

1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2 DENNIS VINCENT STANTON,

3 Appellant/Cross-Respondent,

4 vs.

5 TWYLA MARIE STANTON,

6 Respondent/Cross-Appellant.

Supreme Court Case No.: 80910

District Court Case No.: CV-0029304
Electronically Filed
Jan 20 2021 05:21 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

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8 **NOTICE OF STATEMENT OF THE EVIDENCE**

9 Appellant/Cross-Respondent Dennis Vincent Stanton, by and through his
10 undersigned counsel, hereby files this Notice of Statement of the Evidence.

11 Dated this 20th of January 2021.

12 HOLLEY DRIGGS

13 /s/ John J. Savage
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21 Dennis Vincent Stanton
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1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2 DENNIS VINCENT STANTON,
3 Appellant/Cross-Respondent,
4 vs.

Supreme Court Case No.: 80910
District Court Case No.: CV-0039304

5 TWYLA MARIE STANTON,
6 Respondent/Cross-Appellant.

FILED
FIFTH JUDICIAL DISTRICT

DEC 09 2020

Nye County Clerk
Judy Ayotte Deputy

7 **STATEMENT OF THE EVIDENCE**

8 Appellant/Cross-Respondent Dennis Vincent Stanton, by and through his
9 undersigned counsel, hereby submits this Statement of the Evidence pursuant to
10 NRAP 9(d), which provides the following:

11 If a hearing or trial was not recorded, or if a transcript is unavailable,
12 the appellant may prepare a statement of the evidence or proceedings
13 from the best available means, including the appellant's recollection.
14 The statement shall be served on the respondent, who may serve
15 objections or proposed amendments within 14 days after being served.
16 The statement and any objections or proposed amendments shall then
17 be submitted to the district court for settlement and approval. As settled
18 and approved, the statement shall be included by the district court clerk
19 in the trial court record, and the appellant shall include a file-stamped
20 copy of the statement in an appendix filed with the clerk of the Supreme
21 Court.

22 On January 7, 2019, the District Court held a hearing on the Motion Pursuant
23 to Rule 60 (B) to Set Aside Decree of Divorce as Fraudulently Obtained, To Dismiss
24 the Joint Petition for Divorce with Prejudice, and to Sanction Defendant for Forum
25 Shopping and Perpetrating a Fraud Upon the Court in the Full Amount of Plaintiff's
Fees and Costs ("Motion to Set Aside"), which was filed by the parents of Mrs.
Stanton.

1 On June 10, 2019, the District Court held the initial hearing on Mr. Stanton's
2 Motion for Reconsideration.

3 On February 10, 2020, the District Court held the continued hearing on Mr.
4 Stanton's Motion for Reconsideration.

5 Upon Mr. Stanton's initial request for transcripts from the hearings held on
6 January 7, 2019, June 10, 2019, and February 10, 2020 ("Subject Hearings"), the
7 District Court Clerk informed Mr. Stanton that the Subject Hearings were not
8 recorded. The District Court Clerk offered Mr. Stanton the option to order the video
9 recordings of the Subject Hearings with audio on CD ("Video Recordings"). Mr.
10 Stanton ordered, paid for, and received copies of the Video Recordings.

11 Upon receipt of the Video Recordings, Mr. Stanton uploaded true and correct
12 copies of the Video Recordings to Verbatim Reporting & Transcription, LLC
13 ("Verbatim Reporting") to have Verbatim Reporting transcribe the Subject
14 Hearings. Verbatim Reporting transcribed the Subject Hearings and mailed copies
15 of the transcripts from the Subject Hearings ("Hearing Transcripts") to the Nevada
16 Supreme Court for filing. The Nevada Supreme Court filed the Hearing Transcripts
17 on May 19, 2020.

18 A true and correct copy of the transcript from the January 7, 2019 hearing on
19 the Motion to Set Aside is attached hereto as **Exhibit "1"**.


20 A true and correct copy of the transcript from the June 10, 2019 initial hearing
21 on Mr. Stanton's Motion for Reconsideration is attached hereto as **Exhibit "2"**.

1 A true and correct copy of the transcript from the February 10, 2020 continued
2 hearing on Mr. Stanton's Motion for Reconsideration is attached hereto as **Exhibit**
3 **"3"**.

4 The Hearing Transcripts are accurate transcriptions of the Video Recordings
5 and offer the best written evidence available of the Subject Hearings.

6 Dated this 6th of November 2020.

7 HOLLEY DRIGGS

8 
/s/ John J. Savage

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15 *Attorney for Appellant*

16 *Dennis Vincent Stanton*

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/s/ Kathy MacElawin
EMPLOYEE OF HOLLEY DRIGGS

EXHIBIT 1

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TRANS

FILED

MAY 19 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

FIFTH JUDICIAL DISTRICT COURT
FAMILY DIVISION
NYE COUNTY, NEVADA

TWYLA MARIE STANTON,)
AND) CASE NO. CV-0039304
DENNIS VINCENT STANTON,) DEPT. 02
Joint Petitioners.) SUPREME COURT CASE NO. ~~78617~~

80910

BEFORE THE HONORABLE ROBERT W. LANE
DISTRICT COURT JUDGE

TRANSCRIPT RE: HEARING

MONDAY, JANUARY 7, 2019

APPEARANCES:

The Plaintiff:	NOT PRESENT
For the Plaintiff:	CHARLES LEBELLO, ESQ. CHRISTOPHER OWEN, ESQ. 1785 E. Sahara Ave. #157 Las Vegas, Nevada 89104 (702) 733-2800
The Defendant:	DENNIS VINCENT STANTON
For the Defendant:	JAMES KENT, ESQ. 9480 S. Eastern Ave., #228 Las Vegas, Nevada 89123 (702) 385-1100



CV-0039304 STANTON 01/07/2019 TRANSCRIPT
VERBATIM REPORTING & TRANSCRIPTION, LLC (520) 303-7356

1063

2 PROCEEDINGS

3 (THE PROCEEDINGS BEGAN AT 9:07:47)

4
5 THE COURT: The Stanton case. Too bad for everybody
6 else. 39304. Okay. Let me get -- make sure I have all the
7 players right. Twyla who is not here is represented by
8 Charles Lebello.

9 MR. LEBELLO: Correct.

10 THE COURT: That would be you.

11 MR. LEBELLO: Yes, sir.

12 THE COURT: Very good. And this is

13 MR. OWEN: I'm Christopher Owen, Your Honor. Bar
14 number 13211.

15 THE COURT: Thank you Mr. Owen for driving in today
16 on this matter. Then we have Dennis --

17 MR. STANTON: Yes.

18 THE COURT: -- represented by James Kent.

19 MR. KENT: Correct, Your Honor.

20 THE COURT: Okay. I've got all the players. Very
21 good. Have a seat, relax. I read through this last week,
22 talked ad infinitum with my law clerk about it. I'm a little
23 distraught. And as I mentioned to the audience, this is going
24 to take a little while. Who would like to begin? Counsel?

1 MR. KENT: It was their motion, but I'll be more
2 than happy to, Your Honor.

3 THE COURT: All right. We'll let them start then.

4 MR. LEBELLO: Well, Your Honor, as the Court knows
5 having read the papers, we've brought this motion to set aside
6 the decree of divorce, to dismiss the joint petition with
7 prejudice, to sanction the Defendant for serial filings,
8 making misrepresentations in the pleadings, failing to
9 disclose to this Court all of the serial find -- filings that
10 had occurred previously in Clark County.

11 (COUNSEL CONFER BRIEFLY)

12 MR. LEBELLO: And the amended order. Failure to
13 advise the Court with regard to what Judge Hughes had found in
14 her minute order arising out of the second filing. Failing to
15 advise the Court of what happened with Judge Duckworth in the
16 third filing. Telling the courts in those filings that Twyla
17 was earning at one point 3,000 and change per month and should
18 pay child support. In a second filing, that she was making
19 \$52,000 a year and that she should pay child support of \$1500
20 a month.

21 I believe, and we don't have -- I don't -- we don't
22 have at this point a document substantiate, but it's my
23 understanding that the arrearage of child support that was
24 raised in the filings with this Court had been referred to the

1 DA. The representation that has been made to us is that Twyla
2 is in substantial fear of being arrested or picked up by the
3 police because she hasn't paid her child support.

4 Now we understand the objections that have been made
5 by the Defendant. The -- the first objection that was made by
6 the Defendant is that the guardianship hadn't properly been
7 registered here. And as we made clear in the reply, Your
8 Honor, we were operating under a Rule 60B deadline of six
9 months which occurred on December 7th. We filed a motion on
10 November 27th. The hearing where letters of guardianship
11 would have been issued would have taken place on December
12 10th.

13 However, as soon as the Defendant was served with
14 our motion, he grabbed all six kids, pulled them out of
15 school, drove cross country to Arkansas, hired a lawyer down
16 there in Arkansas and basically lured -- lured Twyla out of
17 her home with her parents based on the fact that he had the
18 kids with her (sic). She hadn't seen the kids for months and
19 it was a very easy task to get her out of the house. So he's
20 hired a lawyer down in Arkansas and he's challenged the
21 guardianship down there. Had he not done so, the letters of
22 guardianship would have been issued on December 10th and those
23 letters would have been properly registered with this Court;
24 however, that has been frustrated. That effort has been

1 frustrated.

2 But that doesn't deny the Court the power under Rule
3 11 to address the -- the conduct of Defendant here and the
4 misrepresentations. And there was one thing that I found even
5 this morning as I went through things. In -- in our Exhibit 3
6 which is --

7 (COUNSEL CONFER BRIEFLY)

8 MR. LEBELLO: This is a complaint for separate main
9 -- maintenance. I believe this might have been characterized
10 as the second divorce action. The -- at page 4 of eight at
11 number 8 on that page, it says are there any other
12 considerations that the Court should take into account. And
13 it says the Court should consider the following issues. And
14 someone wrote in the Defendant's mental state. That would be
15 Twyla's mental state.

16 Now that mental state was signed off on by both
17 Twyla and the Defendant in their verifications to that joint
18 petition. So we have the -- the Defendant conceding there's a
19 mental state issue when it comes to custody of the children.
20 And these are the very same issues that Judge Hughes zeroed in
21 on in her minute order. She said that this -- this Plaintiff,
22 Twyla Stanton, lacks the -- well, let -- let's just go to the
23 language so I have it clear. She has a diminished mental
24 capacity, she is unable to comprehend legal documents, and she

1 is unable to make judgments as to legal matters.

2 And for those reasons, the Court cannot approve
3 Twyla's alleged agreements with Dennis without independent
4 legal Counsel. And for that reason, the Court appointed Mr.
5 Owen. And as soon as the Court appointed Mr. Owen and Mr.
6 Owen made his appearance, the parties miraculously reconciled
7 and the action in front of Judge Hughes went away via a
8 voluntary dismissal.

9 Whereupon, the third action was filed. And it was
10 again assigned to Judge Hughes pursuant to local rule and the
11 peremptory challenge was immediately filed putting it in Judge
12 Duckworth's court who then followed the rules and put it back
13 in front of Judge Hughes. And, again, the parties
14 miraculously reconciled and the divorce went away.

15 At which point, what Dennis did is decide I'm not
16 going to get anywhere with this particular game in this
17 particular venue. So I'm going to move houses. I'm going to
18 go and search to another house that doesn't have any idea of
19 what's gone on, doesn't know me, doesn't know Twyla, doesn't
20 know about Judge Hughes, doesn't have any information about
21 these prior filings or findings. And I'm just going to
22 basically pull the wool over the Court's eyes and get a
23 divorce which is exactly what he did here.

24 So even if the -- the Court finds that we lack

1 standing, that the -- the temporary co-guardians lack
2 necessary standing. The Court can of its own volition under
3 Rule 11 address the conduct of the Defendant.

4 THE COURT: I have a question for you that might be
5 too early. I should probably let the other side go for
6 awhile, but I'm dying of curiosity --

7 MR. KENT: Yes, Your Honor.

8 THE COURT: -- when I reviewed all the pleadings
9 last week and chatted with my law clerk in chambers about
10 them. I believe you just mentioned eight or nine different
11 areas that are suspicious for fraud and multiple divorce
12 filings and driving to Arkansas, et cetera. And you look at
13 all these things going on and you think to yourself why? She
14 hit the lottery nine months ago and he wants a big chunk of
15 that lottery money. She has a big trust fund from her
16 grandparents. He wants that. He's pulling all these
17 shenanigans for a woman who is not making any money and is
18 mentally incapacitated. To achieve what purpose? Any
19 suspicion on you guys' part why he's doing all this?

20 MR. LEBELLO: Well, I think at this point it's
21 fairly simple and straight forward, Judge. I -- we're not
22 talking about a huge estate, a marital estate. We're not
23 talking about anybody hitting the lottery or lots of money at
24 issue. There's retirement money. Now I'll get to that in

1 just a second. But there's the issue of child custody and
2 child support and spousal support. And the -- and the marital
3 residence.

4 When you look at what this marriage consists of,
5 we're looking at huge factors. These are people who go to a
6 -- the same church. And who has custody of the children is a
7 huge factor. And the Court will recognize in each of the
8 serial fil -- filings, Dennis is the one who ends up with
9 custody. And Dennis is the one who ends up receiving child
10 support from his unemployed spouse. And it's represented that
11 she's making huge amounts of money and that she should
12 therefore get child -- be required to pay child support and
13 she has no source of income. On top of which, it doesn't
14 obligate him to pay her any spousal support.

15 And as this Court is well aware, this is a 14 year
16 marriage. And for the -- the lion's share of that marriage
17 except for a brief period of time where it's our understanding
18 that Ms. Stanton worked as a -- as a maid, as -- in a hotel
19 cleaning bedrooms. Except for that brief stint of employment,
20 she was for all intent and purposes a stay-at-home mom and
21 would probably be entitled to a significant monthly amount for
22 spousal support for a considerable amount of time. And if the
23 Court were to do the math on even a thousand dollars a month
24 over the course of perhaps seven or eight years, we're not

1 talking about an insignificant amount of money. So it is for
2 these reasons that there are these serial findings in an --
3 filings rather with regard to the effort to sort of push this
4 all through.

5 THE COURT: I'm thinking if he was a normal citizen
6 out there, not manipulative and Machiavellian and so forth,
7 just a normal guy and he's got a number of kids, and his wife
8 has some mental problems, capacity problems, and he's working
9 and she isn't, it would have been a pretty simple process to
10 go into the first divorce court, get custody of the kids; the
11 Court would have said she owes the minimum child support but
12 because of her mental problems and so forth they probably
13 would have wiped it clean. But he would have got the kids.
14 Spousal support, yeah, he might have been able to pay -- have
15 to pay some for a little while. And of course there's the
16 retirement issue you talked about.

17 So there are a couple of money issues, child --
18 spousal support and retirement. Not a huge amount, but a
19 little bit of issue. And you would submit speculatively that
20 he's done all these frauds and Machiavellian stuff and
21 everything to avoid those two little financial obligations.

22 MR. LEBELLO: Yes, Your Honor. And what I point out
23 is this. In the first divorce filing way back when in October
24 of 2016, both parties had Counsel. Twyla was represented by

1 our office. And it was only on the eve of the Court issuing
2 an order which would probably have granted to Twyla custody of
3 the children and require that he pay child support and require
4 that he pay spousal support that amazingly there was a
5 reconciliation from --

6 THE COURT: All right.

7 MR. LEBELLO: -- out of nowhere.

8 THE COURT: Because I just assumed based on her
9 limited mental capacity that it would be easy for him to
10 manipulate her into a stipulation that he gets custody of the
11 kids --

12 MR. LEBELLO: Which is a --

13 THE COURT: -- at the very beginning of the process.

14 MR. OWEN: Yes. Absolutely.

15 MR. LEBELLO: Which is essentially -- I mean,
16 perhaps had he known that that was a vehicle that might have
17 succeeded for him, he probably would have gone down that road.
18 I think what's happened is that over the course of the last
19 several years since his first filing in October of 2016, we're
20 now two plus years since then. And Dennis has learned a few
21 tricks. Okay. He's gone in front of the court. He's now
22 been apprised of the fact that there's a local rule that ends
23 up putting him right back in front of Judge Hughes. Puts it
24 right back in front of the same dealer. And as a result of

1 not getting the kind of game that he wants with that dealer,
2 he just -- he just decided to he'd up and go to a new casino
3 and that's what he did. And it may not appear nefarious, but
4 that's exactly what it is. And when you have a -- a household
5 income that's limited and fairly limited assets, it doesn't
6 surprise me at all that there are misrepresentations that are
7 being made with regard to her income for example so that she's
8 obligated to pay him child support. But --

9 THE COURT: With the ultimate goal of that being to
10 get her prosecuted by the DA for not paying the child support
11 --

12 MR. LEBELLO: Well --

13 THE COURT: -- she doesn't have.

14 MR. LEBELLO: -- I am not sure if that's necessarily
15 the ultimate goal. I think the goal of -- of referring this
16 matter to the DA is just to apply more pressure to her to get
17 money from another source if it's even available. Maybe he
18 felt that the temporary co-guardians would give her \$4,000 or
19 \$5,000 that would end up his pocket. He doesn't quite care
20 where the money comes from as long as it ends up with him,
21 which is why he's got her paying child support, which is why
22 he doesn't pay her a nickel of spousal support, which is why
23 when it comes to things like dividing the assets, yeah, maybe
24 that half of the pension ended up in her bank account, but it

1 ended up we believe cashed out and returned back to him
2 because he is under her thumb (sic). She doesn't have the
3 ability to withstand his pressures. She doesn't have the
4 capacity to understand what's going on. He tells her to jump,
5 she jumps. He tells her how high to jump, she jumps that
6 high.

7 THE COURT: What's the latest status on their
8 marriage? Are they married now?

9 MR. LEBELLO: They're married again. Amazing --

10 THE COURT: They're married --

11 MR. LEBELLO: -- Judge.

12 THE COURT: -- again.

13 MR. LEBELLO: It's --

14 THE COURT: Okay.

15 MR. LEBELLO: -- amazing.

16 THE COURT: Did you want to add anything Counsel?

17 MR. OWEN: Well, it -- Yes, Your Honor. You're
18 asking about what was the purpose of -- of having the child
19 support awarded to him as opposed to vice versa and custody to
20 her. Well, if -- if she's obligated to pay him child support,
21 he sure as heck can't be paying her. And -- and that's what
22 it's all about, that the -- the -- shall we say custody of the
23 children is important in the church and having that removal of
24 an obligation to pay the child support is key, because that

1 means that he's won; he's -- he's the saint here protecting
2 his kids when that's not entirely true as -- as I think our
3 pleadings have shown.

4 So it's basically to avoid the removal of an
5 obligation on his part to his wife who should probably be
6 awarded custody despite her mental status and so on. But he
7 doesn't want to be paying her a dime in spousal support nor
8 child custody.

9 THE COURT: Thank you, sir. All right, Counsel.
10 Mr. -- don't tell me. Mr. Kent? It's your --

11 MR. KENT: Yes, it is.

12 THE COURT: -- opportunity.

13 MR. KENT: Thank you, Your Honor.

14 THE COURT: Yes, sir.

15 MR. KENT: Your Honor, before you even try to
16 address some of the merits I think procedurally and -- and the
17 reason why I didn't necessary want to jump up is because I
18 wanted to give them an opportunity. A couple of things.
19 First of all, I've heard something -- some mention of a reply.
20 I have received no reply. I don't know if Your Honor has, had
21 a chance to review it. I haven't seen anything.

22 Second thing, I know he mentioned with regard to an
23 Exhibit 2, page 4. Somebody wrote in something about Twyla's
24 mental capacity. I looked at my copy of their Exhibit 2, page

1 4. I don't see any such writing. So I've got just a couple
2 of concerns with that.

3 Also, Mr. Lebello said our office previously
4 represented Twyla. As you know in my opposition, Twyla has
5 opposed the guardianship which they are here representing
6 upon. So therefore now Twyla is opposing them in a different
7 capacity. And I don't think that they then have the right to
8 come in and now represent a party in opposition to somebody
9 who they represented previously. They're representing the
10 guardianship. They're not representing Twyla. They're
11 representing the guardianship who Twyla is opposing back in
12 Arkansas. So, one; I think there's a definite conflict of
13 interest here.

14 THE COURT: Do we know why Twyla's not here?

15 MR. KENT: She's getting the kids ready for school,
16 walking them to the bus this morning.

17 THE COURT: Where at?

18 MR. KENT: Back in Clark County at their residence.

19 THE COURT: Okay.

20 MR. KENT: I -- and I apologize, Your Honor. I
21 don't necessarily represent Twyla either because the motion
22 was only against Dennis. So I've represented Dennis on that
23 and that's why I made sure that he was here today.

24 THE COURT: Thank you, sir.

1 MR. KENT: But if we go to the procedural aspects,
2 and -- and I'd like to -- I don't like to go out of order and
3 shotgun it, but I want to touch upon something that Mr. Owens
4 (sic) just stated, that he believes that if in fact the
5 divorce had actually gone to a contested hearing, Twyla would
6 have been given custody of the kids. Their own clients say
7 that Twyla cannot even manage herself or her personal affairs.
8 And that's why she has to have a guardian both over her person
9 and her estate. She can't do anything on her own, needs
10 somebody to come in and control her life. Yet, they're
11 arguing she would have the ability to manage six kids?

12 THE COURT: I want to assure you that if there was a
13 jury here and there was an objection about speculation, I'd
14 sustain it and so forth. But I want to assure you that I have
15 the proper intelligence and cognizance to understand that that
16 was speculation.

17 MR. KENT: And -- and I understand, Your Honor. And
18 I'm not trying to deprive you of anything. I -- I want to
19 make my record.

20 THE COURT: Thank you, sir.

21 MR. KENT: And -- and I want to hit upon all the
22 points. And -- and if we go back, Your Honor, I know Mr.
23 Lebello said, well, you know, with regard to the procedural
24 matters, we are running up against the six months, so that's

1 why we didn't do things in the proper order and that's why we
2 had to do other things.

3 I don't have 60(b) memorized. I'm familiar with it.
4 But I don't remember there being some exception that says if
5 you're doing this right at the end and there's something else,
6 don't worry about the rules. We'll just go ahead and waive
7 them. I don't -- I looked at the guardianship statutes that
8 I've cited this morning and I don't think any of them says
9 that if you're filing a 60(b), you don't have to do this
10 stuff. Okay.

11 Even as we sit here today, to my knowledge and by
12 their argument, and, again, I haven't seen the reply, nothing
13 has been done to correct or rectify the omissions that have
14 occurred. To be able to register in the state of Nevada for
15 -- and guardianship granted in another state, you first have
16 to give notice to the issuing court that issued the
17 guardianship as to why you're doing it, why you need to
18 register it. And then once you give the notice, I don't even
19 think you have to get approval. You just have to give the
20 notice. Then you can register here. And once you register
21 here, now you can act upon it as if it was issued here.

22 The fact that they haven't done it I argue, Your
23 Honor, gives them no authority to come you -- before you today
24 on behalf of somebody who is alleging that they have a

1 guardianship. They don't have the authority to be here.

2 THE COURT: All right.

3 MR. KENT: With that, Your Honor, they point fingers
4 at Mr. Stanton with great speculation as to why he did what he
5 did and that he was disguising things from the Court --

6 THE COURT: Well, that was my fault. I invited the
7 speculation.

8 MR. KENT: Oh, no, Your Honor. You get to sit there
9 and you get to ask any questions you want. I learned that a
10 long time ago. I'm not going to ever dispute that.

11 But just the fact that they did that, yet when you
12 look at the guardianship papers that were filed in -- in
13 Arkansas which were supposedly filed because he took such
14 great advantage of Twyla, there is not one mention of that in
15 the Arkansas papers. It says that Respondent's property
16 consists mainly of clothing and personal effects with the
17 value of less than \$500. They don't indicate that basically
18 she was taken advantage, lost a house, lost custody of her
19 kids, lost the ability for spousal support, lost alimony.
20 They make no mention of that.

21 And if in fact that's what the whole concern was
22 that she was taken advantage and that's why she can't cont --
23 can't care for herself, you would think that that would be put
24 in here or that there would be some mention, Your Honor, we

1 need to get a guardianship over here in Arkansas because she's
2 been taken advantage of in the courts in the state of Nevada
3 and this guardianship is basically going to hide -- try and
4 rectify everything. None of that is done.

5 As a matter of fact, we don't even have an
6 affidavit, nothing from any of the guardians. As I
7 understand, the only affidavit we have is from a grandmother.

8 THE DEFENDANT: It's -- it's not an affi -- it's
9 just a statement.

10 MR. KENT: But -- well, the only statement, what
11 have you, we don't even have anything from the guardians.
12 It's from a third party. I believe it's a grandmother. But
13 the point is, we don't even have anything from the guardians
14 as to what they want. We don't have a verification of the
15 motion. I -- I mean, I trust Counsel. I don't have any doubt
16 that what they're doing is they've got -- you know, somebody
17 told him to go ahead and do that. But the point here is what
18 we present to Court on facts have to be based upon personal
19 knowledge. And we don't have that.

20 And, Your Honor, so I think based upon -- and --
21 and, Your Honor, let's go back to my first point in my
22 pleading is under NRS 125.185: a decree of divorce can't be
23 attacked by a third party. And that's what we have here is a
24 third party. Guardians who obtained a guardianship half a

1 country away without really disclosing what the purpose was
2 that they're now complaining of the guardianship are now
3 trying to attack it.

4 Our position is that in the first proceeding,
5 Twyla's parents put money forth to Twyla to assist her in her
6 legal representation. And because of -- through the divorce
7 proceedings they didn't get that money back, that's why
8 they're now coming back in after Dennis.

9 Again, that's our speculation, but that's what we
10 believe is going on here, that they're not actually looking
11 out for the best interest of Twyla because I'm -- I'm still
12 confused. She can care for six kids but she can't care for
13 herself. That's my problem.

14 So, Your Honor, I don't think the decree can be
15 attacked by a third party. If we get over that hurdle, now
16 we're looking at the attack by a third party who doesn't have
17 authority in the state of Nevada to enforce their
18 guardianship. So they can't even be here to do that.

19 Your Honor, if -- if need be, I -- I didn't really
20 go into the fact of why he filed where he filed, because to me
21 we -- we don't even get to that point. Procedurally, we don't
22 get to the divorces. And procedurally as noted, they have
23 remarried. They have reconciled. They were apart for several
24 months. They have reconciled.

1 So, Your Honor, if the big concern is let's set
2 aside the decree of divorce, if you want to do it, if you want
3 to make the whole joint petition void, we don't have a problem
4 with that. They're back as husband and wife. Dennis realized
5 how much Mother meant to the kids. I presume Twyla knew that
6 she needed to be with the kids as well. And the parties have
7 done that for the benefit of the children. And they've gotten
8 back together.

9 So if we want to set this whole thing aside as if it
10 never happened, we don't have an issue with that, Your Honor.

11 THE COURT: Was there --

12 MR. KENT: But --

13 THE COURT: -- anything else you want me to order?

14 MR. KENT: Your Honor, we did request attorney's
15 fees because Mr. Stanton has had to pay for my representation.
16 Again, I think if we look at this from a procedural point of
17 view, I'm not a big guardianship attorney, but I was able to
18 find these requirements fairly easily, and I think any Counsel
19 that was doing guardianship from another state could have or
20 should have looked into that as well and cured these
21 deficiencies. If the basis is upon the remarriage; therefore,
22 you're going to void everything, I understand Counsel didn't
23 know that at the time they filed.

24 THE COURT: You indicated that based on their lack

1 of standing they lack merit in the Rule 11. Do you want to
2 address that anyway?

3 MR. KENT: Well, Your Honor, and -- and this is an
4 argument that's coming just before me right now, because,
5 again, I haven't seen the reply, so I haven't seen what the
6 argument -- I didn't look up Rule 11 specifically to go over
7 that.

8 THE COURT: It's important though and I would even
9 give you a little time if you needed it, because I'm leaning
10 towards granting the Rule 11. So it's something that you
11 would want to address.

12 MR. KENT: And -- and then, Your Honor, I don't know
13 if either of the other Counsel have walked back in. You're
14 talking about how do we handle it.

15 THE COURT: I can take a recess.

16 MR. KENT: Yes. I would appreciate that. So before
17 -- I don't want to make an argument based upon what I think.
18 I think I'd rather look at the law and make sure of my
19 argument first.

20 MR. LEBELLO: Your Honor, Rule 11 is set forth in
21 the motion.

22 THE COURT: Yeah.

23 MR. LEBELLO: I mean, it's -- it's in the

24 THE COURT: I do have the file that you could take a

1 look at if you don't have the pleadings.

2 MR. KENT: I do --

3 THE COURT: But --

4 MR. KENT: -- have their pleading, Your Honor.

5 THE COURT: -- I want you to know that I respect you
6 and appreciate that you're coming in and making sure that his
7 rights are protected; you're doing what a good attorney does.
8 You're noting the lack of evidentiary issues that haven't been
9 adjudicated in this court, perhaps not in other courts, and
10 making an argument that -- regarding the standing and
11 procedure and so forth.

12 I don't think with sincerity that you're trying to
13 perpetuate a fraud. I don't think you are.

14 MR. KENT: No.

15 THE COURT: I think he is. And that's why you got
16 look into that Rule 11 and then get back to me on it. We can
17 take a short recess to give you that opportunity.

18 MR. KENT: I would appreciate that, Your Honor.

19 THE COURT: All right. Go -- we'll take a short
20 recess for you guys then. I don't see the other attorney --

21 (COURT RECESSED AT 9:32 AND RESUMED AT 9:56)

22 THE COURT: Short recess? Are you ready?

23 THE MARSHAL: I -- I think they're ready, Judge.

24 THE COURT: Okay. Very good.

1 THE MARSHAL: They're coming over.

2 THE COURT: Thank you. Let me get those two here.

3 Oh, no, we got to finish up that one we just did, the blue
4 minute cozy.

5 All right, Counsel. We were talking about -- you --
6 you asked me to just set it aside and void things because
7 they're remarried and it's all kind of moot now from that
8 perspective and I said no, I'm kind of leaning more towards
9 the Rule 11 sanction and making findings of shenanigans and
10 fraud and then issuing an order that it be returned back to
11 the venue in Vegas, and that our venue had nothing to do with
12 it in the future and you wanted to address that Rule 11
13 concern that I have.

14 MR. KENT: And if I may, Your Honor. I'm not
15 specifically requesting the relief of setting aside the
16 divorce and that the parties have reconciled, they have
17 remarried. To me, it's a moot issue. But if it appeases
18 opposing Counsel, if they want the divorce dismissed, I'm not
19 going to sit here and waste attorney's fees and time arguing
20 it shouldn't be dismissed; the divorce should stand and the
21 remarriage should stand. To me, it's all moot. If they want
22 it dismissed, fine. Let's dismiss it. Okay. But I don't
23 think that Rule 11 sanctions in terms of anything beyond
24 dismissal of the complaint really are justified here.

1 If shenanigans have taken place, it -- honestly, one
2 has to look at this and say it was done jointly by the parties
3 and not just Dennis. And they're going to argue no, no, he
4 forced Twyla to do this. He did --

5 THE COURT: I would need --

6 MR. KENT: -- whatever.

7 THE COURT: -- an evidentiary hearing to make that
8 determination.

9 MR. KENT: And the one point that I would make on
10 that, Your Honor, is that in the first divorce proceeding that
11 happened, Twyla filed her own complaint for divorce
12 represented by this Counsel. And although unfortunately I
13 couldn't pull up all four pages, all divor -- all complaints
14 for divorce have to be verified by the complainant, by the
15 Plaintiff. And my guess is that she signed that complaint
16 pursuant to Counsel. And my belief is that Counsel accepted
17 her ability to verify a complaint for divorce knowing in fact
18 what she was doing; which is what the parties did here. They
19 signed a joint petition for divorce. They both signed it, had
20 it verified, had it notarized, and submitted it.

21 The complaint -- and the -- the joint petition in
22 and of itself other than they may not like, and, again, they
23 meaning the guardians, the temporary guardians from another
24 state, don't like it. And therefore, they want to set it

1 aside. Okay. There's nothing from Twyla saying that she
2 doesn't like it. There's -- there's nothing else there. It's
3 their allegation as to why this wasn't appropriate. But they
4 fault -- they cite nothing in the fact that a joint petition
5 was an inappropriate document or that it was any of the
6 claims' defenses or things like that were unsupportable.
7 Things like that.

8 So, you know, the one case that I was able to find,
9 basically somebody filed for a -- a -- filed a complaint
10 against several federal government agencies. And named
11 certain individuals within those agencies and the Court said
12 that's just a frivolous pleading. I mean, you're way beyond
13 the scope of anything we allow; therefore, we're finding under
14 Rule 11 that was an inappropriate complaint to file and
15 therefore we're going to sanction you by dismissing the
16 complaint.

17 In this instance, Your Honor, the document that was
18 filed I think meets all the requirements of two, three, and
19 four under Rule 11. The question is under number one, was it
20 presented for any improper purpose such as to harass or to
21 cause unnecessary delay of needless increase in cost of
22 litigation.

23 Counsel -- the Plaintiff -- the Interveners have not
24 cited any authority that would indicate the allegation of

1 forum shopping which is really what's at the heart here, is a
2 sanctionable offense or as a Rule 11 violation. You can sit
3 here and speculate, but I've got no authority; they've got no
4 authority, and therefore I don't think, you know, other than
5 sua sponte by Your Honor could authority come up as to
6 claiming that forum shopping might be a Rule 11 sanction.

7 The reality is at best that might be what happened
8 here, Your Honor. And I'll make an offer of proof that if in
9 fact you asked Mr. Stanton why he might have filed over here
10 is because in the first divorce proceeding the parties were
11 into it for about \$50,000. And they did not want to incur the
12 expense, they didn't want to go through it again, and
13 therefore they simply wanted to get a joint petition for their
14 divorce. And that's why it was brought over here, Your Honor.
15 It wasn't to harass. It wasn't to delay.

16 Could Twyla sign the joint petition just as she
17 signed a complaint previously? I would say yes.

18 THE COURT: You know, you talking about her signing
19 things and so forth brings to mind an issue that my law clerk
20 and I talked about this morning regarding a recent filing.
21 I'll have to find it again. It's not at the tip of my head --
22 it's an affidavit from Twyla. It was just filed January 4th,
23 Friday afternoon at 3:40. And it's an affidavit from Twyla.
24 The first two pages are the affidavit. The third page is a

1 notarization. So I'm not quite sure that there's not
2 shenanigans going in attaching a notarization to two fugitive
3 document pages. I don't know. But nonetheless, this
4 affidavit from Twyla I've never seen in 20 years. It says
5 it's -- it says that on -- let me find a date here. Very
6 unusual. It says that on June 18th, 2018, two weeks after
7 they filed the divorce or something like that, they filed the
8 complaint and so forth -- you can correct me on any of my
9 facts. Then Twyla unilaterally submitted an affidavit to the
10 Court after the complaint was filed and so forth. And she
11 says -- well, you would have to see -- have you seen it?

12 MR. KENT: No, I haven't, Your Honor.

13 THE COURT: Come -- come on forward and I'll give it
14 to you. We can make copies for you guys if you need it. But
15 it's just so strange and unusual that we were shocked and
16 flabbergasted that somebody would go into court and file this
17 affidavit.

18 (COURT AND CLERK CONFER BRIEFLY)

19 THE COURT: A week or two after the joint petition
20 was granted. And in hundreds or thousands of divorces and
21 joint petitions being granted, I've never seen somebody file
22 an affidavit like this two or three weeks later saying, oh, by
23 the way, I want you to know I did all this of my own free
24 will; I wanted to do it, and so forth. Very unusual. And I

1 just mention it to you because you were talking about her
2 signing things. And to me, it's another little piece of
3 evidence of shenanigans.

4 MR. KENT: I'm just curious, was this filed in June
5 or just signed in June and filed --

6 MR. LEBELLO: Signed in --

7 MR. KENT: -- in January?

8 MR. LEBELLO: -- June and filed in January.

9 MR. KENT: Signed in June.

10 THE COURT: And the filings on that --

11 (COUNSEL CONFER BRIEFLY)

12 MR. KENT: I'd ask, if it please the Court, I could
13 get a copy of that.

14 THE COURT: Of course, you can both have copies.
15 You bet. Just unusual, and I wanted to note it for the
16 record. Did you want to say something? Oh, you went to make
17 copies for them? I appreciate that. That's nice of you. Go
18 ahead and make three copies so each attorney can have one.

19 MR. KENT: And -- and, Your Honor, in light of that,
20 I don't know how or who filed anything. I've been in contact
21 with Mr. Stanton via email on many things and I don't recall
22 that as having been spoken as one of them. So that's the
23 first that I've --

24 THE COURT: And again --

1 MR. KENT: -- seen that.

2 THE COURT: -- I want to reiterate. I'm going to
3 ask the attorneys to prepare an order at the end of this
4 hearing, and I want to reiterate and I'd probably appreciate
5 it if the order even reflected it, that I'm making no finding
6 of you doing anything wrong or perpetuating fraud and so
7 forth. I think you're being a good attorney protecting his
8 rights, making sure procedure's followed; all the things
9 you're supposed to be doing, but as you can see, I have Rule
10 11 concerns which I'm probably going to rule on in a moment.
11 And I appreciate you addressing them.

12 MR. KENT: Well, and -- and to do that, Your Honor,
13 I think probably one thing -- not trying to mind read, but
14 understanding kind of some of the direction that you're
15 probably pointing a little bit in; if in fact -- again, and
16 I'm not conceding by any means whatsoever --

17 THE COURT: Of course.

18 MR. KENT: -- that there wasn't any wrongdoing here,
19 other than to try and get a simple divorce done without
20 incurring excessive fees, which unfortunately, we all know can
21 sometimes happens and does happens in divorce proceedings.
22 That if in fact there's a finding of, hey, you know what, I
23 think there was something filed here and it shouldn't have
24 been filed here, that there was enough directive from the

1 courts before that you should have stayed over there and not
2 here. I think the simple option is to dismiss it.

3 I think if there's going to be sanctions beyond that
4 such as an inappropriate filing or duress or coercion or
5 anything else like that, I would respectfully request that to
6 do anything like that, I think we need to have more of an
7 evidentiary hearing, bring in Twyla, find out was she put
8 under any duress --

9 THE COURT: All right.

10 MR. KENT: -- was she --

11 THE COURT: Let me interrupt you. I concur with
12 you. If I was going to make those kinds of findings, we'd
13 need an evidentiary hearing --

14 MR. KENT: All right.

15 THE COURT: -- but I'm not going to make them.

16 MR. KENT: And -- and I'm -- and I'm hoping -- Your
17 Honor, and I appreciate that, because part of --

18 THE COURT: I wasn't showing you that filing in an
19 evidentiary hearing context. I was only showing it to you as
20 an, oh, by the way, look at this filing we got the other day.

21 MR. KENT: No, and -- and --

22 THE COURT: I am going to ask the attorneys in a
23 moment to prepare an order finding a Rule 11 violation, and
24 I'm going to ask them in a moment to -- when they prepare the

1 order to make findings of facts and conclusions of law
2 pursuant to the different arguments that they submitted
3 regarding the multiple findings (sic) in Las Vegas, the
4 multiple courts, Judge Hughes' findings of mental capacity,
5 failure to represent it to me, the amounts of income that
6 she's having. And on the other arguments that they've made.
7 Based on my analysis, I adapt those arguments and agree with
8 their conclusion and I'm going to ask them to write up an
9 order transferring the case, setting it aside, transferring
10 the case back to Vegas and making those Rule 11 findings. And
11 I'm going to ask them in a moment what they think an
12 appropriate sanction would be. I haven't made that
13 determination yet.

14 MR. KENT: Your Honor, in -- in light of your --
15 your comments, dismissing this action, is there really
16 anything to transfer back to Clark County? I -- I mean, just
17 -- I'm -- I would hope --

18 THE COURT: I'm --

19 MR. KENT: -- that what we're --

20 THE COURT: -- transferring it in the context that I
21 don't want him to come back in a year or six months and say,
22 hey, this is you guys' case, we had this previous case pending
23 and it's still yours and now we want to finalize our divorce,
24 and I'm letting the future Judge know which may be me or some

1 other Judge that, no, the jurisdiction is in Las Vegas and if
2 he wants to come back and get a divorce, go to Las Vegas and
3 get it. Any place else you go, you're perpetuating the fraud.

4 MR. KENT: And -- and in doing so, Your Honor, that
5 would hopefully close things out after the order is issued.

6 THE COURT: It will.

7 MR. KENT: Okay. Thank you --

8 THE COURT: And the --

9 MR. KENT: -- for that.

10 THE COURT: -- only remaining issue is sanctions.

11 MR. KENT: Thank you for that, Your Honor.

12 THE COURT: All right.

13 MR. KENT: And -- and, again --

14 THE COURT: Do you want to hear their argument on
15 sanctions before you re -- respond to it?

16 MR. KENT: That's fine, Your Honor.

17 THE COURT: All right. Anything else, Counsel, you
18 want me to order besides what I've said so far and then the
19 sanctions issue?

20 MR. LEBELLO: We'd like to -- yes, Your Honor. I
21 think if we're going to set aside the decree and dismiss the
22 joint petition with prejudice, the Court has to make some --
23 the -- the order should state something with regard to the
24 arrearage. I -- there is an arrearage that was ordered in the

1 decree. That has to be set aside --

2 THE COURT: By me?

3 MR. LEBELLO: Yes, I think there was an -- an order
4 in the decree that Twyla owed him --

5 THE COURT: And that's set aside then.

6 MR. LEBELLO: Set aside. And so the DA is
7 instructed to stand down. So something along those lines.
8 I'm not sure if the Court wants to do anything with regard to
9 the pension, monies, or leave that for --

10 THE COURT: That's -- that's for Vegas. And you
11 guys may have to go to Vegas and reopen this case somehow
12 and --

13 MR. LEBELLO: Right. Well, we asked the Court to
14 award attorney's fees under Rule 11. And -- but more
15 specifically under NRS 18.010. And that's what we raised in
16 our motion. We asked the Court for attorney's fees under
17 18.010 and we cite that rule beginning at page 11 rolling over
18 to page 12. And it's interesting that that rule at 1(b)
19 actually references that the Court may award sanctions
20 pursuant -- attorney's fees as an appropriate sanction
21 pursuant to Rule 11 in all appropriate situations to punish
22 for and deter frivolous or vexation -- ve -- vexatious claims
23 and defenses.

24 Now what we've got here in terms of whether or not

1 this is frivolous or vexatious is that we have the -- the
2 Defendant recognizing the mental status of Twyla in his
3 complaint for separate maintenance. This was filed back in
4 September 13th of 2017. We then have Judge Hughes making her
5 findings in February of the following year where she says
6 diminished mental capacity, unable to comprehend legal
7 documents, and unable to make judgments as to legal matters.

8 But that doesn't stop him, because the very next
9 month he -- they file their third divorce action, that's March
10 29th, and when that didn't work out for them, they filed the
11 action here on April 18th. This is with full knowledge that
12 Twyla has -- even -- even if you put the report of the doctor
13 aside, and we haven't mentioned that, the findings of Judge
14 Hughes that she has a diminished mental capacity; the
15 recognition in the Defendant's own paper that she suffers from
16 a -- Defendant's mental state that would prohibit her from
17 taking proper care of the children.

18 To then go ahead and submit documents with the
19 ostensible position being that both parties are agreeing and
20 that she understands what they say and she comprehends the
21 legal matter -- matter that's set forth in those documents and
22 that she fully agrees with and understands all of the
23 significant rights that she's giving up including custody of
24 her own six children, that she has to pay \$1500 of child

1 support, that she gets not a dime in spousal support, that he
2 gets the house, that she gets half of the pension, but maybe
3 there's questions as to what happened to that half of the
4 money. We think that an appropriate sanction for this man in
5 order to dissuade from further frivolous and vexatious filings
6 is an award of tor -- attorney's fees in the amount of \$3,200,
7 Judge.

8 THE COURT: All right. Counsel, have the order
9 reflect that I find a violation of Rule 11 based on my review
10 of the record and the argument I've heard today and the
11 totality of the circumstances. I really appreciate you two
12 attorneys coming in and arguing this matter because I could
13 have seen this Machiavellian case slipping through the cracks
14 if you hadn't of came (sic) in and did it. I'm -- I'm guess
15 I'm not allowed to appoint you as guardians, and it's too bad
16 because I would have based on the totality of the
17 circumstances I review.

18 Make sure that -- I -- I guess you're doing this pro
19 -- pro bono and just doing it on what makes it right, and I
20 appreciate that. Make sure the order reflects that Mr. -- the
21 other Counsel I think has done a good job and is not
22 perpetuating a fraud or doing anything improper. Put in the
23 findings of fanctions -- set -- fact and conclusions of law
24 and looking at 10 pages here. I think that's everything I

1 need to make fine. And then Counsel, is there anything you
2 want to say regarding their request for \$3200 in attorney's
3 fees?

4 MR. KENT: Yes, Your Honor. You made a statement
5 that you think that they're here pro bono. I don't believe
6 that's accurate, Your Honor. I believe they're here on behalf
7 of the guardian ad litem, the temporary guardian --

8 THE COURT: That would be fine.

9 MR. KENT: -- ad litem.

10 THE COURT: Thank you.

11 MR. KENT: And under that, Your Honor. Again, I go
12 back to the point that they don't have the standing to be
13 here.

14 THE COURT: Well, I haven't ruled they do.

15 MR. KENT: And I understand that. If they don't
16 have the standing to be here, I don't think you would have the
17 authority to award somebody who's not properly before you the
18 award of anything.

19 THE COURT: All right. Well --

20 MR. KENT: And --

21 THE COURT: -- that may be an appellate issue,
22 because I am going to grant them --

23 MR. KENT: And --

24 THE COURT: -- some attorney's fees as a sanction

1 for the Rule 11 violation. I'm just wondering how much.
2 They're saying 3200 is reasonable and you would say what is
3 reasonable?

4 MR. KENT: Your Honor, I -- I would --

5 THE COURT: You would say based on the work
6 they've --

7 MR. KENT: I've --

8 THE COURT: -- done -- you disagree with the ruling
9 I'm making, but based on the work they've done, you think a
10 thousand is reasonable or --

11 MR. KENT: Well, Your Honor, my first argument is
12 going to be that I believe we should prevail on the fact that
13 they don't have the authority to be here; that they didn't do
14 what they were supposed to do in terms of properly registering
15 the guardianship going back to Arkansas and notifying them. I
16 had to do research on that to find out their standing. And
17 therefore, I think -- I'm -- I'm not trying to point at them
18 and they said, oh, they did something fraudulent or anything.
19 No, I'm not going with that.

20 I'm just simply saying they didn't follow the rules,
21 and I had to point that out. And therefore, should Mr. (sic)
22 Stanton be awarded -- or an offset of attorney's fees for the
23 fact of their failure to do what they were required under the
24 rules to be here in front of Your Honor.

1 If you took that out completely, Your Honor, I -- I
2 haven't seen the billing. I don't know what they've done.
3 I'm not certain why we had both Counsel here and whether he's
4 getting billed for two Counsel to be at these appearances and
5 for the driving back and forth.

6 I haven't seen a -- a Brunzell statement from them,
7 Your Honor. I don't --

8 THE COURT: All right. I'm -- I'm --

9 MR. KENT: -- know if there was --

10 THE COURT: -- going to --

11 MR. KENT: -- one in there.

12 THE COURT: I'm going to rule a Rule 11 sanction of
13 \$3,000. We'll give them 60 days to pay that. Counsel, I want
14 you to know that this -- all -- all of this that I've looked
15 at, the totality of it just shocks me what this guy's going
16 through, what he's been going -- what he's been doing for the
17 last couple years. I still don't understand why. I -- I know
18 it's money. That's what anything's about in life, Gramsci
19 said -- Antonio Gramsci -- have you read Gramsci?

20 MR. KENT: No, I haven't.

21 THE COURT: He's an Italian communist. You don't
22 have to pay any attention to him. But -- yeah, I'm sure it
23 all has to do with money, but they said something about a -- a
24 church and although I've already my decision, it's all over,

1 what church are they talking about?

2 MR. KENT: And what's the name of your church?

3 THE DEFENDANT: It's called Apostolic Church of Las
4 Vegas. It's a Pentecostal church.

5 THE COURT: What's it called, Pentecostal? Okay.

6 MR. KENT: Apostolic Church of Las Vegas. It's a --

7 THE COURT: All right.

8 MR. KENT: -- Pentecostal church.

9 THE COURT: Because I've never heard of a church
10 where it's important that you get the custody and stuff. But
11 that's what they said.

12 MR. KENT: Well, and -- and, again, that's what they
13 said.

14 THE COURT: That's what they said. Who cares what
15 they say?

16 MR. KENT: But --

17 THE COURT: They don't know what they're talking
18 about. It doesn't matter.

19 MR. KENT: I don't know whether they do or not. I
20 have no idea if they're familiar with this church whatsoever.
21 Your Honor, one thing I would like to point out so that it
22 doesn't raise an issue, based upon the remarriage, there's no
23 -- we're not -- if they want to put into your order that
24 there's no arrears and any prior award for arrears shall be

1 vacated.

2 THE COURT: I'm setting it aside. Yeah, I'm
3 vacating --

4 MR. KENT: Okay.

5 THE COURT: -- it.

6 MR. KENT: We don't have any issue with that, Your
7 Honor. In the terms of Your Honor -- I guess I would -- I
8 would like to make sure that the order is submitted to me
9 before submission to you --

10 THE COURT: That will be fine.

11 MR. KENT: -- so that I can have a review of it,
12 Your Honor.

13 THE COURT: That'll be fine.

14 MR. KENT: And I'm not certain if Mr. Stanton's
15 going to be able to make the 60 days on the payment or not,
16 but --

17 THE COURT: You can motion for more time if you need
18 it after you --

19 MR. KENT: And I'll work --

20 THE COURT: -- talk with him.

21 MR. KENT: -- with opposing Counsel --

22 THE COURT: Yeah.

23 MR. KENT: -- on that, Your Honor. If I may.

24 THE COURT: Sure.

1 (COUNSEL AND CLIENT CONFER BRIEFLY)

2 MR. KENT: Your Honor, I don't know if it's going to
3 make any difference to you in terms of what's going on with
4 the potential temporary guardianship in the state of Arkansas?
5 Because that's up for -- the -- as was noted and an opposition
6 has been filed to that guardianship and that may very well be
7 dismissed. I don't know if that has any relevance to you and
8 your finding --

9 THE COURT: Not at --

10 MR. KENT: -- or decision.

11 THE COURT: -- this time, but you can always do
12 motions for reconsideration.

13 MR. KENT: Okay.

14 THE COURT: Anything else?

15 MR. LEBELLO: Just one final point, if I may, Judge.
16 The -- Counsel raised the fact that both of us are here today.
17 He's not sure of the financing arrangement and the attorney's
18 fees arrangement. What we've asked for in the motion of \$3200
19 is a flat fee which is what has been billed to client, not one
20 dime more and not one dime less. So we would ask that the
21 Court actually award the 3200. And I'm not being greedy here,
22 but they should be reimbursed the full amount of what they've
23 paid.

24 THE COURT: Three grand.

1 MR. LEBELLO: Okay. Thank you, Judge.

2 THE COURT: I think all three of you did a great job

3 today, very professional, very intelligent. Thank you for

4 coming into my courtroom today.

5 MR. KENT: And then this is the client -- the

6 guardians, the temporary guardians, I presume, right?

7 THE COURT: Is that what you're asking?

8 MR. LEBELLO: That -- what's the question?

9 MR. KENT: You said the client was the one that paid

10 the 3200 and that's the --

11 MR. LEBELLO: I'm not -- I'm not --

12 MR. KENT: -- temporary guardian?

13 MR. LEBELLO: -- making any representation as to who

14 paid what. I'm just saying that 3200 was paid in attorney's

15 fees and that's what we asked for.

16 THE COURT: All right.

17 MR. LEBELLO: But we're --

18 THE COURT: Three grand.

19 MR. KENT: All right.

20 MR. OWEN: Thank you, Your Honor.

21 THE COURT: Thank you, gentlemen. Thank you for --

22 MR. KENT: Thank you, Your Honor.

23 THE COURT: -- coming here today.

24 MR. OWEN: And -- and it was 60 days?

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THE COURT: Sixty days.

MR. OWEN: Okay.

(TO OTHER MATTERS)

(PROCEEDINGS CONCLUDED AT 10:18:58)

* * * * *

ATTEST: I do hereby certify that I have truly and
correctly transcribed the digital proceedings in the above-
entitled case to the best of my ability.

Adrian Medrano

Adrian N. Medrano

EXHIBIT 2

1 TRANS

FILED

MAY 19 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

5 FIFTH JUDICIAL DISTRICT COURT
6 FAMILY DIVISION
7 NYE COUNTY, NEVADA
8

9 TWYLA MARIE STANTON,)
10 and)
11 DENNIS VINCENT STANTON,)
12 Joint Petitioners.)
_____)

CASE NO. CV-0039304

DEPT. 02

SUPREME COURT CASE NO. ⁸⁰⁹¹⁰~~78617~~

15 BEFORE THE HONORABLE ROBERT W. LANE
16 DISTRICT COURT JUDGE

17 TRANSCRIPT RE: MOTION FOR RECONSIDERATION

19 MONDAY, JUNE 10, 2019

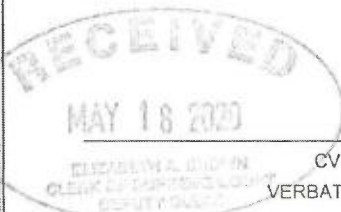
20 APPEARANCES:

21 The Petitioner:
22 For the Petitioner:

DENNIS VINCENT STANTON
PRO SE

23 Also Present:

ROBERT CRAWFORD
(Telephonically)



CV-0039304 STANTON 06/10/2019 TRANSCRIPT
VERBATIM REPORTING & TRANSCRIPTION, LLC (520) 303-7356

243

2 PROCEEDINGS

3 (THE PROCEEDINGS BEGAN AT 08:58:53)

4

5 THE COURT: All right. Let's see who we have first
6 on the telephone. We have Stanton, 39304. That's case number
7 39304, Twyla versus Dennis, page 24. And it's a motion to
8 recuse, if I'm reading this correctly.

9 (COURT AND CLERK CONFER BRIEFLY)

10 THE COURT: Oh, that's that one?

11 THE CLERK: Yes.

12 THE COURT: All right. And we don't have anybody
13 here for it?

14 THE CLERK: Well, who's on the phone is the -- the
15 parents. So the parents of Twyla.

16 THE COURT: I see.

17 THE CLERK: Or one of the parents of Twyla. I
18 thought he would appear today, but --

19 THE COURT: But that kind of goes in context with
20 the totality of the circumstances.

21 THE CLERK: Kind of.

22 THE COURT: That he didn't --

23 THE CLERK: Well, and he showed up once before
24 during the -- for a set aside motion. And then he's filed

1 stuff. But she's not here. And that's been common. She's

2 --

3 THE COURT: Do you think we should just send it off
4 then?

5 THE CLERK: Yeah. Well, so you might want a record
6 because it sounds like he hasn't met with this -- these
7 people. So he needs to provide that paperwork because that's
8 like \$100 that the clerk copied.

9 THE COURT: Well, they're on the phone.

10 THE CLERK: Yeah. So we can -- I just wasn't
11 comfortable waiving those costs to -- being that he's supposed
12 to file it -- or he's supposed to send them copies. So --

13 THE COURT: Okay.

14 THE CLERK: -- I'm also charging normal --

15 THE COURT: And they're on the phone right now.

16 THE CLERK: Well, yeah. I think it's Roland (ph).

17 THE COURT: Broman, is that what you said?

18 THE CLERK: Roland.

19 THE COURT: Roland?

20 THE CLERK: Twyla's --

21 THE COURT: I'm looking. Is it guardians, Robert
22 and Carmen?

23 THE CLERK: Yeah, so Robert --

24 THE COURT: Let me check real quick. Robert

1 Crawford, is that you on the phone?

2 MR. CRAWFORD: Yes, ma'am -- yes, Your Honor.

3 THE COURT: Did you receive any --

4 MR.. CRAWFORD: I misspoke.

5 THE COURT: -- paperwork on this matter?

6 MR. CRAWFORD: All I -- I received some from the

7 Court --

8 THE COURT: Regarding today's hearing?

9 MR. CRAWFORD: -- and all I was -- actually, what I

10 re -- what I received is a court order -- is a -- is ex parte

11 motion for stay. And it was just two pages.

12 THE CLERK: So all he got from (indiscernible) --

13 are notice to appear.

14 MR. CRAWFORD: Yeah. I got the front page of the

15 court order, and then I got the second page of serv --

16 certification of service. And that was it. I didn't get any

17 other documents with it.

18 THE COURT: Is that him?

19 THE CLERK: That might be. He's talked about it.

20 MR. CRAWFORD: And so I didn't even know about this

21 until my previous lawyer told me about this Friday.

22 THE CLERK: Ask if that's him, and have him come up

23 here, Judge.

24 THE COURT: All right. Would that be Dennis?

1 THE CLERK: Yes, yes.

2 THE MARSHAL: This is Dennis Stanton.

3 THE COURT: Dennis, can you come on up to the table,
4 please?

5 (PAUSE)

6 THE COURT: Do you know where Twyla is?

7 THE PETITIONER: Yeah, she's -- she's at home.

8 She's -- she's, like, 16 weeks pregnant, so she's having --
9 she's in a high-risk pregnancy. And she's having morning
10 sickness, so she can't be in the car in the morning.

11 THE COURT: All right. I believe you --

12 THE PETITIONER: -- so she wasn't going to make it.

13 THE COURT: I believe you --

14 THE PETITIONER: But she is -- she is available by
15 phone.

16 THE COURT: I believe you filed a motion for
17 reconsideration.

18 THE PETITIONER: I did.

19 THE COURT: And a motion to stay execution.

20 THE PETITIONER: I did.

21 THE COURT: And then you filed a motion for recusal.

22 THE PETITIONER: Yes.

23 THE COURT: All right. Now, if my understanding of
24 the law is correctly (sic), I can't rule on the first two

1 until we get a decision on the second -- the last one.

2 THE PETITIONER: Yeah, that's -- that's my
3 understanding, too.

4 THE COURT: So we're immediately sending it off now
5 to Judge Wanker, and she'll make a decision on the motion to
6 recuse.

7 THE PETITIONER: Okay.

8 THE COURT: Then, when we get that back from her, if
9 she says, yeah, he's recused, we'll assign it to a new judge
10 who will look at your other motions. And if she says, no,
11 he's not recused, we'll bring you back in for another hearing
12 on your motions.

13 THE PETITIONER: Okay. And how -- how would I be
14 notified?

15 THE COURT: Hang on one second.

16 (COURT AND CLERK CONFER BRIEFLY)

17 THE COURT: All right. My law clerk was just
18 telling me that some of the service wasn't done correctly on
19 the previous documents.

20 THE PETITIONER: Which document?

21 THE COURT: The motion to -- for reconsideration and
22 so forth. And he's not sure we should tell you right now
23 what's not done properly until after the recusal decision is
24 made.

1 THE PETITIONER: Okay.

2 THE COURT: Then, you'll come back a month from now
3 and stand in front of me. And I'll say, well, we can't hear
4 the motions for reconsideration and stuff because you didn't
5 do the things properly --

6 THE PETITIONER: Well, why can't --

7 THE COURT: -- which will cause a further delay,
8 which I know you don't want and I don't want.

9 THE PETITIONER: Yeah.

10 THE COURT: So I'm just kind of putting you on
11 notice that you might want to go back and make sure everything
12 was done correctly on those previous motions.

13 THE PETITIONER: Well, are -- are -- are you talking
14 about the service to the extempore (ph) co-guardians?

15 THE COURT: Well, I -- I don't really want to get
16 into the detail because I'm not supposed to because it's not
17 in front of me right now --

18 THE PETITIONER: Yeah.

19 THE COURT: -- because of the motion to recuse. So
20 I'm not really saying here's the problems or anything. I'm
21 just saying my law said, hey, you might want to note some of
22 those things weren't done correctly. You can go back and
23 review it and make sure you did everything correctly. And
24 then we'll worry about it a month from now --

1 THE PETITIONER: Well, because --

2 THE COURT: -- if it comes to me.

3 THE PETITIONER: Well -- well, the reason I bring
4 that is because my understanding is that they're -- is that
5 they're not even parties to the action. They've -- they --
6 they've never filed a motion to intervene.

7 THE COURT: I can't rule on that right now because
8 it's not in front of me --

9 THE PETITIONER: Okay.

10 THE COURT: -- because of the recusal.

11 THE PETITIONER: Okay. So just wait for a letter in
12 the mail from the Court?

13 THE COURT: It ain't going to come until I find out
14 I have the case.

15 THE PETITIONER: Okay.

16 THE COURT: And then if I do have the case, Judge
17 Wanker says, no, he's not recused, you have the case, then the
18 next thing we'll do is set it for hearing. You'll appear in
19 front of me, and we'll start from square one.

20 THE PETITIONER: Okay.

21 THE COURT: You'll probably be getting --

22 MR. CRAWFORD: Your Honor, may I say something?

23 THE COURT: Go ahead.

24 MR. CRAWFORD: That I need -- I also need some more

1 time to receive all the documents. And it's where I can't
2 properly respond, and I should -- I should have the paperwork.
3 It should have been copied to me. In the first place, the
4 file is voluminous -- and there are so many exhibits that I
5 need to go over and respond to, to file an objection.

6 And the other thing is, too, Dennis -- I don't think
7 Dennis is correct in citing Rule 59(e). He didn't make a
8 motion for a new trial. He made a motion for reconsideration.
9 I think the Court ruled on the 8th Judicial District Court
10 ruled 5.512, reconsideration and/or rehearing for a motion in
11 that case, he had 14 days to file his motion. The notice of
12 entry was filed March 20th. His motion was filed April 15th.
13 That is 26 days. He's -- he is not timely.

14 THE PETITIONER: It's -- it's 28 days.

15 THE COURT: I would like to issue a ruling on that
16 for you and also tell you about the notices and -- and address
17 his concerns. I would like to tell you all --

18 MR. CRAWFORD: Okay.

19 THE COURT: -- what you need to do. But I can't
20 because he filed a motion to recuse me. And the law says I'm
21 automatically off the case until that decision comes back.

22 MR. CRAWFORD: I know.

23 THE COURT: So we'll be sending you paperwork and
24 notices when the next hearings are and what Judge Wanker's

1 decision is. We'll send you all that information --

2 MR. CRAWFORD: Okay.

3 THE COURT: -- so you're caught up with me.

4 Anything else?

5 MR. CRAWFORD: I -- I appreciate it, Your Honor.

6 THE COURT: All right. We'll be in touch with all
7 of you shortly. Thanks for calling in.

8 MR. CRAWFORD: All right.

9 THE COURT: All right. Bye-bye.

10 MR. CRAWFORD: Thank you, sir. Bye-bye.

11 (PROCEEDINGS CONCLUDED AT 9:07:09)

12

13 * * * * *

14 ATTEST: I do hereby certify that I have truly and
15 correctly transcribed the digital proceedings in the
16 above-entitled case to the best of my ability.

17

18 /s/ Tricia Smith
19 Tricia Smith

20

21

22

23

24

EXHIBIT 3

FILED

MAY 19 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

1 TRANS

2
3
4
5 FIFTH JUDICIAL DISTRICT COURT
6 FAMILY DIVISION
7 NYE COUNTY, NEVADA
8

9 TWYLA MARIE STANTON,)
10 and) CASE NO. CV-0039304
11 DENNIS VINCENT STANTON,) DEPT. 2 80910
12 Joint Petitioners.) SUPREME COURT CASE NO. 78617
13

14
15 BEFORE THE HONORABLE ROBERT W. LANE
16 DISTRICT COURT JUDGE

17 TRANSCRIPT RE: MOTIONS HEARING

18
19 MONDAY, FEBRUARY 10, 2020

20 APPEARANCES:

21 The Petitioner: DENNIS VINCENT STANTON
22 For the Petitioner: PRO SE

23 Also Present: ROBERT CRAWFORD
24 (Telephonically)

RECEIVED
MAY 18 2020

CV-0039304 STANTON 02/10/2020 TRANSCRIPT
VERBATIM REPORTING & TRANSCRIPTION, LLC (520) 303-7356

3063

1 PAHRUMP, NEVADA

MONDAY, FEBRUARY 10, 2020

2 PROCEEDINGS

3 (THE PROCEEDINGS BEGAN AT 09:10:37)

4

5 THE COURT: Stanton, 39304. Is Twyla on the phone?

6 THE CLERK: No. That's the grandparents.

7 THE COURT: The grandparents are on the phone.

8 MR. CRAWFORD: No, her dad is.

9 THE COURT: Okay.

10 THE PETITIONER: Your Honor, she filed a -- a notice
11 of intent to appear electronically (sic). She's called the
12 Court twice already, so.

13 THE CLERK: The Court has (indiscernible -
14 simultaneous speech) --

15 THE COURT: We've read all your briefs. Is there
16 anything you'd like to add to what's in your briefs?

17 THE PETITIONER: Well, yeah, there's -- there's a
18 lot of -- let me -- well, you know, it -- it's my motion -- my
19 motion for reconsideration. Well, let me -- I'm Dennis
20 Stanton. I'm the first joint Petitioner/Plaintiff. And I'm
21 here in Proper Person. And I -- I do want to make some
22 points.

23 As you know, I've -- I filed a motion for
24 reconsideration to alter the judgment under Rule 59(e). And

1 my first point is the unsealing of the court record without
2 first being served. I'm showing here that no notice was given
3 to me or Mrs. Stanton regarding the unsealing of the court
4 record.

5 The record will reflect that on November 20th, 2018,
6 the unregistered extempore (ph) co-guardians submitted an ex
7 parte request motion to unseal the court record without notice
8 to me or Mrs. Stanton. And part 7, which is the rules
9 governing the sealing and redacting of court records -- the
10 rule 4 states a processing grounds for unsealing the records.

11 Part 2, motions service, it says a sealed court
12 record in a civil case shall be unsealed only upon stipulation
13 of all the parties upon the court's own motion or upon a
14 motion filed by a named party or another person. A motion to
15 unseal a court record must be served on all parties to the
16 action in accordance with the Nevada Rules of Civil Procedure
17 5.

18 I was never served, and neither was Mrs. Stanton.
19 The record will reflect that -- that I wasn't served. And by
20 not being served, I was prejudiced by it. Because if I had
21 received notice of the unsealing of the court record, I could
22 have filed an opposition to that motion. But if -- if you
23 look at the record, I wasn't served.

24 My second point is that the divorce cannot be

1 attacked by third parties. And that's what we have here. And
2 it says -- it says, N.R.S. 125.185: a valid divorce in Nevada
3 is not subject to contest or attack by third persons not
4 parties to the divorce.

5 Specifically states, no -- no divorce from the
6 bounds (sic) of matrimony here -- heretofore or hereafter
7 granted by a court of competent jurisdiction of the state of
8 Nevada, which divorce is valid and binding upon each of the
9 parties thereto, may be contested or attacked by third persons
10 not parties thereto.

11 So I mean -- I mean, to me, I mean, the law is
12 crystal clear on that. And that's what we have here is we
13 have third parties from the state of Arkansas contesting and
14 attacking a decree that was validly issued in the state of
15 Nevada. You know, it was our -- it was our intent to get
16 married on July 11th, 2004. It was also our intent to get
17 divorced on June 7th, 2018. And it was our intent to remarry
18 on December 14th, 2018.

19 My third point is that I was prejudiced by not
20 having the motion to set aside hearing continued to determine
21 the true status of the unregistered extempore co-guardianship.
22 On December 13th, 2018, as the record will reflect, I filed an
23 ex parte motion for continuance in order to continue the
24 hearing so that the unregistered extempore co-guardianship

1 could be determined. Had the motion to continue been granted,
2 the Court would have seen that the unregistered extempore co-
3 guardianship would have been dismissed and that the permanent
4 guardianship would not have been granted.

5 My fourth point is that the unregistered extempore
6 co-guardianship was not registered in the state of Nevada as
7 was required by law. So under N.R.S. 159.2025, it provides
8 the registration of guardianship orders issued in another
9 state. And none of that was done.

10 They never notified the court in Arkansas what their
11 true intent was in obtaining the guardianship. They never
12 registered here. They never set a hearing. None of that was
13 done. So be -- because the -- the guardianship was not
14 registered here, they lacked merit to bring a 60(b) motion.
15 And they lacked standing and -- to do so.

16 My fifth point is the perpetration of a fraud upon
17 the Court. So the Court made findings of fact, conclusions of
18 law, and orders of me perpetrating a fraud upon the Court
19 without holding an evidentiary hearing to determine such after
20 the Court stated twice on the record that it would need an
21 evidentiary hearing to make that determination.

22 So -- and I want to emphasize that there was never a
23 fraud perpetrated upon the Court. Rather, it was just a
24 decree of divorce that was mutually agreed upon by two

1 consenting adults who were just trying to obtain a divorce at
2 -- as least expensive and costly as possible and that the most
3 efficient and convenient way available by -- by way of a joint
4 petition for divorce.

5 My sixth point is that there was a former client
6 conflict of interest here. So the -- you know, the Nevada
7 rules of professional conduct, rule 1.9; duty to former
8 clients, states in part: a lawyer who has formerly represented
9 a client in a matter should not thereafter represent another
10 person in the same substantially related matter in which that
11 person's interests are materially adverse to the interests of
12 a former client unless the former client gives informed
13 consent confirmed in writing.

14 And Mrs. Stanton never gave Mr. Lebello or Mr. Owens
15 from the Owen Law Firm informed consent confirmed in writing
16 for them to represent parties that she was directly ad -- that
17 were directly adverse from her regarding guardianship. And
18 not only did they -- did they involve themselves in a former
19 client conflict of interest, but then they also used
20 information that was gained in their prior representation of
21 -- of Mrs. Stanton in a disadvantage weighed against her.

22 Now, I looked at Judge Hughes's minute order --
23 that's what they used was Judge Hughes's minute order. And
24 that was not part of the public rec -- record. That was not

1 publicly available, and it was not generally known.

2 Let's see here. And my -- my next point is the --
3 the sanctions. If -- if you look at the -- the rule, the rule
4 says on the sanctions that a motion for sanctions must be made
5 separately from other sanc -- from other motions. That was
6 not done.

7 Next, if -- if the motion is made separately from
8 other motions, it must have been given to me 21 days prior
9 before it's filed with the Court. That was not done. Now,
10 the Court can order sanctions on its own initiative, but it
11 must issue an order to show cause and have an order to show
12 cause hearing to determine that. And that wasn't done. So --
13 so the ruling on sanctions were -- were not done according to
14 law or -- or rule.

15 Now, my next point is that a district court may not
16 award attorney fees unless they are authorized by a statute,
17 rule, or contract. See Dav -- Davis versus Beling. It's a
18 2012 Nevada case. There was no statute, rule, or contract
19 that authorizes attorney fees to be paid to nonparties in
20 family law matters.

21 There's no legal basis for it. There's no legal
22 justification. And it's unprecedented. This is a case of
23 first impression. I -- I -- I researched it. I couldn't find
24 one case where parties were -- you know, family law cases in

1 the state of Nevada where attorney's fees were issued to that
2 -- to the nonparty.

3 Now, my next point is that after determining that an
4 award of attorney fees has a legal basis, the district court
5 must use factors in Brunzell versus Golden Gate National Bank
6 to determine the amount. Here in this case, attorney fees
7 were ordered without making the findings required by Brunzell.
8 Nothing in the record indicates that the unregistered
9 extempore co-guardians filed a Brunzell motion or affidavit to
10 support their factual request.

11 My next point is that the Court did not take into
12 account the disparity of the incomes between myself and the
13 unregistered extempore co-guardians. In family law cases, the
14 court must also consider the disparity in the parties'
15 respective incomes. See Miller. It's a Nevada case. They
16 also didn't file a financial disclosure form when seeking
17 financial assistance.

18 Now, it -- it is believed that -- that the guardians
19 have an estimated income of as -- income and assets of between
20 three to \$5,000,000. And I put that in my -- in my
21 supplement. And I have an average income of about \$60,000
22 annually. So there -- there's a big disparity of income
23 between the -- the extempore co-guardians and myself.

24 Now, my next point is that the evidence or

1 affidavits and the relief sought, you know, there -- there's
2 -- there's no verifications. There's no affidavit. There's
3 no -- there -- there's no witness testimony. There's no --
4 there's no evidence. There -- you know, there's -- there's
5 nothing that they've established in the record that verifies
6 what they put in their motion is -- is true or correct.

7 Now -- now, I want to talk about the conduct of the
8 extempore co-guardians toward Mrs. Stanton. And when -- what
9 they did was when she was in -- in Arkansas, they took her
10 service from her regarding her guardianship hearing. So that
11 way, she wouldn't appear at the guardianship hearing. They
12 stole \$62,400 from Mrs. Stanton regarding her -- her dad's
13 social security death benefit that they said they were going
14 to save for her and give it to her when she left the house.
15 And they never did that.

16 They prevented her from seeing her children while
17 they were in town to visit her. They kept moving her from
18 house to house and taking -- and taking off the house numbers
19 of the places that they took her so that she didn't know where
20 she was at. They prevented her from speaking or -- or seeing
21 her guardianship attorney.

22 You know, also an investigation was opened and being
23 conducted by the Arkansas protective services regarding the
24 treatment of how they treated her. I -- I wasn't able to get

1 that report. You know, they -- they sent her threats via text
2 messages. You know, they were -- I mean, there's other stuff
3 here. But I -- I just want to go to my next point.

4 Now, there was never an intent to fail to misinform
5 the Court regarding multiple proceedings that were ceded to
6 Nye County, filed -- and if you look at the joint petition for
7 divorce that was filed here, we utilized self-help
8 fill-in-the-blank forms.

9 And -- and it didn't ask or inquire about
10 participation in other cases, knowledge of other cases, and
11 other considerations. If it had did (sic), we would have put
12 that there, but it didn't. So it's not the fact that we
13 failed to misinform the Court regard -- regarding prior
14 filings. It just -- it didn't ask for it.

15 My next point is that the -- the unregistered
16 extempore co-guardians are not parties to this action. They
17 haven't been named. They haven't been served. They haven't
18 even filed a proper motion to intervene. There -- there is no
19 guardianship. They are not parties. So -- so I don't
20 understand how they could just come in and all of a sudden
21 file a motion to set aside our divorce when they were never a
22 part (sic) to the marriage or the divorce.

23 An -- another thing that I found concerning was that
24 nowhere in the court record or the court hearing that was on

1 January 7, 2019 did it state that the sanctions were reduced
2 to judgment plus post judgment interest at the applicable
3 daily rate of judgment interest.

4 There's no mention of that in the record or in the
5 transcript of the January 7, 2018 hearing. But then in the
6 judgment and order, it was reduced to judgment plus interest.
7 That was never discussed at the hearing. That's -- that's
8 pretty much all I have for right now. I'm sure other stuff
9 will come up.

10 THE COURT: Thank you. Is there anything the
11 grandparents would like to add?

12 MR. CRAWFORD: Yes. That as far as my assets, the
13 assets that he had declared is a lie.

14 THE PETITIONER: That's not true.

15 MR. CRAWFORD: I'm a disabled veteran.

16 THE COURT: All right. Anything else?

17 MR. CRAWFORD: And my -- my inc -- and the other
18 thing as far as the -- the death benefits, that was also a
19 lie.

20 THE COURT: All right.

21 MR. CRAWFORD: Actually, pretty much everything he
22 is saying is -- is a lie.

23 THE COURT: Okay. You made a lot of points. We'll
24 take them under consideration and issue our ruling in the next

1 week or so.

2 THE PETITIONER: Okay.

3 THE COURT: Thanks for coming in today. Oh, by the
4 way, are you guys remarried now?

5 THE PETITIONER: Yeah. We've --

6 THE COURT: Are you married?

7 THE PETITIONER: -- we've been remarried.

8 THE COURT: Okay. And you're living together?

9 THE PETITIONER: We're living together.

10 THE COURT: All right. Thank you for coming in.
11 We'll have our decision for you shortly.

12 THE PETITIONER: Okay. Thank you.

13 THE COURT: Thank you.

14 (PROCEEDINGS CONCLUDED AT 9:27:24)

15 * * * * *

16 ATTEST: I do hereby certify that I have truly and
17 correctly transcribed the digital proceedings in the
18 above-entitled case to the best of my ability.

19

20 /s/ Tricia Smith
21 Tricia Smith

22

23

24