COUNTY OF CLARK)
in

On this (day) 25 day of (month) April, 2018, before me, the
undersigned Notary Public in and for the said County and State, personally appeared first joint
petitioner
(name) Dennis Vincent Stanton, known to me to be the person described in and
who executed the foregoing Stipulation and Order, and who acknowledged to me that he / she did so
freely and voluntarily and for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

J.K. Swatch-Sekhon
Signature of notarial officer



1 **ACKNOWLEDGMENT**

Second Joint Petitioner

2 STATE OF NEVADA)

3 COUNTY OF CLARK)

4 On this (day) 25th day of (month) April, 2018, before me, the

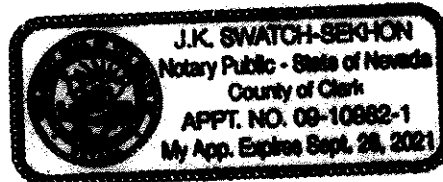
5 undersigned Notary Public in and for the said County and State, personally appeared ^{second joint} (Defendant's

6 ^{petitioner} name) Twyla Marie Stanton, known to me to be the person described in and

7 who executed the foregoing Stipulation and Order, and who acknowledged to me that ~~he~~ she did so
8 freely and voluntarily and for the uses and purposes therein mentioned.
9

10 WITNESS my hand and official seal.

11 J.K. Swatch-Sekhon
12 Signature of notarial officer



13
14 **ORDER**

15 UPON A READING of the foregoing Stipulation of the parties and good cause appearing,

16 **IT IS HEREBY ORDERED** that the parties' stipulation is adopted and made an Order of this
17 Court.
18

19 **IT IS FURTHER ORDERED** that hearing presently scheduled for (date) N/A at
20 (time) N/A .m. shall be taken off calendar.

21 **IT IS FURTHER ORDERED** that each party shall submit the information required in NRS
22 125B.055, NRS 125.130 and NRS 125.230 on a separate form to the Court and the Welfare
23 Division of the Department of Human Resources within ten days from the date this Decree is filed.
24 Such information shall be maintained by the Clerk in a confidential manner and not part of the
25 public record. The parties shall update the information filed with the Court and the Welfare
26 Division of the Department of Human Resources within ten days should any of that information
27 become inaccurate.
28

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

2 **PENALTY FOR VIOLATION OF ORDER:** THE ABDUCTION, CONCEALMENT OR
3 **DETENTION OF A CHILD IN VIOLATION OF THIS ORDER IS PUNISHABLE AS A**
4 **CATEGORY D FELONY AS PROVIDED IN NRS 193.130. NRS 200.359 provides that every**
5 **person having a limited right of custody to a child or any parent having no right of custody to**
6 **the child who willfully detains, conceals or removes the child from a parent, guardian or other**
7 **person having lawful custody or a right of visitation of the child in violation of an order of this**
8 **court, or removes the child from the jurisdiction of the court without the consent of either the**
9 **court or all persons who have the right to custody or visitation is subject to being punished for a**
10 **category D felony as provided in NRS 193.130.**

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

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

17 **(a) The parties may agree, and the court shall include in the order for custody of the child,**
18 **that the United States is the country of habitual residence of the child for the purposes of**
19 **applying the terms of the Hague Convention as set forth in subsection 7.**

20 **(b) Upon motion of one of the parties, the court may order the parent to post a bond if the**
21 **court determines that the parent poses an imminent risk of wrongfully removing or concealing**
22 **the child outside the country of habitual residence. The bond must be in an amount determined**
23 **by the court and may be used only to pay for the cost of locating the child and returning him to**
24 **his habitual residence if the child is wrongfully removed from or concealed outside the country**
25 **of habitual residence. The fact that a parent has significant commitments in a foreign country**
26 **does not create a presumption that the parent poses an imminent risk of wrongfully removing or**
27 **concealing the child.**

28 **NOTICE IS HEREBY GIVEN** that the parties are subject to the relocation requirements of
NRS 125C.006 & NRS 125C.0065. If joint or primary physical custody has been established
pursuant to an order, judgment or decree of a court and one parent intends to relocate his or her
residence to a place outside of this State or to a place within this State that is at such a distance that
would substantially impair the ability of the other parent to maintain a meaningful relationship with
the child, and the relocating parent desires to take the child with him or her, the relocating parent
shall, before relocating: (a) attempt to obtain the written consent of the non-relocating parent to
relocate with the child; and (b) if the non-relocating parent refuses to give that consent, petition the

1 court for permission to move and/or for primary physical custody for the purpose of relocating. A
2 parent who desires to relocate with a child has the burden of proving that relocating with the child is
3 in the best interest of the child. The court may award reasonable attorney's fees and costs to the
4 relocating parent if the court finds that the non-relocating parent refused to consent to the relocating
5 parent's relocation with the child without having reasonable grounds for such refusal, or for the
6 purpose of harassing the relocating parent. A parent who relocates with a child pursuant to this
7 section without the written consent of the other parent or the permission of the court is subject to
8 the provisions of NRS 200.359.

9 NOTICE IS HEREBY GIVEN that the parties are subject to the provisions of NRS 31A
10 and 125.007 regarding the collection of delinquent child support payments.

11 NOTICE IS HEREBY GIVEN that either party may request a review of child support
12 every three years pursuant to NRS 125B.145.

13 DATED this (day) 10 day of (month) May, 2018.

14
15
16 Rene L. Hughes
DISTRICT COURT JUDGE

17
18 Respectfully submitted by:

19 (Your signature)

20 (Your name)

Dennis V. Stanton / Twyla M. Stanton
Dennis Vincent Stanton / Twyla Marie Stanton

EXHIBIT H

Ron L. Goodman
Attorney at Law



"Over 25 Years of Experience"

ATTORNEY CLIENT AGREEMENT

Client(s) T. WYLA M'CURDY hereby hire(s)
attorney Ron Goodman to represent him/her/them in the following matter:

Probate matter

The fee for this representation is \$ 2500

Costs are estimated to be \$ _____ and are in addition to the fee.

Upon the initial payment of \$ 2500 Attorney will :

File documents

Agreed to this 6th day of December 2008

[Signature]
Client

[Signature]
Ron Goodman, Attorney

Client

EXHIBIT I

Ron L. Goodman
Attorney at Law



"Over 25 Years of Experience"

ELECTRONICALLY FILED
Faulkner County Circuit Court Probate Division
Margaret Darter, County Clerk
2019-Feb-13 11:53:52
23PR-18-640
C20D05 : 1 Page

February 11, 2019

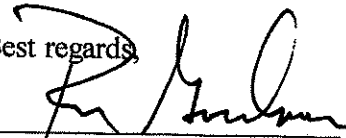
The Honorable Judge H.G. Foster
Faulkner County Circuit/Probate
Faulkner County Courthouse
510 S. German Lane
Conway, AR 72034

Re: IN THE MATTER OF TWYLA MARIE McCURDY
(STANTON) An incapacitated person
Faulkner County Probate 23PR-18-640

Dear Judge Foster,

Enclosed for your approval is an Agreed Order in the above-referenced matter.

Best regards,



Ron Goodman (86070)
Attorney at Law
515 Oak, Suite A
Conway, AR 72032
501-993-3824
rlgoodmanlaw@msn.com

(Enclosure)

CC: Boyd Tackett, Jr.
P.O. Box 1433
Conway, AR 72033

RLG: vsw

IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS
PROBATE DIVISION

IN THE MATTER OF TWYLA MARIE MCCURDY (STANTON)

An incapacitated person

23PR-18-640

AGREED ORDER

On this _____ day of February 2019, came for hearing on the above captioned case, the Respondent Twyla Marie McCurdy Stanton by and through her attorney, Ron Goodman, and the Petitioners Robert Crawford and Carmen Crawford by and through their attorney, Boyd Tackett, Jr. and from the pleadings filed herein, the evidence before the Court and the agreement of the Parties the Court, being well and sufficiently advised finds as follows:

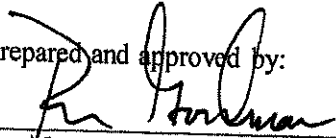
1. The Court has proper jurisdiction over the Parties and subject matter of this cause;
2. This Court is the appropriate venue;
3. The Petitioners were granted a temporary guardianship over the Respondent by order of the Court on October 26, 2018;
4. This temporary guardianship expired by operation of law on January 24, 2019;
5. Prior to the expiration of the temporary guardianship the Petitioners set a hearing seeking permanent guardianship of the Respondent. Respondent filed a response opposing the appointment.
6. Respondent subsequently filed a Motion to Terminate Temporary Guardianship on January 22, 2019;
7. The Petitioners' temporary guardianship over the Respondent has expired and is held for naught;
8. The matter of guardianship of the person and estate of Twyla Marie McCurdy Stanton is hereby dismissed;

9. This Order resolves the pending Motion of the Respondent;
IT IS SO ORDERED.

HONORABLE H.G. FOSTER

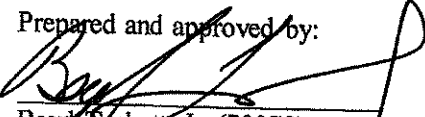
DATE

Prepared and approved by:



Ron Goodman (86070)
Attorney for Respondent
515 Oak St., Suite A
Conway, AR 72032
501-993-3824

Prepared and approved by:



Boyd Fickett, Jr. (70070)
Attorney for Petitioners
P.O. Box 1433
Conway, AR 72033
501-329-7722



Arkansas Judiciary

Case Title: TWYLA MARIE MCCURDY

Case Number: 23PR-18-640

Type: AGREED ORDER

So Ordered

A handwritten signature in black ink, appearing to read "H. G. Foster", written over a horizontal line.

Judge H G Foster

Electronically signed by HGFOSTER on 2019-02-19 11:19:51 page 3 of 3

EXHIBIT J

**IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS
PROBATE DIVISION**

IN THE MATTER OF TWYLA MARIE MCCURDY (STANTON)
An incapacitated person

23PR-18-640

**MOTION TO TERMINATE
TEMPORARY GUARDIANSHIP**

Comes Twyla McCurdy Stanton, by and through her attorney, Ron Goodman, and for her Motion to Terminate Temporary Guardianship states as follows:

1. Based on information provided in a Verified Petition for Appointment of Co-Guardians of the Person and Estate filed by Robert Crawford and Carmen Crawford on October 19, 2018 the Court entered an Order appointing them as temporary co-guardians of Twyla McCurdy Stanton on October 26, 2018;
2. A hearing was scheduled for December 10, 2018 for the appointment of Robert Crawford and Carmen Crawford as Co-Guardians of Twyla McCurdy Stanton. Mrs. Stanton obtained counsel to oppose the appointment and a Response on her behalf was filed December 6, 2018. The hearing of December 10, 2018 was subsequently continued and has not been re-set;
3. There are a number of factual misrepresentations in the Crawford's Petition seeking guardianship that will be disclosed should there be a hearing required on this matter;
4. The Crawford's Petition seeking guardianship of Twyla McCurdy Stanton is moot due to the fact that Twyla has returned to her resident state of Nevada, re-married her husband of fourteen (14) years and resumed her role as mother to her six children. (See attached marriage license.)
5. Twyla McCurdy Stanton did not establish residency in Arkansas and never intended to do so. She did not intend to permanently leave her children in Nevada. While visiting

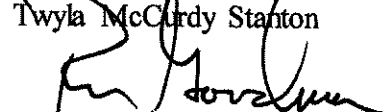
relatives here she became a virtual prisoner as her mother and step-father sought to gain control over her and her disability benefits by gaining guardianship;

6. Twyla McCurdy Stanton is an adult person with learning disabilities and attention deficit disorder (see enclosed Adult Psychological Evaluation). She has been able to take care of herself, her six children, her husband and her household for over fourteen (14) years. She has also worked independently outside of the house as a housekeeper in the past. She has no need for a guardian.
7. Since Twyla has returned to her state of residence, returned to her children and re-married her husband there is no need for the Crawford's temporary guardianship to continue and should be dismissed.

WHEREFORE, Twyla McCurdy Stanton requests that the temporary guardianship awarded to Robert Crawford and Carmen Crawford over her be terminated and for all other relief to which she may be entitled.

Respectfully submitted,
Twyla McCurdy Stanton

By:


Ron Goodman (86070)
Attorney at Law
515 Oak, Suite A
Conway, AR 72032
515-993-3824
rlgoodmanlaw@msn.com

CERTIFICATE OF SERVICE

I, Ron Goodman, hereby certify that a copy of the above pleading was served electronically and also placed in the U.S. Mail with sufficient postage this 22nd day of January 2019 and addressed as follows:

Boyd Tackett Jr.
P.O. Box 1433
Conway, AR 72033

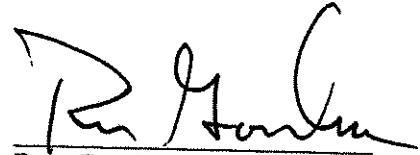


Ron Goodman (86070)

EXHIBIT K

**IF YOU ARE THE GUARDIAN IN
ANOTHER STATE BUT NEED TO
CONDUCT BRIEF, TEMPORARY
BUSINESS IN NEVADA ON BEHALF OF
THE PROTECTED PERSON:**

The original court may have told you to "register" your guardianship in Nevada so that you can take care of business in Nevada (such as, sell property, initiate or respond to a lawsuit, etc.). If so, you can register your guardianship in Nevada by completing the  Registration of Foreign Guardianship Order (pdf) packet and following all included instructions. You must file a *certified copy* of your order appointing you the guardian and a *certified copy* of your letters of guardianship with the papers.

Once you file the registration documents, you must file additional papers to set a hearing and explain to the Nevada judge why you registered your case in Nevada and what you intend to do as the guardian here. You may need to file a "Petition for Authority to Sell Real Property" or a "Generic Petition" if none of the Self-Help Forms address your situation. You can find a list of the different packets available to set a hearing on the Guardianship Forms page.

FILING OF FOREIGN GUARDIANSHIP ORDER

This Packet Is For:

- A guardian or conservator who was appointed in another state; AND
- The guardian needs to register the case in Clark County, Nevada in order to take some limited, specific action in Nevada.

NOTE: This packet is not for guardians who are moving to Nevada and transferring the entire case. A different packet is available for that purpose. This packet is only for guardians who need limited authority to do a specific thing in Nevada (such as sell the protected person's property, initiate litigation, etc.)

You Will Need: To register your guardianship in Clark County, Nevada, you will need:

- A certified copy of the other state's order appointing you the guardian;
- A certified copy of the letters of guardianship issued from the other court; and

Filing Fee: There may be a filing fee to file this paperwork if you were appointed the guardian over the estate or the person and the estate. The filing fee varies depending on the value of the estate.

1. Fill out the Paperwork:

All Self Help forms are in a checkbox/fill in the blank format. Use black ink and write clearly. Fill out the following:

☐ **Family Court Cover Sheet**

This form provides basic information about the parties so the Clerk can open your case.

☐ **Filing of Foreign Guardianship**

This form tells the Court about the other court proceedings where you were appointed the guardian. You will need to know the court name, the case number, and you will have to have certified copies of the required court orders.

☐ **Confidential Information Sheet**

This form proves the identification of the parties. You must attach a copy of the listed identification (social security card, driver's license, etc.) for the protected person(s) and the guardian(s).

2. File Your Paperwork:

In person: Bring the documents listed above to the courthouse. You will file them with the Clerk of Court. All documents are electronically filed and will be emailed to you after processing. You must provide a valid email address when filing.

Online: You can upload your documents at <https://nevada.tylerhost.net/OfsWeb/>. You must register for an account, provide an email address, and you must be able to scan and upload your documents. There is a \$3.50 fee to e-file your documents.

3. File Additional Paperwork to Set a Hearing:

You will need to set a hearing to explain to the judge why you registered your order in Nevada and what you intend to do as guardian in Nevada. To do this, you will need to fill out another packet depending on what you are trying to do. The Self-Help Center has the following packets available that may be applicable:

☐ **Petition for Authority to Sell Real Property / Permission to Sell Property**

A guardian must obtain court permission to sell the protected person's real property. This packet includes the forms needed to request permission to sell the property, and then to gain approval to sell the property to a proposed buyer.

☐ **Generic Petition**

If there is anything else the guardian needs court permission to do, the guardian can file the "Generic Petition" to set a hearing so a judge can decide any miscellaneous matter involving a guardianship.

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA
FAMILY COURT COVER SHEET**

CASE NO. _____ (To be assigned by the Clerk's Office)

Do you or any other party in this case (including any minor child) have any other current case(s) or past case(s) in the Family Court or Juvenile Court in Clark County?

☐ YES ☐ NO

If yes, complete the other side of this form

PARTY INFORMATION (Please Print)

Plaintiff/Petitioner		Defendant/Respondent/Co-Petitioner/Ward/Decedent	
Last Name:		Last Name:	
First Name:	Middle Name:	First Name:	Middle Name:
Home Address:		Home Address:	
City, State, Zip:		City, State, Zip:	
Mailing Address:		Mailing Address:	
City, State, Zip:		City, State, Zip:	
Phone #:	Date of Birth:	Phone #:	Date of Birth:
Attorney Information		Attorney Information	
Name:	Bar No.	Name:	Bar No.
Address:		Address:	
City, State, Zip:		City, State, Zip:	
Phone #:		Phone #:	

(Check one box only for the type of case being filed with this cover sheet)

DOMESTIC	OTHER DOMESTIC RELATIONS PETITIONS	GUARDIANSHIP	PROBATE
Marriage Dissolution <input type="checkbox"/> Annulment <input type="checkbox"/> Divorce –No minor child(ren) <input type="checkbox"/> Divorce –With minor child(ren) <input type="checkbox"/> Foreign Decree <input type="checkbox"/> Joint Petition –No minor child(ren) <input type="checkbox"/> Joint Petition – With minor child(ren) <input type="checkbox"/> Separate Maintenance	<input type="checkbox"/> Adoption –Minor <input type="checkbox"/> Adoption –Adult <input type="checkbox"/> Child Custody (Non-Divorce) <input type="checkbox"/> Mental Health <input type="checkbox"/> Name Change <input type="checkbox"/> Paternity <input type="checkbox"/> Permission to Marry <input type="checkbox"/> Support - Other <input type="checkbox"/> Temporary Protective Order (TPO) <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Visitation (Non-Divorce) <input type="checkbox"/> Other (identify)	Guardianship of an Adult <input type="checkbox"/> Person <input type="checkbox"/> Estate <input type="checkbox"/> Person and Estate Guardianship of a Minor <input type="checkbox"/> Person <input type="checkbox"/> Estate <input type="checkbox"/> Person and Estate <input type="checkbox"/> Guardianship Trust	<input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside Estates <input type="checkbox"/> Trust/Conservatorships <input type="checkbox"/> Individual Trustee <input type="checkbox"/> Corporate Trustee <input type="checkbox"/> Other Probate
MISC. JUVENILE PETITIONS	IV-D CHILD SUPPORT PETITIONS		
<input type="checkbox"/> Work Permit <input type="checkbox"/> Emancipation	<input type="checkbox"/> DA – UIFSA <input type="checkbox"/> Child Support In State IV-D		

List children involved in this case (If more than 3 children, please enter the information on the reverse side)

Last Name	First Name	Middle Name	Date of Birth	Relationship
1.				
2.				
3.				

Printed Name of Preparer _____

Signature of Preparer _____

Date _____

Supply the following information about any other proceeding (check all that apply):

- ☐ Divorce ☐ Temporary Protective Orders (TPO) ☐ Custody/Child Support
☐ UIFSA/URES A ☐ Paternity ☐ Juvenile Court ☐ Other

Please Print

List full name of all adult parties involved			Case number of other proceeding(s)	Approximate date of last order in other proceeding(s)
Last Name	First Name	Middle Name		
1.				
2.				
3.				
4.				
If children were involved (other than those listed on front page), please provide:				
Last Name	First Name	Middle Name	Date of Birth	Relationship
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				

Children involved in this case (continuation from front page)

Last Name	First Name	Middle Name	Date of Birth	Relationship
4.				
5.				
6.				
7.				
8.				

**THIS INFORMATION IS REQUIRED BY
NRS 3.025, NRS 3.223, NRS 3.227, NRS 3.275,
NRS 125.130, NRS 125.230,
And will be kept in a confidential manner by the Clerk's Office.**

FFJ

Your Name: _____

Address: _____

City, State, Zip: _____

Phone: _____

Email: _____

Self-Represented

**DISTRICT COURT
CLARK COUNTY, NEVADA**

In the Matter of the Guardianship of the:

- ☐ Person
☐ Estate
☐ Person and Estate

of:

(name of person who has a guardian)
A Protected Person.

CASE NO.: _____

DEPT: _____

FILING OF FOREIGN JUDGMENT (Guardianship)

Petitioner(s), (name of guardian/conservator) _____

and (name of co-guardian / conservator, or write "N/A" if only one)

_____ requests registration of a Foreign
Judgment pursuant to Nevada Revised Statutes 159.2025.

1. The Petitioner(s) were appointed as guardians / conservators by the following court (*full name of the court, as noted on their pleadings, where guardianship and/or conservatorship was granted*):

Court Name: _____

Case/Cause No. _____

2. The following documents are attached to this Petition as supporting documentation (***both are mandatory***):

- Certified copy of the Order Appointing Guardian / Conservator from the above court; and
- Certified copy of the Letters of Guardianship, from the above court.

3. The value of the protected person's estate based on the pleadings filed in the above court is (☒ **check one**):

☐ Does not apply; this is a guardianship over the person only.

☐ \$2,500 or less.

☐ More than \$2,500

4. As required by Nevada Revised Statutes 159.2025, the Petitioner(s) shall file a copy of the Petitioner(s) driver's licenses, passports or other valid photo identification cards in a sealed envelope. In lieu of a sealed envelope, the Petitioner(s) may submit the appropriate Confidential Information Sheet with the supporting identification documents attached.

DATED this (*day*) _____ day of (*month*) _____, 20__.

(Petitioner)

(Printed Name)

(Co-Petitioner)

(Printed Name)

VERIFICATION

I, (*name of first petitioner*) _____, state that I am the Guardian / Conservator in the above-entitled action; that I have read the foregoing Filing of Foreign Judgment and know the contents thereof; that the same is true of my own knowledge, except as to those matters therein stated upon information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

PETITIONER

VERIFICATION

I, (*name of second petitioner*) _____, state that I am the Co-Guardian / Conservator in the above-entitled action; that I have read the foregoing Filing of Foreign Judgment and know the contents thereof; that the same is true of my own knowledge, except as to those matters therein stated upon information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

CO-PETITIONER

Your Name: _____
Address: _____
City, State, Zip: _____
Phone: _____
Email: _____
Self-Represented

**DISTRICT COURT
CLARK COUNTY, NEVADA**

In the Matter of the Guardianship of the:

- ☐ Person
☐ Estate
☐ Person and Estate

of:

(name of person who has a guardian)
A Protected Person.

CASE NO.: _____

DEPT: _____

CONFIDENTIAL INFORMATION SHEET – GUARDIANSHIP

(You must write the proposed guardian's names and the proposed ward's name and provide a copy of at least one type of identification listed below.)

First Guardian (full legal name): _____

Identification Attached (**check all that apply**):

- ☐ Social Security Number
☐ Valid Driver's License Number
☐ Valid Identification Card Number
☐ Valid Passport Number
☐ Taxpayer Identification Number
☐ Valid Tribal Identification Card Number

Second Guardian (full legal name, or "n/a" if none): _____

Identification Attached (**check all that apply**):

- ☐ Social Security Number
☐ Valid Driver's License Number
☐ Valid Identification Card Number
☐ Valid Passport Number
☐ Taxpayer Identification Number
☐ Valid Tribal Identification Card Number

First Protected Person (*full legal name*): _____

Identification Attached (***check all that apply***):

- ☐ Social Security Number
- ☐ Birth Certificate
- ☐ Valid Driver's License Number
- ☐ Valid Identification Card Number
- ☐ Valid Passport Number

Second Protected Person (*full legal name*): _____

Identification Attached (***check all that apply***):

- ☐ Social Security Number
- ☐ Birth Certificate
- ☐ Valid Driver's License Number
- ☐ Valid Identification Card Number
- ☐ Valid Passport Number

Third Protected Person (*full legal name*): _____

Identification Attached (***check all that apply***):

- ☐ Social Security Number
- ☐ Birth Certificate
- ☐ Valid Driver's License Number
- ☐ Valid Identification Card Number
- ☐ Valid Passport Number

Submitted by:

(Signature)

(Printed Name)

(Attach copies of the identification indicated for each guardian and protected person)

EXHIBIT L

SELF HELP DIVORCE, CUSTODY AND GUARDIANSHIP FORMS

FIFTH JUDICIAL DISTRICT COURT

IMPORTANT DISCLOSURE

These forms and instructions are provided as a courtesy only. The Fifth Judicial District, the accompanying Courts, and their employees SHALL NOT BE LIABLE for errors contained within or for direct, indirect, special, or consequential damages in connection with providing this material.

Many family law matters involve complex and valuable legal rights. These forms and instructions are basic general forms and DO NOT fit all situations. If your situation does not fit the general forms you will need to perform additional legal research or consult an attorney.

It is always recommended that you consult with an attorney before attempting to use self-help. This is especially true if your case involves unique or complicated issues. Most family law issues affect significant legal rights. Some rights cannot be adequately protected without the assistance of an attorney.

When representing yourself, you are responsible for understanding the law that governs your case and for filing the proper legal documents. The law provides for exceptions in some situations. If your case involves special circumstances these exceptions may apply to you. Fifth Judicial District Self Help forms do not include information on these exceptions. Applicable laws and rules are set out in the Nevada Revised Statutes, The Nevada Rules of Civil Procedure, and other local rules governing the jurisdiction in which you are filing your documents.

By signing these documents and filing them with the court, you agree to the following:

- You have carefully read the documents;
- You understand all the terms and conditions in the documents;
- You agree with everything in the documents; and
- You are aware of all of the consequences that may occur as a result of filing.

Note that if you, the other party, or your children have ties to a state other than Nevada (i.e. you recently moved here or you have orders from another state) you should consult an attorney **BEFORE** filing any documents because the court may not have jurisdiction over you. However, once you file certain documents, the court will have jurisdiction and you WILL NOT be able to change that.

The Fifth Judicial District Self Help forms are provided in .pdf format. You may print out the documents and hand write in the provided blanks. Please do not leave blank spaces. Either fill in the appropriate answer or write "N/A" in each space.

DIVORCE FORMS

[Divorce Brochure \(PDF\)](#)

[The Steps of a Divorce \(PDF\)](#)

Complaint for Divorce With Children

[General Instructions for Completing Divorce Complaint With Children \(PDF\)](#)

[Family Cover Sheet \(PDF\)](#)

[Divorce Complaint With Children \(PDF\)](#)

[Child Support Worksheets and Chart \(PDF\)](#)

[Instructions for Completing Financial Disclosure Form \(PDF\)](#)

[Financial Disclosure Form \(PDF\)](#)

[Declaration Under Uniform Child Custody Jurisdiction Enforcement Act \(UCCJEA\) \(PDF\)](#)

[Summons \(PDF\)](#)

[Affidavit of Service \(PDF\)](#)

[Preliminary Injunction \(PDF\)](#)

Complaint for Divorce Without Children

[Instructions for Completing Divorce Complaint Without Children \(PDF\)](#)

[Family Cover Sheet \(PDF\)](#)

[Divorce Complaint Without Children \(PDF\)](#)

[Instructions for Completing Financial Disclosure Form \(PDF\)](#)

[Financial Disclosure Form \(PDF\)](#)

[Summons \(PDF\)](#)

[Affidavit of Service \(PDF\)](#)

[Preliminary Injunction \(PDF\)](#)

Answer to Divorce Complaint With No Counterclaim

[Instructions for Completing an Answer Without a Counterclaim \(PDF\)](#)

[Answer With No Counterclaim \(PDF\)](#)

[Instructions for Completing Financial Disclosure Form \(PDF\)](#)

[Financial Disclosure Form \(PDF\)](#)

[Child Support Worksheets and Chart \(PDF\)](#)

[Request for Hearing \(PDF\)](#)

[Order Setting Hearing \(PDF\)](#)

[Preliminary Injunction \(PDF\)](#)

[Certificate of Mailing \(PDF\)](#)

Answer to Divorce Complaint With Counterclaim

[Instructions for Completing an Answer With a Counterclaim \(PDF\)](#)

[Answer With Counterclaim \(PDF\)](#)

EXHIBIT M

Heather B. Jensen
CLERK OF THE COURT

DISTRICT COURT

FAMILY DIVISION

CLARK COUNTY, NEVADA

Dennis Vincent Stanton
~~PLAINTIFF~~ *First Joint Petitioner*

CASE NO. _____

vs And
Twyla Marie Stanton
~~DEFENDANT~~ *Second Joint Petitioner*

DEPARTME

D-18-568604-Z

Dept: J

NOTICE OF SEMINAR COMPLETION – EDCR 5.07

PLEASE TAKE NOTICE THAT *TWYLA MARIE STANTON*
(Name)

SUCCESSFULLY COMPLETED THE MANDATORY DIVORCE EDUCATION SEMINAR
ON MARCH *24* 2018
(Date)

Family Solutions Inc.
702-395-8417
www.familyolutionslv.org

120923

G. Jensen
PROGRAM REPRESENTATIVE

MARCH *24* 2021
DATE VALID THROUGH



EXHIBIT N

WESTERN UNION **WU**

WESTERN UNION FINANCIAL SERVICES INC. - ISSUER - Englewood, Colorado
Payable at Wells Fargo Bank Grand Junction - Downtown, N.A., Grand Junction, Colorado

MONEY ORDER

17-716956737

A 713734 D 051218
T 1317 13
177169567373 L 033678

\$ 274.00

NOT GOOD OVER \$500

PAY EXACTLY CENTS

TWO HUNDRED SEVENTY-FOUR DOLLARS AND NO

PAY TO THE ORDER OF

Nye County Clerk
7088 Los Banderos Ave. LV, NV 89179
Purchaser's Signature: [Signature]

⑆102100400⑆ 40177169567373⑈

← LOAD THIS DIRECTION, THIS SIDE UP

MONEY ORDER RECEIPT - NON NEGOTIABLE

LOAD THIS DIRECTION, THIS SIDE UP →

(For Joint Petition for
Divorce)

Send and Manage Money Easily. All With One Card.
The Western Union NetSpend Prepaid MasterCard
ID Verification required. Fees apply. See prepaid rack for info.

ACT 713734 LOC 033678 DT 051218 \$274.00 2HUNDRED74DOLLARS AND
NO CENTS

Payable to: Nye County Clerk
RETAIN THIS MONEY ORDER RECEIPT. IT MUST BE INCLUDED WITH ALL REFUND REQUESTS. BE SURE TO READ IMPORTANT INFORMATION BELOW AND ON BACK. For your own records, it is recommended that you make a photocopy of this completed Money Order before providing it to the receiver.
PURCHASE AGREEMENT: You the purchaser agree that Western Union Financial Services Inc. (WUFSI) need not stop payment on, or replace, or refund a lost or stolen WUFSI Money Order unless (1) you fill in the top of the Money Order at the time of purchase, and (2) you report the loss or theft to Western Union Financial Services Inc. in writing immediately, and (3) You provide WUFSI with this original Money Order receipt issued by Western Union Financial Services Inc., Englewood, Colorado. For customer service, call 1-800-899-0860.

* 1 7 7 1 6 9 5 6 7 3 7 *



Luigi M. Storto

7-ELEVEN
6930 S.RAINBOW BLVD
LAS VEGAS NV 89118
7022638572
STORE#: 33678
THANKS FOR SHOPPING
AT 7-ELEVEN

1	MO #177169567373	274.00
1	MO Fees	1.29
SUBTOTAL		275.29
TOTAL DUE		275.29
CASH		280.00
CHANGE		4.71

THANK YOU FOR SHOPPING AT 7-ELEVEN
ASK US ABOUT OUR FOOD SPECIALS!!!!
T#02 OP13 TRN3373 05/12/2018 01:18 PM

THIS DOCUMENT CONTAINS A TRUE WATERMARK. HOLD UP TO LIGHT TO VIEW.

WESTERN UNION **WU** **WESTERN UNION FINANCIAL SERVICES** **C. - ISSUER - Englewood, Colorado** **MONEY ORDER**

Payable at Wells Fargo Bank, Grand Junction, Colorado

17-716956737

A 713734 D 051218
T 1317 13
177169567373 L 033678

\$ 274.00

NOT GOOD OVER \$500

PAY EXACTLY TWO HUNDRED SEVENTY-FOUR DOLLARS AND NO CENTS

PAY TO THE ORDER OF *Nye County Clerk* *(For Joint Petition for Divorce)*

7088 Los Banderos Ave. LV, NV 89179 *Shirley M. Stanton*

PURCHASER'S ADDRESS

1021004001 40177169567373

LOAD THIS DIRECTION, THIS SIDE UP

(For Joint Petition for Divorce)

MONEY ORDER RECEIPT - NON NEGOTIABLE

Send and Manage Money Easily. All With One Card.
The Western Union NetSpend® Prepaid MasterCard.
ID Verification required. Fees apply. See prepaid rack for info.

AGT 713734 LOC 033678 DT 051218 \$274.00 2HUNDRED74DOLLARS AND NO CENTS

Payable to: *Nye County Clerk*
RETURN THIS MONEY ORDER RECEIPT IF MUST BE ENCLOSED WITH ALL RETURN DOCUMENTS. BE SURE TO READ IMPORTANT INFORMATION on the back. For your own records, it is recommended that you make a photocopy of the ~~completed~~ Money Order before providing it to the receiver.
PURCHASE AGREEMENT: You the purchaser agree that Western Union Financial Services Inc. (WUFS) need not stop payment on, or replace, or refund a lost or stolen WUFS Money Order unless (1) you fill in the face of the Money Order at the time of purchase, and (2) you report the loss or theft to Western Union Financial Services Inc. in writing immediately, and (3) You provide WUFS with this original Money Order receipt issued by Western Union Financial Services Inc., Englewood, Colorado. For customer service, call 1-800-888-6660.

* 17716956737 *



Shirley M. Stanton

7-ELEVEN
6930 S. RAINBOW BLVD
LAS VEGAS NV 89118
7022638572
STORE#: 33678
THANKS FOR SHOPPING
AT 7-ELEVEN

1	MO #177169567373	274.00
1	MO Fees	1.29
SUBTOTAL		275.29
TOTAL DUE		275.29
CASH		280.00
CHANGE		4.71

THANK YOU FOR SHOPPING AT 7-ELEVEN
ASK US ABOUT OUR FOOD SPECIALS!!!!
T#02 OP13 TRN3373 05/12/2018 01:18 PM

LOAD THIS DIRECTION, THIS SIDE UP

EXHIBIT 0

BANK TRANSIT NO.	274-	CASH	CASE NUMBER	DATE	FROM WHOM RECEIVED	DESCRIPTION	RECEIVED BY

0134304 5/17 Twyla M. Stanton Divorce Filing Fee VA

IF (ENCIRCLED) INDICATES CASH RETURNED FOR ADJUSTMENT TO NET AMOUNT OF ACTUAL PAYMENT

80405

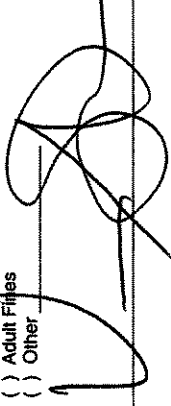
INVALID WITHOUT SIGNATURE

NYE COUNTY CLERK
P.O. BOX 1031
TONOPAH, NEVADA 89049
TELEPHONE 775-482-8127

- ☐ Docket - Civil
- ☐ Fees County - Civil
- ☐ Fees State - Civil
- ☐ Docket - Probate
- ☐ Fees - Probate

- ☐ Clerk's Certificates
- ☐ Acknowledgements
- ☐ Corporations
- ☐ Notarial Records

- ☐ Marriage License - County
- ☐ Marriage License - State
- ☐ Juvenile Fees
- ☐ Domestic Violence Fees
- ☐ Adult Files
- ☐ Other



**RETAIN THIS RECEIPT
FOR YOUR RECORDS**

SIGNATURE

EXHIBIT P



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

NOTE: The person signing this form states that he or she is the person, executor, guardian, authorized officer, or agent of the person for whom mail would be forwarded under this order. Anyone submitting false or inaccurate information on this form is subject to punishment by fine or imprisonment or both under Sections 2, 1001, 1702 and 1706 of Title 18, United States Code.

PRIVACY NOTICE: This information you provide will be used to forward your mail to a new location. Collection is authorized by 39 USC 404. Filing this form is voluntary, but we cannot forward your mail without it. We do not disclose your information, except in the following limited circumstances: to government agencies or bodies as required to perform official duties; to mailers, only if they already possess your old address; in legal proceedings or for service of process; to law enforcement as needed for a criminal investigation; or to contractors who help fulfill the service.

BUSINESS REPLY MAIL

POSTAGE WILL BE PAID BY ADDRESSEE

To: POSTMASTER

UNITED STATES POSTAL SERVICE



OFFICIAL MAIL FORWARDING CHANGE OF ADDRESS ORDER

Please PRINT items 1-10 in blue or black ink. Your signature is required in item 9.

1. Change of Address for: (Read Attached Instructions) ☒ Individual (#5) ☐ Entire Family (#5) ☐ Business (#6) ☐ Temporary? ☒ Yes ☒ No

3. Start Date: 06 07 18 (ex. 02/27/17) 4. If TEMPORARY move, print date to discontinue forwarding: (ex. 03/27/17)

5a. LAST Name & Jr./Sr./etc. Stanton
5b. FIRST Name and MI Twyla M.

6. If BUSINESS Move, Print Business Name

PRINT OLD MAILING ADDRESS BELOW: HOUSE/BUILDING NUMBER AND STREET NAME (INCLUDE ST., AVE., CT., ETC.) OR PO BOX

7a. OLD Mailing Address 7088 Los Banderas Ave.

7a. OLD APT or Suite

7b. For Puerto Rico Only: If address is in PR, print urbanization name, if appropriate.

7c. OLD CITY Las Vegas,

7d. State NV 7e. ZIP 89179

PRINT NEW MAILING ADDRESS BELOW: HOUSE/BUILDING NUMBER AND STREET NAME (INCLUDE ST., AVE., CT., ETC.) OR PO BOX

8a. NEW Mailing Address 6 Charles street

8a. NEW APT/Ste or PMB

8b. For Puerto Rico Only: If address is in PR, print urbanization name, if appropriate.

8c. NEW CITY Conway,

8d. State AR 8e. ZIP 72032

9. Print and Sign Name (see conditions on reverse)

Print: Twyla M. McCurdy

10. Date Signed: 060718 (ex. 01/27/17)

Sign: Twyla M. McCurdy

OFFICIAL USE ONLY

340

EXHIBIT Q



First-Class Mail
Postage & Fees
Paid
USPS
Permit No. G-10

**Official
Change-of-Address
Validation**

**Open Immediately
DO NOT DISCARD**



CHANGE OF ADDRESS SECURITY DIVISION
COMPUTERIZED FORWARDING SYSTEM
UNITED STATES POSTAL SERVICE
1441 E BUCKEYE RD
PHOENIX AZ 85034-4128

SEP 06, 2018

Dear TWYLA STANTON,

The Postal Service has received a
Change-of-Address order asking us to
forward mail **from** the following address
for the person named below:

TWYLA STANTON

1108500 02 AB 0.405 **AUTO T2 1 6715 89179-120788 -C01-P08618-112 789A



CURRENT RESIDENT OR
TWYLA STANTON
7088 LOS BANDEROS AVE
LAS VEGAS NV 89179-1207



The purpose of this letter is to confirm that this request to forward mail is correct.

NO ACTION required if:

- The information listed above is correct.
- This Change-of-Address order is for someone who has already moved from this address.

ACTION required if:

- Anything is incorrect with the Change-of-Address order shown above, or if the person listed above did not ask the Postal Service to forward their mail, please call **1-800-ASK-USPS (1-800-275-8777)**.

It is important that we work together to ensure proper mail delivery. Please notify your correspondents of your new address. If you are the current resident, and you continue to receive mail for the person above, please return the mail to your Post Office.

The United States Postal Service values you as a customer and we appreciate the opportunity to serve you.

Si usted no habla Ingles o no comprende esta carta, favor de llevar esta carta a su oficina local de correo para ayuda.

(If you do not speak English or do not understand this letter, please take it with you to your local post office for assistance.)

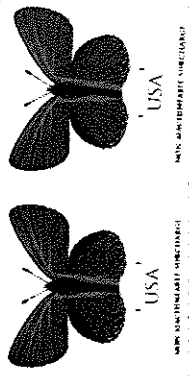
As required by law, the Postal Service does not provide customer names or addresses to third parties.

EXHIBIT R

Wyla Marie Stanton
1088 Los Banderas Avenue
Las Vegas, NV 89179-1207

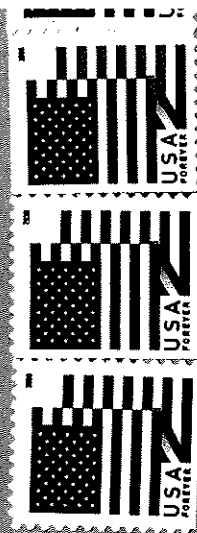
Nye County District Court Clerk
1520 E. Basin Ave.
Pahrump, NV 89060
(Re: Amended Joint Petition &
New Decree for Divorce)

Twyla Marie Stanton
7088 Los Banderos Ave.
Las Vegas, Nevada 89179-1207



Nye County District Court Clerk
1520 E. Basin Ave.
Pahrump, NV 89060
(Re: Certificate of Mailing &
Order Sealing File)

Wyla Marie Stanton
88 Los Banderos Ave.
Vegas, Nevada 89179-1207



Nye County District Court Clerk
1520 E. Basin Ave.

Pahrump, NV 89060
(Re: Notice of Entry of Order/Judgment &
Certificate of Service)

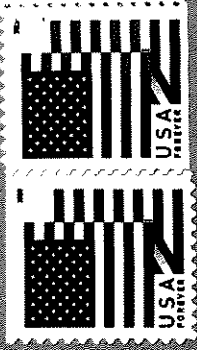
ye County District Court Clerk
20 E. Basin Ave.
Bhrump, NV 89060



Twyla Marie Stanton
7088 Los Banderas Ave.
Las Vegas, Nevada 89119-1207
(Re: Notice of Entry of Order/Judgment &
Certificate of Service)

Tyla Marie Stanton
1088 Los Banderas Ave.

Las Vegas, Nevada 89179-1807



Dennis Vincent Stanton
1088 Los Banderas Ave.
Las Vegas, Nevada 89179-1807
(Re: Order Sealing File & Notice
of Entry of Order/Judgment)

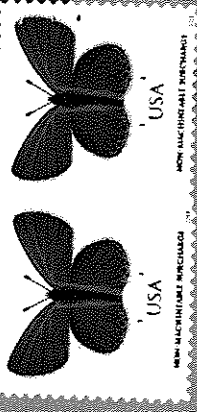
Nye County District Court Clerk
520 E. Basin Ave.
Pahrump, NV 89060



Toyla Marie Stanton
7088 Las Banderos Ave.
Las Vegas, Nevada 89179-1207
(Re: Order Sealing Fire)

Lwyla Marie Stanton
1088 Los Banderas Ave.
Las Vegas, Nevada 89179-1207

Dennis Vincent Stanton
1088 Los Banderas Ave.
Las Vegas, Nevada 89179-1207
(Re: New Decree of Divorce &
Amended Joint Petition)



Q

Q

EXHIBIT S

AT&T

11:56 AM

59%

Touch to return to call 02:14

facebook.com

**Twyla Stanton**

August 31 at 11:12 PM · 🌐



No man no kids I'm finally free!!!



Like



Comment



Share



7

**Penni Wittwer**

Free is good ♥

on Fri Like Reply More

**Micheal Glasscock Jr.**

Lol a night off is good

on Fri Like Reply More

**Kevin Lewis**

When u free again ?

8 hrs Like Reply More



Write a comment...

Post



353



John Perez

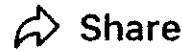
2 Comments



Like



Comment



Share



John Perez

Awesome 🤔



Write a comment...



twyla Stanton commented on this. [View comment](#)

Twyla Stanton commented on this.



Twyla Stanton

Friday at 11:12 PM · 🌐

No man no kids I'm finally free!!!



7

7 Comments



Like



Comment



Share



Twyla Stanton

Divorced and single and ready to meet someone new in Arkansas!!!



Write a comment...



twyla Stanton commented on this. [View comment](#)



Karen Ann shared a post.

Just now · 👥

Seriously get over it...



354

EXHIBIT I

NOT FOR
FEDERAL IDIDENTIFICATION
CARD

ID ONLY

DOB 08/06/1985

IDN 941219522

1 MCCURDY

2 TWYLA MARIE

3 6 CHARLES ST

CONWAY, AR 72032-9262

4A ISS

09/07/2018

4B EXP

09/07/2022

5 SEX

F

6 HGT

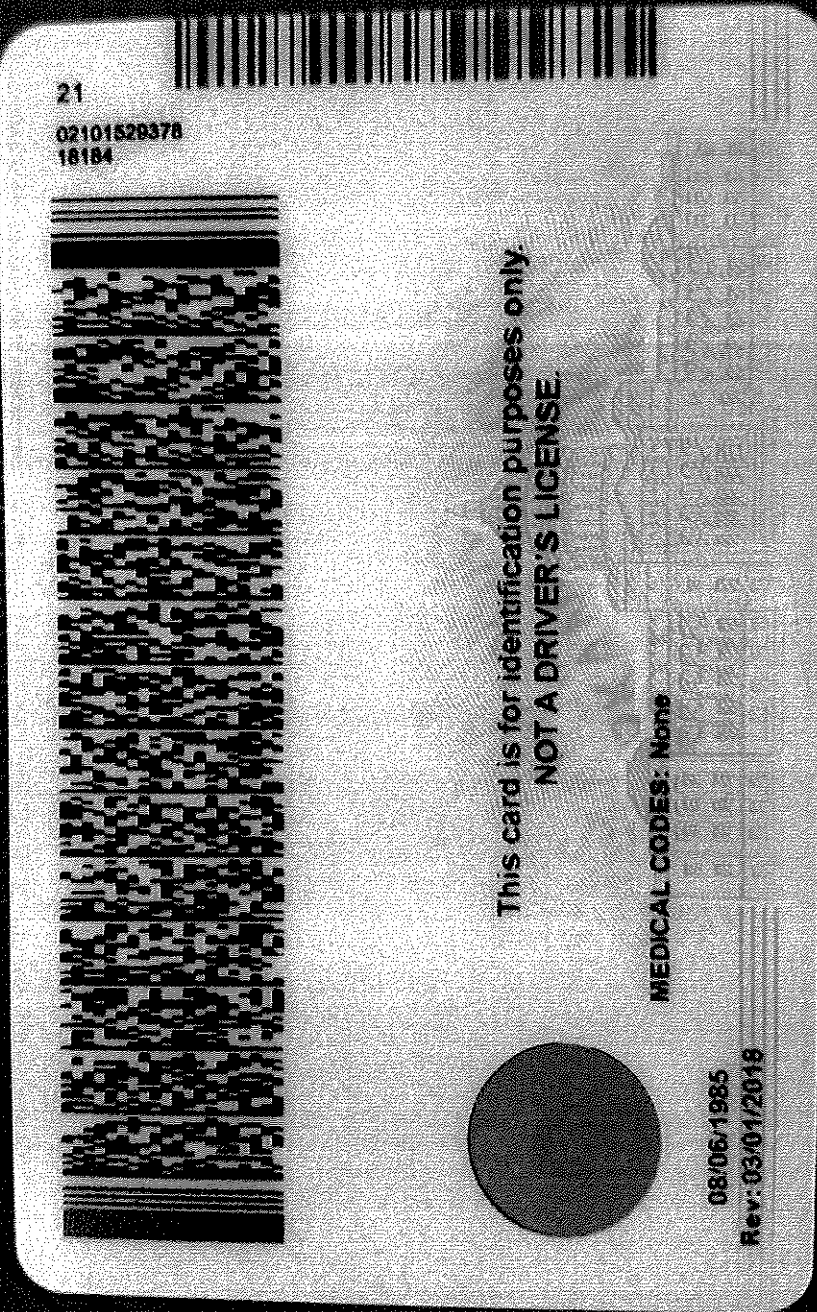
5'-03"

7 EYES

GRN

8 ID 234899456 2302

*Twyla Marie McCurdy*



MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

Twyla Marie Stanton
Plaintiff/Petitioner
v. Dennis Vincent Stanton
Defendant/Respondent

Case No. CV-39304
Dept. 2

**MOTION/OPPOSITION
FEE INFORMATION SHEET**

Notice: Motions and Oppositions filed after entry of a final order issued pursuant to NRS 125, 125B or 125C are subject to the reopen filing fee of \$25, unless specifically excluded by NRS 19.0312. Additionally, Motions and Oppositions filed in cases initiated by joint petition may be subject to an additional filing fee of \$129 or \$57 in accordance with Senate Bill 388 of the 2015 Legislative Session.

Step 1. Select either the \$25 or \$0 filing fee in the box below.

- ☐ **\$25** The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.
- ☒ **\$0** The Motion/Opposition being filed with this form is not subject to the \$25 reopen fee because:
- ☐ The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
 - ☐ The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.
 - ☒ The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 28 days after a final judgment or decree was entered. The final order was entered on 03/20/2019.
 - ☐ Other Excluded Motion (must specify) _____.

Step 2. Select the \$0, \$129 or \$57 filing fee in the box below.

- ☐ **\$0** The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
- ☐ The Motion/Opposition is being filed in a case that was not initiated by joint petition.
 - ☐ The party filing the Motion/Opposition previously paid a fee of \$129 or \$57.
- ☐ **\$129** The Motion being filed with this form is subject to the \$129 fee because it is a motion to modify, adjust or enforce a final order.
- ☒ **\$57** The Motion/Opposition being filing with this form is subject to the \$57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of \$129.

Step 3. Add the filing fees from Step 1 and Step 2.

The total filing fee for the motion/opposition I am filing with this form is:

☐ \$0 ☐ \$25 ☒ \$57 ☐ \$82 ☐ \$129 ☐ \$154

Party filing Motion/Opposition:

Dennis Vincent Stanton

Date

04/15/2019

Signature of Party or Preparer

Dennis V. Stanton

(Your Name) Dennis V. Stanton
(Address) 7088 Los Banderas Avenue
Las Vegas, Nevada 89179-1207
(Telephone) (702) 764-4690
(Email Address) dennis.v.stanton30@gmail.com
Self-Represented

APR 15 2019

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's Name),

CASE NO.: CV-39304

DEPT NO.: 2

v. Dennis V. Stanton

DATE OF HEARING 5/20/19

(Defendant's Name)

TIME OF HEARING 9:00am

NOTICE OF MOTION

TO: Name of Opposing Party and Party's Attorney, if one, Twyla Marie Stanton

This is a motion for: (☒ check all that apply)

☐ Child Support ☐ Property Issues ☐ Contempt ☒ Other (specify) Motion For
☐ Child Custody ☐ Spousal Support ☐ Visitation Reconsideration

PLEASE TAKE NOTICE that a hearing on this motion for relief will be held before the
Fifth Judicial District Court located at:

☒ Nye County District Court, 1520 E. Basin Ave., Pahrump, NV 89060

☐ Nye County District Court, 101 Radar Rd., Tonopah, NV 89049

☐ Mineral County District Court, 105 South A St., Hawthorne, NV 89415

☐ Esmeralda County District Court, 233 Crook, Goldfield, NV 89013

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1 **Notice:** You are required to file a written response to this motion with the Clerk of the Court
2 within ten (10) days of receipt and to serve a copy of the filed response on the other party.
3 Failure to do so may result in the requested relief being granted by the Court without hearing
4 prior to the scheduled hearing.

5
6
7 DATED this (day) 15th day of (month) April, 20 19.

8 Submitted By:

9 (Print your name)

Dennis Vincent Stanton

10 (Your signature) ☒

Dennis V. Stanton

11 (☐ check one) ☐ Plaintiff/☒ Defendant In Proper Person
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MOTION For Reconsideration

(☒ check one)

- ☒ I tried to resolve this issue with the other party before filing this motion.
- ☐ I did not try to resolve this issue with the other party before filing this motion. Any attempt to resolve the issue would have been useless or impractical because *(explain why you did not try to resolve this issue directly with the other party before filing this motion)*
-
-

Financial Disclosure Form ("FDF") Certification.

(☒ check one)

- ☐ This motion does not have anything to do with money or financial relief.
- ☐ I understand that I must file my FDF within 2 judicial days of filing this motion to support my request for financial relief. Failure to file a timely, complete, and accurate FDF may result in the court ruling against me and/or imposing sanctions.
- ☐ I filed a Financial Disclosure Form in the last 6 months and have no changes to report.

POINTS AND AUTHORITIES

LEGAL ARGUMENT. *(explain all relevant laws and legal authorities that support your motion. If you do not provide and explain the legal basis that supports each of your requests, your motion may be considered without merit and denied.)*

Please attached documentation with Points and Authorities

MOTION FOR RECONSIDERATION

COMES NOW, Second Joint Petitioner/Defendant, DENNIS VINCENT STANTON, by and through in proper person, and herewith, hereby, brings forth, submits, files, and moves this Court for the following relief:

- 1.) For an Order reinstating the parties' Joint Petition for Divorce and Decree of Divorce filed on June 07, 2018 with the Court;
- 2.) For an Order that Rule 11 Sanctions in the form of attorney's fees issued on January 07, 2019 be eliminated; and
- 3.) For an Order to strike the Ex-Temporary Co-Guardians' Motion as being filed without authority per Nevada Law and;
- 3.) For an award of attorney's fees be paid to Second Joint Petitioner/Defendant from the Ex-Temporary Co-Guardians; and
- 4.) For such other and further relief as Second Joint Petitioner/Defendant may be justly entitled.

This Motion for Reconsideration is made and based upon the papers, pleadings, and records on file herein, the Affidavit of Defendant, DENNIS VINCENT STANTON, the following Memorandum of Points and Authorities, any and all exhibits attached hereto, facts and evidence presented, case law, and any and all arguments which may be adduced and heard at the time of the hearing of this matter.

**I.
INTRODUCTION**

This matter came before this Court on January 07, 2019 on Plaintiff's parents Motion to Set Aside the Decree of Divorce and Dismiss the Joint Petition. This Motion was filed by and through Plaintiff's then Temporary Co-Guardians appointed by the Probate Court in Faulkner County, Arkansas without holding a hearing on the matter and without an opportunity to be heard by Plaintiff herself. The parties to this matter have filed for divorce/separate maintenance 5 different times throughout their marriage and have subsequently reconciled each time and remarried the last time. The parties' First Divorce Action (Case No. D-16-540966-D & Case No. D-541006-D) was consolidated under the early earlier case number (Case No. D-16-540966-D). The parties' First Divorce Action, filed in or about October 2016 cost the parties' \$65,000.00 collectively only to be dismissed when the parties' reconciled approximately about 6 months later after filing the First Divorce Action. Plaintiff's mother and step father, Robert and Carmen Crawford, intervened in the matter when Plaintiff moved to Arkansas and sought to continue the litigation from that state. During the First Divorce Action, Plaintiff, borrowed the funds for her portion of the litigation from them as well as they also maintained their own legal expenses and attorney fees, attached hereto as Exhibit A (Hand written statement of expenses by Ex-Temporary Co-Guardian, Robert Crawford detailing all expenses incurred and spent by him in the First Divorce Action,

Case No. D-16-540966-D).

On or about on March 30, 2017, all of the parties reconciled (including the Intervenor) and stipulated to dismiss the pending litigation of the court of their own accord (See Exhibit B, Stipulation and Order for Voluntary Dismissal of Cases, attached hereto), however, during the entire pendency of the case, the court never appointed Plaintiff's parents as Guardians over her or found that she could not make her own decisions regarding the litigation or matter at hand.

Thereafter, in September 13, 2017, Defendant/Second Joint Petitioner filed a Complaint for Separate Maintenance which was the SECOND DIVORCE ACTION (Case No. D-17-558626-S). During the case, Judge Rena G. Hughes in a Minute Order dated February 01, 2018, appointed counsel for Plaintiff to ensure her interests were represented and again during these proceedings, Christopher F. Owen, Esq., from the Owen Law Firm represented her. *It is important to note that Judge Rena G. Hughes' Minute Order was not a matter of public record and was not generally known and was derived out of the Second Divorce Action in which Christopher F. Owen, Esq., from the Owen Law Firm was her counsel.* Shortly thereafter, Plaintiff/First Joint Petitioner filed her affidavit with the Court denying Judge Rena G. Hughes' comments and statements about her which were not Findings of Fact or Conclusions of Law and rejecting and denying the appointment of Christopher F. Owen, Esq., because there was interference with Mr. Owen's independent professional judgment without informed consent because they were receiving legal fees on Plaintiff's behalf from third party payers which will be discussed more in detail further, attached hereto as Exhibit C (emphasis added). Soon after Plaintiff/First Joint Petitioner filed her affidavit with the Court and made her voice known and heard, the parties mutually reconciled and mutually agreed to file a Stipulation and Order for Voluntary Dismissal of Case to be filed as to the Second Divorce Action, attached hereto as Exhibit D (Stipulation and Order for Voluntary Dismissal of Case).

On or about on March 29, 2018, the parties filed a Joint Petition for Divorce which was the Third Divorce Action (Case No. D-18-568604-Z). The Third Divorce Action was assigned to Judge Rena G. Hughes. The same day the Joint Petition for Divorce was filed, Plaintiff/First Joint Petitioner of her own will and accord filed her Peremptory Challenge (Exhibit E hereto, Official Receipt of the Office of the Clark County Clerk of the Court) of Judge Hughes of her own choice due to mainly bias and prejudicial comments and statements made by Judge Hughes of her in her Minute Order in the Second Divorce Action and not wanting to have the appointment of Christopher F. Owen, Esq., due to interference of his independent professional judgment without informed consent by the Ex-Temporary Co-Guardians because they were being paid by third party payers whose interests differed from hers. The case was subsequently reassigned to Judge Bryce Duckworth. Soon after Twyla filed her Peremptory Challenge of Judge Hughes, Charles C. Lobello, Esq. (hereafter "Mr. Lobello") using Christopher F. Owen, Esq. (hereafter "Mr. Owen") as a straw-person, faxed an ex parte letter (See ex parte letter dated April 09, 2018, attached hereto as Exhibit F) (which clearly addressed substantive matters and did not address any administrative or scheduling matters) to Judge Duckworth. Judge Duckworth determined the Plaintiff/First Joint Petitioner's Peremptory Challenge was untimely and returned the case back to Judge Hughes. Judge Duckworth's Law Clerk found the ex parte communication improper and

reprimanded and chastised Mr. Lobello and Mr. Owen to not do it again as it was clearly against the rules. See Exhibit F, Memo from Judge Duckworth's Law Clerk. It is the undersigns belief that the ex parte communication was sent for an improper purpose, such as to harass, cause unnecessary delay, and needlessly increase the cost of litigation for Plaintiff/First Joint Petitioner and Defendant/Second Joint Petitioner. Shortly thereafter because of the harassment and improper communication by Mr. Lobello and Mr. Owen, both parties of their own accord submitted a Stipulation and Order for Voluntary Dismissal of Case and was agreed to by Judge Hughes by and through her signature. See Exhibit G, attached hereto.

Thereafter, Plaintiff/First Joint Petitioner and Defendant/Second Joint Petitioner mutually filed a valid and binding Joint Petition for Divorce with this instant Court giving rise to the Fourth Divorce Action (Case No. CV-39304). Approximately 5 months after the issuance of the Decree of Divorce, Plaintiff/First Joint Petitioner's parents sought and obtained Temporary Co-Guardianship of Plaintiff/First Joint Petitioner in the Circuit Court of Faulkner County, Arkansas Probate 5th Division both without notice and an opportunity to be heard by Plaintiff/First Joint Petitioner. The Ex-Temporary Co-Guardianship was granted solely upon numerous factual misrepresentations and statements in an affidavit from the Ex-Temporary Co-Guardians both without notice and without hold a hearing on the merits or any evidence indicating the need. When Plaintiff/First Joint Petitioner was finally made aware of the Ex-Temporary Co-Guardianship, she immediately hired and retained counsel to oppose and challenge the Ex-Temporary Co-Guardianship. See Retainer and Fee Agreement dated December 06, 2018, attached hereto as Exhibit H. Upon the first hearing of the Ex-Temporary Co-Guardianship and affording Plaintiff/First Joint Petitioner a right to be heard and affording her due process rights, the Probate Court in Faulkner County, Arkansas vacated and dismissed the Ex-Temporary Co-Guardianship, however, unfortunately this did not occur before the Motion hearing held on January 07, 2019, was held.

Moreover, at the Motion hearing to set aside before this competent Court, Christopher F. Owen, Esq., and Charles C. Lobello, Esq., appeared on behalf of Plaintiff/First Joint Petitioner's parents under the deceptive guise that they were there on behalf of Plaintiff/First Joint Petitioner, but were there on behalf of Plaintiff/First Joint Petitioner's parents (the Ex-Temporary Co-Guardians from the State of Arkansas, half a country away). This Honorable Court set aside the Decree of Divorce in the matter and further SANCTIONED Defendant/Second Joint Petitioner in the form of attorney's fees of \$3,000.00 to be paid to a non, third, attacking party against the objection of Defendant/Second Joint Petitioner's attorney, James S. Kent, Esq. due to Mr. Kent's argument that the Ex-Temporary Co-Guardians lacked standing and authority and were not properly before the court to file on behalf of Plaintiff/First Joint Petitioner. The court went on to SANCTION Defendant/Second Joint Petitioner anyways pursuant to Rule 11 of the Nevada Rules of Civil Procedure both without notice nor a hearing being held in the matter in the amount of \$3,000.00. The Court requested that counsel for Plaintiff's parents file an Order and create findings for the Court including arguments in their Motion to set aside. No evidentiary hearing was held regarding the issue and specific findings were made at the hearing as to what conduct Defendant/Second Joint Petitioner engaged in that would support the award of attorney's fees in the form of Sanctions under Rule 11 of NRCP to Plaintiff/First Joint Petitioner's parents who

lacked *locus standi*.

Under NRCP 59(e), a Motion to alter or amend the judgment must be filed no later than twenty-eight (28) days after written notice of entry of judgment. Additionally, the moving party's motion must request a "substantive alteration of the judgment." See **AA Primo Builders, LLC v. Washington, 245 P.3d 1190, 1193 (Nev. 2010)**. Defendant/Second Joint Petitioner's Opposition and Countermotion to the Motion to set aside was largely a legal brief derived from the Nevada Revised Statutes, Procedure, and Rules rather than a factually based Opposition and Countermotion. Also, the Court stated on the record that Defendant/Second Joint Petitioner would be able to bring a Motion for Reconsideration if the Ex-Temporary Co-Guardianship were to be dismissed (Video 2 of January 07, 2019, hearing at 10:17:53) and such is the case.

II.

THE DEFICIENCIES OF THE EX-TEMPORARY CO-GUARDIANSHIP AND ITS SUBSEQUENT DISMISSAL

First of all, the Ex-Temporary Co-Guardianship should never have been granted as it was granted without an opportunity to be heard by Plaintiff/First Joint Petitioner or a hearing held on the merits of the same. When Plaintiff/First Joint Petitioner made her intent and voice heard through her counsel, Ron L. Goodman, Esq., (See Exhibit H) the Ex-Temporary Co-Guardianship by way of Order of the Court (See Exhibit I, attached hereto as Agreed Order) which was subsequently signed by Judge H.G. Foster was completely dismissed thus officially and legally terminating the Ex-Temporary Co-Guardianship on February 19, 2019 based on Plaintiff/First Joint Petitioner's Motion to Terminate Temporary Co-Guardianship (See Exhibit J, attached hereto as Motion to Terminate Temporary Guardianship), however, by operation of Arkansas Law, the Ex-Temporary Co-Guardianship actually ended earlier on January 24, 2019 as allowed for only 90 days per Arkansas law.

In the Ex-Temporary Co-Guardians' Verified Petition for Appointment of Co-Guardians of the Person and Estate are numerous factual misrepresentations and because of those misrepresentations was deceitfully and fraudulently obtained both without notice and an opportunity to be heard by Plaintiff/First Joint Petitioner, as follows:

1.) The "UN" Verified Petition incorrectly and fraudulently stated the Plaintiff/First Joint Petitioner lived at 129 Mill Creek Drive Greenbrier, AR 72058 with the Ex-Temporary Co-Guardians, Robert and Carmen Crawford, however, that was not true and was completely false. Plaintiff/First Joint Petitioner was temporarily residing 6 Charles Street Conway, Arkansas 72032-9262 with her Grandmother and Aunt.

2.) The "UN" Verified Petition incorrectly and fraudulently stated that Plaintiff/First Joint Petitioner was "incapacitated by physical defect", however, that was not true and was completely false. Plaintiff/First Joint Petitioner has no physical disability whatsoever. Plaintiff/First Joint Petitioner has had 6 children all by natural birth in less than 7 years. There is absolutely nothing wrong with Plaintiff/First Joint Petitioner physically and is currently expecting her 7th child. And their "mental defect incapacitation" is completely misleading and deceptive.

3.) The "UN" Verified Petition incorrectly and fraudulently stated, "That I (Plaintiff/First Joint Petitioner) lacks the ability to care for my (her) daily needs", is yet

not true and completely false. The Ex-Temporary Co-Guardians made it seem as if Plaintiff/First Joint Petitioner could not even brush her teeth or take a shower or even use the restroom properly without assistance and nothing can be further from the truth.

4.) The "UN" Verified Petition incorrectly and fraudulently stated, " That I (Plaintiff/First Joint Petitioner) couldn't make or communicate decisions to meet the essential requirements for my (Plaintiff/First Joint Petitioner) health and safety", is yet again false and not true. The Ex-Temporary Co-Guardians made it sound as if Plaintiff/First Joint Petitioner is a 2 year old child and that she couldn't care for herself when she has not only taken care of herself but also 6 growing children.

5.) The "UN" Verified Petition incorrectly and fraudulently stated, "That my (Plaintiff/First Joint Petitioner's) property consisted of an approximate value of \$500.00.", is yet another example of a false statement and completely not true. In the Ex-Temporary Co-Guardian's Motion to set aside they claimed that there was about \$60,000.00 to \$100,000.00 in equity in the martial residence and failed to inform the Faulkner County, Arkansas Court of their Motion in Nye County, Nevada to set aside as was required by Nevada and Arkansas Law. So, which is it? Does she have an approximate property value of \$500.00 as they stated in Arkansas or an approximate value of \$60,000.00 to \$100,000.00 as they stated in Nevada? It is just very concerning and deceiving.

6.) The "UN" Verified Petition incorrectly and fraudulently stated, "That the persons most related by blood and marriage are Carmen Crawford and Robert Crawford was another false misrepresentation of the truth. The Ex-Temporary Co-Guardians purposely failed for obvious reasons to mention Plaintiff/First Joint Petitioner's 6 biological children and ex-husband at the time or even her 14 year marriage.

7.) The "UN" Verified Petition incorrectly and fraudulently stated, "That Robert Crawford is my (Plaintiff/First Joint Petitioner's) natural father." That statement is not true and is yet another falsehood. Robert Crawford is Plaintiff/First Joint Petitioner's step-father and became her step-father when she was around 7 or 8 years old.

8.) The "UN" Verified Petition never mentioned to the Probate Court in Faulkner County, Arkansas what their true intent was for in obtaining the Ex-Temporary Co-Guardianship. They failed to mention again for obvious reasons the pending litigation in Nye County, Nevada to set aside a Decree of Divorce so that they could then pay themselves back for all of the legal expenses and attorney's fees they spent and paid on behalf of Plaintiff/First Joint Petitioner in the First Divorce Action, attached hereto as Exhibit?

9.) Plaintiff/First Joint Petitioner never established residency in the State of Arkansas as 6 months is required to establish residency in the State of Arkansas and Plaintiff/First Joint Petitioner was only there from September 02, 2018 till December 12, 2018 which was less than 3.5. Hardly enough time to establish residency rises another issue of why the Ex-Temporary Co-Guardianship should never have been issued and granted. Plaintiff/First Joint Petitioner was still legally a resident of the State of Nevada and continues to be her home till this day.

10.) The filing of the "UN" Verified Petition, in of itself, is a complete and false representation that Plaintiff/First Joint Petitioner was even in need of an Ex-Temporary Co-Guardianship due to all of the misrepresentations listed up above. There was just a

sense by the Ex-Temporary Co-Guardians to just push all this through without anybody fact checking their misrepresentations.

These statements, the Ex-Temporary Co-Guardians are reminded, were made in a court filing pursuant to their sworn affidavit and verification attesting to their truth and to essentially terminate Plaintiff/First Joint Petitioner's personal and property rights.

NRS 159.2025 provides the Registration of guardianship orders issued in another state and specifically states:

If a guardian has been appointed in another state and a petition for the appointment of a guardian is not pending in this State, the guardian appointed in the other state, ***after giving notice to the appointing court of an intent to register and the reason for registration***, may register the guardianship order in this State by filing as a foreign judgment in a court, in any appropriate county of this State:

- 1.) Certified copies of the order and letters of office; and
- 2.) A copy of the guardian's driver's license, passport, permanent resident card, tribal resident card, tribal identification card or other valid photo identification card in a sealed envelope.

None of the forgoing was done. The Ex-Temporary Co-Guardianship was never registered in the State of Nevada. No Letters of Guardianship were ever issued. The Order appointing them as Temporary Co-Guardians never stated or specified any orders, allowance, and what authority they had as Temporary Co-Guardians. **An entire separate hearing was needed to register the Ex-Temporary Co-Guardianship in the State of Nevada, see Exhibit K, Filing of Foreign Guardianship Order, attached hereto.**

NRS 159.2027 provides the Effect of registration of guardianship orders issued in another state and specifically states:

- 1.) **Upon the registration of a guardianship**, the guardian may exercise in this State all powers authorized in the order of appointment except as prohibited under the laws of this State **including maintaining actions and proceedings in this State** and, if the guardian is not a resident of this State, subject to any conditions imposed upon nonresidents parties.

- 2.) A court of this State may grant any relief available under NRS 159.1991 to 159.2029, inclusive, and other law of this State **to enforce a registered order.**

NRS 125.2027 clearly and explicitly states and shows that **only upon and after the registration of a foreign** guardianship does that guardianship obtain powers as if that guardianship had been entered in the State of Nevada. Even in Plaintiff's parents' Reply to the Opposition, Mr. Lobello and Mr. Owen admit that the Motion and the Ex-Temporary Co-Guardianship are deficient because the Ex-Temporary Co-Guardianship was not properly registered in the State of Nevada by writing that they "anticipated that the Court in Arkansas would grant a permanent guardianship and issue the appropriate letters", "these (letters of guardianship) would have been issued there and the guardianship registered here", "the guardianship was not timely registered, so be it" and there was "a procedural defect in the Motion's filing." (Reply, p.4, 2, 7-8, 13-14, 15-17) Not only was the Ex-Temporary Co-Guardianship not timely registered, **IT WAS NEVER REGISTERED IN THE STATE OF NEVADA AND NO LETTERS OF GUARDIANSHIP**

WERE EVER ISSUED. The "procedural defect" that Mr. Lobello and Mr. Owen refer to is the law of the State of Nevada. Nevada Law is specifiably clear. Their "anticipation" and assumption was completely wrong and based on false hope and misguided at best and the "UN" Verified Petition was filed under completely false pretenses and when the matter was heard, it was subsequently dismissed and laid to rest.

At the hearing Mr. Lobello also admits that the Ex-Temporary Co-Guardianship was not properly registered (never registered) in the State of Nevada. (Video 1 of January 07, 2019, hearing at 09:11:23) An entire separate hearing was needed to register the Ex-Temporary Co-Guardianship in the State of Nevada.

In fact, Arkansas Code Annotated 28-65-218(a)(1),(f),(g),(j) provides the authorization for Temporary Guardians, and this should be utilized in determining what authority, if any, the Ex-Temporary Co-Guardians had:

Except as provided under subdivision (a)(2) of this section, **if the court finds that there is imminent danger to the life or health of the incapacitated person or of loss, damage, or waste to the property of an incapacitated person or of loss, damage, or waste to the property of an incapacitated person and that this requires the immediate appointment of a guardian of his or her person or estate, or both, the court may, with or without notice, appoint a temporary guardian for the incapacitated person for a specified period, which period, including all extensions, shall not exceed ninety (90) days, and the court may remove or discharge him or her or terminate the guardianship.**

(f) Within three (3) working days of the entry of the temporary guardianship order, a full hearing on the merits shall be held. **A full hearing on the merits was never held within three (3) working days of the entry of the temporary guardianship.**

(g) The appointment may be to perform duties respecting specific property or to perform particular acts, as stated in the order of appointment. **The order of appointment never stated the duties to be performed or particular acts to be performed.**

(j) The letters to a temporary guardian shall state the date of expiration of the authority of the temporary guardian. **No letters of temporary guardianship were ever issued and no date of expiration was stated on the Temporary Order.**

The Ex-Temporary Co-Guardianship was bare bones and was wrought with deficiencies in both the States of Arkansas and Nevada. The "UN" Verified Petition was filled with numerous factual misrepresentations and incorrect statements that were never corrected or were never explained to the courts both in Faulkner County, Arkansas and or in Nye County, Nevada as to why those factual misrepresentations and incorrect statements were false and fraudulent. No Letters of Guardianship were ever issued and therefore no Ex-Temporary Co-Guardianship was never registered in the State of Nevada and the law was not complied with, upheld, or applied in this regard. No hearing was ever set or scheduled to register the Ex-Temporary Co-Guardianship in the State of Nevada. No powers, orders, allowances, duties to be performed or acts, and no authority was stated or afforded to the Ex-Temporary Co-Guardians in their Order Appointing them as Temporary Co-Guardians. No hearing was held Faulkner County, Arkansas in granting the Ex-Temporary Co-Guardians the Temporary Co-Guardianship to determine if the Ex-Temporary Co-Guardianship was needed and

warranted. They never notified the Faulkner County, Arkansas Court what their true intent was in obtaining the Ex-Temporary Co-Guardianship and failed to mention any litigation in Nye County, Nevada and had their true motives and intent were known and made clear, it is very unlikely that the Ex-Temporary Co-Guardianship would have been granted in the first place. The Ex-Temporary Co-Guardianship had no effect or power to enforce in the State of Nevada. The Ex-Temporary Co-Guardians did not mention any fraud, or having been taken advantage, of the recent divorce- Absolutely Nothing. In the end, when the matter was finally heard and Twyla's due process rights were observed, the Ex-Temporary Co-Guardianship was completely dismissed and set aside.

III.

**JUDGE HUGHES' MINUTE ORDER WAS NOT PART OF THE
PUBLIC RECORD, NOT PUBLICLY AVAILABLE, AND WAS
NOT GENERALLY KNOWN**

Judge Hughes' Minute Order is the main vessel and tool that the Ex-Temporary Co-Guardians, Mr. Lobello, and Mr. Owen used in all of their filings and pleadings and they continually quote it non-stop an infinite number of times. First off, **Judge Hughes' Minute Order are not Findings of Fact or Conclusions of Law.** Judge Hughes also never held or had an evidentiary hearing or a capacity hearing on the matter and just took it upon herself to state her opinion without any evidence or testimony submitted into the record. They were just mere comments and statements stated in a Minute Order again without any evidence or testimony entered into the record. Plaintiff/First Joint Petitioner refuted and rebutted all of Judge Hughes' comments and statements in her Minute Order by filing an Affidavit with the Court denying all of her allegations and accusations against Plaintiff/First Joint Petitioner. See Exhibit C, attached hereto. Judge Hughes is not a psychiatrist, psychologist, or a specialized doctor in medicine or in behaviour sciences nor has she ever personally examined or interviewed Plaintiff/First Joint Petitioner herself and is beyond the scope of her expertise. Mr. Owen and Mr. Lobello used Judge Hughes' Minute Order in a disadvantage way against Plaintiff/First Joint Petitioner in their Motion on behalf of the Ex-Temporary Co-Guardians and not once did they mention for obvious reasons Twyla's filed Affidavit to the Court refuting and rebuffing her statements about Twyla in their Motion to set aside. Judge Hughes was careful to not appoint a Guardian Ad-Litem in the First Divorce Action (Case No. D-16-540966-D) nor in the Second Divorce Action (Case No. D-17-558626-S). Judge Hughes only appointed Mr. Owen as counsel in the Second Divorce Action which Twyla rejected the appointment of Mr. Owen by notarized Affidavit filed with the Court.

Judge Hughes' Minute Order was not a matter of public record, not publicly known, and not generally known and only Mr. Lobello and Mr. Owen were ONLY privy to it as her previous counsel in the First Divorce Action (Case No. D-16-540966-D) and in the Second Divorce Action (Case No. D-17-558626-S). Mr. Lobello and Mr. Owen should not have disclosed Twyla's information even if it's "publicly available." Model Rule 1.9(c) says that when you have formerly represented a client in a matter, you shall not thereafter:

(1) use information relating to the representation to the disadvantage of the former client except as these Rules would permit or require with respect to a client, or when the information has become generally known; or

(2) reveal information relating to the representation except as these Rules would permit or require with respect to a client.

But significantly, just because information might be a matter of "public record", or "publicly available" in a court filing, does not necessarily mean that it is "generally known" within the meaning of the ethics rules. That's the holding of a case decided by the Pennsylvania Superior Court. **See Dougherty v. Pepper Hamilton LLP, et al.**

The ruling in *Dougherty* revives a union official's suit against the Pepper Hamilton Firm for breach of fiduciary duty. The firm had formerly represented the official when he was subpoenaed by a grand jury as part of a federal bribery investigation. An FBI affidavit was part of that investigation; it was later mistakenly filed on the federal court's electronic Pacer system. Subsequently, the firm represented the Philadelphia Inquirer in defending a defamation suit by the same official against the newspaper. In representing the newspaper, Pepper Hamilton used the FBI affidavit. The official alleged that the firm breached its duty to him by using information from the former representation, including the FBI affidavit. Pepper Hamilton countered that since the information was "publicly available", it could not form the basis of a disloyalty claim. The state court of appeals agreed with the official, reversing the lower court's grant of summary judgment in favor of the law firm.

Duty of confidentiality not "nullified" by public record - Whether information is "generally known" for purposes of Rule 1.9, said the court, depends on the circumstances. The court said that publicly-accessible electronic data could be "generally known" if it is easily accessible, such as through public indexes. But information is not generally known if it would be difficult or expensive to obtain or would require special knowledge.

Quoting opinions from the Supreme Court of Ohio (**See Akron Association v. Holder, 810 N.E. 2d 426, 435 (Ohio 2004)**) and the Supreme Court of West Virginia (**See Lawyer Disciplinary Board v. McGraw, 461 S.E.2d 850 (W. Va. 1995)**), the *Dougherty* court noted that "an attorney is not free to disclose embarrassing or harmful features of a client's life just because they are documented in public records or the attorney learned of them in some other way", and that "the ethical duty of confidentiality is not nullified by the fact that the information is part of a public record or by the fact that someone else is privy to it." There were genuine issues of fact, the court said, about whether the FBI affidavit was actually "generally known", and these questions were enough to keep the case against the law firm alive.

Turner v. Commonwealth, 726 S.E.2d 325, 333 (Va. 2012) states, "While testimony in a court proceeding may become a matter of public record even in a court denominated as a 'court not of record', and may have been within the knowledge of anyone at the preliminary hearing, it does not mean that such testimony is 'generally known'. There is a significant difference between something being a public record and it also being 'generally known'.

***In re Anonymous*, 932 N.E.2d 671, 674 (Ind. 2010)** stating in connection with a discussion of Rule 1.9(c)(2) that "the Rules contain no exception allowing revelation of information relating to a representation even if a diligent researcher could unearth it through public sources.

***In re Tennant*, 392 P.3d 143, 148 (Mont. 2017)** states holding that a lawyer who learned the information in question during his former clients' representation could not take advantage of his former clients' representation could not take advantage of his former clients "by retroactively relying on public records of their information for self-dealing".

The fact that information can be discovered in a public record does not, by itself render that information *generally known*. **(See *In the Matter of Johnson* (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 179.) Please also see American Bar Association Standing Committee on Ethics and Professional Responsibility Formal Opinion 479 and New York State Bar Association Ethics Opinion 991.**

Judge Hughes' Minute Order was obtained in the Second Divorce Action (Case No. D-17-558626-S) in which Judge Hughes had appointed Mr. Owen from the Owen Law Firm to represent Twyla. Mr. Owen and Mr. Lobello used that same Minute Order in every single filing and pleading against Twyla to her disadvantage and used it to the benefit of the Ex-Temporary Co-Guardians whose interests were materially adverse from hers in the same substantially related matter without her informed consent confirmed in writhing. Judge Hughes' Minute Order was not a matter of public record, not publicly available, was not generally known and only Mr. Owen and Mr. Lobello were privy to it as Twyla's previous counsel of record.

The Nevada Commission on Judicial Discipline has also disciplined Judge Hughes for not really meaning what she states and writes in her minute orders and these are their words, not Defendant/Second Joint Petitioner's words:

"(Judge Hughes) attempted to explain.....by arguing that she meant something other than what is expressly stated in her orders, court minutes, interrogatory answers and investigative interview." "Despite the evidence to the contrary, Respondent (Judge Hughes) testified that she did not hold the mother in contempt, but rather made a prima facie finding of contempt" (Hearing Transcript, p. 24, ln. 19-p. 25 ln. 2; see generally p. 25-29). "Under this rationale, litigants and appellate courts would not be able to rely on the express statements in a judge's order, but rather would have to entertain the possibility that the judge intended something else. Not only is there no authority under the law for such legal gymnastics, but permitting such a construction would turn the law on its head." **See Case No. 76117 Certified Copy of Findings of Fact, Conclusions of Law, and Imposition of Discipline pgs. 10-11, citation 13.**

These are other quotations from The Nevada Commission of Judicial Discipline regarding Judge Hughes and are not Defendant/Second Joint Petitioner's words:

"As demonstrated in many appellate cases, Judge Hughes appears to lack the competence and diligence to properly perform her duties as a district court judge. Accordingly, this Court (The Supreme Court of the State of Nevada) should consider ordering the appointment of a mentor to assist Judge Hughes to protect the litigants and the public from her apparent lack of competence." **See Case No. 76117 Respondent's (Nevada Commission on Judicial Discipline) Answering Brief pg. 03.**

"This Court (The Supreme Court of the State of Nevada) should order the appointment of a mentor because Judge Hughes lacks the competence and diligence to consistently perform her judicial duties as demonstrated by the many appellate decisions reversing and remanding her decisions." **See Case No. 76117 Respondent's (Nevada Commission on Judicial Discipline) Answering Brief pg. 25.**

"Accordingly, Judge Hughes is unlikely to learn from her mistakes and instead is bound to repeat them time after time. Litigants, their families, and the public deserve better. The costs and delays caused by unnecessary appeals are substantial. Many litigants do not have the time, money, or knowledge to properly and effectively appeal unlawful orders, which is even more troubling." **See Case No. 76117 Respondent's (Nevada Commission on Judicial Discipline) Answering Brief pg. 30.**

"Judge Hughes is not a general jurisdiction judge who hears only a small percentage of family law matters. She serves as a judge in the Clark County Family Court. Accordingly, she is obligated to be extremely familiar with the basic tenets of Nevada family law and possess the ability to apply those laws in a fair and just manner. Instead, Judge Hughes' tenure on the bench demonstrates that she apparently lacks the requisite ability, knowledge, and diligence to consistently and capably discharge her judicial duties. Thus, this Court (The Supreme Court of the State of Nevada) should order the appointment of a mentor to ensure that Judge Hughes adheres to Nevada law, especially the laws governing contempt, so that litigants and their children are treated fairly. The residents of Nevada deserve no less." **See Case No. 76117 Respondent's (Nevada Commission on Judicial Discipline) Answering Brief pgs. 30-31.**

"This Court (The Supreme Court of the State of Nevada) should order the appointment of a mentor to protect the litigants and the public from Judge Hughes' apparent lack of competence." **See Case No. 76117 Respondent's (Nevada Commission on Judicial Discipline) Answering Brief pgs. 51-52.**

IV.

**THERE WAS NEVER AN INTENT TO FAIL TO MISINFORM THE COURT
ABOUT MULTIPLE PROCEEDINGS THAT PROCEEDED THE NYE
COUNTY FILING**

**THE JOINT PETITION FOR DIVORCE SELF HELP FILL IN THE BLANK FORMS
UTILIZED IN NYE COUNTY DID NOT INQUIRE OR ASK ABOUT PARTICIPATION IN
OTHER CASES, KNOWLEDGE OF OTHER CASES, AND OTHER
CONSIDERATIONS.**

In the First Divorce Action (Case No. D-16-540966-D) which is Exhibit 2 in the Motion to set aside SELF HELP FILL IN THE BLANK FORMS were also utilized for the Compliant for Divorce and on pages 02-04, the Court will notice where it asks about b.) Participation in Other Cases, c.) Knowledge of Other Cases and 8.) Other

Considerations and all questions were answered and every Case and Consideration according to the questions asked since the documents utilized were SELF HELP FILL IN THE BLANK FORMS.

In the Second Divorce Action (Case No. D-17-558626-S) which is Exhibit 3 in the Motion to set aside SELF HELP FILL IN THE BLANK FORMS were also utilized for the Compliant for Separate Maintenance and on pages 03-04, the Court will notice where it asks about b.) Participation in Other Cases, Knowledge of Other Cases, and 8.) Other Considerations and all questions were answered and every Case and Consideration according to the questions asked since the documents utilized were SELF HELP FILL IN THE BLANK FORMS.

In the Third Divorce Action (Case No. D-18-568604-Z) which is Exhibit 5 in the Motion to set aside SELF HELP FILL IN THE BLANK FORMS were also utilized for the Joint Petition for Divorce and on page 03, the Court will notice where it asks about b.) Participation in other Cases and c.) Knowledge of Other Cases and all questions were answered and every Case and Consideration according to the questions asked since the documents utilized were SELF HELP FILL IN THE BLANK FORMS.

In the Fourth Divorce Action (Case No. CV-39304) which is Exhibit 8 in their Motion to set aside, SELF HELP FILL IN THE BLANK FORMS were also utilized for the Joint Petition for Divorce that was filed with this Court. The Court will notice that the Joint Petition for Divorce was again SELF HELP FILL IN THE BLANK FORMS and did not inquire or ask about Participation in Other Cases, Knowledge of Other Cases, and Other Considerations. The blanks were all filled in according to what the documents asked for. If the documents had asked for that information, that information would have gladly been filled in just like they had been done 3 times prior. The SELF HELP FILL IN THE BLANK FORMS were filled in as required. **So, it wasn't that Plaintiff/First Joint Petitioner and Defendant/Second Joint Petitioner were not trying to disclose the prior filings between the parties, it's just that the SELF HELP FILL IN THE BLANK FORMS utilized in Nye County did not inquire about participation in prior Divorce or Separate Maintenance cases, Knowledge of Other Cases, and Other Considerations. All of the fill in the blanks were filled in according to the instructions provided. See exhibit L, attached hereto, Instructions from the Fifth Judicial District Court Important Disclosure.**

V.

**PLAINTIFF/FIRST JOINT PETITIONER KNEW EXACTLY
WHAT SHE AND WHAT WE DOING**

This notion and made up story by the Ex-Temporary Co-Guardians and Mr. Lobello and Mr. Owen that Plaintiff/First Joint Petitioner did not know what she was doing or signing is false and not true and are as follows:

1.) Please see Exhibit M, attached hereto, is Notice of Seminar Completion - EDCR 5.07. This is a 3 hour class that is mandatory to be taken in Clark County in order to be divorced. Plaintiff/First Joint Petitioner took this 3 hour mandatory divorce education seminar in the Third Divorce Action (Case No. D-18-568604-Z) when she voluntarily signed and notarized the Joint Petition for Divorce.

2.) Please see Exhibit N, attached hereto, is a copy of the front and back of the Western Union money order and the receipt for that money order from 7-ELEVEN

purchased by Plaintiff/First Joint Petitioner to pay for the filing of the Joint Petition for Divorce in Nye County (Case No. CV-39304).

3.) Please see Exhibit O, attached hereto, is a copy of the receipt for the divorce filing fee from the Nye County Clerk's Office to Plaintiff/First Joint Petitioner showing that Plaintiff/First Joint Petitioner paid for the Joint Petition for Divorce in Case No. CV-39304.

4.) Please see Exhibit P, attached hereto, the Official United States Postal Mail Forwarding Change of Address Order signed by Plaintiff/First Joint Petitioner in her maiden name on the day the Joint Petition for Divorce was granted showing that she was moving and traveling to Arkansas.

5.) Please see Exhibit Q, attached hereto, is the Official Change of Address Validation showing that Plaintiff/First Joint Petitioner successfully changed her address when she moved/traveled to Arkansas.

6.) Please see Exhibit R, attached hereto, is all of the envelopes written and sent by Plaintiff/First Joint Petitioner to the Nye County Clerk's Office for the Amended Joint Petition for Divorce, New Decree for Divorce, Certificate of Mailing, Order Sealing File, Notice of Entry of Order/Judgment & Certificate of Service.

7.) Please see Exhibit S, attached hereto, is a Facebook post from Plaintiff/First Joint Petitioner dated August 31, 2018 at 11:12 p.m. while she was on her way to Arkansas and stating, "No man no kids I'm finally free!!!" and "Divorced and single and ready to meet someone new in Arkansas!!!"

8.) Please see Exhibit T, attached hereto, is a front and back picture of Twyla's Arkansas Identification Card showing that she changed her last name to her maiden name when she was in Arkansas.

9.) Please see Exhibit U, attached hereto, is an Ex Parte Application to Seal File in the Second Divorce Action (Case No. D-17-558626-S) that was signed and filed by Twyla.

10.) Please see Exhibit V, attached hereto, are documents from the Third Divorce Action (Case No. D-18-568604-Z) which are an Official Receipt from the Clark County Clerk's Office for the Joint Petition for Divorce paid for by Twyla, Affidavit In Support of Request for Summary Disposition of Decree, Request for Summary Disposition of Decree, and an Ex Parte Application to Seal File all signed and filed by Twyla.

11.) Please see Exhibit W, attached hereto, are documents from the Fourth Divorce Action (Case No. CV-39304) which are an Affidavit In Support of Request for Summary Disposition, Request for Summary Disposition of Decree, Certificate of Mailing, Ex Parte Application to Seal File, Order Sealing File, Notice of Entry of Order/Judgment, and another Certificate of Service all signed, written, and filed by Twyla herself.

12.) Please see Exhibit X, attached hereto, is the bus ticket that Twyla purchased herself in cash to travel to Arkansas. **Nobody put Twyla on a bus.** She purchased the ticket herself as the ticket shows and left on her own free will as the evidence clearly shows and reflects. Her intentions were to come back to Nevada as she certainly did.

13.) Please see Exhibit II, attached hereto, is Twyla's plane ticket that she purchased to fly back to Nevada when she was able to escape from the Ex-Temporary Co-Guardians. Nobody brought Twyla back. She came back to Las Vegas on her own.

14.) Please see Exhibit JJ, attached hereto, is the cab that Twyla took to the airport to catch her flight back to Nevada. Twyla took a cab to the airport and a flight back to Las Vegas of her own free will and to say otherwise is just complete false.

As the Court can see from all of these Exhibits, Plaintiff/First Joint Petitioner knew exactly what she was doing of her own free will and to say otherwise is just plain false and is complete nonsense. The Court can ask Twyla and she will simply just tell the Court the truth. There was not even a verification at the end of the Ex-Temporary Co-Guardians Motion to set aside that anything they put forth in their Motion was true or based on facts and no affidavit on file or entered into the record and no testimony was heard and no evidentiary hearing was held to determine anything.

The Ex-Temporary Co-Guardians and Mr. Owen and Mr. Lobello like to write and state that Twyla has an "IQ of 67-71". They like to equate Twyla's IQ score to her selfworth as if because she have a low IQ, she is somewhat less of a person or a human and lower in status than they are, however, that is not true at all. Twyla's IQ *does not* paint the full picture of her intelligence and who she is as a person and IQ tests are fundamentally flawed. An IQ test *does not* measure her selfworth as a person, her intent, her desire, and her will. *It doesn't* measure her cooking skills and abilities. *It doesn't* measure her sewing skills and abilities and her ability to learn new things and her life experiences. *It doesn't* measure her nurturing and motherly skills and the love that a mother has for her children. *It doesn't* measure when she wakes up in the middle of the night to comfort and calm a crying or sick child. *It doesn't* measure her emotional and social intelligence. *It doesn't* measure her physical strength and stamina and athletic intelligence. *It doesn't* measure her practical intelligence and the ability to make things work. *It doesn't* measure her creativity, curiosity, or her sense of humor. *It doesn't* measure her musical abilities and her fashion sense. *It doesn't* measure her courage and her inner strength. *It doesn't* measure her morality and her personal convictions. IQ scores change over time. An IQ score *doesn't* necessarily define how smart Twyla is and is not the measure of who she is as a person.

VI.
THE DIVORCE CANNOT BE CONTESTED OR ATTACKED BY THIRD PERSONS NOT PARTIES THERETO

The law is crystal clear and vividly explicit, **NRS 125.185 Valid divorce in Nevada not subject to contest or attack by third persons not parties to divorce specifically states: "No divorce from the bonds of matrimony heretofore or hereafter granted by a court of competent jurisdiction of the State of Nevada, which divorce is valid and binding upon each of the parties thereto, may be contested or attacked by third persons not parties thereto."** NRS 125.185 is not ambiguous, ambivalent, or debatable in this regard and because the Divorce was contested and attacked by third persons who weren't even parties to the Divorce and who live in the State of Arkansas half a country away, the Divorce was set aside which

is clearly against Nevada Law. The Law was not complied with, upheld, or applied in this regard.

The Ex-Temporary Co-Guardians were clearly not Dennis Stanton or Twyla Stanton. As such, the law is crystal clear that nobody can attack the Divorce to have it set aside, dismissed, or any other changes to the proceeding. Nothing cited or any law gives the Ex-Temporary Co-Guardians the right, standing, authority, or permission to attack this Divorce. The law is not on their side and the law is not ambiguous in that regard.

Both parties, Plaintiff/First Joint Petitioner and Defendant/Second Joint Petitioner agreed, prepared, signed, notarized, and did all of the requirements necessary to obtain a valid and legal binding divorce from this Court. Had there been anything failing in compliance with state or local laws, the divorce would not have been granted, therefore, it should continue to stand and not be contested or attacked by third parties not involved in the divorce action. The Decree of Divorce was properly and lawfully entered.

Even the Ex-Temporary Co-Guardians believed that the Decree of Divorce to be valid and binding. In all of their filings in the State of Arkansas, the Ex-Temporary Co-Guardians referred to Plaintiff/First Joint Petitioner by her maiden name of McCurdy and not Stanton. It is very telling that the Decree of Divorce, which the Ex-Temporary Co-Guardians claim is fraudulent, First/Joint Petitioner was restored to her former maiden name of McCurdy. All of the Ex-Temporary Co-Guardians paperwork in the State of Arkansas states Plaintiff/First Joint Petitioner's last name as McCurdy, so they obviously agree that the Decree of Divorce is a valid and binding document, further basis the Decree was properly and lawfully entered.

"It is the well-settled general rule that parties to an action or proceeding will not be permitted to attack collaterally the judgment rendered therein, except where such judgment is absolutely void for want of jurisdiction in the court rendering it. This rule applies to judgments or decrees rendered in divorce proceedings." **See 17 Am. Jur., Divorce and Separation, 482, page 393.**

In **Keating v. Keating, 855 A.2D 80 (PA. Super. 2004)**, where the husband was divorced in Guam and remarried, his first wife was held to be the legal wife of the husband on his death, because she had no prior notice or opportunity to be heard in the Guam divorce proceeding.

Parties to an action or proceeding will not be permitted to attack collaterally the judgment rendered therein, except where such judgment is absolutely void for want of jurisdiction in the court rendering it. This rule applies to judgments or decrees rendered in divorce proceedings. The invalidity of a divorce decree obtained in another state may not be shown on collateral attack by a stranger thereto, unless he shows that the decree deprived him of a right which existed at the time it was rendered. This is an exception to the general rule that a judgment regular on its face cannot be attacked collaterally, and its application is limited to the condition stated. The requirements of full faith and credit bar a defendant from collaterally attacking a divorce decree on jurisdictional grounds in the courts of a sister state where there has been participation by the defendant in the divorce proceedings, where the defendant has been accorded full opportunity to contest the jurisdictional issues, and where the decree is not susceptible to such collateral attack in the courts of the state which rendered the decree." **See Evans v. Asphalt Roads, Etc., Co., 194 Va. 165 (Va. 1952)**

In **27 C.J.S., Divorce, | 334, page 1300**, this is said:

"After a court has acquired jurisdiction, its findings are conclusive in all collateral proceedings; and the decree cannot be collaterally attacked for a defect, imperfection, irregularity, or insufficiency, whether in the proceedings, pleadings, or evidence, which does not render the decree void, but which renders it at the most, only erroneous."

In *McNeir McNeir*, 178 Va. 285, 293, 16 S.E.(2d) 632, following the general rule, we said that one who has participated in the obtaining of a fraudulent divorce is estopped to deny its invalidity. The bar of estoppel is as effective as to parties and their privies as that of *res judicata* when the latter doctrine is applicable.

The Full Faith and Credit Clause of the Federal Constitution places on us the duty to accord *prima facie* validity to the decree obtained by Evans. See *Esenwein Commonwealth of Pennsylvania*, 325 U.S. 279, 280, 65 S. Ct. 1118, 89 L.ed. 1608, 157 A.L.R. 1396. It was at most voidable only. According to the great weight of authority its invalidity may not be shown on collateral attack by a stranger thereto, unless he shows that the decree deprived him of a right which existed at the time it was rendered. This is an exception to the general rule that a judgment regular on its face cannot be attacked collaterally, and its application is limited to the condition stated.

In *Turnbull Mann*, 99 Va. 41, 45, 37 S.E. 288, it's said: "While it is true that the plea of *res adjudicata* can be filed only by the parties to the suit in which the judgment was entered, or their privies, it is equally true that judgments of courts, where they do not undertake to adjudicate the existing rights of persons who are not parties to the suit, cannot be questioned in collateral proceedings, but are binding on the courts and on all persons so far as they affect the rights of those who were parties".

"This brings to the fore the further contention that a stranger to a divorce proceeding whose rights were not prejudiced by the entry of the decree at the time it was rendered cannot attack such decree either directly or collaterally. This contention is plausible and may have merit. The general rule is laid down in *Magevney Karsch*, 167 Tenn. (3 Beeler) 32, 65 S.W.(2d) 562, 568, 92 A.L.R. 343, to be that the assailant in a collateral attack upon a judgment 'must show prejudice to some right of his that accrued prior to the rendition of the judgment.' That case leaves nothing to be said on the subject of collateral attacks on judgments. True, the judgment there under consideration was not one of divorce, but there is, it seems, no substantial difference in the applicable rule, at least in the absence of overriding considerations of public policy. *Freeman on Judgments*, Sec. 1203."

An instructive note entitled "*The Dilemma of Third Party Attacks upon Foreign Divorces*," may be found in the *Brooklyn Law Review*, Vol. 17, page 70, wherein it is said on page 92: "It is further submitted that the only rule consonant with a functional public policy is that a divorce decree ought not to be collaterally attacked by a stranger thereto unless he demonstrates that the decree deprived him of a then extant right"

No Nevada case has been called to our attention holding that a child may contest in Nevada its parents' divorce, where the parent was barred from contesting, as here, by estoppel. However, in the case of *In re Manse Spring and Its Tributaries*, 60 Nev. 280, 108 P.(2d) 311, 317, it was said that "a stranger to the title" having no right under the estate is in no position to question the regularity of "proceedings" adjudicating the status of title to lands. Furthermore, it has been held in Nevada that fraud in alleging or establishing required residence in a divorce action is a jurisdictional fact and not available as a ground to annul the decree. Confer *Second Judicial District Court*, 49 Nev. 18, 234 P. 688, 236 P. 11097.

The appellees upon whom the burden rested, have not shown that they, or either of them, would be permitted to make a collateral attack on the decree in the courts of Nevada. In that situation, the decree is not susceptible to attack by them in the State of Virginia. **See Johnson Muelberger, supra, 340 U.S. 589, 71 S. Ct.**

474.

Moreover, at the hearing, the Court left Twyla and Second Joint Petitioner/Defendant in a precarious marital situation. The Court vacated the Decree of Divorce, however, failed to restore the status to married persons, as if the Decree had never been issued. This creates a problem for Twyla and Second Joint Petitioner/Defendant as are stuck in limbo between married and divorced. Twyla and Second Joint Petitioner did get remarried after June 07, 2018 and intend to remain married. What is unclear is whether Twyla and Defendant have been married for 14 years or only approximately 4 months at this point. The recognition of the divorce still remains as though no orders for asset or debt division or regarding the children remain. Moreover, wishing again to reconcile have remarried. At this point, neither would like to continue to litigate in order to divide the community assets acquired over the last 14 years. Accordingly, this sequence of events blurs the lines of whether the current community assets acquired began 14 years ago when first married or whether the marriage began approximately 4 months ago upon the remarriage. The Court has left Twyla and Defendant in a precarious, uncertain, and problematic situation.

The division of assets has also been distributed after June 07, 2018, when the Decree of Divorce was issued and granted. Twyla received 100% of the I.B.E.W. 357 Pension Trust Plan B (Please see Exhibit Y, Statutory Declaration of Twyla receiving the Pension Trust Plan B funds in which she did not want to tell the Ex-Temporary Co-Guardians was in her possession for fear that they would take the money to pay themselves back for the legal and attorney's fees they spent in the First Divorce Action (Case No. D-16-540966-D). That was yet another falsehood that was crafted into their Motion, that Defendant took the Pension Trust Plan B funds from Twyla which was just complete false. **Nobody took any money from Twyla.** Twyla and the Defendant also quit claimed the residence which was in foreclosure to Defendant, attached hereto as Exhibit Z. Assets were already spent and distributed after the divorce is even more of a reason why the Decree and Joint Petition should stand.

VII.

RULE 11 SANCTIONS WERE NOT IN ACCORDANCE WITH NEVADA LAW

The Court imposed sanctions pursuant to Nevada Rules of Civil Procedure under Rule 11 in the amount of \$3,000.00 in attorney fees to be paid to a non, third, attacking party who had no authority, no right, no standing, and were not properly before the Court. **The Court requested that the attorneys for the Plaintiff's parents file an Order and create Findings for the Court including the arguments in the Motion. No evidentiary hearing was held regarding the issue, no evidence was submitted, no testimony was heard, no affidavit was submitted or on file, no specific findings were made at the hearing as to what conduct Defendant/Second**

Joint Petitioner engaged in that would support the award of attorney fees in the amount of \$3,000.00 to a non, third, attacking party who were not properly before the Court and who had no authority to initiate litigation on behalf of the Plaintiff per Nevada Law.

The Court imposed sanctions on January 07, 2019, without due process and a right to be heard. No Order to Show Cause was ever issued or an Order to Show Cause Hearing was ever held in the matter. At the court proceeding on January 07, 2019, no evidence or testimony was entered into the record and no hearing on the merits was held regarding the award of sanctions in the form of attorney fees. The sanctions imposed were not in accordance with Nevada Law in that sanctions were awarded without due process and an opportunity to be heard and was unlawfully punitive in nature by awarding attorney fees in the amount of \$3,000.00 to a non, third, attacking party both without notice nor an opportunity to be heard. The finding of sanctions was made prior to an Order to Show Cause being issued and without an affidavit on file or a hearing being held on the matter to determine if sanctions were appropriate. The Order to Show Cause should have been served and a hearing held prior to imposing sanctions. Defendant/Second Joint Petitioner was purposely and deliberately deprived in bad faith of his right to notice and right to be heard regarding the award of sanctions in attorney fees to a non, third, attacking party. The Court imposed sanctions without an affidavit or hearing on the same and WITHOUT DUE PROCESS and a right to be heard. Notice and an opportunity to be heard are part of fundamental fairness that due process requires.

Rule 11 Sanctions of the Nevada Rules of Civil Procedure were not imposed according to law. The Court did not rely and relied on certain laws as authority for its actions where such laws were either inapplicable given the circumstances or were not complied with as required by law. The Court did not consider and set forth specific findings for its actions.

See NRCP 11b. The Court is further provided a mechanism to deter violations of such either by Motion or upon the Court's own initiative. See NRCP 11c. When sought by Motion, the Motion must be made separately from other Motions or Requests. It further states that it cannot be filed or presented to the Court until 21 days after notice to the other party and failure to cure within those 21 days. The rule further allows sanctions upon the Court's own initiative after an Order to Show Cause has been issued detailing the violating conduct specifically.

Defendant/Second Joint Petitioner was not afforded the proper opportunities to either cure or correct or respond to the allegations of the Rule 11 violations. The request for Rule 11 Sanctions was not plead or made separately by Plaintiff's parents. Rather, it was sandwiched in as a line item in their Motion to set aside under the request for attorney's fees. No opportunity to cure or correct was provided it was immediately filed with the Court and even Defendant/Second Joint Petitioner's attorney, James S. Kent, Esq., at the time missed that there was a request for sanctions under Rule 11.

At the hearing on the matter, Defendant/Second Joint Petitioner's attorney was asked to address the Rule 11 statements which were more explicitly laid out in Plaintiff's parents' Reply filed only two business days before the hearing in this matter. Again, hardly, within the required notice to correct or cure. Mr. Kent stated that he had not

noticed the request under Rule 11 and was not prepared to respond at the time. The Court allowed only a brief recess (24 minutes) in order for Mr. Kent to review the extremely late Reply, the Law surrounding the issues, and the extremely convoluted history of the matter.

Upon recalling the matter, the Court ordered that Rule 11 Sanctions were appropriate but failed to make any specific findings on the record as to the violations of the Rule that was deemed to have been committed. Instead, the Court ordered that Counsel for Plaintiff's parents file an order "addressing the Violation of Rule 11, include his Motion arguments." The Court specifically ordered attorney's fees pursuant to NRCP Rule 11. This complete lack of findings on the record by the Court, ignoring of the Safe Harbor Requirement and general lack of adequate notice through a separate pleading or Order to Show Cause do not support the Sanctions imposed under Rule 11 of the Nevada Rules of Civil Procedure.

Sanctions imposed the way that they were imposed had a triple effect and sting in the fact that first of all being sanctioned hurts and is financially painful in and of itself already, and secondly that Rule 11 Sanctions in the form of attorney fees were unlawfully and improperly imposed and awarded without notice, a right to be heard, and without a hearing held on the merits or the matter, and thirdly the fact that the award of attorney fees were to parties who had no authority or proper standing to be before the Court whatsoever in which Nevada Law clearly states that third parties are not allowed to do in the first place.

This was a "non-evidentiary" hearing that lasted a mere total of 48 minutes with a small 24 minute recess in between to respond to Rule 11 Sanctions under NRCP. The Rule and the Law allow a 21 day time frame to cure and correct not a mere 24 minute recess. If Defendant/Second Joint Petitioner had been given adequate notice and opportunity to be heard, Defendant/second Joint Petitioner strongly feels and believes that he would have been exonerated, however, that courtesy and opportunity were never extended or given as required by Nevada Law. And even if everything the Ex-Temporary Co-Guardians said about Defendant/Second Joint Petitioner in their Motion was true to the letter, Defendant/Second Joint Petitioner still should have been given adequate notice and an opportunity to be heard to disprove their arguments.

Plaintiff/First Joint Petitioner was also not at the hearing and did not have counsel present to represent her interests as the Ex-Temporary Co-Guardians were represented by Mr. Owen and Mr. Lobello and Mr. Kent technically only represented Defendant/Second Joint Petitioner. Twyla's due process rights and right to be heard were also not observed. Twyla did not have an attorney and could not afford one so she submitted an affidavit instead that she filed with the Court to make her voice heard, however, the Court basically dismissed it and referred to it as more "Shenanigans" without any actual proof or evidence. (Video 2 of January 07, hearing at 10:01:45). Twyla filed her Affidavit with the Court which complied with everything under Rule 13 (Motions: Procedure for making motions; affidavits; renewal, rehearing of motions) of the Rules of the District Courts of the State of Nevada.

Twyla's right to be heard was not observed on 3 different occasions. First, the Ex-Temporary Co-Guardianship to the Ex-Temporary Co-Guardians without notice and a right to be heard by Twyla was granted without a hearing held on the matter and when

the matter was subsequently heard the Ex-Temporary Co-Guardianship was dismissed. Secondly, Twyla was not present at the hearing on January 07, 2019, and the Court made rulings and decisions without hearing from Twyla. Thirdly, the Court completely dismissed Twyla's Affidavit as more "Shenanigans". (Video 1 of January 07, 2019, hearing at 10:04:32) Twyla could not afford an attorney so she submitted and filed an affidavit with the Court instead so that her voice would be heard.

"Due process of law is guaranteed by the **Fourteenth Amendment of the United States Constitution and Article 1, Section 8(5)... of the Nevada Constitution.**" **Rico v. Rodriguez**, 121 Nev. 695, 702-03, 120 P.3d 812, 817 (2005). Due process protects certain substantial and fundamental rights. *Id.* at 704, 120 P.3d at 818. Further, due process demands notice before such a right is affected. **Wise v. Granata**, 110 Nev. 1410, 1412, 887 P.2d 744, 745 (1994).

When a police officer pulls a driver over for a traffic violation for a driving offense that police officer informs the driver (**Notice**) why he pulled the driver over and then gives that driver a ticket (**Order to Show Cause issued**) to appear in court to state his or her case and be heard (**Order to Show Cause Hearing**). In this case and circumstance, the Court disregarded and ignored and denied the right to be heard without due process rights being observed in accordance with Nevada Law.

The right to be heard is an essential component of a fair and impartial system of justice. Substantive rights of litigants can be protected only if procedures protecting the right to be heard are observed.

VIII.

THE EX-TEMPORARY CO-GUARDIANSHIP WAS NOT ESTABLISHED FOR TWYLA'S BEST INTEREST

The Ex-Temporary Co-Guardianship was not established for Twyla's best interest but to be able to gain control of Twyla to obtain money and funds on her behalf to covert for their use and benefit. The Ex-Temporary Co-Guardians loaned Twyla a large sum of money to pay for The First Divorce Action (Case No. D-16-540966-D) and were using the Guardianship process to obtain re-payment of the money. This was the true motivation of the Ex-Temporary Co-Guardians. See Exhibit A in Opposition to Motion and Exhibit A, attached hereto, showing all of the legal and attorney fees paid by the Ex-Temporary Co-Guardians in the First Divorce Action. Why else would the Ex-Temporary Co-Guardians not disclose to the Probate Court in Faulkner County, Arkansas their true intent in obtaining the Ex-Temporary Co-Guardianship to set aside a Decree issued in Nye County, Nevada? They never mentioned anything in their "UN" Verified Petition about her husband of 14 years and 6 children. They stated in Faulkner County, Arkansas that Twyla's estate consisted of a mere \$500.00 and then turn around and claim in their Motion in Nye County, Nevada that there is \$100,000.00 in equity in the marital residence. It's not only confusing, but it's deceiving.

Please see Exhibit AA, attached hereto, showing the damage the Ex-Temporary Co-Guardians caused to Twyla's and Defendant/Second Joint Petitioner's marital residence right after the First Divorce Action was voluntarily dismissed when they realized that Twyla was not going to be able to pay them back for any of the attorney and legal fees spent by the Ex-Temporary Co-guardians on her behalf. They damaged both AC units and all 6 children went without air conditioning that summer during a

massive heatwave. Is this how normal grandparents would treat their grandchildren? This is their grandchildren's home. This is why the grandchildren refuse to speak to them. Please also see Exhibit BB, attached hereto, on page 08 and 09 of her compliant to the Office of Bar Counsel in Twyla's own words what the Ex-Temporary Co-Guardians did to her while she was in Arkansas. They held her against her will and she was finally able to escape.

The Ex-Temporary Co-Guardians also wanted to act as a payee for Twyla if she received disability benefits. Twyla does not need a payee. Twyla worked for about 7 years during the marriage and received her own paychecks and handled her own money. Twyla paid her own bills and managed her own finances. This is just another example of the Ex-Temporary Co-Guardians trying to control her money to pay themselves back for the money they spent in the First Divorce Action.

When the Ex-Temporary Co-Guardians had Twyla evaluated with Dr. Ann Prather in Arkansas so that they could get an evaluation submitted for their Ex-Temporary Co-Guardianship, they filled out all of her intake paperwork for her and would not let her complete any of it. They checked "no" on boxes in which they should have checked "yes". They wrote down stuff that she could do but wrote down that she couldn't do it anyways. They misrepresented the truth to the doctor when she interviewed the Ex-Temporary Co-Guardians so that Twyla could get the lowest score possible. They told Twyla "to be stupid and play dumb" so that she could get the lowest score possible. The Ex-Temporary Co-Guardianship was not established for Twyla's best interest, but for the sole purpose to obtain funds on her behalf to pay themselves back for the legal and attorney's fees spent on Twyla's behalf in the First Divorce Action.

IX.

THE DIRECT CONFLICT OF INTEREST WAS FAR MORE WIDE-RANGING THAN RECOGNIZED BY THE COURT

Mr. Owen and Mr. Lobello were not representing Twyla in this matter. Mr. Owen and Mr. Lobello were representing the Ex-Temporary Co-Guardians. Twyla was not represented in this matter. Twyla did not have counsel in this matter. The Court did not here from Twyla and her right to be heard was not observed. Mr. Owen and Mr. Lobello were representing the Ex-Temporary Co-Guardianship. Twyla's interests and the interests of the Ex-Temporary Co-Guardians were materially adverse from each in the same substantially related matter and Twyla did not give informed consent confirmed in writing to Mr. Owen and Mr. Lobello to represent the Ex-Temporary Co-Guardians in this matter. Twyla and the Ex-Temporary Co-Guardians retained lawyers on opposite sides of the Ex-Temporary Co-Guardianship and Twyla was successful in that regard.

Mr. Owen and Mr. Lobello represented Twyla in the First Divorce Action (Case No. D-16-540966-D) and in the Second Divorce Action (Case No. D-17-558626-S). In the First Divorce Action they represented Twyla in four separate hearings which were held on November 09, 2016, February 02, 2017, February 09, 2017, and March 16, 2017 in front of Judge Hughes. In the Second Divorce Action there were no hearings held. Judge Hughes' Minute Order was obtained in the Second Divorce Action in which Mr. Owen and Mr. Lobello represented Twyla and then turned around and used that same

Minute Order in a disadvantageous way against Twyla which was not part of the public record, was not publicly available, and not generally known.

Because of the Direct Conflict of Interest that was perpetrated by Mr. Owen and Mr. Lobello, Twyla has since filed a formal complaint with the Nevada State Bar Office of Bar Counsel, see Exhibit BB dated March 05, 2019, attached hereto. The Office of Bar Counsel has opened up an investigation into the matter and has assigned two grievances each to Mr. Lobello (Grievance File No. OBC19-0236/Charles Lobello, Esq.) and one to Mr. Owen (Grievance File No. OBC19-0268/Christopher Owen, Esq.) and there has also been an investigator (Ms. Watson) assigned to the investigation and Ms. Watson thanked Twyla in her letter for bringing this matter to her attention. Not long after the investigation was opened up by the Office of Bar Counsel (about 2 weeks), Mr. Owen and Mr. Lobello "conveniently" withdrew as the attorneys of record for the Ex-Temporary Co-Guardians without their clients consent under Nevada Supreme Court Rule 46, but before that they were egging opposing counsel on to file a Motion for Reconsideration or an Appeal. Mr. Owen is also facing another separate complaint (Grievance File #OBC19-0130/Christopher F. Owen, Esq.) for faxing an ex parte letter directly to Judge Duckworth in the Third Divorce Action which he was not a part of, attached hereto as Exhibit CC. This is what these lawyers have been doing these last couple of years,

Mr. Owen and Mr. Lobello also used disguising and deceptive language in the Reply to the Opposition in which they would refer to "Twyla" in their language as also referring to the Ex-Temporary Co-Guardians even though Twyla was challenging and opposing the Ex-Temporary Co-Guardians and was already remarried to Defendant/Second Joint Petitioner. Mr. Lobello has been known to make misrepresentations in the past by having violated RPC 8.4(b) (misconduct: commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer) and RPC 8.4(c) (misconduct: engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation.) **See In The Matter of Discipline of Charles C. Lobello, Bar No. 5052.** Due to these violations, Mr. Lobello was permanently disbarred in the State of California and permanently disbarred in Washington D.C., and served a four-year suspension in the State of Nevada which was just lifted in September 2018. Dishonesty, fraud, deceit, and misrepresentations are nothing new to Mr. Lobello. Please see Exhibit DD, attached hereto.

Mr. Owen and Mr. Lobello not only engaged in a Direct Conflict of Interest, but also complete hypocrisy. In the Fourth Divorce Action (Case No. CV-39304), they claim that "Twyla's (her) signature does not connote understanding or agreement" in their Motion to set aside on the bottom of page 02 of 13, but then in the First Divorce Action they accepted Twyla's ability to understand and agree and have her sign legal documents such as a Compliant for Divorce, attached hereto as Exhibit EE. You will notice Twyla's wet signature on page 04 of the Compliant verifying her understanding and agreement of the document. The Court will also notice that on page 02 of the Compliant in paragraph 04, Mr. Owen and Mr. Lobello state that "Twyla is a fit person." So, basically Mr. Owen's and Mr. Lobello's position changes like a leaf in the wind.

Mr. Owen and Mr. Lobello also had Twyla sign and verify a Motion for Temporary Orders, attached hereto as Exhibit FF. The Court will notice on page 13, Twyla's wet signature under penalties of perjury while she was represented by the Owen Law Firm.

Mr. Owen and Mr. Lobello also had Twyla sign and certify a General Financial Disclosure Form when they were her previous attorneys. The Court will notice on page 07, Twyla's wet signature for the certification of the document, attached hereto as Exhibit GG.

Mr. Owen and Mr. Lobello also had Twyla sign and verify a 48 page Motion. The Court will notice Twyla's wet signature on page 02 of the verification, attached hereto as Exhibit HH.

Mr. Owen and Mr. Lobello also had Twyla sign and verify a Stipulation and Order for Voluntary Dismissal of Case. See Exhibit B, attached hereto.

So, in the First Divorce Action Mr. Owen and Mr. Lobello accepted Twyla's ability to understand and agree to legal documents by evidenced by her wet signatures on those documents as the record and exhibits will reflect and then turn around and represent parties that were materially adverse from Twyla's interests in the same substantially related matter without Twyla's informed consent confirmed in writing and then use information (Judge Hughes' Minute Order) that Mr. Owen and Mr. Lobello obtained in that representation of Twyla and used it against her to her disadvantage and in doing so changed their position when it benefited their new clients. There is no question and without a doubt that Mr. Owen and Mr. Lobello violated and wilfully disregarded RPC 1.9 Duties to Former Clients. Any other lawyer could have made that argument but Mr. Owen and Mr. Lobello because of their previous representation of Twyla. This was an argument Mr. Lobello and Mr. Owen lacked standing to make, however, they asserted in anyway. The representation of the Ex-Temporary Co-Guardians should have been representation that Mr. Owen and Mr. Lobello should have refused.

Nevada Rules of Professional Conduct Rule 1.9. Duties to Former Clients states:

(a) A lawyer who has formerly represented a client in a matter (1) shall not thereafter represent another person in the (2) same substantially related matter in which that person's interests are (3) materially adverse to the interests of the former client unless the former client gives (4) informed consent, confirmed in writing.

(b) A lawyer shall not knowingly represent a person in the same or a substantially related matter in which a firm with the lawyer formerly was associated had previously represented a client:

(1) Whose interests are materially adverse to that person; and

(2) About whom the lawyer had acquired information protected by Rules 1.6 and 1.9(c) that is material to the matter;

(3) Unless the former client gives informed consent, confirmed in writing.

(c) A lawyer who has formerly represented a client in a matter or whose present or former firm has formerly represented a client in a matter shall not thereafter:

(1) Use information relating to the representation to the disadvantage of the former client except as these Rules would permit or require with respect to a client, or when the information has become generally known; or

(2) Reveal information relating to the representation except as these Rules would permit or require with respect to a client.

1.) Shall (not) - The court expressed an opinion in a novel way that *shall (not)* serves to express that which is mandatory. See **Vandertoll v. Kentucky, 110 S.W.3d 789,791 (Ky. 2003)** "We will not commence a lengthy discussion on the definition of "shall (not)". KRS 446.080(4) states that "[a]ll words and phrases shall be construed according to the common and approved usage of language...." "In common or ordinary parlance, and in its ordinary signification, the term 'shall (not)' is a word of command and.....must be given compulsory meaning." **Black's Law Dictionary 1233 (5th ed.1979).**

"If the words of the statute are plain and unambiguous, the statute must be applied to those terms without resort to any construction or interpretation" See **Terhune v. Commonwealth, Ky.App., 907 S.W. 2d 779, 782 (1995)** (quoting **Kentucky Unemployment Insurance Commission v. Kaco Unemployment Insurance Fund, Inc., Ky.App., 793 S.W.2d 845, 847 (1990)**). *Shall (not) means shall (not).*

2.) Same substantially related matter - The First Divorce Action (Case No. D-16-540966-D), the Second Divorce Action (Case No. D-17-558626-S), the Third Divorce Action (Case No. D-18-568604-Z), and the Fourth Divorce Action (Case No. CV-39304) *are the same substantially related matter as it involved subsequent cases between the same parties and the cause of action and issues in these cases are identical and substantively indistinguishable because they are all actions for divorce.*

Substantial Relationship in New Jersey. **City of Atlantic City v. Trupos, 2010 N.J. LEXIS 386 (N.J. April 26, 2010).** The New Jersey Supreme Court announced this rule:... for the purposes of RPC 1.9, matters are deemed to be "substantially related" if (1) the lawyer for whom disqualification is sought received confidential information from the former client that can be used against the client in the subsequent representation of parties adverse to the former client, or (2) facts relevant to the prior representation are both relevant and material to the subsequent representation.

In **Harsh v. Kwait, 2000 Ohio App. LEXIS 4636 (Ohio App. 2000)**, the court said that matters were substantially related if there is some "commonality of issues" or "clear connection" between the matters.

In **Reardon v. Marlayne, 416 A.2d 852 (N.J. 1980)**, the court said that a substantial relationship exists where the "adversity between the interests of the attorney's former and present clients has created a climate for the disclosure of relevant confidential information."

3.) Materially adverse - For a lawyer to run afoul of Model Rule 1.9(a), the new matter must be "materially adverse" to the former client. **Obviously, taking on a litigation matter against the former client is being materially adverse. And even taking on a new matter against a third party (not against the former client), the result if successful, will somehow harm the former client.**

Plotts v. Chester Cycles LLC, 2016 WL 614023 (D. Ariz. Feb. 16, 2016). Employee brought this Title VII case against Employer, a motorcycle dealer. Employer is a member of a vast corporate family, of which Chester Group is the ultimate parent. E.B. Chester ("E.B.") owns a one-third interest in Chester Group. Law firm represents Employee in this case. Lawyer, at Law Firm, represented E.B. in his 2011-2012 divorce case. Employer moved to disqualify Law Firm, even though E.B. himself is

not a party. In this opinion the court granted the motion. During the divorce case E.B. gave financial and ownership information regarding Chester Group to Lawyer. Thus, the divorce case and this case are substantially related. The court further held that because a big judgment for Employee would financially harm E.B., Law Firm's representation of Employee is materially adverse to E.B. Last, the court was also concerned that Law Firm may have to cross-examine E.B. in this case, further adding to its conflict. **Please also see Simpson Performance Products, Inc. v. Robert W. Horn, P.C., 92 P.3d 283 (Wyo. 2004) and Admiral Ins. Co. v. Heath Holdings USA, Inc., 2005 U.S. Dist. Lexis 16363 (N.D. Tex. Aug. 9, 2005).**

There is no question and absolutely no doubt that Twyla's interests were materially adverse to the Ex-Temporary Co-Guardians. They sought to obtain Guardianship of her Person and Estate against her will and wishes as the Ex-Temporary Co-Guardians and Twyla had retained lawyers on opposite sides in relation to the Ex-Temporary Co-Guardianship.

4.) Informed consent, confirmed in writing - meaning that disclosures and the consent required must be in writing and is a process for getting permission before conducting legal intervention for a person, or for disclosing personal information. **Rule 1.9 requires the lawyer to obtain the informed consent of the client, confirmed in writing.** Such a writing may consist of a document executed by the client or one that the lawyer promptly records and transmits to the client following an oral consent (writing includes electronic transmission). If it is not feasible to obtain or transmit the writing at the time the client gives informed consent, then the lawyer must obtain or transmit it within a reasonable time thereafter. The requirement of a writing does not supplant the need in most cases for the lawyer to talk with the client, to explain the risks and advantages, if any, of representation burdened with a conflict of interest, as well as other reasonably available alternatives, and to afford the client a reasonable opportunity to consider the risks or disadvantages and other alternatives, and to raise questions and concerns. **Rather, the writing is required in order to impress upon clients the seriousness of the decision the client is being asked to make and to avoid disputes or ambiguities that might later occur in the absence of a writing.**

The lawyer who fails to draft an effective waiver or get informed consent confirmed in writing runs the risk of professional discipline, disqualification, loss of fees, and malpractice actions. On the other hand, an effective conflict waiver or informed consent confirmed in writing can be a lawyer's most effective tool in defending against any of these actions.

"Full disclosure contemplated by the conflict of interest provisions of the lawyer ethics code requires far more than merely the client's awareness of facts that may create or suggest a conflict of interest. The disclosure must be sufficient to inform the client of possible adverse effects the conflicting interests of the lawyer or of others might have on the lawyer's representation of the client." **See Disciplinary Proceedings against Forester, 189 Wis. 2d 563, 586, 530 N.W.2d 375 (1995).**

The Wisconsin Court of Appeals has held: "An effective waiver of a conflict or potential conflict of interest which is knowing and voluntary requires the lawyer to disclose the following: (1) the existence of all conflicts in the representation; (2) the nature of the conflicts or potential conflicts, in relationship to the lawyer's representation

of the client's interests; and (3) that the exercise of the lawyer's independent professional judgment could be affected by the lawyer's own interests or those of another client. On the part of the client, it also requires: (1) an understanding of the conflicts or potential conflicts and how they could affect the lawyer's representation of the client; (2) an understanding of the risks inherent in the dual representation then under consideration; and (3) the ability to choose other representation. **See State v. Cobbs, 221 Wis. 2d 101, 105-06, 584 N.W.2d 709, 710 (Ct. App. 1998) and Kaye, 106 Wis. 2d at 14-16, 315 N.W.2d at 342-43; SCR 20:1.7.**

In this situation Mr. Lobello and Mr. Owen failed to get Twyla's informed consent, confirmed in writing. They did not even attempt to. They even failed to get Twyla's informed consent, confirmed verbally.

In some circumstances, a conflict of interest can never be waived by a client. In perhaps the most common example encountered by the general public, the same firm should not represent both parties in a divorce or child custody case or matter. Found conflict can lead to denial or disgorgement of legal fees, or in some cases (such as the failure to make mandatory disclosure), criminal proceedings. In 1998, a Milbank, Tweed, Hadley, & McCloy partner was found guilty of failing to disclose a conflict of interest, disbarred, and sentenced to 15 months of imprisonment. **Please also see State ex rel. Horn v. Ray, 325 S.W.3d 500, 507 (Mo. App. 2010).**

So when you apply **Rule 1.9 Duties to Former Clients** as it is defined and written it simply does not coincide, conform, and correlate to the actions and measures that were undertaken by Mr. Lobello and Mr. Owen and that is the true test and measure that without a question they violated and broke the Nevada Rules of Professional Conduct and clearly shows that there was a Direct Conflict of Interest.

"Representation of clients whose interests are directly adverse in the same litigation constitutes the 'most egregious conflict of interest.' **See Nunez v. Lovell, Civil No. 2005-7, 2008 WL 4525835,*3 (D.V.I. Oct. 03, 2008.)**

A lawyer was suspended for 90 days for representing a husband in a divorce matter against his wife. The lawyer had previously represented both the husband and the wife. **See Florida Bar v. Dunagan, 731 So.2d 1237 (Fla. 1999)**

In **Schwartz v. Kujawa (In re Kujawa), 270 F.3d 578 (8th Cir. 2001)**, Schwartz represented Kujawa on several matters. After they were concluded, Schwartz showed up as counsel for a creditor in Kujawa's bankruptcy proceeding. The Missouri Supreme Court disciplined Schwartz for this. In this case the Eighth Circuit upheld a \$66,000 fee award in favor of Kujawa and against Schwartz.

In re Bruno, 327 B.R. 104 (E.D.N.Y. 2005), the court denied fees to a law firm that had attempted to represent the driver and passengers in an auto accident case.

Lawyer had been disqualified on former-client/substantial-relationship grounds. In this opinion the court affirmed the trial court finding that the Lawyer's charging lien should not be enforced because of the conflict. **See Niemann v. Niemann, 2010 Mich. App. Lexis 1643 (Mich. App. Sep. 2, 2010).**

This opinion was, in part, a reversal of a summary judgment below. It contains an interesting discussion of a lawyer's fiduciary duties to a (former) client and a history of those duties. **See Bolton v. Crowley, Hoge & Fein, P.C., 2015 WL 687277 (D.C. Ct. App. Feb. 19, 2015).**

The Code of Professional Responsibility provides guidelines for attorneys when a conflict of interest develops. The Code expressly requires that a lawyer refuse employment when his personal or professional interests conflict with those of the client. A lawyer has an affirmative duty to refuse to accept or to continue employment if the interests of another client may impair his independent professional judgment. The Code also requires a lawyer to avoid influence by others that would adversely affect the client or former client.

The rules of the Code concerning the preservation of attorney-client confidences, if carefully followed, will also eliminate some conflict of interest problems. Once an attorney has accepted employment and a prohibited conflict arises, the attorney is required by the Code to seek leave to withdraw from the matter. If the attorney declines employment or withdraws as required by the Code, the attorney's partners or associates are also disqualified from the case. These rules of the Code are enforceable in proceedings before the disciplinary board or commission of the state bar. Violations can result in disbarment, suspension, or censure by the court.

Various solutions exist for an attorney when he is in a conflict of interest situation. The lawyer's sense of duty and his ethics should prompt him to avoid conflict situations or to withdraw when such a situation develops. Courts may disqualify an attorney from appearing in conflicting roles or may refuse to enforce the attorney's fees against an aggrieved client. Perhaps the strongest judicial remedy is reversal of a case tainted by a conflict of interest. None of these severe remedies are necessary, however, if an attorney follows his ethical duty.

There is a strong policy against an attorney appearing in a position adverse to that of even a former client. If an attorney who finds himself in an adverse position to a former client possesses confidential information, learned in representing the former client, which is advantageous to his present client in the same substantially related matter, the attorney should withdraw. This policy is so guarded that on occasion courts have reversed judgments solely because of the conflict. The rule was laid down in **P.C. Theater Corporation v. Warner Brothers**. 113 F. Supp. 263 (S.D.N.Y. 1953).

Damron v. Herzog, 67 F.3d 211 (9th Cir. 1995), the court held that taking on a substantially related matter against a former client creates a malpractice cause of action against the lawyer.

After termination of a lawyer-client relationship, the lawyer owes two duties to a former client. The lawyer may not do anything that will injuriously affect the former client in any matter in which the lawyer represented the former client, or at any time use against the former client knowledge or information acquired by virtue of the previous relationship. See Oasis West Realty, LLC v. Goldman (2011) 51 Cal.4th 811 [124 Cal. Rptr.3d 256] and also see Wutchumna Water Co. v. Bailey (1932) 216 Cal. 564 [15 P.2d 505]

This is a suit by a client against a lawyer for breach of fiduciary duty, arising from the lawyer's conflict of interest. The trial judge ordered the lawyer to disgorge some \$450,000 in fees. In this opinion the D.C. Circuit held that the lawyer should disgorge more and remanded to the district court to determine how much. **The court held**

that the lawyer's conflict was more wide-ranging than recognized by the trial court. See *So v. Suchanek*, 2012 U.S. App. LEXIS 1165 (D.C. Cir. Jan. 20, 2012).

"No man can serve two masters: for either he will hate the one, and love the other; or else he will hold to the one, and despise the other." **See Matthew 6:24 KJV**

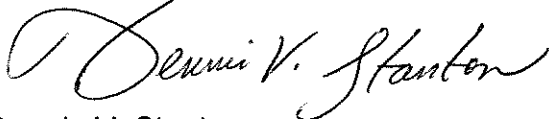
Taking action to address known misconduct is a court's obligation. The law imposes an obligation on the court to report to the appropriate disciplinary authority the known misconduct of a lawyer that raises a substantial question regarding the honesty, trustworthiness, or fitness of that lawyer. Ignoring or denying known misconduct among one's members of the legal profession undermines a court's responsibility to participate in efforts to ensure public respect for the justice system in which an independent judiciary must vigorously endeavor to prevent and avert.

**X.
CONCLUSION**

Accordingly, Defendant/Second Joint Petitioner hereby requests, based on the foregoing, that this Court:

- 1.) Issue an Order reinstating the parties' Joint Petition for Divorce and Decree of Divorce filed on June 07, 2018 with this Court;
- 2.) For an Order that Rule 11 Sanctions in the form of attorney's fees issued on January 07, 2019 be eliminated; and
- 3.) For an Order to strike the Ex-Temporary Co-Guardians' Motion as being filed without authority per Nevada Law and;
- 3.) For an award of attorney's fees be paid to Second Joint Petitioner/Defendant from the Ex-Temporary Co-Guardians; and
- 4.) For such other and further relief as Second Joint Petitioner/Defendant may be justly entitled.

Dated this 15th day of April, 2019.



Dennis V. Stanton
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This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

CONCLUSION (*explain what you want the judge to order*)

1. Please see attached documentation
2. With Conclusion.
3. _____

Submitted By: (your signature) Dennis V. Stanton
(print your name) Dennis Vincent Stanton

DECLARATION IN SUPPORT OF MOTION

I declare, under penalty of perjury:

- a. I have read the foregoing motion, and the factual averments it contains are true and correct to the best of my knowledge, except as to those matters based on information and belief, and as to those matters, I believe them to be true. Those factual averments contained in the referenced filing are incorporated here as if set forth in full.
- b. Additional facts to support my requests include: *(write anything else that the judge should know to make a decision about your case, or write "N/A" if there is nothing else to add)*

N/A

- c. Any Exhibit(s) in support of this Motion will be filed separately in an Exhibit Appendix.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

DATED April 19 15, 20 19.

Submitted By: (your signature)

(print your name)

Dennis V. Stanton
Dennis Vincent Stanton