

1 **NOAS**
2 MICHAEL FOLEY
3 209 S. Stephanie St. Ste B-191
4 Henderson, NV 89012
5 Telephone: (702) 771-9725
6 Defendant in Proper Person

Electronically Filed
Apr 09 2020 10:53 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

7 **DISTRICT COURT**
8 **FAMILY DIVISION**
9 **CLARK COUNTY, NEVADA**

10 PATRICIA FOLEY

11 Petitioner,

Case No. R-11-162425

12 vs.

Dept. No. "Child Support" ("C")

13 MICHAEL FOLEY,

14 Respondent.

15
16
17 **NOTICE OF APPEAL**

18
19 The Respondent hereby appeals the following orders/judgments:

20 ALL ORDERS and JUDGMENTS in this matter decreed by the Court on February
21 3, 2020, and entered on March 11, 2020.

22
23 DATED this 31st day of March, 2020.

24
25
26 /s/ Michael Foley /

27 Michael Foley, Respondent in Proper Person
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing NOTICE OF APPEAL was mailed first class via the U.S. Postal Service on March 31, 2020 to the following:

Patricia Foley
8937 Austin Ridge Avenue
Las Vegas, Nevada 89178

DATED this 31st day of March, 2020.

/s/ *Michael Foley* /
Michael Foley, Respondent in Proper Person



1 ASTA

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5
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**

9 PATRICIA FOLEY,

10 Plaintiff(s)

11 vs.

12 MICHAEL A. FOLEY,

13 Defendant(s),

Case No: R-11-162425-R

Dept No: C

14
15
16 **CASE APPEAL STATEMENT**

17 1. Appellant(s): Michael Foley

18 2. Judge: Rebecca L. Burton

19 3. Appellant(s): Michael Foley

20 Counsel:

21 Michael Foley
22 209 S. Stephanie St., Ste. B-191
23 Henderson, NV 89012

24 4. Respondent (s): Patricia Foley

25 Counsel:

26 Patricia Foley
27 8937 Austin Ridge Ave.
28 Las Vegas, NV 89178

- 1 5. Appellant(s)'s Attorney Licensed in Nevada: N/A
2 Permission Granted: N/A
3 Respondent(s)'s Attorney Licensed in Nevada: N/A
4 Permission Granted: N/A
5 6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No
6 7. Appellant Represented by Appointed Counsel On Appeal: N/A
7 8. Appellant Granted Leave to Proceed in Forma Pauperis: Yes, July 14, 2015
8 Expired
9 Appellant Filed Application to Proceed in Forma Pauperis: No
10 Date Application(s) filed: N/A
11 9. Date Commenced in District Court: May 9, 2011
12 10. Brief Description of the Nature of the Action: DOMESTIC - Miscellaneous
13 Type of Judgment or Order Being Appealed: Misc. Order
14 11. Previous Appeal: Yes
15 Supreme Court Docket Number(s): 69997
16 12. Case involves Child Custody and/or Visitation: Custody
17 Appeal involves Child Custody and/or Visitation: N/A
18 13. Possibility of Settlement: Unknown

19 Dated This 2 day of April 2020.

20 Steven D. Grierson, Clerk of the Court

21 /s/ Heather Ungermann

22 Heather Ungermann, Deputy Clerk
23 200 Lewis Ave
24 PO Box 551601
25 Las Vegas, Nevada 89155-1601
26 (702) 671-0512

27 cc: Michael Foley
28

CASE SUMMARY

CASE NO. R-11-162425-R

Patricia Foley, Petitioner(s).
vs.
Michael A Foley, Respondent(s).

§
§
§
§

Location: **Department C**
 Judicial Officer: **Burton, Rebecca L.**
 Hearing Master: **Henry, Jennifer**
 Filed on: **05/09/2011**
 Case Number History:

CASE INFORMATION

Related Cases

D-08-403071-D (Linked - 1J1F)
 D-13-486829-U (Related)
 D-14-502988-C (Related)

Case Type: **DA - UIFSA**

Case Status: **11/23/2019 Closed**

Statistical Closures

11/23/2019 Settled/Withdrawn With Judicial Conference or Hearing
 10/14/2017 Settled/Withdrawn With Judicial Conference or Hearing

Case Flags: **Order After Hearing Required
 Order / Decree Logged Into
 Department
 Appealed to Supreme Court
 In Forma Pauperis Granted
 Expired - 07/14/2015 Michael
 Foley**

Warrants

Bench Warrant - Foley, Michael A (Judicial Officer: Burton, Rebecca L.)

11/13/2015 8:23 AM Returned - Served
 07/09/2015 4:17 PM Issued
 06/17/2015 9:00 AM Pending
 Fine: \$0
 Bond: \$0

Bench Warrant - Foley, Michael A (Judicial Officer: Burton, Rebecca L.)

04/10/2015 10:42 AM Returned - Served
 02/19/2015 3:41 PM Issued
 01/29/2015 4:39 PM Pending
 Fine: \$0
 Bond: \$0

Bench Warrant - Foley, Michael A (Judicial Officer: Jones, Steven E)

08/07/2014 12:41 PM Returned - Served
 03/12/2014 11:09 AM Issued
 02/19/2014 9:00 AM Pending
 Fine: \$0
 Bond: \$0

Bench Warrant - Foley, Michael A (Judicial Officer: Jones, Steven E)

10/28/2013 4:35 PM Returned - Served
 09/19/2012 4:17 PM Issued
 08/28/2012 9:00 AM Pending
 Fine: \$0
 Bond: \$0

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	R-11-162425-R
Court	Department C
Date Assigned	01/05/2015
Judicial Officer	Burton, Rebecca L.
Hearing Master	Henry, Jennifer

PARTY INFORMATION

Petitioner

Foley, Patricia
 8937 Austin Ridge AVE

CASE SUMMARY**CASE NO. R-11-162425-R***Las Vegas, NV 89178***Respondent**

Foley, Michael A
 209 S Stephanie ST
 STE B-191
 Henderson, NV 89012

Subject Minor

Foley, Elizabeth Anne

Foley, Michael Anthony, Jr.










Foley, Therese Marie

Other

Public by DAFS
 1900 E Flamingo RD
 STE 100
 Las Vegas, NV 89119-5168

Wolfson, Steven B
 Retained
 702-671-9200(W)

DATE**EVENTS & ORDERS OF THE COURT****EVENTS**



















05/09/2011	 Notice and Finding: Financial Responsibility <i>Notice and Finding of Financial Responsibility to Enforce, Adjust and/or Register an Existing Order, Determine Controlling Order, Establish an Obligation or Determine Paternity</i>
03/01/2012	 Order to Show Cause <i>Order to Show Cause Why Respondent Should Not Be Found in Contempt and Order Appointing Child Support Master</i>
03/01/2012	 Declaration in Support of Order to Show Cause <i>Declaration in Support of Order to Show Cause Why Respondent Should Not Be Found in Contempt</i>
03/01/2012	 Declaration of Service Filed by: Other Public by DAFS For: Respondent Foley, Michael A
04/25/2012	 Notice of Entry of Masters Recommendation <i>Notice of Entry of Master's Recommendations</i>
04/26/2012	 Notice of Motion Filed By: Other Public by DAFS <i>District Attorney's Notice of Motion & Motion to Modify Child Support</i>
05/15/2012	 Masters Recommendations and Order <i>Master's Recommendation</i>
05/18/2012	 Notice of Entry of Order/Judgment Filed by: Other Public by DAFS
08/29/2012	 Notice of Entry of Masters Recommendation <i>Notice of Entry of Master's Recommendations</i>
09/19/2012	 Masters Recommendations and Order <i>Master's Recommendation</i>
09/21/2012	 Notice of Entry of Order/Judgment Filed by: Other Public by DAFS
04/15/2013	Administrative Reassignment to Department C <i>Case reassigned from Judge Robert Teuton Dept D</i>
10/28/2013	 Bench Warrant Filed By: Other Public by DAFS Party 2: Respondent Foley, Michael A

CASE SUMMARY

CASE NO. R-11-162425-R





















10/31/2013	 Notice of Entry of Masters Recommendation <i>Notice of Entry of Master's Recommendations</i>
11/21/2013	 Masters Recommendations and Order <i>Master's Recommendation</i>
11/25/2013	 Notice of Entry of Order/Judgment Filed by: Other Public by DAFS
02/19/2014	 Notice of Entry of Masters Recommendation <i>Notice of Entry of Master's Recommendations</i>
03/12/2014	 Masters Recommendations and Order <i>Master's Recommendation</i>
03/13/2014	 Notice of Entry of Order/Judgment Filed by: Other Public by DAFS
08/07/2014	 Bench Warrant Filed By: Other Public by DAFS Party 2: Respondent Foley, Michael A
08/11/2014	 Notice of Entry of Masters Recommendation <i>Notice of Entry of Master's Recommendations</i>
08/13/2014	 Notice of Entry of Masters Recommendation <i>Notice of Entry of Master's Recommendations</i>
08/21/2014	 Notice of Motion Filed By: Other Public by DAFS <i>District Attorney's Notice of Motion & Motion to Modify Child Support</i>
09/02/2014	 Masters Recommendations and Order Filed by: Other Public by DAFS <i>Master's Recommendation</i>
09/02/2014	 Masters Recommendations and Order Filed by: Other Public by DAFS <i>Master's Recommendation</i>
09/04/2014	 Notice of Entry of Order/Judgment Filed by: Other Public by DAFS
09/09/2014	 Notice of Withdrawal Filed by: Other Public by DAFS <i>Notice of Withdrawal of Counsel</i>
09/15/2014	 Notice of Entry of Order/Judgment Filed by: Other Public by DAFS
12/08/2014	 Response Filed By: Other Public by DAFS <i>Respondent's Response to the District Attorney's Motion to Modify Child Support</i>
12/09/2014	 Notice of Entry of Masters Recommendation <i>Notice of Entry of Master's Recommendations</i>
12/24/2014	 Notice of Hearing Filed By: Other Public by DAFS
12/31/2014	 Masters Recommendations and Order <i>Master's Recommendation</i>
12/31/2014	 Notice of Entry of Order/Judgment Filed by: Other Public by DAFS

CASE SUMMARY
CASE NO. R-11-162425-R

01/05/2015	Judicial Elections 2014 - Case Reassignment <i>Family Court Judicial Officer Reassignment 2014</i>
01/29/2015	 Notice of Entry of Masters Recommendation <i>Notice of Entry of Master's Recommendations</i>
02/19/2015	 Masters Recommendations and Order Filed by: Other Public by DAFS <i>Master's Recommendation</i>
02/25/2015	 Notice of Entry of Order/Judgment Filed by: Other Public by DAFS
04/10/2015	 Bench Warrant Filed By: Other Public by DAFS Party 2: Respondent Foley, Michael A
04/16/2015	 Notice of Entry of Masters Recommendation <i>Notice of Entry of Master's Recommendations</i>
05/07/2015	 Masters Recommendations and Order Filed by: Other Public by DAFS <i>Master's Recommendation</i>
05/15/2015	 Notice of Entry of Order/Judgment Filed by: Other Public by DAFS
06/17/2015	 Notice of Entry of Masters Recommendation <i>Notice of Entry of Master's Recommendations</i>
07/01/2015	 Application to Proceed in Forma Pauperis Filed By: Respondent Foley, Michael A <i>Application to Proceed Informa Pauperis and Request to File Objection (Sealed)</i>
07/09/2015	 Masters Recommendations and Order <i>Master's Recommendation</i>
07/14/2015	 Order to Proceed In Forma Pauperis Filed By: Respondent Foley, Michael A <i>Order to Proceed In Forma Pauperis (Sealed)</i>
08/06/2015	 Notice of Entry of Order/Judgment Filed by: Other Public by DAFS
11/13/2015	 Bench Warrant Filed By: Other Public by DAFS Party 2: Respondent Foley, Michael A
11/17/2015	 Notice of Entry of Masters Recommendation <i>Notice of Entry of Master's Recommendations</i>
11/24/2015	 Objection Filed By: Respondent Foley, Michael A <i>Objection to Master's Recommendation</i>
11/24/2015	 Certificate of Service Filed by: Respondent Foley, Michael A
11/26/2015	 Objection Filed By: Respondent Foley, Michael A <i>Objection to Hearing Master's Recommendation</i>
12/08/2015	 Opposition Filed By: Other Public by DAFS <i>DA Opposition to Respondent's Objection</i>

CASE SUMMARY

CASE NO. R-11-162425-R

12/09/2015	 Clerk of the Courts Notice of Change of Hearing <i>Clerk of the Court's Notice of Change of Hearing</i>
01/13/2016	 Notice Filed By: Respondent Foley, Michael A
01/15/2016	 Notice of Entry of Masters Recommendation <i>Notice of Entry of Master's Recommendations</i>
01/20/2016	 Notice Filed By: Other Public by DAFS <i>Notice of Intent/Request to Appear by Communication Equipment</i>
01/20/2016	 Notice Filed By: Other Public by DAFS <i>Notice of Intent/Request to Appear by Communication Equipment</i>
01/28/2016	 Order Following Objection
02/01/2016	 Notice of Entry of Order Filed By: Other Public by DAFS
02/01/2016	 Notice of Motion Filed By: Other Public by DAFS <i>District Attorney's Notice of Motion & Motion to Modify Child Support</i>
02/02/2016	 Certificate of Mailing Filed By: Other Public by DAFS Party 2: Respondent Foley, Michael A
02/08/2016	 Masters Recommendations and Order Filed by: Other Public by DAFS <i>Master's Recommendation</i>
02/09/2016	 Notice of Entry of Order/Judgment Filed by: Other Public by DAFS
02/22/2016	 Order Following Objection
02/24/2016	 Notice of Entry of Order Filed By: Other Public by DAFS <i>Notice of Entry of Order Amended to Include Exhibit 1</i>
03/17/2016	 Notice of Appeal Filed By: Respondent Foley, Michael A
03/17/2016	 Case Appeal Statement Filed By: Respondent Foley, Michael A
03/25/2016	 Certificate of Service Filed by: Respondent Foley, Michael A
05/17/2016	 Notice of Entry of Masters Recommendation Party: Other Public by DAFS <i>Notice of Entry of Masters Recommendation</i>
06/08/2016	 Masters Recommendations and Order
06/09/2016	 Notice of Entry of Order/Judgment Filed by: Other Public by DAFS <i>5/17/2016</i>
07/14/2016	 Notice of Entry of Masters Recommendation Party: Other Public by DAFS

CASE SUMMARY

CASE NO. R-11-162425-R

Notice of Entry of Masters Recommendation

07/26/2016



Objection

Filed By: Other Public by DAFS
Objection to Hearing Master's Recommendation

01/04/2017



Request

Filed By: Other Public by DAFS
Request for Transcripts

01/04/2017



Estimate of Transcript

Hearing Dates April 24, 2012; August 28, 2012; October 30, 2013; February 19, 2014; August 08, 2014; August 11, 2014; December 09, 2014; January 28, 2015; April 15, 2015; June 17, 2015; November 16, 2015; January 15, 2016; January 20, 2016; May 17, 2016; July 13, 2016; (August 31, 2016 - Off Calendar)

02/07/2017



Transcript of Proceedings

Hearing Date April 24, 2012

02/07/2017



Transcript of Proceedings

Hearing Date August 28, 2012

02/07/2017



Transcript of Proceedings

Hearing Date October 30, 2013

02/07/2017



Transcript of Proceedings

Hearing Date February 19, 2014

02/07/2017



Transcript of Proceedings

Hearing Date August 08, 2014

02/07/2017



Transcript of Proceedings

Hearing Date August 11, 2014

02/07/2017



Transcript of Proceedings

Hearing Date December 09, 2014

02/07/2017



Transcript of Proceedings

Hearing Date January 28, 2015

02/07/2017



Transcript of Proceedings

Hearing Date April 15, 2015

02/07/2017



Transcript of Proceedings

Hearing Date June 17, 2015

02/07/2017



Transcript of Proceedings

Hearing Date November 16, 2015

02/07/2017



Transcript of Proceedings

Hearing Date January 15, 2016

02/07/2017



Transcript of Proceedings

Hearing Date January 20, 2016

02/07/2017



Transcript of Proceedings

Hearing Date May 17, 2016

02/07/2017



Transcript of Proceedings

Hearing Date July 13, 2016

02/07/2017




















Certification of Transcripts Notification of Completion

Hearing Dates April 24, 2012; August 28, 2012; October 30, 2013; February 19, 2014; August 08, 2014; August 11, 2014; December 09, 2014; January 28, 2015; April 15, 2015; June 17, 2015; November 16, 2015; January 15, 2016; January 20, 2016; May 17, 2016; July 13, 2016; (August 31, 2016 - Off Calendar)

CASE SUMMARY

CASE NO. R-11-162425-R

02/07/2017	 Receipt of Copy Filed By: Attorney Wolfson, Steven B Party 2: Attorney Wolfson, Steven B <i>Hearing Dates April 24, 2012; August 28, 2012; October 30, 2013; February 19, 2014; August 08, 2014; August 11, 2014; December 09, 2014; January 28, 2015; April 15, 2015; June 17, 2015; November 16, 2015; January 15, 2016; January 20, 2016; May 17, 2016; July 13, 2016; (August 31, 2016 - Off Calendar)</i>
02/07/2017	 Final Billing of Transcript Filed by: Attorney Wolfson, Steven B <i>Hearing Dates April 24, 2012; August 28, 2012; October 30, 2013; February 19, 2014; August 08, 2014; August 11, 2014; December 09, 2014; January 28, 2015; April 15, 2015; June 17, 2015; November 16, 2015; January 15, 2016; January 20, 2016; May 17, 2016; July 13, 2016; (August 31, 2016 - Off Calendar)</i>
10/14/2017	 Domestic Notice to Statistically Close Case
01/16/2018	 Declaration Filed By: Respondent Foley, Michael A <i>Declaration</i>
12/26/2018	 Notice of Hearing <i>Notice of Hearing</i>
01/14/2019	Hearing Master Reassignment <i>Hearing Master Reassigned from Sylvia Teuton to Jennifer Henry</i>
10/18/2019	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed in Part, Vacated in Part and Remand; Rehearing Denied</i>
10/28/2019	 Order <i>Order After Remand</i>
10/28/2019	 Notice of Entry <i>Notice of Entry of Order</i>
11/23/2019	 Domestic Notice to Statistically Close Case
12/05/2019	 Objection Filed By: Respondent Foley, Michael A <i>Objection</i>
12/05/2019	 Motion Filed By: Respondent Foley, Michael A <i>Motion For Appointment of Counsel</i>
12/05/2019	 Supplement Filed by: Respondent Foley, Michael A <i>Supplement to Respondent's Objection</i>
12/05/2019	 Motion Filed By: Respondent Foley, Michael A <i>Motion for Appointment of Counsel</i>
12/06/2019	 Notice of Entry of Masters Recommendation <i>NOTICE OF ENTRY OF MASTER'S RECOMMENDATION</i>
12/09/2019	 Clerk's Notice of Hearing <i>Clerk's Notice of Hearing</i>
12/10/2019	 Response <i>DA Response to Objection and Motion</i>
12/10/2019	 Notice of Hearing

CASE SUMMARY

CASE NO. R-11-162425-R

Notice of Hearing

01/28/2020



Notice of Withdrawal

Filed By: Respondent Foley, Michael A

Notice of Nonappearance or Withdrawal as Counsel of Record

01/29/2020



Notice

Notice of Intent/Request to Appear by Communication Equipment

02/27/2020



Notice of Hearing

Notice of Hearing

03/09/2020



Order Following Objection

Order Following Objection

03/11/2020



Notice of Entry of Order

Notice of Entry of Order

03/27/2020



Notice of Hearing

Notice of Hearing

03/31/2020



Notice of Appeal

Notice Of Appeal

04/02/2020



Case Appeal Statement

Filed By: Respondent Foley, Michael A

Case Appeal Statement

DISPOSITIONS

05/15/2012

Master's Recommendation (Judicial Officer: Teuton, Sylvia)

Support (Child, Obligor: Foley, Michael A, Obligee: Foley, Patricia, On Behalf Of: Public by DAFS, \$16,739.98, One Time)

06/08/2016

Master's Recommendation (Judicial Officer: Burton, Rebecca L.)

Support (Child, Obligor: Foley, Michael A, Obligee: Foley, Patricia, On Behalf Of: Public by DAFS, \$57,168.39, One Time)

HEARINGS

04/24/2012



Order to Show Cause (3:25 PM) (Judicial Officer: Teuton, Sylvia)

MINUTES

Matter Continued;

Journal Entry Details:

Deputy District Attorney, Ed Ewert, Present. Both Parties Present and Sworn. COURT FINDS, Matter on for Order to Show Cause (OSC). DA reported that Respondent was paying through a wage withholding. The last payment was received October 2011. Respondent testified that was when he received his last pay. He lost his job in November. Respondent is currently working through a temporary service doing telephone surveys. Respondent earns \$5.75 per hour. Pay stub provided showing 9 hours worked. When asked if Respondent considered modifying Order he stated he was told by Family Court there would not be any more Orders. Respondent is provided a modification packet this date. Respondent addressed issues unrelated to this case. DA is requesting OSC continue. Respondent states he has been looking for employment . Respondent further states his sporadic employment history is causing his biggest problem to obtain employment as well as his inability to renew his real estate license until arrears are paid. DA seeking review in 90 -120 days. Petitioner states Respondent is suing her and has spent \$10,000 on attorney fees that could have been paid on the child. Petitioner also claims Respondent is hiding money. She is to bring proof next date. MASTER RECOMMENDED, ARREARS through March 31, 2012 are \$13,711.22 (not including Penalty and Interest). Respondent shall PAY \$700 per month TEMPORARY CURRENT SUPPORT. Respondent found in CONTEMPT and SENTENCED to 25 DAYS in the Clark County Detention Center. SENTENCE STAYED until next court date. MISCELLANEOUS; Last payment was wage withholding received October 11, 2011. Respondent was unemployed and started a new job this week at \$9 per hour at 20 hours per week. He is working through a TEMP agency. Respondent

CASE SUMMARY**CASE NO. R-11-162425-R**

was given a MOD packet today. He can pay a minimum of \$325 per month to avoid contempt beginning May 1, 2012. Respondent to bring a paystub next court date. Both parties are on notice of possible modification effective April 1, 2012, to be considered next date. Petitioner to bring health insurance information she provides for children next date, and any other employment information she has about Respondent. ;

SCHEDULED HEARINGS

Motion for Review and Adjustment of Child Support (08/28/2012 at 9:00 AM)
(Judicial Officer: Teuton, Sylvia)

08/28/2012



Motion for Review and Adjustment of Child Support (9:00 AM) (Judicial Officer: Teuton, Sylvia)

MINUTES**Warrant**

09/19/2012 Inactive Bench Warrant

Bench Warrant Issued;

Journal Entry Details:

DEPUTY DA: GERARD COSTANTIAN Petitioner Sworn and Testified. *COURT FINDS:* Today's hearing is a motion for a Review and Adjustment of Child Support. DA reported this is the Respondent's request. DA advised the Respondent is currently working through a temporary service, he earns \$9.00 per hour at 20 hours per week. The Petitioner provided her most recent paystub today in Open Court regarding the health insurance cost for just the minor child, the cost is \$157.00 per month and one half equals \$78.54 per month. The Petitioner requested to be notified once the Respondent has been arrested. **MASTER RECOMMENDED.** Respondent shall PAY \$700.00 per month **TEMPORARY CURRENT SUPPORT** \$79.00 per month **MEDICAL SUPPORT** and \$25.00 per month **TEMPORARY on ARREARS** for a **TOTAL monthly PAYMENT OF \$804.00. PETITIONER SHALL PROVIDE HEALTH INSURANCE** for the minor child(ren), if available, through employer and **PROOF of INSURANCE** to DA within 90 days. **ORDER TO SHOW CAUSE, CONTINUED.** Respondent found in **CONTEMPT** and **SENTENCED to 5 DAYS** in the Clark County Detention Center. **SENTENCE STAYED** until next court date. **PRIOR CONTEMPT SENTENCE STAYED.** **BENCH WARRANT, NO BAIL. RESPONDENT** shall be **RELEASED** upon **PAYMENT** of \$500.00, which sum shall be **RELEASED** to **PETITIONER** as **CHILD SUPPORT.** **MISCELLANEOUS RECOMMENDED ORDERS:** Respondent failed to appear. His request to modify is hereby **DENIED**, for failure to provide proof of income and hours worked. He can re-new his request at a later date. Respondent is to contribute to Petitioner's cost, at \$79.00 per month, beginning April 1, 2012. Respondent has failed to pay minimum amount requested to avoid contempt of court of \$325.00 per month. ;

10/30/2013



In Custody Hearing (1:15 PM) (Judicial Officer: Davis, James)

MINUTES

Contempt of Court;

Journal Entry Details:

Deputy District Attorney (DDA): Edward Ewert Respondent, who participated via video conference from the Clark County Detention Center (CCDC), was sworn-in and testified. The DDA informed the Court that Respondent has a parallel Family Court case, D-08-403071-D, wherein Petitioner is pursuing an Order to Show Cause against Respondent as well. Upon DDA inquiry, Respondent testified that he was arrested on Sunday, October 27, 2013. Respondent also testified that he has over \$80.00 on the books. The DDA noted that Respondent's last payment was on July 12, 2013 through a wage withholding. Respondent then presented testimony regarding his employment situation. Respondent testified that he can accrue \$200.00 to be released from custody. Upon DDA inquiry, Respondent clarified that his last paycheck was approximately four (4) to six (6) weeks ago through a temporary agency. Respondent testified that he conducts side-jobs through a private party for income. Respondent estimated that he earns between \$100.00 and \$150.00 each week. Respondent also testified that he submits direct payments to Petitioner. The Court instructed Respondent to refrain from submitting direct payments to Petitioner. Respondent testified that he did not qualify for unemployment insurance benefits (UIB). Upon viewing Respondent's employment history, the DDA encouraged Respondent to still apply. The Court **IMPOSED** a **SENTENCE** and encouraged Respondent to apply for a modification. The Court also **ORDERED** Respondent to submit \$500.00 at the next hearing. **MASTER RECOMMENDED; SENTENCE** of 5 days is to be **IMPOSED** per **PREVIOUS ORDER.** Respondent may be **RELEASED** from **CUSTODY** on November 04, 2013 or immediately upon **PAYMENT** of \$300.00, which shall be **RELEASED** to **PETITIONER** as **CHILD SUPPORT.** Respondent found in **CONTEMPT** and **SENTENCED** to

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. R-11-162425-R

25 DAYS in the Clark County Detention Center. SENTENCE STAYED until next court date.;

SCHEDULED HEARINGS



Order to Show Cause - Pay or Stay (02/19/2014 at 9:00 AM) (Judicial Officer: Lok, Merle K.)

02/19/2014



Order to Show Cause - Pay or Stay (9:00 AM) (Judicial Officer: Lok, Merle K.)

MINUTES

Warrant

03/12/2014 Inactive Bench Warrant

Bench Warrant Issued;

Journal Entry Details:

Deputy DA: V. Monet Woods Petitioner Sworn and Testified. Today's hearing is a Pay or Stay for \$500.00. The DA reported the Respondent was in custody last date. The Respondent's last payment was July 12, 2013 when the income withholding ended and \$28.00 was paid that date. The DA requested a Bench Warrant in the amount of \$804.00. The Petitioner noted the parties have a hearing on February 26 in Family Court. MASTER RECOMMENDED, Respondent found in CONTEMPT and SENTENCED to 25 DAYS in the Clark County Detention Center. SENTENCE STAYED until next court date. BENCH WARRANT, NO BAIL. RESPONDENT shall be RELEASED upon PAYMENT of \$804.00, which sum shall be RELEASED to PETITIONER as CHILD SUPPORT. BENCH WARRANT ;

08/08/2014



In Custody Hearing (1:15 PM) (Hearing Master: Teuton, Sylvia)

Matter Continued;

Journal Entry Details:

Deputy DA: Alec Raphael No Parties Present. Today's hearing is an In-Custody Review. The Clark County Detention Center (CCDC) Correctional Officer advised the Respondent was transported to their North Valley Complex and is not present for today's hearing. MASTER RECOMMENDED, matter CONTINUED. ;

08/11/2014

CANCELED In Custody Hearing (1:15 PM)

Vacated

08/11/2014

CANCELED In Custody Hearing (1:15 PM)

Vacated

08/11/2014



In Custody Hearing (1:15 PM) (Hearing Master: Teuton, Sylvia)

MINUTES

Matter Continued;

Journal Entry Details:

Deputy District Attorney (DDA): Viveca M. Woods Attorney Aurora Maskall bar #6410 was present for the Respondent in an unbundled capacity. Respondent was sworn and testified via Video Conference from Clark County Detention Center (CCDC). Court noted Respondent MISSED court on February 19, 2014. DDA advised Respondent was present in custody at the October 30, 2013 Hearing and given the February 2014 date. Payment history since November reported. Respondent was to bring \$500.00 at the February date. Bench Warrant was \$804.00. Counsel advised she has taken this case Pro-Bono. Respondent owns his own business and his income fluctuates. Respondent stated he earns \$800.00 to \$1,000.00 per month. There was a colloquy regarding possible Modification and proof of income. DDA further advised Respondent was ARRESTED August 6, 2014. DDA requested half of the Bench Warrant as a release amount. Counsel requested Respondent be released. Statements made by DDA regarding an involuntary payment. MASTER RECOMMENDED, Respondent shall PAY \$300.00 per month TEMPORARY CURRENT SUPPORT \$79.00 per month TEMPORARY MEDICAL SUPPORT and \$ 25.00 per month TEMPORARY on ARREARS for a TOTAL monthly PAYMENT OF \$404.00 EFFECTIVE August 1, 2014. PRIOR STAYED CONTEMPT SENTENCE of five (5) days ISSUED September 19, 2014 shall be IMPOSED with the remaining seventy (70) days STAYED. Respondent shall be RELEASED from CUSTODY on August 16, 2014 or immediately upon PAYMENT of \$200.00. Respondent is to bring 2012 and 2013 Internal Revenue Services (IRS) tax returns, and profit and loss statement. District Attorney Family Support (DAFS) is to request updated Health Insurance information and to be addressed next court date. ;

SCHEDULED HEARINGS



Motion for Review and Adjustment of Child Support (12/09/2014 at 9:15 AM)
(Hearing Master: Teuton, Sylvia)

CASE SUMMARY

CASE NO. R-11-162425-R

12/09/2014



Motion for Review and Adjustment of Child Support (9:15 AM) (Hearing Master: Teuton, Sylvia)

Matter Heard;

Journal Entry Details:

Deputy District Attorney (DDA): Alec Raphael Petitioner sworn and testified Court noted Respondent responded for request to Modify and had to be in District Court. Respondent Upon Court's inquiry, DDA reported Respondent's unbundled attorney withdrew. This Modification was initiated by the Court. Respondent is self-employed. He filed a response yesterday Pro-Per and requested a continuance. DDA further reported Respondent did self-report his Gross Monthly Income (GMI). DDA has no opposition to continue this hearing. Upon Court's inquiry, Petitioner testified Respondent posted his place of employment in computer repairs on Craigslist. Petitioner has printed copy to provide to DA's office today. Court printed out a copy of Respondent's response for Petitioner in OPEN COURT for her to review. DDA stated Respondent is under an order to show cause and requested a finding of contempt and a bench warrant. Court FINDS, DDA's request is hereby DENIED. MATTER CONTINUED as he has a documented appearance if US District Court on another matter scheduled for today at 10:00 AM. Respondent is ADMONISHED to pay monthly or face imposition of CONTEMPT. Respondent is self-employed. He is to bring copies of filed tax returns next court date for years 2012 and 2013 per NRS 125B.080. MASTER RECOMMENDED, Matter SET for REVIEW and ADJUSTMENT. ;

01/28/2015



Motion for Review and Adjustment of Child Support (1:45 PM) (Judicial Officer: Davis, James)

R162425 02/18/2015 @ 2.15 PM CR#1

Bench Warrant Issued;

Journal Entry Details:

Deputy District Attorney (DDA): Alec Raphael Petitioner Sworn and Testified. DDA reported this is a Review and Adjustment and Enforcement Review hearing. DDA reviewed case. After statements, DDA reported Respondent Gross Monthly Income (GMI) is \$2,512.95. Court calculated 29% of GMI to be \$729.00. Upon DDA's inquiry, Petitioner testified her monthly health insurance cost has remained the same since last hearing. DDA requested Medical support payment of \$79.00 per month continue. DDA requested Modification to be August 1, 2014. DDA further reported Respondent has self-reported his income of \$2,521.95 and has not made a payment since his jail release payment in August 13, 2014. DDA further requested a bench warrant and for future return date of February 18, 2015, be vacated. MASTER RECOMMENDED, Respondent found in CONTEMPT and SENTENCED to 25 DAYS in the Clark County Detention Center. SENTENCE STAYED until next court date. BENCH WARRANT, NO BAIL. RESPONDENT shall be RELEASED upon PAYMENT of \$1,000.00, which sum shall be RELEASED to PETITIONER as CHILD SUPPORT. REVIEW Hearing of February 18, 2015 is hereby VACATED. ;

02/18/2015

CANCELED Return Hearing - HM (2:15 PM)

Vacated - per Judge

04/15/2015



In Custody Hearing (1:15 PM) (Hearing Master: Teuton, Sylvia)

Matter Heard;

Journal Entry Details:

Deputy District Attorney (DDA): Patricia Ross Respondent, In-Custody, sworn and testified. Respondent participated via video conference from the Clark County Detention Center (CCDC). DDA stated Respondent failed to appear to his January 28, 2015 hearing, and a Bench Warrant was issued for \$1,000.00. DDA advised Respondent was arrested April 09, 2015. DDA reported Respondent's last payment was August 2014 for \$200.00. Upon inquiry of the Court, Respondent requested appointed counsel for himself. Respondent stated it was unlawful to detain him and made several arguments on why he should not be in jail. DDA noted Respondent has a business. The Court address all of the Respondent's arguments and denied request for appointed counsel. MASTER RECOMMENDED: Respondent shall PAY \$729.00 per month TEMPORARY CURRENT SUPPORT and \$79.00 per month MEDICAL SUPPORT and \$25.00 per month on ARREARS for a TOTAL MONTHLY PAYMENT of \$833.00. ORDER TO SHOW CAUSE, CONTINUED. PRIOR CONTEMPT SENTENCES ISSUED May 15, 2012 shall be SERVED as follows: 19 Days IMPOSED 1 Day STAYED. PRIOR CONTEMPT SENTENCES STAYED. Respondent may be RELEASED from CUSTODY on May 04, 2015 or immediately upon PAYMENT of \$900.00, which shall be RELEASED to PETITIONER as CHILD SUPPORT. MISCELLANEOUS RECOMMENDED ORDERS: Respondent must bring or have paid \$1,666.00. ;

06/17/2015



Order to Show Cause - Pay or Stay (9:00 AM) (Judicial Officer: Conant, Lynn)

CASE SUMMARY

CASE NO. R-11-162425-R

MINUTES

Warrant

07/09/2015 Inactive Bench Warrant

Bench Warrant Issued;

Journal Entry Details:

Deputy District Attorney (DDA): Patti Ross No Parties Present. Today's hearing is a Pay or Stay for \$1,666.00. The DDA reviewed the case. The Respondent has made no payments. The DDA requested a finding of Contempt and a Bench Warrant in the amount of \$2,000.00. MASTER RECOMMENDED, Respondent found in CONTEMPT and SENTENCED to 25 DAYS in the Clark County Detention Center for FAILURE TO APPEAR AND PAY. SENTENCE STAYED until next court date. BENCH WARRANT, NO BAIL. RESPONDENT shall be RELEASED upon PAYMENT of \$2,000.00, which sum shall be RELEASED to PETITIONER as CHILD SUPPORT. BENCH WARRANT ;

11/16/2015



In Custody Hearing (1:15 PM) (Judicial Officer: Lok, Merle K.)

Matter Heard;

Journal Entry Details:

Deputy District Attorney (DDA): Edward Ewert Respondent, in custody, sworn and testified. Respondent participated via video conference from the Clark County Detention Center (CCDC). DDA stated Respondent failed to appear for his June 17, 2015 hearing and a Bench Warrant was issued for \$2,000.00. DDA advised Respondent was arrested November 12, 2015. DDA reported Respondent's last payment was August 2014 for \$200.00 jail release. DDA noted \$4,165.00 has come due. Upon inquiry of the Court, Respondent testified he last worked last week. Respondent stated when he is working he earns \$275.00 per week. Respondent stated he has \$119.00 on his books. MASTER RECOMMENDED: PRIOR CONTEMPT SENTENCE ISSUED November 21, 2013 shall be SERVED as follows: 10 Days IMPOSED. Respondent may be RELEASED from CUSTODY on November 22, 2015 or immediately upon PAYMENT of \$2,000.00, which shall be RELEASED to PETITIONER as CHILD SUPPORT. MISCELLANEOUS RECOMMENDED ORDERS: Respondent is to pay \$833.00 for the December payment next date to avoid Contempt.;

01/15/2016



AM Pay Stays (8:30 AM) (Hearing Master: Teuton, Sylvia)

RESPONDENT TO PAY \$833.00; R162425 01/20/16 @ 10:00 AM

Matter Continued;

Journal Entry Details:

Deputy District Attorney (DDA), Edward Ewert, present. No parties present. DDA reported, objection pending in Family Court, Department C, on 1/20/2016 at 10 a.m. MASTER RECOMMENDED, MATTER CONTINUED.;

01/20/2016



Objection - UIFSA (10:00 AM) (Judicial Officer: Burton, Rebecca L.)

MINUTES

Denied;

Journal Entry Details:

OBJECTION - UIFSA Deputy District Attorney (DDA), Robert Gardner, bar number 6983, present and participated TELEPHONICALLY. Court reviewed the case. Court NOTED, Respondent's non-appearance for today's hearing. Arguments by DDA. COURT ORDERED, based on the Points and Authorities set forth in the District Attorney's Opposition to Respondent's Objection filed on December 8, 2015, shall be ADOPTED. Furthermore, Respondent's Objections filed on November 24, 2015, and November 26, 2015, shall be DENIED. DDA, Gardner shall prepare the Order from today's hearing.;

05/17/2016



Motion for Review and Adjustment of Child Support (9:00 AM) (Hearing

Master: Teuton, Sylvia)

07/13/16 @ 2:15pm

Denied;

Journal Entry Details:

Deputy District Attorney (DDA): Karen Cliffe No Parties Present. DDA stated Respondent is not paying and does not receive State assistance. DDA requested Modification Denied. MASTER RECOMMENDED, ARREARS are \$57,168.39 (including INTERESTS and PENALTIES) through January 31, 2016 and REDUCED to JUDGMENT. Petitioner shall PROVIDE HEALTH INSURANCE for the minor child(ren), if available. PRIOR CONTEMPT SENTENCES STAYED. MODIFICATION DENIED. MISCELLANEOUS RECOMMENDED ORDERS: Last payment-August 2014. Respondent's request to modify is hereby DENIED for his failure to appear today and provide proof of income and 2015 tax returns as previously

CASE SUMMARY

CASE NO. R-11-162425-R

ordered.;

07/13/2016



Review - HM (2:15 PM) (Judicial Officer: Yug, Elliot)

Bench Warrant Issued;

Journal Entry Details:

***These Minutes were typed by Courtroom Clerk trainee, Nidia Fuentes** Deputy District Attorney (DDA): Karen Cliffe No Parties Present. COURT FINDS Respondent's last PAYMENT was in 2014. MASTER RECOMMENDED. ORDER TO SHOW CAUSE, CONTINUED. Respondent found in CONTEMPT and SENTENCED to 25 DAYS in the Clark County Detention Center. SENTENCE STAYED until next court date. PRIOR CONTEMPT SENTENCES STAYED. BENCH WARRANT, NO BAIL. RESPONDENT shall be RELEASED upon PAYMENT of \$2000.00, which sum shall be RELEASED to PETITIONER as CHILD SUPPORT. ;*

08/31/2016



Objection - UIFSA (10:00 AM) (Judicial Officer: Burton, Rebecca L.)

Off Calendar;

Journal Entry Details:

OBJECTION - UIFSA There being no appearances, matter was taken OFF CALENDAR.;

01/17/2019



Hearing (10:00 AM) (Judicial Officer: Burton, Rebecca L.)

Re: Remand from Supreme Court

Off Calendar;

Journal Entry Details:

HEARING RE: REMAND FROM SUPREME COURT Attorney Abraham Smith, Bar No. 13250, appeared with Respondent. This matter heard simultaneously with D-08-403071-D, please refer to the minutes in that case. COURT ORDERED matter OFF CALENDAR as the Remittitur has not been received.;

12/06/2019



Hearing (9:30 AM) (Hearing Master: Henry, Jennifer)

Order Remand Dept C

Matter Heard;

Journal Entry Details:

Deputy District Attorney (DDA): Karen Cliffe No parties present. DDA reported today's hearing is a Order for Remand from Department C filed October 18, 2019. Respondent receives Medicaid. COURT FINDS, on December 5, 2019, Respondent filed an "Objection" which the Court believes is a misnomer and Respondent intended Department C to hear a motion which is really meant to be a Motion for Reconsideration as to which department and judicial officer should be hearing the case (HM v. District Judge). District Attorney's assessment of the document entitled "Objection" is also that is something that should be addressed by the District Court judge prior to the UIFSA court holding any hearing on the merits of this case. Court contacted Dept. C for a court date for Respondent's "Objection" to be addressed. The date for this matter to be addressed has been set for February 3, 2020 at 9:00 AM in Dept C, located at 601 N. Pecos Road, Las Vegas, NV 89101. MASTER RECOMMENDED, DAFS to send a Notice Of Hearing and mailing to the parties with regards to this "Objection" being heard by Dept C. Until such time as there is further direction by Dept C., this court will take the matter off calendar. Dept C is requested to set an appropriate date and time for the next hearing at CSCSN (1900 E. Flamingo Road) location. Matter OFF CALENDAR.;

12/06/2019

CANCELED Hearing - HM (9:45 AM)

Vacated

ORDER AFTER REMAND

02/03/2020



Objection (9:00 AM) (Judicial Officer: Burton, Rebecca L.)

Denied;

Journal Entry Details:

OBJECTION Deputy District Attorney Robert Gardner, Bar No. 6982, appeared telephonically for the State of Nevada. Court noted this matter had been on Appeal for a number of years and the Appeal was finally completed. Court noted the Orders from the Supreme Court on the record. On October 28, 2019, this Court its Order After Remand and noted on the record what was ordered in that Order. Court noted the documentation the Respondent filed after the Order After Remand, and further noted the Respondent had not filed a Financial Disclosure Form (FDF) nor any verification of income. Court reviewed the history of the parties and the pleadings on file. COURT FINDS that it has subject matter jurisdiction over this case, personal jurisdiction over the parties, and child custody subject matter jurisdiction over the minor child(ren). Court further noted none of the Respondent's document had been served upon

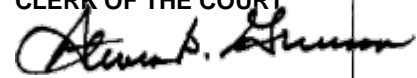
CASE SUMMARY

CASE NO. R-11-162425-R

the District Attorney's Office as there was no proof of service filed with the court. Court clarified its Order After Remand. COURT ORDERED the following: 1. Respondent's Joinder to Objection filed on December 5, 2019 shall be STRICKEN. 2. Respondent's Joinder to Objection filed on December 5, 2019 shall be STRICKEN. 3. Respondent's Joinder to Objection filed on December 5, 2019 shall be STRICKEN. 4. Respondent was admonished to not talk to the minor child about Court issues and/or adult issues under EDCR 5.301. 5. Respondent's Motion for Reconsideration is DENIED. 6. Respondent shall file a Financial Disclosure Form (FDF), attach his last three pay stubs or verification of income, and file proof of service. 7. Respondent's Motion to Appoint Counsel is DENIED, WITHOUT PREJUDICE. 8. Respondent's Objection is DENIED, WITHOUT PREJUDICE. 9. A hearing shall be SET in front of the Hearing Master to address the contempt for child support. 10. Attorney Gardner shall prepare the Order by February 18, 2020. MATTER RECALLED. Petitioner not present. Court recalled this matter to verify that the Notice of Hearing was sent to the Respondent at the address listed in Odyssey and to an address on Naples Drive in Las Vegas, Nevada.;

09/02/2020

Return Hearing - HM (10:30 AM) (Hearing Master: Henry, Jennifer)
Continuing Order to Show Cause - remand Dept C



OFO
STEVEN B. WOLFSON
DISTRICT ATTORNEY
Nevada Bar No. 001565
FAMILY SUPPORT DIVISION
1900 East Flamingo Rd., Ste 100
Las Vegas, Nevada 89119-5168
(702) 671-9200
UPI-294910200A

ORIGINAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case No.: R-11-162425-R

Dept. No.: C / Child Support Court

ORDER FOLLOWING OBJECTION

This matter having come on for a hearing this 3rd day of February, 2020, on the Objection of the: ☒ Respondent ☐ Petitioner ☐ District Attorney's Office, Family Support Division, (hereinafter, "DAFS"), to the Master's Recommendations from the Child Support Court hearing held on the 17th day of January, 2020,

Respondent being ☒ not present ☐ present in proper person

Petitioner being ☒ present ☐ not present

and Steven B. Wolfson, District Attorney, being present by and through Deputy District Attorney, ROBERT J. GARDNER, Esq.,

The Court having reviewed the pleadings and papers herein and having heard argument AND GOOD CAUSE THEREFORE APPEARING, this Court hereby enters the following findings, conclusions and orders:

This Court finds that: Deputy District Attorney Robert Gardner, Bar No. 6982, appeared telephonically for the State of Nevada. Court noted this matter had been on Appeal for a number of years and the Appeal was finally completed. Court noted the

ORDER FOLLOWING OBJECTION

Page 1 of 3

1 Orders from the Supreme Court on the record. On October 28, 2019, this Court in its
2 Order After Remand and noted on the record what was ordered in that Order. Court
3 noted the documentation the Respondent filed after the Order After Remand, and
4 further noted the Respondent had not filed a Financial Disclosure Form (FDF) nor
5 any verification of income. Court reviewed the history of the parties and the
6 pleadings on file. COURT FINDS that it has subject matter jurisdiction over this
7 case, personal jurisdiction over the parties, and child custody subject matter
8 jurisdiction over the minor child(ren). Court further noted none of the Respondent's
9 documents had been served upon the District Attorney's Office as there was no proof
10 of service filed with the court. Court clarified its Order After Remand.

11 **ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED AND**
12 **DECREED, COURT ORDERED** the following:

13 1. Respondent's Joinder to Objection filed on December 5, 2019 shall be
14 STRICKEN.

15 2. Respondent's Joinder to Objection filed on December 5, 2019 shall be
16 STRICKEN.

17 3. Respondent's Joinder to Objection filed on December 5, 2019 shall be
18 STRICKEN.

19 4. Respondent was admonished to not talk to the minor child about Court
20 issues and/or adult issues under EDCR 5.301.

21 5. Respondent's Motion for Reconsideration is DENIED.

22 6. No later than ten days before the next hearing, Respondent shall file a
23 Financial Disclosure Form (FDF), and attach his last three pay stubs or verification of
24 income, and file proof of service.

25 7. Respondent's Motion to Appoint Counsel is DENIED, WITHOUT
26 PREJUDICE.

27 8. Respondent's Objection is DENIED, WITHOUT PREJUDICE.
28

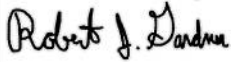
1 9. A hearing shall be SET in front of the Hearing Master to address the
2 contempt for child support. A separate Notice of Hearing will be sent.

3 10. Attorney Gardner shall prepare the Order. MATTER RECALLED.
4 Petitioner not present. Court recalled this matter to verify that the Notice of Hearing
5 was sent to the Respondent at the address listed in Odyssey and to an address on
6 Naples Drive in Las Vegas, Nevada.

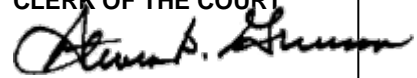
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8 DATED this 3 day of March, 2020.

9
10 
11 REBECCA L. BURTON, DISTRICT COURT JUDGE

12
13 Submitted By:

14 

15 ROBERT J. GARDNER, ESQ. 2/27/2020
16 DEPUTY DISTRICT ATTORNEY
17 Nevada Bar No. 00006983
18 FAMILY SUPPORT DIVISION
19 1900 East Flamingo Rd., Suite 100
20 Las Vegas, Nevada 89119
21 (702) 671-9200
22
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NEOJ
STEVEN B. WOLFSON
DISTRICT ATTORNEY
Nevada Bar No. 001565
FAMILY SUPPORT DIVISION
1900 East Flamingo Rd., Ste 100
Las Vegas, Nevada 89119-5168
(702) 671-9200
UPI-294910200A

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

Case No.: R-11-162425-R

vs.

Dept. No.: C / Child Support Court

Michael Foley,

Respondent.

NOTICE OF ENTRY OF ORDER

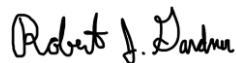
TO: PATRICIA FOLEY, Petitioner

TO: MICHAEL FOLEY, Respondent

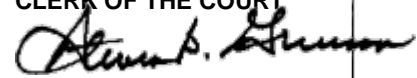
YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE that on the 9th day of March, 2020, an Order Following Objection was entered in the above-entitled matter, a copy of which is attached to this Notice.

Dated __10th__ day of March, 2020.

Steven B. Wolfson
Clark County District Attorney
Nevada Bar No. 001565



ROBERT J. GARDNER
Chief Deputy District Attorney
Nevada Bar No.: 0006983



OFO
STEVEN B. WOLFSON
DISTRICT ATTORNEY
Nevada Bar No. 001565
FAMILY SUPPORT DIVISION
1900 East Flamingo Rd., Ste 100
Las Vegas, Nevada 89119-5168
(702) 671-9200
UPI-294910200A

ORIGINAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Patricia Foley,

Petitioner,

vs.

Michael Foley,

Respondent.

Case No.: R-11-162425-R

Dept. No.: C / Child Support Court

ORDER FOLLOWING OBJECTION

This matter having come on for a hearing this 3rd day of February, 2020, on the Objection of the: ☒ Respondent ☐ Petitioner ☐ District Attorney's Office, Family Support Division, (hereinafter, "DAFS"), to the Master's Recommendations from the Child Support Court hearing held on the 17th day of January, 2020,

Respondent being ☒ not present ☐ present in proper person

Petitioner being ☒ present ☐ not present

and Steven B. Wolfson, District Attorney, being present by and through Deputy District Attorney, ROBERT J. GARDNER, Esq.,

The Court having reviewed the pleadings and papers herein and having heard argument AND GOOD CAUSE THEREFORE APPEARING, this Court hereby enters the following findings, conclusions and orders:

This Court finds that: Deputy District Attorney Robert Gardner, Bar No. 6982, appeared telephonically for the State of Nevada. Court noted this matter had been on Appeal for a number of years and the Appeal was finally completed. Court noted the

1 Orders from the Supreme Court on the record. On October 28, 2019, this Court in its
2 Order After Remand and noted on the record what was ordered in that Order. Court
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6 pleadings on file. COURT FINDS that it has subject matter jurisdiction over this
7 case, personal jurisdiction over the parties, and child custody subject matter
8 jurisdiction over the minor child(ren). Court further noted none of the Respondent's
9 documents had been served upon the District Attorney's Office as there was no proof
10 of service filed with the court. Court clarified its Order After Remand.

11 **ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED AND**
12 **DECREED, COURT ORDERED** the following:

13 1. Respondent's Joinder to Objection filed on December 5, 2019 shall be
14 STRICKEN.

15 2. Respondent's Joinder to Objection filed on December 5, 2019 shall be
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17 3. Respondent's Joinder to Objection filed on December 5, 2019 shall be
18 STRICKEN.

19 4. Respondent was admonished to not talk to the minor child about Court
20 issues and/or adult issues under EDCR 5.301.

21 5. Respondent's Motion for Reconsideration is DENIED.

22 6. No later than ten days before the next hearing, Respondent shall file a
23 Financial Disclosure Form (FDF), and attach his last three pay stubs or verification of
24 income, and file proof of service.

25 7. Respondent's Motion to Appoint Counsel is DENIED, WITHOUT
26 PREJUDICE.

27 8. Respondent's Objection is DENIED, WITHOUT PREJUDICE.
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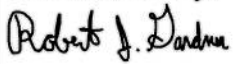
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3 10. Attorney Gardner shall prepare the Order. MATTER RECALLED.
4 Petitioner not present. Court recalled this matter to verify that the Notice of Hearing
5 was sent to the Respondent at the address listed in Odyssey and to an address on
6 Naples Drive in Las Vegas, Nevada.

7
8 DATED this 3 day of March, 2020.

9
10 
11 REBECCA L. BURTON, DISTRICT COURT JUDGE

12
13 Submitted By:

14 

15 ROBERT J. GARDNER, ESQ. 2/27/2020
16 DEPUTY DISTRICT ATTORNEY
17 Nevada Bar No. 00006983
18 FAMILY SUPPORT DIVISION
19 1900 East Flamingo Rd., Suite 100
20 Las Vegas, Nevada 89119
21 (702) 671-9200
22
23
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25
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2 **CERTIFICATE OF MAILING**

3 The Notice of Entry of Order was served upon Michael Anthony Foley by
4 mailing a copy thereof, first class mail, postage prepaid to:

5 Michael Anthony Foley
6 **712 E Naples Dr 21**
7 **Las Vegas NV 89119-6632**

8 And to
9 **209 South Stephanie Street, Suite B-191**
10 **Henderson, NV 89012**

11 on March 11, 2020.

12
13 
14

15 _____
16 Employee, District Attorney's Office
17 Family Support Division
18
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CERTIFICATE OF MAILING

The Notice of Entry of Order was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to:

Patricia Foley
8937 Austin Ridge Ave
Las Vegas, NV 89178

on March 11, 2020.

A handwritten signature in black ink, consisting of a stylized 'S' followed by a horizontal line.

Employee, District Attorney's Office
Family Support Division

**DISTRICT COURT
CLARK COUNTY, NEVADA**

DA - UIFSA**COURT MINUTES****April 24, 2012**

R-11-162425-R Patricia Foley, Petitioner(s).
 vs.
 Michael A Foley, Respondent(s).

April 24, 2012 3:25 PM Order to Show Cause

HEARD BY: Teuton, Sylvia**COURTROOM:** Greystone Courtroom #1**COURT CLERK:** Gloria Mackaly**PARTIES:**

Elizabeth Foley, Subject Minor, not present	
Michael Foley, Respondent, present	Pro Se
Michael Foley, Subject Minor, not present	
Patricia Foley, Petitioner, present	
Public by DAFS, Other, present	Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, not present	

JOURNAL ENTRIES

- Deputy District Attorney, Ed Ewert, Present.

Both Parties Present and Sworn.

COURT FINDS, Matter on for Order to Show Cause (OSC). DA reported that Respondent was paying through a wage withholding. The last payment was received October 2011. Respondent testified that was when he received his last pay. He lost his job in November. Respondent is currently working through a temporary service doing telephone surveys. Respondent earns \$5.75 per hour. Pay stub provided showing 9 hours worked. When asked if Respondent considered modifying Order he stated he was told by Family Court there would not be any more Orders. Respondent is provided a modification packet this date. Respondent addressed issues unrelated to this case. DA is requesting OSC continue. Respondent states he has been looking for employment. Respondent further states his sporadic employment history is causing his biggest problem to obtain employment as well as his inability to renew his real estate license until arrears are paid. DA seeking review in 90 -120 days. Petitioner states Respondent is suing her and has spent \$10,000 on attorney fees that could have been

PRINT DATE:	04/02/2020	Page 1 of 37	Minutes Date:	April 24, 2012
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

paid on the child. Petitioner also claims Respondent is hiding money. She is to bring proof next date.

MASTER RECOMMENDED, ARREARS through March 31, 2012 are \$13,711.22 (not including Penalty and Interest). Respondent shall PAY \$700 per month TEMPORARY CURRENT SUPPORT. Respondent found in CONTEMPT and SENTENCED to 25 DAYS in the Clark County Detention Center. SENTENCE STAYED until next court date.

MISCELLANEOUS; Last payment was wage withholding received October 11, 2011. Respondent was unemployed and started a new job this week at \$9 per hour at 20 hours per week. He is working through a TEMP agency. Respondent was given a MOD packet today. He can pay a minimum of \$325 per month to avoid contempt beginning May 1, 2012. Respondent to bring a paystub next court date. Both parties are on notice of possible modification effective April 1, 2012, to be considered next date. Petitioner to bring health insurance information she provides for children next date, and any other employment information she has about Respondent.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	04/02/2020	Page 2 of 37	Minutes Date:	April 24, 2012
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

DA - UIFSA

COURT MINUTES

August 28, 2012

R-11-162425-R	Patricia Foley, Petitioner(s).
	vs.
	Michael A Foley, Respondent(s).

August 28, 2012	9:00 AM	Motion for Review and Adjustment of Child Support
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HEARD BY: Teuton, Sylvia

COURTROOM: Greystone Courtroom #1

COURT CLERK: Melinda White

PARTIES:

Elizabeth Foley, Subject Minor, not present	
Michael Foley, Respondent, not present	Pro Se
Michael Foley, Subject Minor, not present	
Patricia Foley, Petitioner, present	
Public by DAFS, Other, present	Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, not present	

JOURNAL ENTRIES

- DEPUTY DA: GERARD COSTANTIAN

Petitioner Sworn and Testified.

COURT FINDS: Today's hearing is a motion for a Review and Adjustment of Child Support. DA reported this is the Respondent's request. DA advised the Respondent is currently working through a temporary service, he earns \$9.00 per hour at 20 hours per week. The Petitioner provided her most recent paystub today in Open Court regarding the health insurance cost for just the minor child, the cost is \$157.00 per month and one half equals \$78.54 per month. The Petitioner requested to be notified once the Respondent has been arrested.

MASTER RECOMMENDED. Respondent shall PAY \$700.00 per month TEMPORARY CURRENT SUPPORT \$79.00 per month MEDICAL SUPPORT and \$25.00 per month TEMPORARY on

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ARREARS for a TOTAL monthly PAYMENT OF \$804.00.

PETITIONER SHALL PROVIDE HEALTH INSURANCE for the minor child(ren), if available, through employer and PROOF of INSURANCE to DA within 90 days.

ORDER TO SHOW CAUSE, CONTINUED. Respondent found in CONTEMPT and SENTENCED to 5 DAYS in the Clark County Detention Center. SENTENCE STAYED until next court date. PRIOR CONTEMPT SENTENCE STAYED. BENCH WARRANT, NO BAIL. RESPONDENT shall be RELEASED upon PAYMENT of \$500.00, which sum shall be RELEASED to PETITIONER as CHILD SUPPORT.

MISCELLANEOUS RECOMMENDED ORDERS: Respondent failed to appear. His request to modify is hereby DENIED, for failure to provide proof of income and hours worked. He can re-new his request at a later date. Respondent is to contribute to Petitioner's cost, at \$79.00 per month, beginning April 1, 2012. Respondent has failed to pay minimum amount requested to avoid contempt of court of \$325.00 per month.

INTERIM CONDITIONS:

FUTURE HEARINGS: Aug 28, 2012 9:00AM Motion for Review and Adjustment of Child Support
Greystone Courtroom #1 Teuton, Sylvia

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

DA - UIFSA**COURT MINUTES****October 30, 2013**

R-11-162425-R Patricia Foley, Petitioner(s).
 vs.
 Michael A Foley, Respondent(s).

October 30, 2013 1:15 PM In Custody Hearing

HEARD BY: Davis, James**COURTROOM:** Greystone Courtroom #1**COURT CLERK:** Mark Fernandez**PARTIES:**

Elizabeth Foley, Subject Minor, not present	
Michael Foley, Respondent, present	Pro Se
Michael Foley, Subject Minor, not present	
Patricia Foley, Petitioner, not present	
Public by DAFS, Other, present	Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, not present	

JOURNAL ENTRIES

- Deputy District Attorney (DDA): Edward Ewert

Respondent, who participated via video conference from the Clark County Detention Center (CCDC), was sworn-in and testified.

The DDA informed the Court that Respondent has a parallel Family Court case, D-08-403071-D, wherein Petitioner is pursuing an Order to Show Cause against Respondent as well. Upon DDA inquiry, Respondent testified that he was arrested on Sunday, October 27, 2013. Respondent also testified that he has over \$80.00 on the books. The DDA noted that Respondent's last payment was on July 12, 2013 through a wage withholding. Respondent then presented testimony regarding his employment situation. Respondent testified that he can accrue \$200.00 to be released from custody.

Upon DDA inquiry, Respondent clarified that his last paycheck was approximately four (4) to six (6) weeks ago through a temporary agency. Respondent testified that he conducts side-jobs through a private party for income. Respondent estimated that he earns between \$100.00 and \$150.00 each

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week. Respondent also testified that he submits direct payments to Petitioner. The Court instructed Respondent to refrain from submitting direct payments to Petitioner.

Respondent testified that he did not qualify for unemployment insurance benefits (UIB). Upon viewing Respondent's employment history, the DDA encouraged Respondent to still apply. The Court IMPOSED a SENTENCE and encouraged Respondent to apply for a modification. The Court also ORDERED Respondent to submit \$500.00 at the next hearing.

MASTER RECOMMENDED; SENTENCE of 5 days is to be IMPOSED per PREVIOUS ORDER.

Respondent may be RELEASED from CUSTODY on November 04, 2013 or immediately upon PAYMENT of \$300.00, which shall be RELEASED to PETITIONER as CHILD SUPPORT.

Respondent found in CONTEMPT and SENTENCED to 25 DAYS in the Clark County Detention Center. SENTENCE STAYED until next court date.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

DA - UIFSA**COURT MINUTES**

February 19, 2014

R-11-162425-R Patricia Foley, Petitioner(s).
vs.
Michael A Foley, Respondent(s).

February 19, 2014 9:00 AM**Order to Show Cause -
Pay or Stay****HEARD BY:** Lok, Merle K.**COURTROOM:** Greystone Courtroom #1**COURT CLERK:** Cherisse Lamb**PARTIES:**

Elizabeth Foley, Subject Minor, not present	
Michael Foley, Respondent, not present	Pro Se
Michael Foley, Subject Minor, not present	
Patricia Foley, Petitioner, present	
Public by DAFS, Other, present	Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, not present	

JOURNAL ENTRIES

- Deputy DA: V. Monet Woods

Petitioner Sworn and Testified.

Today's hearing is a Pay or Stay for \$500.00. The DA reported the Respondent was in custody last date. The Respondent's last payment was July 12, 2013 when the income withholding ended and \$28.00 was paid that date. The DA requested a Bench Warrant in the amount of \$804.00. The Petitioner noted the parties have a hearing on February 26 in Family Court.

MASTER RECOMMENDED, Respondent found in CONTEMPT and SENTENCED to 25 DAYS in the Clark County Detention Center. SENTENCE STAYED until next court date.

BENCH WARRANT, NO BAIL. RESPONDENT shall be RELEASED upon PAYMENT of \$804.00, which sum shall be RELEASED to PETITIONER as CHILD SUPPORT.

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R-11-162425-R

BENCH WARRANT

INTERIM CONDITIONS:

FUTURE HEARINGS: Feb 19, 2014 9:00AM Order to Show Cause - Pay or Stay
Greystone Courtroom #1 Lok, Merle K.

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

DA - UIFSA

COURT MINUTES

August 08, 2014

R-11-162425-R	Patricia Foley, Petitioner(s).
	vs.
	Michael A Foley, Respondent(s).

August 08, 2014 1:15 PM In Custody Hearing

HEARD BY: Teuton, Sylvia

COURTROOM: Greystone Courtroom #1

COURT CLERK: Cherisse Lamb

PARTIES:

Elizabeth Foley, Subject Minor, not present	
Michael Foley, Respondent, not present	Pro Se
Michael Foley, Subject Minor, not present	
Patricia Foley, Petitioner, not present	
Public by DAFS, Other, present	Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, not present	

JOURNAL ENTRIES

- Deputy DA: Alec Raphael

No Parties Present.

Today's hearing is an In-Custody Review. The Clark County Detention Center (CCDC) Correctional Officer advised the Respondent was transported to their North Valley Complex and is not present for today's hearing.

MASTER RECOMMENDED, matter CONTINUED.

INTERIM CONDITIONS:

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FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

DA - UIFSA**COURT MINUTES****August 11, 2014**

R-11-162425-R Patricia Foley, Petitioner(s).
 vs.
 Michael A Foley, Respondent(s).

August 11, 2014 1:15 PM In Custody Hearing

HEARD BY: Teuton, Sylvia**COURTROOM:** Greystone Courtroom #1**COURT CLERK:** Jeanette Bergren**PARTIES:**

Elizabeth Foley, Subject Minor, not present	
Michael Foley, Respondent, present	Pro Se
Michael Foley, Subject Minor, not present	
Patricia Foley, Petitioner, not present	
Public by DAFS, Other, present	Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, not present	

JOURNAL ENTRIES

- Deputy District Attorney (DDA): Viveca M. Woods

Attorney Aurora Maskall bar #6410 was present for the Respondent in an unbundled capacity.

Respondent was sworn and testified via Video Conference from Clark County Detention Center (CCDC).

Court noted Respondent MISSED court on February 19, 2014. DDA advised Respondent was present in custody at the October 30, 2013 Hearing and given the February 2014 date. Payment history since November reported. Respondent was to bring \$500.00 at the February date. Bench Warrant was \$804.00. Counsel advised she has taken this case Pro-Bono. Respondent owns his own business and his income fluctuates. Respondent stated he earns \$800.00 to \$1,000.00 per month. There was a colloquy regarding possible Modification and proof of income. DDA further advised Respondent was ARRESTED August 6, 2014. DDA requested half of the Bench Warrant as a release amount. Counsel requested Respondent be released. Statements made by DDA regarding an involuntary

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payment.

MASTER RECOMMENDED, Respondent shall PAY \$300.00 per month TEMPORARY CURRENT SUPPORT \$79.00 per month TEMPORARY MEDICAL SUPPORT and \$ 25.00 per month TEMPORARY on ARREARS for a TOTAL monthly PAYMENT OF \$404.00 EFFECTIVE August 1, 2014. PRIOR STAYED CONTEMPT SENTENCE of five (5) days ISSUED September 19, 2014 shall be IMPOSED with the remaining seventy (70) days STAYED. Respondent shall be RELEASED from CUSTODY on August 16, 2014 or immediately upon PAYMENT of \$200.00. Respondent is to bring 2012 and 2013 Internal Revenue Services (IRS) tax returns, and profit and loss statement. District Attorney Family Support (DAFS) is to request updated Health Insurance information and to be addressed next court date.

INTERIM CONDITIONS:

FUTURE HEARINGS: Aug 11, 2014 1:15PM In Custody Hearing
Greystone Courtroom #1 Teuton, Sylvia

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

DA - UIFSA

COURT MINUTES

December 09, 2014

R-11-162425-R Patricia Foley, Petitioner(s).
vs.
Michael A Foley, Respondent(s).

December 09, 2014 9:15 AM

**Motion for Review and
Adjustment of Child
Support**

HEARD BY: Teuton, Sylvia

COURTROOM: Greystone Courtroom #1

COURT CLERK: Maria Chavez

PARTIES:

Elizabeth Foley, Subject Minor, not present

Michael Foley, Respondent, not present Pro Se

Michael Foley, Subject Minor, not present

Patricia Foley, Petitioner, not present

Public by DAFS, Other, present Steven Wolfson, Attorney, not present

Therese Foley, Subject Minor, not present

JOURNAL ENTRIES

- Deputy District Attorney (DDA): Alec Raphael

Petitioner sworn and testified

Court noted Respondent responded for request to Modify and had to be in District Court.
Respondent

Upon Court's inquiry, DDA reported Respondent's unbundled attorney withdrew. This Modification was initiated by the Court. Respondent is self-employed. He filed a response yesterday Pro-Per and requested a continuance. DDA further reported Respondent did self-report his Gross Monthly Income (GMI). DDA has no opposition to continue this hearing.

Upon Court's inquiry, Petitioner testified Respondent posted his place of employment in computer

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repairs on Craigslist. Petitioner has printed copy to provide to DA's office today. Court printed out a copy of Respondent's response for Petitioner in OPEN COURT for her to review.

DDA stated Respondent is under an order to show cause and requested a finding of contempt and a bench warrant. Court FINDS, DDA's request is hereby DENIED. MATTER CONTINUED as he has a documented appearance if US District Court on another matter scheduled for today at 10:00 AM. Respondent is ADMONISHED to pay monthly or face imposition of CONTEMPT. Respondent is self-employed. He is to bring copies of filed tax returns next court date for years 2012 and 2013 per NRS 125B.080.

MASTER RECOMMENDED, Matter SET for REVIEW and ADJUSTMENT.

INTERIM CONDITIONS:

FUTURE HEARINGS: Dec 09, 2014 9:15AM Motion for Review and Adjustment of Child Support
Greystone Courtroom #1 Teuton, Sylvia

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

DA - UIFSA

COURT MINUTES

January 28, 2015

R-11-162425-R	Patricia Foley, Petitioner(s).
	vs.
	Michael A Foley, Respondent(s).

January 28, 2015	1:45 PM	Motion for Review and Adjustment of Child Support
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HEARD BY: Davis, James

COURTROOM: Greystone Courtroom #1

COURT CLERK: Maria Chavez

PARTIES:

Elizabeth Foley, Subject Minor, not present	
Michael Foley, Respondent, not present	Pro Se
Michael Foley, Subject Minor, not present	
Patricia Foley, Petitioner, present	
Public by DAFS, Other, present	Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, not present	

JOURNAL ENTRIES

- Deputy District Attorney (DDA): Alec Raphael

Petitioner Sworn and Testified.

DDA reported this is a Review and Adjustment and Enforcement Review hearing. DDA reviewed case.

After statements, DDA reported Respondent Gross Monthly Income (GMI) is \$2,512.95. Court calculated 29% of GMI to be \$729.00.

Upon DDA's inquiry, Petitioner testified her monthly health insurance cost has remained the same since last hearing. DDA requested Medical support payment of \$79.00 per month continue. DDA requested Modification to be August 1, 2014.

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DDA further reported Respondent has self-reported his income of \$2,521.95 and has not made a payment since his jail release payment in August 13, 2014. DDA further requested a bench warrant and for future return date of February 18, 2015, be vacated.

MASTER RECOMMENDED, Respondent found in CONTEMPT and SENTENCED to 25 DAYS in the Clark County Detention Center. SENTENCE STAYED until next court date.
BENCH WARRANT, NO BAIL. RESPONDENT shall be RELEASED upon PAYMENT of \$1,000.00, which sum shall be RELEASED to PETITIONER as CHILD SUPPORT.

REVIEW Hearing of February 18, 2015 is hereby VACATED.

INTERIM CONDITIONS:

FUTURE HEARINGS: Jan 28, 2015 1:45PM Motion for Review and Adjustment of Child Support
R162425 02/18/2015 @ 2.15 PM CR#1
Greystone Courtroom #1 Davis, James

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

DA - UIFSA**COURT MINUTES****April 15, 2015**

R-11-162425-R Patricia Foley, Petitioner(s).
 vs.
 Michael A Foley, Respondent(s).

April 15, 2015 1:15 PM In Custody Hearing

HEARD BY: Teuton, Sylvia**COURTROOM:** Greystone Courtroom #1**COURT CLERK:** Keyla Anderson**PARTIES:**

Elizabeth Foley, Subject Minor, not present	
Michael Foley, Respondent, present	Pro Se
Michael Foley, Subject Minor, not present	
Patricia Foley, Petitioner, not present	
Public by DAFS, Other, present	Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, not present	

JOURNAL ENTRIES

- Deputy District Attorney (DDA): Patricia Ross

Respondent, In-Custody, sworn and testified. Respondent participated via video conference from the Clark County Detention Center (CCDC).

DDA stated Respondent failed to appear to his January 28, 2015 hearing, and a Bench Warrant was issued for \$1,000.00. DDA advised Respondent was arrested April 09, 2015. DDA reported Respondent's last payment was August 2014 for \$200.00. Upon inquiry of the Court, Respondent requested appointed counsel for himself. Respondent stated it was unlawful to detain him and made several arguments on why he should not be in jail. DDA noted Respondent has a business. The Court address all of the Respondent's arguments and denied request for appointed counsel.

MASTER RECOMMENDED: Respondent shall PAY \$729.00 per month TEMPORARY CURRENT SUPPORT and \$79.00 per month MEDICAL SUPPORT and \$25.00 per month on ARREARS for a TOTAL MONTHLY PAYMENT of \$833.00.

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ORDER TO SHOW CAUSE, CONTINUED. PRIOR CONTEMPT SENTENCES ISSUED May 15, 2012 shall be SERVED as follows: 19 Days IMPOSED 1 Day STAYED. PRIOR CONTEMPT SENTENCES STAYED.

Respondent may be RELEASED from CUSTODY on May 04, 2015 or immediately upon PAYMENT of \$900.00, which shall be RELEASED to PETITIONER as CHILD SUPPORT.

MISCELLANEOUS RECOMMENDED ORDERS: Respondent must bring or have paid \$1,666.00.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

DA - UIFSA**COURT MINUTES**

June 17, 2015

R-11-162425-R Patricia Foley, Petitioner(s).
 vs.
 Michael A Foley, Respondent(s).

**June 17, 2015 9:00 AM Order to Show Cause -
 Pay or Stay**

HEARD BY: Conant, Lynn**COURTROOM:** Greystone Courtroom #1**COURT CLERK:** Cherisse Lamb**PARTIES:**

Elizabeth Foley, Subject Minor, not present	
Michael Foley, Respondent, not present	Pro Se
Michael Foley, Subject Minor, not present	
Patricia Foley, Petitioner, not present	
Public by DAFS, Other, present	Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, not present	

JOURNAL ENTRIES

- Deputy District Attorney (DDA): Patti Ross

No Parties Present.

Today's hearing is a Pay or Stay for \$1,666.00. The DDA reviewed the case. The Respondent has made no payments. The DDA requested a finding of Contempt and a Bench Warrant in the amount of \$2,000.00.

MASTER RECOMMENDED, Respondent found in CONTEMPT and SENTENCED to 25 DAYS in the Clark County Detention Center for FAILURE TO APPEAR AND PAY. SENTENCE STAYED until next court date.

BENCH WARRANT, NO BAIL. RESPONDENT shall be RELEASED upon PAYMENT of \$2,000.00, which sum shall be RELEASED to PETITIONER as CHILD SUPPORT.

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BENCH WARRANT

INTERIM CONDITIONS:

FUTURE HEARINGS: Jun 17, 2015 9:00AM Order to Show Cause - Pay or Stay
Greystone Courtroom #1 Conant, Lynn

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

DA - UIFSA

COURT MINUTES

November 16, 2015

R-11-162425-R	Patricia Foley, Petitioner(s).
	vs.
	Michael A Foley, Respondent(s).

November 16, 2015	1:15 PM	In Custody Hearing
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HEARD BY: Lok, Merle K. Teuton, Sylvia

COURTROOM: Greystone Courtroom #1

COURT CLERK: Keyla Anderson

PARTIES:

Elizabeth Foley, Subject Minor, not present	
Michael Foley, Respondent, present	Pro Se
Michael Foley, Subject Minor, not present	
Patricia Foley, Petitioner, not present	
Public by DAFS, Other, present	Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, not present	

JOURNAL ENTRIES

- Deputy District Attorney (DDA): Edward Ewert

Respondent, in custody, sworn and testified. Respondent participated via video conference from the Clark County Detention Center (CCDC).

DDA stated Respondent failed to appear for his June 17, 2015 hearing and a Bench Warrant was issued for \$2,000.00. DDA advised Respondent was arrested November 12, 2015. DDA reported Respondent's last payment was August 2014 for \$200.00 jail release. DDA noted \$4,165.00 has come due. Upon inquiry of the Court, Respondent testified he last worked last week. Respondent stated when he is working he earns \$275.00 per week. Respondent stated he has \$119.00 on his books.

MASTER RECOMMENDED: PRIOR CONTEMPT SENTENCE ISSUED November 21, 2013 shall be SERVED as follows: 10 Days IMPOSED.

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Respondent may be RELEASED from CUSTODY on November 22, 2015 or immediately upon PAYMENT of \$2,000.00, which shall be RELEASED to PETITIONER as CHILD SUPPORT.

MISCELLANEOUS RECOMMENDED ORDERS: Respondent is to pay \$833.00 for the December payment next date to avoid Contempt.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

DA - UIFSA

COURT MINUTES

January 15, 2016

R-11-162425-R Patricia Foley, Petitioner(s).
vs.
Michael A Foley, Respondent(s).

January 15, 2016 8:30 AM AM Pay Stays

HEARD BY: Teuton, Sylvia

COURTROOM: Greystone Courtroom #1

COURT CLERK: Toni Meza

PARTIES:

Elizabeth Foley, Subject Minor, not present	
Michael Foley, Respondent, not present	Pro Se
Michael Foley, Subject Minor, not present	
Patricia Foley, Petitioner, not present	
Public by DAFS, Other, not present	Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, not present	

JOURNAL ENTRIES

- Deputy District Attorney (DDA), Edward Ewert, present.

No parties present.

DDA reported, objection pending in Family Court, Department C, on 1/20/2016 at 10 a.m.

MASTER RECOMMENDED, MATTER CONTINUED.

INTERIM CONDITIONS:

FUTURE HEARINGS: Jan 15, 2016 8:30AM AM Pay Stays
RESPONDENT TO PAY \$833.00; R162425 01/20/16 @ 10:00 AM
Greystone Courtroom #1 Teuton, Sylvia

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

DA - UIFSA

COURT MINUTES

January 20, 2016

R-11-162425-R Patricia Foley, Petitioner(s).
vs.
Michael A Foley, Respondent(s).

January 20, 2016 10:00 AM Objection - UIFSA

HEARD BY: Burton, Rebecca L.

COURTROOM: Courtroom 08

COURT CLERK: Neida Parker

PARTIES:

Elizabeth Foley, Subject Minor, not present	
Michael Foley, Respondent, not present	Pro Se
Michael Foley, Subject Minor, not present	
Patricia Foley, Petitioner, not present	
Public by DAFS, Other, present	Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, not present	

JOURNAL ENTRIES

- OBJECTION - UIFSA

Deputy District Attorney (DDA), Robert Gardner, bar number 6983, present and participated TELEPHONICALLY.

Court reviewed the case.

Court NOTED, Respondent's non-appearance for today's hearing.

Arguments by DDA.

COURT ORDERED, based on the Points and Authorities set forth in the District Attorney's Opposition to Respondent's Objection filed on December 8, 2015, shall be ADOPTED. Furthermore, Respondent's Objections filed on November 24, 2015, and November 26, 2015, shall be DENIED.

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DDA, Gardner shall prepare the Order from today s hearing.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

DA - UIFSA

COURT MINUTES

May 17, 2016

R-11-162425-R	Patricia Foley, Petitioner(s).
	vs.
	Michael A Foley, Respondent(s).

May 17, 2016	9:00 AM	Motion for Review and Adjustment of Child Support
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HEARD BY: Teuton, Sylvia

COURTROOM: Greystone Courtroom #1

COURT CLERK: Keyla Anderson

PARTIES:

Elizabeth Foley, Subject Minor, not present	
Michael Foley, Respondent, not present	Pro Se
Michael Foley, Subject Minor, not present	
Patricia Foley, Petitioner, not present	
Public by DAFS, Other, present	Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, not present	

JOURNAL ENTRIES

- Deputy District Attorney (DDA): Karen Cliffe

No Parties Present.

DDA stated Respondent is not paying and does not receive State assistance. DDA requested Modification Denied.

MASTER RECOMMENDED, ARREARS are \$57,168.39 (including INTERESTS and PENALTIES) through January 31, 2016 and REDUCED to JUDGMENT.

Petitioner shall PROVIDE HEALTH INSURANCE for the minor child(ren), if available.

PRIOR CONTEMPT SENTENCES STAYED.

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MODIFICATION DENIED.

MISCELLANEOUS RECOMMENDED ORDERS: Last payment-August 2014. Respondent's request to modify is hereby DENIED for his failure to appear today and provide proof of income and 2015 tax returns as previously ordered.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

DA - UIFSA

COURT MINUTES

July 13, 2016

R-11-162425-R Patricia Foley, Petitioner(s).
vs.
Michael A Foley, Respondent(s).

July 13, 2016 2:15 PM Review - HM

HEARD BY: Yug, Elliot

COURTROOM: Greystone Courtroom #1

COURT CLERK: Maria Chavez

PARTIES:

Elizabeth Foley, Subject Minor, not present	
Michael Foley, Respondent, not present	Pro Se
Michael Foley, Subject Minor, not present	
Patricia Foley, Petitioner, not present	
Public by DAFS, Other, present	Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, not present	

JOURNAL ENTRIES

- **These Minutes were typed by Courtroom Clerk trainee, Nidia Fuentes**

Deputy District Attorney (DDA): Karen Cliffe

No Parties Present.

COURT FINDS Respondent's last PAYMENT was in 2014.

MASTER RECOMMENDED. ORDER TO SHOW CAUSE, CONTINUED. Respondent found in CONTEMPT and SENTENCED to 25 DAYS in the Clark County Detention Center. SENTENCE STAYED until next court date. PRIOR CONTEMPT SENTENCES STAYED. BENCH WARRANT, NO BAIL. RESPONDENT shall be RELEASED upon PAYMENT of \$2000.00, which sum shall be RELEASED to PETITIONER as CHILD SUPPORT.

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INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

DA - UIFSA

COURT MINUTES

August 31, 2016

R-11-162425-R Patricia Foley, Petitioner(s).
vs.
Michael A Foley, Respondent(s).

August 31, 2016 10:00 AM Objection - UIFSA

HEARD BY: Burton, Rebecca L.

COURTROOM: Courtroom 08

COURT CLERK: Neida Parker

PARTIES:

Elizabeth Foley, Subject Minor, not present	
Michael Foley, Respondent, not present	Pro Se
Michael Foley, Subject Minor, not present	
Patricia Foley, Petitioner, not present	
Public by DAFS, Other, not present	Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, not present	

JOURNAL ENTRIES

- OBJECTION - UIFSA

There being no appearances, matter was taken OFF CALENDAR.

INTERIM CONDITIONS:

FUTURE HEARINGS:

**DISTRICT COURT
CLARK COUNTY, NEVADA**

DA - UIFSA

COURT MINUTES

January 17, 2019

R-11-162425-R	Patricia Foley, Petitioner(s).
	vs.
	Michael A Foley, Respondent(s).

January 17, 2019 10:00 AM Hearing

HEARD BY: Burton, Rebecca L.

COURTROOM: Courtroom 08

COURT CLERK: Diane Ford

PARTIES:

Elizabeth Foley, Subject Minor, not present	
Michael Foley, Respondent, present	Pro Se
Michael Foley, Subject Minor, not present	
Patricia Foley, Petitioner, present	
Public by DAFS, Other, not present	Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, not present	

JOURNAL ENTRIES

- HEARING RE: REMAND FROM SUPREME COURT

Attorney Abraham Smith, Bar No. 13250, appeared with Respondent.

This matter heard simultaneously with D-08-403071-D, please refer to the minutes in that case.

COURT ORDERED matter OFF CALENDAR as the Remittitur has not been received.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

DA - UIFSA**COURT MINUTES****December 06, 2019**

R-11-162425-R Patricia Foley, Petitioner(s).
 vs.
 Michael A Foley, Respondent(s).

December 06, 2019 9:30 AM Hearing

HEARD BY: Henry, Jennifer**COURTROOM:** Greystone Courtroom #1**COURT CLERK:** Nidia Fuentes**PARTIES:**

Elizabeth Foley, Subject Minor, not present	
Michael Foley, Respondent, not present	Pro Se
Michael Foley, Subject Minor, not present	
Patricia Foley, Petitioner, not present	
Public by DAFS, Other, present	Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, not present	

JOURNAL ENTRIES

- Deputy District Attorney (DDA): Karen Cliffe

No parties present.

DDA reported today's hearing is a Order for Remand from Department C filed October 18, 2019. Respondent receives Medicaid.

COURT FINDS, on December 5, 2019, Respondent filed an "Objection" which the Court believes is a misnomer and Respondent intended Department C to hear a motion which is really meant to be a Motion for Reconsideration as to which department and judicial officer should be hearing the case (HM v. District Judge). District Attorney's assessment of the document entitled "Objection" is also that is something that should be addressed by the District Court judge prior to the UIFSA court holding any hearing on the merits of this case. Court contacted Dept. C for a court date for Respondent's "Objection" to be addressed. The date for this matter to be addressed has been set for February 3, 2020 at 9:00 AM in Dept C, located at 601 N. Pecos Road, Las Vegas, NV 89101.

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MASTER RECOMMENDED, DAFS to send a Notice Of Hearing and mailing to the parties with regards to this "Objection" being heard by Dept C. Until such time as there is further direction by Dept C., this court will take the matter off calendar. Dept C is requested to set an appropriate date and time for the next hearing at CSCSN (1900 E. Flamingo Road) location.

Matter OFF CALENDAR.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

DA - UIFSA**COURT MINUTES**

February 03, 2020

R-11-162425-R Patricia Foley, Petitioner(s).
 vs.
 Michael A Foley, Respondent(s).

February 03, 2020 9:00 AM Objection

HEARD BY: Burton, Rebecca L.**COURTROOM:** Courtroom 08**COURT CLERK:** Diane Ford**PARTIES:**

Elizabeth Foley, Subject Minor, not present	
Michael Foley, Respondent, not present	Pro Se
Michael Foley, Subject Minor, not present	
Patricia Foley, Petitioner, present	
Public by DAFS, Other, not present	Steven Wolfson, Attorney, not present
Therese Foley, Subject Minor, not present	

JOURNAL ENTRIES

- OBJECTION

Deputy District Attorney Robert Gardner, Bar No. 6982, appeared telephonically for the State of Nevada.

Court noted this matter had been on Appeal for a number of years and the Appeal was finally completed.

Court noted the Orders from the Supreme Court on the record. On October 28, 2019, this Court its Order After Remand and noted on the record what was ordered in that Order. Court noted the documentation the Respondent filed after the Order After Remand, and further noted the Respondent had not filed a Financial Disclosure Form (FDF) nor any verification of income.

Court reviewed the history of the parties and the pleadings on file.

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COURT FINDS that it has subject matter jurisdiction over this case, personal jurisdiction over the parties, and child custody subject matter jurisdiction over the minor child(ren).

Court further noted none of the Respondent's document had been served upon the District Attorney's Office as there was no proof of service filed with the court.

Court clarified its Order After Remand.

COURT ORDERED the following:

1. Respondent's Joinder to Objection filed on December 5, 2019 shall be STRICKEN.
2. Respondent's Joinder to Objection filed on December 5, 2019 shall be STRICKEN.
3. Respondent's Joinder to Objection filed on December 5, 2019 shall be STRICKEN.
4. Respondent was admonished to not talk to the minor child about Court issues and/or adult issues under EDCR 5.301.
5. Respondent's Motion for Reconsideration is DENIED.
6. Respondent shall file a Financial Disclosure Form (FDF), attach his last three pay stubs or verification of income, and file proof of service.
7. Respondent's Motion to Appoint Counsel is DENIED, WITHOUT PREJUDICE.
8. Respondent's Objection is DENIED, WITHOUT PREJUDICE.
9. A hearing shall be SET in front of the Hearing Master to address the contempt for child support.
10. Attorney Gardner shall prepare the Order by February 18, 2020.

MATTER RECALLED. Petitioner not present.

Court recalled this matter to verify that the Notice of Hearing was sent to the Respondent at the address listed in Odyssey and to an address on Naples Drive in Las Vegas, Nevada.

INTERIM CONDITIONS:

FUTURE HEARINGS: Feb 03, 2020 9:00AM Objection

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Courtroom 08 Burton, Rebecca L.

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EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

MICHAEL FOLEY
209 S. STEPHANIE ST., STE. B-191
HENDERSON, NV 89012

DATE: April 2, 2020
CASE: R-11-162425-R

RE CASE: PATRICIA FOLEY vs. MICHAEL A. FOLEY

NOTICE OF APPEAL FILED: March 31, 2020

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT TRANSMITTED HAVE BEEN MARKED:**

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)**
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. The district court clerk shall apprise appellant of the deficiencies in writing, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (g) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

*****Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.***

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; CIVIL COVER SHEET; ORDER FOLLOWING OBJECTION; NOTICE OF
ENTRY OF ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

PATRICIA FOLEY,

Plaintiff(s),

vs.

MICHAEL A. FOLEY,

Defendant(s),

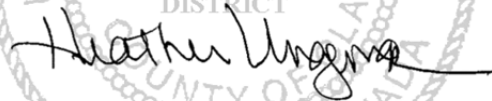
Case No: R-11-162425-R

Dept No: C

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 2 day of April 2020.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk