1	IN THE SUPREME COURT O	F THE STATE OF NEVADA	
2	DENNIS VINCENT STANTON,	Supreme Court Case No.: 80910	
3	Appellant/Cross-Respondent,	District Court Case Negectr Vrive 2004 04:38 7 75	
4	VS.	Mar 12 2021 04:28 p.m. Elizabeth A. Brown	
5	TWYLA MARIE STANTON,	Clerk of Supreme Court	
6	Respondent/Cross-Appellant.		
7			
8	APPENDIX OF EXHIBITS TO APP	PELLANT/CROSS-RESPONDENT	
9	DENNIS VINCENT STANT	TON'S OPENING BRIEF	
10			
11	VOLUME 1 OF 4 (Part 1 of Volume 1 of 4)		
12	[JA000001 - JA000220]		
13			
14 15		Savage, Esq. da Bar No.	
16		EY DRIGGS  1 Street Suite 300	
17	400 S. Fourth Street, Suite 300 Las Vegas, Nevada 89101 (702) 791-0308		
18	(702)	791-0308	
19			
20	Attorney for Appel	llant/Cross-Respondent	
21			
22			
23			
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# ALPHABETICAL APPENDIX PER NRAP 30(C)(2)

AFFIDAVIT IN SUPPORT OF REQUEST FOR SUMMARY DISPOSITION, DATED 5-17-2018	Volume 1; JA000018 - JA000020
AFFIDAVIT OF ROBERT CRAWFORD AND CARMEN CRAWFORD, DATED 7-5-2019	Volume 3; JA000626 – JA000629
AFFIDAVIT OF TWYLA M. STANTON IN REGARDS TO THE SIGNING AND FILING OF THE NEW DECREE OF DIVORCE AND THE AMENDED JOINT PETITION FOR SUMMARY DECREE OF DIVORCE, DATED 1-04-2019	Volume 1; JA000218 - JA000220
AMENDED JOINT PETITION FOR SUMMARY DECREE OF DIVORCE, DATED 6-05-2018	Volume 1; JA000022 - JA000038
CERTIFIED TRANSCRIPT OF ALL PENDING MOTIONS, ON 2-10-2020	Volume 4; JA000644 – JA000657
CERTIFIED TRANSCRIPT OF DEFENDANTS MOTION FOR RECONSIDERATION, ON 6-10- 2019	Volume 3; JA000571 – JA000582
CERTIFIED TRANSCRIPT OF DEFENDANTS MOTION TO SET ASIDE DECREE/DISMISS JOINT PETITION, ON 1-07-2019	Volume 2; JA000221 – JA000266
COURT ORDER, DATED 12-14-2018	Volume 1; JA000178 - JA000179
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EX PARTE MOTION FOR TO EXTEND THE TIME REQUIRED TO FILE A WRITTEN RESPONSE TO THIS MOTION, DATED 12-13- 2018	Volume 1; JA000169 - JA000177
EXHIBIT APPENDIX TO MOTION FOR RECONSIDERATION [EXHIBITS A – T], DATED 4-15-2019	Volume 2; JA000316 – JA000410
EXHIBIT APPENDIX TO MOTION FOR RECONSIDERATION [EXHIBITS U – KK], DATED 4-15-2019	Volume 3; JA000411 – JA000532

1	FIRST JOINT PETITIONER/PLAINTIFF'S NOTICE OF NON-OPPOSITION TO SECOND	Volume 3; JA000551 – JA000553
2	JOINT PETITIONER/DEFENDANT'S MOTION FOR RECONSIDERATION, DATED 5-19-2019	
3	FIRST JOINT PETITIONER/PLAINTIFF'S MOTION PURSUANT TO RULE 60(B) TO SET	Volume 1; JA000074 - JA000167
4	ASIDE DECREE OF DIVORCE AS FRAUDULENTLY OBTAINED, TO DISMISS	
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6	DEFENDANT FOR FORUM SHOPPING AND PERPETRATING A FRAUD UPON THE COURT IN THE FULL AMOUNT OF	
7	PLAINTIFF'S FEES AND COSTS, DATED 11- 27-2018	
8	FIRST JOINT PETITIONER/PLAINTIFF'S REPLY TO OPPOSITION TO MOTION	Volume 1; JA000210 - JA000217
9	PURSUANT TO RULE 60(B) TO SET ASIDE DECREE OF DIVORCE WITH PREJUDICE,	
10	AND TO SANCTION DEFENDANT FOR FORUM SHOPPING AND PERPETRATING A FRAUD UPON THE COURT IN THE FULL	
11	AMOUNT OF PLAINTIFF'S FEES AND COSTS AND OPPOSITION TO COUNTERMOTION TO	
12	STRIKE MOVANT'S MOTION AS BEING FILED WITHOUT AUTHORITY AND IN A	
13	DIRECT CONFLICT OF INTEREST, AND FOR ATTORNEY'S FEES, DATED 1-02-2019	
13 14		Volume 1; JA000001 - JA000017
	ATTORNEY'S FEES, DATED 1-02-2019 JOINT PETITION FOR SUMMARY DECREE	
14	JOINT PETITION FOR SUMMARY DECREE OF DIVORCE, DATED 5-17-2018  NOTICE OF MOTION AND MOTION FOR	- <b>JA000017</b> Volume 2; JA000283 -
14 15	JOINT PETITION FOR SUMMARY DECREE OF DIVORCE, DATED 5-17-2018  NOTICE OF MOTION AND MOTION FOR RECONSIDERATION, DATED 4-15-2019  NEW DECREE OF DIVORCE, DATED 6-07-	- JA000017 Volume 2; JA000283 - JA000315 Volume 1; JA000039
14 15 16	JOINT PETITION FOR SUMMARY DECREE OF DIVORCE, DATED 5-17-2018  NOTICE OF MOTION AND MOTION FOR RECONSIDERATION, DATED 4-15-2019  NEW DECREE OF DIVORCE, DATED 6-07-2018	- JA000017 Volume 2; JA000283 – JA000315 Volume 1; JA000039 - JA000062 Volume 3; JA000533 –
<ul><li>14</li><li>15</li><li>16</li><li>17</li></ul>	JOINT PETITION FOR SUMMARY DECREE OF DIVORCE, DATED 5-17-2018  NOTICE OF MOTION AND MOTION FOR RECONSIDERATION, DATED 4-15-2019  NEW DECREE OF DIVORCE, DATED 6-07-2018  NOTICE OF APPEAL, DATED 4-16-2019	- JA000017  Volume 2; JA000283 - JA000315  Volume 1; JA000039 - JA000062  Volume 3; JA000533 - JA000534  Volume 4; JA000677 -
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14 15 16 17 18 19 20	JOINT PETITION FOR SUMMARY DECREE OF DIVORCE, DATED 5-17-2018  NOTICE OF MOTION AND MOTION FOR RECONSIDERATION, DATED 4-15-2019  NEW DECREE OF DIVORCE, DATED 6-07-2018  NOTICE OF APPEAL, DATED 4-16-2019  NOTICE OF APPEAL, DATED 3-26-2020  NOTICE OF CROSS-APPEAL, DATED 3-27-2020  NOTICE OF ENTRY OF ORDER AND JUDGMENT, DATED 3-20-2019	- JA000017  Volume 2; JA000283 - JA000315  Volume 1; JA000039 - JA000062  Volume 3; JA000533 - JA000534  Volume 4; JA000677 - JA000678  Volume 4: JA000679 - JA000681  Volume 2; JA000274 - JA000282

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 WITH PREJUDICE, AND TO SANCTION DEFENDANT FOR FORUM SHOPPING AND PERPETRATING A FRAUD UPON THE COURT IN THE FULL AMOUNT OF PLAINTIFF'S FEES AND COSTS, AND COUNTERMOTION TO STRIKE MOVANT'S MOTION AS BEING FILED WITHOUT AUTHORITY AND IN A DIRECT CONFLICT OF INTEREST, AND FOR ATTORNEY'S FEES, DATED 12-26-2018	Volume 1; JA000180 - JA000209
ORDER AND JUDGMENT, DATED 3-18-2019	Volume 2; JA000267 – JA000273
ORDER DISMISSING APPEALS, DATED 6-05-2019	Volume 3; JA000554 – JA000555
ORDER SEALING FILE, DATED 7-09-2018	Volume 1; JA000068
ORDER TO UNSEAL COURT RECORD, DATED 11-28-2018	Volume 1; JA000168
QUALIFIED DOMESTIC RELATIONS ORDER, DATED 6-07-2018	Volume 1; JA000063 - JA000066
REPLY TO NOTICE OF NON-OPPOSITION TO MOTION FOR RECONSIDERATION, DATED 6-10-2019	Volume 3; JA000557 – JA000570
REQUEST FOR SUMMARY DISPOSITION ON DECREE, DATED 5-17-2018	Volume 1; JA000021
SECOND SUPPLEMENT TO THE MOTION FOR RECONSIDERATION, DATED 2-07-2020	Volume 4; JA000630 – JA000643
SUPPLEMENT TO THE MOTION FOR RECONSIDERATION, DATED 5-10-2019	Volume 3; JA000535 – JA000550

Dated this 12th of March 2021.

# **HOLLEY DRIGGS**

/s/ John J. Savage
John J. Savage, Esq. (NV Bar 11455)
E-mail: jsavage@nevdafirm.com
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101
Telephone: 702/791-0308
Facsimile: 702/791-1912
Attorney for Appellant
Dennis Vincent Stanton

1	CERTIFICATE OF SERVICE
2	I HEREBY CERTIFY that, on the 12 <sup>th</sup> March, 2021 I served a true and correct
3	copy of the APPENDIX OF EXHIBITS TO APPELLANT/CROSS-RESPONDENT
4	DENNIS VINCENT STANTON'S OPENING BRIEF – VOLUME 1 via Electronic
5	Service and US Mail on the following:
6 7	Electronic Service: Christopher P. Burke, Esq. Law Office of Christopher P. Burke
8	218 S. Maryland Pkwy Las Vegas, Nevada 89101 Attorney for Respondent/Cross-Appellant
9 10	Twyla Marie Stanton
11	US Mail:
12	Professor Anne Traum, Chair of Pro Bono Committee  Appellate Section of State Bar of Nevada
13	UNLV William S. Boyd School of Law 4505 S. Maryland Parkway, Box 451003
14	Las Vegas, Nevada 89154-1003
15	Kelly H. Dove, Esq., Co-chair of Pro Bono Committee
16	Snell & Wilmer, LLP 3883 Howard Hughes Parkway, Ste. 1100
17	Las Vegas, Nevada 89169
18	Dated this 12th of March 2021.
19	/s/ Kathy MacElwain EMPLOYEE OF HOLLEY DRIGGS
20	EMPLOTEE OF HOLLET DRIGGS
21	
22	
23	
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25	5

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21	NOTICE OF ENTRY OF ORDER/JUDGMENT, DATED 6-06-2019	Volume 3; JA000556
22	OPPOSITION TO MOTION FOR	Volume 3; JA000583 –
23	RECONSIDERATION, DATED 7-03-2019	JA000625

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 WITH PREJUDICE, AND TO SANCTION DEFENDANT FOR FORUM SHOPPING AND PERPETRATING A FRAUD UPON THE COURT IN THE FULL AMOUNT OF PLAINTIFF'S FEES AND COSTS, AND COUNTERMOTION TO STRIKE MOVANT'S MOTION AS BEING FILED WITHOUT AUTHORITY AND IN A DIRECT CONFLICT OF INTEREST, AND FOR ATTORNEY'S FEES, DATED 12-26-2018	Volume 1; JA000180 - JA000209
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Dated this 12th of March 2021.

## **HOLLEY DRIGGS**

/s/ John J. Savage
John J. Savage, Esq. (NV Bar 11455)
E-mail: jsavage@nevdafirm.com
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101
Telephone: 702/791-0308
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Attorney for Appellant
Dennis Vincent Stanton

1	<u>CERTIFICATE OF SERVICE</u>
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5	Service and US Mail on the following:
6 7 8 9	Electronic Service: Christopher P. Burke, Esq. Law Office of Christopher P. Burke 218 S. Maryland Pkwy Las Vegas, Nevada 89101 Attorney for Respondent/Cross-Appellant Twyla Marie Stanton
11 12 13 14	US Mail: Professor Anne Traum, Chair of Pro Bono Committee Appellate Section of State Bar of Nevada UNLV William S. Boyd School of Law 4505 S. Maryland Parkway, Box 451003 Las Vegas, Nevada 89154-1003
15 16 17	Kelly H. Dove, Esq., Co-chair of Pro Bono Committee Snell & Wilmer, LLP 3883 Howard Hughes Parkway, Ste. 1100 Las Vegas, Nevada 89169
18	Dated this 12th of March 2021.
19	/s/ Kathy MacElwain
20	EMPLOYEE OF HOLLEY DRIGGS
21	
22	
23	
24	

FILED FIFTH JUDICIAL DISTRICT COURT

1 2 3	(Wife's Name) What Marie Starfor (Address) 7088 Los Bandoror Huenne DEPUTY CLERK (Telephone) (702) 764-4692 (Email Address) Tuylamstanton 23 Egrail. com
4 5 6 7	(Husband's Name) Pewis Vincent Stanton  (Address) 7088 Los Banderos Avenue  Los Vegos, Nevoda 89/79-1207  (Telephone) (702) 764-4690  (Email Address) dennis VS tanton 306 govart. Com
9	IN THE FIFTH JUDICIAL DISTRICT COURT OF THE
10	STATE OF NEVADA, IN AND FOR THE COUNTY OF
11	In the Matter of the Marriage of
13	Wife's Name), CASE NO.:
15 16	(Husband's Name)
17	Joint Petitioners.
18	JOINT PETITION FOR SUMMARY DECREE OF DIVORCE
19	Retitioners, (wife's name) / Wyle Mare Stanton Proper Person and (husband's
20	name) Dennis Vincent Stanforn proper person, hereby petition this Court, pursuant to the
21	terms of Chapter 125 of the Nevada Revised Statutes, to grant them a divorce. Petitioners
22	respectfully show, and under oath, state to the Court that every condition of NRS 125.181 has been
24	met and further state as follows:
25	
26	1. That Petitioners were married on the (date) DP/11/7004 in the city of Las Vegas, State of Newsda and have since
27	remained husband and wife

		<u>,</u>
1	2.	That Petitioner (name of spouse who lives in Nevada) enris Vincent Stanto
2		now and for more than six weeks before the filing of this action has been, an actual
3		resident of the State of Nevada and, during all this period of time has been actually,
4		physically, present in and living, in the State of Nevada and intends to continue to
5		make Nevada his/her home for an indefinite period of time.
6	3.	The current addresses of the Petitioners are:  7088 Los Bandrow Avenue
7		Wife's Address: Low Vegov, Nevada 89179-1907
8		Husband's Address: 7088 LOS Banderas Avenue Los Vegos, Nevada 89179-1207.
10	4.	The Petitioners have become, and continue to be, incompatible in marriage and no
11		reconciliation is possible, and/or the parties have lived separate and apart for more
12		than one year, without cohabitation.
13	5.	Pregnancy. The Petitioners certify that: (check one):
14		The wife is not pregnant at this time.
15	:	☐ The wife is pregnant at this time and the <u>husband is the father</u> of the unborn child.
16		The unborn child is due to be born on (date)
17		☐ The wife is pregnant at this time and the <u>husband is not the father</u> of the unborn
18		child. The unborn child is due to be born on (date)
19	6.	That there are (number) minor children born to, or adopted through this
20		union.
21	7.	The minor children's names, dates of birth, states and lengths of residence are as
22		follows:
23	C	Child's Name Child's Date of State of Length of time
24		Birth Residence child has lived in the state
25	2) Brianu	Marie Stanfon 04-19-2005 Newda 13 years
26	2) Tropan	Vincout Dallar Stanfon 08-16-2006 Newsda 1/4 cary 8 mouth
27	BNyler VIII	rent Comme Stanfon 07-17-7307 Nevada 10 years 9 mes
28	Hetaruer	Vincont Hyll Stanton 09-22-2008 Nevada 9 years 7 mon
	H	2

S) Atlanna )	Lose Stanton 02-25-2010 Nevosa 8 years 2 non				
	Lose Stanton 02-25-2010 Nevoda 8 years 2 men onio Vincent Stanton 03-15-2010 Nevoda 7 years /				
,	ild(ren) Residency (check one):				
	The children are residents of Nevada and have lived here for at least the past six				
	(6) months and, as such, this Court has the necessary UCCJEA jurisdiction to				
	enter orders regarding custody.				
	The children are not residents of Nevada and have not lived here for at least the				
	past six (6) months and, as such, this Court does NOT have the necessary				
	UCCJEA jurisdiction to enter orders regarding custody.				
9. Leg	gal Custody. Legal Custody involves having basic legal responsibility for a child				
and	making major decisions about the child like the child's health, education and				
reli	gious upbringing. (check one)				
☐ The children are not residents of the State of Nevada.					
☐ The Petitioners should be granted joint legal custody of the minor children.					
<i>j</i> .	The Wife should be granted sole legal custody of the minor children.				
Y	The Husband should be granted sole legal custody of the minor children.				
10. <b>Phy</b>	ysical Custody. Physical custody refers to the amount of time the child spends in				
the	care of each parent. (check one)				
	cal custody exists when each parent has physical custody of the children at 146 days) of the time calculated over a one year period.				
	ysical custody exists when one parent has physical custody of the children 60% (219 days) of the time calculated over a one year period.				
	The children are not residents of Nevada.				
0	The Petitioners should be granted joint physical custody of the minor children				
	with a timeshare as outlined in Exhibit 1.				
	The Wife should be awarded primary physical custody of the minor children with				
	the Husband having visitation as proposed in Exhibit 1.				

The Husband should be awarded primary physical custody of the minor children with the Wife having visitation as proposed in Exhibit 1.

#### 11. Holiday Visitation (check one):

- ☐ The children are not residents of Nevada.
- A copy of the proposed holiday visitation schedule is attached as Exhibit 2 and should take precedence when in conflict with the regular visitation schedule.
- A copy of the proposed holiday visitation schedule is attached as Exhibit 2 and should NOT take precedence when in conflict with the regular visitation schedule.

### 12. Health Insurance (check one):

- The Wife should maintain medical and dental insurance for the minor children, if available. Any deductibles and expenses not covered by insurance should be paid equally by both parties.
- The Husband should maintain medical and dental insurance for the minor children, if available. Any deductibles and expenses not covered by insurance should be paid equally by both parties.
- ☐ The Petitioners should both maintain medical and dental insurance for the minor children if available. Any deductibles and expenses not covered by insurance should be paid equally by both parties.

#### 13. Unreimbursed Medical Expenses (check one):

30/30 Rule: Any parent incurring an out-of-pocket medical expense relating to the minor child will provide to the other parent a copy of all paperwork relating to that expense within thirty (30) days of incurring said expense, along with a request for contribution for one-half (½) of the out-of-pocket expense actually incurred. Upon receipt of a request for contribution for one-half (½) of an out-of-pocket expense incurred by a parent on behalf of the minor child, the other parent will reimburse the requesting parent in the amount requested within thirty (30) days of receipt of said request for contribution. Upon receipt of reimbursement from any insurance carrier by either parent, and if the other parent previously paid a portion of the payment resulting in that reimbursement, the parent receiving the reimbursement shall equally divide said reimbursement with the other parent within seven (7) days of receipt of same. Both parents have the authority to contact the insurance provider directly in order to determine the status of any individual claim.

1	The Petitioners ask the court to adopt the 30/30 Rule.
2	☐ The Petitioners ask the court to NOT adopt the 30/30 Rule.
3	14. Child Support Amount. Complete the Child Support Worksheet (Worksheet A or
4	Worksheet B) that applies to your custody arrangement BEFORE you complete this
5	question. (check one)
6	Based upon the proposed physical custody arrangement the Wife should pay
7	\$ 1,517. od dollars per month for support of the parties' minor children.
8	☐ Based upon the proposed physical custody arrangement the Husband should pay
9	\$ dollars per month for support of the parties' minor children.
10	15. Child Support Calculation. The amount of child support requested was calculated
	based upon the following: (check one)
12	☐ The statutory minimum of \$100 per month, per child.
13	The calculation for a primary physical custody arrangement as shown on the
14	attached Worksheet A.
15	
16	☐ The calculation for a joint physical custody arrangement as shown on the attached
17	Worksheet B.
18	Other:
19	16. Wage Withholding Order (check one):
20	The Petitioners ask that the court order a wage withholding against the obligor
21	parent (parent who owes child/spousal support) to secure payment of child
22	support and spousal support, if any.
23	
24	Good cause exists to postpone the withholding of income from the obligor parent
25	to pay child support and spousal support, if any.
26	☐ There is already a child support action through the District Attorney's Office and
27	payment of the child support shall continue to be handled through that office.

1	☐ This is the first court order for child support and the Petitioners ask that the
2	payments be handled through the District Attorney's Office. The parent who will
3	be collecting child support shall open the case with the District Attorney's Office.
4	17. Child Support Arrears (check one):
5	☐ The Petitioners verify that no child support arrears are owed to either party.
6	☐ The Petitioners waive their rights to child support arrears and certify that the
7	children are not currently receiving and have not received Welfare benefits at any
8	time during the past four years.
9	☐ The children are currently receiving or have received Welfare benefits during the
10	past four years and the Petitioners cannot waive child support arrears.
11	
12	The Petitioners agree that the (check one) wife should be
13	awarded child support arrears in the total amount of \$ 4,551.00
14	18. Division of Assets (check one):
15	☐ All of the community assets and property have been previously divided and each
16	is to keep the property they have in their possession at this time.
17	☐ There is no community property to be divided.
18	The community property should be divided as follows:
19	Wife shall receive as her sole and separate property:  100% of I.B.K.W. fecal Union 357 Pension Trust Fund-
20	100% of I.B.K.W. focal Marion 357 Pension Trust Fund- 1. Plan Bas of 05/08/2018.
21	2. Labiador Netriever/German Shepherd Mix Dog named Leap.
22	3. dreper, shirty, jeans, Durser, Mandbogs, shoer, and jewelly.
23	4. — N/A -
24	Husband shall receive as his sole and separate property:
25	Family Residence located at 7088 has Banderen Avenue Lon Vegon,  1. Nevada 89179-1207 and any equity if at all.  100% of I.B.E.W. facal Union No. 357 Pension
26	2. Tivet Fund - Plan A.
27	3./00% of N.E.B.F. Vension Benefit.
28	4. <u>-N/A-</u>

	<b>1</b>	
1	19. Division of Debts (check one):	
2	☐ All of the community debts have been previously divided and each is to keep	
3	those debts assigned to them and hold the other party harmless from those	
4	debts.	
5	☐ There are no community debts to be divided.	
6	The community debts should be divided as follows:	
7	Wife shall receive as her sole and separate debts:	
8	1. Well Forgo Bonk Credit Cord in the amount of Portfolio Recovery Associater / Synchrony Bank / Walmar, 2. Cord in the amount of \$3,36200	\$118.00
9	2. Cord in the amount of \$3,36700	Charge
10	3N/A-	
11	4N/H-	
12	Husband shall receive as his sole and separate debts:	et due
13	1. amount of \$44,381.78.	1 Jones
14	Husband shall receive as his sole and separate debts:  CENLAR Home Mortgoge Loan of #329, 920.22 with a por  1. amount of #44, 381.28.  2. Nella Forgo Bank Auto Loan Dort due amount of  Conserve 14.5. Department of Education, Student Loans Day	#/1,109.
15	Conserve/U.S. Department of Education Student Loans par 3. due amount of #5,832.05 Santander Consumer USA/Beville Afret Management, Lta	,
16	4. amount of \$ 5.079. 5. Wells Forge NA/Dillords Change Cord post due amount of	,
17	20. Petitioners hereby certify that they have disclosed all community assets and debts and	, <del>+</del> 1,861. *
18	that there are no other community assets or debts for this Court to divide.	
19	21. Spousal Support (check one):	
20	Neither party should be awarded spousal support.	
21	☐ Spousal support should be awarded to (check one) ☐ the Wife/ ☐ the	
22	Husband in the amount of \$ dollars per month for (number)	
23	(check one) $\square$ months/ $\square$ years. The spousal support shall	
24	begin on (date) and end on (date)	
25	•	
26	22. Name Change for Wife (check one):	
27	☐ The wife does not wish to return to her former or maiden name restored.	
28		And the state of t

The wife should have her former or maiden name of McCurd restored to her.

- ☐ The wife never changed her name.
- 23. Petitioners hereby request that this Court enter a Decree of Divorce, incorporating into that Decree the provisions made herein.
- 24. It is understood by the Petitioners that entry of Decree of Divorce constitutes a final adjudication of the rights and obligations of the parties with respect to the status of the marriage. Petitioners each expressly give up their respective rights to receive written Notice of Entry of any Decree and Judgment of Divorce and Petitioners give up their right to request a formal Findings of Fact and Conclusions of Law, or to appeal any Judgment or Order of this Court made and entered in these proceedings or the right to move for a new trial.
- 25. It is further understood by the Petitioners that a final Decree of Divorce entered by this summary procedure does not prejudice or prevent the rights of either Petitioner to bring an action to set aside the final decree for fraud, duress, accident, mistake or the grounds recognized at law or in equity.

WHEREFORE, Petitioners pray as follows:

- That the parties be granted a decree of divorce and that each of the Petitioners be restored to the status of unmarried persons.
- 2. That the terms agreed upon in this Joint Petition be included in the Decree.

DATE, May 3, 2018 Juyla M. Stanta

(Wife's signature)

ATE: /hoy 0

(Husband's signature)

# WIFE'S VERIFICATION

2	STATE OF NEVADA )
3	) ss:
4	
5	(Wife's name) Twyla Marie Stanton being first duly sworn
6	under penalties of perjury, deposes and says:
7	I am the Petitioner herein, and I have read the foregoing Joint Petition for Summary Decree
8	of Divorce and know the contents thereof; that the same is true to the best of my own knowledge,
9	except as to those matters therein stated upon information and belief, and as to those matters, I
10	believe them to be true.
11	Jungh M. Stenton
12	(Wife's signature)
13	Signed and sworn to (or affirmed) before me
14	on (date) $\frac{5/3}{2018}$ .
15	by (name of person signing document) Tuyla Marie Starton.
16	Salvi lee
17	Signature of notarial officer  SATVIR S. DEOL  Notary Public State of Nevada
18	No. 17-3622-1 My Appt. Exp. September 21, 2021
19	STATE OF NEVADA )
20	COUNTY OF Clark )
21	
22	On this 3 <sup>th</sup> day of 10 ay , 20 8, personally appeared before me, a
23	Notary Public, (Wife's name) 1 wy a Marie Stanton, known or proved to me to be
24	the person who executed the foregoing Joint Petition For Summary Decree of Divorce, and who
25	acknowledged to me that she did so freely and voluntarily and for the uses and purposes herein
26	stated.
27	Signature of notarial officer .
28	Zannannannannan (
	SATVIR S. DEOL Notary Public State of Nevada No. 17-3622-1 My Appt. Exp. September 21, 2021

# **HUSBAND'S VERIFICATION**

2	STATE OF NEVADA )							
3	COUNTY OF Clark) ss:							
4	(Husband's name) Dennis Vincent Stanton being first duly							
5	sworn under penalties of perjury, deposes and says:							
6	I am the Petitioner herein, and I have read the foregoing Joint Petition for Summary Decree							
7	of Divorce and know the contents thereof; that the same is true to the best of my own knowledge,							
8	except as to those matters therein stated upon information and belief, and as to those matters, I							
9	believe them to be true.							
10	Denni Vi Stanton							
11	(Husband's signature)							
12	Signed and sworn to (or affirmed) before me							
13	on (date)5/3/18							
14	by (name of person signing document) Vennis Vincent Stanton							
15	CORREY FERRANTE							
16	Signature of neutrial officer  Notary Public • State of Nevada  Appointment No. 11-6391-1  My Appt. Expires Dec. 28, 2019							
17								
18								
19								
20	STATE OF NEVADA )  Al ) ss:							
21	COUNTY OF Clark) ss:							
22	On this, 20 N, personally appeared before me, a							
23	Notary Public, (Husband's name) Dennis Vincent Starton, known or proved to me							
24	to be the person who executed the foregoing Joint Petition For Summary Decree of Divorce, and who							
25	acknowledged to me that he did so freely and voluntarily and for the uses and purposes herein stated.							
26								
27	Signature of notarial officer CORREY FERRANTE							
28	Notary Public • State of Nevada Appointment No. 11-6391-1 My Appt. Expires Dec. 28, 2019							
	IV							

# **EXHIBIT 1**

Week	Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat,
Sample	Mom Pick up at 11 a.m.	Mom	Dad Pick up after school at 3 p.m.	Dad	Dad	Mom Pick up after school at 3 p.m.	Mom
Week #1	Dad	Dod	Dod	Dad	Dod	Mem Pick up at 6 p.m.	Now
Week #2	Mom Disp off at 3pm.	Dod	Dod	Dod	Mom Pickup at Sp.m. Drop off at 8 p.m.	Ded	Dad
Week #3	Dod	Dod	Dod	Dod	Dod	Mom Pick up at lepa.	Mour
Week #4	Mon Diop et 3 p.m.	Dod	Ded	Dod	New Pick up at Sp.m. Drop off at 8 p.m.	·Dod	Dad

# **EXHIBIT 2**

Check box if this holiday applies:	Holiday:	Time (circle a.m. or p.m.):	Every Year	Even Years	Odd Years
<b>₽</b>	New Year's Eve	From: 8:00 a.m./p.m. To: 8:00 a.m./p.m	Mom Dad	Mom Dad	Mom Dad
M	New Year's Day	From: 8:00 ml/p.m. To: 8:00 a.m./p.m	Mom Dad	Mom Dad	Mom Dad
\\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\	Martin Luther King, Jr. Day	From: 8:00 a.m.p.m. To: 8:00 a.m.p.m	Mom Dad	Mom Dad	Mom Dad
M	Presidents' Day	From: 8:00 am/p.m. To: 8:00 a.m/p.m.	Mom Dad	Mom Dad	Mom Dad
□-N/A-	Passover	From:a.m./p.m. To:a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
	Easter	From: 8:00 a.m.p.m. To: 8:00 a.m.p.m	Mom Dad	Mom Dad	Mom Dad
	Memorial Day	From: 8:00 am/p.m. To: 8:00 a.m./o.m	Mom Dad	Mom Dad	Mom Dad
Ø	Mother's Day	From: 8:00 a.m.p.m. To: 8:00 a.m.p.m.	Mom Dad	Mom Dad	Mom Dad
	Father's Day	From: 8.00 a.m.b.m. To: 8.00 a.m.b.m	Mom Dad	Mom Dad	Mom Dad
M	4th of July	From: 8:00 (a.m.) n.m. To: 8:00 (a.m.) n.m.	Mom Dad	Mom Dad	Mom Dad
M	Labor Day	From: <b>8:00</b> a.m/p.m. To: <b>8:00</b> a.m/p.m.	Mom Dad	Mom Dad	Mom Dad
-N/4-	Rosh Hashanah	From:a.m./p.m. To:a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
-N/A-	Yom Kippur	From:a.m./p.m. To:a.m./p.m	Mom Dad	Mom Dad	Mom Dad
M	Nevada Day	From: 8. com/p.m. To: 8. com/a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
図	Halloween	From: 8:00 a.m. o.m. To: 8:00 a.m. o.m.	Mom Dad	Mom Dad	Mom Dad
Œ	Veterans Day	From: 8:00 am jo.m. To: 8:00 am jo.m.	Mom Dad	Mom Dad	Mom Dad
図	Thanksgiving Day	From: 8:00 a.m. jo.m. To: 8:00 a.m. jo.m.	Mom Dad	Mom Dad	Mom Dad

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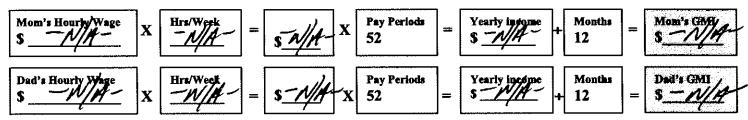
-N/A-	Chanukkah (Days):	From:a.m./p.m. To:a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<i>-N/A-</i> □	Chanukkah (Days):	From:a.m./p.m. To:a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
ď	Christmas Eve	From: 8:00 a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
Q	Christmas	From: 8:00 (a.m)/p.m. To: 8:00 a.m./v.m.	Mom Dad	Mom Dad	Mom Dad
ĽZÍ	Father's Birthday	From: 8:00 (a.m/p.m. To: 8:00 a.m.(p.m)	Mom Dad	Mom Dad	Mom Dad
図	Mother's Birthday	From: 8:00 a.m. o.m.	Mom Dad	Mom Dad	Mom Dad
囡	Child's Birthday	From: 8:00 (a.m/p.m. To: 8:00 (a.m./p.m.	Mom Dad	Mom Dad	Mom Dad

Worksheet A -Primary Pl You must fill out this worksheet and a Primary physical custody exists when over a one year period.	ttach it to the document you are filing	ng which asks for a pri	mary physica	l custody arrangement.
1: Determine Gross Month	ly Income (GMI) of the non-	-custodial parent.		
Hourly wage \$ 25.  X Hrs/Week 40 =	*	Yearly income \$ 52,000.	Mor 12	onths = GMI \$ 4,333.33
2 : Determine Obligation.				
GMI \$ 4,333,33 X	Formula Percentage (0.18 for 1 child, 0.29 for 3 children, 0.02 increase for each 0.35 for lo children	additional child) =/	Monthly chi the nearest d \$ 1,5/	ild support (rounded to
3: Apply the presumptive	maximum if necessary. This	Income Rang	e	Presumptive Maximum Amount
220 2 *	July 1 <sup>st</sup> . Make sure you are using			Usually, this is the maximum amount a parent may be required
the most current chart.	July 1 . Intune but e you are using	If the Parent's GMI is At Least	But Less Than	to pay per month per child.
		\$0 -	\$4,235	\$630
	110		\$6,351 \$8,467	\$693 \$758
	NA	\$8,467 -	\$10,585	\$819
	//V   / '	1 '	\$12,701 \$14,816	\$883 \$945
	, 1	\$14,816	No Limit	\$1,010
applicable, your reason(s) for apply)///	esting an amount of child support the requesting a different amount must.  The cost of childcare		he following	
The cost of health insurance				ive income of both parents
Special educational needs of the child	☐ The amount of time the child spe	nds with each parent	Any other	r necessary expenses for the e child
☐The age of the child	Legal responsibility of the parent t		either parent	e of services contributed by
Any expenses reasonably	☐ The cost of transportation of the c	hild to and from		lic assistance paid to support
related to the mother's pregnancy and confinement	visitation if the custodial parent move the jurisdiction that ordered the suppo		the child	
pregnancy and confinement	parent remained	it and the non-custodial		
Explain:	3 1			
	<i>f</i>			
	1/4			
	11/4-			
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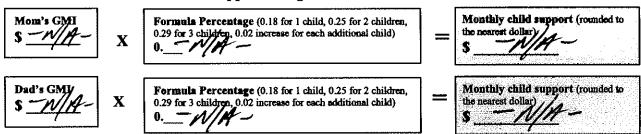
# Worksheet B - Joint Physical Custody Child Support Calculation Worksheet

You must fill out this worksheet and attach it the document you are filing which asks for a joint physical custody arrangement. A joint physical custody arrangement exists when each parent has physical custody of the child at least 40% (146 days) of the time calculated over a one year period.

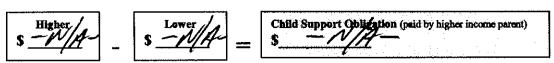
1: Determine Each Parent's	Gross Monthly	Income (GMI).
----------------------------	---------------	---------------







3: Subtract the higher amount of monthly child support in 2 from the lower amount.



Apply the presumptive maximum if necessary.

This amount changes every year on July 1<sup>st</sup>. Make sure you are using the most current chart.

income acada			Unnelly, this is the maximum amount a parent may be required to pay per		
If the Person's		Bet	month per child.		
GMI to At Local		Less Then			
\$0	-	\$4,235	\$630		
\$4,235	-	\$6,351	\$693		
\$6,351	-	\$8,467	\$758 // V		
\$8,467	-	\$10,585	\$819		
\$10,585		\$12,701	\$283		
\$12,701	-	\$14,816	\$945		
\$14,816		No Limit	\$1,010		

5: Deviations. If you are requesting an amount of child support that is lower or higher than the amount in ⑤ or ⑥, if applicable, your reason(s) for requesting a different amount must be based upon one of the following factors. (☐ check all that apply)

The cost of health insurance	☐ The cost of childcare	☐ The relative income of both parents
Special educational needs of the child	☐ The amount of time the child spends with each parent	Any other necessary expenses for the benefit of the child
The age of the child	Legal responsibility of the parent for the support of others	☐ The value of services contributed by either parent
Any expenses reasonably related to the mother's pregnancy and confinement	The cost of transportation of the child to and from visitation if the custodial parent moved with the child from the jurisdiction that ordered the support and the non-custodial parent remained	Any public assistance paid to support the child
♦Explain:	1	
	1/4/	
	-N/N	
<del></del>		

Wage 1 Child			Children 4		
	18%	25%	29%	31%	33%
<b>\$7.25</b>	\$226	\$314	\$364	\$400	<b>\$</b> 500 _
\$7.50	\$234	\$325	\$377	\$403	\$500
\$7.75	\$242	\$336	\$390	\$416	\$500
\$8.00	\$250	<b>\$</b> 347	\$402	\$430	\$500
\$8.25	\$257	\$358	\$415	\$443	\$500
\$8.50	\$265	\$368	\$427	\$457	\$500
\$8.75	\$273	\$379	\$440	\$470	<b>\$</b> 501_
\$9.00	\$281	\$390	\$452	\$484	<b>\$</b> 515_
\$9.25	\$289	\$401	\$465	\$497	<b>\$529</b> _
\$9.50	\$296	<b>\$</b> 412	\$478	\$510	<b>\$543</b> _
\$9.75	\$304	<b>\$42</b> 3	\$490	\$524	\$558_
\$10.00	\$312	<b>\$433</b>	\$503	\$537	\$572_
\$10.25	\$320	\$444	\$515	\$551	<b>\$586</b>
\$10.50	\$328	<b>\$</b> 455	\$528	\$564	<b>\$</b> 601 _
\$10.75	\$335	\$466	\$540	\$578	<b>\$</b> 615 _
\$11.00	\$343	\$477	\$553	\$591	\$629
\$11.25	\$351	\$488	\$566	\$605	\$644
\$11.50	\$359	\$498	\$578	\$618	<b>\$</b> 658
\$11.75	\$367	\$509	\$591	\$631	\$672
\$12.00	\$374	\$520	\$603	\$645	\$686
\$12.25	\$382	\$531	\$616	\$658	<b>\$</b> 701
\$12.50	\$390	\$542	\$628	\$672	\$715
\$12.75	\$398	\$553	\$641	\$685	\$729
\$13.00	\$406	\$563	\$653	\$699	\$744
\$13.25	\$413	\$574	\$666	\$712	<b>\$758</b>
\$13.50	\$421	<b>\$</b> 585	\$679	\$725	\$772
\$13.75	\$429	\$596	\$691	\$739	\$787
\$14.00	\$437	\$607	\$704	\$752	\$801
\$14.25	\$445	\$618	\$716	\$766	\$815
\$14.50	\$452	\$628	\$729	\$779	\$829
\$14.75	\$460	\$639	\$741	\$793	\$844
\$15.00	\$468	\$650	\$754	\$806	\$858
\$15.25	\$476	\$661	\$767	\$819	\$872
\$15.50	\$484	<b>\$</b> 672	\$779	\$833	\$887
\$15.75	\$491	\$683	\$792	\$846	
\$16.00	\$499	\$693	\$804	\$860	7.7.7.
\$16.25	\$507	\$704	\$817		·
\$16.50	\$515	\$715	\$829	\$887	
\$16.75	\$523	\$726	\$842	\$900	-
\$17.00	\$530	\$737	\$855	\$913	
\$17.25	\$538	<b>\$</b> 748	\$867	\$927	
\$17.50	\$546	\$758	\$880	\$940	
\$17.75	\$554	\$769	\$892	\$954	
\$18.00	\$562	\$780	\$905	\$967	
\$18.25	\$569	\$791	\$917		
\$18.50	\$577	\$802	\$930	\$994	
\$18.75	\$585	\$813	\$943	\$1,008	
\$19.00	\$593	\$823	\$955		
\$19.00 \$19.25	\$601	\$834	\$968	\$1,021 \$1,034	
	\$608	\$845	9900 \$980	\$1,03 <del>4</del> \$1,048	
\$19.50 \$10.75	\$616	\$856	\$993		_
\$19.75 \$20.00		\$867			· -
\$20.00	\$621	<b>300/</b>	\$1,005	\$1,075 vorkweek and	₽1,144

	Child	Support (	Chart			
Hourly Wage	1 Child	2 Children	3 Children	4 Children	5 Children	
	18%	25%	29%	31%	33%	
\$7.25	\$226	\$314	\$364	\$400	\$500	
\$7.50	\$234	\$325	\$377	\$403	\$500	
\$7.75	\$242	\$336	1	\$416	\$500	
\$8.00	\$250	\$347	\$402	\$430	\$500	
\$8.25	\$257	\$358	\$415	\$443	\$500	
\$8.50	\$265	\$368	<u> </u>	\$457	\$500	
\$8.75	\$273	\$379	<b>1</b>	\$470	\$501	&2//A/A/A/A/A/A/A/A/A/A/A/A/A/A/A/A/A/A/
\$9.00	\$281	\$390		\$484	\$515	
\$9.25	\$289	\$401	\$465	\$497	\$529	
\$9.50	\$296	\$412	<u> </u>	\$510	\$543	
\$9.75	\$304	\$423		\$524	\$558	
\$10.00	\$312	\$433	<u> </u>	\$537	\$572	
\$10.25	\$320	\$444	<del></del>	<u> </u>	\$586	
\$10.50	\$328	\$455			\$601	
\$10.30 \$10.75	\$335	<u> </u>			<u> </u>	
\$10.75 \$11.00	\$343	\$477		4	\$629	·
	\$343 \$351	\$477 \$488	<del></del>			
\$11.25 \$11.50	\$359					
\$11.50	\$367	<del> </del>		\$631	\$672	
\$11.75	3	\$509			1	<u> </u>
\$12.00	\$374					
\$12.25	\$382		<u></u>	<del></del>		
\$12.50	\$390					
\$12.75	\$398		<del>,   , , , , , , , , , , , , , , , , , ,</del>			
\$13.00	\$406			4		
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1	FILED
2	(Your Name) Two Marie Santon  MAY 17 2018
3	(Address) 7088 Los Barderos Ave
	(Telephone)(702) 764-4692
4	(Email Address) twylamstanton 23 Egmail Com
5	Self-Represented /
6	IN THE FIFTH JUDICIAL DISTRICT COURT OF THE
7	STATE OF NEVADA, IN AND FOR THE COUNTY OF $\frac{Nye}{}$
8	
9	Dennis Vincent Stanton (Plaintiff's Name), First Dink Petitioner CASE NO .: 0134304
10	DEPT NO.:
11	That Marin Stanton
12	Tuy a Marie Stanton (Defendant's Name) Second Joint Petitioner
13	
14	AFFIDAVIT IN SUPPORT OF REQUEST FOR SUMMARY DISPOSITION
15	OTTATE OF NEVADA
16	STATE OF NEVADA ) ss:
17	COUNTY OF Close )
18	1. I, (your name) Twyla Marie Stanton, do solemnly swear
19	to testify herein to the truth, the whole truth and nothing but the truth.
20	2. That I am the (check one) Plaintiff/ Defendant in case number
21	3. That I live at (address) 1088 Los Bandros AVE.
22	(city) <u>Las Vegas</u> , Nevada, (zip code) <u>89179-12</u> 07
23	4. That I first moved to Clark County, Nevada on (approximate date)
24	Λ
25	Hugust 6, 1986, which is more than six weeks before I filed the (check one)
26	Complaint Counterclaim. It is my intention to live in Cark County for the foreseeable future.
27	TOTOSCOADIC TUTULE.

2	5. That I have read the (check one that applies to you) Complaint Counterclaim in this case and can testify that the allegations in the document are true and correct to the best	
4	my knowledge.	01
5	6. (CHECK ALL THAT APPLY)	
6	That my spouse and I are incompatible in marriage. Our likes and dislikes are so	
7	widely divergent that we can no longer live together as husband and wife. A	
8	reconciliation is not possible.	
10	AND/OR	
11	That my spouse and I have lived separate and apart for over one year. A reconciliation is not possible.	
12	AND/OR	
13	(Applies only to Separate Maintenance)	
14 15	<sup>□</sup> That (check one) <sup>□</sup> Plaintiff/ <sup>□</sup> Defendant deserted (check one) <sup>□</sup> Plaintiff/	
16	Defendant for at least 90 days before the filing of this action.	
17	7. (CHECK ONLY ONE BOX)	
18	That my spouse and I have no minor children, no adopted children and (circle one) Plaintiff/Defendant is not currently pregnant.	
19	OR	
20 21	That my spouse and I have (number of child(ren)) children. The	
22	provisions regarding custody, visitation, child support, and medical insurance outlined in the	
23	Decree of Separate Maintenance are fair, are in the child(ren)'s best interest, and meets the	
24	child(ren)'s financial needs.	
25	8. (CHECK ONLY ONE BOX)	
26	That there is no community property for the Court to divide.	
27	OR	
28	That the community property division in the Decree of Separate Maintenance is fair and is an equal distribution to the extent practicable.	

2	9. (CHECK ONLY ONE BOX)
3	That there is no community debt for the Court to divide.
4	OR
5	That the community debt division in the Decree of Separate Maintenance is fair
6	and is an equal distribution to the extent practicable.
7	
8	10. (CHECK ONLY ONE BOX)
	That neither party should be awarded spousal support.
9	OR
10	That (circle one) Plaintiff/Defendant should be awarded spousal support as
11	outlined in the Decree of Separate Maintenance. That award is fair and equitable.
12	FURTHER AFFIANT SAYETH NAUGHT.
13	<del> </del>
14	2 1 1 9 1 1 1 1 May (1907) 2018
15	Dated this 9 day of (month) May, (year) 2018
16	
17	By:
18	(Your signature) / White
	(Your name) Twyla Marie Stanton
19	ľ
20	Signed and sworn (or affirmed) to before
21	me on (date) 9 May , 3018
22	by (name of person signing) Twylo M Stanton
23	()
24	Notary Public - State Of Nevada
25	COUNTY OF CLARK
26	Signature of notarial officer  My Appointment Expires No. 16-1425-1  No. 16-1425-1  No. 16-1425-1
27 -	
28	H
۵.0	<i>//</i>

FILED
FIFTH JUDICIAL DISTRICT COURT

2 3 4 5	(Your Name) Twyla Marie Stanton (Address) 1088 Los Banderos Ave.  (CS VOJ as , M. 89179-1207) (Telephone) 702) 744-4692 (Email Address) twylamstanton 230 gmail, com Self-Represented
6	IN THE FIFTH JUDICIAL DISTRICT COURT OF THE
7	STATE OF NEVADA, IN AND FOR THE COUNTY OF Vye
8	
9 10	Dennis Vinca + Stanton (Plaintiff's Name), First Joint Petitioner DEPT NO.:
11	(Plaintiff's Name), First Joint Petitioner DEPT NO .:
12	Twyla Marie Stanton
13	(Defendant's Name) Second Join+ Potitioner
14	
15	DECLERCE FOR CHAMARY BY DISDOCITION OF DECREE
16	REQUEST FOR SUMMARY DISPOSITION OF DECREE
17	COMES NOW, (check one) Plaintiff/ Defendant, (your name)  Second Joint Petitioner
18	Two Marie Stanto and requests this Court for a summary disposition for a (check one)
19	Decree of Divorce Decree of Separate Maintenance Decree of Annulment without a
20	hearing.
21	State of Nevada
22	County of Clark
23	and the second person on SIGIIS
24	A description
25	(Your signature) Twy Motary Public Notary Public
26	(Address) D88 105 Banderes AVC.
27	(Telephone (102) 764-4692 Notary Public - State Of Nevada
28	(Check one) Plaintiff Defendant In Proper Person Second Dint Petitioner  No. 16-1425-1  JASWINDER KAUR My Appointment Expires Feb 8, 2020

l		FILED	
1	(Wife's Name) Juyla Marie Stanton (Address) 1088 Los Banderos Ave.	FIFTH JUDICIAL DISTRICT	***
2	Las Vegas, Nevada 89179-1207	JUN -552018	
3	(Telephone) (102) 764.41692 (Email Address) twylam Stanton 230 gmail Co	m	
4	Self-Represented	Thomas Cerk	
5	(Husband's Name) / Olmis Vincent (Address) 7088 LOS Bandejos Avenue	Stanten	
6	Los Vegas, Nevada 89179-1207		
7	(Telephone) (782) 764-4690 (Email Address) demis/stanton 300 gma.	il-com	
8	Self-Represented		
9	IN THE FIFTH JUDICIAL DI	STRICT COURT OF THE	
10	STATE OF NEVADA, IN AND FOR TH	Alua	
11			
12	In the Matter of the Marriage of		
13	Twyla Marie Stanton (Wife's Name),	CASE NO.: CV 39304	
14	(Wife's Name),	DEPT NO.: 2	
15 16	and Denais Vincent Stanton (Husband's Name)		
17	Joint Petitioners.		
18	Amended Joint Petition For SUMM	ARY DECREE OF DIVORCE	
19	Petitioners, (wife's name) Twyla Maria	Stanton, in Proper Person and (husband's	
20 21	name) ennis Vincent Stanfor In proper po	erson, hereby petition this Court, pursuant to the	
22	terms of Chapter 125 of the Nevada Revised	· · · · · · · · · · · · · · · · · · ·	
23	respectfully show, and under oath, state to the Cour	rt that every condition of NRS 125.181 has been	
24	met and further state as follows:		
25			
26	That Petitioners were married on the	e (date) 07/// 2004 in the city of	
27	Los Vegos, State o	f Nevada and have since	
28	remained husband and wife		

1	2.	That Petitioner (name of spouse who lives in Nevada) ( ) CNAIS VINCET ), is
2		now and for more than six weeks before the filing of this action has been, an actual
3		resident of the State of Nevada and, during all this period of time has been actually,
4		physically, present in and living, in the State of Nevada and intends to continue to
5		make Nevada his/her home for an indefinite period of time.
6	3.	The current addresses of the Petitioners are:
7		7088 Los Bandery Avenue Wife's Address: Lox Vegax, Nevada 89179-1207
8		Husband's Address: 7088 LOS Boude of Avenue Las Vegas, Newsda 89179-1207
10	4.	
11		reconciliation is possible, and/or the parties have lived separate and apart for more
12		than one year, without cohabitation.
13	5.	Pregnancy. The Petitioners certify that: (check one):
14		The wife is not pregnant at this time.
15		☐ The wife is pregnant at this time and the <u>husband is the father of</u> the unborn child.
16		The unborn child is due to be born on $(date)$
17		☐ The wife is pregnant at this time and the <u>husband is not the father</u> of the unborn
18		child. The unborn child is due to be born on $(date)$
19	6.	That there are (number) minor children born to, or adopted through this
20		union.
21	7.	The minor children's names, dates of birth, states and lengths of residence are as
22		follows:
23		Child's Name Child's Date of State of Length of time Birth Residence child has lived in
24		Birth Residence child has lived in the state
25	(2) Brian	a Marie Stanfon 04-19-2005 Navada 13 years
26	2 Tiston	Vincent Dallar Stanfon 08-16-2006 Newsda 1/ year 8 mon
27	3 Tyler V	insert Conver Stanfor 07-17-2007 Newoda 10 years 9 mon
28	(4) Tames	Vincent Rufe Stanton 09-72-2008 Newhola 9 years 7 mo
	1	2

(3) Arlama	Lose Stanton 02-25-2010 Newda 8 years 2 mon, intonio Vincent Stanton 0315-2018 Newda 7 years / mi
62 Trent A	ntovio Vincent Stanfor 0315-2018 Novala 7 years / no
8. Ch	ild(ren) Residency (check one):
<b>∀</b>	The children are residents of Nevada and have lived here for at least the past six
	(6) months and, as such, this Court has the necessary UCCJEA jurisdiction to
VV	enter orders regarding custody.
	The children are not residents of Nevada and have not lived here for at least the
	past six (6) months and, as such, this Court does NOT have the necessary
	UCCJEA jurisdiction to enter orders regarding custody.
9. <b>Le</b>	gal Custody. Legal Custody involves having basic legal responsibility for a child
and	d making major decisions about the child like the child's health, education and
rel	igious upbringing. (check one)
	The children are not residents of the State of Nevada.
<b>V</b>	The Petitioners should be granted joint legal custody of the minor children.
	The Wife should be granted sole legal custody of the minor children.
	The Husband should be granted sole legal custody of the minor children.
10. <b>Ph</b>	ysical Custody. Physical custody refers to the amount of time the child spends in
the	e care of each parent. (check one)
	cal custody exists when each parent has physical custody of the children at (146 days) of the time calculated over a one year period.
	nysical custody exists when one parent has physical custody of the children 60% (219 days) of the time calculated over a one year period.
0	The children are not residents of Nevada.
0	The Petitioners should be granted joint physical custody of the minor children
	with a timeshare as outlined in Exhibit 1.
	The Wife should be awarded primary physical custody of the minor children with
***************************************	the Husband having visitation as proposed in Exhibit 1.

- 18

The Husband should be awarded primary physical custody of the minor children with the Wife having visitation as proposed in Exhibit 1.

#### 11. Holiday Visitation (check one):

- ☐ The children are not residents of Nevada.
- A copy of the proposed holiday visitation schedule is attached as Exhibit 2 and should take precedence when in conflict with the regular visitation schedule.
- A copy of the proposed holiday visitation schedule is attached as Exhibit 2 and should NOT take precedence when in conflict with the regular visitation schedule.

### 12. Health Insurance (check one):

- The Wife should maintain medical and dental insurance for the minor children, if available. Any deductibles and expenses not covered by insurance should be paid equally by both parties.
- ☐ The Husband should maintain medical and dental insurance for the minor children, if available. Any deductibles and expenses not covered by insurance should be paid equally by both parties.
- ☐ The Petitioners should both maintain medical and dental insurance for the minor children if available. Any deductibles and expenses not covered by insurance should be paid equally by both parties.

### 13. Unreimbursed Medical Expenses (check one):

30/30 Rule: Any parent incurring an out-of-pocket medical expense relating to the minor child will provide to the other parent a copy of all paperwork relating to that expense within thirty (30) days of incurring said expense, along with a request for contribution for one-half (½) of the out-of-pocket expense actually incurred. Upon receipt of a request for contribution for one-half (½) of an out-of-pocket expense incurred by a parent on behalf of the minor child, the other parent will reimburse the requesting parent in the amount requested within thirty (30) days of receipt of said request for contribution. Upon receipt of reimbursement from any insurance carrier by either parent, and if the other parent previously paid a portion of the payment resulting in that reimbursement, the parent receiving the reimbursement shall equally divide said reimbursement with the other parent within seven (7) days of receipt of same. Both parents have the authority to contact the insurance provider directly in order to determine the status of any individual claim.

1	The Petitioners ask the court to adopt the 30/30 Rule.
2	☐ The Petitioners ask the court to NOT adopt the 30/30 Rule.
3	14. Child Support Amount. Complete the Child Support Worksheet (Worksheet A or
4	Worksheet B) that applies to your custody arrangement BEFORE you complete this
5	question. (check one)
6	Based upon the proposed physical custody arrangement the Wife should pay
7	\$ 1,517.00 dollars per month for support of the parties' minor children.
8	☐ Based upon the proposed physical custody arrangement the Husband should pay
9	\$ dollars per month for support of the parties' minor children.
10	15. Child Support Calculation. The amount of child support requested was calculated
11	
12	based upon the following: (check one)
13	☐ The statutory minimum of \$100 per month, per child.
14	The calculation for a primary physical custody arrangement as shown on the
15	attached Worksheet A.
16	☐ The calculation for a joint physical custody arrangement as shown on the attached
17	Worksheet B.
18	□ Other:
19	/
20	16. Wage Withholding Order (check one):
21	The Petitioners ask that the court order a wage withholding against the obligor
22	parent (parent who owes child/spousal support) to secure payment of child
	support and spousal support, if any.
23	Good cause exists to postpone the withholding of income from the obligor parent
24	to pay child support and spousal support, if any.
25	☐ There is already a child support action through the District Attorney's Office and
26	payment of the child support shall continue to be handled through that office.
27	payment of the office support shan continue to be handled unough that office.
28	

19. Divisio	on of Debts (check one):	
	All of the community debts have been previously divided and each is to keep	
	those debts assigned to them and hold the other party harmless from those	
	debts.	
	There are no community debts to be divided.	
<b>√</b>	The community debts should be divided as follows:	
<b>√</b> wi	ife shall receive as her sole and separate debts:  1. Welly Forgo Bonk Cledit Card in the amount of a Portfolio Recovery Associates Somewhory Bank/Walthard  2. Card in the amount of # 3.367.00.	4/19.00 Charge
	3NA-	
,	4. <u>N/A — </u>	
V <sub>Hu</sub>	sband shall receive as his sole and separate debts: CENLAR Home Mosfgage Loan of A 329.920.22 Wiff a 1. amount of A 48,945.22.	part due
	2. [Nelle Forgo Bank Auto Lean port due amount of #/2 Conserve 1 4.5. Deportment of Education Student Loans por 3. due amount of \$ 5,832. 25. Santonder Consumer USA/ Deville Heret Management, Lt. 4. amount of \$ 5.079. 22	1,109. <del>20</del> d. post due
20. Petitio	6. Wills Forgo NAID illow Charge Cord poof due amount of ners hereby certify that they have disclosed all community assets and debts and	1.41,861.00.
that the	ere are no other community assets or debts for this Court to divide.	
21. Spousa	al Support (check one):	
M	Neither party should be awarded spousal support.	
	Spousal support should be awarded to <i>(check one)</i> □ the Wife/ □ the	
	Husband in the amount of \$dollars per month for (number)	
	(check one) $\square$ , months/ $\square$ years. The spousal support shall	
	begin on (date) and end on (date)	
22 Name	Change for Wife (check one):	
	The wife does not wish to return to her former or maiden name restored.	I

28

The wife should have her former or maiden name of McCudy restored to her.

- ☐ The wife never changed her name.
- 23. Petitioners hereby request that this Court enter a Decree of Divorce, incorporating into that Decree the provisions made herein.
- 24. It is understood by the Petitioners that entry of Decree of Divorce constitutes a final adjudication of the rights and obligations of the parties with respect to the status of the marriage. Petitioners each expressly give up their respective rights to receive written Notice of Entry of any Decree and Judgment of Divorce and Petitioners give up their right to request a formal Findings of Fact and Conclusions of Law, or to appeal any Judgment or Order of this Court made and entered in these proceedings or the right to move for a new trial.
- 25. It is further understood by the Petitioners that a final Decree of Divorce entered by this summary procedure does not prejudice or prevent the rights of either Petitioner to bring an action to set aside the final decree for fraud, duress, accident, mistake or the grounds recognized at law or in equity.

WHEREFORE, Petitioners pray as follows:

- That the parties be granted a decree of divorce and that each of the Petitioners be restored to the status of unmarried persons.
- 2. That the terms agreed upon in this Joint Petition be included in the Decree.

DATE: 6-30-18 ) ► Luyl M. Stenter

(Wife's signature)

DATE:

) envier (

(Husband's signature)

## **WIFE'S VERIFICATION**

2	STATE OF NEVADA )
3	COUNTY OF class ) ss:
5	(Wife's name) Turyla Marie Stauton being first duly sworn
6	under penalties of perjury, deposes and says:
7	I am the Petitioner herein, and I have read the foregoing Joint Petition for Summary Decree
8	of Divorce and know the contents thereof; that the same is true to the best of my own knowledge,
9	except as to those matters therein stated upon information and belief, and as to those matters, I
10	believe them to be true.
11	- Tuy 11. Staten
13	(Wife's signature) Signed and sworn to (or affirmed) before me
14	on (date) 30 May, 3018
15	by (name of person signing document) Twyla Marie Stanton
16	Signature of notarial officer
17 18	Notary Public - State Of Nevada COUNTY OF CLARK  JASWINDER KAUR  My Appointment Expires
19	No. 16-1425-1 Feb 8, 2020 STATE OF NEVADA
20	COUNTY OF (losk) ss:
21	On this 30 day of MQU, 20 (8, personally appeared before me, a
22	Notary Public, (Wife's name) Twylo Marie Story on, known or proved to me to be
24	the person who executed the foregoing Joint Petition For Summary Decree of Divorce, and who
25	acknowledged to me that she did so freely and voluntarily and for the uses and purposes herein
26	stated
27	Signature of notarial officer  Notary Public - State Of Nevada COUNTY OF CLARK  LASWINDER KALID
28	JASWINDER KAUR  My Appointment Expires  No. 16-1425-1  Feb 8, 2020

# **HUSBAND'S VERIFICATION**

2	STATE OF NEVADA )
3	COUNTY OF Clark ) ss:
4	(Husband's name) <u>lean's Vincent Stanfor</u> being first duly
5	sworn under penalties of perjury, deposes and says:
6	I am the Petitioner herein, and I have read the foregoing Joint Petition for Summary Decree
7	of Divorce and know the contents thereof; that the same is true to the best of my own knowledge,
8	except as to those matters therein stated upon information and belief, and as to those matters, I
9	believe them to be true.
10	- Dennie V. Stanton
11	(Husband's signature)
12	Signed and sworn to (or affirmed) before me
13	on (date) 17 A 31, 2018
14	by (name of person signing document)
15	
16	Signature of notar al officer  ANTHONY D. PENN Notary Public-State of Nevada
17	APPT. NO. 11-5384-1 My App. Expires June 17, 2019
18	
19	STATE OF NEVADA )
20	) ss:
21	COUNTY OF (LORK )
22	On this 31 day of 1991, 2018, personally appeared before me, a
23	Notary Public, (Husband's name) DENING VINCENT STANTING, known or proved to me
24	to be the person who executed the foregoing Joint Petition For Summary Decree of Divorce, and who
25	acknowledged to me that he did so freely and voluntarily and for the uses and purposes herein stated.
26	ANTHONY D. PENN
27	Signature of notarial officer  Notary Public-State of Nevada APPT. NO. 11-5384-1 My App. Expires June 17, 2019

**EXHIBIT 1** 

	T		1	1			
Week	Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
Sample	Mom Pick up at 11 a.m.	Mom	Dad Pick up after school at 3 p.m.	Dad	Dad	Mom Pick up after school at 3 p.m.	Mom
Week #1	Dod	Dod	Dod	Dod	Dod	Mom Pickup of Gpm.	plom
Week #2	Man Drof off at 3 p.m.	Dod	Dod	Dod	Mom Pickup of 5 pm. Drop of f of 8 pm.	Dod	Dod
Week #3	Dod	Dod	Dod	Dod		Mow Pick Up ot 6 pm.	Mouv
Week #4	Man Drop off of 3 p.m.	Dod	Dod	Dod	Now  Pickup of  Sp.m.  Drop off  of 8 pm	; Dod	Dod

## **EXHIBIT 2**

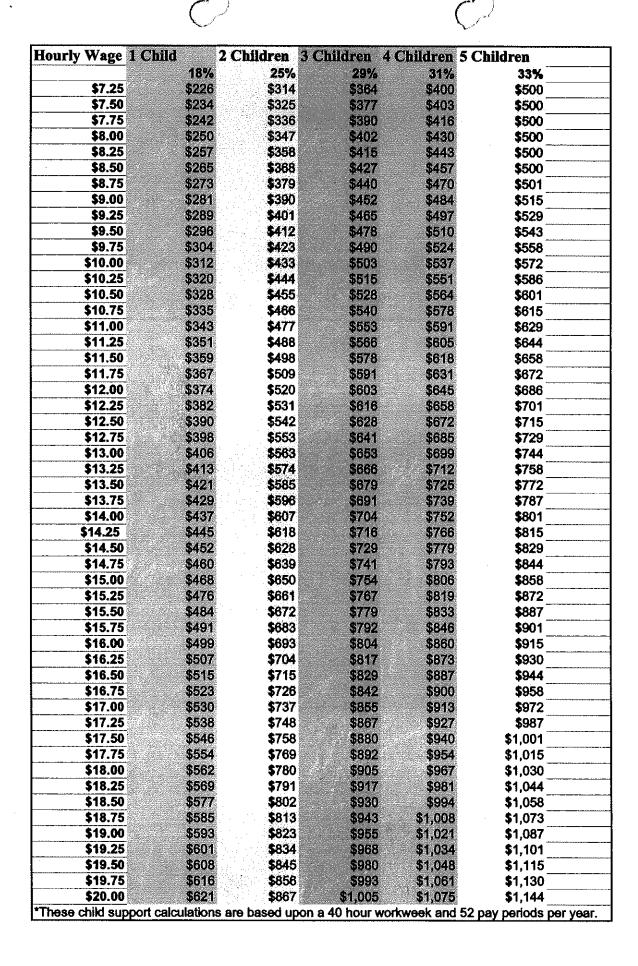
Check box if this holiday applies:	Holiday:	Time (circle a.m. or p.m.):	Every Year	Even Years	Odd Years
Ø	New Year's Eve	From: 8:00 a.m/p.m. To: 8:00 a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
Ø	New Year's Day	From: 8:00 a.m. p.m. To: 8:00 a.m. p.m.	Mom Dad (	Mom Dad	Mom Dad
M	Martin Luther King, Jr. Day	From: 8:00 a.m/p.m. To: 8:00a.m.fo.m	Mom Dad	Mom Dad	Mom Dad
M	Presidents' Day	From: <b>S:00</b> a.m. p.m. To: <b>S:00</b> a.m./p.m	Mom Dad	Mom Dad	Mom Dad
-p/A-	Passover	From:	Mom Dad	Mom Dad	Mom Dad
M	Easter	From: 8:00 am o.m. To: 8:00 a.m. o.m.	Mom Dad	Mom Dad	Mom Dad
Ø	Memorial Day	From: S: D (a.m)/p.m. To: a.m. (b.m.)	Mom Dad	Mom Dad	Mom Dad
Ŋ	Mother's Day	From: <b>8:00</b> a.m.p.m. To: <b>8:00</b> a.m./p.m	Mom Dad	Mom Dad	Mom Dad
M	Father's Day	From: 8:00 a.m/n.m. To: 8:00 a.m/n.m.	Mom Dad	Mom Dad	Mom Dad
M	4th of July	From: 8:00 (a.m. to.m.	Mom Dad	Mom Dad	Mom Dad
M	Labor Day	From: 8:00 a.m. h.m. To: 8:00 a.m. p.m	Mom Dad	Mona Dad	Mom Dad
-N/A-	Rosh Hashanah	From:a.m./p.m. To:a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
-NA-	Yom Kippur	From: A.m./p.m. To: a.m./p.m	Mom Dad	Mom Dad	Mom Dad
囡	Nevada Day	From: <b>1:00</b> (a.m./p.m. To: <b>8:00</b> (a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
呕	Halloween	From: 8:00 a.m.p.m. To: 8:00 a.m.p.m.	Mom Dad	Mom Dad	Mom Dad
ı≰ı	Veterans Day	From: 8:00 a.m/p.m. To: 8:00 a.m/p.m.	Mom Dad	Mom Dad	Mom Dad
Ø	Thanksgiving Day	From: 8: Na.m.p.m. To: 8: Na.m.p.m.	Mom Dad	Mom Dad	Mom Dad

-NA-	Chanukkah (Days):	From: /// a.m./p.m. To: /// a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
	Chanukkah (Days):	From:	Mom Dad	Mom Dad	Mom Dad
Œ	Christmas Eve	From: 8:00 (a.m/p.m. To: 8:00 a.m/p.m.	Mom Dad	Mom Dad	Mom <del>Da</del> d
	Christmas	From: <b>8:00</b> (a.m/p.m. To: <b>8:00</b> a.m.(p.m.	Mom Dad	Mom Dad	Mom Dad
TE .	Father's Birthday	From: <b>8:00</b> a.m/p.m. To: <b>8:00</b> a.m/p.m	Mom Dad	Mom Dad	Mom Dad
ď	Mother's Birthday	From: <b>8:00</b> a.m.p.m. To: <b>8:00</b> a.m.o.m	Mom Dad	Mom Dad	Mom Dad
Ø	Child's Birthday	From: <b>8:00</b> a.m/p.m. To: <b>8:00</b> a.m./p.m.	Mom Dad	Mem Dad	Mom Dad

Worksheet A -Primary You must fill out this worksheet and a Primary physical custody exists when over a one year period.		ng which asks for a pri		l custody arrangement.	
①: Determine Gross Month	nly Income (GMI) of the non	-custodial parent.			
Hourly wage X Hrs/Week 40 =	Pay Periods 52	Yearly income \$ 52,000.	Mor 12	aths = \$4,333.	
2 : Determine Obligation.					
\$ 4,333.33 X	Formula Percentage (0.18 for 1 child, 0.29 for 3 children, 0.02 increase for each 0. 35 for 6 children	additional child)	Monthly chi the nearest d \$ 451	ollar)	
(3). A make the presumenting	maximum if nagagany. This	Income Rang	10	Presumptive Maximum Amount	
the most current chart.	July 1 <sup>st</sup> . Make sure you are using	If the Parent's GMI is At Least	But Less Than	Usually, this is the maximum amount a parent may be required to pay per month per child.	
	-N/A	\$0 -	\$4,235 \$6,351 \$8,467 \$10,585 \$12,701 \$14,816 No Limit	\$630 \$693 \$758 \$819 \$883 \$945 \$1,010	
: Deviations. If you are requesting an amount of child support that is lower or higher than the amount in ② or ③, if applicable, your reason(s) for requesting a different amount must be based upon one of the following factors. (Excheck all that					
apply) —N/A —					
☐ The cost of health insurance ☐ Special educational needs of	The cost of childcare  The amount of time the child sper	adamith and mount		ve income of both parents	
the child		W/	[_] Any other   benefit of the	r necessary expenses for the child	
The age of the child	Legal responsibility of the parent f	of the support of others	☐ The value	of services contributed by	
Any expenses reasonably related to the mother's visitation if the custodial parent moved with the child from the jurisdiction that ordered the support and the non-custodial parent remained					
Explain:			,		
	11.				
	-N/A-				

Bad's Hourly Wage    Same	ysical custody arrangement exists wher a one year period.  : Determine Each Parent's G		·	the child at least	40% (146 days) of	the time calculated
2: Determine Each Parent's Child Support Obligation.    Mont's GMI	n's Hourly Wage X Hrs/Week,	$= \begin{bmatrix} & & & & & & & & & & & & & & & & & & $	- 1	Yearly inco	ا ــــا الما ،	= Mom's GMI, \$////
Monthly child support (rounded to the nearest dollar)   S		= \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	-		7   -   -   -	= Dad's GMI
3: Subtract the higher amount of monthly child support in ② from the lower amount.    Child Support Obligation (paid by higher income parent)	: Determine Each Parent's C	hild Support Obliga	ation.			
3: Subtract the higher amount of monthly child support in ② from the lower amount.    Child Support Obligation (paid by higher income parent)	0.000					t (rounded to
Higher S				$_{\rm d)}$ = $_{\rm the}$		(rounded to
3: Apply the presumptive maximum if necessary.  This amount changes every year on July 1st. Make sure you are using the most current chart.    Income Range   Presumptive Maximum Amount Usually, this is the maximum amount a parent may be required to pay per month per child.   If the Perent's   But Charles   Less Than So	: Subtract the higher amount of	of monthly child supp	ort in ② fron	n the lower am	ount.	
This amount changes every year on July 1st. Make sure you are using the most current chart.    Second   Comparison   Compa	#igher/ \$ \$	wer/— — Child Si	upport Obligatio	n (paid by higher inc	come parent)	
reason(s) for requesting a different amount must be based upon one of the following factors. (Echeck all that apply)  The cost of health insurance The cost of childcare The relative income of both p  Special educational needs of the child The amount of time the child spends with each parent benefit of the child  The age of the child Legal responsibility of the parent for the support of others  The value of services contribute either parent	This amount changes every year on J	•	If the Parent's GMI is At Least S0 \$4,235 \$6,351 \$8,467 \$10,585 \$12,701	But Less Than - \$4,235 - \$6,351 - \$8,467 - \$10,585 - \$12,701 - \$14,816	Usually, this is the maxi parent may be required month per child. \$630 \$693 \$758 \$819 \$883 \$945	mum amount a
□ Special educational needs of the child □ The amount of time the child spends with each parent □ Any other necessary expenses benefit of the child □ The age of the child □ Legal responsibility of the parent for the support of others □ The value of services contribute the parent □ The value of se	:Deviations. If you are requesting reason(s) for requesting a differer	an amount of child support amount must be based to	ort that is lower	or higher than the	e amount in ③ or ④ s. (Ø check all that	, if applicable, you apply)
the child benefit of the child benefit of the child  The age of the child Legal responsibility of the parent for the support of others  The value of services contribution of the parent benefit of the child benefit of th	The cost of health insurance	☐ The cost of childcare			☐ The relative inc	ome of both parents
either parent	the child			-		
	☐The age of the child	Legal responsibility of	he parent for the	support of others		rvices contributed by
Any expenses reasonably related to the mother's pregnancy and confinement The cost of transportation of the child to and from visitation if the custodial parent moved with the child from the child from the child the jurisdiction that ordered the support and the non-custodial parent remained		visitation if the custodial pa the jurisdiction that ordered	arent moved with	the child from	Any public ass	istance paid to suppor
Explain:	Explain:	parvirs remained			<u> </u>	
	<u>F</u>	3				

al Custody Child Support Calcu



	Child	Support (	Chart			
Hourly Wage	1 Child		3 Children	4 Children	5 Children	
	18%	25%	29%	31%	33%	
\$7.25	\$226	\$314		\$400	\$500	
\$7.50	\$234	\$325	\$377	\$403	\$500	
\$7.75	\$242	\$336		\$416	\$500	
\$8.00	\$250	\$347	\$402	\$430	\$500	
\$8.25	\$257	\$358	\$415	\$443	\$500	
\$8.50	\$265	\$368		\$457	\$500	
\$8.75	\$273	\$379	\$440	\$470	\$501	
\$9.00	\$281	\$390	\$452	\$484	\$515	
\$9.25	\$289	\$401	\$465	\$497	\$529	
\$9.50	\$296	\$412	\$478	\$510	\$543	
\$9.75	\$304	\$423	\$490	\$510 \$524	\$558	
\$10.00	\$304 \$312	\$433		\$52 <del>4</del> \$537	\$572	
\$10.00 \$10.25	\$312	\$444	\$503 \$515	\$557 \$551	\$572 \$586	
		\$455	1	\$564		
\$10.50 \$40.75	\$328		<u> </u>	\$578	\$601 \$615	
\$10.75	\$335 \$242	\$466 \$477	\$540 \$553			
\$11.00	\$343			\$591	\$629	
\$11.25	\$351	\$488	F	\$605	\$644	
\$11.50	\$359	\$498		\$618	\$658	
\$11.75	\$367	\$509	4	\$631	\$672	
\$12.00	\$374	\$520	<del></del>	\$645	\$686	
\$12.25	\$382	\$531	\$616	\$658	\$701	
\$12.50	\$390			\$672	\$715	
\$12.75	\$398			\$685	<b></b>	
\$13.00	\$406			\$699	<u> </u>	
\$13.25	\$413			\$712		
\$13.50	\$421	\$585		\$725		
\$13.75	\$429	<u> </u>	.1	\$739		
\$14.00	\$437	\$607	\$704	\$752	\$801	
\$14.25	\$445	\$618	\$716	\$766	\$815	
\$14.50	\$452	\$628	\$729	\$779	\$829	
\$14.75	\$460	\$639	\$741	\$793	\$844	
\$15.00	\$468	\$650	\$754	\$806	\$858	
\$15.25	\$476	\$661	\$767	\$819	\$872	
\$15.50	<u> </u>	<del></del>	·   · · · · · · · · · · · · · · · · · ·	<del> </del>	<del></del>	
\$15.75		<del></del>				
\$16.00					<u> </u>	
\$16.25	<del></del>					
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\$10.75 \$19.00						
\$19.25						
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\$19.75			<del></del>			
\$20.00	\$621	\$867	1 \$1,005	\$1,075	\$1,144	1

# FILED FIFTH JUDICIAL DISTRICT

JUN 07 2018

Nye County Clerk

Deputy

(Wife's Name) Twila Marie Stanton	JUN
(Address) 7088 Lis Barderas Ave	$\Lambda_{-}$
Las Vegas, Nevada 89179-1207	Nye
(Telephone) 702) 7(04-41692	
(Email Address) Twylam Stanton 23 Comail Com	
Self-Represented	
(Husband's Name) Dennis Vinant Stanfor  (Address) 7088 Los Banderos Avenue  Los Vegas, Newson 89179-1207  (Telephone) (702) 764 4690  (Email Address) denis V stanfon 300 gmail. com	
Self-Represented	
IN THE FIFTH JUDICIAL DISTRICT COURT OF	THE

In the Matter of the Marriage of

Twyla Marie Stanton (Wife's Name),	CASE NO.: CV 39304
	DEPT NO.: 2
and James Winear Landon	

(Husband's Name)

Joint Petitioners.

# MEW DECREE OF DIVORCE

The above entitled cause, having been submitted to this Court for decision pursuant to

Chapter 125 of the Nevada Revised Statutes, and based upon the Joint Petition by the Petitioners,

(wife's name) \_\_\_\_\_\_ and (husband's name) \_\_\_\_\_\_

Puris Vincent Stanton, and all of the papers and pleadings on file, the Court finds as follows:

1. That all of the allegations contained in the documents on file are true.

2. That all of the requirements of NRS 125.181 and NRS 125.182 have been met.

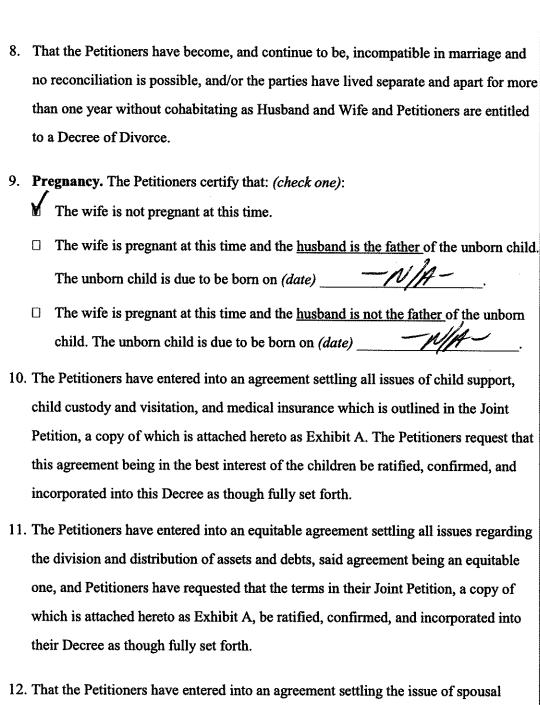
4.

5.

6.

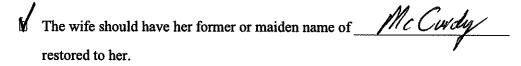
7.

Child's Name Child's Date of
(2) Brianna Marie Stanton 0419-2005/Nevada
(2) Tristan Vincent Mellos Stanfon 08 16- 2006/ Newson
(3) Tyler Vincent Corner Stanton 07-17 2007/ News
(1) Tower Vincent High Stanton 09-22-2008/ Neweda
(5) Arana Rose Stanton 02-25-2010/ Neverda,
OTTENT Antonio Vixent Stanton 03-15-201/ New
Child(ren) Residency (check one):
The children are residents of Nevada and have lived here for at least the past six
(6) months and, as such, this Court has the necessary UCCJEA jurisdiction to
enter orders regarding custody.
☐ The children are not residents of Nevada and have not lived here for at least the
past six (6) months and, as such, this Court does NOT have the necessary
UCCJEA jurisdiction to enter orders regarding custody.
That this Court has complete jurisdiction to enter this Decree and the orders regardi
the distribution of assets and debts.
the distribution of assets and debts.
That Petitioners were married on the (date) 07/11/2004 in the city of
Las Veges, State of Newson and have since
remained husband and wife.
That resident Petitioner (name of spouse who lives in Nevada)
has been, and is now, an actual bona fide resident of
the State of Nevada and has actually been domiciled in the State of Nevada for mor
than six weeks immediately prior to the commencement of this action, and intends to
continue to make the State of Nevada his/her home for an indefinite period of time



- 12. That the Petitioners have entered into an agreement settling the issue of spousal support and request that their agreement as set forth in their Joint Petition, a copy of which is attached hereto as Exhibit A, be ratified, confirmed and incorporated into their Decree as though fully set forth.
- 13. Name Change for Wife (check one):
  - ☐ The wife does not wish to return to her former or maiden name restored.





- ☐ The wife never changed her name.
- 14. The Petitioners waive their rights to a written Notice of Entry of Decree of Divorce, to appeal, to Findings of Fact and Conclusions of Law, and to move for a new trial.

## NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

- 1. That the bonds of matrimony now existing between the parties are hereby wholly dissolved, and an absolute Decree of Divorce is hereby granted to the parties, and each of the parties are hereby restored to the status of a single, unmarried person.
- That the terms, as they are stated in the Petitioners' Joint Petition, regarding the
  assets and debts, is hereby ratified, confirmed, and incorporated into this Decree as
  though fully set forth.
- 3. That the terms, as they are stated in the Petitioners' Joint Petition, regarding the issue of spousal support are hereby ratified, confirmed, and incorporated into this Decree as though fully set forth.
- 4. Name Change for Wife (check one):
  - ☐ The wife does not wish to return to her former or maiden name restored.
  - The wife should have her former or maiden name of Mc Cwdy restored to her.
  - ☐ The wife never changed her name.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each party shall submit the information required in NRS 125B.055, NRS 125.130 and NRS 125.230 on a separate form to the Court and the Welfare Division of the Department of Human Resources within ten days from the date this Decree is filed. Such information shall be maintained by the Clerk in a confidential manner and not part of the public record. The parties shall update the information filed with the Court and the



for a category D felony as provided in NRS 193.130.



Welfare Division of the Department of Human Resources within ten days should any of that information become inaccurate.

NOTICE IS HEREBY GIVEN of the following provision of NRS 125.510(6): PENALTY FOR VIOLATION OF ORDER: THE ABDUCTION, CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF THIS ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED IN NRS 193.130. NRS 200.359 provides that every person having a limited right of custody to a child or any parent having no right of custody to the child who willfully detains, conceals or removes the child from a parent, guardian or other person having lawful custody or a right of visitation of the child in violation of an order of this court, or removes the child from the jurisdiction of the court without the consent of

**NOTICE IS HEREBY GIVEN** that the terms of the Hague Convention of October 25, 1980, adopted by the 14th Session of the Hague Conference on Private International Law apply if a parent abducts or wrongfully retains a child in a foreign country. The parties are also put on notice of the following provisions in NRS 125.510(8):

either the court or all persons who have the right to custody or visitation is subject to being punished

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

- (a) The parties may agree, and the court shall include in the order for custody of the child, that the United States is the country of habitual residence of the child for the purposes of applying the terms of the Hague Convention as set forth in subsection 7.
- (b) Upon motion of one of the parties, the court may order the parent to post a bond if the court determines that the parent poses an imminent risk of wrongfully removing or concealing the child outside the country of habitual residence. The bond must be in an amount determined by the court and may be used only to pay for the cost of locating the child and returning him to his habitual residence if the child is wrongfully removed from or concealed outside the country of habitual residence. The fact that a parent has significant commitments in a foreign country does not create a presumption that the parent poses an imminent risk of wrongfully removing or concealing the child.

#### **NOTICE IS HEREBY GIVEN** of the following provision of NRS 125C.200:

If custody has been established and the custodial parent intends to move his residence to a place outside of this state and to take the child with him, he must, as soon as possible and before the planned move, attempt to obtain the written consent of the noncustodial parent to move the child from this state. If the noncustodial parent refuses to give that consent, the custodial parent shall, before he leaves this state with the child, petition the court for permission to move the child. The failure of a parent to comply with the provisions of this section may be considered as a factor if a change of custody is requested by the noncustodial parent.

NOTICE IS HEREBY GIVEN that they are subject to the provisions of NRS 31A and 125.450 regarding the collection of delinquent child support payments.

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

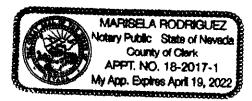
1440 1230.143		
THIS IS A FINA	L DECREE.	
DATED this 7th day of Grune, 20/8		
Respectfully Submitted:	DISTRICT COURT JUDGE	
By: Langle M. State (wife's signature)	By: Lunis V. Stanfor (husband's signature)	
(Name) Twyla Marie Stanton	(Name) Dennis Vincent Stown	
(Address) 7088 Los Banderos Ave.	(Address) 7088 LOS Bonderos 14	renne
Las Vigas, Nevada 89179-1207	Las Vegas, Newda 89/79-	1207
(Telephone) (702) 764-4692	(Telephone) (70x) 764-4690	<b>,</b>
(Email Address) wyk m stanton 23 egmail com	(Email Address) demisvs lanton 306	g mail-com
County of Clark	State of Nevada	

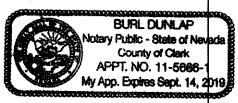
iate of _	Nevado	<u>a</u>		
County of	<u> </u>	rk		
Appeared	and Sig	ned befo	re me o	n this
30+h	_day of	May	2018	by
Twyla	Marie	stanto	n Cont	ر ر
	1/1	rin	12	4
	7/	X	otary /	

County of Clark

This instrument was acknowledged before me this 31 day of Med 2019 day of Mot 2019

**Notary Public** 





**EXHIBIT A** 

Filed copy of the Petitioners' Joint Petition for Decree of Divorce

.	(Wife's Name) Tuyla Marie Stanton	
1	(Address) 7088 Lbs Banderas Ave.	
2	Las Vegas, Nevada 89179-1207 (Telephone)(702) 764-4691	
3	(Email Address) toylam Stanton 230 amail. Con	ກ
	Self-Represented	•
4	(Husband's Name)   Dennis Vincent S	-/./.
5	(Address) 7088 Los Boudes Ayenne	Tautor
6	Los Vegas, Newada 89179-1207	
7	(Telephone) (782) 764-46 90	Y
<i>'</i>	(Email Address) denis v stanton 30 @ gnail	·COM
8	Self-Represented	
9	IN THE FIFTH JUDICIAL DIS	STRICT COURT OF THE
10	STATE OF NEVADA, IN AND FOR THE	Alica
.1	STATE OF NEVADA, IN AND FOR THE	
	In the Matter of the Marriage of	
12		
13	Twyla Marie Stanton (Wife's Name),	CASE NO.: <u>CV 39304</u>
.4	(Wife's Name),	DEPT NO.: 2
15		DEFT NO
.	11 ennis Vincent Stanton	
16	(Husband's Name)	
17	Joint Petitioners.	
18		
9	Amended JOINT PETITION FOR SUMMA	RY DECREE OF DIVORCE
- 1		Stanton, in Proper Person and (husband's
20		son, hereby petition this Court, pursuant to the
21		
22	terms of Chapter 125 of the Nevada Revised St	atutes, to grant them a divorce. Petitioners
23	respectfully show, and under oath, state to the Court	that every condition of NRS 125.181 has been
	met and further state as follows:	
24		
25		02/11/201
26	1. That Petitioners were married on the	(date) 07///2004 in the city of
27	1. That Petitioners were married on the Los Veges, State of	Newada and have since
8	remained husband and wife	

			(		
				No in Viene	1 Stan
1	2. That Pet	itioner (name of spouse	who lives in Nevad	la)1 () EMMS VIMENT	'is''
2		for more than six week			
3	II.	of the State of Nevada a		_	
4	11	ly, present in and living,			inue to
5	make No	evada his/her home for a	n indefinite period	of time.	
6		ent addresses of the Peti FOSS Las L	Pandery Avenu	el C	
7	Wife's A	Address: Low Vegas,	Nevada 8911	79-1207-	<del> </del>
8	Husband	l's Address: <u>FISS Le</u> Las Vego	Es Bonderes A	<i>frence</i>	
9	II .	•	•	·	
10	4. The Peti	itioners have become, a	nd continue to be,	incompatible in marria	ge and no
11	reconcil	ation is possible, and/o	r the parties have	lived separate and apar	t for more
12	than one	year, without cohabitati	ion.		
13	<b> </b>	cy. The Petitioners cert		<i>)</i> :	
14	M The	wife is not pregnant at the	his time.		
15	☐ The	wife is pregnant at this t	ime and the <u>husbar</u>	nd is the father of the un	born child.
16	The	unborn child is due to be	e born on (date)	-N/A-	_•
.17	☐ The	wife is pregnant at this t	ime and the <u>husbar</u>	nd is not the father of the	unborn
18	child	l. The unborn child is du	e to be born on (da	nte) -N/A	
19	6. That the	re are (number)	minor children bor	n to, or adopted through	this
20	union.				
21	7. The min	or children's names, dat	es of birth, states a	nd lengths of residence a	ire as
22	follows:				
23	Child's Na	me Child's D	ate of Stat	te of Length of	fame

		Birth	State of Residence	Langth of time child has lived in the state	·
2) Bin	rma Marie Star	for 04-19-2005	Nevada	13 444	
		er Stanfon 08-16-2		11 year 8 pm	fly
3/Tyles	Vincent Conner	Stanfor 07-17-2.	007 Nuoda	10 years 7 pm	r ,

	3) Ariano Pose Stanton 02-25-2010 Nevoda 8 years 2 mon.
1	
2	8. Child(ren) Residency (check one):
3	The children are residents of Nevada and have lived here for at least the past six
4	(6) months and, as such, this Court has the necessary UCCJEA jurisdiction to
5	enter orders regarding custody.
6	☐ The children are not residents of Nevada and have not lived here for at least the
7	past six (6) months and, as such, this Court does NOT have the necessary
8	UCCJEA jurisdiction to enter orders regarding custody.
9	9. Legal Custody. Legal Custody involves having basic legal responsibility for a child
10	and making major decisions about the child like the child's health, education and
11	religious upbringing. (check one)
12	
13	☐ The children are not residents of the State of Nevada.
14	The Petitioners should be granted joint legal custody of the minor children.
15	☐ The Wife should be granted sole legal custody of the minor children.
16	☐ The Husband should be granted sole legal custody of the minor children.
17	10. Physical Custody. Physical custody refers to the amount of time the child spends in
. 18	the care of each parent. (check one)
19	
20	Joint physical custody exists when each parent has physical custody of the children at least 40% (146 days) of the time calculated over a one year period.
21	Primary Physical custody exists when one parent has physical custody of the children
22	more than 60% (219 days) of the time calculated over a one year period.
23	☐ The children are not residents of Nevada.
24	☐ The Petitioners should be granted joint physical custody of the minor children
25	with a timeshare as outlined in Exhibit 1.
26	☐ The Wife should be awarded primary physical custody of the minor children with
27	the Husband having visitation as proposed in Exhibit 1.
28	
	3





The Husband should be awarded primary physical custody of the minor children with the Wife having visitation as proposed in Exhibit 1.

#### 11. Holiday Visitation (check one):

- ☐ The children are not residents of Nevada.
- ☐ A copy of the proposed holiday visitation schedule is attached as Exhibit 2 and should take precedence when in conflict with the regular visitation schedule.
- A copy of the proposed holiday visitation schedule is attached as Exhibit 2 and should NOT take precedence when in conflict with the regular visitation schedule.

### 12. Health Insurance (check one):

- The Wife should maintain medical and dental insurance for the minor children, if available. Any deductibles and expenses not covered by insurance should be paid equally by both parties.
- ☐ The Husband should maintain medical and dental insurance for the minor children, if available. Any deductibles and expenses not covered by insurance should be paid equally by both parties.
- ☐ The Petitioners should both maintain medical and dental insurance for the minor children if available. Any deductibles and expenses not covered by insurance should be paid equally by both parties.

#### 13. Unreimbursed Medical Expenses (check one):

30/30 Rule: Any parent incurring an out-of-pocket medical expense relating to the minor child will provide to the other parent a copy of all paperwork relating to that expense within thirty (30) days of incurring said expense, along with a request for contribution for one-half (½) of the out-of-pocket expense actually incurred. Upon receipt of a request for contribution for one-half (½) of an out-of-pocket expense incurred by a parent on behalf of the minor child, the other parent will reimburse the requesting parent in the amount requested within thirty (30) days of receipt of said request for contribution. Upon receipt of reimbursement from any insurance carrier by either parent, and if the other parent previously paid a portion of the payment resulting in that reimbursement, the parent receiving the reimbursement shall equally divide said reimbursement with the other parent within seven (7) days of receipt of same. Both parents have the authority to contact the insurance provider directly in order to determine the status of any individual claim.







	l l
1	☐ This is the first court order for child support and the Petitioners ask that the
2	payments be handled through the District Attorney's Office. The parent who will
3	be collecting child support shall open the case with the District Attorney's Office.
4	17. Child Support Arrears (check one):
5	☐ The Petitioners verify that no child support arrears are owed to either party.
6	☐ The Petitioners waive their rights to child support arrears and certify that the
7	children are not currently receiving and have not received Welfare benefits at any
8	time during the past four years.
9	
10	
11	past four years and the Petitioners cannot waive child support arrears.
12	The Petitioners agree that the (check one) wife should be
13	awarded child support arrears in the total amount of \$ 4,551.00
14	18. Division of Assets (check one):
15	☐ All of the community assets and property have been previously divided and each
16	is to keep the property they have in their possession at this time.
17	☐ There is no community property to be divided.
18	The community property should be divided as follows:
19	Wife shall receive as her sole and separate property:  100 % of I.B.E.W. food Union 357 Pension ( rust Fund-
20	1. Plan B ox of 05/08/2018.
21	2. Labinder Retriever/ Berman Shipherd Mix Dog named Leah.
22	3 dense, skirts, jeans, purses, handbogs, steer, and jewelly.
23	4. <u>-N/A-</u>
24	Husband shall receive as his sole and separate property:  Family Residence, located of 7088 Lon Bandefor fremue Lon Veg
25	Family Residence Pocated of 7088 for Bandefor Avenue Lox Veg 1. Newson 89179-1207 and any equity if at all. 10040 of I.B.E.W. Local Union No. 357 Pension
26	2. Trust Fund- Plan A.
27	3.100% of N.E.B.F. Yension Benefit.
28	4N/A-
E .	· · · · · · · · · · · · · · · · · · ·





1	19. Division of Debts (check one):	
2	☐ All of the community debts have been previously divided and each is to keep	
3	those debts assigned to them and hold the other party harmless from those	
	debts.	
4	☐ There are no community debts to be divided.	
5	The community debts should be divided as follows:	
6	Wife shall receive as her sole and separate debts:	
7	1. Well Forgo Bonk Cledit Card in the amount of	8/18.00
8	Portfolio Reovery Associates Somehrony Bank/ Walthart	Charge
9	3 -N/A-	
10	-N/A-	
11	., 4	
12	V Husband shall receive as his sole and separate debts:  CENLAR Home Mostgage Loan A # 329.920. 22 Wiff a	part due
13	CENLAR Home Mostgage Lean of A 329.920.22 With a 1. amount of A 48,975.22.  2. Wells Forgo Bank Auto Lean port due amount of A/2	
14	2. Wells forgo Bank Auto Lean port due amount of #/	1109.00
	3. due amount of \$ 5,832.05.	
15	1	d. pert due
16		4#1,861.00
17	20. Petitioners hereby certify that they have disclosed all community assets and debts and	
18	that there are no other community assets or debts for this Court to divide.	
19	21. Spousal Support (check one):	
20	Neither party should be awarded spousal support.	
21	☐ Spousal support should be awarded to scheck one) ☐ the Wife/ ☐ the	
22	Husband in the amount of \$dollars per month for (number)	
23	(check one) , months/ years. The spousal support shall	
24	begin on (date) and end on (date)	
25	-N/A-	
26	22. Name Change for Wife (check one):	
27	☐ The wife does not wish to return to her former or maiden name restored.	
28		

1





The wife should have her former or maiden name of McCwsy restored to her.

- ☐ The wife never changed her name.
- 23. Petitioners hereby request that this Court enter a Decree of Divorce, incorporating into that Decree the provisions made herein.
- 24. It is understood by the Petitioners that entry of Decree of Divorce constitutes a final adjudication of the rights and obligations of the parties with respect to the status of the marriage. Petitioners each expressly give up their respective rights to receive written Notice of Entry of any Decree and Judgment of Divorce and Petitioners give up their right to request a formal Findings of Fact and Conclusions of Law, or to appeal any Judgment or Order of this Court made and entered in these proceedings or the right to move for a new trial.
- 25. It is further understood by the Petitioners that a final Decree of Divorce entered by this summary procedure does not prejudice or prevent the rights of either Petitioner to bring an action to set aside the final decree for fraud, duress, accident, mistake or the grounds recognized at law or in equity.

WHEREFORE, Petitioners pray as follows:

- That the parties be granted a decree of divorce and that each of the Petitioners be restored to the status of unmarried persons.
- 2. That the terms agreed upon in this Joint Petition be included in the Decree.

DATE: 6-30-18 ► Juyli M. Stantes

(Wife's signature)

DATE:

- 5

ennen Vi

(Husband's signature)

# WIFE'S VERIFICATION

2	STATE OF NEVADA )
3	COUNTY OF Clark ) ss:
4	
5	(Wife's name) Tuyla Marie Stauton being first duly swon
6	under penalties of perjury, deposes and says:
7	I am the Petitioner herein, and I have read the foregoing Joint Petition for Summary Decre
8	of Divorce and know the contents thereof; that the same is true to the best of my own knowledge
9	except as to those matters therein stated upon information and belief, and as to those matters,
10	believe them to be true.
11	A. Im State
12	- Wy The Zentin
13	(Wife's signature) Signed and sworn to (or affirmed) before me
14	on (date) 30 May, 3018
15	by mame of person signing document) Twyla Masu Stanton
16	Loswinder Kaun
17	Signature of notarial officer  Notary Public - State Of Nevada
18	COUNTY OF CLARK  JASWINDER KAUR
19	My Appointment Expires No. 16-1425-1 Feb 8, 2020
	STATE OF NEVADA )
20	COUNTY OF clare ) ss:
21	On this, 20_18, personally appeared before me,
22	Notary Public, (Wife's name) Twyle Marie Stanton, known or proved to me to b
23	the person who executed the foregoing Joint Petition For Summary Decree of Divorce, and wh
25	acknowledged to me that she did so freely and voluntarily and for the uses and purposes herei
ļ	stategh)
26	Notary Public - State Of Nevada COUNTY OF CLARK
28	Signature of notarial officer  JASWINDER KAUR  My Appointment Expires
	No. 16-1425-1 Feb 8, 2020





# **HUSBAND'S VERIFICATION**

2	STATE OF NEVADA ) ss:
3	COUNTY OF Vari
4	(Husband's name) 1 Dennis Vincent Stanfor being first duly
5	sworn under penalties of perjury, deposes and says:
6	I am the Petitioner herein, and I have read the foregoing Joint Petition for Summary Decree
7	of Divorce and know the contents thereof; that the same is true to the best of my own knowledge,
8	except as to those matters therein stated upon information and belief, and as to those matters, I
9	believe them to be true.
10	- Demis V. Stanton
11	
12	(Husband's signature) Signed and sworn to (or affirmed) before me
13	on (date) ~ 31 2018
14	by (name of person signing document) Dennis Vincent Starton
15	
16	Signature of notar al officer  ANTHONY D. PENN
17	Notary Public-State of Nevada APPT. NO. 11-5384-1 My App. Expires June 17, 2019
18	
19	
20	STATE OF NEVADA )
21	COUNTY OF < Lock )
22	On this 31 day of 79, 2018, personally appeared before me, a
23	Notary Public, (Husband's name) DENNIS VINCONT STANTING, known or proved to me
24	to be the person who executed the foregoing Joint Petition For Summary Decree of Divorce, and who
25	acknowledged to me that he did so freely and voluntarily and for the uses and purposes herein stated.
26	
27	Signature of notarial officer  ANTHONY D. PENN Notary Public-State of Nevada APPT. NO. 11-5384-1 My App. Expires June 17, 2019
28	





# **EXHIBIT 1**

Week	Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
Sample	Mom Pick up at 11 a.m.	Mom	Dad Pick up after school at 3 p.m.	Dad	Dad	Mom Pick up after school at 3 p.m.	Mom
Week #1	Dod	Dod	Dod	Dod	Dod	Mom Pickup of GpM.	Min
Week #2	Man Drof off at 3 p.m.	Drd	Dod	Dod	Mom Pick up at 5 pm. Drop off at 8 p.m.	Dod	Dod
Week #3	Dod	Dod	Dod	Dod	Dod	Now Pick Up ot 6 pm.	Moun
Week #4	Man Drop off of 3 p.m.	Dod	Dad	Dod	Now Pickupa Sp.m. Drop off of 8 pm		Dod





EXHIBIT 2

Check box if	Talidayı	Time	F	Even	Odd
this holiday applies:	Holiday:	(circle a.m. or p.m.):	Every Year	Years	Years
M	New Year's Eve	From: <b>8:00</b> (a.m./p.m. To: <b>8:00</b> a.m./p.m.	Mom Dad	Mom Dad	Mom Bad
M	New Year's Day	From: 8:00 a.m. p.m. To: 8:00 a.m. p.m.	Mom Dad (	Mom Dad	Mom Dad
M	Martin Luther King, Jr. Day	From: <b>8:00</b> a.m/p.m. To: <b>8:00</b> a.m.p.m	Mom Dad	Mom Dad	Mom Dad
M	Presidents' Day	From: 8:00 am p.m. To: 8:00 a.m./p.m.	Mom Dad	Mom Dad	Mom Bad
-p//4-	Passover	From:	Mom Dad	Mom Dad	Mom Dad
M	Easter	From: 9:00 a.m.p.m. To: 8:00 a.m.lo.m	Mom Dad	Mom Dad	Mom Dad
Ø	Memorial Day	From: 8:00 (a.m/p.m. To:a.m.p.m	Mom Dad	Mom Dad	Mom Dad
Ø	Mother's Day	From: 8:00 (a.m.)p.m. To: 8:00 a.m./p.m	Mom Dad	Mom Dad	Mom Dad
Ø	Father's Day	From: 8:00 a.m/p.m. To: 8:00 a.m/p.m	Mom Dad	Mom Dad	Mom Dad
Ŋ	4th of July	From: 8:00 (a.m. fa.m. To: 8:00 a.m. fa.m.	Mom Dad	Mom Dad	Mom Dad
M	Labor Day	From: 8:00 a.m.h.m. To: 8:00 a.m.p.m	Mom Dad	Mom Dad	Mom
-NA-	Rosh Hashanah	From: /// a.m./p.m. To: /// a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
-NA-	Yom Kippur	From:a.m./p.m. To:a.m./p.m	Mom Dad	Mom Dad	Mom Dad
ď	Nevada Day	From: <b>8:00</b> a.m./p.m. To: <b>8:00</b> a.m./p.m	Mom Dad	Mom Dad	Mom Dad
Ŋ	Halloween	From: \( \frac{\frac{1}{2}\text{Of}(a,m)}{\text{p.m.}}\) To: \( \frac{\frac{1}{2}\text{Of}(a,m)}{\text{p.m.}}\)	Mom Dad	Mom Dad	Mom Dad
M	Veterans Day	From: 8:00 am/p.m. To: 8:00 a.m.p.m	Mom Dad	Mom Dad	Mom Dad
ď	Thanksgiving Day	From: <b>8</b> : 6 (a.m.)o.m. To: <b>8</b> : 60 a.m. fo.m.	Mom Dad	Mora Dad	Mom Dad





-N/A-	Chanukkah (Days):	From:	Mom Dad	Mom Dad	Mom Dad
-NA-	Chanukkah (Days):	From: - W/A - a.m./p.m. To: - W/A - a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
ď	Christmas Eve	From: 8:00 (a.m/p.m. To: 8:00 a.m/p.m.	Mom Dad	Mom Dad	Mom
Ø	Christmas	From: <b>8:00</b> (a.m/p.m. To: <b>8:00</b> a.m.(b.m.	Mom Dad	Mom Dad	Mom Dad
V	Father's Birthday	From: 8:00 a.m/p.m. To: 8:00 a.m/p.m.	Mom Dad	Mom Dad	Mom Dad
ď	Mother's Birthday	From: 8:00 a.m/p.m. To: 8:00a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
v	Child's Birthday	From: <b>8:00</b> (a.m/p.m. To: <b>8:00</b> (a.m./p.m.	Mom Dad	Mem Dad	Mom

•

Worksheet A -Primary You must fill out this worksheet a Primary physical custody exists when over a one year period.	stach it to the document you are filing	ng which ask a pr	imary physica	l custody arrangement.
①: Determine Gross Month	nly Income (GMI) of the non-	-custodial parent.		
Hourly wage X Hrs/Week 40 =	Pay Periods 52	Yearly income \$ 52,000.	Mor 12	enths = <b>GMI</b>
2 : Determine Obligation.				
<sup>GMI</sup> \$ <u>4,333.</u> 33 х	Formula Percentage (0.18 for 1 child, 0.29 for 3 children, 0.02 increase for each 0. 35 for 6 children	additional child)	Monthly chi the nearest d	ollar)
3		1		
3: Apply the presumptive amount changes every year on the most current chart.	maximum 11 necessary. This July 1 <sup>st</sup> . Make sure you are using		But Less Than	Presumptive Maximum Amount Usually, this is the maximum amount a parent may be required to pay per month per child.
	-N/A	\$4,235 - \$6,351 - \$8,467 - \$10,585 - \$12,701 -	\$4,235 \$6,351 \$8,467 \$10,585 \$12,701 \$14,816 No Limit	\$630 \$693 \$758 \$819 \$883 \$945 \$1,010
4: Deviations. If you are requ	esting an amount of child support th requesting a different amount must b			
The cost of health insurance	☐ The cost of childcare		☐ The relati	ve income of both parents
Special educational needs of the child	☐ The amount of time the child spen	ds with each parent	Any other benefit of the	necessary expenses for the child
The age of the child	Legal responsibility of the parent for	the support of others	The value	of services contributed by
Any expenses reasonably related to the mother's pregnancy and confinement	The cost of transportation of the divisitation if the custodial parent moved the jurisdiction that ordered the suppor parent remained	with the child from	Any publ	ic assistance paid to support
Explain:				
	- N/A			

You must fill out this worksheet and a physical custody arrangement exists wover a one year period.	ttach it the document you	are filing which asl	or for a joint	Worksheet physical custody a 40% (146 days) of	arrangement. A joint f the time calculated
O: Determine Each Parent's	Gross Monthly Incon	ae (GMI).			
Mom's Hourty Wage  \$X Hira/Week	X = S - WAX	Pay Periods 52	Yearly ince	Months 12	= Mean's CIMI, S -N/A
Dad's Hourly Wage  \$	- s ///x	Pay Periods 52 =	Yearly ince	Menths + 12	= 8 - MA
②: Determine Each Parent's	Child Support Oblig	ation.			
	mula Percentage (0.18 for 1 of 3 children, 0.02 increase for		1.4.3	satisty classes comprove second soldier)	t (rounded to
Dad's GMI X For 0.29 0	mula Percentage (0.18 for 1 of for 3 children, 0.02 increase for	child, 0.25 for 2 children, each additional child)		onthly child support	t (rounded to
3: Subtract the higher amount	of monthly child supp	oort in <b>②</b> from th	e lower am	ount.	
S - N/A _ S	MA = S	apport Ohligation (p.	aid by higher inc	omé parent)	
4: Apply the presumptive mathematical This amount changes every year on are using the most current chart.		If the Persont's GBEI in At Least \$0 - \$4,235 - \$6,351 - \$8,467 - \$10,585 -	Best Less Them \$4,235 \$6,351 \$3,467 \$10,585 \$12,701 \$14,816 No Limit	Presumptive Marks Unselly, the is the succi parms may be required month per child.  \$636 \$493 \$758 \$819 \$883 \$945 \$1,016	imen execute
5:Deviations. If you are requesting reason(s) for requesting a different	g an amount of child suppo ent amount must be based	ort that is lower or h upon one of the follo	igher than the	e amount in <b>9</b> or <b>9</b> . ( <b>2</b> check all that	, if applicable, your apply)
The cost of health insurance	The cost of childcare			☐ The relative inc	ome of both percuts
Special educational needs of the child	The amount of time the		-	Any other neces	ssary expenses for the
The age of the child	Legal responsibility of	the parent for the supp	ort of others	The value of sea	rvices contributed by
Any expenses reasonably related to the mother's pregnancy and confinement	The cost of transportst visitation if the custodial p the jurisdiction that ordere parent remained	arent moved with the	child from		istance paid to support
Explain:					
****					
	-NIH				





Hourly Wage	1 Child 2 Chi	ldren	3 Children 4 Children	5 Children
	18%	25%		<u></u>
\$7.25		\$314	5364 \$400	
\$7.50		\$325	540E	
\$7.75		\$336	<b>4300 8418</b>	
\$8.00		\$347	8402 8430	
\$8.25		\$358	8416 8443	
\$8.50	\$265	\$368	\$427 \$457	
\$8.75		\$379	5440 \$470	
\$9.00	\$261	\$390	8452 5484	
\$9.25		\$401	3485 3497	
\$9.50		\$412	\$478 <b>\$</b> 510	
\$9.75		\$423	SAED \$524	
\$10.00		\$433	\$608 \$687	
\$10.25		\$444	\$515 \$561	
\$10.50		\$455	3528 3564	
\$10.75		\$466	S540 \$578	
\$11.00		\$477		
\$11.25		\$488	5505 5505 5506 5605	
\$11.50		\$498		
\$11.50 \$11.75				
		\$509	\$601 \$631	
\$12.00	\$374	\$520	\$603 \$645	
\$12.25		\$531	\$616 \$656	
\$12.50		<b>\$</b> 542	\$628 \$672	
\$12.75		\$553	\$841 \$885	
\$13.00		\$563	SEES SEES	
\$13.25		\$574	\$656 \$742	
\$13.50		\$585	\$67.0	
\$13.75		\$596	<b>5784</b> 5784	
\$14.00		\$607	<b>5762</b> \$762	
\$14.25		\$618	\$718 \$768	
\$14.50		\$628	新雄 新相	
\$14.75	- 100 C - 100	\$639	\$741 \$7/98	
\$15.00		\$650	\$764 of a \$806	
\$15,25		\$861	<b>\$767</b> \$848	·
\$15.50		\$672	<b>\$770</b> \$833	
\$15.75	\$491	\$683	\$702 \$848	
\$16.00	8499	\$693	\$804 \$860	
\$16.25	\$507	\$704	\$817 \$873	<b>\$930</b>
\$16.50	\$816	\$715	\$825 \$807	<b>\$94</b> 4
\$16.75	\$523	\$726	\$842 \$800	<b>\$</b> 958
\$17.00	\$630	\$737	\$985 \$913	<b>\$</b> 972
\$17.25	\$538	\$748	\$887 \$927	<b>\$</b> 987
\$17.50	6646 · \$546	\$758	\$880 5940	\$1,001
\$17.75	\$554	\$769	\$892 \$954	\$1,015
\$18.00	\$662	\$780	<b>\$</b> 905 \$967	\$1,030
\$18.25	\$569	\$791	5917 5981	
\$18.50	\$577	\$802	8930 5994	· · · ·
\$18.75	8585	\$813	<b>5943</b> \$1,008	
\$19.00	\$593	\$823	5989 51,021	\$1,087
\$19.25	\$601	\$834	SDBS \$1,084	<u> </u>
\$19.50	8608	\$845	\$080 \$1,048	9
\$19.75	5616	\$856	<b>5893 \$1.001</b>	\$1,130
\$20.00	<b>3</b> 621	\$867	\$1,00E \$1,07E	
			on a 40 hour workweek and	





	Child	l Support (	Chart			
Hourly Wage	1 Child	2 Children	3 Children	4 Children	5 Children	
	18%	25%	29%	31%	33%	
\$7.25	\$226		\$364	\$400	\$500	
\$7.50	\$234			\$403	\$500	
\$7.75	\$242			\$416	\$500	
\$8.00	\$250		\$402	\$430	\$500	
\$8.25	\$257		\$415	\$443	\$500	
\$8.50	\$265			\$457	\$500	
<b>\$</b> 8.75	\$273		\$440	\$470	\$501	
\$9.00	\$281	\$390	\$452	\$484	\$515	
\$9.25	\$289		\$465	\$497	\$529	
	\$296		\$478	\$510	\$543	
\$9.50						
\$9.75	\$304	\$423	\$490	\$524	\$558	
\$10.00	\$312		\$503	<b>\$537</b>	\$572	
\$10.25	\$320	\$444	\$515	\$551	\$586	
\$10.50	\$328		\$528	\$564	\$601	
\$10.75	\$335	<u> </u>	\$540	\$578	\$615	
\$11.00	\$343		<b>\$</b> 553	\$591	\$629	
\$11.25	\$351	\$488	\$566	\$605	\$644	
\$11.50	\$359			\$618	\$658	
\$11.75	\$367	\$509	\$591	\$631	\$672	
\$12.00	\$374	\$520	\$603	\$645	\$686	
\$12.25	\$382	\$531	\$616	\$658	\$701	
\$12.50	\$390	\$542	\$628	\$672	\$715	
\$12.75	\$398	L	\$641	\$685	\$729	
\$13.00	\$406	ł	\$653	\$699	\$744	
\$13.25	\$413	<u> </u>	\$666	\$712	\$758	
\$13.50	\$421	\$585	\$679	\$725	\$772	
\$13.7 <b>5</b>	\$429		\$691	\$739	\$787	
\$14.00	\$437	\$607	\$704	\$752	\$801	
\$14.25	\$445	<del></del>		\$766	\$815	
\$14.50	\$452		\$710	\$779	\$829	.,
\$14.75	\$460		\$741	\$793	\$844 *050	
\$15.00	\$468		\$754	\$806	\$858	
\$15.25	\$476		\$767	\$819	\$872	
<b>\$15.50</b>						
\$15.75		<del></del>				
\$16.00		<del></del>	<u> </u>			
\$16.25	*************				\$930	
\$16.50				\$887	\$944	
\$16.75	<u> </u>	<del></del>	<del></del>		\$958	
\$17.00	\$530	\$737	\$855	\$913	\$972	
\$17.25	\$538	\$748	\$867	\$927	\$987	
\$17.50		\$758	\$880	\$940	\$1,001	
\$17.75			<del></del>	\$954		
\$18.00	*		<u> </u>	\$967		
\$18.25	<del></del>					
\$18.50	<del></del>		<del></del>	<u> </u>		
\$18.75	<del></del>	<u> </u>				
\$19.00						······
\$19.25						
\$19.25 \$19.50		·•				
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~			<u> </u>			
\$19.75	******		<u> </u>			
\$20.00	\$621	\$867	\$1,005	\$1,075	\$1,144	

**DISTRICT COURT** 

JUN 07 2018

Nye County Clerk

Deputy

Dennis V. Stanton,

Plaintiff,

VS.

Twyla M. Stanton,

Defendant.

# **QUALIFIED DOMESTIC RELATIONS ORDER**

- 1. This order creates and recognizes the existence of an Alternate Payee's right to receive a portion of the Participant's Total Account Balance accumulated under an employer-sponsored defined contribution plan which is qualified under Section 501 of the Internal Revenue Code (the "Code") and the Employee Retirement Income Security Act of 1974 ("ERISA"). It is intended to constitute a Qualified Domestic Relations Order ("QDRO") under Section 414(p) of the Code and Section 206(d)(3) of ERISA.
- 2. The name, address, birth date and social security number of the plan "Participant" are:

Participant:

**Dennis Vincent Stanton** 

Address:

7088 Los Banderos Av.

Las Vegas, NV 89179-1207

**Social Security Number:** 

XXX-XX-9910

Birth Date:

0,7

05/07/1978

The name, address, birth date and social security number of the "Alternate Payee" are:

Alternate Payee:

Twyla Marie Stanton

Address:

7088 Los Banderos Av.

Las Vegas, NV 89179-1207

**Social Security Number:** 

XXX-XX-2448

Birth Date:

08/06/1985

- 4. The name of the Plan to which this order applies is the I.B.E.W. Local Union 357
  Pension Trust-Plan B (hereafter referred to as "Plan"). Further, any successor plan
  to the Plan shall also be subject to the terms of this Order.
- 5. This Order is entered pursuant to the authority granted in NRS 125 of the applicable domestic relations laws of the State of Nevada.
- 6. This Order relates to the provisions of marital property rights to the Alternate Payee as a result of the marriage that commenced on 07/11/2004.
- 7. Amount of Alternate Payee's Benefit:
  - This Order assigns to Alternate Payee an amount equal to 100% of the Participant's Total Account Balance accumulated under the Plan as of **05/09/2018**. Such account balance shall include the amounts that have accumulated under all of the various accounts and/or subaccounts established and maintained under the Plan on behalf of the Participant. Administrative expenses attributable to Alternate Payee's benefits between the effective date and the date of distribution shall be applied to Alternate Payee's benefits. The award to the Alternate Payee cannot be greater than the total account balance at the time of distribution to the Alternate Payee.
- 8. The Alternate Payee shall be paid her benefits as soon as administratively feasible following the date this Order is approved as a QDRO by the Plan Administrator, or at

the earliest date permitted under the Plan, if later. Benefits will be payable to the Alternate Payee in the form of a one-time, lump-sum cash payment, if such form of payment is a permissible option under the terms of the Plan. If a lump-sum option is not available to the Alternate Payee, then she shall be permitted to choose among the available Plan options.

- 9. Between the time that the Alternate Payee's account hereunder is segregated and the time it is distributed to the Alternate Payee, the Alternate Payee's account shall remain invested, pro rata, in the same manner as Participant's account as of the segregation date unless and until Alternate Payee redirects it into other investment choices.
- 10. Any outstanding loans **shall not** be included with the total account balance for the purpose of determining the amount to be awarded to the Alternate Payee. The Plaintiff/Participant will repay 100% of the defaulted loan of the account balance.
- 11. This Order is not intended, and shall not be construed on such a manner as to require the Plan: (a) to provide any type of form of benefit option not otherwise provided under the terms of the Plan; (b) to require the Plan to provide increased benefits determined on the basis of actuarial value; or (c) to require the payment of any benefits to the Alternate Payee that are required to be paid to another Alternate Payee under another Order previously deemed to be a QDRO.
- 12. It is the intention of the parties that this QDRO continue to qualify as a QDRO under Section 414(p) of the Internal Revenue Code, as it may be amended from time to time, and the Plan Administrator shall reserve the right to reconfirm the qualified status of Order at the time benefits become payable hereunder.
- 13. For purposes of Sections 401(a)(1) and 72 of the Internal Revenue Code, any Alternate Payee who is the spouse of the Participant shall be treated as the distributee of any distribution or payments made to the Alternate Payee under the terms of this Order, and as such, will be required to pay the appropriate federal income taxes on such distribution.
- 14. Except as set forth herein, all rights in and to Participant's benefits under the Plan are awarded to the Participant.

15. The Court shall retain jurisdiction with respect to this Order to the extent required to maintain the original intent of the parties as stipulated herein.

### **ORDER**

DISTRICT COURT JUDGE

**Participant** 

Twvla M

Alternate Payee

Pursuant to the Stipulation of the parties, it is so ordered
Dated and done this 7 day of Count 2018.

	_			
Su	bm	iitte	ed b	v:

DATED: May 10, 2018

DATED: May, 12,2018

State of Nevada County of Clark

This instrument was Aknowledged before me on 05/10/18 by Denniv. Starton MICHAEL HENRY C Notary Public State of N

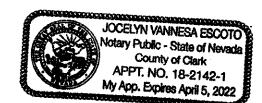
MICHAEL HENRY CRICK Notary Public State of Nevada No. 18-2173-1 My Appt. Exp. April 4, 2022

State of Nevada

County of Clark

Acknowledged before me on 05/12/18

by Twyla M. Stanton



# FILED FIFTH JUDICIAL DISTRICT

	TH III JUNION TO
1	Name: Twyla Marie Stanton NUL 052018
2	Address: 7048 Los Banderos Ave
3	Telephone 702764-4692  Nye County Clerk  Deputy
4	Email Address: twylamstankn230g mail.com In Proper Person
5	
6	DISTRICT COURT Nye County, Nevada
7	Mye Wanty, is
8	Twyla Marie Stanton Plaintiff, Joint Petitioner CASE NO.: CV39304
9	ys. And  DEPT: 2
11	' ' '
12	Dennis Vincent Stanton Defendant Joint Petitioner
13	EX PARTE APPLICATION TO SEAL FILE
14	
15	(\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\over
16	· · · · · · · · · · · · · · · · · · ·
17	I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.
18	
19	DATED this 26 day of June, 2018
20	1 1 m Ru +
21	Submitted By: (Your signature) wylem. Stanton
22	Printed Name: Twy la Marie Stanton
23	
24	
25	
26	
27	
28	

1

# FILED FIFTH JUDICIAL DISTRICT

1	OSFD
2	Name: Iwyla Marie Stanton Address: 7088 Los Randeros Ave.  Nye County Clerk
3	Las Vegas, Nevada 89179-BO7 Deputy
4	Email Address: twylamstanon 23 Camalcom
5	In Proper Person
6	DISTRICT COURT Nye County, Nevada
7	10460001
8	Tuyla Marie Stanton Plaintiff, Joint Petitioner CASE NO .: CV30304
9	DEPT
10	vs- And
11	Dennis Vincent Stanton Defendant: Joint Petitioner
12	
13	ORDER SEALING FILE
14	
15	Upon (\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{\overline{
16	in the above entitled matter be sealed to the extent allowed by law.
17	
18	
19	DATED this 10th day of Guly, 2018
20   21	
22	DISTRICT COURT JUDGE
23	DISTRICT COOKT TODGE
- 1	
24 25	Submitted By: (Your signature) - Loyer M. Stanton
26	Printed Name: Twy La Marie Stanton
27	
- 1	
28	

	1	CHARLES C. LoBELLO, ESQ.	FILED						
	2	Nevada Bar No. 5052 CHRISTOPHER F. OWEN, ESQ.	FIFTH JUDICIAL DISTRICT						
	4	Nevada Bar No. 13211	FIL III 10 DICH III DICHIIC I						
	3	OWEN LAW FIRM	NOV 20 2018						
	,	1785 East Sahara Ave., Suite 157 Las Vegas, Nevada 89104							
	4	Tel. (702) 733-2800	Nye County Clerk						
	5	Fax (702) 425-9883	<u> </u>						
	_	cowen@chrisowenlaw.com Attorneys for First Joint Petitioner/Plaintiff							
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	8	IN THE FIFTH JUDICIAL DISTRICT COURT OF THE							
	0	STATE OF NEVADA, IN AN	D FOR THE COUNTY OF NYE						
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	10	THAT A MADE: CTANTON	G N 07/ 2020 4						
	10	TWYLA MARIE STANTON, an individual;	Case No.: <b>CV-39304</b> Dept. No.: <b>2</b>						
	11	,	Dopt. No.: 2						
	12	First Joint Petitioner/Plaintiff,							
က		VS.							
2-988	13	DENNIS VINCENT STANTON,							
242	14								
8 X		Second Joint Petitioner/Defendant.							
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-280	16	EV DADTE ADDITION	TO UNSEAL COURT RECORD						
2-733	177	<u>EX PARTE AFFLICATION</u>	TO UNSEAL COURT RECORD						
Las vegas, nevada oztor TEL.: 702-733-2800 FAX: 702-425-9883	17	COMES NOW First Joint Petitioner/Plaint	iff, TWYLA MARIE STANTON <sup>1</sup> (hereafter "Plaintiff"						
TEL	18	or "Twyla"), by and through her counsel of record,	Christopher F. Owen, Esq., of the OWEN LAW FIRM,						
	19	and hereby submits this Ex Parte Application to U	nseal Court Record, as follows:						
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	25	For nurnoses of the cention, the undersigned	continues to use First Joint Petitioner/Plaintiff's name.						
	26	However, on October 26, 2018, the Circuit Court	of Faulkner County, Arkansas appointed the parents of						
		Twyla Stanton, Robert Crawford and Carmen Cra	awford, as Temporary Co-Guardians of the Person and						
	27		der Appointing Temporary Co-Guardians of the Person mporary Co-Guardians, Robert and Carmen Crawford,						
		n and Louis, Lambie i notow. Accordingly, the re	mporary co-cumulans, record and carmen clawford,						

hereby bring this action on behalf of the ward, Twyla Marie Stanton.

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

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	P	OIN	ITS	AND	AUT	HOR	ITIES
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I.

### STATEMENT OF FACTS

The Court record in this case was sealed following the conclusion of divorce proceedings. Plaintiff now seeks to file in this sealed case a motion pursuant to Rule 60(b) regarding the underlying Joint Petition for Divorce and resulting Decree of Divorce ("Motion"). However, Plaintiff has been advised (even though she does not seek to inspect any part of the Court record, but seeks only to file the Motion) that she must first request that the Court record be unsealed in order for the Court to consider the Motion.

II.

## THE LAW GOVERNING INSPECTION OF SEALED CASES

Plaintiff hereby applies to the Court, through counsel, that to unseal the Court record. This request is made pursuant to NRS 125.110(2), which provides:

All other papers, records, proceedings and evidence, including exhibits and transcript of the testimony, shall, upon the written request of either party to the action, filed with the clerk, be sealed and shall not be open to inspection except to the parties or their attorneys, or when required as evidence in another action or proceeding.

Plaintiff does not seek to inspect the Court record. Rather, Plaintiff's request to unseal the Court record is made as Plaintiff wishes to file her Motion.

Inasmuch as the undersigned has, by virtue of submitting this Application, now entered his appearance in this case as counsel for Plaintiff, and, further, is <u>not</u> seeking to inspect the Court record per NRS 125.110, the case should be unsealed so that Plaintiff may file her Motion.

Respectfully submitted.

DATED this  $\underline{q}^{th}$  day of November, 2018.

OWEN LAW FIRM

Christopher F. Owen, Esq.

1785 E. Sahara Ave.

Suite 157

Las Vegas, Nevada 89104

Tel. (702) 733-2800

cowen@chrisowenlaw.com

Attorney for First Joint Petitioner/Plaintiff

\$ Oliver

# **EXHIBIT 1**

# **EXHIBIT 1**

ELECTRONICALLY FILED
raulkner County Circuit Court Probate Division
Margaret Darter, County Clerk
2018-Oct-26 13:12:52
23PR-18-640

C20D05 : 2 Pages

# IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS PROBATE DIVISION 5th DIVISION

IN THE MATTER OF TWYLA MARIE MCCURDY, An incapacitated person

23PR-18-640

# ORDER APPOINTING TEMPORARY CO-GUARDIANS OF THE PERSON AND ESTATE

Now on this day, came on for hearing Petitioners' Verified Petition for Appointment of Co-Guardians of the Person and Estate, and the Court being well and otherwise sufficiently advised, THE COURT DOTH FIND:

- 1. This Court has jurisdiction over the parties and subject matter. Venue is proper.
- 2. The Court finds that the incapacitated person, Twyla Marie McCurdy, is in need of a guardian of the person and estate to care for her and it would be in her best interest to have a guardian appointed. The Court finds that the incapacitated person has a minimal estate consisting clothing and personal effects with an approximate value of less than \$500.00.
- 3. That Petitioners, Robert Crawford and Carmen Crawford, 129 Mill Creek Drive, Greenbrier, AR 72058, should be and are hereby appointed Temporary Co-Guardians of the Person and Estate of Twyla Marie McCurdy, DOB: 8/6/85 and are to serve without bond.

  IT IS SO ORDERED.

(electronic signature on attached signature page)
HONORABLE H.G. FOSTER
CIRCUIT JUDGE

Presented by:

Boyd Tackett, Jr., Esquire



# **Arkansas Judiciary**

Case Title:

TWYLA MARIE MCCURDY

Case Number:

23PR-18-640

Type:

TEMPORARY ORDER

So Ordered

Judge H G Foster

Electronically signed by HGFOSTER on 2018-10-26 13:12:59 page 2 of 2

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1	CHARLES C. LoBELLO, ESQ. Nevada Bar No. 5052
2	CHRISTOPHER F. OWEN, ESQ.
3	Nevada Bar No. 13211 OWEN LAW FIRM 1785 East Sahara Ave., Suite 157
4	Las Vegas, Nevada 89104 Tel. (702) 733-2800
5	Fax (702) 425-9883  cowen@chrisowenlaw.com
6	Attorneys for First Joint Petitioner/Plaintiff
7	IN THE FIFTH JUDICIA
8	STATE OF NEVADA, IN A
9	
10	TWYLA MARIE STANTON, an individual;
11	First Joint Petitioner/Plaintiff,
12	vs.
13	DENNIS VINCENT STANTON, an individual;
14	Second Joint Petitioner/Defendant.
15	
16	NOTICE: YOU ARE REQUIRED TO FILE A

FILED FIFTH JUDICIAL DISTRICT

NOV 27 2018

**Nye County Clerk** Deputy

## FIFTH JUDICIAL DISTRICT COURT OF THE

### F NEVADA, IN AND FOR THE COUNTY OF NYE

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

TIME OF HEARING:

DATE OF HEARING:

IRED TO FILE A WRITTEN RESPONSE TO THIS MOTION WITH THE CLERK OF THE COURT AND TO PROVIDE THE UNDERSIGNED WITH A COPY OF YOUR RESPONSE WITHIN 10 DAYS OF YOUR RECEIPT OF THIS MOTION. FAILURE TO FILE A WRITTEN RESPONSE WITH THE CLERK OF THE COURT WITHIN 10 DAYS OF YOUR RECEIPT OF THIS MOTION MAY RESULT IN THE REQUESTED RELIEF BEING GRANTED BY THE COURT WITHOUT A HEARING PRIOR TO THE SCHEDULED HEARING DATE.

FIRST JOINT PETITIONER/PLAINTIFF'S MOTION PURSUANT TO RULE 60(b) TO SET ASIDE DECREE OF DIVORCE AS FRAUDULENTLY OBTAINED, TO DISMISS THE JOINT PETITION FOR DIVORCE WITH PREJUDICE, AND TO SANCTION DEFENDANT FOR FORUM SHOPPING AND PERPETRATING A FRAUD UPON THE COURT IN THE FULL AMOUNT OF PLAINTIFF'S FEES AND COSTS

COMES NOW, First Joint Petitioner/Plaintiff, TWYLA MARIE STANTON<sup>1</sup> (hereafter "Plaintiff" or "Twyla"), by and through her attorney of record, CHRISTOPHER F. OWEN, ESQ. of the OWEN LAW

<sup>&</sup>lt;sup>1</sup> For purposes of the caption, the undersigned continues to use First Joint Petitioner/Plaintiff's name. However, on October 26, 2018, the Circuit Court of Faulkner County, Arkansas appointed the parents of Twyla Stanton, Robert Crawford and Carmen Crawford, as Temporary Co-Guardians of the Person and Estate of Twyla Marie Stanton (McCurdy) See Order Appointing Temporary Co-Guardians of the Person and Estate, Exhibit 1 hereto. Accordingly, the Temporary Co-Guardians, Robert and Carmen Crawford, hereby bring this action on behalf of the ward, Twyla Marie Stanton.

FIRM, retained in an unbundled capacity, and hereby states the following points and authorities in support of her Motion Pursuant to Rule 60(b) to Set Aside Decree Of Divorce as Fraudulently Obtained, to Dismiss the Joint Petition For Divorce with Prejudice, and to Sanction the Defendant, DENNIS STANTON, for Forum Shopping and Perpetrating a Fraud Upon the Court in the Full Amount of Plaintiff's Fees And Costs.

This Motion is based upon all of the papers, pleadings and records on file herein, the attached Memorandum of Points and Authorities, the affidavits in support hereof, and any oral argument this Court may entertain at the time of hearing.

DATED this th day of November, 2018.

## **OWEN LAW FIRM**

Christopher F. Owen, Esq.
OWEN LAW FIRM

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

Attorney for First Joint Petitioner/Plaintiff

### **MEMORANDUM OF POINTS AND AUTHORITIES**

I.

### INTRODUCTION

In this case, the "parties" have engaged in multiple filings to obtain a divorce. The filing litany begins on October 12, 2016, when the Defendant, DENNIS VINCENT STANTON ("Defendant" or "Dennis") filed a Complaint for Divorce (See Complaint for Divorce, Case No. D-16-540966-D ("the First Divorce Action", attached hereto as Exhibit 2).<sup>3</sup>

On September 13, 2017, Dennis filed a Complaint for Separate Maintenance in which Dennis sought maintenance from Twyla, who was (then and remains) unemployed. See Complaint for Separate

As the Court can see from the Psychological Evaluation dated October 19, 2018, which has been submitted to the Court for its *in camera* inspection, Twyla has a tested IQ of 69. She has reading and comprehension levels of (at best) a 3<sup>rd</sup> grader, and she is now under the co-guardianship of her parents. Throughout this Motion, the term "the parties" is used for the sake of convenience to refer to both Dennis and Twyla. However, Dennis is the sole actor here, and Twyla is his pawn -- a straw-person. The term as used herein is not meant to imply, as it normally does (particularly in the context of joint filings), that both "parties" agree on the content of a pleading. Thus, even on "joint" documents signed by Twyla, her signature does not connote understanding or agreement. When Dennis tells Twyla to say, do, or sign something, she obeys. Having the capacity of a grade-school child, Twyla signed whatever Dennis told her to sign.

<sup>&</sup>lt;sup>3</sup> Unaware that Dennis had filed a Complaint for Divorce, Twyla filed her own a short while later that same day. Both cases were subsequently consolidated under the earlier case number.

Maintenance, Case No. D-17-558626-S (hereafter "the Second Divorce Action"), attached hereto as Exhibit 3. Shortly thereafter, the Court (Judge Rena Hughes) sua sponte stated in a minute order that, "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 the [Twyla's] alleged agreements with [Dennis] until [Twyla] receives independent legal counsel." See Minute Order dated February 01, 2018, attached hereto as Exhibit 4 (emphasis added). Judge Hughes then asked to appoint the undersigned as Twyla's counsel, likely because he had represented Twyla in the First Divorce Action, and the undersigned agreed. As soon as the undersigned was appointed, however, Dennis caused a Stipulation and Order for Voluntary Dismissal of Case to be filed as to the Second Divorce Action.

Approximately 2 months later, on March 29, 2018, Dennis caused "the parties" to file a Joint Petition for Divorce in Clark County (See Joint Petition, Case No. D-18-568604-Z (hereafter, "the Third Divorce Action", attached hereto as Exhibit 5). The Third Divorce Action was assigned back to Judge Hughes and, again, using Twyla as a straw-person, Dennis filed a Peremptory Challenge (Exhibit 6 hereto) and the case was reassigned to Judge Bryce Duckworth. Judge Duckworth, however, determined that the challenge was improper and untimely, and returned the case to Judge Hughes. See Minute Order dated April 18, 2018, attached hereto as Exhibit 7.

Dennis, apparently recognizing the futility of continuing to file in Clark County, immediately caused this Third Divorce Action to be "voluntarily" dismissed. With his efforts frustrated in Clark County, Dennis forum-shopped the case to Nye County,

Nearly two years after the filing of the First Divorce Action, the "parties", i.e., Dennis, filed the Amended Joint Petition for Divorce<sup>4</sup> giving rise to this case (Nye County Case No. CV 39304, hereafter "the Fourth Divorce Action"). See Amended Joint Petition attached hereto as Exhibit 8. At no time did Dennis disclose to this Court either the history of filings in the Eighth Judicial District or the fact that Twyla suffered from a "diminished mental capacity" that prevented her from exercising proper judgment on important legal decisions on issues critical to custody and divorce.

Unaware of Dennis's procedural gamesmanship, this Court, on June 7, 2018 granted a Decree of Divorce. See Decree of Divorce attached hereto as Exhibit 9. The Decree was obtained solely by Dennis taking unfair advantage of, in the words of Judge Hughes, Twyla's <u>diminished mental capacity</u> and <u>inability</u> "to comprehend legal documents or make judgments as to legal matters." As previously noted,

<sup>&</sup>lt;sup>4</sup> As of the filing of this motion, the undersigned only has a copy of the Amended Joint Petition. The undersigned was unable to obtain of the original Joint Petition as the case has been sealed.

Las Vegas, Nevada 89104 TEL.: 702-733-2800 FAX: 702-425-9883 13 14 15 16 17 18 19 20 21

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Twyla has the reading comprehension of a 2<sup>nd</sup> grader and the reading skills of a beginning 3<sup>rd</sup> grader.<sup>5</sup> She is cognitively slow and is easily taken advantage of. Having been thwarted in his pursuit of a Decree of Divorce in the Eighth Judicial District Court, Dennis forum-shopped the case to the Fifth Judicial District - knowing full well that this new venue would allow him to obtain the Decree without the Court ever having to know of his serial filings in Clark County.

For these reasons, and as explained more fully below, Twyla hereby moves this Court Pursuant to Rule 60(b) of the Nevada Rules of Civil Procedure to set aside decree of divorce as fraudulently obtained, to dismiss the joint petition for divorce, and to sanction Dennis for forum-shopping and perpetrating a fraud upon the court in the full amount of the attorney's fees and costs Twyla has been forced to incur in bringing this Motion.

### II.

#### STATEMENT OF FACTS

The parties hereto were married July 11, 2004. They have six children, to wit:

- Brianna Stanton, born April 19, 2005; 1.
- Tristan Stanton, born August 16, 2006; 2.
- Tyler Stanton, born July 17, 2007; 3.
- Tanner Stanton, born September 22, 2008; 4.
- 5. Arianna Stanton, born February 25, 2010; and
- Trent Stanton, born March 15, 2011. 6.

As explained hereinabove, prior to filing the Joint Petition giving rise to this case, Dennis tried three separate times in Clark County to get this divorce.

On October 12, 2016, he filed his First Divorce Action, a Complaint for Divorce and the case was assigned to Judge Rena Hughes. See Exhibit 2. Subsequently, unaware of Dennis's filing, Twyla filed her own Complaint for Divorce (Case No. D-16-541006-D). Both cases were consolidated under the earlier case number. After long and contentious proceedings, the parties reconciled, and the case was voluntarily dismissed on or about March 30, 2017. It is the undersigned's belief that Dennis reconciled primarily to avoid having the court remove the children from his custody and having an award of attorney's fees leveled against him.

On September 13, 2017, Dennis Stanton filed a Complaint for Separate Maintenance, which was also assigned to Judge Hughes. See Exhibit 3. On October 23, 2017, Mr. Stanton requested a summary disposition of the Separate Maintenance Case, representing to the Court that the "parties" had reached an agreement on all material issues pertinent to custody and support of the children, spousal support, and the

See Psychological Evaluation dated October 19, 2018, which has not, for privacy reasons, been attached as an exhibit hereto but has been submitted to the Court for its in camera inspection.

Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. The Court has researched its duties with respect to ensuring due process to the Defendant [Twyla Stanton]. Through the previous case involving the parties (lead case - D-16-540966-D consolidated with D-16-541006-D), the Court is aware that **Defendant has a diminished mental capacity and lacks the ability to comprehend legal documents or make judgments as to legal matters**. In good conscience, and for purposes of due process, the Court cannot approve the Defendant's alleged agreements with Plaintiff until Defendant receives independent legal counsel.

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

See Exhibit 4.

On February 8, 2018, the Court appointed the undersigned as counsel for Twyla in the Separate Maintenance Case (the Second Action). Within weeks of the appointment, Dennis shut the case down, filing a Stipulation and Order to Dismiss the Separate Maintenance case on February 27, 2018.

On March 29, 2018, the "parties" filed the Third Divorce Action. See Joint Petition for Divorce filed March 29, 2018, attached hereto as Exhibit 5. This Third Action was initially assigned to Judge Hughes per EDCR 5.103.6 Upon discovering that the case had been assigned to Judge Hughes (who was well aware of Twyla's "diminished mental capacity"), Dennis filed a Peremptory Challenge, Exhibit 6, using Twyla as a straw-person to file it,<sup>7</sup> and the case was randomly reassigned to Judge Bryce Duckworth.

Judge Duckworth, however, considered the Peremptory Challenge and determined first that the Third Action must be returned to Judge Hughes (again, per EDCR 5.103(c)(2)) (see note 7 herein), but also that the Peremptory Challenge was untimely. See Judge Duckworth's Minute Order, attached hereto as Exhibit 7.

- (b) Upon the filing of any action, the clerk's office shall utilize the information provided on the Mandatory Family Court Cover Sheet to...determine whether prior cases involving the same parties exist and assign cases pursuant to this rule.
- (c) Pursuant to the mandates of NRS 3.025(3), any and all new cases involving the same parties shall be assigned to the same judicial department in the following manner:
  - (2) If one or more prior cases involving the same parties has previously been filed, the new case shall be assigned to the judicial department assigned to the earlier-filed case.

<sup>&</sup>lt;sup>6</sup> EDCR 5.103 states,

<sup>&</sup>lt;sup>7</sup> A copy of the Peremptory Challenge is attached hereto as Exhibit 6. The Court will notice that, on its face, it looks as if it was Twyla who sought to move the case away from Judge Hughes. However, Twyla could not have understood what was happening and simply followed the dictates of Dennis in completing this form. Using Twyla to file the Challenge is just further evidence of Dennis's devious character.

1785 East Sahara Avenue, Suite 157 Las Vegas, Nevada 89104 IEL.: 702-733-2800 FAX: 702-425-9883 Citing Supreme Court Rule 48.1(3)(b) and 48.1(5), Judge Duckworth stated:

Parties to litigation are not permitted to file a peremptory challenge against a district judge who has previously made rulings on contested issues. This prohibition applies in any subsequent cases between the same parties, which are assigned to that same district judge pursuant to a local case assignment rule. "Allowing a plaintiff to file a peremptory challenge after the filing of any counterclaim would give a plaintiff the opportunity to disqualify the district judge simply because he has made previous unfavorable rulings." Carr-Bricken v. First Interstate Bank, 105 Nev. 570, 573, 779 P.2d 967, 969 (1989). In Carr Bricken, the appellant argued that she should be allowed to file a peremptory challenge after a third-party filed a counterclaim. In that case, the trial court struck the Plaintiff's peremptory challenge and the Supreme Court held that "[since appellant filed her peremptory challenge long after hearings of several contested pretrial matters in th[e] case, her right to a peremptory challenge had been waived as a matter of law." Id.

### Judge Duckworth concluded:

The peremptory challenge in this case is comparable to the peremptory challenge filed in *Carr-Bricken* because it challenges a district judge who previously made substantive pretrial rulings on the merits of a divorce and separate maintenance action between the Parties. 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*. *Id*.

Given the "parties" multiple filings, the revelation and scope of Dennis' procedural gamesmanship, and the local rule (EDCR 5.103(c)(2)) mandating the return of the case to "to the judicial department assigned to the earlier-filed case", Judge Duckworth transferred the Third Action back to Judge Hughes. And Dennis, not surprisingly, immediately caused the Third Action to be dismissed.

Now fully aware that whatever he filed in Clark County would eventually end up with Judge Hughes, Dennis turned his eye to Nye County, where his past filings need not ever see the light of day. On or about May 30, 2018, Dennis caused "the parties" to file a Joint Petition for Divorce before this Court (the "Fourth Divorce Action"). Exhibit 8. Shortly thereafter, "the parties" filed an Amended Joint Petition for Summary Decree of Divorce, wherein Twyla (who lacks the ability to comprehend legal documents or make judgments as to legal matters) somehow miraculously agreed to pay Dennis over \$1,500.00 per month in child support – based upon a stated annual income of over \$52,000.00. Twyla has not held a job since July 8, 2016.

Dennis's hubris is incomprehensible and unconscionable. Not only does Twyla not have a job, she had difficulties in the past holding even a minimum wage job (she was let go from her last job as a housekeeper because she was too slow to get her work done, and constantly had to rely on the assistance of other housekeepers). Also, notably, the earnings "the parties" attribute to Twyla for purposes of the child support calculation change with each of Dennis's serial filings. For example, in the Complaint for Separate

<sup>&</sup>lt;sup>8</sup> The filing date of the initial (not Amended) Joint Petition in this case is unknown as the case has been sealed.

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Maintenance filed September 13, 2017, Exhibit 3 hereto, Dennis claimed that Twyla should pay him child support of \$600.00 per month -- the statutory minimum -- because Twyla's gross monthly earnings at the time were (just as they are now) zero. See Worksheet A, attached to Exhibit 3.

However, when "the parties" filed the first Joint Petition for Divorce on March 29, 2018, Exhibit 5 hereto, it was claimed that Twyla's monthly child support obligation should be \$1,300.00 per month, based upon Twyla's imaginary gross monthly income of \$3,052.00 per month (or \$36,624.00 per year). See Worksheet A attached to Exhibit 5 hereto. Dennis also claimed that at the time of filing this Joint Petition, Twyla owed him \$3,900.00 in arrears.

Finally, when "the parties" filed their Amended Joint Petition for Summary Decree of Divorce with this Court, a mere two months later, it was claimed that Twyla was earning \$4,333.33 per month (or \$52,000.00 per year), that she should therefore pay Dennis \$1,517.00 per month for child support, and that Twyla owed Dennis arrears of \$4,551.00. See Worksheet A attached to Amended Joint Petition, Exhibit 8 hereto.

Claiming that Twyla went from earning zero in September 2017 to earning \$52,000.00 per year in May 2018, all the while when she is unemployed, shows the falsity Dennis crafted into the various filings. Moreover, the Joint Petition and Decree that Dennis caused to be filed with this Court also contain numerous materially false statements, as follows:

- 1. The filing of the Amended Joint Petition, in and of itself, is a false representation that Twyla even understood what she was signing. The recently performed Psychological Evaluation makes clear that Twyla could not have understood what she was signing (or sacrificing). Indeed, given Twyla's cognitive deficits, it is telling that, other than Twyla's name in the caption and her signature, the entire Joint Petition, Exhibit 3 hereto, is in Dennis's handwriting;
- Given Dennis's three (3) frustrated attempts to secure a divorce in Clark County, it is obvious that Dennis forum-shopped and initiated this action in Nye County to avoid Judge Hughes and obtain an unfair advantage that he could not get in Clark County because of the local rule requiring assignment of new cases involving the same parties back to the original department. Well aware that Judge Hughes would not allow the trampling of Twyla's "due process" rights, Dennis moved the game;
- 3. The Joint Petition in this case requires that Twyla should be the party responsible for maintaining medical and dental insurance for the six (6) children, even though Twyla is not employed, has not held a job since July 8, 2016, and could not have understood to what she was agreeing;
- 4. The Joint Petition filed with this Court claims at paragraph 14 that Twyla should pay Dennis monthly child support of \$1,517.00, based upon an annual income of \$52,000.00 (and calculations set forth at Worksheet A). Again, this is totally false. Twyla would never have knowingly agreed to Dennis having primary physical custody of the parties' children or to paying child support of

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- 5. The Joint Petition falsely represents at paragraph 17 that Twyla agrees she owes Dennis child support arrears of \$4,551.00, when both "parties" clearly know Twyla has no job, no income, and no ability to pay child support now or at any other time;
- The Joint Petition states further at paragraph 18 that Twyla would receive 100% of Dennis's I.B.E.W. 357 Pension Trust Plan B (and that, in exchange, Dennis would receive Plan A and the N.E.B.F. Pension Benefit). However, the evidence will show that Twyla received a check from I.B.E.W Local Union 357 in the amount of \$36,176.00 and, on August 9, 2018, deposited this check to her savings account at Bank of America. Four days later, on August 13, 2018, it is believed that Dennis drove Twyla to the bank, ordered her to go in and withdraw all of the funds in the account in cash and close the account. See Bank of America Statement dated September 5, 2018, Exhibit 10 hereto. Twyla did as he commanded, just as she always does. She withdrew the \$36,176.00 in cash (plus the balance of \$10.06 that had been in the account prior to the deposit) and closed the account. When she got back in the car, Dennis took the cash from her. Twyla has no idea what happened to the cash after Dennis ordered her to give it to him and Dennis must be held to account for his actions and explain where the money went;10
- 7. The Decree arising out of the Joint Petition (Exhibit 9) awards Dennis 100% of the parties' marital residence located at 7088 Los Banderos Ave., Las Vegas, Nevada. It is believed there is equity of approximately \$60,000.00 to \$100,000.00 in the residence (the actual equity amount is difficult to ascertain as Dennis has failed to pay the mortgage and has allowed arrears of nearly \$50,000.00 to accrue (see Joint Petition, paragraph 19, Husband's debts);
- 8. Finally, to the extent the Joint Petition claims that the "parties" have entered into an equitable agreement settling all issues regarding assets, debts, and spousal support, this is completely false. The Decree ultimately filed in this case does not require any payment of spousal support even

See Psychological Evaluation which has been submitted to the Court for its in camera inspection.

Notably on August 31, 2018, within days of stealing her money, Dennis gave Twyla \$50.00 and put her on a bus to Arkansas. Twyla arrived in Arkansas a few days later, on September 2, 2018, and still had the same \$50.00 Dennis had given her. See Declaration of Monette DuMond, attached hereto as Exhibit 11. For whatever reason, whether sympathy, compassion, or pity, all of Twyla's meals were bought by others on the bus. If Twyla still had the money she withdrew from the bank on August 13, 2018, there is no doubt she would have with arrived in Arkansas with all of that money in tact and in her possession, just like the \$50.00 Dennis gave her when he put her on the bus.

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though the parties have been married 14 years and Twyla was, for almost the entirety of the marriage, a stay-at-home wife and mother to their six children. The Decree further claims, at paragraph 23, that it is "understood" that the Petitioners have given up various rights. With reading and comprehension levels of an elementary school child, there is no way Twyla could have understood what "rights" she was giving up. Dennis drafted the entire marital settlement agreement and Twyla would have no understanding of what she was signing, what she was "agreeing to", and what she was giving up.

The multiple filings by these "parties", all orchestrated by Dennis, warrant that the Decree filed by this Court be set aside and the Joint Petition dismissed. Dennis may not be allowed to "game" the system by forum-shopping, finding a court that would be unaware of "the parties" filing history, make multiple false representations regarding Twyla's income for the sake of claiming that she pay child support, falsely claim that the parties have agreed upon an equitable distribution of assets and debts, and award Twyla the benefit of his I.B.E.W. Plan B pension only to steal that money away from her. Twyla does not possess the ability to comprehend these statements or what she was signing, and Dennis knowingly used her mental disability against her, exploiting Twyla, who clearly is a vulnerable person.

NRS ¶200.5091 et seq. makes it a crime to exploit a vulnerable person. Subsection 8 of NRS ¶200.5092 defines a vulnerable person as a person 18 years of age or older who:

- Suffers from a condition of physical or mental incapacitation because of a developmental (a) disability, organic brain damage or mental illness; or
- Has one or more physical or mental limitations that restrict the ability of the person to (b) perform the normal activities of daily living.

Twyla has a tested IQ score of 69. She has the reading ability and comprehension of a second or third grader. Persons have an IQ score below 70 are considered feeble-minded or even mildly retarded.

Exploitation of a vulnerable person carries significant criminal penalties. A first offense is either a category C felony (punishable by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 5 years, and the possibility of a fine of not more than \$10,000.00), or a gross misdemeanor (punishable by imprisonment in the county jail for not more than 364 days, or by a fine of not more than \$2,000, or both).

In light of Dennis's serial filings, his serial attempts to exploit Twyla, knowing full well that she lacks the ability to comprehend (as Judge Hughes made clear in her minute order, Exhibit 5 hereto), and taking from her in cash that I.B.E.W. benefit that was "awarded" to her in the Divorce, there can be no doubt as to his guilt under NRS 200.5091. Similarly, there can be no doubt as to whether this Court should set aside the Decree, dismiss the Joint Petition with prejudice, and award Twyla \$3,200.00, the full amount of her fees and costs in bringing this action.

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1785 East Sahara Avenue, Suite 157 Las Vegas, Nevada 89104 TEL.: 702-733-2800 FAX: 702-425-9883 1

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## RULE 60(b) GRANTS THIS COURT THE AUTHORITY TO SET THE DECREE ASIDE

Nevada Rule of Civil Procedure 60(b) provides relief from a judgment or order arising from or containing mistakes, inadvertence, excusable neglect, newly discovered evidence, or fraud, and states as follows:

On motion and upon such terms as are just, the court may relieve a party or a party's legal representative from a final judgment, order, or proceeding for the following reasons: (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under Rule 59(b); (3) fraud (whether heretofore denominated intrinsic or extrinsic), misrepresentation or other misconduct of an adverse party; (4) the judgment is void; or, (5) the judgment has been satisfied, released, or discharged, or a prior judgment upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that an injunction should have prospective application. The motion shall be made within a reasonable time, and for reasons (1), (2), and (3) not more than 6 months after the proceeding was taken or the date that written notice of entry of the judgment or order was served. A motion under this subdivision (b) does not affect the finality of a judgment or suspend its operation. This rule does not limit the power of a court to entertain an independent action to relieve a party from a judgment, order, or proceeding, or to set aside a judgment for fraud upon the court. Writs of coram nobis, coram vobis, audita querela, and bills of review and bills in the nature of a bill of review, are abolished, and the procedure for obtaining any relief from a judgment shall be by motion as prescribed in these rules or by an independent action.

This Motion is brought pursuant to NRCP 60(b)(3), to set aside the Decree of Divorce as fraudulently obtained. This subsection of the Rule provides that the motion be brought not more than 6 months after the proceeding was taken or the date that written notice of entry was served. This Motion is being filed within the six months after the proceeding was taken, which was June 7, 2018.

IV.

# THERE IS SUFFICIENT EVIDENCE OF A FRAUD UPON THE COURT TO WARRANT SETTING ASIDE THE DECREE AND DISMISSAL OF THE JOINT PETITION WITH PREJUDICE

There is substantial evidence of Dennis's attempts to get this divorce, but only on his fraudulent terms. In the First Action, the parties settled on the eve of Defendant having the children removed from his custody due to his failure to properly supervise those six children. In the Second Action, Judge Hughes stated in a minute order,

the Court is aware that Defendant has a diminished mental capacity and lacks the ability to comprehend legal documents or make judgments as to legal matters. In good conscience, and for purposes of due process, the Court cannot approve the Defendant's alleged agreements with Plaintiff until Defendant receives independent legal counsel.

Thus, upon the undersigned being appointed as independent legal counsel for Twyla, Dennis immediately caused to be filed a Stipulation and Order for Voluntary Dismissal of Case. In the Third Action, Dennis filed another Stipulation and Order for Voluntary Dismissal once Judge Duckworth denied the

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Dennis has tried repeatedly to seek a divorce on his (and only) his terms, rather than provide his wife and the mother of his children with proper support and an equitable division of assets. He finally succeeded by filing in another County, where knowledge of his past filings could be completely concealed.

## THE JOINT PETITION SHOULD BE DISMISSED FOR FRAUD AND BECAUSE TWYLA DOES NOT POSSESS THE REQUISITE CAPACITY TO COMPREHEND ANY OF THE PLEADINGS OR PAPERS FILED IN THIS ACTION

According to the Psychological Evaluation, Twyla's full-Scale IQ score of 69 is significantly below average. The evaluation also finds that Twyla has a reading comprehension score of beginning 2<sup>nd</sup> grade and a basic reading skill level of beginning 3rd grade. Because of that, the examiner expressed "doubt" that that Twyla was able to read and comprehend the divorce documents that Dennis drafted and had her sign. In other words, it does not appear possible that Twyla could have read the divorce paperwork and understood that she was, for example, (1) agreeing to sign over the house to Dennis; (2) agreeing to pay Dennis over \$1,500 per month in child support; or (3) giving Dennis full custody of the children; or (4) forgoing any spousal support.

VI.

# PLAINTIFF IS ENTITLED TO AN AWARD OF ATTORNEYS FEES AND COSTS

Dennis has behaved in a secretive, unethical, and likely illegal manner in his attempt to secure a decree of divorce through false and fraudulent measures including, without limitation, filing in Nye County after three failed attempts in Clark Count and by representing to the Court (more than once) that the "parties" were filing a Joint Petition when they clearly were not. Dennis's efforts to secure a divorce in Clark Count failed because there is a local rule requiring that an action by the same parties must go back to the original department. There being no comparable rule in the Fifth Judicial District, Dennis was free to tell this Court whatever he wanted, without the bother of full and honest disclosure to this tribunal. This cannot be allowed.

NRS ¶18.010 reads in relevant part:

was clearly familiar with Dennis's machinations.

Award of attorney's fees.

- In addition to the cases where an allowance is authorized by specific statute, the (1)court may make an allowance of attorney's fees to a prevailing party:
  - without regard to the recovery sought, when the court finds that the claim, (b) counterclaim, cross-claim or third-party complaint or defense of the opposing party was brought or maintained without reasonable ground or to harass the prevailing party. The court shall liberally construe the provisions of this paragraph in favor of awarding attorney's fee in all appropriate situations. It is the intent of the Legislature that the court award attorney's fees pursuant to this paragraph and impose

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sanctions pursuant to Rule 11 of the Nevada Rules of Civil Procedure in all appropriate situations to punish for and deter frivolous or vexatious claims and defenses because such claims and defenses overburden limited judicial resources, hinder the timely resolution of meritorious claims and increase the costs of engaging in business and providing professional services to the public. (Emphasis added)

### N.R.C.P. 11(b) provides, in relevant party, that

By presenting to the court (whether by signing, filing, submitting, or later advocating) a pleading, written motion, or other paper, an attorney or unrepresented party is certifying that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, —

- it is not being presented for any improper purpose, such as to harass or to cause (1) unnecessary delay or needless increase in the cost of litigation;
- the claims, defenses, and other legal contentions therein are warranted by existing (2) law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law;
- the allegations and other factual contentions have evidentiary support or, if (3) specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery; and
- the denials of factual contentions are warranted on the evidence or, if specifically (4) so identified, are reasonably based on a lack of information or belief.

In this case, Dennis, in signing the Joint Petition filed with this Court, violated Rule 11(b)(1) and (3). The Joint Petition contains numerous false representations which are more fully described herein at pages 8 and 9. The filing of the Joint Petition in Nye County, and the false statements contained therein, have been presented for the "improper purpose" of avoiding Judge Hughes, not having to disclose the prior filings in the Eight Judicial District Court, and, through the various false representation, to exploit and take unfair advantage of Twyla's mental disability. Accordingly, under NRS ¶18.010 and Rule 11, Dennis should be ordered to pay all of the fees and costs Twyla has been required to expend in bringing this Motion.

Under Brunzell v. Golden Gate Nat'l Bank, 85 Nev. 345 (1969), when courts determine the appropriate legal fees to award in civil cases, they must consider the following factors:

#### The Qualities of the Advocate: 1.

Plaintiff's attorney, Christopher F. Owen, Esq., has been a Nevada licensed attorney since 2012 and has actively practiced in various courts in Southern Nevada since that time. He has been counsel on various family law cases and has generally prevailed. He has a good professional standing in the community and is a strong advocate for his clients.

#### The Character and Difficulty of the Work Performed: 2.

There was significant time and skill devoted to the handling of the matter presently before this Court, including but not limited to, preparing the pleadings, hours spent in preparation and analysis of said

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pleadings, to prosecute this matter at hearing and drafting of the subsequent order.

#### The Work Actually Performed: 3.

The Court can clearly see that the work required in this matter will have earned Counsel every hour billed. Counsel charges \$275/hour, which is very reasonable considering most attorneys in the Las Vegas area charge between \$275-\$600/hour.

## The Results Obtained:

Twyla's fundamental marital, property, and jurisdictional rights are at issue here. Dennis has attempted to conduct an end run around failed proceedings in Clark County by forum shopping and filing in Nye County, where he could have Twyla sign the paperwork without her comprehending what she was signing and knew he would fly clear of the radar of the judicial authorities in Clark County, who would know nothing of his filing in another County.

The Court must not tolerate such actions. The Court needs to set aside the decree of divorce as fraudulently obtained, to dismiss the joint petition for divorce with prejudice, and to sanction Dennis for forum shopping and perpetrating a fraud upon the court with such sanctions including, without limitation, an order that Dennis pay the full amount of Twyla's attorney's fees and costs in bringing this Motion.

#### VII.

## CONCLUSION

Accordingly, the First Joint Petitioner/Plaintiff hereby requests, based on the foregoing, that this Court:

- Set Aside Decree of Divorce as Fraudulently Obtained Pursuant to Rule 60(b); 1.
- Dismiss the Joint Petition for Divorce with prejudice; and 2.
- Order that the Second Joint Petitioner/Defendant, DENNIS STANTON, pay the full 3. amount of Plaintiff's fees and costs in having to bring this motion to set aside a decree and dismiss a divorce action that was obtained by Defendant by perpetrating a fraud upon the court.

Dated this 15th day of November, 2018.

OWEN LAW FIRM

Christopher F. Owen, Esq. Nevada Bar No. 13211 1785 E. Sahara Ave.

Las Vegas, Nevada 89104 Telephone: (702) 733-2800

cowen@chrisowenlaw.com

Attorneys for First Joint Petitioner/Plaintiff

est. Owen

# **EXHIBIT 1**

# **EXHIBIT 1**

Faulkner County Circuit Court Probate Division
Margaret Darter, County Clerk
2018-Oct-26 13:12:52
23PR-18-640
C20D05: 2 Pages

# IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS PROBATE DIVISION 5th DIVISION

IN THE MATTER OF TWYLA MARIE MCCURDY, An incapacitated person

23PR-18-640

# ORDER APPOINTING TEMPORARY CO-GUARDIANS OF THE PERSON AND ESTATE

Now on this day, came on for hearing Petitioners' Verified Petition for Appointment of Co-Guardians of the Person and Estate, and the Court being well and otherwise sufficiently advised, THE COURT DOTH FIND:

- 1. This Court has jurisdiction over the parties and subject matter. Venue is proper.
- 2. The Court finds that the incapacitated person, Twyla Marie McCurdy, is in need of a guardian of the person and estate to care for her and it would be in her best interest to have a guardian appointed. The Court finds that the incapacitated person has a minimal estate consisting clothing and personal effects with an approximate value of less than \$500.00.
- 3. That Petitioners, Robert Crawford and Carmen Crawford, 129 Mill Creek Drive, Greenbrier, AR 72058, should be and are hereby appointed Temporary Co-Guardians of the Person and Estate of Twyla Marie McCurdy, DOB: 8/6/85 and are to serve without bond. IT IS SO ORDERED.

(electronic signature on attached signature page)
HONORABLE H.G. FOSTER
CIRCUIT JUDGE

Presented by:

byd Tackett, Jr., Esquire



## Arkansas Judiciary

Case Title:

TWYLA MARIE MCCURDY

Case Number:

23PR-18-640

Type:

TEMPORARY ORDER

So Ordered

Judge H G Foster

Electronically signed by HGFOSTER on 2018-10-26 13:12:59 page 2 of 2

COUNTY OF FAULKNER ) CERTIFICATE OF RECORD

IN TESTIMONY WHEREOF, I have heraunto set my hand and seal of Office this the 13 day of 1000 m or 2013.

Margaret Darter, County Clerk

JA000089

# **EXHIBIT 2**

# **EXHIBIT 2**

	•	Electronically Filed 10/12/2016
Phone: Cell # (702) 764-4690	bw 89179-1307 om	CLERK OF THE COURT
DISTRIC CLARK COUN	r Court VTY, NEVADA	
Dennis Vincent Stanton Plaintiff,	CASE NO.: _	D-16-540966-D Dept. J
Twy/a Manie Stanton  Desendant.		
Plaintiff (your name) Dennis Vincent  1. Residency. (Name of spouse who is a New has been a resident of the State of New Complaint for Divorce and intends to period of time.	Stan to respectfull evada resident) De vada for at least six v	ly states:  enris Vincent Stanfon  veeks prior to filing this
2. Marriage. The parties were married on (city) Las Vegas, (state)	(date) Sunday, Nevada . The	July //, Josef in parties are incompatible.
3. Pregnancy. (⊠ check one)		
Neither spouse is pregnant.		
☐ The following spouse is pregnant: (no	ome of pregnant spous	e)
The other spouse $\square$ is $/\square$ is not the p born on ( $date$ ):	arent of the unborn chi	ld. The child is due to be
.   It is unknown whether either spouse is	s currently pregnant.	
© 2016 Family Law Self-Help Center	Comp	laint for Divorce (With Kids)

\* You are responsible for knowing the law about your case. For more information on the law, this form, and free classes, visit www.familylawselfhelpcenter.org or the Family Law Self Help Center at 601 N. Pecos Road. To find an attorney. call the State Bar of Nevada at (702) 382-0504.

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			on is listed be				7
Child's Nan	ıe	Date of Birth	State of Residence	How long	~ ;	Disability	}
Brianna Marie	Stanta				eois	NO	
Pristan Vincent 1	Jallas S	fanton 08	14/200ce 1	lesada /	D Vear	s No	
Tyler Vincent C	onuel S	tentor 07	12/2007	Veroda	9 Year	s No	1
Towner Vincent		, ,	1/22/2008	Novoda	8 VL	US YES	Learn
Grianna Rose	Stanton	02/25/	2010 Num	a le y	cois	No	Specel
Trent Vinunt,	Antanio.	Stanton O.	3/15/2011	Nevedo	5 years	s NO	
UCCJEA Declara		•			,		
The child(ren) h	ave lived	in Nevada fo	r the past six r	nonths, or s	ince birth	l <b>.</b>	
☐ The child(ren) h	ave NOT	lived in Nev	ada for the pas	t six month:	s or since	birth.	
			cor. set s	3 1¢			
a. Living Arrang					d with th	ne following	Į.
persons in the fo				ars:		•	.•
Time Period	í	of Person the en) Lived W	1 ' '	nd State	1	s Name (if	
(mo/yr – mo/yr)	l .			10-00 M/s	<del>- </del>	d children)	
04 1200 5 DIESENT		<b>68</b>	anjou Las	1 )	Mark 1	411 Chila	les
others beam	/wyla	Mone of	arton Los	Vegas,	VIMER	All d	foldse
						•	
			•				
The names and cu	irrent add		h non-parent i	the children	lived w	ith during th	ie
last five years are:		VONE	·				<del></del>
				T-12-2-2-2-2-2-2-2-2-2-2-2-2-2-2-2-2-2-2			
							•
b. Participation is				_			
I ☑ have / □ have	not partic	pipated as a	arty or withes	s or in som	e other ca	pacity in an	y
other case involvin	g the chil	d(ren): (if yo	u have, provid	le all specif	ics includ	ling the state	e,
		the ease we	whan and the	olonea ad ela	2012	a*Y*	if .
the court, children	involved,	the case hut	noer pina <u>in</u> e i	wie oj ine	cnug_cus	toay order, i	y _

Page 2 of 7 - Complaint for Divorce (With Kids)

	c. I	Cnowledge of Other Cases: (⊠ <i>check one</i> )
	1 👿	do / D do not know of a different case that could affect the current case: (if you do,
	prov	ide all specifics including the state, the court, parties involved, the case number and
	the r	lature of the proceeding; The State of Newson / lemporary Protective
4	<u>Orc</u>	ler Office / Vennis V. Stanton, Tuyla M. Stanton All Q
C	lu	Islan   Care # (   Temporary Protective Evider
	d. 1	Person(s) Who Claim Custody / Visitation: ( check one)
	Ι□	do / 🗹 do not know of anyone other than the parents who has physical custody of the
	child	i(ren) or who claims custody/visitation rights to the child(ren). (if so, list names and
	addi	resses of anyone who claims custody/visitation rights)
		7194
	_	
<b>).</b>		591 Custody. Legal custody refers to the ability to make major decisions about the ld, such as medical care, education, and religious upbringing. (⊠ check one)
		The parties should share joint legal custody of the child(ren).
	M	Plaintiff should have sole legal custody of the child(ren).
		Defendant should have sole legal custody of the child(ren).
		Nevada is not the "home state" of the child(ren) and cannot enter custody orders.
7.		ysical Custody. Physical custody refers to the amount of time the child spends with ch parent. (\( \mathbb{Z} \) check one)
		The parties should share joint physical custody of the child(ren) (each parent must
		have the child(ren) at least 40% of the time, or 146 days per year). A proposed
		parenting timeshare and holiday schedule is attached as Exhibit 1.
		The (⊠ check one) □ Plaintiff / □ Defendant should have primary physical custody
		of the child(ren). A proposed parenting timeshare and holiday schedule is attached
	/	as Exhibit 1.
	M	The (⊠ check one) ✓ Plaintiff / □ Defendant should have sole physical custody of
		the child(ren).
		Nevada is not the "home state" of the child(ren) and cannot enter custody orders.

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8.		The Court should consider the following issues in determining
	custody: (⊠ check all that  ☐ Domestic Violence	☐ State of Residency
	CPS Involvement	Mother: Criminal Charges
	☐ Military Deployment	Child Endangerment chan
	L William Doploymon	Other: <u>Climinal Charges</u> Child Endangerment chan against Defendant.
9.	Public Assistance. ( che	eck one)
	☐ None of the parties in th	nis case have ever received state assistance or welfare.
	State assistance or welfa	are has been or is being provided to parties in this case.
10		e the attached Child Support Worksheet that applies to your re you complete this section. (\(\mathbb{\mathbb{Z}}\) check one)
		in the amount of (amount) \$ 600.
	month. This is based or	n: (🗵 check one)
	The statutory m	inimum of \$100/month per child.
	☐ The calculation	from the attached Child Support Worksheet.
	☐ The amount al	ready established by the District Attorney, Family Support
	Division, case (	insert case number) R
	☐ No child support is requ	uested. (Explain why not):
	☐ I'm not sure how much	child support should be paid, and ask the court to set support.
1	1. Child Support Arrears.	(🗵 check one)
	M No back child support	or arrears are requested.
	☐ Child support arrears	are being handled by the District Attorney, Family Support
	Division, case (insert of	case number) R and should continue as ordered
	in that case.	
	☐ Back child support sh	ould be paid by (name of parent who should pay back child
	support)	from (date back child support
		to present.

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12. Wa	ge Withholding. (🗵 <i>check one</i> )
M A	A wage withholding order should be entered to secure payment of any support owed.
	A wage withholding order should NOT be entered.
13. Hg	alth Insurance. (🗵 check all that apply)
	Both parties should provide future health insurance for the minor child(ren) if available.
	Future health insurance for the minor child(ren) should be provided by (name of parent) if available.
14. Uŋ	reimbursed Medical Expenses. (⊠ check one)
M	Any expenses not covered by insurance should be paid equally by both parties.
	Any expenses not covered by insurance should be paid by (name of parent)
	due to the following extraordinary circumstances:
	(explain)
15. "3	0/30 Rule." (区 check one)
ĭ⊠	The Court should order the 30/30 Rule for payment of all unreimbursed medical /
•	dental expenses. (see below for explanation)
	The Court should NOT order the 30/30 Rule for payment of unreimbursed medical /
	dental expenses.
16. Ts	x Deduction. ( check all that apply)
ď	Plaintiff should claim the following children as dependents for tax purposes every
	year: (insert child(ren)'s names): Brianna, Tristar, Tyles, Tannes, Ariany, Timt
	Defendant should claim the following children as dependents for tax purposes every Stankar
	year: (insert child(ren)'s names):
	The tax deduction should alternate, with Plaintiff claiming the child(ren) in ( check
	one)
	The tax deduction should be allocated per federal law.
must send p	O Rule:" If a parent pays a medical or dental expense for a child that is not paid by insurance, that parent proof of the expense to the other parent within 30 days of incurring the expense. The other parent then to reimburse the paying parent ½ the cost.

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17. Community Proper	ty. (⊠ check one)	
☐ There is no comm	unity property to divide.	
☐ Any community p	roperty has already been divided.	
☐ ↓ do not know the	full extent of the community property.	
The community p	roperty should be divided as follows:	
Plaintiff:  1. 2. 3. 4. Defendant: 1. 2. 3. 4.	Family House - 7088 LOS Banderos AVE. LV, 2007 Honda Pilat EX-L All furniture - oppliances in house.  2004 Ford Freesfar Limited	' NV 8917
4,		
18. Community Debt.	(⊠ check one)	
☐ There is no com	nunity debt to divide.	
☐ Any community	debt has already been divided.	
M I do not know th	e full extent of the community debt.	
☐ The community	debt should be divided as follows:	
Plaintiff:		
l.		•
2.		•
3,		•
4.		.,,
Defendant:		
1.		<i></i>
2.		**
3.		-
4.		_

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19. Áliı	mony. (\(\sigma\) check one)
o l	No spousal support is requested.
	Plaintiff should pay \$ per month in spousal support for the next (number)
: -	years.
	Defendant should pay \$ per month in spousal support for the next (number)
-	years.
20. Na	me Change. (🗵 check one)
ر ت	No name change is requested for the Wife.
	Wife would like her former name of (insert name) McCwdy restored.
Plaintiff r	equests:
	1. That the marriage existing between Plaintiff and Defendant be dissolved and that
	Plaintiff be granted an absolute Decree of Divorce and that each of the parties be
	restored to the status of a single, unmarried person;
	2. That the Court grant the relief requested in this Complaint; and
	3. For such other relief as the Court finds to be just and proper.
DATED	his (day) 12 day of (month) October , 20/6.
•	Submitted By: (your signature) \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
•	(print your name) <u>DENNIS VINCENT Stanfor</u>
	VERIFICATION
U	nder penalties of perjury, I declare that I am the Plaintiff in the above-entitled action;
that I hav	e read the foregoing Complaint and know the contents thereof; that the pleading is true
of my ov	n knowledge, except for those matters therein contained stated upon information and
belief, an	d that as to those matters, I believe them to be true.
1	declare under penalty of perjury under the law of the State of Nevada that the
foregoin	g is true and correct.
DATED	this (day) 12 day of (month) October, 2016.
	Submitted By: (your signature) \ Denuis Vincent Stanfor  (print your name) Denuis Vincent Stanfor
	(print your name)   Leuris VINCENT Stanton

Page 7 of 7 - Complaint for Divorce (With Kids)

# EXHIBIT 1: Parenting Timeshare and Holiday Schedule

	No	Visitation Requested Becaus	e: (explain)	
--	----	-----------------------------	--------------	--

Regular Schedule: <u>Be very specific</u> . Include  the times and days of the week for each parent's  timeshare. (ex.: <u>Mom</u> : Saturday 7pm – Wednesday 3pm, <u>Dad</u> : Wednesday 3pm – Saturday 7pm)	Mom: Every ofter Wellend  Friday 03:00 p.m Sunday  09:00 p.m.  Every ofter totaledacy Throsdor  05:00 p.m 08:00 p.m.
Summer Schedule:	Same as the regular schedule.  □ Other:
Mother's Day and Mother's Birthday:	Mother every year from 9am − 7pm.  □ Other:
Father's Day and Father's Birthday:	✓ Father every year from 9am – 7pm.  □ Other:
Child's Birthday:	Even years with (parent)  Odd years with (parent)  *Time shall be from 9am - 7pm.*
3 Day Weekends:	Even Years: MLK Ir. Day, Memorial Day, Labor Day with (parent)  President's Day, Independence Day, Nevada Admissions Day with the other parent.  Odd Years: MLK Ir. Day, Memorial Day, Labor Day with (parent)  President's Day, Independence Day, Nevada Admissions Day with the other parent.  *Time begins when school lets out the day before the holiday weekend (or 3pm if no school), and ends the day following the holiday weekend when school resumes (or 9am).*  **If Independence Day falls on a Tuesday, Wednesday, or Thursday, the time shall be from July 3 at 9am until July 5 at 9am.**  Other:

Easter / Spring Break:	Odd years with (parent)  Odd years with the other parent.  *Time shall begin the day school lets out until noon the day before school resumes.*  Other:
Thanksgiving:	Odd years with (parent)  Even years with the other parent.  *Time shall begin the day school lets out until noon the day before school resumes.*  □ Other:
Winter Break / Christmas:	Segment 1 (Christmas) consists of the day school lets out until December 26 at noon.  Segment 2 (New Year's) consists of December 26 at noon until noon the day before school resumes.  Even years: segment 1 with (parent) segment 2 with the other parent.  Odd years: segment 1 with (parent) segment 2 with the other parent.  Other:
Other Holidays:	
Vacation:	The parents will not establish a formal vacation plan, and will instead mutually agree on vacation days and times with the child(ren).  Each parent may have up to (number) vacation days per year with the child(ren). The parent shall notify the other parent of the vacation and provide a general vacation itinerary at least (number) days before the planned vacation.  Vacation time is not allowed during a holiday allotted to the other parent.

Worksheet A - Primary Physical Custody Child S If you are asking for primary physical custody, fill out this worksheet and custody exists when one parent has the child more than 60% (219 days) or	attach it to the document you are filing. Primary physical
Determine the Gross Monthly Income (GMI) of the number with the formula on the income, you can calculate the number with the formula on the	es. If you do not know the parent's gross monthly
Determine Child Support Obligation.  .18 (for 1 Child)  X .25 (for 2 Children)  .29 (for 3 Children)  .31 (for 4 Children)  Add .02 for each additional chi .33 (for 5 Children)  .35 (for 6 Children)	Monthly Child Support:  OR \$100 per child \$ 600.00  (write the higher amount)  Higher Amount: \$ 600.00
Apply the Presumptive Maximum (rarely applicable Usually, this is the maximum amount a parent may be requichild (and can reduce – not increase – the amount that woul ②). This amount changes every year on July 1st and can be <a href="http://nvcourts.gov">http://nvcourts.gov</a> and searching the phrase "presumptive ryou are using the most current chart.	red to pay per month per d be owed under step found by going to
Deviations. You may request an amount of child support to your reason(s) must be based upon one of the following factory in the cost of health insurance.  The cost of childcare  Papecial educational needs  Age of the child  Parent's legal responsibility to support others  The value of services contributed by either parent	hat is lower or higher than the amount in ② or ③, but stors. (☑ check all that apply)  ☐ Expenses reasonably related to the mother's pregnancy and confinement  ☐ Cost of transportation for visitation if the custodial parent moved out of the jurisdiction  ☐ The amount of time the child spends with each parent  ☐ Any other necessary expenses for the benefit of the child
Public assistance paid to support the child  Explain: #100. Per child x b ca	☐ The relative income of both parents

Child Support Worksheet A

# **EXHIBIT 3**

# **EXHIBIT 3**

CMSM Your Name: Denuis Vincent Stanfe Address: 7088 Los Banderos Ave. City, State Zip: Lox Vigor, Novida 8 Phone: (703) 764-4690 Email: denuis v stanfon 30 @ gmail. Self-Represented Plaintiff  DISTRIC	39 <i>179-19</i> 07 com	Electronical 09/13/201	Žemin
CLARK COUN		·	•
Dennis Vincent Stanfor  Plaintiff,	CASE NO.: DEPT:	D-17-558626 Dept: J	·s
vs. Twyla Marie Stanfon  Defendant:			
COMPLAINT FOR SEPARATE MAINTER  (With Complaintiff (your name) Plaintiff (your name) Pla	hildren)  Stanton  Stanton  respectfully  vada resident)  vada for at least si  make Nevada his  (date)  Vada  OTI	states:  Dennis Ving ix weeks prior to ther home for an	cent Stanfow filing this
<ul> <li>The parties have lived separate and possibility of reconciliation.</li> <li>The Defendant deserted the Plaintiff a not returned.</li> </ul>	apart for more the	an one year and	

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Complaint for Separation (With Kids)

\* You are responsible for knowing the law about your case. For more information on the law, this form, and free classes, visit <a href="www.familylawselfhelpcenter.org">www.familylawselfhelpcenter.org</a> or the Family Law Self Help Center at 601 N. Pecos Road. To find an attorney, call the State Bar of Nevada at (702) 382-0504.

3.	3. Pregnancy. (⊠ check one)	
	Neither spouse is pregnant.	
	☐ The following spouse is pregnant: (name of pregnant spouse)	
	The other spouse $\square$ is $/\square$ is not the parent of the unborn child. The child is due to be	
	born on ( <i>date</i> ):	1
	☐ It is unknown whether either spouse is currently pregnant.	
4	4. Children. There are (number) minor children in common born to or adopted	
•	by the parties.	
ſ	Child's Name Date of State of How long child Disability	
7	Birth Residence lived in the state	
	1) Brianna Marie Stanton 04/19/2005 Nevada 12 years NO	
	Tristan Vincent Dellas Stanton 08/16/2006 Neverta 1/ years No	
	Tyler Vincent Conner Starton 07/17/2007 Neverta 10 years No.	•
	Tannel Vincent Kyle Stanfow 89/22/2008 Nevola 9 years YES	
	Ariania Rose Stanfon 22/25/200 Nevada 7 years No	
<b>)</b>	Tient Vincent Antonio Stanton 03/15/201 Newsla Co necos No	
J.	5. UCCJEA Declaration. (\( \sigma \text{check one} \)	
	The child(ren) have lived in Nevada for the past six months, or since birth.	
	☐ The child(ren) have NOT lived in Nevada for the past six months.	
	a. Living Arrangements Last 5 Years. The children have lived with the following	
	persons in the following places within the last five years:	
	Time Period Name of Person the City and State Child's Name (if mo/yr - mo/yr) Child(ren) Lived With: City and State not all children)	
	04/3005- present Denvis Vincent Stanfow Lap Vigas, Novada All Ch	ildren
	04/2005- present Twyla Marie Shartow Las Vegas Nevada All	ildren Children
		Mu w w-
	The names and current addresses of each non-parent the children lived with during the	•
	last five years are:	_
		·.

b. Participation in Other Cases: (\( \subseteq \text{check one} \)
I M have / □ have not participated as a party or witness or in some other capacity in any
other case involving the child(ren): (if you have, provide all specifics including the state,
the court, children involved, the case number and the date of the child custody order, if any): The State of Newada, Fighth Judicial District Court Clark County, Nevada, All Children (6) were involved, Case 2 D-16-540966-D, Department J, Family Division, 03/30/3
c. Knowledge of Other Cases: (⊠ check one)
I D do / D do not know of a different case that could affect the current case: (if you do,
provide all specifics including the state, the court, parties involved, the case number and the nature of the proceeding):
d. Person(s) Who Claim Custody / Visitation: ( check one)  I of do not know of anyone other than the parents who has physical custody of the child(ren) or who claims custody/visitation rights to the child(ren). (if so, list names and addresses of anyone who claims custody/visitation rights)
<ul> <li>Legal Custody. Legal custody refers to the ability to make major decisions about the child, such as medical care, education, and religious upbringing. (⋈ check one)</li> <li>□ The parties should share joint legal custody of the child(ren).</li> <li>□ Plaintiff should have sole legal custody of the child(ren).</li> <li>□ Defendant should have sole legal custody of the child(ren).</li> <li>□ Nevada is not the "home state" of the child(ren) and cannot enter custody orders.</li> </ul>
/// · · · · · · · · · · · · · · · · · ·
iii
***

		Physical Custody. Physical custody refers to the amorach parent. (Sincheck one)  The parties should share joint physical custody of		
		have the child(ren) at least 40% of the time, or 1	146 days per year). A proposed	
		parenting timeshare and holiday schedule is attached	d as Exhibit 1.	
	Ò	The (⊠ check one) □ Plaintiff / □ Defendant shou	ald have <u>primary</u> physical custody	
		of the child(ren). A proposed parenting timeshare	and holiday schedule is attached	
·		as Exhibit 1.		
	M	The (⊠ check one) ☑ Plaintiff / □ Defendant show	uld have sole physical custody of	
		the child(ren).		
		Nevada is not the "home state" of the child(ren) and	d cannot enter custody orders.	
	cu	Other Considerations. The Court should consider the custody: ( check all that apply)		
	•	Domestic Violence	State of Residency Other: Defindent's Menfel Sh	. ,
			Other: 1)efindents Mental St	4
		Military Deployment		
).	Pu	Public Assistance. ( check one)		
		None of the parties in this case have ever received sta	ate assistance or welfare.	
		State assistance or welfare has been or is being provi	ided to parties in this case.	
<b>(0</b> .		Child Support. Complete the attached Child Supportustody arrangement before you complete this section.		
	M	part of the contract of the co	t who should <u>pay</u> child support)  ount of (amount) \$ 600. per	
		month. This is based on: (⊠ check one)		
		The statutory minimum of \$100/month per ch	hild.	
		☐ The calculation from the attached Child Supp	oort Worksheet.	
		☐ The amount already established by the Di	istrict Attorney, Family Support	
		Division, case (insert case number) R		
		No child support is requested. (Explain why not):		
		I'm not sure how much child support should be paid,	, and ask the court to set support.	

11. C	aild Support Arrears. (⊠ <i>check one</i> )
M	No back child support or arrears are requested.
	Child support arrears are being handled by the District Attorney, Family Support
	Division, case (insert case number) R and should continue as ordered
	in that case.
	Back child support should be paid by (name of parent who should pay back child
	support) from (date back child support
	should begin) to present.
12. W	age Withholding. (⊠ check one)
	A wage withholding order should be entered to secure payment of any support owed.
M	A wage withholding order should NOT be entered.
13. H	ealth Insurance. (⊠ check one)
M	Both parties should provide future health insurance for the minor child(ren) if
	available.
	Future health insurance for the minor child(ren) should be provided by (name of
	parent) if available.
	nreimbursed Medical Expenses. (⊠ check one)
M	Any expenses not covered by insurance should be paid equally by both parties.
	Any expenses not covered by insurance should be paid by (name of parent)
	due to the following extraordinary circumstances:
	(explain)
15: "3	30/30 Rule." ( check one)
	The Court should order the 30/30 Rule for payment of all unreimbursed medical /
_	dental expenses. (see below for explanation)
	The Court should NOT order the 30/30 Rule for payment of unreimbursed medical /
_	dental expenses.

<sup>&</sup>lt;sup>1</sup> The "30/30 Rule:" If a parent pays a medical or dental expense for a child that is not paid by insurance, that parent must send proof of the expense to the other parent within 30 days of incurring the expense. The other parent then has 30 days to reimburse the paying parent ½ the cost.

16. T	ax Deduction. (\(\times \) check all that apply)
A	The Plaintiff should claim the following children as dependents for tax purposes
	every year: (insert child(ren)'s names): Brianna, Tristant, Tyles, Tannes, Arianna, a
Ů	The Defendant should claim the following children as dependents for tax purposes
-	every year: (insert child(ren)'s names):
	The tax deduction should alternate, with Plaintiff claiming the child(ren) in ( check
	one) $\square$ even / $\square$ odd years, and Defendant claiming the child(ren) the other years.
	The tax deduction should be allocated per federal law.
17. C	Community Property. (  Check one)
	There is no community property to divide.
	Any community property has already been divided.
	do not know the full extent of the community property.
M	The community property should be divided as follows:
	Plaintiff: 1. Martiel Residence at 7088 Los Banderon Ave.
	2. 2007 Honda Pilot EX-L. Les Vegas Newsla 89179-120
	3. All fusnituse in residence.
	4.
	Defendant:
	1. 2004 Ford Freestor Limited
	2. 100% of I.B.E.W. Local Union 357 Venoion
	Trust-Plan B as of 12/07/2016.
//	$\prime$

Page 6 of 8 - Complaint for Separate Maintenance (With Children)

/// ///

8. C	ommunity Debt. ( check one)
Π,	There is no community debt to divide.
M	Any community debt has already been divided.
	I do not know the full extent of the community debt.
	The community debt should be divided as follows:
	Plaintiff:
	1.
	2.
	3.
	4.
	<u>Defendant</u> :
	.1.
	· 2.
	3.
	4.
,	limony. (\(\times \text{check one}\)
M	No spousal support is requested.
	Plaintiff should pay \$ per month in spousal support for the next (number)
	years.
	Defendant should pay \$ per month in spousal support for the next (number)
	years.
	ame Change. (\omega check one)
M	No name change is requested for the Wife.
	Wife would like her former name of (insert name) restored.
///	
///	
111	·

Page 7 of 8 - Complaint for Separate Maintenance (With Children)

### Plaintiff requests:

- 1. That Plaintiff be granted an absolute Decree of Separate Maintenance;
- 2. That the Court grant the relief requested in this Complaint; and
- 3. For such other relief as the Court finds to be just and proper.

DATED this (day) 13 day of (month) September, 20 17.

Submitted By: (your signature)

(print your name)

### VERIFICATION

Dennis Vincent Stanton

Under penalties of perjury, I declare that I am the Plaintiff in the above-entitled action; that I have read the foregoing Complaint and UCCJEA Declaration and know the contents thereof; that the pleading is true of my own knowledge, except for those matters therein contained stated upon information and belief, and that as to those matters, I believe them to be true.

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

DATED this (day) 13 day of (month) September, 2017.

Submitted By: (your signature)

(print your name)

Page 8 of 8 - Complaint for Separate Maintenance (With Children)

1	IN THE SUPREME COURT O	F THE STATE OF NEVADA
2	DENNIS VINCENT STANTON,	Supreme Court Case No.: 80910
3	Appellant/Cross-Respondent,	District Court Case No.: CV-0039304
4	VS.	
5	TWYLA MARIE STANTON,	
6	Respondent/Cross-Appellant.	
7		1
8	APPENDIX OF EXHIBITS TO APP	PELLANT/CROSS-RESPONDENT
9	DENNIS VINCENT STAN	TON'S OPENING BRIEF
10		
11		JME 1 OF 4
12	(Part 2 of Volume 1 of 4) [JA000001 – JA000220]	
13	·	,
14		Savage, Esq.
15	HOLLI	da Bar No. E <b>Y DRIGGS</b>
16		h Street, Suite 300 , Nevada 89101
17		791-0308
18		
19	Attorney for Appe	llant/Cross-Respondent
20		
21		
22		
23		
24		
/ 🤼 📗		

## ALPHABETICAL APPENDIX PER NRAP 30(C)(2)

AFFIDAVIT IN SUPPORT OF REQUEST FOR SUMMARY DISPOSITION, DATED 5-17-2018	Volume 1; JA000018 - JA000020
AFFIDAVIT OF ROBERT CRAWFORD AND CARMEN CRAWFORD, DATED 7-5-2019	Volume 3; JA000626 – JA000629
AFFIDAVIT OF TWYLA M. STANTON IN REGARDS TO THE SIGNING AND FILING OF THE NEW DECREE OF DIVORCE AND THE AMENDED JOINT PETITION FOR SUMMARY DECREE OF DIVORCE, DATED 1-04-2019	Volume 1; JA000218 - JA000220
AMENDED JOINT PETITION FOR SUMMARY DECREE OF DIVORCE, DATED 6-05-2018	Volume 1; JA000022 - JA000038
CERTIFIED TRANSCRIPT OF ALL PENDING MOTIONS, ON 2-10-2020	Volume 4; JA000644 – JA000657
CERTIFIED TRANSCRIPT OF DEFENDANTS MOTION FOR RECONSIDERATION, ON 6-10- 2019	Volume 3; JA000571 – JA000582
CERTIFIED TRANSCRIPT OF DEFENDANTS MOTION TO SET ASIDE DECREE/DISMISS JOINT PETITION, ON 1-07-2019	Volume 2; JA000221 – JA000266
COURT ORDER, DATED 12-14-2018	Volume 1; JA000178 - JA000179
COURT ORDER, DATED 2-28-2020	Volume 4; JA000658 – JA000676
EX PARTE APPLICATION TO SEAL FILE, DATED 7-05-2018	Volume 1; JA000067
EX PARTE APPLICATION TO UNSEAL COURT RECORD, DATED 11-20-2018	Volume 1: JA000069 - JA000073
EX PARTE MOTION FOR TO EXTEND THE TIME REQUIRED TO FILE A WRITTEN RESPONSE TO THIS MOTION, DATED 12-13- 2018	Volume 1; JA000169 - JA000177
EXHIBIT APPENDIX TO MOTION FOR RECONSIDERATION [EXHIBITS A – T], DATED 4-15-2019	Volume 2; JA000316 – JA000410
EXHIBIT APPENDIX TO MOTION FOR RECONSIDERATION [EXHIBITS U – KK], DATED 4-15-2019	Volume 3; JA000411 – JA000532

1	FIRST JOINT PETITIONER/PLAINTIFF'S NOTICE OF NON-OPPOSITION TO SECOND	Volume 3; JA000551 – JA000553
2	JOINT PETITIONER/DEFENDANT'S MOTION FOR RECONSIDERATION, DATED 5-19-2019	
3	FIRST JOINT PETITIONER/PLAINTIFF'S MOTION PURSUANT TO RULE 60(B) TO SET	Volume 1; JA000074 - JA000167
4	ASIDE DECREE OF DIVORCE AS FRAUDULENTLY OBTAINED, TO DISMISS	
5	THE JOINT PETITION FOR DÍVORCE WITH PREJUDICE, AND TO SANCTION	
6	DEFENDANT FOR FORUM SHOPPING AND PERPETRATING A FRAUD UPON THE COURT IN THE FULL AMOUNT OF	
7	PLAINTIFF'S FEES AND COSTS, DATED 11- 27-2018	
8	FIRST JOINT PETITIONER/PLAINTIFF'S REPLY TO OPPOSITION TO MOTION	Volume 1; JA000210 - JA000217
9	PURSUANT TO RULE 60(B) TO SET ASIDE DECREE OF DIVORCE WITH PREJUDICE,	
10	AND TO SANCTION DEFENDANT FOR FORUM SHOPPING AND PERPETRATING A FRAUD UPON THE COURT IN THE FULL	
11	AMOUNT OF PLAINTIFF'S FEES AND COSTS AND OPPOSITION TO COUNTERMOTION TO	
12	STRIKE MOVANT'S MOTION AS BEING FILED WITHOUT AUTHORITY AND IN A	
13	DIRECT CONFLICT OF INTEREST, AND FOR ATTORNEY'S FEES, DATED 1-02-2019	
13 14		Volume 1; JA000001 - JA000017
	ATTORNEY'S FEES, DATED 1-02-2019 JOINT PETITION FOR SUMMARY DECREE	
14	JOINT PETITION FOR SUMMARY DECREE OF DIVORCE, DATED 5-17-2018  NOTICE OF MOTION AND MOTION FOR	- JA000017 Volume 2; JA000283 -
14 15	JOINT PETITION FOR SUMMARY DECREE OF DIVORCE, DATED 5-17-2018  NOTICE OF MOTION AND MOTION FOR RECONSIDERATION, DATED 4-15-2019  NEW DECREE OF DIVORCE, DATED 6-07-	- JA000017 Volume 2; JA000283 - JA000315 Volume 1; JA000039
14 15 16	JOINT PETITION FOR SUMMARY DECREE OF DIVORCE, DATED 5-17-2018  NOTICE OF MOTION AND MOTION FOR RECONSIDERATION, DATED 4-15-2019  NEW DECREE OF DIVORCE, DATED 6-07-2018	- JA000017 Volume 2; JA000283 - JA000315 Volume 1; JA000039 - JA000062 Volume 3; JA000533 -
<ul><li>14</li><li>15</li><li>16</li><li>17</li></ul>	JOINT PETITION FOR SUMMARY DECREE OF DIVORCE, DATED 5-17-2018  NOTICE OF MOTION AND MOTION FOR RECONSIDERATION, DATED 4-15-2019  NEW DECREE OF DIVORCE, DATED 6-07-2018  NOTICE OF APPEAL, DATED 4-16-2019	- JA000017  Volume 2; JA000283 - JA000315  Volume 1; JA000039 - JA000062  Volume 3; JA000533 - JA000534  Volume 4; JA000677 -
14 15 16 17 18 19 20	JOINT PETITION FOR SUMMARY DECREE OF DIVORCE, DATED 5-17-2018  NOTICE OF MOTION AND MOTION FOR RECONSIDERATION, DATED 4-15-2019  NEW DECREE OF DIVORCE, DATED 6-07-2018  NOTICE OF APPEAL, DATED 4-16-2019  NOTICE OF APPEAL, DATED 3-26-2020  NOTICE OF CROSS-APPEAL, DATED 3-27-2020	- JA000017  Volume 2; JA000283 - JA000315  Volume 1; JA000039 - JA000062  Volume 3; JA000533 - JA000534  Volume 4; JA000677 - JA000678  Volume 4: JA000679 -
14 15 16 17 18 19 20 21	JOINT PETITION FOR SUMMARY DECREE OF DIVORCE, DATED 5-17-2018  NOTICE OF MOTION AND MOTION FOR RECONSIDERATION, DATED 4-15-2019  NEW DECREE OF DIVORCE, DATED 6-07- 2018  NOTICE OF APPEAL, DATED 4-16-2019  NOTICE OF APPEAL, DATED 3-26-2020  NOTICE OF CROSS-APPEAL, DATED 3-27-2020  NOTICE OF ENTRY OF ORDER AND JUDGMENT, DATED 3-20-2019  NOTICE OF ENTRY OF ORDER/JUDGMENT,	- JA000017  Volume 2; JA000283 - JA000315  Volume 1; JA000039 - JA000062  Volume 3; JA000533 - JA000534  Volume 4; JA000677 - JA000678  Volume 4: JA000679 - JA000681  Volume 2; JA000274 -
14 15 16 17 18 19 20	JOINT PETITION FOR SUMMARY DECREE OF DIVORCE, DATED 5-17-2018  NOTICE OF MOTION AND MOTION FOR RECONSIDERATION, DATED 4-15-2019  NEW DECREE OF DIVORCE, DATED 6-07-2018  NOTICE OF APPEAL, DATED 4-16-2019  NOTICE OF APPEAL, DATED 3-26-2020  NOTICE OF CROSS-APPEAL, DATED 3-27-2020  NOTICE OF ENTRY OF ORDER AND JUDGMENT, DATED 3-20-2019	- JA000017  Volume 2; JA000283 - JA000315  Volume 1; JA000039 - JA000062  Volume 3; JA000533 - JA000534  Volume 4; JA000677 - JA000678  Volume 4: JA000679 - JA000681  Volume 2; JA000274 - JA000282

2425

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 WITH PREJUDICE, AND TO SANCTION DEFENDANT FOR FORUM SHOPPING AND PERPETRATING A FRAUD UPON THE COURT IN THE FULL AMOUNT OF PLAINTIFF'S FEES AND COSTS, AND COUNTERMOTION TO STRIKE MOVANT'S MOTION AS BEING FILED WITHOUT AUTHORITY AND IN A DIRECT CONFLICT OF INTEREST, AND FOR ATTORNEY'S FEES, DATED 12-26-2018	Volume 1; JA000180 - JA000209
ORDER AND JUDGMENT, DATED 3-18-2019	Volume 2; JA000267 – JA000273
ORDER DISMISSING APPEALS, DATED 6-05-2019	Volume 3; JA000554 – JA000555
ORDER SEALING FILE, DATED 7-09-2018	Volume 1; JA000068
ORDER TO UNSEAL COURT RECORD, DATED 11-28-2018	Volume 1; JA000168
QUALIFIED DOMESTIC RELATIONS ORDER, DATED 6-07-2018	Volume 1; JA000063 - JA000066
REPLY TO NOTICE OF NON-OPPOSITION TO MOTION FOR RECONSIDERATION, DATED 6-10-2019	Volume 3; JA000557 – JA000570
REQUEST FOR SUMMARY DISPOSITION ON DECREE, DATED 5-17-2018	Volume 1; JA000021
SECOND SUPPLEMENT TO THE MOTION FOR RECONSIDERATION, DATED 2-07-2020	Volume 4; JA000630 – JA000643
SUPPLEMENT TO THE MOTION FOR RECONSIDERATION, DATED 5-10-2019	Volume 3; JA000535 – JA000550

Dated this 12th of March 2021.

## **HOLLEY DRIGGS**

/s/ John J. Savage
John J. Savage, Esq. (NV Bar 11455)
E-mail: jsavage@nevdafirm.com
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101
Telephone: 702/791-0308
Facsimile: 702/791-1912
Attorney for Appellant
Dennis Vincent Stanton

1	CERTIFICATE OF SERVICE
2	I HEREBY CERTIFY that, on the 12 <sup>th</sup> March, 2021 I served a true and correct
3	copy of the APPENDIX OF EXHIBITS TO APPELLANT/CROSS-RESPONDENT
4	DENNIS VINCENT STANTON'S OPENING BRIEF – VOLUME 1 via Electronic
5	Service and US Mail on the following:
6 7	Electronic Service: Christopher P. Burke, Esq. Law Office of Christopher P. Burke
8	218 S. Maryland Pkwy Las Vegas, Nevada 89101 Attorney for Respondent/Cross-Appellant
9 10	Twyla Marie Stanton
11	US Mail:
12	Professor Anne Traum, Chair of Pro Bono Committee  Appellate Section of State Bar of Nevada
13	UNLV William S. Boyd School of Law 4505 S. Maryland Parkway, Box 451003
14	Las Vegas, Nevada 89154-1003
15	Kelly H. Dove, Esq., Co-chair of Pro Bono Committee
16	Snell & Wilmer, LLP 3883 Howard Hughes Parkway, Ste. 1100
17	Las Vegas, Nevada 89169
18	Dated this 12th of March 2021.
19	/s/ Kathy MacElwain EMPLOYEE OF HOLLEY DRIGGS
20	EMPLOTEE OF HOLLET DRIGGS
21	
22	
23	
24	
25	5

## **EXHIBIT 1: Parenting Timeshare and Holiday Schedule**

□ No Visitation Requested Because: (explain) VISITATION WILL be

Regular Schedule: <u>Be very specific</u> . Include  the times and days of the week for each parent's timeshare. (ex.: <u>Mom</u> : Saturday 7pm — Wednesday 3pm, <u>Dad</u> : Wednesday 3pm — Saturday 7pm)	at the discretion of the plaintiff
Summer Schedule:	☐ Same as the regular schedule. ☐ Other:
Mother's Day and Mother's Birthday:	☐ Mother every year from 9am – 7pm. ☐ Other:
Father's Day and Father's Birthday:	☐ Father every year from 9am – 7pm. ☐ Other:
Child's Birthday:	☐ Even years with (parent)  Odd years with (parent)  *Time shall be from 9am - 7pm.*  ☐ Other:
3 Day Weekends:	<ul> <li>Even Years: MLK Jr. Day, Memorial Day, Labor Day with (parent)         — President's Day, Independence Day, Nevada Admissions Day with the other parent.         Odd Years: MLK Jr. Day, Memorial Day, Labor Day with (parent)         — President's Day, Independence Day, Nevada Admissions Day with the other parent.         *Time begins when school lets out the day before the holiday weekend (or 3pm if no school), and ends the day following the holiday weekend when school resumes (or 9am).*         **If Independence Day falls on a Tuesday, Wednesday, or Thursday, the time shall be from July 3 at 9am until July 5 at 9am.**         □ Other:</li></ul>

Easter / Spring Break:		Even years with (parent) Odd years with the other parent. *Time shall begin the day school lets out until noon the day before school resumes.* Other:
Thanksgiving:		Odd years with (parent)  Even years with the other parent.  *Time shall begin the day school lets out until noon the day before school resumes.*  Other:
Winter Break / Christmas:		Segment 1 (Christmas) consists of the day school lets out until December 26 at noon.  Segment 2 (New Year's) consists of December 26 at noon until noon the day before school resumes.  Even years: segment 1 with (parent), segment 2 with the other parent.  Odd years: segment 1 with (parent), segment 2 with the other parent.  Other:
Other Holidays:		
Vacation:	-	The parents will not establish a formal vacation plan, and will instead mutually agree on vacation days and times with the child(ren).  Each parent may have up to (number) vacation days per year with the child(ren). The parent shall notify the other parent of the vacation and provide a general vacation itinerary at least (number) days before the planned vacation.  Vacation time is not allowed during a holiday allotted to the other parent.

Determine Child Support Obligation.	
.18 (for 1 Child)  X .25 (for 2 Children) .29 (for 3 Children) .31 (for 4 Children) Add .02 for each additional	Monthly Child Support:  S OR \$100 per child \$10000  (write the higher amount)  Higher Amount: \$100000  child
Apply the Presumptive Maximum (rarely applicated Usually, this is the maximum amount a parent may be rechild (and can reduce — not increase — the amount that we 2). This amount changes every year on July 1 <sup>st</sup> and can <a href="http://nvcourts.gov">http://nvcourts.gov</a> and searching the phrase "presumpting you are using the most current chart.	quired to pay per month per ould be owed under step be found by going to
Usually, this is the maximum amount a parent may be re child (and can reduce – not increase – the amount that w ②). This amount changes every year on July 1 <sup>st</sup> and can <a href="http://nvcourts.gov">http://nvcourts.gov</a> and searching the phrase "presumptive you are using the most current chart.  Deviations. You may request an amount of child support	quired to pay per month per ould be owed under step be found by going to we maximum." Make sure  Presumptive Maximum Reduction to:  Or not applicable  It that is lower or higher than the amount in ② or ③, but
Usually, this is the maximum amount a parent may be re child (and can reduce – not increase – the amount that w ②). This amount changes every year on July 1st and can <a href="http://nvcourts.gov">http://nvcourts.gov</a> and searching the phrase "presumptive you are using the most current chart.  Deviations. You may request an amount of child support your reason(s) must be based upon one of the following  The cost of health insurance	quired to pay per month per ould be owed under step be found by going to we maximum." Make sure  Presumptive Maximum Reduction to:  Or not applicable  In that is lower or higher than the amount in ② or ③, but factors. (② check all that apply)  Expenses reasonably related to the mother's
Usually, this is the maximum amount a parent may be re child (and can reduce – not increase – the amount that w ②). This amount changes every year on July 1st and can <a href="http://nvcourts.gov">http://nvcourts.gov</a> and searching the phrase "presumptive you are using the most current chart.  Deviations. You may request an amount of child support your reason(s) must be based upon one of the following	quired to pay per month per ould be owed under step be found by going to we maximum." Make sure  Presumptive Maximum Reduction to:  Or not applicable  That is lower or higher than the amount in ② or ③, but factors. (② check all that apply)

Worksheet A - <u>Primary Physical Custody</u> Child Support Calculation Worksheet

If you are asking for primary physical custody, fill out this worksheet and attach it to the document you are filing. Primary physical

custody exists when one parent has the child more than 60% (219 days) of the time calculated over a one year period.

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# **EXHIBIT 4**

# **EXHIBIT 4**

D-17-558626-S

## DISTRICT COURT CLARK COUNTY, NEVADA

Separate Maintenance Complaint

**COURT MINUTES** 

February 01, 2018

Companie

D-17-558626-S

Dennis Stanton, Plaintiff.

VS.

Twyla Stanton, Defendant.

February 01, 2018

12:00 AM

**Minute Order** 

**HEARD BY:** Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

#### PARTIES:

Arianna Stanton, Subject Minor, not present Brianna Stanton, Subject Minor, not present Dennis Stanton, Plaintiff, not present

Dennis Stanton, Plaintiff, not present

Tanner Stanton, Subject Minor, not present Trent Stanton, Subject Minor, not present

Tristan Stanton, Subject Minor, not present

Twyla Stanton, Defendant, not present

Tyler Stanton, Subject Minor, not present

### *IOURNAL ENTRIES*

Pro Se

#### - MINUTE ORDER: NO HEARING HELD and NO APPEARANCES

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

The Court has researched its duties with respect to ensuring due process to the Defendant. Through

PRINT DATE:	02/01/2018	Page 1 of 2	Minutes Date:	February 01, 2018

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

#### D-17-558626-S

the previous case involving the parties (lead case - D-16-540966-D) consolidated with D-16-541006-D), the Court is aware that Defendant has a diminished mental capacity and lacks the ability to comprehend legal documents or make judgments as to legal matters. In good conscience, and for purposes of due process, the Court cannot approve the Defendant's alleged agreements with Plaintiff until Defendant receives independent legal counsel.

Therefore, the Court is appointing Defendant independent legal counsel to represent the Defendant in this matter, to ensure she is advised of her rights, and that she is truly making an informed judgment as to the legal matters at hand. See, Rules of the Code of Judicial Conduct 2.6 ensuring every person has a right to be heard according to law, and the judge's duty to promote settlements that do not coerce any party into settlement.

Prior counsel for Defendant, Christopher Owens, Esq., has accepted the appointment as counsel for Defendant in this matter.

Counsel shall submit an Order of appointment.

Clerk's note, a copy, of today's minute order, was mailed, to the Parties, at the addresses, on file and placed, in counsel's folder, at Family Court.

PRINT DATE	02/01/2018	Page 2 of 2	Minutes Date:	February 01, 2018
PRINT DATE:	02/01/2018	Page 2 of 2	Miniates Date.	10014419 01,2010
1				
1	!			i

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

# **EXHIBIT 5**

# **EXHIBIT 5**

03/29/2018 DVJ Spouse's Name: CLERK OF THE COURT City, State, Zip: Phone: (522) Email: densis v stanton 306 gmail-com Spouse's Name: <u>Lwyla Marie</u> Address: 7088 Los Banders Ave City, State, Zip: Las Yeaqs, NV 89179-1201 Phone: (702) 764-4692 Email: twylomstanton 230g mail Com Self-Represented DISTRICT COURT CLARK COUNTY, NEVADA euris Vincent Stanton CASE NO.: D-18-568604-Z First Joint Petitioner (Spouse Name), DEPT: Dept: J And lurb Marie Star Second Joint Petitioner (Spouse Name). JOINT PETITION FOR DIVORCE AND UCCJEA DECLARATION (With Children) Petitioners, in proper person, hereby petition this Court pursuant to the terms of Chapter 125 of the Nevada Revised Statutes, to grant them a divorce. Petitioners respectfully show, under oath, and state to the Court that every condition of NRS 125.181 has been met and further state as follows: 1. Residency. The following spouse has been a resident of the State of Nevada for at least six weeks prior to filing this Complaint and intends to make Nevada his/her home for an indefinite period of time: (name of Nevada resident) 2. Marriage. The parties were married on (date) The parties are incompatible. © 2017 Family Law Self-Help Center

an attorney, call the State Bar of Nevada at (702) 382-0504.

\* You are responsible for knowing the law about your case. For more information on the law, this form, and free classes, visit www.familylawselfhelpcenter.org or the Family Law Self Help Center at 601 N. Pecos Road. To find

Joint Petition for Divorce (With Kids)

**Electronically Filed** 

4	First Petitioner: Name:	t.  bregnant: (name of the party of the part	Name: Addre  S9/79-City, S  1297  me of pregnan  arent of the unb  currently preg	orn child. The child nant.	deros Ave.  Nevodo (	- 29179-1207
	by the petitioners. The name	(s) and inform	nation is listed	below:		
	Child's Name	Date of Birth	State of Residence	How long child lived in the state	Disability	
(2)	Brawa Marie Stanton	04-19-2005	Newda	Since birth	NO	
0	Tristan Vincent Dalles Stan	ow 08-16-20	ole Navada	Since Diff	No	
3)	Tyler Vincent Conner Stanfor			Since Dith	NO	
	Tanner Vincent Kyle Stanton		0 1/11	Sime Hilly	VES	
	Asianea Rose Stanton		10 Neverta	Sine birth	NO	
	Terf Vincent Antonio Sta. UCCJEA Declaration. (\(\times\)	U -D	_ ,	a Sine birth	NO	
-	. /	•		•		
	The child(ren) have lived i				•	
	☐ The child(ren) have NOT					
	a. Living Arrangements La	ast 5 Years.	The children	have lived with the	e following	
	persons in the following pl Time Period Name of					
	(mo/yr - mo/yr) Child(rea	of Person the	h:		Name (if children)	
0	9419-3005 present Deins V	lacent Stonte Varie Stant	n 1 2/	1/ 1/ 0	na Marie	74.7
Q,	08-10-200 SIESENT DEON'S VIN			1 1 104		•
	07-17-204 PIGENT DEANS VINE		La Voor	3 1/11	·	elles Stanfon
(A)	09-22-2008 present Dennis Vine	ent Stanfon	La la	1 1/20 /		Starton
(5)	02-25-240 Picsent Dennis Vi	scie <u>Stantov</u> nert Stantov	~ / /	4/ 1 / 1 -	Placent Ky	2 Stanfon
6	03-15-2011-present Dennis		nicon in the	/	Fose Star	
-	Turk		his Lugary	vor, juarro i jent	VINCENT K	n four Stante

Page 2 of 10 - Joint Petition for Divorce (With Children)

	e names and current addresses of each non-parent the children lived with during the trive years are:
b. ]	Participation in Other Cases: (⊠ check one)
I 🗖	have / $\square$ have not participated as a party or witness or in some other capacity in any
othe	er case involving the child(ren): (if you have, provide all specifics including the state,
any	court, children involved, the case number and the date of the child custody order, if  State of Newsda, Fighth Judicial District Court Family,  le Children, Case No. D-17-558626-5, Case No. D-16-54096  d With Cose No. D-16-541006-D, all cases were voluntarily dis
	Knowledge of Other Cases: (⊠ check one)
Ιロ	do / \( \overline{\text{M}} \) do not know of a different case that could affect the current case: (if you do,
	vide all specifics including the state, the court, parties involved, the case number and
the :	nature of the proceeding): Other Hun the cases observed hited about
I 🗆 chil	Person(s) Who Claim Custody / Visitation: (\subseteq check one)  do / \subseteq do not know of anyone other than the parents who has physical custody of the d(ren) or who claims custody/visitation rights to the child(ren). (if so, list names and tresses of anyone who claims custody/visitation rights)
	gal Custody. Legal custody refers to the ability to make major decisions about the ild, such as medical care, education, and religious upbringing. (\omega check one)  The petitioners should share joint legal custody of the child(ren).  The petitioners agree that sole legal custody of the children should be granted to (name of parent)
	- Jones - Jone

8.		<b>sysical Custody.</b> Physical custody refers to the amount of time the child spends with $ch$ parent. ( $\boxtimes$ check one)
		The petitioners should share joint physical custody of the child(ren) (each parent
		must have the child(ren) at least 40% of the time, or 146 days per year). A proposed
	,	parenting timeshare and holiday schedule is attached as Exhibit 1.
	M	The petitioners agree that primary physical custody of the minor children should be granted to (name of parent) Lenn's Vincent Stanfow. A proposed
		parenting timeshare and holiday schedule is attached as Exhibit 1.
		The petitioners agree that sole physical custody of the minor children should be
		granted to (name of parent)
	П	Nevada is not the "home state" of the child(ren) and cannot enter custody orders.
9.	yo	Based upon the agreed physical custody arrangement, (name of parent who will pay child support)  Major Stanfar should pay (amount) \$\frac{1}{300}\$, per month in child support. This is based on: (\omega check one)
		The calculation from the attached Child Support Worksheet.
		☐ The amount already established by the District Attorney, Family Support
		Division, case (insert case number) R
	Ц	Neither petitioner will pay child support. (Explain why not):
10	. Pu	ıblic Assistance. (⊠ check one)
		None of the parties in this case have ever received state assistance or welfare.
	M	State assistance or welfare has been or is being provided to parties in this case.

11. Child Support Arrears. (⊠ check one)
<ul> <li>□ No child support arrears exist or the parties waive any rights to arrears. The children are not and have not received welfare benefits at any time during the past four years.</li> <li>□ The children are currently receiving or have received welfare benefits during the past four years and the Petitioners cannot waive child support arrears.</li> <li>□ Child support arrears are being handled by the District Attorney, Family Support Division, case (insert case number) R and will continue to be handled in that case.</li> <li>□ The petitioners agree that (name of parent who will pay back child support)</li> <li>□ Myla Mast Stanfon will pay child support arrears in the total amount of \$3,900.</li> </ul>
12. Wage Withholding. (⊠ check one)
Petitioners agree that a wage withholding is not needed for support payments.  A wage withholding order should be entered to secure payment of child support and spousal support, if any.
13. Health Insurance. (\( \subseteq \text{check one} \)
Both petitioners should provide future health insurance for the minor child(ren) if available.  Future health insurance for the minor child(ren) should be provided by (name of parent)
14. Unreimbursed Medical Expenses. (⊠ check all that apply)
Any expenses not covered by insurance should be paid equally by both parties.  Any expenses not covered by insurance should be paid by (name of parent)  TWY What's Stanford due to the following extraordinary circumstances:  (explain) The the high cost of covering providing in swame for Go children with pay all expenses not covered by insulance.
15. <b>"30/30 Rule</b> ." (⊠ check one)
☐ The Court should order the 30/30 Rule for payment of all unreimbursed medical / dental expenses.¹ (see below for explanation) ☐ The Court should NOT order the 30/30 Rule for payment of unreimbursed medical / dental expenses.

¹ The "30/30 Rule:" If a parent pays a medical or dental expense for a child that is not paid by insurance, that parent must send proof of the expense to the other parent within 30 days of incurring the expense. The other parent then has 30 days to reimburse the paying parent ½ the cost.

6. Child Tax Deduction. IR claim the child on their tax Form 8332. Talk to a tax	xes. The custodial pa	rent can waive this righ	t by filling out IRS	
. /		e allocated per federal l	•	
☐ Petitioners have agreed	to claim the children	as follows for tax purpo	oses:	
Child(ren)'s Name:		Parent's Name:	Frequency:	
	will be claimed by	1. /	☐ every year ☐ even years ☐ odd years	
NIA	will be claimed by	NIA	☐ every year ☐ even years ☐ odd years	
//(	will be claimed by		☐ every year ☐ even years ☐ odd years	
	will be claimed by		☐ every year ☐ even years ☐ odd years	i
100% T.B.	property to divide.  ty has already been described by should be divided as a least vince of the less o	livided. as follows: at Stanfon sl t Fo88 Les Bandero and any equit	Dension Tru	L Vegax J. J. Fund-Pla
(Name of spouse)  1. /009  2. Foun	Twyla Marie of I.B.E.O d + Plan B of	Stanton st W. Local Ulwon 4 of 12/07/2	hall receive: 1357 Pe. 2016 .	ns on Tray

4.

18. Division of Community Debt. (⊠ check one)
☐ There is no community debt to divide.
Any community debt has already been divided.
The community debt should be divided as follows:  (Name of spouse) Crais Vincent Stanfor shall be liable for:  1. CENLAR Home Mortgoge Post due amount of \$14,381.78.  2. Nelly Forgo Board Auto Door Post Sul amount of \$11,109.00.  3. Sanfonder Consumer USA/Neville Asset Management, Lod post due amount of \$1,861.0  (Name of spouse) Twyla Nas is Stanfor shall be liable for:  1. Nelly Forgo Board Credit Cord is the amount of \$18.00.00.  2. Port folio Recovery Missociates Synchrony Board Walnert Charge  3. Card in the amount of \$1,307.00.
4.
19. Alimony. (⊠ check one)  Neither petitioner should be awarded alimony.  □ (Name of spouse who will pay alimony)  should pay (amount) \$ per month in alimony for the next (number)  years. Spousal support should begin on (date) and end on (date)
20. Name Change. (⊠ check all that apply)
Neither party changed their name or neither party wishes to have a former or maiden name restored.  The name of (spouse's name)
restored to his / her former or maiden name of (write the full name the person wants to go back to)
☐ The name of (spouse's name) should be
restored to his / her former or maiden name of (write the full name the person wants
to go back to)

Page 7 of 10 - Joint Petition for Divorce (With Children)

- 21. Petitioners certify that they have disclosed all community assets and debts and that there are no other community assets or debts for this Court to divide.
- 22. Petitioners hereby request that this Court enter a Decree of Divorce, incorporating into that Decree the provisions made in this Joint Petition.
- 23. It is understood by the Petitioners that entry of a Decree of Divorce constitutes a final adjudication of the rights and obligations of the parties with respect to the status of the marriage. Petitioners each expressly give up their respective rights to receive written notice of entry of any judgment or decree of divorce, and Petitioners give up their right to request formal findings of fact and conclusions of law. Petitioners waive their right to appeal the Decree of Divorce, and the right to move for a new trial.
- 24. It is further understood by the Petitioners that a final Decree of Divorce entered by this summary procedure does not prejudice or prevent the rights of either Petitioner to bring an action to set aside the final decree for fraud, duress, accident, mistake, or the grounds recognized at law or in equity.

### Petitioners request:

- 1. That they be granted a Decree of Divorce and that each of the Petitioners be restored to the status of a single, unmarried person;
- 2. That the terms agreed upon in this Joint Petition be included in the Decree.

### FIRST PETITIONER'S VERIFICATION

STATE OF NEVADA )
COUNTY OF CLARK )
(Spouse's name) Dean's Vincent Starter being first duly sworn under
penalty of perjury, deposes and says:
I am the Petitioner herein, and I have read the foregoing Joint Petition for Divorce and
know the contents thereof; that the pleading is true to the best of my own knowledge, except as
to those matters therein stated upon information and belief, and as to those matters, I believe
them to be true.  (Spouse's signature)
Signed and sworn to (or affirmed) before me on  (date)
JAMES KIM
Signature of notarial officer  JAMES KIM  Notary Public State of Nevada  No. 17-3832-1  My Appt Exp. October 17, 2021
STATE OF NEVADA )
COUNTY OF CLARK )
On this day of 20, personally appeared before me, a Notary Public, (spouse's name) Penni's & Jk Vincent & known or
before me, a Notary Public, (spouse's name) Dennis & Jk Vincent & known or
proved to me to be the person who executed the foregoing Joint Petition for Divorce, and who
acknowledged to me that he/she did so freely and voluntarily and for the uses and purposes
herein stated.
Signature of notarial officer  JAMES KIM Notary Public State of Nevada No. 17-3832-1 My Appt. Exp. October 17, 2021

Page 9 of 10 - Joint Petition for Divorce (With Children)

### **SECOND PETITIONER'S VERIFICATION**

STATE OF NEVADA	)		•
COUNTY OF CLARK	)		
(Spouse's name)	Twyla M. St	anton being	first duly sworn under
penalty of perjury, deposes	and says:		
I am the Petitioner	herein, and I have rea	d the foregoing Joint P	etition for Divorce and
know the contents thereof;	that the pleading is tn	ue to the best of my ow	n knowledge, except as
to those matters therein st	ated upon information	and belief, and as to t	hose matters, I believe
them to be true.	• =	(Spouse's signature)	Stanton
Signed and sworn to (or af	firmed) before me on		
(date) 3-29-18 by	(name) Twyla v	1. Stanton	
Jut			JAMES KIM btary Public State of Nevada
Signature of notarial office	T	w w	No. 17-3832-1 y Appt. Exp. October 17, 2021
STATE OF NEVADA	)		
COUNTY OF CLARK	)		
On this Defore me, a Notary Publ	_ day of _Marxl	2018	_, personally appeared
before me, a Notary Publ	ic, (spouse's name) _	Tuyla M. Stan	ชา , known or
proved to me to be the pe			
acknowledged to me that	he/she did so freely a	and voluntarily and for	the uses and purposes
herein stated.			
an	<del>-/-</del> ·	No.	JAMES KIM
Signature of notarial office	er e	4(83523)	ary Public State of Nevada No. 17-3832-1 Appt. Exp. October 17, 2021

Page 10 of 10 - Joint Petition for Divorce (With Children)

## **EXHIBIT 1: Parenting Timeshare and Holiday Schedule**

☐ No Visitation Req	uested Because: (explain)
Regular Schedule: <u>Be very specific</u> . Include the times and days of the week for each parent's timeshare. (ex.: <u>Mom</u> : Saturday 7pm— Wednesday 3pm, <u>Dad</u> : Wednesday 3pm— Saturday 7pm)	Mom: 2 st, 3 rd, 54 wellerd beginning of 07:00 p.m. on Friday-Monday morning fill school starts.  Dad: All other times.
Summer Schedule:	M Same as the regular schedule.  □ Other:
Mother's Day and Mother's Birthday:	Mother every year from 9am − 7pm.  □ Other:
Father's Day and Father's Birthday:	Father every year from 9am – 7pm.  Other:
Child's Birthday:	Even years with (parent) Penn's Viscent Stanfon Odd years with (parent) Twyla Morie Stanfon *Time shall be from 9am - 7pm.*  Other:
3 Day Weekends:	Even Years: MI.K. Jr. Day, Memorial Day, Labor Day with  (parent)

Easter / Spring Break:	Odd years with (parent)   Jennis Vincent Stantow.  Odd years with the other parent.  *Time shall begin the day school lets out until noon the day before school resumes.*  □ Other:
Thanksgiving:	Odd years with (parent)
Winter Break / Christmas:	Segment 1 (Christmas) consists of the day school lets out until December 26 at noon.  Segment 2 (New Year's) consists of December 26 at noon until noon the day before school resumes.  Even years: segment 1 with (parent)   Devis Vincent Stanfor segment 2 with the other parent.  Odd years: segment 1 with (parent)   Uyla Marie Stanfor segment 2 with the other parent.  Other:
Other Holidays:	MK
Vacation:	<ul> <li>✓ The parents will not establish a formal vacation plan, and will instead mutually agree on vacation days and times with the child(ren).</li> <li>☐ Each parent may have up to (number) vacation days per year with the child(ren). The parent shall notify the other parent of the vacation and provide a general vacation itinerary at least (number) days before the planned vacation.</li> <li>Vacation time is not allowed during a holiday allotted to the other parent.</li> </ul>

Worksheet A - Primary Physical Custody Child Support Calculation Worksheet  If you are asking for primary physical custody, fill out this worksheet and attach it to the document you are filing. Primary physical custody exists when one parent has the child more than 60% (219 days) of the time calculated over a one year period.	l
Determine the Gross Monthly Income (GMI) of the non-custodial parent (estimate if unknown).  Gross monthly income is the income received from all sources. If you do not know the parent's gross monthly income, you can calculate the number with the formula on the last page.	
(2) Determine Child Summard Ohlington	

2	Section Child Support Obligation.  18 (for 1 Child)  25 (for 2 Children)  29 (for 3 Children)  31 (for 4 Children)  Add .02 for each additional child  33 (for 5 Children)  35 (for 6 Children)	Monthly Child Support: \$\frac{1,068.45}{000.50} \text{OR \$100 per child \$ 600.50}{\text{(write the higher amount)}}  Higher Amount: \$\frac{1,068.48}{1,068.48}
3	Apply the Presumptive Maximum (rarely applicable). Usually, this is the maximum amount a parent may be required to p	pay per month per Presumptive Maximum

child (and can reduce - not increase - the amount that would be owed under step 2). This amount changes every year on July 1st and can be found by going to http://nvcourts.gov and searching the phrase "presumptive maximum." Make sure Or applicable you are using the most current chart. Deviations. You may request an amount of child support that is lower or higher than the amount in ② or ③, but your reason(s) must be based upon one of the following factors. ( check all that apply) M/The cost of health insurance ☐ Expenses reasonably related to the mother's ☑/The cost of childcare pregnancy and confinement ☑ Special educational needs ☐ Cost of transportation for visitation if the custodial parent moved out of the jurisdiction ☐ Age of the child ▼ The amount of time the child spends with each □, Parent's legal responsibility to support others The value of services contributed by either Any other necessary expenses for the benefit of parent

the child ☐ Public assistance paid to support the child ☐ The relative income of both parents

**Total Child Support:** 

Reduction to:

arent 1's Name: P	Parent 2's Name:
Determine Each Parent's Gross Monthly Income (Gross monthly income is the income received from all sincome, you can calculate the number with the formula	sources. If you do not know a parent's gross monthly
Parent 1 GMI S .18 (for 1 Child) .25 (for 2 Children) X .29 (for 3 Children) .31 (for 4 Children) Add .02 for each additiona	\$ OR \$100 per child \$ (write the higher amount and use in step 3) Higher Amount: \$  Parent 2's Monthly Child Support: \$ OR \$100 per child \$
Subtract the lower earning parent's amount of child sup S S Child Sup S S S	support in ② from the higher earning parent's amount port Obligation   Name of higher income parent paid by
Apply the Presumptive Maximum (rarely applicable Usually, this is the maximum amount a parent may be requered (and can reduce — not increase — the amount that would be amount changes every year on July 1st and can be found by and searching the phrase "presumptive maximum." Make so current chart.	uired to pay per month per child e owed under step ③). This y going to <a href="http://nvcourts.gov">http://nvcourts.gov</a>
Deviations. You may request an amount of child support	t that is lower or higher than the amount in ③ or ④, but ye
reason(s) must be based upon one of the following factors  ☐ The cost of health insurance  ☐ The cost of childcare	Expenses reasonably related to the mother's pregnancy and confinement
<ul><li>☐ Special educational needs</li><li>☐ Age of the child</li></ul>	☐ Cost of transportation for visitation if the custodial parent moved out of the jurisdiction
<ul> <li>□ Parent's legal responsibility to support others</li> <li>□ The value of services contributed by either parent</li> </ul>	<ul> <li>☐ The amount of time the child spends with eac parent</li> <li>☐ Any other necessary expenses for the benefit</li> </ul>
☐ Public assistance paid to support the child	the child  The relative income of both parents

Electronically Filed 03/29/2018

CLERK OF THE COURT

, l	CVIII C
1 2	Name: Trayla Marie Stanton
3	Address: 7088 Lts Banderos Mye Los Yegas, Nevada 89179-1207
4	Telephone: (10) 764-4692-
5	Email Address: Twy lam Starton 23 Eg mail Com IN PROPER PERSON
6	DISTRICT COURT
7	CLARK COUNTY, NEVADA
8	
10	Dennis Vircent Stanton CASE NO.: D-18-568604-7
11	First Joint Petitioner DEPT: Dept: "Q
12	ws: And
13	Twy a Marie Stanton -Defendant / Respondent.
14	Second Joint Petitioner
15	
16	PEREMPTORY CHALLENGE
17	I request that this case be re-assigned from Judge ReNa G. Hughes in
18	
19	Department to another Judge, pursuant to Nevada Supreme Court Rule 48.1.
20	I declare, under penalty of perjury under the law of the State of Nevada, that the
21	foregoing is true and correct.
22	DATED this 29 day of March , 20 18.
23	
24	Submitted By: (Signature) > Lundon Hay ten
25	Submitted by: (Signature) * Thropes / 1/2 Subject / 1/2 Su
26	Printed Name: Tury & Marie Standon
27	
28	

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### DISTRICT COURT **CLARK COUNTY, NEVADA**

Divorce - Joint Petition

**COURT MINUTES** 

April 18, 2018

D-18-568604-Z

In the Matter of the Joint Petition for Divorce of:

Dennis Vincent Stanton and Twyla Marie Stanton

April 18, 2018

11:00 AM

Minute Order

**HEARD BY:** 

Duckworth, Bryce C.

**COURTROOM:** Courtroom 01

COURT CLERK: Michael A. Padilla

#### **PARTIES:**

Arianna Stanton, Subject Minor, not present Brianna Stanton, Subject Minor, not present

Dennis Stanton, Petitioner, not present

Pro Se

Tanner Stanton, Subject Minor, not present Trent Stanton, Subject Minor, not present

Tristan Stanton, Subject Minor, not present

Twyla Stanton, Petitioner, not present

Tyler Stanton, Subject Minor, not present

Pro Se

#### **IOURNAL ENTRIES**

- The Parties to this action have submitted an uncontested Decree of Divorce before this Court. Upon review of the filings in this case, and the related proceedings in cases D-16-540966-D, D-16-541006-D and D-17-558626-S, and good cause being found, this Court hereby makes the following Findings of Fact, Conclusions of Law, and Orders:

### Findings of Fact

On October 12, 2016, Dennis Stanton filed a Complaint for Divorce against his wife Twyla Stanton. That case was assigned case number D-16-540966-D. This case was assigned to Judge Rena Hughes.

Also on October 12, 2016, Twyla Stanton filed a Complaint for Divorce against her husband Dennis

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Stanton. That case was assigned case number D-16-541006-D. Pursuant to Eighth Judicial District Court Rule 5.42, this case was also assigned to Judge Hughes. (The Court notes that EDCR 5.42 was replaced by EDCR 5.103 effective January 27, 2017. For the purpose of this analysis, any difference between the two rules is immaterial.)

Case D-16-541006-D was later consolidated with case D-16-540966-D.

Over the next several months, Judge Hughes presided over multiple motion hearings and made substantive rulings on contested matters in the case. Judge Hughes held hearings on November 9, 2016, February 2, 2017, February 9, 2017 and March 16, 2017.

Pursuant to a Stipulation, Judge Hughes entered an Order on March 30, 2017 and dismissed cases D-16-541006-D and D-16-540966-D.

On September 13, 2017, Dennis Stanton filed a Complaint for Separate Maintenance against his wife Twyla Stanton. That case was assigned case number D-16-558626-S. Pursuant to Eighth Judicial District Court Rule 5.103, this case was assigned to Judge Hughes.

On January 31, 2018, Dennis Stanton filed a Notice of Voluntary Dismissal.

On February 1, 2018, Judge Hughes issued a Minute Order stating her intent to appoint counsel for Twyla Stanton.

Judge Hughes entered her Order appointing counsel for Twyla Stanton on February 12, 2018.

Pursuant to a Stipulation, Judge Hughes entered an Order on February 26, 2018 dismissing case D-17-558626-S.

On March 29, 2018, the Parties commenced this action by filing a Joint Petition for Divorce. Again, pursuant to EDCR 5.103, the case was assigned to Judge Hughes.

The same day that the Joint Petition was filed, Twyla Stanton filed a Peremptory Challenge of Judge Hughes pursuant to Nevada Supreme Court Rule 48.1.

Upon filing of the Peremptory Challenge, the Clerk's Office randomly reassigned the case to this Court and filed a Notice of Department Reassignment on March 29, 2018.

Additionally, pursuant to the requirements of EDCR 5.103, the Clerk's Office reassigned each of the cases identified above and several related Temporary Protective Order cases to this Court.

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#### Conclusions of Law

Pursuant to Nevada Supreme Court Rule 48.1 and State, Dept. of Motor Vehicles & Pub. Safety v. Eighth Judicial District Court, 113 Nev. 1338, 948 P.2d 261 (1997), the judge to whom a case is reassigned after a peremptory challenge has authority to determine the timeliness of the peremptory challenge.

Supreme Court Rule 48.1(3)(b) prohibits a party from filing a peremptory challenge "less than 3 days before the date set for the hearing of any contested pretrial matter,..."

Supreme Court Rule 48.1(5) prohibits a party from filing a peremptory challenge against "any judge who has made any ruling on a contested matter in the action."

The failure to file a timely peremptory challenge results in a waiver of the right to file the challenge. Jeaness v. Second Judicial District Court, 97 Nev. 218, 626 P.2d 272 (1981).

The restrictions on peremptory challenges contained in Sections 3 and 5 of Rule 48.1 work to prohibit a party from forum shopping between district judges. See generally Nevada Pay TV v. Eighth Judicial District Court, 102 Nev. 203, 719 P.2d 797 (1986).

Parties to litigation are not permitted to file a peremptory challenge against a district judge who has previously made rulings on contested issues. This prohibition applies in any subsequent cases between the same parties, which are assigned to that same district judge pursuant to a local case assignment rule. "Allowing a plaintiff to file a peremptory challenge after the filing of any counterclaim would give a plaintiff the opportunity to disqualify the district judge simply because he has made previous unfavorable rulings." Carr-Bricken v. First Interstate Bank, 105 Nev. 570, 573, 779 P.2d 967, 969 (1989). In Carr Bricken, the appellant argued that she should be allowed to file a peremptory challenge after a third-party filed a counterclaim. In that case, the trial court struck the Plaintiff's peremptory challenge and the Supreme Court held that "[s]ince appellant filed her peremptory challenge long after hearings of several contested pretrial matters in th[e] case, her right to a peremptory challenge had been waived as a matter of law." Id.

The peremptory challenge in this case is comparable to the peremptory challenge filed in Carr-Bricken because it challenges a district judge who previously made substantive pre-trial rulings on the merits of a divorce and separate maintenance action between the Parties.

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.

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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.

Therefore, it is hereby ORDERED that this action be reassigned to Department J, District Judge Hughes for handling.

It is further ORDERED that the Decree of Divorce submitted to this Court be delivered to Judge Hughes for handling.

#### **INTERIM CONDITIONS:**

#### **FUTURE HEARINGS:**

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2	The current addresses of the Petitioners are:	M.
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	Wife's Address: Low Veger, Navida 89/29-1207-	
	Histophil's Address: 7888 Les Bonderso Avenue Lay Vegas, Newsa 89179-1207	
ilo Rig	The Petitioners have become, and continue to be, incompatible in marriage and	ano .
	reconciliation is possible, and/or the parties have lived separate and apart for n	
	than one year, without cohabitation.	1500
	Pregnancy, The Politioners certify that: (check one):	
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	The wife is not pregnant at this time.	20.00
	The wife is prognant at this lime and the husband is the father of the unborn cl	nid.
	The imbern shill is due to be born on (dine)	
	[] The wife is pregnant at this time and the husband is not the father of the unboa	<b>10</b>
	child. The unborn child is due to be born on (date)	
	That there are (number) minor children born to, or adapted through this	N 48 6
7	The minor children's names, dates of birth, states and lengths of residence are as	
	follows	,
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1) Tamel	Viscot Rife Starton 09-22-2018 Newla 9 44447	portly
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3	The chem are residents of Nevada and have lived here at least the past six	
	(6) months and, as such, this Court has the necessary UCCIEA jurisdiction to	
5	enter orders regarding custody.	
	The children are not residents of Nevada and have not lived here for at least the	1
7	past six (6) months and granch, this Court does NOT have the necessary	
8	UCCIEA jurisdiction to enter orders regarding quetody.	
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The state of the	9. Legal Custody Legal Custody involves having basic legal responsibility for a child	
10	and making major decisions about the child tile the child's health, education and	
	religious upbringing. (check one)	
12	[] The shildren are not residents of the State of Nevads.	
13	The Peritioners should be granted joint legal outtody of the minor children.	<u> </u>
1.5	O The Wife should be granted sole legal custody of the minor children.	ii.
15	The Hunbard should be granted sole legal custody of the minor children.	
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17	10. Physical Custody, Physical custody refers to the amount of time the child spends in	
18	the care of each parent. (check one)	₹   * ^
400	int physical austody exists when each parent has physical custody of the children at	
	ist 46% (146 days) of the time calculated over a one year period.	
21	imary Physical custody exists when one parent has physical custody of the children ore than 60% (19 days) of the time estquilated over a one year period.	4.5
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23	Phe children are not residents of Nevada.	
24	The Petitioners should be granted joint physical quatody of the minor children	F
25	with a timeshare as coulined in Exhibit 1.	•
26	The Wife should be awarded primary physical dustody of the minor children wil	<b>b</b>
27-	the Husband having visitation as proposed in Exhibit 1.	•
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	14. Child Support Ansonat. Complete the Child Support Worksheet (Worksheet A or	<u>,</u>
	Worksheet B) that gradies to your custody arrangement BEFORE you complete the	•
	question, (checking)	
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	dollars per month for support of the parties' minor children.	_
	15. Child Support Kalculation. The amount of child support requested was calculated	ed
	based upon the following (check des)	
	☐ The stantory minimum of \$100 per month, per child.	
	The calculation for a primary physical custody arrangement as shown on the	
1	attached Workshoot A.	·
- 27 p		
	The calculation for a joint physical custody arrangement as shown on the att	icaeq
	Workshoot B.	
	D (Sither:	
	15. Wage Withholding Choler (check one):	
	The Periitorens ask that the court order a wage withholding against the oblig	or
	percent (percent who owes child/spousal support) to secure payment of child	
	support and apolest support if any.	
	Good cause exists to postpone the withholding of income from the obligor p	aront
	to pay child support and applical support, if any	
	There is alresdy a child support action through the District Attorney's Offic	e and the state
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	payment of the child support shall continue to be handled through that office	•
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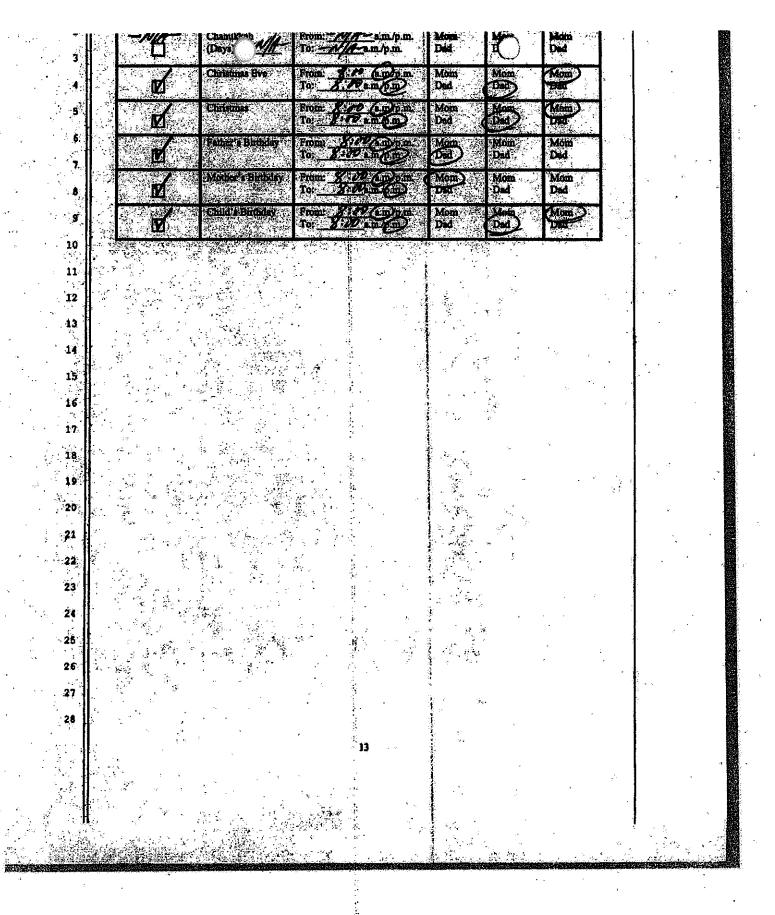
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17	20. Petitioners hereby certify that they have disclosed all community assets and debts and	
18	that there are no other community assets on debts for this Court to divide.	
19	21. Sponsal Support (check one):	
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21	☐ Spousal support should be awarded (o (check one) ☐ the Wift ☐ the	
22	Husband in the amount of \$	
23	(check one) [] months/[] years. The sponsal support shall	
24	begin on (date) - NAT - and end on (date)	
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26	22. Name Change for Wife (check one):	
27	Cl. The wife document wish to return to her former or maiden name restored.	
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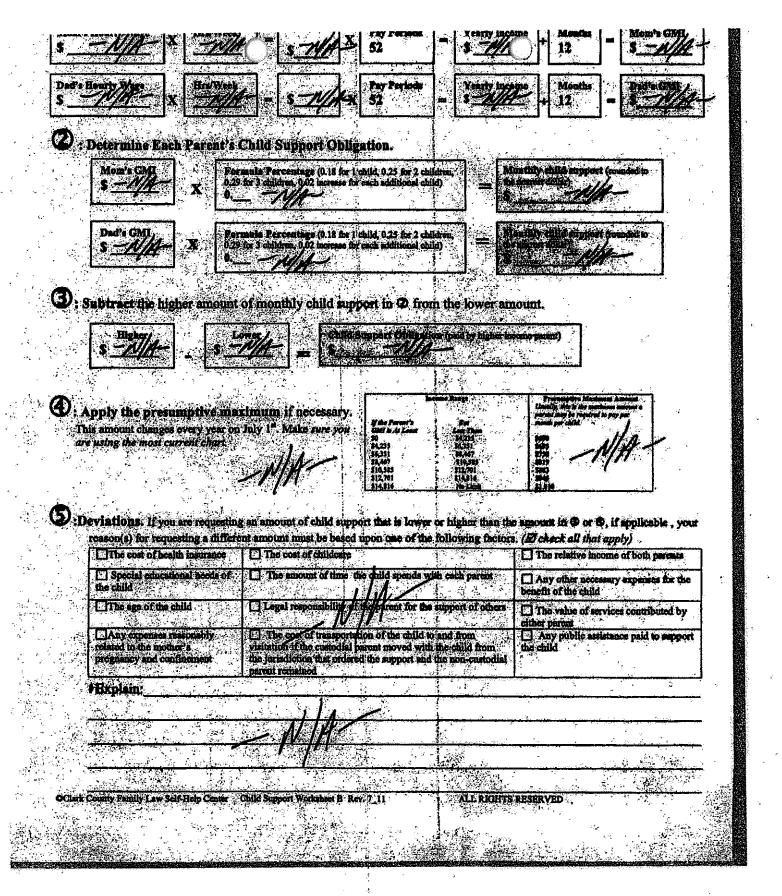
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(Husband's name) 1 2005	Vincent Stanfor being first duly
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except as to those matters therein stated upo	on information and belief, and as to those matters,
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	United The second
Signed and sworn to (or affirmed) before me	(Husband's signature)
on (date) NN 3 2018	
by (name of person signing document).	Samue Vinter State
Signature of notatial officer	ANTHONY D. PENN
	Notary Public State of Nevada  ARRT NO. 11-5384-1  No. App.: Explice June 17, 2019
STATE OF NEVADA	
COUNTY OF CLAY. )	
On this 31 day of 1944	2016 personally appeared before me, a
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	Joint Petition For Summary Decree of Divorce, and who
【】 [1] [1] [1] [1] [1] [1] [1] [1] [1] [1]	voluntarily and for the uses and purposes herein stated.
	ANTHONY D. PENN  Notery Public State of Neveds
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3	[] The die never change	her name.		
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5			a Louis of Pirests, many x aming	
• 6	into that Decree the provisions		Name of the same o	•
3		10 Ke 20	Decree of Divorce constitutes a final	
7 (9) 17 (9)			e parties with respect to the status of	
			p their respective rights to receive	
10		<b>阿塞尔人</b> 自身。	gment of Divorce and Patitioners give	
े हैं 11			act and Conclusions of Law, or to	• • •
ી. 32⊚		N 20 1 1 1 1 1	ade and entered in these proceedings or	٠.
ैं। . 13	the right to move for a new th	<b>36</b>		,
14			d final Decree of Divorce entered by	,
1.0			prevent the rights of either Petitioner to	
15 16	bring an action to set aside the	final decree for	fraud, durest, seedent, mistake or the	ě
17	grounds recognized at law or i	n equity.	를 보고 있다. 보는 사람들	
18		\$ 1		÷9.
19	WHEREFORE, Petitioners pray as follows:		granist Dr. s. Bligade an	4.
20	1. That the parties be granted a d	caree of divorce	and that each of the Politioners be	
21 21	restored to the status of immar	ried persons.		
O *	2. Theselve immanguacid upon in	this Joint Petiti	on be included in the Decree.	
22			M. 20 20	
23	DATE: 6-30-18 (1)	DATE:	11104 50, 2018	
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28 28	(Mare's signature)		(Husband's signature)	
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27		Control of the Contro		is T
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4. The all of the	allogations conta	ined in the doc	concess on file a	re true.	
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2. That all of the	requirements of	DRS 125.181	ind NRS 125.18	. Dave need me	L.
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4	Brune Mare Stanton 04:19-2005/ Navada  Distant Vincent Della Stanton 08:16-2000/ Navada
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7.	HI TAINER VINCENT HINE Stanfor 09-22-248/1944
8	(3) AMAR ROM JANON 02-25-2010/ AMAGA,
9	OTTENT Antonio Virent Stanton 0375 241/ Mesone
10	4. Child(ren) Residency (check ene):  The children are residents of Nevada and have lived here for at least the past six
11	(6) months and, at such, this Court has the necessary UCCJEA jurisdiction to
12	autor orders regarding outlody.
13	The children are not residents of Nevada and have not lived here for at least the
11	past six (6) mainta and, as such, this Count does NOT have the necessary
15	UCCIEA installation to enter orders regarding costody.
16	
17	5. That this Court has complete jurisdiction to enter this Decree and the orders regarding
19	the distribution of states and tiches.
20	6. That Petitioners were married on the (date) D7/11/2004 in the city of
21	Les Veges State of News and have since
22	rememed husband and wife.
23	The state of the s
24	7. That resident Petitioner (name of spouse who lives in Nevada)
25	the State of Nevada and has acqually been domiciled in the State of Nevada for more
25	then six weeks immediately prior to the commencement of this action, and intends to
27	continue to make the State of Nevada his/her home for an indefinite period of time.
28	
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2		than one yea	ithout cohabitatin	g as Husbands	nd Wife and O	oners are entitled
`3. `4	98	to a Decree of I				
- 5 -6	•	Acres 1	e Pétitioners certi not prégnant at th	です A. ルディ <b>薬</b>		4 F
7.		□ The wife is	prognant at this i	me and the hu	band is the father	of the unborn child
) 10-		A. S. J. J. 1888	child is due to be program status t		Band is not the fat	ner of the unborn
11	100		mborn child le du have entered into	37	(date)sculing all issues o	f child support,
13		child metodyse	nd visitation, and	medical insura	nce which is outlis whilbit A. The Peti	ed in the Joint
14 15		this agreement	a market in a second	interest of the c	hildren be miffied,	A
1 <i>6</i> 17	ı,	The Politioners	have entered into	an equitable a	greement settling :	
18 19		one, and Petiti	oners bave reques	ed that the tem	said agreement b is in their Joint Pe	tition, a copy of
20 21			ed hereto as Exhi though fully set		d, confirmed, and	incorporated into
22 23	12		经有限的 出口 自然的人	A	dent settling the is	
24 25		which is sued	sed horeto se Exhi	hit A, be ratific	(both in their Joint id, confirmed and	
26 27		Name Change	though fully set for Wife (check a	me):		
28		□ The wife o	loes pot wish to n	sum to her for	ner og målden nam	e restored.

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NOTICE IS HERERY GIVEN of the following provision of NRS 125,510(6): PENALTY FOR VIOLATION OF ORDER; THE ABDUCTION, CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF THIS ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED IN MRS 193.130. NRS 200.359 provides that every person having a limited right of custody to a child or any parent having no right of custody to the child who willfully detains, conceals or removes the child from a parent, guardian or other person having lawful custody or a right of visitation of the child in violation of an order of this court, or removes the child from the jurisdiction of the court without the consent of either the court or all persons who have the right to custody or visitation is subject to being punished for a category D felony as provided in NRS 193 130.

NOTICE IS HEREBY GIVEN that the terms of the Hague Convention of October 25, 1980, adopted by the 14th Session of the Hague Conference on Private hitematical Life apply if a parent abducts or wrongfully retains a child in a foreign country. The parties are also put on notice of the following provisions in NRS 125.510(8):

If a parent of the child lives in a foreign country or has alguificant commitments in a foreign country:

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

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

NOTICE IS HEREBY GIVEN of the following provision of NRS, 125C 200:

If custody has been established and the custodial parent intends to move his residence to a place outside of this state and to take the child with him, he must, as soon as possible and before the planned move, attempt to obtain the written consent of the noncustodial parent to move the child from this state. If the noncustodial parent refuses to give that consent, the custodial parent shall, before he leaves this state with the child, petition the court for permission to move the child. The failure of a parent to comply with the provisions of this section may be considered as a factor if a change of custody is requested by the noncustodial parent.

NOTICE IS HEREBY GIVEN that they are subject to the provisions of NRS 31A and 125.450 regarding the collection of delinquent child support payments.

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BANK OF AMERICA, N.A. (THE "BANK")

TWYLA M STANTON

REWARDS SAVINGS

Transaction History

2428

Last Posting Date 09/04/2018

Date/Time Printed 9/5/2018 10:42 AM EST

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Description Amount included in Available Balance	
Processing KEEP THE CHANGE CREDIT FROM ACCT6334	
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Keep the Change	e \$0.73 \$3.26
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Page 1

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For additional information or service, please contact the Customer Service Center at 1-800-432-1000 included in Previous Statement(s).

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Page 2

\$36,186.00	\$36,176.00	D Deposit	V CO ID:1LO3405 PPD Deposit	FTWYLA M. STANTO	08/09/2018 I.B.E.W. LOCAL U DES:JHTC   ID:3728727   INDN	/60/80
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Amount Available Balance \$36,186.06 \$0.00	Amount Av \$36,186.06	Type Debit	#00007086 NV	Banking Ctr PLAZA BRANCH	24te Description 38/13/2018 NV TLR cash withdrawal from SAV 2428 Confirmation# 3717632153	08/13/
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\*\*\*No More Activity For This Account\*\*\*
For additional information or service, please contact the Customer Service Center at 1-800-432-1000

\*= Item(s) included in Previous Statement(s).

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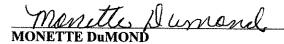
### DECLARATION OF MONETTE DUMOND IN SUPPORT OF FIRST JOINT PETITIONER/PLAINTIFF'S INSTANT MOTION

I, MONETTE DuMOND, residing at 6 Charles Street, Conway, Arkansas, do hereby declare under penalty of perjury as follows:

- 1. I am the maternal grandmother of the First Joint Petitioner/Plaintiff, TWYLA STANTON ("Twyla"), and do hereby make this declaration based upon my personal knowledge and, for those matters not based upon personal knowledge, I make these statements upon information and belief;
- 2. It is my understanding and belief that on August 31, 2018, the Second Joint Petitioner/Defendant, DENNIS STANTON ("Dennis"), put Twyla on a bus headed to Conway, Arkansas, where I reside;
- 3. On information and belief, Dennis also gave Twyla a plane ticket for her return trip to Las Vegas;
- 4. It is also my understanding and belief that, at the time of this trip, Twyla had a prescription for Zyprexa, but that Dennis took this medication out of Twyla's purse before putting her on the bus, telling her, "You won't be needing this.";
- 5. Upon Twyla's arrival in Conway on or about September 2, 2018, it is my understanding that Twyla took an Uber from the bus station to my house;
- 6. When Twyla arrived, I was very surprised to see her because I did not even know she was coming;
- When Twyla arrived at my house, I had an opportunity to personally observe what she had with her:
- 8. Her possessions upon arrival were limited to the clothes on her back, and clothes and other miscellaneous belongings in a suit case;
- 9. Twyla told me that Dennis had given her \$50.00 when he put her on the bus;
- 10. When Twyla arrived at my house, she still had the same \$50.00 that Dennis had given her; she had not spent a penny of that money:
- 11. Shortly thereafter, it is my understanding that Twyla called Dennis and was told by him that he had cancelled her plane ticket and that he and Twyla were now "officially divorced," which appeared to be the first time Twyla realized she was divorced.

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

DATED this 13 day of November 2018.



## FIFTH JUDICIAL DISTRICT

OV 282018 Nye County Clerk

Deputy

### IN THE FIFTH JUDICIAL DISTRICT COURT OF THE

#### STATE OF NEVADA, IN AND FOR THE COUNTY OF NYE

TWYLA MARIE STANTON, an individual; First Joint Petitioner/Plaintiff, VS. DENNIS VINCENT STANTON, Second Joint Petitioner/Defendant. Case No.: CV-39304 Dept. No.: 2

### ORDER TO UNSEAL COURT RECORD

Upon Plaintiff's EX PARTE APPLICATION TO UNSEAL COURT RECORD pursuant to NRS 125.110, and good cause appearing, IT IS HEREBY ORDERED that the file in the above entitled matter be unsealed to the extent allowed by law.

Dated this day of November, 2018.

le & Owen

DISTRICT COURT JUDGE

Respectfully submitted,

This 9<sup>th</sup> day of November, 2018.

**OWEN LAW FIRM** 

Christopher F. Owen, Esq. 1785 E. Sahara Ave., Suite 157 Las Vegas, Nevada 89104

Tel. (702) 733-2800

cowen@chrisowenlaw.com

Attorney for First Joint Petitioner/Plaintiff

© 2017 Family Law Self-Help Center

Ex Parte Motion

\* You are responsible for knowing the law about your case. For more information on the law, this form, and free classes, visit <a href="https://www.familylawselfhelpcenter.org">www.familylawselfhelpcenter.org</a> or the Family Law Self Help Center at 601 N. Pecos Road. To find an attorney, call the State Bar of Nevada at (702) 382-0504.

### MOTION

(⊠ che	ck one)	
Ŋ	I tried to resolve this issue with the other party before filing this motion.	
	I did not try to resolve this issue with the other party before filing this motion. Any	
	attempt to resolve the issue would have been useless or impractical because (explain why	
	you did not try to resolve this issue directly with the other party before filing this motion)	
	in the state of th	
	POINTS AND AUTHORITIES	
LEGA	L ARGUMENT. (explain all relevant laws and cases that support your argument)	
An	extension would not prejudice opposing counsel. The	•
D100	eedings also will not be negatively effected by	We
brie	I delay. Their request for an extension is made	2
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FACTS	S AND ARGUMENT (explain all relevant facts the judge needs to know to make a	
decision 1) L		Povidet ava
sole coretai	need more fine to respond to this motion As the sole present of le minor children my time and money are very so	ovce.
he allegar	how and accusations made in the opposing parties	court
Dleadings a	hom and accusations made in the opposing parties are very serious and I need more fine to respond to	lle
notion il	t is also vern close to the holidays when moven is	V
Very High	t is also very close to the holidays when many is t. I need more time to hire an afformery and prepare Plant See Think A	le co
response.	Please See Exhibit A.	
25/14	yla Maie Stanton (Plaintiff/First Joint Vetitioner) has	ro Line 1
her own a	Harnen and in distribute the allegations of incomerity	responed
n al Postil	Horney and is disputing the allegations of incapacity,	I i i - 2
1200 DETITI	ioners request for Guardinship over her. So even though	W COLL T
+211-18-6	1040 in being heard in Faulkner Country, Arkangap, it is	directly
cloted to	flux case. Please See Exhibit B.	101
		194
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CONCLUSION (explain what you want the judge to order)
I respectfully ask the Court to grant me the following, and any other relief the Court finds
appropriate.
1. to extend the time required to file a Written response to this mo
2
.3.
DATED December 13, 20/8.
Submitted By: (your signature) euns V. Stanton
(print your name) 1) ENNIS VINCENT Stanfor
DECLARATION IN SUPPORT OF MOTION
I declare, under penalty of perjury:
a. I have read the foregoing motion, and the factual averments it contains are true and correct
to the best of my knowledge, except as to those matters based on information and belief, and
as to those matters, I believe them to be true. Those factual averments contained in the
referenced filing are incorporated here as if set forth in full.
b. Additional facts to support my requests include: (write anything else that the judge should
know to make a decision about your case, or write "N/A" if there is nothing else to add)
Il have a lot of information that I have to gather fogether
I have a lot of information that I have to gather together to dispute their pleadings in their motion.
c. Any Exhibit(s) in support of this Motion will be filed separately in an Exhibit Appendix.  Exhibit A - Communication between amself and opposing course!  Exhibit B - Response to Petitioners' Petition For Appointment of Co-Guadia  I declare under penalty of perjury under the law of the State of Nevada that the foregoing
I declare under penalty of perjury under the law of the State of Nevada that the foregoing
DATED December 13, 2018.
Submitted By: (your signature) Dewn'V. Stanfor
(print your name) Dennis Vincent Stanton



Eshibit A

Gmail - CASE # CV39304



Dennis Stanton <dennisvstanton30@gmail.com>

### **CASE # CV39304**

4 messages

Dennis Stanton <dennisvstanton30@gmail.com>

To: cowen@chrisowenlaw.com Cc: clobello@chrisowenlaw.com Wed, Dec 5, 2018 at 2:41 PM

Mr. Owens,

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

Sincerely,

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

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

Thu, Dec 6, 2018 at 1:36 PM

Chris or Charles.

Any word yet?

[Quoted text hidden]

Christopher Owen < cowen@chrisowenlaw.com>
To: Dennis Stanton < dennisvstanton30@gmail.com>

Thu, Dec 6, 2018 at 2:48 PM

Dennis,

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

Thank you for your attention,

Christopher F. Owen

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

www.chrisowenlaw.com





This electronic message transmission contains information from Owen Law Firm and is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination or distribution of this communication to other than the intended recipient is strictly prohibited. If you have received this communication in error, please notify us immediately by collect telephone at (702) 733-2800 or electronic mail (cowen@chrlsowenlaw.com). Thank you.

From: Dennis Stanton <dennisvstanton30@gmail.com>

Sent: Thursday, December 6, 2018 1:36 PM

To: Christopher Owen <cowen@chrisowenlaw.com>

Subject: Re: CASE # CV39304

[Quoted text hidden]

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

Cc: clobello@chrisowenlaw.com

Chris,

Thank you for your response.

Sincerely,

Dennis V. Stanton Direct - (702) 764-4690 dennisvstanton30@gmall.com [Quoted text hidden]

Thu, Dec 6, 2018 at 3:13 PM

Exhit B

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

### IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARRAONS Pages PROBATE DIVISION

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

23PR-18-640

# RESPONSE TO PETITIONERS' PETITION FOR APPOINTMENT AS CO-GUARDIANS

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

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

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

Respectfully submitted, Twyla McCurdy

By:

Ron Goodman (86070)

Attorney at Law 515 Oak, Suite A

Conway, AR 72032

501-993-3824

rlgoodmanlaw@msn.com

### **CERTIFICATE OF SERVICE**

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

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

Ron Goodman (86070)

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

IN THE MATTER OF TWYLA MARIE MCCURDY An incapacitated person

23PR-18-640

### **ENTRY OF APPEARANCE**

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

Respectfully submitted

Ron Goodman (86070) Attorney at Law

515 Oak, Suite A

Conway, AR 72032

501-993-3824

rlgoodmanlaw@msn.com

#### **CERTIFICATE OF SERVICE**

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

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

Ron Goodman (86070)

DEC 1 4 2018

Case No. CV 39304 Dept. 2P Nyal dounty Clerk
Deputy

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

TWYLA MARIE STANTON,

DENNIS VINCENT STANTON,

Plaintiff/First Joint Petitioner,

Defendant/Second Joint Petitioner.

### **COURT ORDER**

VS.

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

IT IS HEREBY ORDERED that Defendant's Ex Parte Motions filed on

December 13, 2018, are DENIED.

DATED this 44 day of December, 2018.

District Court Judge

### **CERTIFICATION OF SERVICE**

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

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

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

Jared K. Lam, Esq.

Law Clerk to Judge Robert W. Lane

### **AFFIRMATION**

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

Jared K. Lam, Esq.

Law Clerk to Judge Robert W. Lane

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



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

TWYLA MARIE STANTON,	) CASE NO. CV-39304
Plaintiff,	) DEPT. ÑO. 2
vs.  DENNIS VINCENT STANTON,  Defendant.	HEARING DATE: January 7, 2019 HEARING TIME: 9:00 a.m.

### ORAL ARGUMENT REQUESTED X YES NO

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

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

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

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



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

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

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

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

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



Movants simply attaching a copy of an Order Appointing Co-Guardians to their Motion is insufficient basis upon which this Court can now be asked to give benefit and authority to the Movants. NRS 159,2025 provides the handling of guardianship orders issued in another state.

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

1. Certified copies of the order and letters of office; and

2. A copy of the guardian's driver's license, passport, permanent resident card, tribal identification card or other valid photo identification card in a sealed envelope.

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

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

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



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

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

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

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

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

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

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

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

- 1. Upon registration of a guardianship, the guardian may exercise in this State all powers authorized in the order of appointment except as prohibited under the laws of this State, including maintaining actions and proceedings in this State and, if the guardian is not a resident of this State, subject to any conditions imposed upon nonresident parties.
- 2. A court of this State may grant any relief available under NRS 159.1991 to 159.2029, inclusive, and other law of this State to enforce a registered order.

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

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

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

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

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

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

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

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Rule of Professional Conduct 1.9 states:

Rule 1.9. Duties to Former Clients.

- (a) A lawyer who has formerly represented a client in a matter shall not thereafter represent another person in the same or a substantially related matter in which that person's interests are materially adverse to the interests of the former client unless the former client gives informed consent, confirmed in writing.
- (b) A lawyer shall not knowingly represent a person in the same or a substantially related matter in which a firm with which the lawyer formerly was associated had previously represented a client:
  - (1) Whose interests are materially adverse to that person; and
  - (2) About whom the lawyer had acquired information protected by Rules 1.6 and 1.9(c) that is material to the matter;
  - (3) Unless the former client gives informed consent, confirmed in writing.
  - (c) A lawyer who has formerly represented a client in a matter or whose present or former firm has formerly represented a client in a matter shall not thereafter:
    - (1) Use information relating to the representation to the disadvantage of the former client except as these Rules would permit or require with respect to a client, or when the information has become generally known; or
    - (2) Reveal information relating to the representation except as these Rules would permit or require with respect to a client.

Emphasis added.

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

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

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

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

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

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

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

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

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

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

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

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

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

DATED this 26th day of December, 2018.

JAMES S. KENT, LTD.

JAMES S. KENT, ESQ. Nevada Bar No. 005034

9480 S. Eastern Avenue, Suite 228

Las Vegas, Nevada 89123

(702) 385-1100

Attorney for

#### **CERTIFICATE OF SERVICE**

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

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

Charles C. LoBello, Esq.
Nevada Bar No.: 5052
Christopher F. Owen, Esq.
Nevada Bar No.: 13211
OWEN LAW FIRM
1785 E. Sahara Ave., Suite 157
Las Vegas, Nevada 89104
Facsimile: (702) 425-9883
Attorneys for First Joint Petitioner/Plaintiff

cowen@chrisowenlaw.com

clobello@chrisowenlaw.com

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

/s/ Alesha Dessaints

Email:

An employee of JAMES S. KENT, LTD.

JAMES S. KENT, ESQ. 9480 S. EASTERN SUITE 228 LAS VEGAS, NV 89123

(702) 385-1100

# EXHIBIT A

ELECTRONICALLY FILED

ty Circuit Court Probate Division
into Darter, County Clerk

2018-Dec-06 18:43:52

23PR-18-640

### IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARRAONS PAGES PROBATE DIVISION

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

23PR-18-640

## RESPONSE TO PETITIONERS' PETITION FOR APPOINTMENT AS CO-GUARDIANS

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

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

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

By:

Ron Goodman (86070) Attorney at Law

Respectfully submitted,

515 Oak, Suite A Conway, AR 72032

501-993-3824

Twyla I

rlgoodmanlaw@msn.com

### **CERTIFICATE OF SERVICE**

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

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

Ron Goodman (86070)

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

IN THE MATTER OF TWYLA MARIE MCCURDY An incapacitated person

23PR-18-640

### ENTRY OF APPEARANCE

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

Respectfully submitted,

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

### CERTIFICATE OF SERVICE

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

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

Ron Goodman (86070)

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

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

23PR-18-640

### **MOTION FOR CONTINUANCE**

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

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

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

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

Respectfully submitted, Twyla McCuray

Ву:

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

#### **CERTIFICATE OF SERVICE**

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

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

Ron Goodman (86070)





"Over 25 Years of Experience"

December 6, 2018 HAND DELIVERED

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

Re: IN THE MATTER OF TWYLA MARIE MCCURDY

An incapacitated person, 23 PR-18-640

Dear Judge Foster,

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

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

Best regards

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

(Enclosure)

Cc: Boyd Tackett Jr.

RLG: vsw

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

# EXHIBIT B

### **Report Selection Criteria**

Case ID:

23PR-18-640

**Citation No:** 

**Docket Start Date: Docket Ending Date:** 

### **Case Description**

Case ID:

23PR-18-640 - TWYLA MARIE MCCURDY -NON-TRIAL

Filing Date: Friday, October 19th, 2018

Court: Location: 23 - FAULKNER CO - COUNTY

Type:

**GA - GUARDIANSHIP OF AN ADULT** 

Status:

**OPEN - CASE OPEN** 

Images:

#### **Case Event Schedule**

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

#### **Case Parties**

Seq #	Assoc	End Date	Туре	ID	Name
5			PLAINTIFF/PETITIONER ATTORNEY	<u>1001020</u>	TACKETT JR , BOYD ANDERSON
				Aliases:	JR., BOYD ANDERSON TACKET JR., BOYD TACKETT
6			DEFENDANT/RESPONDENT ATTORNEY	1003871	GOODMAN, RON L
				Aliases:	GOODMAN, RON L. GOODMAN, RON
	1				
4			GUARDIAN	16347745	CRAWFORD, CARMEN
		V		Aliases:	none
	d I				
2			WARD	16347743	MCCURDY, TWYLA MARIE
				Aliases:	none
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		Aliases: none
1	JUDGE	7965463 20TH CIRCUIT DIVISION
		Aliases: FOSTER II, HARRY G

### **Violations**

#### **Sentence**

No Sentence Info Found.

### **Milestone Tracks**

No Milestone Tracks found.

### **Docket Entries**

Filing Date	Description	Name	Monetary	
10/19/2018 04:17 PM	AOC COVERSHEET PROBATE	TACKETT JR , BOYD ANDERSON		
Entry:	none.			
lmages	No Images			
10/19/2018 04:17 PM	PETITION GUARDIANSHIP \$	TACKETT JR , BOYD ANDERSON		
Entry:	none.			
Images	<u>WEB</u>			
			· · · · · · · · · · · · · · · · · · ·	
10/19/2018 04:17 PM	SUMMONS SUBPOENA FEE 21-6-402	TACKETT JR , BOYD ANDERSON		
Entry:	none.			
Images	No Images			
10/19/2018 04:17 PM	MOF ORIGINAL	TACKETT JR , BOYD ANDERSON		
	1			

Entry:	none.	
Images	No Images	
	\$ P	
10/19/2018 04:19 PM	PAYMENT RECEIVED	·
Entry:	A Payment of \$165.00 was made on receipt	23CO1668.
lmages	No Images	
10/19/2018 04:19 PM	SUMMONS - FILER PREPARED	
Entry:	none.	
Images	<u>WEB</u>	
10/19/2018 04:25 PM	AFFIDAVIT FILED	TACKETT JR , BOYD ANDERSON
Entry:	none.	
Images	WEB	
10/26/2018 01:12 PM	TEMPORARY ORDER	20TH CIRCUIT DIVISION 5,
Entry:	none.	
Images	WEB	
11/08/2018 10:11 AM	NOTICE OF HEARING	TACKETT JR , BOYD ANDERSON
Entry:	none.	
Images	<u>WEB</u>	
	4 × = 201	
11/26/2018 03:53 PM	SUMMONS SERVED	TACKETT JR , BOYD ANDERSON
Entry:	none.	
Images	WEB	
12/06/2018 06:43 PM	ENTRY OF APPEARANCE	GOODMAN, RON L
Entry:	none.	
Images	<u>WEB</u>	

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

# EXHIBIT C

ELECTRONICALLY FILED
Faulkner by Circuit Court Probate Division
et Darter, County Clerk
2018-Oct-19 16:17:24
23PR-18-640
C20D05: 3 Pages

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

IN THE MATTER OF TWYLA MARIE MCCURDY, An incapacitated person

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

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

- 1. The alleged incapacitated person is Petitioners' daughter, namely, Twyla Marie McCurdy, DOB: 8/6/85, 129 Mill Creek Drive, Greenbrier, AR 72058. She is incapacitated by physical and mental defect and is impaired by reason of a disability to the extent of lacking ability to care for her daily needs and possessing sufficient understanding or capacity to make or communicate decisions to meet the essential requirements for her health or safety or to manage her estate and has not had any guardian of her person or estate appointed in any state. A copy of an evaluation performed by a medical professional shall be filed with the Clerk of the Court same date as this Petition.
- 2. The Respondent's property consists mainly of clothing and personal effects with an approximate value of less than \$500.00.
- 3. Insofar as the petitioner has been able to ascertain, the persons most closely related, by blood or marriage, to the incapacitated person are: Carmen Crawford, the natural mother of same incapacitated person, 129 Mill Creek Drive, Greenbrier, AR 72058 and Robert Crawford, the natural father of same incapacitated person, 129 Mill Creek Drive, Greenbrier, AR 72058.

- 4. Petitioners, Robert Crawford and Carmen Crawford, are residents of Arkansas, over the age of eighteen (18) years, have not been convicted of a felony, and are not the guardian of any other person. Petitioners request the Court to appoint Petitioners as Co-Guardians of the person and estate of Twyla Marie McCurdy, for the purpose of caring for her and managing her person and estate in her best interest.
- 5. Petitioners have an interest in said incapacitated person in that they are the natural parents of the incapacitated person.
- 6. Those having knowledge of the incapacitated person's disabilities are: Petitioners and the incapacitated person's primary care physician, Dr. Ann M. Prather.

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

#### **VERIFICATION**

#### STATE OF ARKANSAS

#### COUNTY OF FAULKNER

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

Robert Crawford

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

Notary Public

My Commission Expires:



#### STATE OF ARKANSAS

#### COUNTY OF FAULKNER

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

Carmen Crawford

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

CHASTY PARKER
MY COMMISSION # 12368549
EXPIRES: November 5, 2018
Faulkner County

Notary Public

My Commission Expires:

Boyd Tackett, Jr.

708 Second Street

P.O. Box 1433

Conway, AR 72033

(501) 329-7722

AR Bar No. 70070

# EXHIBIT D

#### STATE OF NEVADA MARRIAGE CERTIFICATE KEEPSAKE

No: 201812140731209

STATE OF NEVADA	
COUNTY OF CLARK SS:	
This is to certify that the undersigned, Steve Stoffers, (print name of official performing marriage)  did on the H day of the month of Dece Mber of the year 20 18.	
at 1665 Lindel Rd  (name and address of location where marriage performed)	
Nevada, with their mutual consent and witnessed in the	
presence of witness or witn	astman, join in lawful wedlock:
DENNIS VINCENT STANTON of LAS VEGAS, NEVADA born 05/07/1978, and	
TWYLA MARIE MCCURDY of LAS VEGAS, NEVADA born 08/06/1985, who wishes to use the name TWYLA MARIE STANTON after marriage.	
	Ath Ath
	Signature of Official Performing Marriage (Black Ink Only)  Stelle Stoltzfor Pastor
Lynn Marie Gorge	Print Name and Title of Official
Mark Soft	Address of Official Performing Marriage
Lynn Marie Goya, County Clerk	Las Vegas, Nevada 89146
	City, State and Lip Code
	Nevada Certificate of Permission Officiant ID Number



This is an uncertified copy of your certificate of marriage and cannot be used for legal purposes.

To obtain your certified legal proof of marriage, please visit our website ClarkCountyNV.gov/Clerk or MLIC.vegas.







Expires: 12/14/2019

State of Nevada

SS:

County of Clark

No: 201812140731209

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

Party 1

Current Name: DENNIS VINCENT STANTON

Birth Last Name: STANTON Middle Name After Marriage: Last Name After Marriage: Full Name After Marriage:

Residence: LAS VEGAS, NEVADA

Date of Birth: 05/07/1978 State/Country of Birth: TEXAS Marital Status: DIVORCED

When: 06/07/2018

Where: PAHRUMP, NEVADA

Parent 1's Name: IRIS M STANTON
Parent 1's State/Country of Birth: PANAMA

Parent 2's Name: RUBEN RIOS

Parent 2's State/Country of Birth: MEXICO

Party 2

Current Name: TWYLA MARIE MCCURDY

Birth Last Name: MCCURDY

Middle Name After Marriage: MARIE Last Name After Marriage: STANTON

Full Name After Marriage: TWYLA MARIE STANTON

Residence: LAS VEGAS, NEVADA

Date of Birth: 08/06/1985

State/Country of Birth: ARKANSAS

Marital Status: DIVORCED

When: 06/07/2018

Where: PAHRUMP, NEVADA

Parent 1's Name: CARMEN M CRAWFORD
Parent 1's State/Country of Birth: ARKANSAS
Parent 2's Name: HOMER ANTHONY MCCURDY

Parent 2's State/Country of Birth: NEVADA

Age: 40

Number of this Marriage: 2

Age: 33

Number of this Marriage: 2

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

LYNN MARIE GOYA, COUNTY CLERK

Jana Bainum

Deputy Clerk



RIGINAL LICEN



LYNN MARIE €

Clark County Clerk 200 Lewis Ave Las Vegas, Nevada 89155 (702) 671-0500

http://www.clarkcountynv.gov/clerk/

Receipt #:

730726

STANTON & MCCURDY

Cashier Date:

CUSTOMER INFORMATION

12/14/2018 10:41:48AM

Print Date:

12/14/2018 10:41:56AM

Location:

Return Code:

FRONT COUNTER

12/14/2018 10:38:50AM

Trans Type:

Date Received:

Marriage

921313

Cashler:

BAINUMJ

PAYMENT SUMMARY

Total Fees **Total Payments**  \$77.00 \$80.00

Balance Due:

\$(3.00)

Cash Tendered

\$80.00

Change:

\$3.00

Payment

CASH

\$80.00

**CHANGE** 

\$3.00

Marriage License

**MARRIAGE LICENSE** 

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

Fees (MLIC) MARRIAGE LICENSE

77.00



#### **ROPP**

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CHARLES C. LoBELLO, ESQ. Nevada Bar No. 5052

CHRISTOPHER F. OWEN, ESO. Nevada Bar No. 13211

OWEN LAW FIRM

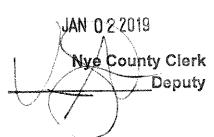
1785 East Sahara Ave., Suite 157

Las Vegas, Nevada 89104

Tel. (702) 733-2800 Fax (702) 425-9883

cowen@chrisowenlaw.com

Attorneys for First Joint Petitioner/Plaintiff



#### IN THE FIFTH JUDICIAL DISTRICT COURT OF THE

#### STATE OF NEVADA, IN AND FOR THE COUNTY OF NYE

TWYLA MARIE STANTON, an individual;

First Joint Petitioner/Plaintiff,

DENNIS VINCENT STANTON, an individual;

Second Joint Petitioner/Defendant.

Case No.: CV-39304

Dept. No.: 2

DATE OF HEARING: January 7, 2019

TIME OF HEARING: 9 a.m.

FIRST JOINT PETITIONER/PLAINTIFF'S REPLY TO OPPOSITION TO MOTION PURSUANT TO RULE 60(B) TO SET ASIDE DECREE OF DIVORCE AS FRAUDULENTLY OBTAINED, TO DISMISS THE JOINT PETITION FOR DIVORCE WITH PREJUDICE, AND TO SANCTION DEFENDANT FOR FORUM SHOPPING AND PERPETRATING A FRAUD UPON THE COURT IN THE FULL AMOUNT OF PLAINTIFF'S FEES AND COSTS

#### **AND**

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

COMES NOW, First Joint Petitioner/Plaintiff, TWYLA MARIE STANTON<sup>1</sup> (hereafter "Plaintiff")

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

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or "Twyla"), by and through her attorney of record, CHRISTOPHER F. OWEN, ESQ. of the OWEN LAW FIRM, retained in an unbundled capacity, and hereby submits her<sup>2</sup> Reply to Opposition to Motion Pursuant to Rule 60(b) to Set Aside Decree of Divorce as Fraudulently Obtained, to Dismiss the Joint Petition for Divorce With Prejudice, and to Sanction Defendant for Forum Shopping and Perpetrating a Fraud Upon the Court in the Full Amount of Plaintiff's Fees and Costs ("Motion to Set Aside" or "Motion"), and Opposition to Countermotion to Strike Movant's Motion as Being Filed Without Authority and in a Direct Conflict of Interest, and for Attorney's Fees ("Opposition"), as follows:

I.

#### INTRODUCTION

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

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

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

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

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

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

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

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

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

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

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

П.

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

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

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

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

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

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

III.

#### **DEFENDANT'S EVIDENTIARY ARGUMENT FAILS**

Dennis next attacks the actions in this Court, arguing that there are "[n]o statement from the Temporary Co-Guardians. No affidavit. No statement of any conversation they had..." See Opposition, p. 3, 1. 21-22. Even if true - even if certain allegations against Dennis are not properly supported in the record (such as his conversion of Twyla's half of the pension funds) -- it makes no difference for purposes of this Court's consideration of the Motion because sufficient evidence of Dennis misdeeds are amply supported by the court record itself.

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

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

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

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

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

IV.

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

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

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

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

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

This end-run includes the recent (re)marriage of Dennis and Twyla. See Opposition, Exhibit D. It is the co-guardian's belief that this is yet another of Dennis's machinations to avoid having to account for his actions. Dennis claims, unbelievably, that "there was never any intention of fraud or deceit." Opposition, p. 7, 1. 8. It should by now be blatantly clear there was nothing <u>but</u> fraud and deceit. If <u>both</u> Dennis and Twyla truly wanted to get a divorce, why did they have to file four times to achieve that result? Dennis wants the Court to believe that it was "simply the desire of two parties to get a divorce the quickest and least costly way available." Opposition, p. 7, 1. 8-9. The Joint Petition should be set aside <u>because</u> of the Motion (or on the Court's own initiative) and not merely because Dennis now agrees to do so.

V.

#### ATTORNEY'S FEES SHOULD BE AWARDED TO THE PLAINTIFF

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

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

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

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

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

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

#### VI.

#### **CONCLUSION**

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

DATED this 31st day of December, 2018.

OWEN LAW FIRM

Christopher F. Owen, Esq. OWEN LAW FIRM

1785 E. Sahara Ave., Suite 157

Las Vegas, Nevada 89104

cowen@chrisowenlaw.com

Attorney for First Joint Petitioner/Plaintiff

x. Owen

# OWEN LAW FIRM

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

#### **CERTIFICATE OF SERVICE**

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

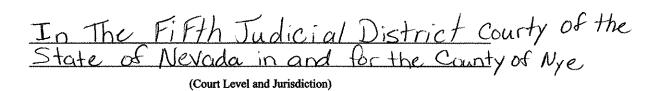
First Joint Petitioner/Plaintiff's Reply to Opposition to Motion Pursuant to Rule 60(B) to Set Aside Decree of Divorce as Fraudulently Obtained, to Dismiss the Joint Petition for Divorce with Prejudice, and to Sanction Defendant for Forum Shopping and Perpetrating a Fraud Upon the Court in the Full Amount of Plaintiff's Fees and Costs and Opposition to Countermotion to Strike Movant's Motion as Being Filed Without Authority and in a Direct Conflict of Interest, and For Attorney's Fees

to be served as follows:

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

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

An Employée of Owen Law Firm



Tuyla Marie Stanton
(Plaintiff)

CV 39304-Dept. No. 2 (Case ID Number)

**Plaintiff** 

-vs-

Dennis Vincent Stanton

(Defendant)

Defendant



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

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

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

(Signature)
Twyla Marie Stanton

STATE OF NEVADA

COUNTY OF CLARK

SUBSCRIBED AND SWORN TO BEFORE ME, on the 18th day of June, 2018

Signature

(Seal)

**NOTARY PUBLIC** 

My Commission expires:

09-21-2021

SATVIR S. DEOL Notary Public State of Nevada No. 17-3622-1 My Appt. Exp. September 21, 2021