### IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed Jun 17 2020 10:58 a.m. Elizabeth A. Brown Clerk of Supreme Court

2

### DENNIS VINCENT STANTON, Appellant/Cross-Respondent,

VS.

### TWYLA MARIE STANTON,

Case No. 80910

Respondent/Cross-Appellant. /

### RECORD ON APPEAL Volume 5

Pages #764 - 830

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

1

6/15/20 16:30:31

### I N D E X FOR CASE# CV 39304

DESCRIPTION PENCILED PAGE NO. -----\_\_\_\_\_ AFFIDAVIT IN SUPPORT OF REQUEST FOR 21 TO 23 (VOL 1) SUMMARY DISPOSITION (FILED MAY 17, 2018) AFFIDAVIT OF RESIDENT WITNESS 18 TO 19 (VOL 1) (FILED MAY 17, 2018) AFFIDAVIT OF ROBERT CRAWFORD AND CARMEN 694 TO 697 (VOL 4) CRAWFORD (FILED JULY 5, 2019) AFFIDAVIT OF TWYLA M STANTON IN REGARDS 242 TO 244 (VOL 2) TO THE SIGNING AND FILING OF THE NEW DECREE OF DIVORCE AND THE AMENDED JOINT PETITION FOR SUMMARY DECREE OF DIVORCE (FILED JANUARY 4, 2019) AMENDED JOINT PETITION FOR SUMMARY DECREE 24 TO 40 (VOL 1) OF DIVORCE (FILED JUNE 5, 2018) AMENDED NOTICE OF APPEAL 525 TO 526 (VOL 3) (FILED APRIL 29, 2019) AMENDED NOTICE OF CROSS-APPEAL 527 TO 528 (VOL 3) (FILED APRIL 29, 2019) CASE APPEAL STATEMENT 515 TO 517 (VOL 3) (FILED APRIL 17, 2019) CASE APPEAL STATEMENT 520 TO 523 (VOL 3) (FILED APRIL 22, 2019) CASE APPEAL STATEMENT 811 TO 815 (VOL 5) (FILED MARCH 26, 2020) CASE APPEAL STATEMENT 819 TO 821 (VOL 5) (FILED MARCH 30, 2020) CERTIFICATE OF MAILING 69 TO 69 (VOL 1) (FILED JULY 5, 2018) CERTIFICATE OF MAILING 741 TO 741 (VOL 4) (FILED JULY 5, 2019) CERTIFICATE OF MAILING 768 TO 768 (VOL 5) (FILED AUGUST 6, 2019) CERTIFICATE OF MAILING 769 TO 770 (VOL 5) (FILED AUGUST 22, 2019) CERTIFICATE OF SERVICE 183 TO 183 (VOL 1)

- 5

6/15/20 16:30:31

.

## INDEX FOR CASE# CV 39304

DESCRIPTION	PENCILED PAGE NO.
(FILED DECEMBER 6, 2018)	
CERTIFICATE OF SERVICE (FILED APRIL 16, 2019)	512 TO 512 (VOL 3)
CLERK'S CERTIFICATE (FILED JULY 1, 2019)	691 TO 691 (VOL 4)
COURT ORDER (FILED DECEMBER 14, 2018)	202 TO 203 (VOL 2)
COURT ORDER (FILED MAY 7, 2019)	538 TO 539 (VOL 3)
COURT ORDER (FILED JUNE 12, 2019)	685 TO 686 (VOL 4)
COURT ORDER (FILED JANUARY 8, 2020)	773 TO 774 (VOL 5)
COURT ORDER (FILED FEBRUARY 28, 2020)	790 TO 808 (VOL 5)
EX PARE MOTION FOR "STAY" EXECUTION OF THE JUDGMENT/SANCTION (FILED MAY 1, 2019)	530 TO 535 (VOL 3)
EX PARTE APPLICATION TO SEAL FILE (FILED JULY 5, 2018)	70 TO 70 (VOL 1)
EX PARTE APPLICATION TO UNSEAL COURT RECORD (FILED NOVEMBER 20, 2018)	76 TO 80 (VOL 1)
EX PARTE MOTION FOR CONTINUANCE (FILED DECEMBER 13, 2018) \	184 TO 192 (VOL 1)
EX PARTE MOTION TO EXTEND THE TIME REQUIRED TO FILE A WRITTEN RESPONSE TO THIS MOTION (FILED DECEMBER 13, 2018)	193 TO 201 (VOL 2)
EX PARTE REQUEST FOR SUBMISSION OF EX PARTE APPLICAIOTN TO UNSEAL COURT RECORDS (FILED NOVEMBER 20, 2018)	72 TO 75 (VOL 1)
EX PARTE REQUEST FOR SUBMISSION OF FIRST JOINT PETITIONER/PLAINTIFF'S MOTION PURSUANT TO RULE 60(B) TO SET ASIDE DECREE PF DOVPRCE AS FRAUDULENTLY OBTAINED, TO DISMISS THE JOINT PETITION FOR DIVORCE WITH PREJUDICE, AND TO	175 TO 179 (VOL 1)

### I N D E X FOR CASE# CV 39304

DESCRIPTION PENCILED PAGE NO. \_\_\_\_\_ SANCTION DEFENDANT FOR FORUM-SHOPPING AND PERPETRATING A FRAUD UPON THE COURT IN FULL AMOUNT OF PLAINTIFF'S FEES AND COSTS (FILED NOVEMBER 27, 2018) EXHIBIT APPENDIX (EXHIBIT A - T) 392 TO 511 (VOL 3) (FILED APRIL 15, 2019) EXHIBIT APPENDIX (EXHIBIT U - KK) 263 TO 358 (VOL 2) (FILED APRIL 15, 2019) FIRST JOINT PETITIONER/PALINTIFF'S MOTION 81 TO 173 (VOL 1) 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 NOVEMBER 27, 2018) FIRST JOINT PETITIONER/PLAINTIFF'S 540 TO 542 (VOL 3) NOTICE OF NON-OPPOSITION OT SECOND JOINT PETITIONER/DEFENDANT'S MOTION FOR RECONSIDERATION (FILED MAY 10, 2019) FIRST JOINT PETITIONER/PLAINTIFF'S REPLY 234 TO 241 (VOL 2) TO OPPOSIITON 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 (FILED JANUARY 2, 2019) FIRST JOINT PETTIIONER/PLAINTIFF'S NOTICE 764 TO 767 (VOL 5) OF NON-OPPOSIITON TO SECOND JOINT PETITIONER/DEFENDANT'S MOTION TO DISOUALIFY THE HONORABLE JUDGE ROBERT W LANE (FILED JULY 19, 2019) 1 TO 17 (VOL 1) JOINT PETITION FOR SUMMARY DECREE OF DIVORCE (FILED MAY 17, 2018) JUDGE LANE'S AFFIDAVIT 687 TO 689 (VOL 4) (FILED JUNE 12, 2019) 3 ., 151 OBL

TT

6/15/20 16:30:31 .

### I N D E X FOR CASE# CV 39304

DESCRIPTION	PENCILED PAGE NO.
MOTION/OPPOSITION FEE INFORMATION SHEET (FILED NOVEMBER 27, 2018)	174 TO 174 (VOL 1)
NEW DECREE OF DIVORCE (FILED JUNE 7, 2018)	45 TO 68 (VOL 1)
NOTICE OF APPEAL (FILED APRIL 16, 2019)	513 TO 514 (VOL 3)
NOTICE OF APPEAL (FILED MARCH 26, 2020)	809 TO 810 (VOL 5)
NOTICE OF CROSS-APPEAL (FILED APRIL 17, 2019)	518 TO 519 (VOL 3)
NOTICE OF CROSS-APPEAL (FILED MARCH 27, 2020)	816 TO 818 (VOL 5)
NOTICE OF ENTRY OF ORDERR AND JUDGMENT (FILED MARCH 20, 2019)	252 TO 260 (VOL 2)
NOTICE OF INTENT TO APPEAR BY COMMUNICATION EQUIPMENT (FILED FEBRUARY 7, 2020)	789 TO 789 (VOL 5)
NOTICE OF MOTION (FILED NOVEMBER 27, 2018)	180 TO 181 (VOL 1)
NOTICE OF MOTION (FILED JUNE 6, 2019)	669 TO 670 (VOL 4)
NOTICE OF MOTION/MOTION FOR RECONSIDERATION (FILED APRIL 15, 2019)	259 TO 391 (VOL 2)
NOTICE OF WITHDRAWAL OF ATTORNEY OF RECORD (FILED MAY 17, 2019)	562 TO 563 (VOL 3)
NOTICE OF WITHDRAWAL OF COUNSEL (FILED MARCH 21, 2019)	261 TO 262 (VOL 2)
NOTICE OFE ENTRY OF ORDER/JUDGMENT (FILED JUNE 6, 2019)	665 TO 668 (VOL 4)
OPPOSITION TO MOTION FOR RECONSIDERATION (FILED JULY 5, 2019)	698 TO 740 (VOL 4)
OPPOSITION TO PLAINTIFF'S MOTION PURSUANT TO RULE 60(B) TO SET ASIDE DECREE OF DIVORCE AS FRAUDULENTLY OBTAINED TO DISMISS THE JOINT PETITION FOR DIVORCE	204 TO 233 (VOL 2)

PENCILED PAGE NO.

-----

245 TO 251 (VOL 2)

771 TO 772 (VOL 5)

824 TO 824 (VOL 5)

692 TO 693 (VOL 4)

663 TO 664 (VOL 4)

71 TO 71 (VOL 1)

182 TO 182 (VOL 1)

524 TO 524 (VOL 3)

529 TO 529 (VOL 3)

536 TO 536 (VOL 3)

537 TO 537 (VOL 3)

822 TO 822 (VOL 5)

823 TO 823 (VOL 5)

41 TO 44 (VOL 1)

### I N D E X FOR CASE# CV 39304

DESCRIPTION	
-------------	--

\_\_\_\_\_

WITH PREJUDICE AND TO SANCTION DEFENDANT FOR FORUM SHOPPING AND PERPETRATING A FRAUD UPON THE COURT IN THE FULL AMOUNT OF PALINTIFF'S FEES AND COSTS AND COUNTERMOTION TO STRIKE MOVANT'S MOTION AS BEING FILED WITHOUT AUTHORITY AND IN (FILED DECEMBER 26, 2018)

ORDER AND JUDGMENT (FILED MARCH 18, 2019)

ORDER DENYING SECOND JOINT PETITIONER/ DEFENDANT'S MOTION TO DISQUALIFY THE HONORABLE ROBERT W LANE (FILED OCTOBER 16, 2019)

ORDER DIRECTING TRANSMISSION OF RECORD (FILED JUNE 4, 2020)

ORDER DISMISSING APPEAL (FILED JULY 1, 2019)

ORDER DISMISSING APPEALS (FILED JUNE 5, 2019)

ORDER SEALING FILE (FILED JULY 9, 2018)

ORDER TO UNSEAL COURT RECORD (FILED NOVEMBER 28, 2018)

QUALIFIED DOMESTIC RELATIONS ORDER (FILED JUNE 7, 2018)

RECEIPT FOR DOCUMENTS (FILED APRIL 25, 2019)

RECEIPT FOR DOCUMENTS (FILED MAY 1, 2019)

RECEIPT FOR DOCUMENTS (FILED MAY 6, 2019)

RECEIPT FOR DOCUMENTS (FILED MAY 6, 2019)

RECEIPT FOR DOCUMENTS (FILED APRIL 6, 2020)

RECEIPT FOR DOCUMENTS (FILED APRIL 15, 2020)

6/15/20 16:30:31

.

### I N D E X FOR CASE# CV 39304

.

DESCRIPTION	PENCILED PAGE NO.
REMITTITUR (FILED JULY 1, 2019)	690 TO 690 (VOL 4)
REPLY TO JUDGE LANE'S AFFIDAVIT (FILED JULY 11, 2019)	742 TO 763 (VOL 4)
REPLY TO NOTICE OF NON-OPPOSIIOTN TO MOTION FOR RECONSIDERATION (FILED JUNE 10, 2019)	671 TO 684 (VOL 4)
REQUEST FOR SUMMARY DISPOSITION OF DECREE (FILED MAY 17, 2018)	20 TO 20 (VOL 1)
SECOND JOING PETITIONER/DEFENDANT'S MOTION TO DISQUALIFY THE HONORABLE ROBERT W LANE FROM HEARING CASETWYLA MARIE STANTON AND DNENIS VINCENT STANTON, CASE NO. CV-39304 FOR BIAS AND PREJUDICE (FILED JUNE 5, 2019)	564 TO 662 (VOL 4)
SECOND SUPPLEMENT TO THE MOTION FOR RECONSIDERATION (FILED FEBRUARY 7, 2020)	775 TO 788 (VOL 5)
STIPULATION AND ORDER TO CONTINUE HEARING (FILED MAY 13, 2019)	559 TO 561 (VOL 3)
SUPPLEMENT TO THE MOTION FOR RECONSIDERATION (FILED MAY 10, 2019)	543 TO 558 (VOL 3)
UNFILED DOCUMENT - STIPULATION AND ORDER TO_CONTINUE HEARING ( FEBRUARY 4, 2020)	825 TO 827 (VOL 5)
UNFILED DOCUMENT - STIPULATION AND ORDER TO REINSTATE DIVORCE ( FEBRUARY 4, 2020)	828 TO 830 (VOL 5)

.

e.	a () ()	
1	NNOPP	FIFTH JUDICIAL, DISTRICI
2	TWYLA MARIE STANTON 7088 Los Banderos Avenue	
3	Las Vegas, Nevada 89179-1207 Telephone (702) 764-4692	JUL 192019
4	twylamstanton24@gmail.com In Proper Person	Nye County Clark
5		
6	IN THE FIFTH JUDICIAL I	DISTRICT COURT OF THE
7	STATE OF NEVADA, IN AND	O FOR THE COUNTY OF NYE
8		
9	TWYLA MARIE STANTON,	Case No.: CV-39304
10	AN INDIVIDUAL;	
11	First Joint Petitioner/Plaintiff,	Dept. No.: 1
12		
13	AND	FIRST JOINT
14		PETITIONER/PLAINTIFF'S NOTICE OF NON-OPPOSITION
15	DENNIS VINCENT STANTON,	TO SECOND JOINT
16	AN INDIVIDUAL;	PETITIONER/DEFENDANT'S
17	Second Joint Petitioner/Defendant.	<b><u>MOTION TO DISQUALIFY THE</u></b> HONORABLE JUDGE ROBERT W.
18		LANE
19	Comes Now, First Joint Petitio	ner/Plaintiff, TWYLA MARIE STANTON
20	(hereafter "First Joint Petitioner/Plaintiff"), by an	nd through in proper person, and hereby notifies
21		
22	this Honorable Court that First Joint Petitioner/Plaintiff does not oppose Second Joint	
23	Petitioner/Defendant's Motion to Disqualify The	e Honorable Judge Robert W. Lane. First Joint
24	Petitioner/Plaintiff has no opposition to the grant	ting of the relief sought by Second Joint
25	Petitioner/Defendant in the Motion to Disqualify	The Honorable Judge Robert W. Lane.
26		
27		
28	FIRST JOINT PETITIONER/PLAINTIFF'S NOTICE OF PETITIONER/DEFENDANT'S MOTION TO DISQUAL 1	

r

1

To the extent that the Ex-Temporary Co-Guardians challenged, attacked, and contested the Decree of Divorce and The Joint Petition for Divorce granted by the Court because they did not like it or did not agree with it, they lacked the necessary standing to do so. The Ex-Temporary Co-Guardians did not have standing or the right to litigate on my behalf. "Observing that a (non) party generally lacks standing to complain of errors that affect only the rights of others." **See Logan v. Abe, 131 Nev. 260, 263, 350 P.3d 1139, 1141 (2015).** 

Public policy encourages parents to enter into private custody agreements for coparenting. See St. Mary v. Damon, 129 Nev.\_\_\_, \_\_\_, 309 P.3d 1027, 1035-36 (2013); See also Rennels v. Rennels, 127 Nev. \_\_\_, 257 P.3d 396, 399 (2011). As such, parties in family law matters are *free to contract* regarding child custody and among other things, and such agreements are generally enforceable. See Rivero, 125 at 429, 216 P.3d at 226-27 (acknowledging that courts will generally enforce parenting agreements as long as "they are not unconscionable, illegal, or in violation of public policy"). The terms upon which the parties agree will control until one or both of the parties move the court to modify the custody agreement. *Id.* at 429, 216 P.3d at 226. However, neither party moved the court to modify the custody agreement, to set aside the Decree of Divorce, or The Joint Petition for Divorce. The Motion to set aside was filed by the Ex-Temporary Co-Guardians who were third persons from the State of Arkansas that were not part of the marriage or the divorce and who lacked standing to do so.

I had the legal right to obtain a divorce on my own terms just like I had the right to enter into a marriage which are both technically speaking legal binding contracts. "A party is aggrieved when a judgement causes a 'substantial grievance,' such as the *denial of some* FIRST JOINT PETITIONER/PLAINTIFF'S NOTICE OF NON-OPPOSITION TO SECOND JOINT

PETITIONER/DEFENDANT'S MOTION TO DISQUALIFY THE HONORABLE JUDGE ROBERT W. LANE -

c	· 00
1	personal or property right." See Jacinto, 129 Nev. at 303, 300 P.3d at 726. A grievance is
2	substantial when "the district court's decision imposes an injustice, or illegal or burden, on the
3	party, or denies the party an equitable or legal right." See Matter of T.L., Nev. 790, 792, 406
4	P.3d 494, 496 (2017).
5	Dated this $17^{\text{th}}$ day of July, 2019
6	
7 8	TWYLA MARIE STANTON
9	Inm 4+
10	Huryla 11. Starton
11	TWYLA MARIE STANTON
12	7088 Los Banderos Avenue
13	Las Vegas, Nevada 89179-1207
14	Telephone (702) 764-4692
15	twylamstanton24@gmail.com
16	In Proper person
17	
18	
19 20	
20	
22	
23	
24	
25	
26	
27	FIRST JOINT PETITIONER/PLAINTIFF'S NOTICE OF NON-OPPOSITION TO SECOND JOINT
28	PETITIONER/DEFENDANT'S MOTION TO DISQUALIFY THE HONORABLE JUDGE ROBERT W. LANE -

76L

s. k	
1	Certificate of Service
2	I hereby certify that on the <u>17<sup>th</sup> day of July</u> , 2019, I, Twyla Marie Stanton, declare
3	under penalty of perjury that a true and correct copy of <b>FIRST JOINT</b>
4 5	
6	PETITIONER/PLAINTIFF'S NOTICE OF NON-OPPOSITION TO
7	SECOND JOINT PETITIONER/DEFENDANT'S MOTION TO
8	DISQUALIFY THE HONORABLE JUDGE ROBERT W. LANE was emailed to
9	the following email address as agreed upon by the parties pursuant to NRCP 5(b)(2)(D) :
10	
11	
12	Dennis Vincent Stanton
13	Second Joint Petitioner/Defendant
14	In Proper Person
15	dennisvstanton30@gmail.com
16	2
17 18	A m to
10	Virga II. Stanton
20	Twyla Marie Stanton
21	
22	
23	
24	
25	
26	
27	EIDST JOINT DETITIONED/DI AINTIEE'S NOTICE OF NON ODDOSITION TO SECOND JOINT
28	FIRST JOINT PETITIONER/PLAINTIFF'S NOTICE OF NON-OPPOSITION TO SECOND JOINT PETITIONER/DEFENDANT'S MOTION TO DISQUALIFY THE HONORABLE JUDGE ROBERT W. LANE - 4

,

FILED FIFTH JUDICIAL DISTRICT (Your Name) V Rennis Vincent Stanton 1 7088 Los Banderes Avenue (Address) AUG 0 6 2019 a Vegar Nevada 89179-1207 2 (Telephone) (702) 764-4690 Nye County Clerk (Email Address) dennisvs tanton 300 gmail com 3 Deputy Self-Represented 4 IN THE FIFTH JUDICIAL DISTRICT COURT OF THE 5 STATE OF NEVADA, IN AND FOR THE COUNTY OF NYE6 (Plaintiff's Name) First Joint Petifianer 1 7 DEPT NO.: / 8 V. Dennis Vincent Stanton (Defendant's Name)/ Second Join + Petitioner 9 10 **CERITIFCATE OF MAILING** 11 12 I, (name of person who mailed document) Denn's Vincent Stantow, DO HEREBY 13 declare under penalty of perjury under the law of the State of Nevada that the following is true 14 and correct. That on (month) July (day) 19, (year) 20, 9 service of the: (check one) 15 Opposition □ Answer 16 Wotion W Other Repty to Judge Lanes Affida (2)D) emailing was made pursuant to NRCP 5(b) by depositing a copy of same, in the U.S. Mail in Las Vegas, 17 18 Nevada, postage prepaid, addressed as follows: 19 (Print the name and address of the person you mailed the documents to) 20 Jared K. Lam, Esq. Judge Robert W. Love's Law Clerk jlam@co.nye.nv.us 21 DATED this <u>5</u> day of <u>August</u>, 2019 22 23 24 25 26 27 28 768

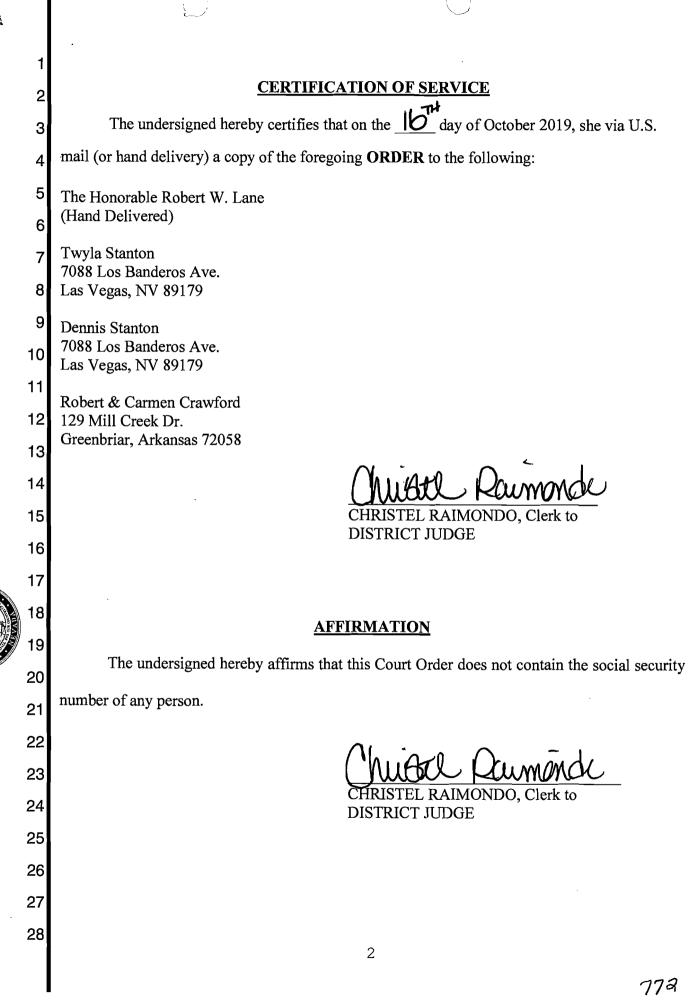
•		
		FILED FIFTH JUDICIAL DISTRICT
1	TWYLA MARIE STANTON	
2	7088 Los Banderos Avenue Las Vegas, Nevada 89179-1207	AUG 2 2 2019
3	Telephone (702) 764-4692 twylamstanton24@gmail.com	Nye County Clerk
	In Proper Person	Deputy
4 5	IN THE FIFTH JUDICIAL I	DISTRICT COURT OF THE
6	STATE OF NEVADA, IN AND	FOR THE COUNTY OF NYE
7	TWYLA MARIE STANTON,	Case No.: CV-39304
8	AN INDIVIDUAL;	
9	First Joint Petitioner/Plaintiff,	Dept. No.: 1
10	AND	
11	DENNIS VINCENT STANTON,	<b>CERTIFICATE OF MAILING</b>
12	AN INDIVIDUAL;	
12	Second Joint Petitioner/Defendant	
13	I, TWYLA MARIE STANTON, I	DO HEREBY declare under penalty of perjury
15	under the law of the State of Nevada that the foll	owing is true and correct. That on July 30, 2019,
16	I, TWYLA MARIE STANTON, emailed a true a	and correct copy of <b>FIRST JOINT</b>
17 18	PETITIONER/PLAINTIFF'S NOTICE	E OF NON-OPPOSITION TO
19	SECOND JOINT PETITIONER/DEFE	ENDANT'S MOTION TO
20 21	DISQUALIFY THE HONORABLE JU	DGE ROBERT W. LANE to the
21	following email address pursuant to NRCP 5(b)(	2)(D):
23		
24		Jared K. Lam, Esq.
25		Law Clerk to the Honorable Judge Robert W.
26 27		Lane
		jlam@co.nye.nv.us
28	CERTIFICATE OF MAILING - 1	Jamanayana antinan

.

-

- - 5 ) Hanten Twyla Marie Stanton <sup>.</sup> 6 CERTIFICATE OF MAILING - 2

4 7		
		FILED FIFTH JUDICIAL DISTRICT
	1	Case No. CV39304
	2	Dept. 1
	3	Deputy
	4	IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
	5	IN AND FOR THE COUNTY OF NYE
	6	
	7	TWYLA MARIE STANTON, an individual,
	8	ORDER DENYING SECOND
RT	9 10	First Joint Petitioner/Plaintiff, JOINT PETITIONER/DEFENDANTS' MOTION TO DISQUALIFY
RICT COURT	11	and <u>THE HONORABLE ROBERT W. LANE</u>
ISTRICT	12	DENNIS VINCENT STANTON, an individual,
A ğ	13	Second Joint Petitioner/Defendant.
FIFTH JUDICLAL ESMERALDA AN	14	/
<b>TH J</b> (	15	On June 5, 2019, Defendant Dennis Vincent Stanton filed a Motion to Disqualify Judge
Fur	16	Robert W. Lane. This Court obtained and reviewed the audio/video recording of said hearing
NTE OF	17	and carefully reviewed the arguments raised in said Motion.
	18	First, it should be noted, that Judge Lane treated all parties present, with the utmos
	19	courtesy and respect.
THE CO	20	It appears that the basis for the Second Motion to Recuse is a dissatisfaction with Judge
	21	Lane's ruling, not Judge Lane's conduct at the hearing. This Court, after carefully reviewing all documents finds that the Honorable Robert W
	22	Lane is not biased or prejudiced, and that there are no grounds for disqualification.
	23	Therefore, Defendant's motion is hereby denied.
	24	DATED this day of October 2019.
	25	
	26	12.3
	27	KIMBERLY A. WANKER, DISTRICT COURT JUDGE
	28	1
		ורך



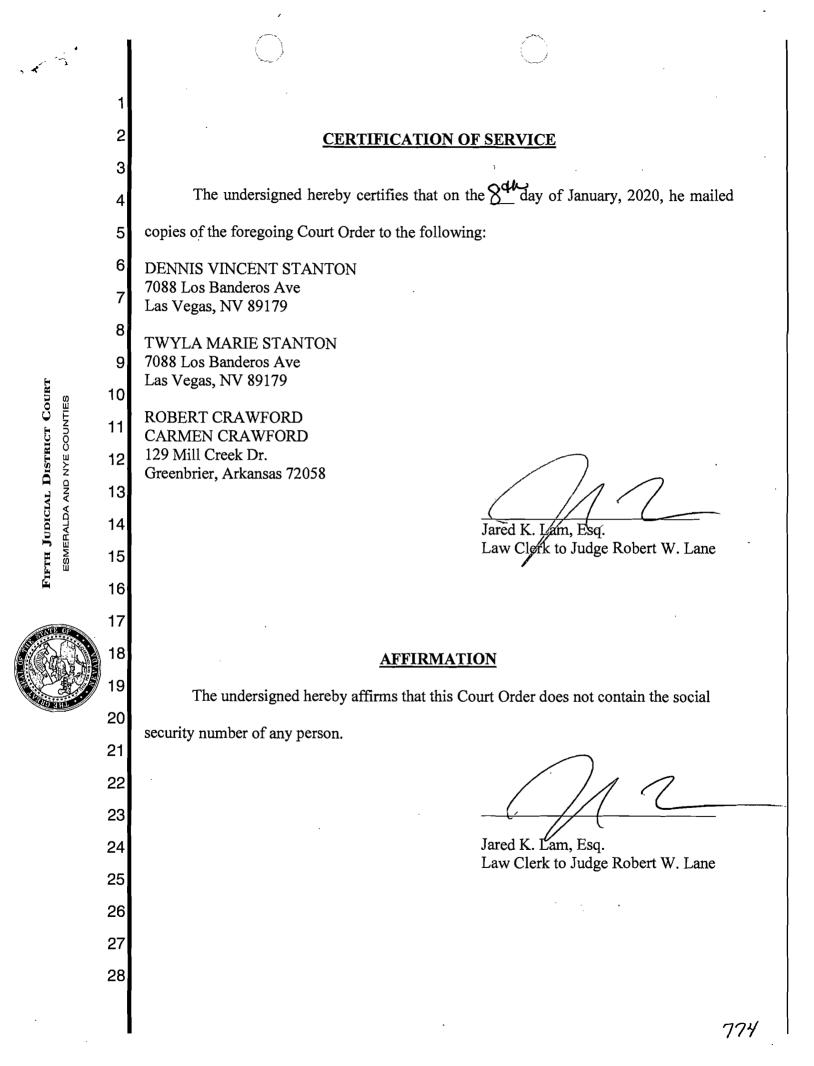
FIFTH JUDICIAL DISTRICT COURT ESMERALDA AND NYE COUNTIES

		$\bigcirc$	FILED FIFTH JUDICIAL DISTRICT
	~1		· ·
	2	Case No. CV 39304	JAN 0 8 2020
	3	Dept. 2P	Deputy
	4	IN THE FIFTH JUDICIAL DI	f-ff-
	5	STATE OF NEVADA, IN AND H	FOR THE COUNTY OF NYE
	6		
	7	TWYLA MARIE STANTON,	,
	8	Plaintiff/First Joint Petitioner,	
	9		COURT ORDER
S	10	VS.	•
T CO	11	DENNIS VINCENT STANTON,	,
FIFTH JUDICIAL DISTRICT COURT ESMERALDA AND NYE COUNTIES	12	Defendant/Second Joint Petitioner.	
T DI	13	<u></u>	
DICIA	14	An Order Denying Second Joint Petition	ner/Defendants Motion to Disqualify the
esmeralda	15	Honorable Robert W. Lane was issued on Octo	ber 16, 2019. Therefore, good cause
E ii ii ii ii ii ii ii ii ii i	16		
	17	IT IS HEREBY ORDERED that a hea	ring on all pending motions will be held on
	18	February 10 <sup>th</sup> , 2020, at 9:00 a.m. in the Pahrum	
	19		
O BHA	20	present.	
	21	DATED this <u>day</u> of January, 202	0.
	22		IR
	23	-	District Court Judge
	24	· · ·	ĩ
	25		
	26		
	27		
	28	• •	

FIFTH JUDICIAL DISTRICT COURT ESMERALDA AND NYE COUNTIES

( **x** 

.



ŗ			
1	SECOND SUPPLEMENT DENNIS VINCENT STANTON	FIFTH JUDICIAL DISTRICT	
2	7088 Los Banderos Avenue	FEB = 7 2020	
3	Las Vegas, Nevada 89179-1207 Telephone (702) 764-4690	Ma nue cald	
4	dennisvstanton30@gmail.com In Proper Person	Deputy	
5	IN THE FIFTH JUDICIAL J	DISTRICT COURT OF THE	
6 7	STATE OF NEVADA, IN AND	FOR THE COUNTY OF NYE	
8	TWYLA MARIE STANTON,	Case No.: <b>CV-39304</b>	
9	AN INDIVIDUAL;		
10	First Joint Petitioner/Plaintiff,	Dept. No.: <b>2</b>	
11	And	*	
12	DENNIS VINCENT STANTON,	SECOND SUPPLEMENT TO THE	
13	AN INDIVIDUAL;	MOTION FOR	
14	Second Joint Petitioner/Defendant.	RECONSIDERATION	
15 16	I. <u>INTRODUCTION</u>		
17	Comes Now, Second Joint Petitic	oner/Defendant, DENNIS VINCENT	
18	STANTON, by and through in proper person, and herewith, brings forth, submits, files, moves,		
19	and respectfully supplements his Motion for Reconsideration with this <b>SECOND</b>		
20	SUPPLEMENT TO THE MOTION FOR RECONSIDERATION.		
21			
22	II. <u>NEVADA RULE OF CI</u>	VIL PROCEDURE 60(b)	
23 24			
24	VIOLATIONS		
26	Due to the fact that the Un-Regist	ered Ex-Temporary Co-Guardianship was not	
27	registered in the State of Nevada as was required	per NRS 159.2025 and NRS 159.2027, the	
28	Motion to Set Aside under NRCP 60(b) filed by SECOND SUPPLEMENT TO THE MOTION FOR RECO		

î

775

was not permitted or according by law. The Un-Registered Ex-Temporary Co-Guardians were not properly before the court and were never parties to the marriage or the divorce and had no right or authority under Nevada law to attack or set aside the New Decree of Divorce and the Amended Joint Petition for Divorce.

NRS 125.2027 clearly and explicitly states and 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. Even in Plaintiff's parents' Reply to the Opposition, Mr. Lobello and Mr. Owen (previous counsel to the Ex-Temporary Co-Guardians) admitted that the Motion to Set Aside and the Un-Registered Ex-Temporary Co-Guardianship are deficient because the Un-Registered Ex-Temporary Co-Guardianship was not properly registered in the State of Nevada by writing and stating that they "anticipated that the Court in Arkansas would grant a permanent guardianship and issue the appropriate (guardianship) letters", "these (letters of guardianship) would have been issued there (The State of Arkansas) and the guardianship registered here (The State of Nevada)", "the guardianship was not timely registered, so be it" and there was "a procedural defect in the Motion's filing." (See Reply to Opposition, p. 4, l. 7-8, 13-17) Not only was the Un-Registered Ex-Temporary Co-Guardianship not timely registered, IT WAS NEVER REGISTERED IN THE STATE OF NEVADA AND LETTERS OF GUARDIANSHIP WERE NEVER ISSUED. The "procedural defect" that the Movants who were not parties to the marriage refer to is the law of the State of Nevada. See NRS 159.2025 and NRS 159.2027. Nevada Law is specifically clear and not ambiguous. Their "anticipation" and assumption were 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 guardianship in Arkansas was heard, it was subsequently dismissed, laid to rest, and found to not SECOND SUPPLEMENT TO THE MOTION FOR RECONSIDERATION - 2

be needed. See Maradiaga v. United States, 679 F.3d 1286, 1294 (11th Cir. 2012) ("It is not an abuse of discretion for the district court to deny a motion under Rule 60(b) when that motion is premised upon an argument that the movant could have, but did not, advance before the district court entered judgment."). The Sixth and Tenth Circuits have held that the Rule (60(b)) requires a motion from the *affected* party. See Kingvision Pay-Per-View v. Lake Alice Bar, 168 F.3d 347, 351 (9th Cir. 1999) (citing Eaton v. Jamrog, 984 F.2d 760, 762 (6th Cir. 1993)); Dow v. Baird, 389 F.2d 882, 884-85 (10th Cir. 1968). The Un-Registered Ex-Temporary Co-Guardians were not the affected party and are not parties to this action.

Because the Un-Registered Ex-Temporary Co-Guardianship was not registered in the State of Nevada as was required by Nevada law, the Un-Registered Ex-Temporary Co-Guardians did not have any authority or standing to bring or file a 60(b) Motion on behalf of First Joint Petitioner/Plaintiff and lacked any merit to do so. As a matter of fact not only did the Un-Registered Ex-Temporary Co-Guardians not register the guardianship and never received any letters of guardianship, but finally admitted and agreed that the Un-Registered Ex-Temporary Co-Guardianship was not needed after all when they agreed and signed the Agreed Order by and through their attorney, Boyd Tackett, Jr. on February 19, 2019. See Exhibit I, Agreed Order to Dismiss the temporary co-guardianship in the Motion for Reconsideration. Why try so hard to obtain a guardianship over First Joint Petitioner/Plaintiff and her estate and then agree that it was not needed after all? Because since First Joint Petitioner/Plaintiff had hired and retained counsel in Arkansas to fight and oppose the Un-Registered Ex-Temporary Co-Guardianship, they realized that they were no longer going to be able to control her estate and control her finances. The Un-Registered Ex-Temporary Co-Guardians were attempting to gain control of First Joint Petitioner/Plaintiff to obtain funds on her behalf to convert for their personal use and SECOND SUPPLEMENT TO THE MOTION FOR RECONSIDERATION - 3

personal benefit. The Un-Registered Ex-Temporary Co-Guardians had loaned First Joint Petitioner/Plaintiff a large sum of money to pay for a divorce and were using the guardianship process to obtain re-payment of that money. That was the true motivation of the Un-Registered Ex-Temporary Co-Guardians. See Exhibit A, Paragraph 8 in RESPONSE TO PETITIONERS' PETITION FOR APPOINTMENT AS CO-GUARDIANS in Opposition to Motion to Set Aside.

The Un-Registered Ex-Temporary Co-Guardians have already shown in the past that they have mismanaged, mishandled, and extorted First Joint Petitioner/Plaintiff's money and finances before. When First Joint Petitioner/Plaintiff's real father passed away when she was 1 years old, she started to receive his death benefits from social security of about \$800.00 a month a few years later. The Un-Registered Ex-Temporary Co-Guardians would take \$400.00 from First Joint Petitioner/Plaintiff a month and supposedly put it into a savings account for her and when she was ready to move out and leave the home they would give her the money in the savings account, however, that never happened and the Un-Registered Ex-Temporary Co-Guardians never gave her a penny or a dime. It is estimated that the amount of money that was stolen and extorted from First Joint Petitioner/Plaintiff was approximately \$62,400.00 based on \$400.00 a month for 13 years. First Joint Petitioner/Plaintiff can attest and testify to this as well. Till this day, the Un-Registered Ex-Temporary Co-Guardians have never told First Joint Petitioner/Plaintiff what has happened to her money or where it went. It is believed that the entire amount of \$62,400.00 from First Joint Petitioner/Plaintiff's real father's social security death benefits were used by the Un-Registered Ex-Temporary Co-Guardians for their own personal use and benefit and enrichment.

SECOND SUPPLEMENT TO THE MOTION FOR RECONSIDERATION - 4

# III. THE CONDUCT OF THE UN-REGISTERED EX TEMPORARY CO-GUARDIANS TOWARDS FIRST JOINT PETITIONER/PLAINTIFF AND PAST SEXUAL ASSAULTS AGAINST HER

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

Second Joint Petitioner/Defendant would like to paint a clear and vivid picture for the court so that the court can actually see what First Joint Petitioner/Plaintiff actually went through from her own eyes and personal perspective and to try to express to the court how the Un-Registered Ex-Temporary Co-Guardians mistreated her while she was in the state of Arkansas. After the divorce was granted by this court on June 07, 2018, First Joint Petitioner/Plaintiff was visiting and staying with her grandmother and her Aunt in Conway, Arkansas. While she was there visiting, her mother and step-dad sought to obtain and get Temporary Co-Guardianship of her by hiring a guardianship attorney and filing a Petition/Affidavit with the Probate Court in Faulkner County, Arkansas without her knowledge and shopping around for psychologists for her until they finally found one they liked. They never told her their true reason for shopping around for different doctors, but now she knows the true reason why. The Un-Registered Ex-Temporary Co-Guardianship went uncontested and no hearing was set for it as it simply was just granted based on what they had stated in their Verified Petition which included a lot of factual misrepresentations in it. She was then served with papers for a court hearing for permanent Guardianship that was scheduled for Monday, December 10, 2018. At some point, First Joint Petitioner/Plaintiff's parents came over to her grandmother's and aunt's house and took from her the papers that she was served with that had the court hearing's date on it and told her to not bother coming to the scheduled hearing set for Monday, December

SECOND SUPPLEMENT TO THE MOTION FOR RECONSIDERATION - 5

10, 2018 at 09:00 a.m. They took her service from her so that she was kept in the dark regarding the Ex-Temporary Co-Guardianship. At this point in time, they also told her that they also have Temporary Co-Guardianship of her and they "are now in charge of her" and "not to bother calling Mr. Lobello or Mr. Owen (her previous divorce attorneys) in Las Vegas to help her because they are now their attorneys". First Joint Petitioner/Plaintiff didn't know what guardianship meant since she never dealt with a guardianship before. So, she started to Google. and research it and that was when she realized what it really meant and that all of her legal and property rights in play. So, when she needed legal advice and legal counsel the most, First Joint Petitioner/Plaintiff could no longer turn to or call or consult with her previous attorneys, Mr. Lobello and Mr. Owen, for help or assistance since they were now representing parties that were directing adverse to her interests and were also helping the Ex-Temporary Co-Guardians legally extort money from her through the Guardianship process. This left First Joint Petitioner/Plaintiff in a very vulnerable state and position. At this point, she did not know what to do. So, First Joint Petitioner/Plaintiff contacted the probate court to see when the actual court date was for the permanent guardianship and that is when she realized that she had to do something or they were going to obtain and have permanent guardianship of her and that is not what she wanted at all. So, about a week before the court hearing for permanent guardianship, First Joint Petitioner/Plaintiff consulted with a few guardianship attorneys in Conway, Arkansas and explained her situation to them and finally she hired and retained Ron L. Goodman, Esq. in Conway, Arkansas to represent her interests in the guardianship process. Her attorney was able to electronically file her Response to Petitioners' Petition for Appointment as Co-Guardians on Thursday, December 06, 2018 and also request a continuance of the hearing. When the Ex-Temporary Co-Guardians realized that she had retained her own counsel to oppose the SECOND SUPPLEMENT TO THE MOTION FOR RECONSIDERATION - 6

1 guardianship, they became very upset and extremely irate. At this point, she had asked Second 2 Joint Petitioner/Defendant if he would be able to travel to Arkansas with the children so that they 3 would be able to testify on her behalf to oppose the guardianship at the scheduled court hearing. 4 Not knowing that the guardianship hearing had been continued, Second Joint 5 Petitioner/Defendant and the 6 children were already committed to the road trip since they were 6 7 already traveling and driving through Arizona to get to Arkansas. Second Joint 8 Petitioner/Defendant and the children then attempted to visit with First Joint Petitioner/Plaintiff 9 on Sunday morning, December 09, 2018. When the Ex-Temporary Co-Guardians realized that 10 Second Joint Petitioner/Defendant and all her children were in town to visit her, they physically 11 prevented her from seeing any of her children. Keep in mind that at this point, First Joint 12 13 Petitioner/Plaintiff had not seen any of her children for about 3 months. First Joint 14 Petitioner/Plaintiff's stepdad (Robert Crawford, Ex-Temporary Co-Guardian) physically got on 15 top of First Joint Petitioner/Plaintiff and pinned her down while her mother (Carmen Crawford, 16 Ex-Temporary Co-Guardian) took her cell phone from First Joint Petitioner/Plaintiff so that she 17 could no longer communicate with her guardianship attorney and speak and visit with her 18 19 children while they were in town to visit her. The Ex-Temporary Co-Guardians had prevented 20 her many times before from speaking and communicating with her guardianship attorney 21 regarding her opposition to the guardianship. While Second Joint Petitioner/Defendant and First 22 Joint Petitioner/Plaintiff's children were in town, the Ex-Temporary Co-Guardians kept moving 23 her from house to house and hiding and taking off the house numbers of the places that they were 24 25 taking her to and keeping her at so that she didn't know where she physically was or being kept. 26 Second Joint Petitioner/Defendant and children were in town for about 2 days and had driven 27 28

SECOND SUPPLEMENT TO THE MOTION FOR RECONSIDERATION - 7

and traveled about 3,000 miles round trip to see First Joint Petitioner/Plaintiff and she was not allowed to see them and never did get to see her children while they were in town to see her.

First Joint Petitioner was finally able to **"escape"** a few days later from a locked house with the alarm set by running into a cab with just the clothes on her back to take her to the airport and fly back to Las Vegas to be with her children. This entire ordeal was just surreal for First Joint Petitioner/Plaintiff and it's as First Joint Petitioner was in a real-life horror movie from Hollywood. First Joint Petitioner/Plaintiff was basically legally kidnapped and legally held against her will by the Ex-Temporary Co-Guardians.

Moreover, the Un-Registered Ex-Temporary Co-Guardians had scheduled and made an appointment to try to have First Joint Petitioner/Plaintiffs tubes tied without her consent or approval because they told her that, "We are now your guardians."

When First Joint Petitioner/Plaintiff's guardianship attorney, Ron L. Goodman, Esq., came over to visit with First Joint Petitioner/Plaintiff to discuss her case because she was not allowed to leave the home, they cussed, yelled, and spit on him, and called the police on him in which the police told the Ex-Temporary Co-Guardians that First Joint Petitioner/Plaintiff had every right to speak with her attorney regarding her case. The Ex-Temporary Co-Guardians would also drug First Joint Petitioner/Plaintiff by putting drugs in her food and drinks to force her to write and sign paperwork and try and calm First Joint Petitioner/Plaintiff down because she wanted to leave and go back home to Las Vegas to be with her children. Some nights First Joint Petitioner was not allowed to eat and drink because she was told that she had a bad attitude by the Ex-Temporary Co-Guardians. The Ex-Temporary Co-Guardians would withhold food and meals from her on a nightly basis. First Joint Petitioner/Plaintiff did not want to be there and was scared to continue to be there. An investigation was opened and being conducted by the SECOND SUPPLEMENT TO THE MOTION FOR RECONSIDERATION - 8 Arkansas Adult Protective Services regarding the Ex-Temporary Co-Guardians' treatment of First Joint Petitioner/Plaintiff. The updated case number is 43973 and the name of the investigator assigned to the case is Woodrow Hepler and his phone contact information is (501) 320-3963. Please see Exhibit AA In The Motion for Reconsideration which is the police report of damage to First Joint Petitioner/Plaintiff's residence by the Ex-Temporary Co-Guardians after they realized that First Joint Petitioner/Plaintiff was not going to be able to pay them back for all the attorney fees they had spent in the First Divorce Action on her behalf. Also see Exhibit KK In the Motion for Reconsideration which were the Ex-Temporary Co-Guardian's empty threats that they sent First Joint Petitioner/Plaintiff to try to intimidate and threaten her.

The Ex-Temporary Co-Guardians also called an ambulance to take First Joint Petitioner/Plaintiff to the hospital to try to have her committed when there was absolutely nothing wrong with her. So, while First Joint Petitioner/Plaintiff's children were in town to be and visit with their mother, she was in an emergency room for 12 hours while the Ex-Temporary Co-Guardians were trying to have her committed, however, their attempt failed and did not work. The Ex-Temporary Co-Guardians made up a story that she was crazy and trying to hurt herself etc... So, First Joint Petitioner/Plaintiff was examined by a psychiatrist who told the Ex-Temporary Co-Guardians that they were going to release her because she was just simply emotional because she wanted to see her children and go back home to Las Vegas. The Ex-Temporary Co-Guardians did not like the first psychiatrist's decision so then they asked for a second psychiatrist to evaluate her instead. The hospital reluctantly agreed and so First Joint Petitioner/Plaintiff waited for another couple of hours for the second psychiatrist to come and evaluate her. The second psychiatrist came and evaluated her and made the same finding that the SECOND SUPPLEMENT TO THE MOTION FOR RECONSIDERATION - 9 first psychiatrist did and that was that First Joint Petitioner/Plaintiff was just too emotional because she simply wanted to see her children and go back home. While all this was going on, First Joint Petitioner/Plaintiff's children were still in town to see and visit with her. So, after the Ex-Temporary Co-Guardians could not get First Joint Petitioner/Plaintiff committed as they tried desperately to do, they decided to move her from house to house to conceal her whereabouts from her children.

When the Ex-Temporary Co-Guardians had First Joint Petitioner/Plaintiff 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 First Joint Petitioner/Plaintiff could get the lowest score possible. They told First Joint Petitioner/Plaintiff "to be stupid and play dumb" so that she could get the lowest score possible so that they would be able to obtain guardianship of her.

Is this how temporary guardians normally treat their ward let alone their own daughter? The Ex-Temporary Co-Guardians can no longer continue to ignore and deny the facts and their wrongdoing towards First Joint Petitioner/Plaintiff. Their hubris and superciliousness behavior is incomprehensible and unconscionable. Their pomposity is shocking.

Finally, when First Joint Petitioner/Plaintiff was between the ages of 16-18 and still a minor child, Ex-Temporary Co-Guardian (Robert Crawford who is her stepdad), would go into her room late at night and sexually assault her on many occasions. The sexual assaults were reported to police and a police investigation was conducted, but later dropped after the Ex-SECOND SUPPLEMENT TO THE MOTION FOR RECONSIDERATION - 10 Temporary Co-Guardians moved to the state of Arkansas. We believe that the move to Arkansas was done primarily to avoid prosecution from such investigation. We are in the process of obtaining the police reports and a copy of the investigation to produce to the court for its review and inspection. After the Ex-Temporary Co-Guardians relocated to the state of Arkansas, First Joint Petitioner/Plaintiff and Second Joint Petitioner/Defendant became estranged to them because of the sexual assaults committed against First Joint Petitioner/Plaintiff by Ex-Temporary Co-Guardian, Robert Crawford. Mr. Crawford should be extremely ashamed of himself for the conduct that he perpetrated towards First Joint Petitioner/Plaintiff while she was still a minor and vulnerable child.

# IV. THE COURT DID NOT USE ANY OF THE BRUNZELL FACTORS IN DETERMINING ATTORNEY FEES

The Nevada Supreme Court reviews a district court's award of attorney fees for an abuse of discretion. See Miller v. Wilfong, 121 Nev. 619, 622, 119 P.3d 727, 729 (2005) *Parties* seeking attorney fees in a family law case "must support their fee request with affidavits or other evidence." *Id.* at 624, 119 P.3d at 730. After determining that an award of attorney fees has a *legal basis*, the district court must use the factors in **Brunzell v. Golden Gate National Bank, 85 Nev. 345, 455 P.2d 31 (1969)**, to determine the amount. See Miller, 121 Nev. at 623, 119 P.3d at 730. Here in this case, the district court ordered attorney fees without making the findings required by *Brunzell*. Nothing in the record indicates that the Un-Registered Ex-Temporary Co-Guardians filed a *Brunzell* motion or affidavit to support their financial request. Generally, a district court may not award attorney fees unless they are authorized by a statue, rule, or contract. See Davis v. Beling, 128 Nev. 301, 321, 278 P.3d 501, 515 (2012).

SECOND SUPPLEMENT TO THE MOTION FOR RECONSIDERATION - 11

There is no statue, rule, or contract that authorizes attorney fees to be paid to non-parties in family law cases. There is no legal basis or legal justification for it, and it is unprecedented. Furthermore, when determining the amount of fees to award, the district court must consider the factors articulated in Brunzell v. Golden Gate National Bank, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969). Once again, the district did not utilize any of the *Brunzell* factors in determining the award of attorney fees to be paid to the Un-Registered Ex-Temporary Co-Guardians.

In family law cases, the court must also consider the disparity in the *parties*' respective incomes. See Miller, 121 Nev. at 623, 119 P.3d at 730 Id. Here in this case, the Un-Registered Ex-Temporary Co-Guardians did not file a Financial Disclosure Form when seeking financial relief. Nor did the district court take into account Second Joint Petitioner/Defendant's income compared to that of the Un-Registered Ex-Temporary Co-Guardians. It is believed that the Un-Registered Ex-Temporary Co-Guardians have an estimated annual income and assets of between 3 to 5 million dollars annually based on the selling of 3 successful businesses, the receiving of multiple pensions, stocks and bonds, numerous rental properties, and while still continuing to earn and receive a regular paycheck till this day for fixing airplanes while only having to support both of themselves. Yet Second Joint Petitioner/Defendant has an annual income of about on average of \$60,000 annually whom he supports 2 adults and 7 children with. In family law cases, the court must consider the disparity in the *parties*' respective incomes, and the record reflects that no such thing was done. The disparity of incomes between Second Joint Petitioner/Defendant (\$60,000 annually) versus the Un-Registered Ex-Temporary Co-Guardians (3 to 5 million dollars annually) is enormous and astronomical.

### V. CONCLUSION

SECOND SUPPLEMENT TO THE MOTION FOR RECONSIDERATION - 12

1	Accordingly, and based on all of the foregoing reasons, Second Joint		
2	Petitioner/Defendant herein and hereby requests that this court grant the Motion for		
3	Reconsideration in its entirety.		
4			
5	DATED this 07 <sup>th</sup> day of February, 2020.		
6	DENNIS VINCENT STANTON		
7	The period		
8	Denni Vi Stanbor		
9	DENNIS VINCENT STANTON		
10 11	7088 Los Banderos Avenue		
12	Las Vegas, Nevada 89179-1207		
13	Telephone (702) 764-4690		
14	dennisvstanton30@gmail.com		
15	In Proper Person		
16			
17			
18			
19			
20			
21 22			
22			
24			
25			
26			
27			
28			
	SECOND SUPPLEMENT TO THE MOTION FOR RECONSIDERATION - 13		

J.

. •	
1	CERTIFICATE OF SERVICE
2	I hereby certify that on the $07^{\pm}$ day of February 2020, I, Dennis Vincent
3	
4	Stanton, declare under penalty of perjury that a true and correct copy of this <b><u>SECOND</u></b>
5	SUPPLEMENT TO THE MOTION FOR RECONSIDERATION was emailed to
6	the following email address as agreed upon by the parties pursuant to NRCP 5(b)(2)(D):
7	
8	
9	Twyla Marie Stanton
10	First Joint Petitioner/Plaintiff
11	In Proper Person
12	twylamstanton24@gmail.com
13 14	
14	Denni V. Stanton
16	DENNIS VINCENT STANTON
17	
18	
19	
20	
21	_
22	
23	
24	
25	
26	
27	
28	SECOND SUPPLEMENT TO THE MOTION FOR RECONSIDERATION - 14

-,

FILED MISC FIFTH JUDICIAL DISTRICT Name: Address: "10 FEB - 7 2020 89179-1207 Nevrada eads Telephone: (702) 764-4692 Nve Countv Ćlerk ton 24 Camail. (om Email Address: twyle Motar In Proper Person **DISTRICT COURT** NE COUNTY, NEVADA Twyla Marie Stanton Plaintiff, / First Joint Petitioner CASE NO.: CV - 39304DEPT: 2 .ys And HEARING DATE: February 10,2020 Vincent Stanton ennis TIME OF HEARING: 09:00 a.m. **NOTICE OF INTENT TO APPEAR BY COMMUNICATION EQUIPMENT** Marie Stanton\_, (I check one) Plaintiff / Defendant, Iwyla (Your name) submits this Notice of Intent to Appear by Communication Equipment for the ( check one) Motion Hearing **Trial Setting Conference** Case Management Conference • Other: currently scheduled for (hearing date) <u>Febrinary 10</u>, ..., 20<u>20</u>. For the purpose of this appearance I can be reached at the following telephone number: (702) 764 - 4692 - Cell (phone number) (702) 798 - 4690 - My email address (for scheduling purposes) is (your email address) <u>+wy/a mStanton24@gmail.com</u>. I understand it is my responsibility to ensure that I can be reached at this telephone number on the date and time of the hearing. I also understand that due to the unpredictable nature of court proceedings, my hearing may be called at a time other than the scheduled time. Further, I understand that my failure to be available at the above telephone number will constitute a nonappearance. DATED (today's date) February 0 Submitted By: (Signature) > Printed Name: Iwv/a Marie s

789

2 Case No. CV 39304
 Dept. 2P
 3

1

4

5

6

7

8

9

10

11

12

13

14

15

16

21

22

23

24

25

26

27

28

FIFTH JUDICIAL DISTRICT FEB 282020

FILED

Nye County Clerk Deputy

190

### 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.

COURT ORDER

DENNIS VINCENT STANTON,

Defendant/Second Joint Petitioner.

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

1

FUETH JUDICIAL DISTRICT COURT ESMERALDA AND NYE COUNTIES



	-	
Ŧ		
	1	
	2	I. CASE HISTORY
	[	
	3	To increase ease of understanding of this matter, the case history is put forth in
	4	chronological order, and numbered by each separate action, discussed below.
	5	1. Complaint for Divorce, Eighth Judicial District Court, filed October 12, 2016,
	6	and dismissed on March 30, 2017.
	7	<ol> <li>Complaint for Divorce, Eighth Judicial District Court, filed September 13, 2017,</li> <li>I dismissed on February 26, 2018</li> </ol>
	- ' l	and dismissed on February 26, 2018. 3. Complaint for Divorce, Eighth Judicial District Court, filed March 29, 2018, and
	8	dismissed on May 17, 2018.
	9	4. Complaint for Divorce, Fifth Judicial District Court, filed May 17, 2018, and
		granted June 7, 2018. 5. Petition for Guardianship of Twyla Stanton, Circuit Court of Faulkner County,
	10	Arkansas Probate Division 5 <sup>th</sup> Division, temporary granted October 26, 2018.
	11	6. Motion to Set Aside Divorce of item 4 above, Fifth Judicial District Court, filed
	12	November 27, 2018.
	12	7. Parties Remarried, Las Vegas NV, December 14, 2018.
	13	<ol> <li>8. Order to Set Aside Divorce of item 4 above, Fifth Judicial District Court, granted March 20, 2019.</li> </ol>
	14	9. Motion for Reconsideration filed by Petitioner, Fifth Judicial District Court,
		April 15 2019
	15	10. This Order follows Denying Motion for Reconsideration, Fifth Judicial District
	16	Court, February 28, 2020.
	17	1. On October 12, 2016, Mr. Dennis Stanton ("Dennis") filed a Complaint for
	18	Divorce in the Eighth Judicial District Court, Case No. D-16-540966-D. The case was
	19	assigned to Judge Rena Hughes. Also on October 12, 2016, Mrs. Twyla Stanton
	20	("Twyla") filed a Complaint for Divorce against Dennis in the Eighth Judicial District
	21	Court, Case No. D-16-541006-D. This case was also assigned to Judge Hughes. Cases D-
	22	Court, Case No. D-16-541006-D. This case was also assigned to stage ringhes.
		16-540966-D and D-16-541006-D were consolidated. Over the next several months, Judge
	23	
	24	Hughes presided over multiple motion hearings and made numerous substantive rulings on
	25	
	26	2
	27	
	28	
		791
	]	/9/

Į.

FIFTH JUDICIAL DISTRICT COURT ESMERALDA AND NYE COUNTIES

ĩ

2 contested matters in the case. Pursuant to a Stipulation, on March 30, 2017, Judge Hughes3 entered an Order dismissing both cases.

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

On February 1, 2018, in the Court's Minute Order, Sua Sponte, Judge Hughes stated "the Court is aware that [Twyla] 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 [Twyla's] alleged agreements with [Dennis] until [Twyla] receives independent legal counsel." (emphasis added).

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

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

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

3

1

4

5

6

7

8

9

10

11

12

13

14

15

16

21

22

23

24

25

26

27



FIFTH JUDICIAL DISTRICT COURT ESMERALDA AND NYE COUNTIES



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

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

21

22

24

25

district judge who has previously made rulings on contested issues. This prohibition applies in any subsequent cases between the same parties, which are assigned to that same district judge pursuant to a local case assignment rule. "Allowing a plaintiff to file a peremptory challenge after the filing of any counterclaim would give a plaintiff the opportunity to disqualify the district judge simply because he has made previous unfavorable rulings." [Citations omitted]...

peremptory challenge and ordered reassignment of the matter back to Judge Hughes on

April 18, 2018. In the minute order of the Court Judge Duckworth provided:

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

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

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

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

- 4. Also on May 17, 2018, Petitioners filed in the Fifth Judicial District Court a
- 23 Joint Petition for Summary Decree of Divorce, the case at bar, CV 39304. The document
  - was verified by both parties. A letter was sent to both parties regarding the Joint Petition

for Summary Decree of Divorce because it sought sole legal custody, which is typically

4

27

3 would not be required with an amended joint petition. On June 5, 2018, an Amended Joint 4 Petition for Summary Decree of Divorce was filed, again verified by the petitioners. In 5 pertinent part, the Amended Joint Petition for Summary Decree of Divorce provided that: 6 Parties had six children together, who are residents of Nevada 7 That the Petitioners should be granted joint legal custody of the minor children 8 Husband to get primary physical custody of the children, while Wife had the children every other weekend from Friday at 6:00 p.m. to Monday at 9 3:00 p.m., and every other Thursday night from 5:00 p.m. to 8:00 p.m. 10 A holiday visitation schedule was also proposed. That Wife should maintain medical and dental insurance for the minor 11 children. Parties to adopt the 30/30 rule 12 That child support would be paid by Twyla in the amount of \$1,517.00 a 13 month, which was based on income of \$4,333.33 a month. Petitioners requested a wage withholding against the obligor parent. 14 Petitioners agreed that the husband should be awarded child support arrears in the total amount of \$4,551.00. 15 That there was a division of property and a division of debts. 16 That there was to be no spousal support. That the wife would have her former name of McCurdy restored. 17 The Decree of Divorce was filed on June 7, 2018. On July 5, 2018, Petitioner Twyla 18 19 Stanton filed an Ex Parte Application to Seal File which was signed on July 9, 2018. 20 The Court was unaware of the Clark County filings listed 1-3 above when it granted this 21 divorce. 22 23 Probate Division, 5<sup>th</sup> Division, the Honorable H.G. Foster signed an Order Appointing 24 Temporary Co-Guardians of the Person and Estate for Petitioner's Robert Crawford and 25 26 5 27 28

not granted by this Court without a hearing, though a hearing to grant joint legal custody

FIFTH JUDICIAL DISTRICT COURT ESMERALDA AND NYE COUNTIES 1

2

5. On October 26, 2018, in the Circuit Court of Faulkner County, Arkansas

FIFTH JUDICIAL DISTRICT COURT ESMERALDA AND NYE COUNTIES 1

6

7

8

9

10

11

12

13

14

15

16

17



2 Carmen Crawford over Twyla Marie McCurdy. A Petition for Appointment as Co3 Guardians had also been filed in the matter. Twyla, through counsel, Ron Goodman, filed
4 a Response to the Petition for Appointment of Co-guardians on December 6, 2018, and
5 motioned the Court to continue the final hearing scheduled for December 10, 2018.

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

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

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

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

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

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

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

The following arguments were made:

Twyla's counsel argued that:

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

1

4

5

6

7

8

9

10

11

12

13

14

15

16

21

22

23

24

25

26

27

28



2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

21

22

23

24

25

26

27



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

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

Dennis's counsel made arguments regarding:

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

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

## 8. On March 18, 2019, an Order and Judgment was filed granting the set

aside of the divorce listed in item 4 above. Findings were made regarding the previous

filings by the parties in the Eighth Judicial District Court and its history, the temporary

guardianship, remarriage of the parties, and the subsequent unusual affidavit filed by

Twyla. The Court found that Dennis engaged in or caused to be filed multiple divorces

and/or separate maintenance actions; that he failed to advise the Court of these proceedings

and the others Court's findings that Twyla had a diminished mental capacity, lacks the

ability to comprehend legal documents, and is unable to make judgments as to legal

matters; that based on the information, the previous court refused to approve the alleged 9

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16



24 25

21



16

21

22

23

24

25

26

27

28

1 agreements of the parties without first affording Twyla independent legal counsel; that 2 3 Dennis had made representations to the Clark County Family Court that Twyla earned 4 \$3,052.00 a month and should pay him \$1,300.00 in child support per month; that Dennis 5 made representations to this Court regarding Twyla's employment and earnings, falsely 6 representing that Twyla was earning \$4,333.33 per month, that she should pay Dennis 7 child support of \$1.517.00 per month, and that she owed Dennis arrears of \$4,551.00; that 8 the totality of the circumstances shocked the Court as to Dennis's conduct over the past 9 few years; that Dennis's serial filings and further actions were consistent with the 10 11 perpetration of a fraud upon this Court; that James S. Kent, Esq., had nothing to do with 12 Dennis's past fraudulent conduct and representations; and that based upon review of the 13 record, arguments of counsel, and the totality of circumstances, Dennis's conduct was and 14 is in direct violation of NRCP 11(b)(1) and was further in violation of NRCP 11(b)(3).

The Court ordered the following

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

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

21

26

27

28



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

Notice of Entry of Order and Judgment was filed on March 20, 2019. On March

21, 2019, the Owen Law Firm provided its Notice of Withdrawal of Counsel.

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

On June 5, 2019, Dennis filed a Motion to Disgualify Judge Lane. On June 10, 2019, Dennis filed a Reply to Notice of Non-Opposition to Motion for Reconsideration. 22 At the hearing on the Motion for Reconsideration on June 10, 2019, Dennis was present 23 and Mr. Crawford, the former guardian of Twyla, was present telephonically. Twyla was 24 25 not present. Due to the motion to disgualify, the Court did not issue any orders other than

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

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

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

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

1

10

11

12

13

14

15

16

21

24

25

26

27

28

17 18 19 20

201

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

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

13

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

21

22

23

24

25

26

27



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

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

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

1

4

5

6

7

8

9

10

11

12

13

14

15

16

20

21

22

23

24

25

26

27

17 18 19

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

Dennis's argument to allow him relief under NRCP 59, as stated in his initial motion, was because Dennis'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 factual based Opposition and Countermotion."

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



2

3

4

5

6

7

8

9

10

11

12

13

14

15

16



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

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

805

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

FIFTH JUDICIAL DISTRICT COURT ESMERALDA AND NYE COUNTIES 1

2

3

4

5

6

7

8

9

10

11

12

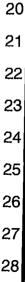
13

14

15

16



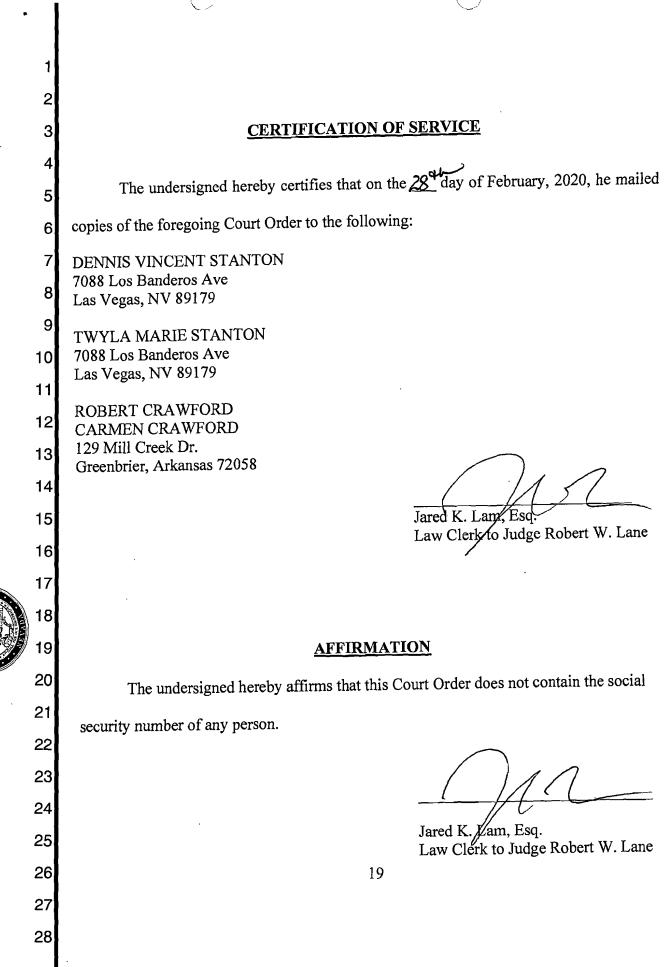


The deficiencies of the guardianship procedure and allegations of abuse are irrelevant to the extent that Dennis is arguing the merits of the guardianship that were not before this Court. The Arkansas Court issued an order dismissing the guardianship on February 19, 2019, which appears to be the only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

To the extent that Dennis argues that there was not a fraud perpetrated upon the Court, the lack of intent to misinform, and that Twyla was aware of what she was doing, these arguments could have been brought before the Court at the time of hearing. Dennis's

additional supplementation does not change the characterization of the record itself and the concerns of Twyla's ability to comprehend the legal consequences of her actions.<sup>2</sup> Additionally the Court notes that granting Dennis's requested relief to reinstate the joint petition and divorce is not appropriate as it would require the Court to readopt and reorder the questionable findings for Twyla's income and support obligations. Therefore, based upon the above, the Court issues the following order IT IS HEREBY ORDERED that Dennis's Motion for Reconsideration filed on April 15, 2019, is DENIED. DATED this 28<sup>44</sup> day of February, 2020. District Court Judge <sup>2</sup> The Court notes that Twyla has conveniently been unavailable for each hearing before this Court and only provided documents that have been signed and notary stamped. Given the concerns about comprehension and manipulation, there is no harm in assuring that Twyla has had independent counsel or an examination by the Court before granting her agreement. On the other hand, if Twyla does not comprehend these documents and manipulation is occurring, there is great harm in granting these agreements. 

FIFTH JUDICIAL DISTRICT COURT ESMERALDA AND NYE COUNTIES



FIFTH JUDICIAL DISTRICT COURT ESMERALDA AND NYE COUNTIES

l		
Ť		FIFTH FUDICIAL DISTRICT
1	NOTICE OF APPEAL	MAR 2 6 2020
2	DENNIS VINCENT STANTON 7088 Los Banderos Avenue	
3	Las Vegas, Nevada 89179-1202 Telephone (702) 764-4690	Ny Ebunty Clerk Deputy
4	dennisvstanton30@gmail.com In Proper Person	
5	IN THE FIFTH JUDICIAL J	DISTRICT COURT OF THE
6	STATE OF NEVADA, IN AND	FOR THE COUNTY OF NYE
7		
8	TWYLA MARIE STANTON,	Case No.: CV-39304
9	AN INDIVIDUAL;	
10	First Joint Petitioner/Plaintiff,	Dept. No.: <b>2</b>
11	And	Dept. 110 2
12	DENNIS VINCENT STANTON	NOTICE OF APPEAL
13	AN INDIVIDUAL;	
14	Second Joint Petitioner/Defendant.	
15	NOTICE IS HEREBY GIVEN that Der	nnis Vincent Stanton, the Second Joint
16	Petitioner/Defendant in Case No. CV-39304, by The Supreme Court of The State of Nevada the F	
17	of the Dismissing of the Amended Joint Petition	for Divorce with Prejudice, The Order of
18	Setting Aside the New Decree of Divorce, and T form of Sanctions under NRCP Rule 11 which w	
19	non-party entered in this action on March 20, 20 Order. A tolling Motion for Reconsideration was	
20	2019. February 28, 2020 is the date that the distr	•
21	motion. DATED this <u>26<sup>th</sup></u> day of March, 2020.	
22	DEN	INIS VINCENT STANTON
23		Dennei V. Stanter
24		NIS VINCENT STANTON B Los Banderos Avenue
25	Las	Vegas, Nevada 89179-1207
26		phone (702) 764-4690 <u>nisvstanton30@gmail.com</u>
27		roper Person
28		
	NOTICE OF APPEAL - 1	

Ш

â,			
•	CERTIFICATE OF SERVICE		
2			
3	I hereby certify that on the <u>26<sup>th</sup></u> day of March, 2020, I, Dennis Vincent Stanton,		
4	declare under penalty of perjury under the law of the State of Nevada that a true and correct copy		
5	of this <b><u>NOTICE OF APPEAL</u></b> was emailed to the following email address as agreed upon		
6	by the parties pursuant to NRCP 5(b)(2)(D):		
7			
8	Twyla Marie Stanton		
9	First Joint Petitioner/Plaintiff		
10			
11	In Proper Person		
12 13	twylamstanton24@gmail.com		
13			
14	Denni V. Stanton		
16	DENNIS VINCENT STANTON		
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28	NOTICE OF APPEAL - 2		

L	Case No. CV 39304	FIFTH JUDICIAL D'ATR'CT
2	Dept. No. 2	MAR 2 6 2020
3		Deputy Cierk
5	IN THE FIFTH JUDICIAL DISTRICT	COURT OF THE STATE OF NEVADA
6	IN AND FOR THE	E COUNTY OF NYE
7	TWYLA MARIE STANTON,	)
8	PLAINTIFF/FIRST JOINT PETITIONER,	) CASE APPEAL STATEMENT
9	VS.	) )
0	DENNIS VINCENT STANTON Defendant /Second Joint Petitioner,	) ) )
2 3	1. Name of the appellant filing the case a	appeal statement: TWYLA MARIE
.4	STANTON AND DENNIS VINCENT S	STANTON
5	Identify the judge issuing the decisi	on, judgment, or order appealed from:
6	This case has been assigned to t	the Honorable ROBERT W. LANE
7		ment 2. The Appellant is appealing the
8		20 (Denying Motion for Reconsideration
9	Filed on April 15,2019).	
0		and address of counsel for each appellant:
1	TWYLA MARIE STANTON and DI	ENNIS VINCENT STANTON,
2	Appellants in Proper Person.	
3	Appellant's address is: Twyla Marie Stanton and Dennis 7088 Los Banderos Ave	Vincent Stanton
:4 25	Las Vegas, NV 89179-1202	

\$

known, for each respondent (if the name of the respondent's appellate counsel is unknown, indicate as much and provide the name and address of the respondent's trial counsel): The following are the Respondents: There are no Respondents listed on Notice of Appeal.
4. Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission to appear under SCR 42 (attach a copy of any district court order granting such permission): All attorneys are licensed to practice law in the State of Nevada.
5. Indicate whether appellant was represented by appointed or retained counsel in

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

the district court: Indicate whether appellant is represented by appointed or retained coursel on

appeal: Appellant's filed a Notice of Appeal in proper person.

6. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave:N/A. Indicate the date the proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed): This case CV 39304 commenced upon the filing of a "Joint Petition for Summary Decree of Divorce" filed on May 17<sup>th</sup> 2018.

Provide a brief description of the nature of the action and result in the district court, including the type of judgment or order being appealed and the relief granted by the district court: **This is an appeal of the Court Order filed Feb 28**<sup>TH 2020.</sup> **Appellants are appealing the court decision to Deny Motion for Reconsideration Filed April 15**<sup>th</sup>, 2019.

1 2	<ol> <li>Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and</li> </ol>
3	Supreme Court docket number of the prior proceeding: Appellant has filed an appeal in the Supreme Court 4/16/2019.
4	8. Indicate whether this appeal involves child custody or visitation: <b>Unknown</b>
6	<ol> <li>If this is a civil case, indicate whether this appeal involves the possibility of Settlement: Unknown</li> </ol>
7	Dated this 26 <sup>TH</sup> day of March 2020.
9	SANDRA L. MERLINO NYE COUNTY CLERK
10 11	By: Mana bennett
12	Debra Bennett, Debuty Clerk Nye County Clerk's Office 1520 E. Basin Ave.
13	Pahrump, Nevada 89060 (775)-751-7040
14 15	
16	
17 18	
19	
20	
22	
23 24	
25	

•

Run: 03/26/2 15:25:2			- Nye Cc	ounty	Page 1
Case #:	CV0039304				
Judge:	LANE, ROBERT W				
Date Filed:	05/17/2018 Department:				
Case Type:	DIVORCE W/ CHILDREN				
			Attorney (s	)	
	Petitioner		_		
	STANTON, DENNIS VINCENT		PROPER PER	SON	
	Petitioner				
	STANTON, TWYLA MARIE		PROPER PER	SON	
Fees:					
Date Assessed	l: Fee	Total	Paid	Waived	Outstanding
05/17/2018	STVIT	\$10.00	\$10.00	\$0.00	\$0.00

pate Assessed.	r.ce	****		nazvoa	04000	
05/17/2018	STVIT	\$10.00	\$10.00	\$0.00	\$0.00	
05/17/2018	CRTSEC	\$20.00	\$20.00	\$0.00	\$0.00	
05/17/2018	DRUGCRT	\$10.00	\$10.00	\$0.00	\$0.00	
05/17/2018	ELDERLY	\$4.00	\$4.00	\$0.00	\$0.00	
05/17/2018	LAWLIB	\$30.00	\$30.00	\$0.00	\$0.00	
05/17/2018	CRTIMP	\$99.00	\$99.00	\$0,00	\$0.00	
05/17/2018	INDIGNT	\$10.00	\$10.00	\$0.00	\$0.00	
05/17/2018	CTYDIV	\$29.00	\$29.00	\$0.00	\$0.00	
05/17/2018	STDIV	\$32.00	\$32.00	\$0.00	\$0.00	
05/17/2018	STDISHM	\$30.00	\$30.00	\$0.00	\$0.00	
07/06/2018	CGENERA	\$5.00	\$5.00	\$0.00	\$0.00	
11/27/2018	CRTIMP	\$129.00	\$129.00	\$0.00	\$0.00	
12/28/2018	MISCFEE	\$15.00	\$15.00	\$0.00	\$0.00	
01/07/2019	CGENERA	\$4.00	\$4.00	\$0.00	\$0,00	
01/14/2019	CGENERA	\$5.69	\$5.69	\$0.00	\$0.00	
01/14/2019	CGENERA	\$5.69	\$5.69	\$0.00	\$0.00	
02/24/2019	MISCFEE	\$14.00	\$14.00	\$0.00	\$0.00	
02/25/2019	MISCFEE	\$51.00	\$51.00	\$0.00	\$0.00	
04/12/2019	CRTIMP	\$57.00	\$57.00	\$0.00	\$0.00	
04/12/2019	CGENERA	\$24.00	\$24.00	\$0.00	\$0.00	
04/16/2019	CGENERA	\$24.00	\$24.00	\$0.00	\$0.00	
03/26/2020	CGENERA	\$24.00	\$24.00	\$0.00	\$0.00	
03/26/2020	APLBOND	\$500.00	\$500.00	\$0.00	\$0.00	

Court Result

#### Hearings:

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

Run: 03/26/2020 15:25:33

, i ,

Case Summary

#### Filings:

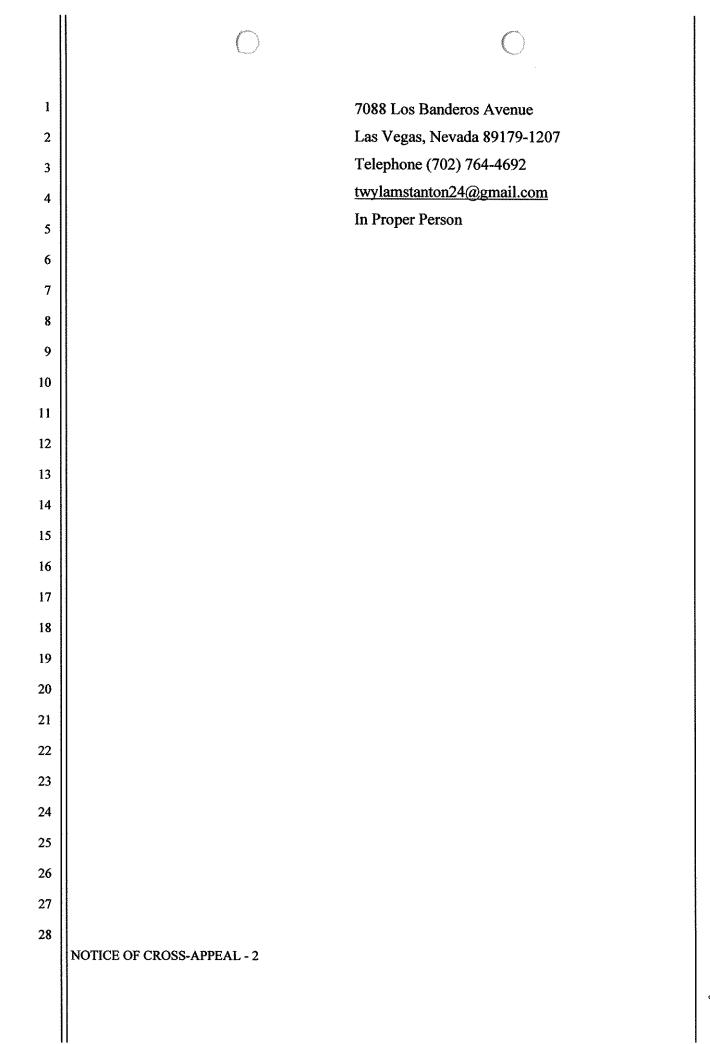
Date	Filing
05/17/2018	REQUEST FOR SUMMARY DISPOSITION OF DECREE
05/17/2018	JOINT PETITION FOR SUMMARY DECREE OF DIVORCE
05/17/2018	COURT ORDER INFORMATION SHEET
05/17/2018	AFFIDAVIT IN SUPPORT OF REQUEST FOR SUMMARY DISPOSITION
05/17/2018	AFFIDAVIT OF RESIDENT WITNESS
06/05/2018	AMENDED JOINT PETITION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

815

Page 2

1	1	1
	$\bigcirc$	
		FIFTH JUDICIAL DISTRICT
1	NOTICE OF CROSS-APPEAL	
2	TWYLA MARIE STANTON 7088 Los Banderos Avenue	MAR 2 7 2020
3	Las Vegas, Nevada 89179-1207 Telephone (702) 764-4692	And Jouniy Clerk
	twylamstanton24@gmail.com	Deputy
4	In Proper Person	
5	IN THE FIFTH JUDICIAL I	DISTRICT COURT OF THE
6	STATE OF NEVADA, IN AND	FOR THE COUNTY OF NYE
7		
8	TWYLA MARIE STANTON,	Case No.: CV-39304
9	AN INDIVIDUAL;	Case No., C V -37304
10	First Joint Petitioner/Plaintiff,	
11		Dept. No.: <b>2</b>
12	And	
13	DENNIS VINCENT STANTON	NOTICE OF CROSS-APPEAL
	AN INDIVIDUAL;	
14	Second Joint Petitioner/Defendant.	
15	<b>NOTICE IS HEREBY GIVEN</b> that Tw	yla Marie Stanton, the First Joint
16	Petitioner/Plaintiff in Case No. CV-39304, by an	d through in proper person, hereby appeals to
17	The Supreme Court of The State of Nevada the H	Findings of Fact, Conclusions of Law, The Order
18	of the Dismissing of the Amended Joint Petition	for Divorce with Prejudice in my absence, The
19	Order of Setting Aside the New Decree of Divor	ce in my absence, and The Improper Monetary
20	Award of Attorney's Fees to be paid to the Un-R	egistered Ex-Temporary Co-Guardians in the
21	Form of Sanctions under NRCP Rule 11 in my a	bsence entered in this action on March 20, 2019,
22	which was the date of the Notice of Entry of Ord	ler. A tolling Motion for Reconsideration was
	timely filed in the district court on April 15, 201	9. February 28, 2020 is the date that the district
23	court entered the order resolving the tolling moti	on.
24	DATED this <u>27<sup>th</sup></u> day of March, 2020.	
25	TW	YLA MARIE STANTON
26		T A and Qu
27		Jurgla M. Stanton
28	TW	YLA MARIE STANTON

NOTICE OF CROSS-APPEAL - 1



1	CERTIFICATE OF SERVICE
2 3	I hereby certify that on the 27 <sup>th</sup> day of March, 2020, I, Twyla Marie Stanton,
4	declare under penalty of perjury under the law of the State of Nevada that a true and correct copy
5	of this <b>NOTICE OF CROSS-APPEAL</b> was emailed to the following email address as
6	agreed upon by the parties pursuant to NRCP 5(b)(2)(D):
7	
8 9	Dennis Vincent Stanton
10	Second Joint Petitioner/Defendant
11	In Proper Person
12	dennisvstanton30@gmail.com
13	
14 15	Twyle M. Stemton
16	TWYLA MARIE STANTON
17	
18	
19	
20	
21	
22	
23	
24	
25 26	
26 27	
27	
20	NOTICE OF CROSS-APPEAL - 3

	FILED FIFTH JUDICIAL DISTRICT
1	Case No. C v 39304
2	Dept. No. 2 MAR 3 0 2020
3	Ne County Clerk
4	
5	IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
6	IN AND FOR THE COUNTY OF NYE
7	
8	TWYLA MARIE STANTON,     )       Appellant,     )
9	vs. ) CASE APPEAL STATEMENT )
10	THE STATE OF NEVADA     )       Respondent,     )
11	)
12	1. Name of the appellant filing the case appeal statement: TWYLA MARIE STANTON.
13	2. Identify the judge issuing the decision, judgment, or order appealed from:
14	This case has been assigned to the Honorable Robert W. Lane. The
15	appellant is appealing the Court Order, filed on February 28, 2020.
16	3. Identify each appellant and the name and address of counsel for each appellant:
17	TWYLA MARIE STANTON is one of two Appellants (second is DENNIS VINCENT
18	STANTON), whose address is: 7088 Los Banderos Ave., Las Vegas, NV 89179-1202
19	and they are filing in Proper Person.
20	4. Identify each respondent and the name and address of appellate counsel, if
21	known, for each respondent (if the name of the respondent's appellate
22	counsel is unknown, indicate as much and provide the name and address of the
23	respondent's trial counsel): The State of Nevada is the Respondent. The
23	representative for the State of Nevada is the Nye County District Attorney.
	The address for the Nye County District Attorney is:
25	Nye County District Attorney

#### 1520 E. Basin Ave. Pahrump, NV 89060

**Appellant:** 

### Twyla Marie Stanton 7088 Los Banderos Ave Las Vegas, NV 89179

- 5. Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission to appear under SCR 42 (attach a copy of any district court order granting such permission): All attorneys are licensed to practice law in the State of Nevada.
- 6. Indicate whether appellant was represented by appointed or retained counsel in the district court: N/A co-petitioner was in proper person.
- 7. Indicate whether appellant is represented by appointed or retained counsel on appeal: Appellant has not been appointed nor retained counsel.
- Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave: The Appellant has not

filed an Application to Proceed in Forma Pauperis.

- Indicate the date the proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed): On May 17, 2018 a Joint Petition for Summary Decree of Divorce was filed.
- 10. Provide a brief description of the nature of the action and result in the district court, including the type of judgment or order being appealed and the relief granted by the district court: The Appellant filed a Joint Petition for Summary Decree of Divorce and a New Decree of Divorce was entered on June 7, 2018, then a Motion to Set Aside the Decree was filed November 27, 2018.
- 11. Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket

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

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

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

Dated this 30<sup>th</sup> day of March, 2020.

SANDRA L. MERLINO NYE COUNTY CLERK By:

Juanita L. Torres, Deputy Clerk Nye/County Clerk's Office 1520 E. Basin Ave. Pahrump, NV 89060 (775) 751-7040

## IN THE SUPREME COURT OF THE STATE OF NEVADA OFFICE OF THE CLERK

DENNIS VINCENT STANTON, Appellant/Cross-Respondent, vs. TWYLA MARIE STANTON, Respondent/Cross-Appellant. Supreme Court No. 80910 District Court Case No. CV-0039304

> FILED FIFTH JUDICIAL DISTRICT

# RECEIPT FOR DOCUMENTS

APR 06 2020

TO: Dennis Vincent Stanton Twyla Marie Stanton Sandra L. Merlino, Nye County Clerk Nye County Clerk

You are hereby notified that the Clerk of the Supreme Court has received and/or filed the following:

- 04/02/2020 Filing Fee due for Appeal. (SC)
- 04/02/2020 Filed Notice of Appeal/Proper Person. Appeal docketed in the Supreme Court this day. (SC)

04/02/2020 Filing Fee due for Cross-Appeal. (SC)

04/02/2020 Filed Notice of Appeal/Proper Person. (Cross-Appeal) (SC)

DATE: April 02, 2020

Elizabeth A. Brown, Clerk of Court Ih

## IN THE SUPREME COURT OF THE STATE OF NEVADA OFFICE OF THE CLERK

DENNIS VINCENT STANTON, Appellant/Cross-Respondent, vs. TWYLA MARIE STANTON, Respondent/Cross-Appellant. Supreme Court No. 80910 District Court Case No. CV-0039304

> FILED FIFTH JUDICIAL DISTRICT

## **RECEIPT FOR DOCUMENTS**

APR 15 2020

TO: Dennis Vincent Stanton Twyla Marie Stanton Sandra L. Merlino, Nye County Clerk Nye County Clerk

You are hereby notified that the Clerk of the Supreme Court has received and/or filed the following:

- 04/13/2020 Filing Fee Paid. \$250.00 from Dennis Vincent Stanton. Check no. 9001. (Appellant/Cross-Respondent) (SC)
- 04/13/2020 Filing Fee Paid. \$250.00 from Twyla M. Stanton. Money Order no. 19-090201764. (Respondent/Cross-Appellant) (SC

DATE: April 13, 2020

Elizabeth A. Brown, Clerk of Court df

$\bigcirc$	FIFTH JUDIC	<b>D</b> L DISTRICT
	JUN -4	2020
IN THE SUPREME COUR	T OF TH <b>NED</b>	Deputy
DENNIS VINCENT STANTON,		No. 80910
Appellant/Cross-Resj vs. TWYLA MARIE STANTON,	pondent,	
Respondent/Cross-Ap	opellant.	JUN 0 1 2020
		ELIZABETHIA, BROWN CLERK OF CUPREME COURT BY

ORDER DIRECTING TRANSMISSION OF RECORD

This court has reviewed the documents on file in this pro se appeal and concludes that review of the complete record is warranted. NRAP 10(a)(1). Accordingly, within 30 days from the date of this order, the clerk of the district court shall transmit to the clerk of this court a certified copy of the trial court record in District Court Case No. CV-0039304. See NRAP 11(a)(2) (providing that the complete "record shall contain each and every paper, pleading and other document filed, or submitted for filing, in the district court," as well as "any previously prepared transcripts of the proceedings in the district court"). The record shall not include any exhibits filed in the district court. NRAP 11(a)(1).

It is so ORDERED.

Pickering, C.J.

cc: Dennis Vincent Stanton Twyla Marie Stanton Nye County Clerk

> 824 20-20554

SUPREME COURT OF NEVADA

1 SAO 2 Name: Twyla Marie Stanton Address: 1088 LUS Banderos Ave City, State, Zip: <u>Las Vegas, Nevada</u> 89179-1207 Phone: (<u>102</u>) 764-4692 3 4 Email: <u>Huyla mstanten 24 Cgmail</u> (om Self-Represented 5 6 DISTRICT COURT NYC COUNTY, NEVADA 7 8 CASE NO .: CV - 39304 Twyla Marie Stanton Plaintiff, / First Joint Petitioner 9 DEPT: vs And 10 Dennis Vincent Stanton Defendant / Second Toint Def 11 12 13 STIPULATION AND ORDER TO CONTINUE HEARING 14 The parties in this matter, (Plaintiff's name) Twyla Maric Starton 15 and (Defendant's name) Dennis Vincent Stunton, both in Proper Person, 16 hereby stipulate and agree that the hearing currently scheduled for (date) February 10,2020 at 17 (time) (19.00 \_\_\_\_\_ (time) (19.00 \_\_\_\_\_ (time)) (19.00 \_\_\_\_\_) (19 18 DATED this (day) 4th day of (month) February, 2020. 19 20 21 Respectfully Submitted: euniv. Stanton 22 By: 4 By: (Plaintiff's signature) (Defendant's signature 23 Defendant's Name: Dennis Vincent Stanfon Plaintiff's Name: Twyla Marie Stanton Address: 7088 Los Baucher, 24 Address: 1088 Los Banderos Ave. City, State, Zip: Las Vegas, Nevada 89179-1207 City, State, Zip: Low Vegas, Nevada 89179 25 Phone: (702) 764-4690 Phone: (102)764-4692 Email: dennisv stanton 300 quait. com Email: twylamstanton 24 Ogmail com 26 27 825 28 1 Stipulation & Order to Continue

1	ACKNOWLEDGMENT (Plaintiff)
2 3 4 5 6 7 8 9 10	STATE OF NEVADA ) COUNTY OF CLARK ) On this $(day) \_ \underline{4^{H}}$ day of $(month)$ Feburary, 20 20, before me, the undersigned Notary Public in and for the said County and State, personally appeared ( <i>Plaintiff's</i> name) $\_ \underline{fwy/a} \_ \underline{Marie} \_ \underline{fanfon}$ , 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.
<ol> <li>11</li> <li>12</li> <li>13</li> <li>14</li> </ol>	SaTVIR S. DEOL Notary Public State of Nevada No. 17-3622-1 My Appt. Exp. September 21, 2021
15	ACKNOWLEDGMENT (Defendant)
15 16 17 18	STATE OF NEVADA ) ) COUNTY OF CLARK ) On this (day) <u>4<sup>#</sup></u> day of (month) <u>Feburary</u> , 20 <u>20</u> , before me, the
19	undersigned Notary Public in and for the said County and State, personally appeared (Defendant's
20	name) Dennis Vinent Stanton, known to me to be the person described in and
21 22	who executed the foregoing Stipulation and Order, and who acknowledged to me that he / she did so
23	freely and voluntarily and for the uses and purposes therein mentioned.
23 24	WITNESS my hand and official seal.
2 <del>-</del> 25	ADI management
25 26 27	Signature of notarial officer Notary Public State of Nevada No. 17-3622-1 My Appt. Exp. September 21, 2021
27	826
20	2 Stipulation & Order to Continue

*******	
1	ORDER
2	UPON A READING of the foregoing Stipulation of the parties and good cause appearing,
3	IT IS HEREBY ORDERED that the hearing presently scheduled for ( <i>date</i> )
5	at ( <i>time</i> )m. shall be continued to the day of,
6	20 at the hour ofm.
7	
8	DATED this day of, 20
9	
10	DISTRICT COURT JUDGE
11	
12	Respectfully Submitted: 1
13	(Your signature) Twyla Maric Stanton Dennis Vincent Stanton
14	(Your name) Twyla Marie Stanton Dennis Vincent Stanton
15 16	
10	
18	
19	
20	
21	
22	
23	
24	· · · · · ·
25	
26	
27 28	827
20	3 Stipulation & Order to Continue

1 SAO 2 Name: Twyla Marie Stanton Address: 7088 Los Banderos Ave. 3 City, State, Zip: Las Vegas, Nevada 84179-1207 Phone: (102) 764-4692 4 Email: twylam Stanton 24 Cgmail com Self-Represented 5 6 DISTRICT COURT Nyc COUNTY, NEVADA 7 8 Twyla Marie Stanton Plaintiff, / First Joint Petitioner CASE NO.: CV - 393049 2 DEPT: VS. And 10 Dennis Vincent Stanton Defendant. / Second Doint Petitioner 11 12 13 STIPULATION AND ORDER TO REINSTATE DIVORCE 14 The parties in this matter, (Plaintiff's name) Twyla Marie Stanton 15 and (Defendant's name) Dennis Vincent Stanton, both in Proper Person, 16 hereby stipulate and agree to the following: 17 To reinstate the Amended Joint Petition 18 sivorce granted on June 07,2018. 19 20 To reinstate the New Decree of Divorce 21 on June 07, 2018. granted 22 23 24 25 26 27 28 1.5 Stipulation & Order 220

1	-(CHECK ONLY ONE BOX)
2	□ - No hearing is currently scheduled.
3	- <del>OR</del> -
4	The hearing currently scheduled for (date)at (time)at (time)
5	m. should be taken off calendar.
6	11th to
7	DATED this (day) 4th day of (month) February, 20, 20.
8	Respectfully Submitted:
9	The Mater
10	(Plaintiff's signature) (Defendant's signature)
11	Address: DUSS In D. I. A. A. Address: ZOXX les Kampen Avenue
12	Address:Dois Tos Barrados AveAddress:PropageDescriptionCity, State, Zip:Lac Vegas, Nevada 89179-1201City, State, Zip:Lac Vegas, Nevada 89179-1201Phone:(102)764-4692Phone:(722)Email:twyla M.Stanton 24Cgmail.comEmail:Cennis VS Fanton 30C gmail.com
13	Email: twylam Stanton 24 Cgmail.com Email: dennis VS Fanton 300 gmail.com
14	
15	ACKNOWLEDGMENT (Plaintiff)
16	STATE OF NEVADA
17	) COUNTY OF CLARK )
18	On this (day) 4th day of (month) Feb Urary, 2020, before me, the
19	undersigned Notary Public in and for the said County and State, personally appeared (Plaintiff's
20	name) Twy la Marie Starton, known to me to be the person described in and
21	
22	who executed the foregoing Stipulation and Order, and who acknowledged to me that he / she did so
23	freely and voluntarily and for the uses and purposes therein mentioned.
24	WITNESS my hand and official seal.
25	Notary Public State of Nevada No. 17-3622-1
26	Signature of notarial officer
27	
28	
	2 Stipulation & Order 829
1	л — — — — — — — — — — — — — — — — — — —

1	ACKNOWLEDGMENT (Defendant)
2	STATE OF NEVADA
3	) COUNTY OF CLARK )
4	On this (day) $4\hbar$ day of (month) $Feburary$ , $2020$ , before me, the
5	undersigned Notary Public in and for the said County and State, personally appeared (Defendant's
6	name) Dennis Vincent 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	
9	freely and voluntarily and for the uses and purposes therein mentioned.
10	WITNESS my hand and official seal.
11	SATVIR S. DEOL Notary Public State of Nevada No. 17-3622-1
12	Signature of notarial/officer
13	, ORDER
14	UPON A READING of the foregoing Stipulation of the parties and good cause appearing,
15	
16	IT IS HEREBY ORDERED that the parties' stipulation is adopted and made an Order of
17	this Court.
18	IT IS FURTHER ORDERED that hearing presently scheduled for (date)
19 20	at (time)m. shall be taken off calendar.
20	
21	DATED this day of, 20
22	
23 24	DISTRICT COURT JUDGE
24	
25 26	Respectfully Submitted:
20	(Your signature) Juryle M. Stanton Dennis Vincent Stanton
27	(Your name) Twyta Marie Stanton / Dennis Vincent Stanton
20	3 Stipulation & Order 930
	U

# OFFICE OF THE NYE COUNTY CLERK SANDRA L. MERLINO

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



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

### **CERTIFICATION OF COPY**

### STATE OF NEVADA COUNTY OF NYE

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

TWYLA MARIE STANTON,	))
and	)))
DENNIS VINCENT STANTON,	/ ) )
Joint Petitioners	j

Case No. CV39304

now on file and of record in this office.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Court at my office, Tonopah, Nevada, this 15<sup>th</sup> day of June, 2020.

SANDRA L. MERLINO NYE COUNTY CLERK

en By:

Amy Dowers Deputy Clerk, Tonopah