

1 **NOAS**
2 **ADAM J. BREEDEN, ESQ.**
3 Nevada Bar No. 008768
4 **BREEDEN & ASSOCIATES, PLLC**
5 376 E. Warm Springs Road, Suite 120
6 Las Vegas, Nevada 89119
7 Phone: (702) 819-7770
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9 Adam@Breedendandassociates.com
10 *Attorneys for Plaintiff*

Electronically Filed
Jun 16 2020 03:58 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

11 **EIGHTH JUDICIAL DISTRICT COURT**

12 **FAMILY DIVISION**

13 **CLARK COUNTY, NEVADA**

14 **LILLIAN L. HARGROVE,**

15 Plaintiff,

16 v.

17 **THOMAS REID WARD,**

18 Defendant.

CASE NO.: D-19-585818-C

DEPT NO.: R

NOTICE OF APPEAL

19 Notice is hereby given that Plaintiff, LILLIAN L. HARGROVE, hereby
20 appeals to the Supreme Court of Nevada from the Order After Evidentiary Hearing
21 entered in this case on April 26, 2020 with Notice of Entry being filed May 11, 2020.

22 DATED this 10th day of June, 2020.

BREEDEN & ASSOCIATES, PLLC



ADAM J. BREEDEN, ESQ.

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CERTIFICATE OF SERVICE

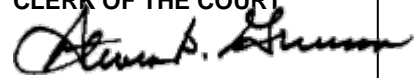
I hereby certify that on the 10th day of June, I served a copy of the foregoing legal document **NOTICE OF APPEAL** via the method indicated below:

X	Pursuant to NRCP 5 and NEFCR 9, by electronically serving all counsel and e-mails registered to this matter on the Court's official service, Wiznet system.
	Pursuant to NRCP 5, by placing a copy in the US mail, postage pre-paid to the following counsel of record or parties in proper person: Brandon K. Leavitt, Esq. Michael C. Flaxman, Esq. LEAVITT & FLAXMAN, LLC 2520 St. Rose Parkway, Suite 101 Henderson, Nevada 89074 Amanda M. Roberts, Esq. ROBERTS STOFFEL FAMILY LAW GROUP 4411 S. Pecos Road Las Vegas, Nevada 89121
	Via receipt of copy (proof of service to follow)

An Attorney or Employee of the following firm:

/s/ Kristy Johnson

BREEDEN & ASSOCIATES, PLLC



1 **ASTA**
2 **ADAM J. BREEDEN, ESQ.**
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6 Las Vegas, NV 89119
7 Phone: 702.819.7770
8 Fax: 702.819.7771
9 E-Mail: Adam@Breedendassociates.com
10 *Attorneys for Appellant Hargrove*

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

10 LILLIAN L. HARGROVE,
11 Plaintiff,
12 v.

CASE NO.: D-19-585818-C
DEPT NO.: R

13 THOMAS REID WARD,
14 Defendant.

15
16 **CASE APPEAL STATEMENT**

- 17 1. Name of appellant filing this case appeal statement:
18
19 LILLIAN L. HARGROVE, PLAINTIFF
- 20 2. Identify the judge issuing the decision, judgment, or order appealed from:
21
22 HON. BILL HENDERSON, EIGHTH JUDICIAL DISTRICT COURT
23 FAMILY DIVISION DEPARTMENT R.
- 24 3. Identify each appellant and the name and address of counsel for each appellant:
25
26 LILLIAN HARGROVE, APPELLANT. REPRESENTED BY COUNSEL
27 ADAM J. BREEDEN, ESQ., BREEDEN & ASSOCIATES, PLLC, 376 E.
28

1 WARM SPRINGS RD., SUITE 120, LAS VEGAS, NV 89119, (702) 819-
2 7770.

3
4 4. Identify each respondent and the name and address of appellate counsel, if
5 known, for each respondent (if the name of a respondent's appellate counsel is
6 unknown, indicate as much and provide the name and address of that respondent's
7 trial counsel):
8

9 THOMAS R. WARD. TRIAL COUNSEL WAS AMANDA ROBERTS,
10 ESQ. OF ROBERTS STOFFEL FAMILY LAW GROUP, 4411 SOUTH
11 PECOS RD., LAS VEGAS, NEVADA 89121, (702) 474-7007.
12

13 APPELLATE COUNSEL IS UNKNOWN.

14 5. Indicate whether any attorney identified above in response to question 3 or 4 is
15 not licensed to practice law in Nevada and, if so, whether the district court granted
16 that attorney permission to appear under SCR 42 (attach a copy of any district court
17 order granting such permission):
18

19
20 ALL COUNSEL IN THIS MATTER ARE LICENSED TO PRACTICE LAW
21 IN THE STATE OF NEVADA.
22

23 6. Indicate whether appellant was represented by appointed or retained counsel in
24 the district court:

25 APPELLANT WAS REPRESENTED BY RETAINED COUNSEL IN THE
26 DISTRICT COURT PROCEEDINGS. COUNSEL WAS BRANDON K.
27 LEAVITT, ESQ. OF LEAVITT & FLAXMAN, LLC.
28

1 7. Indicate whether appellant is represented by appointed or retained counsel on
2 appeal:

3
4 APPELLANT IS REPRESENTED BY RETAINED COUNSEL FOR THE
5 APPEAL. APPELLATE COUNSEL IS ADAM J. BREEDEN, ESQ.

6 8. Indicate whether appellant was granted leave to proceed in forma pauperis, and
7 the date of entry of the district court order granting such leave:

9 NO PARTY HAS APPEARED IN FORMA PAUPERIS.

10 9. Indicate the date the proceedings commenced in the district court (e.g., date
11 complaint, indictment, information, or petition was filed):

13 THE ORIGINAL CIVIL COMPLAINT WAS FILED ON MARCH 12, 2019.

14 10. Provide a brief description of the nature of the action and result in the district
15 court, including the type of judgment or order being appealed and the relief granted
16 by the district court:

18 PLAINTIFF APPEALS FROM AN ORDER DENYING HER
19
20 RETROACTIVE CHILD SUPPORT UNDER NRS § 125B.030.

21 11. Indicate whether the case has previously been the subject of an appeal to or
22 original writ proceeding in the Supreme Court or Court of Appeals and, if so, the
23 caption and docket number of the prior proceeding:

25 NOT APPLICABLE/NO PRIOR APPEALS OR SUPREME COURT
26 PROCEEDINGS.

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28 12. Indicate whether this appeal involves child custody or visitation:

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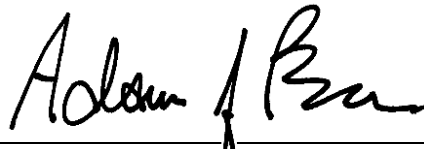
THE CASE DOES NOT CONCERN CHILD CUSTODY OR VISITATION.

13. If this is a civil case, indicate whether this appeal involves the possibility of settlement:

IT IS THE APPELLANT’S POSITION THAT A SETTLEMENT CONFERENCE MAY HELP RESOLVE THIS APPEAL.

DATED this 10th day of June, 2020.

BREEDEN & ASSOCIATES, PLLC



ADAM J. BREEDEN, ESQ.

Nevada Bar No. 008768

376 E. Warm Springs Rd. Suite 120

Las Vegas, Nevada 89119

Phone: (702) 819-7770

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Adam@Breedendassociates.com

Attorneys for Appellant Hargrove

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CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of June, I served a copy of the foregoing legal document **CASE APPEAL STATEMENT** via the method indicated below:

X	Pursuant to NRCP 5 and NEFCR 9, by electronically serving all counsel and e-mails registered to this matter on the Court's official service, Wiznet system.
	Pursuant to NRCP 5, by placing a copy in the US mail, postage pre-paid to the following counsel of record or parties in proper person: Brandon K. Leavitt, Esq. Michael C. Flaxman, Esq. LEAVITT & FLAXMAN, LLC 2520 St. Rose Parkway, Suite 101 Henderson, Nevada 89074 Amanda M. Roberts, Esq. ROBERTS STOFFEL FAMILY LAW GROUP 4411 S. Pecos Road Las Vegas, Nevada 89121
	Via receipt of copy (proof of service to follow)

An Attorney or Employee of the following firm:

/s/ Kristy Johnson

BREEDEN & ASSOCIATES, PLLC

CASE SUMMARY**CASE NO. D-19-585818-C**

Lillian Lacy Hargrove, Plaintiff.
vs.
Thomas Reid Ward, Defendant.

§
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Location: **Department R**
 Judicial Officer: **Henderson, Bill**
 Filed on: **03/12/2019**

CASE INFORMATION**Statistical Closures**

04/27/2020 Judgment Reached (Bench Trial)

Case Type: **Child Custody Complaint**

Case Status: **04/27/2020 Closed**

Case Flags: **Order After Hearing Required
 Order / Decree Logged Into
 Department
 Appealed to Supreme Court
 16.2 Eligible**





DATE**CASE ASSIGNMENT****Current Case Assignment**

Case Number	D-19-585818-C
Court	Department R
Date Assigned	03/12/2019
Judicial Officer	Henderson, Bill

PARTY INFORMATION

Plaintiff	Hargrove, Lillian Lacy	<i>Attorneys</i> Breeden, Adam J. <i>Retained</i> 702-819-7770(W) Pro Se 702-701-2917(H) Leavitt, Brandon <i>Retained</i> 702-602-7447(W)
Defendant	Ward, Thomas Reid	Roberts, Amanda M, ESQ <i>Retained</i> 702-474-7007(W)
Subject Minor	Ward, Gabriel Baine	

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

03/12/2019	 Summons Issued Only Filed by: Counter Defendant Hargrove, Lillian Lacy <i>Summons Issued Only</i>
03/12/2019	 Complaint for Custody Filed by: Counter Defendant Hargrove, Lillian Lacy <i>Complaint for Custody</i>
03/12/2019	 Request for Issuance of Joint Preliminary Injunction Filed By: Counter Defendant Hargrove, Lillian Lacy <i>Request for Issuance of Joint Preliminary Injunction</i>
03/12/2019	 Motion Filed By: Counter Defendant Hargrove, Lillian Lacy

CASE SUMMARY

CASE NO. D-19-585818-C

Plf's Motion and Notice of Motion to Establish Paternity and/or for DNA Testing

04/08/2019



Re-Notice of Motion

Filed by: Counter Defendant Hargrove, Lillian Lacy
Re-Notice of Motion

04/30/2019



Notice of Appearance

Party: Counter Claimant Ward, Thomas Reid
Notice of Appearance for defendant, Thomas Ward

05/08/2019



Acceptance of Service

Filed by: Counter Defendant Hargrove, Lillian Lacy
Acceptance of Service

05/28/2019



Notice

Filed By: Counter Claimant Ward, Thomas Reid
Notice of intent to Appear by Communication Equipment

06/14/2019



Notice

Filed By: Counter Claimant Ward, Thomas Reid
Notice of Intent to Appear by Communication Equipment

07/02/2019



Order

Filed By: Counter Claimant Ward, Thomas Reid
Order After Hearing from June 20, 2019

07/02/2019



Notice of Entry of Order

Filed By: Counter Claimant Ward, Thomas Reid
Notice of Entry of Order After Hearing

07/02/2019



Financial Disclosure Form

Filed by: Counter Defendant Hargrove, Lillian Lacy
Financial Disclosure Form

07/05/2019



Order

Filed By: Counter Defendant Hargrove, Lillian Lacy
Order After May 30, 2019, Hearing

07/05/2019



Notice of Entry

Filed By: Counter Defendant Hargrove, Lillian Lacy
Notice of Entry of Order After May 30, 2019 Hearing

08/09/2019



Subpoena Duces Tecum

Subpoena Duces Tecum

08/09/2019



Notice of Taking Deposition

Filed by: Counter Defendant Hargrove, Lillian Lacy
Notice of Taking Deposition

08/21/2019



Witness List

Plaintiff's List of Witnesses

09/03/2019



Stipulation and Order

Filed By: Counter Claimant Ward, Thomas Reid
Stipulation and Order to Continue Hearing and Extend Discovery Deadline

09/04/2019



Notice of Entry of Stipulation and Order

Filed by: Counter Claimant Ward, Thomas Reid
Notice of Entry of Stipulation and Order to Continue Hearing and Extend Discovery Deadline

11/14/2019



Pre-trial Memorandum

Filed By: Counter Claimant Ward, Thomas Reid
Defendant's Pre-Trial Memorandum









11/14/2019




Pre-trial Memorandum

CASE SUMMARY

CASE NO. D-19-585818-C

	Filed By: Counter Defendant Hargrove, Lillian Lacy <i>Plaintiff's Pre-Trial Memorandum</i>
11/15/2019	 Receipt of Copy Filed By: Counter Defendant Hargrove, Lillian Lacy <i>Receipt of Copy</i>
11/19/2019	 Pre-trial Memorandum Filed By: Counter Defendant Hargrove, Lillian Lacy <i>Amended Pre-Trial Memorandum</i>
11/21/2019	 Answer - First Appearance Fee Not Required Filed by: Counter Claimant Ward, Thomas Reid <i>Answer to Complaint for Custody; and Counterclaim for an Award of Attorney's Fees and Costs</i>
11/21/2019	 Financial Disclosure Form Filed by: Counter Claimant Ward, Thomas Reid <i>Financial Disclosure Form for Defendant</i>
11/22/2019	 Notice Filed By: Counter Claimant Ward, Thomas Reid <i>Notice of Defendant's Audiovisual Transmission Equipment Appearance</i>
01/23/2020	 Notice Filed By: Counter Claimant Ward, Thomas Reid <i>Notice of Intent to Appear by Communication Equipment</i>
04/26/2020	 Order <i>Order</i>
05/11/2020	 Notice of Entry Filed By: Counter Defendant Hargrove, Lillian Lacy <i>Notice of Entry of Order After Evidentiary Hearing</i>
06/10/2020	 Notice of Association of Counsel Filed by: Counter Defendant Hargrove, Lillian Lacy <i>Notice of Association of Counsel</i>
06/10/2020	 Notice of Appeal Filed By: Counter Defendant Hargrove, Lillian Lacy <i>Notice of Appeal</i>
06/10/2020	 Case Appeal Statement Filed By: Counter Defendant Hargrove, Lillian Lacy <i>Case Appeal Statement</i>

HEARINGS

04/09/2019	CANCELED Motion (9:00 AM) (Judicial Officer: Henderson, Bill) <i>Vacated</i> <i>Plf's Motion and Notice of Motion to Establish Paternity and/or for DNA Testing</i>
05/30/2019	 Motion (9:00 AM) (Judicial Officer: Henderson, Bill) <i>Plf's Motion and Notice of Motion to Establish Paternity and/or for DNA Testing</i> Matter Heard; Journal Entry Details: <i>MOTION: PLAINTIFF'S MOTION AND NOTICE OF MOTION TO ESTABLISH PATERNITY AND/OR DNA TESTING Defendant Thomas Ward appeared TELEPHONICALLY. Attorney Brandon Leavitt, Bar #11834, present on behalf of the Plaintiff in an UNBUNDLED capacity. Conference between Court and counsel outside the present of the Parties. Discussion regarding the incorrectly filed Paternity case proceeding via the custody case it was filed under. Court and Counsel discussed the appropriate way to resolve the case. Attorney Leavitt advised Counsel agree to a status check in an attempt to globally resolve the case. Attorney Leavitt noted, he is unbundled through today, although he may not be hired for the return hearing. However, he intends to negotiate the case pending the return hearing with Attorney Roberts. COURT ORDERED, STATUS CHECK SET RE: RESOLUTION on 6-20-19 at 10:00 am in Department 12. The Court will go forward in this action as Paternity Case and will not request Counsel to File a Paternity Case as a correction. Attorney Leavitt shall prepare the</i>


EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. D-19-585818-C

*Order from today's hearing and Attorney Robert's shall countersign.;
Matter Heard*

06/20/2019

 **Status Check** (10:00 AM) (Judicial Officer: Henderson, Bill)


SC RE: RESOLUTION

Evidentiary Hearing;

Journal Entry Details:

*STATUS CHECK RE: RESOLUTION Atty Brandon Leavitt, Bar #11834, present in an Unbundled capacity with Plaintiff. Defendant present by telephone from California. Discussion by Counsel concerning the now emancipated child of the Parties. Court noted, Paternity was Stipulated to and Defendant's name is on the child's Birth Certificate. Court further noted, Parties have attempted settlement with no agreement reached. COURT ORDERED the following: 1. Plaintiff shall print out all of the text messages and e-mails concerning Defendant's visitation and payment of child support over the years. 2. Evidentiary Hearing re: Child Support SET for 9/17/19 at 1:30 p.m. 3. Discovery is now open and will close 9/1/19. 4. Discovery shall be propounded by 8/1/19. 5. Trial Briefs, if necessary, are due by 9/13/19. 6. Atty Leavitt is permitted to Withdraw as Counsel for Plaintiff. Atty Roberts shall prepare the Order from today's hearing, Atty Leavitt to sign as to form and content. ;
Evidentiary Hearing*

11/21/2019

 **Evidentiary Hearing** (1:30 PM) (Judicial Officer: Henderson, Bill)

Evidentiary Hearing re: Child Support


09/17/2019 Reset by Court to 11/21/2019

Matter Continued;

Journal Entry Details:

*EVIDENTIARY HEARING RE: CHILD SUPPORT Parties sworn and testified. Testimony and Exhibits presented (see worksheets). COURT ORDERED, matter CONTINUED to 12/2/19 from 1:30 p.m. to 3:30 p.m. and 12/13/19 from 9:00 a.m. to 12 Noon. COURT FURTHER ORDERED, Court WAIVES the signing of the notarized form for the Blue Jeans App, for Defendant to appear by Video Conference at the next hearing.;
Matter Continued*

12/02/2019

 **Evidentiary Hearing** (1:30 PM) (Judicial Officer: Henderson, Bill)

Evidentiary Hearing Re Child Support (day 2)

Matter Continued;

Journal Entry Details:

*EVIDENTIARY HEARING RE: CHILD SUPPORT (DAY 2) Defendant/Dad present by video conference. Testimony and exhibits presented (see worksheets). COURT ORDERED the following: 1. The Evidentiary Hearing date of 12/13/19 at 9:00 a.m. is VACATED. 2. Evidentiary Hearing CONTINUED to 1/17/20 at 3:30 p.m. for the Decision. 3. Counsel can supplement prior to the next hearing. ;
Matter Continued*


12/13/2019

CANCELED Evidentiary Hearing (9:00 AM) (Judicial Officer: Henderson, Bill)

Vacated - per Attorney or Pro Per

Evidentiary Hearing re: Child Support (day 3)

01/17/2020

 **Evidentiary Hearing** (3:30 PM) (Judicial Officer: Henderson, Bill)


Evidentiary Hearing re: Child Support (day 3)

Matter Continued;

Journal Entry Details:

*EVIDENTIARY HEARING RE: CHILD SUPPORT (DAY 3) Discussion regarding Defendant/Father appearing audio-visually or telephonically today. Attorney Leavitt stated he was willing to waive Defendant/Father's appearance today. Court stated it would prefer to set a Day 4 to render his decision but if a decision is made prior, the hearing can be vacated. Court Clerk placed phone call to Defendant/Father and he appeared TELEPHONICALLY. Court reviewed the history of the case in regards to child support and visitation. Closing arguments by counsel. COURT ORDERED the following: 1. Evidentiary Hearing shall be continued to 1/24/2020 @ 1:30 p.m. for the Court's decision.;
Matter Continued*

01/24/2020

 **Evidentiary Hearing** (1:30 PM) (Judicial Officer: Henderson, Bill)

Evidentiary Hearing Day 4 for Court's decision

Decision Made;

Journal Entry Details:

EVIDENTIARY HEARING DAY 4 FOR COURT'S DECISION Defendant not available by telephone due to a family emergency, Defendant currently resides in South Lake Tahoe, CA. Plaintiff STIPULATES to waiver of Defendant's appearance. Court noted the minor child is now emancipated. Court stated it's Findings. COURT ORDERED the following: 1. Plaintiff's request for CHILD SUPPORT ARREARS after the child emancipates is DENIED, as there is no authority to award after emancipation as there was no Court Order for Child Support. 2.

CASE SUMMARY

CASE NO. D-19-585818-C

*Each Party shall bear their own Attorney's Fees and Costs. Atty Robert shall prepare the Order from today's hearing, Atty Leavitt to sign as to form and content. ;
Decision Made*

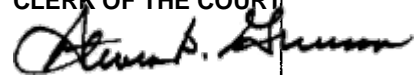
SERVICE

03/12/2019

Summons

Ward, Thomas Reid

Served: 05/01/2019



1 **ORDR**

2 Amanda M. Roberts, Esq.

3 State of Nevada Bar No. 9294

4 **ROBERTS STOFFEL FAMILY LAW GROUP**

5 4411 South Pecos Road

6 Las Vegas, Nevada 89121

7 PH: (702) 474-7007

8 FAX: (702) 474-7477

9 EMAIL: efile@lvfamilylaw.com

10 Attorney for Defendant, Thomas R. Ward

11 **DISTRICT COURT**
12 **CLARK COUNTY, NEVADA**

13 LILLIAN L. HARGROVE,

14 Plaintiff,

15 v.

16 THOMAS R. WARD,

17 Defendant.

Case No: D-19-585818-C

Dept No: R

18 **ORDER AFTER EVIDENTIARY**
19 **HEARING**

Date of Hearing: January 24, 2020

Time of Hearing: 1:30 p.m.

20 THIS MATTER having come before the Court on the January 24, 2020, for
21 the Court's Decision following the Evidentiary Hearing held on November 21,
22 2019; December 2, 2019; January 17, 2020; and January 24, 2020. The Plaintiff,
23 Lillian Hargrove, being present and represented by Brandon K. Leavitt, Esq., of
24 Leavitt & Flaxman, LLC, and the Defendant, Thomas Ward, not being present, but
25 represented by and through his attorney of record, Amanda M. Roberts, Esq., of

26 Non-Trial Dispositions:

- 27 ☐ Other
☐ Dismissed - Want of Prosecution
☐ Involuntary (Statutory) Dismissal
☐ Default Judgment
☐ Transferred

Settled/Withdrawn:

- ☐ Without Judicial Conf/Hrg
☐ With Judicial Conf/Hrg
☐ By ADR

28 Trial Dispositions:

- ☐ Disposed After Trial Start
☒ Judgment Reached by Trial

1 Roberts Stoffel Family Law Group, and the Court having heard the argument of
2 Counsel and reviewed the pleadings on file herein hereby Orders as follows:

3
4 THE COURT HEREBY FINDS the Plaintiff stipulated to waiver of
5 Defendant's appearance on January 24, 2020, due to Defendant a family
6 emergency. The Defendant currently residences in South Lake Tahoe, California.
7 (Time Stamp 01:28:47)
8

9 THE COURT FURTHER FINDS it does not seem like the chronologies
10 provided by either Party are that dissimilar when it comes to the critical matters in
11 this case. (Time Stamp 01:30:48)
12

13 THE COURT FURTHER FINDS the somewhat minor differences regarding
14 certain time periods are not of critical importance, so it is not that imperative for the
15 Court to determine which Party's timeline is more accurate. (Time Stamp
16 01:30:55)
17

18 THE COURT FURTHER FINDS on some of the chronology the
19 reasonableness of whether Defendant should have reached out, could have been
20 located, or whether he was really all that inaccessible, remained in dispute. (Time
21 Stamp 01:31:17)
22

23 THE COURT FURTHER FINDS the Defendant seems to have largely blown
24 off an obligation he had established, although not through any Court Order and not
25 by any contractual obligation. This is a moral, not legal, issue. (Time Stamp
26 01:31:40)
27
28

1 THE COURT FURTHER FINDS that despite cutting off social media,
2 Defendant was not difficult to find. The information to locate Defendant was
3 obtained in 2017, which is two (2) years before this lawsuit commenced. In
4 addition, Defendant has been at the same place of employment for sixteen (16)
5 years. (Time Stamp 01:31:53)
6

7 THE COURT FURTHER FINDS we deal with this as a legal issue, with
8 some equitable element, but this Court is not necessarily invoking equity to any
9 meaningful extent. Not to the extent where the Court can find that there is no
10 adequate remedy at law so that equity is going to carry the day. (Time Stamp
11 01:32:16) The Court does have to make note of certain equity, or maybe more to
12 the point merits, or actions or inactions by the Parties. (Time Stamp 1:32:33)
13

14 THE COURT FURTHER FINDS the Plaintiff's chronology is that from
15 January 1999 through June 2001 the Parties were in a relationship. (Time Stamp
16 01:32:41) Gabriel was born December 3, 1999. (Time Stamp 01:33:00)
17 Defendant is on the birth certificate. (Time Stamp 01:34:02)
18

19 THE COURT FURTHER FINDS that Gabriel is on the autism spectrum
20 although it was never developed as a major issue in the case. (Time Stamp
21 01:33:05)
22

23 THE COURT FURTHER FINDS the Defendant was babysitting instead of
24 support for the first period of the child's life. (Time Stamp 01:33:11)
25
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1 THE COURT FURTHER FINDS the Defendant moved to Reno from Las
2 Vegas in March of 2009. (Time Stamp 01:33:26)

3
4 THE COURT FURTHER FINDS according to Plaintiff's timeline, the
5 Defendant had four (4) visits from March 2009 through April 2012. (Time Stamp
6 01:33:37) Out of the four (4) visits, Plaintiff paid for two (2); Grandma paid for
7 one (1) and Defendant might have paid for one (1). (Time Stamp 01:33:36)

8
9 THE COURT FURTHER FINDS that from April 2012 until April 2013
10 Plaintiff alleged that the Defendant agreed to put \$400.00 per month into a Wells
11 Fargo checking account. (Time Stamp 01:33:54) Defendant disputed this
12 agreement. (Time Stamp 01:34:05)

13
14 THE COURT FURTHER FINDS from April 2013 through July 2013 there
15 were no deposits into the Wells Fargo account. (Time Stamp 01:34:20)

16
17 THE COURT FURTHER FINDS from July 2013 through January 2014
18 Defendant was putting a modified amount of \$300.00 into the saving account.
19 (Time Stamp 01:34:24)

20
21 THE COURT FURTHER FINDS from February of 2014 through May 2014
22 Plaintiff alleges that Defendant fell off the face of the earth and turned off social
23 media. (Time Stamp 01:34:32)

24
25 THE COURT FURTHER FINDS that the Plaintiff contacted Defendant in
26 May of 2017, and Paternal Grandmother gave Plaintiff the Defendant's telephone
27 number. (Time Stamp 01:35:14)

1 THE COURT FURTHER FINDS the Defendant's version of the chronology
2 stated he paid \$400.00 until January 2014. (Time Stamp 01:35:28)

3
4 THE COURT FURTHER FINDS that the Defendant has been at the same
5 clinic for fourteen to fifteen (14-15) years. (Time Stamp 01:36:27)

6 THE COURT FURTHER FINDS that there is not a lot of case law guidance
7 regarding the issues presented in this matter. (Time Stamp 01:37:00)

8
9 THE COURT FURTHER FINDS that pursuant to *NRS* § 126.081 (3) a claim
10 for paternity is valid three (3) years after emancipation; however, the statutes
11 regarding custody and parentage do not include language regarding post-
12 emancipation child support and are dominated by language regarding child support.
13 Therefore, it would be a leap for the Court to grant same without legal authority to
14 award same because when the purpose of the statute is to grant support, then the
15 legislature would have stated as much to avoid speculation. (Time Stamp 01:37:10
16 and 01:39:18)

17
18 THE COURT FURTHER FINDS if the Court were going to take that leap,
19 equitable defenses would matter including that Plaintiff knew how to reach
20 Defendant two (2) years prior to commencement of this action through contact with
21 Paternal Grandmother, plus she knew where he worked and it has been the same for
22 years. (Time Stamp: 01:38:35)

23 THE COURT FURTHER FINDS as a parallel to this issue and is a guide, the
24 Court views the disability statute under *NRS* § 125B.110 to be relevant to this issue
25
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1 because it indicates that if a parent wants to invoke child support post-majority that
2 the claim has to be brought and disability has to be established before the age of
3 majority. (Time Stamp: 01:39:58)
4

5 THE COURT FURTHER FINDS that there is not enough here, legally or
6 factually, to indicate that such a request is proper. (Time Stamp: 01:41:14)
7

8 THE COURT FURTHER FINDS that the request here is limited and not
9 dealing with a request for on-going support and we are not really dealing with a
10 request for four (4) years because more or less Plaintiff admits Gabriel is twenty
11 (20) year old at this time; therefore, it is not four (4) years it is more like two (2)
12 years. (Time Stamp 01:41:36) Plaintiff's position is reasonable regarding the two
13 (2) years because the Court would be barred as to anything from age eighteen (18)
14 to age twenty (20). (Time Stamp 01:42:04)
15
16

17 THE COURT FURTHER FINDS that it will not be a tremendous inequitable
18 injustice that occurs if the Court denies Plaintiff's request. Defendant has an
19 obligation on some level, not necessary legally or even equitable, to care about the
20 situation and to not just blow off his son and support. (Time Stamp 01:42:44)
21

22 THE COURT FURTHER FINDS these Parties decided to operate for years
23 without a Court Order. Plaintiff could have established an Order at any time during
24 2012, 2013, 2014 through 2017 when Defendant supposedly fell off the face of the
25 earth and there was still no effort to create an Order. (Time Stamp 1:43:18) There
26 is still some obligation not just on the side of a Party that is going to owe support
27
28

1 because it is there child, but there is also an obligation on the other side to establish
2 an Order prior to the child's age of eighteen (18). It is debated what happen from
3 age fourteen (14) to seventeen (17). The Defendant may have distanced himself
4 from the situation, but an action should have and could have occurred in 2017
5 rather than 2019 once the information was received from the Paternal Grandma.
6

7 (Time Stamp 01:43:39)
8

9 THE COURT FURTHER FINDS as far as the Court can tell, the child at
10 issue has resided with Plaintiff. There may have been periods where he resided
11 with Paternal Grandmother, but it does not seem important for this distinction.
12

13 (Time Stamp 01:45.36)

14 THE COURT FURTHER FINDS a parent must establish support for a
15 disabled child before they turn eighteen (18) years old, all the more so when the
16 parents admit the child is not disabled as defined under the law. (Time Stamp
17 01:46:03)
18

19 NOW THEREFORE,
20

21 IT IS HEREBY ORDERED that the Plaintiff's request for compensation
22 from the Defendant, in the form of back child support, is denied.

23 IT IS FURTHER ORDERED that each Party shall bear their own attorney
24 fees and costs. (Time Stamp 01:46:38)
25
26
27
28

1 IT IS FURTHER ORDERED that Attorney Roberts shall prepare the Order
2 from the Evidentiary Hearing and Attorney Leavitt shall sign as to form and
3 content. (Time Stamp 01:47:01)
4

5 IT IS SO ORDERED this 23 day of April, 2020.

6 Bill Henderson
7
8 DISTRICT COURT JUDGE um

9 Submitted this 20th day of
10 April, 2020.

Approved as to Content and Form this
day of _____, 2020.

11 **ROBERTS STOFFEL FAMILY**
12 **LAW GROUP**

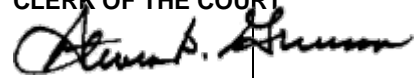
LEAVITT & FLAXMAN, LLC

13
14 By: Amanda M. Roberts

By: _____

15 Amanda M. Roberts, Esq.
16 State Bar of Nevada No. 9294
17 4411 South Pecos Road
18 Las Vegas, Nevada 89121
19 PH: (702) 474-7007
20 FAX: (702) 474-7477
EMAIL: efile@lvfamilylaw.com
Attorneys for Defendant,
Thomas Ward

~~Brandon K. Leavitt, Esq.
State Bar of Nevada No. 11834
2520 St. Rose Parkway, Ste. 101
Henderson, Nevada 89074
PH: (702) 213-9657
FAX: (702) _____
EMAIL: brandon@leavittflaxman.com
Attorney for Plaintiff,
Lillian Hargrove~~



1 **NEO**
2 BRANDON K. LEAVITT, ESQ.
3 Nevada Bar Number: 11834
4 MICHAEL C. FLAXMAN, ESQ.
5 Nevada Bar Number: 12963
6 LEAVITT & FLAXMAN, LLC
7 2520 St. Rose Pkwy., Ste. 101
8 Henderson, Nevada 89074
9 Tel: (702) 602-7447
10 Email: brandon@leavittflaxman.com
11 michael@leavittflaxman.com
12 *Attorneys for Plaintiff*

7
8 **Eighth Judicial District Court**
9 **Family Division**
10 **Clark County, Nevada**

9 LILLIAN L. HARGROVE,) CASE NO.: D-19-585818-C
10) DEPT NO.: R
11 Plaintiff,)
12)
13 vs.)
14 THOMAS REID WARD,)
15)
16 Defendant.)
17)

15 **NOTICE OF ENTRY OF ORDER AFTER EVIDENTIARY**
16 **HEARING**

17 PLEASE TAKE NOTICE that an Order After Evidentiary
18 Hearing was entered in the above-entitled matter on the 26th day of
19 April, 2020.

20 ...
21

1 A true and correct copy of said Stipulation and Order is
2 attached hereto.

3 DATED this 11th day of May, 2020.

4 LEAVITT & FLAXMAN, LLC

5
6 /s/ Brandon K. Leavitt

BRANDON K. LEAVITT, ESQ.

7 Nevada Bar Number: 11834

MICHAEL C. FLAXMAN, ESQ.

8 Nevada Bar Number: 12963

2520 St. Rose Pkwy., Ste. 101

9 Henderson, Nevada 89074

(702) 602-7447

10 *Attorneys for Plaintiff*

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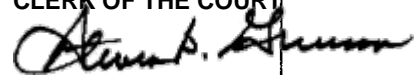
☒ pursuant to EDCR 8.05(a), EDCR 8.05(f), NRCP 5(b)(2)(D) and Administrative Order 14-2 captioned "In the Administrative Matter of Mandatory Electronic Service in the Eighth Judicial District Court," by mandatory electronic service through the Eighth Judicial District Court's electronic filing system;

☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;

☐ To the attorney(s) and parties listed below at the address, indicated below:

13
14
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21



1 **ORDR**

2 Amanda M. Roberts, Esq.

3 State of Nevada Bar No. 9294

4 **ROBERTS STOFFEL FAMILY LAW GROUP**

5 4411 South Pecos Road

6 Las Vegas, Nevada 89121

7 PH: (702) 474-7007

8 FAX: (702) 474-7477

9 EMAIL: efile@lvfamilylaw.com

10 Attorney for Defendant, Thomas R. Ward

11 **DISTRICT COURT**
12 **CLARK COUNTY, NEVADA**

13 LILLIAN L. HARGROVE,

14 Plaintiff,

15 v.

16 THOMAS R. WARD,

17 Defendant.

Case No: D-19-585818-C

Dept No: R

**ORDER AFTER EVIDENTIARY
HEARING**

Date of Hearing: January 24, 2020

Time of Hearing: 1:30 p.m.

18 THIS MATTER having come before the Court on the January 24, 2020, for
19 the Court's Decision following the Evidentiary Hearing held on November 21,
20 2019; December 2, 2019; January 17, 2020; and January 24, 2020. The Plaintiff,
21 Lillian Hargrove, being present and represented by Brandon K. Leavitt, Esq., of
22 Leavitt & Flaxman, LLC, and the Defendant, Thomas Ward, not being present, but
23 represented by and through his attorney of record, Amanda M. Roberts, Esq., of

Non-Trial Dispositions:

- 26 \ \ \ ☐ Other Settled/Withdrawn:
27 \ \ \ ☐ Dismissed - Want of Prosecution ☐ Without Judicial Conf/Hrg
☐ Involuntary (Statutory) Dismissal ☐ With Judicial Conf/Hrg
☐ Default Judgment ☐ By ADR

Trial Dispositions:

- 28 ☐ Disposed After Trial Start ☒ Judgment Reached by Trial

1 Roberts Stoffel Family Law Group, and the Court having heard the argument of
2 Counsel and reviewed the pleadings on file herein hereby Orders as follows:

3
4 THE COURT HEREBY FINDS the Plaintiff stipulated to waiver of
5 Defendant's appearance on January 24, 2020, due to Defendant a family
6 emergency. The Defendant currently residences in South Lake Tahoe, California.
7 (Time Stamp 01:28:47)
8

9 THE COURT FURTHER FINDS it does not seem like the chronologies
10 provided by either Party are that dissimilar when it comes to the critical matters in
11 this case. (Time Stamp 01:30:48)
12

13 THE COURT FURTHER FINDS the somewhat minor differences regarding
14 certain time periods are not of critical importance, so it is not that imperative for the
15 Court to determine which Party's timeline is more accurate. (Time Stamp
16 01:30:55)
17

18 THE COURT FURTHER FINDS on some of the chronology the
19 reasonableness of whether Defendant should have reached out, could have been
20 located, or whether he was really all that inaccessible, remained in dispute. (Time
21 Stamp 01:31:17)
22

23 THE COURT FURTHER FINDS the Defendant seems to have largely blown
24 off an obligation he had established, although not through any Court Order and not
25 by any contractual obligation. This is a moral, not legal, issue. (Time Stamp
26 01:31:40)
27
28

1 THE COURT FURTHER FINDS that despite cutting off social media,
2 Defendant was not difficult to find. The information to locate Defendant was
3 obtained in 2017, which is two (2) years before this lawsuit commenced. In
4 addition, Defendant has been at the same place of employment for sixteen (16)
5 years. (Time Stamp 01:31:53)
6

7 THE COURT FURTHER FINDS we deal with this as a legal issue, with
8 some equitable element, but this Court is not necessarily invoking equity to any
9 meaningful extent. Not to the extent where the Court can find that there is no
10 adequate remedy at law so that equity is going to carry the day. (Time Stamp
11 01:32:16) The Court does have to make note of certain equity, or maybe more to
12 the point merits, or actions or inactions by the Parties. (Time Stamp 1:32:33)
13

14 THE COURT FURTHER FINDS the Plaintiff's chronology is that from
15 January 1999 through June 2001 the Parties were in a relationship. (Time Stamp
16 01:32:41) Gabriel was born December 3, 1999. (Time Stamp 01:33:00)
17 Defendant is on the birth certificate. (Time Stamp 01:34:02)
18

19 THE COURT FURTHER FINDS that Gabriel is on the autism spectrum
20 although it was never developed as a major issue in the case. (Time Stamp
21 01:33:05)
22

23 THE COURT FURTHER FINDS the Defendant was babysitting instead of
24 support for the first period of the child's life. (Time Stamp 01:33:11)
25
26
27
28

1 THE COURT FURTHER FINDS the Defendant moved to Reno from Las
2 Vegas in March of 2009. (Time Stamp 01:33:26)

3
4 THE COURT FURTHER FINDS according to Plaintiff's timeline, the
5 Defendant had four (4) visits from March 2009 through April 2012. (Time Stamp
6 01:33:37) Out of the four (4) visits, Plaintiff paid for two (2); Grandma paid for
7 one (1) and Defendant might have paid for one (1). (Time Stamp 01:33:36)

8
9 THE COURT FURTHER FINDS that from April 2012 until April 2013
10 Plaintiff alleged that the Defendant agreed to put \$400.00 per month into a Wells
11 Fargo checking account. (Time Stamp 01:33:54) Defendant disputed this
12 agreement. (Time Stamp 01:34:05)

13
14 THE COURT FURTHER FINDS from April 2013 through July 2013 there
15 were no deposits into the Wells Fargo account. (Time Stamp 01:34:20)

16
17 THE COURT FURTHER FINDS from July 2013 through January 2014
18 Defendant was putting a modified amount of \$300.00 into the saving account.
19 (Time Stamp 01:34:24)

20
21 THE COURT FURTHER FINDS from February of 2014 through May 2014
22 Plaintiff alleges that Defendant fell off the face of the earth and turned off social
23 media. (Time Stamp 01:34:32)

24
25 THE COURT FURTHER FINDS that the Plaintiff contacted Defendant in
26 May of 2017, and Paternal Grandmother gave Plaintiff the Defendant's telephone
27 number. (Time Stamp 01:35:14)

1 THE COURT FURTHER FINDS the Defendant's version of the chronology
2 stated he paid \$400.00 until January 2014. (Time Stamp 01:35:28)

3
4 THE COURT FURTHER FINDS that the Defendant has been at the same
5 clinic for fourteen to fifteen (14-15) years. (Time Stamp 01:36:27)

6 THE COURT FURTHER FINDS that there is not a lot of case law guidance
7 regarding the issues presented in this matter. (Time Stamp 01:37:00)

8
9 THE COURT FURTHER FINDS that pursuant to *NRS* § 126.081 (3) a claim
10 for paternity is valid three (3) years after emancipation; however, the statutes
11 regarding custody and parentage do not include language regarding post-
12 emancipation child support and are dominated by language regarding child support.
13 Therefore, it would be a leap for the Court to grant same without legal authority to
14 award same because when the purpose of the statute is to grant support, then the
15 legislature would have stated as much to avoid speculation. (Time Stamp 01:37:10
16 and 01:39:18)

17
18 THE COURT FURTHER FINDS if the Court were going to take that leap,
19 equitable defenses would matter including that Plaintiff knew how to reach
20 Defendant two (2) years prior to commencement of this action through contact with
21 Paternal Grandmother, plus she knew where he worked and it has been the same for
22 years. (Time Stamp: 01:38:35)

23
24 THE COURT FURTHER FINDS as a parallel to this issue and is a guide, the
25 Court views the disability statute under *NRS* § 125B.110 to be relevant to this issue
26
27
28

1 because it indicates that if a parent wants to invoke child support post-majority that
2 the claim has to be brought and disability has to be established before the age of
3 majority. (Time Stamp: 01:39:58)
4

5 THE COURT FURTHER FINDS that there is not enough here, legally or
6 factually, to indicate that such a request is proper. (Time Stamp: 01:41:14)
7

8 THE COURT FURTHER FINDS that the request here is limited and not
9 dealing with a request for on-going support and we are not really dealing with a
10 request for four (4) years because more or less Plaintiff admits Gabriel is twenty
11 (20) year old at this time; therefore, it is not four (4) years it is more like two (2)
12 years. (Time Stamp 01:41:36) Plaintiff's position is reasonable regarding the two
13 (2) years because the Court would be barred as to anything from age eighteen (18)
14 to age twenty (20). (Time Stamp 01:42:04)
15
16

17 THE COURT FURTHER FINDS that it will not be a tremendous inequitable
18 injustice that occurs if the Court denies Plaintiff's request. Defendant has an
19 obligation on some level, not necessary legally or even equitable, to care about the
20 situation and to not just blow off his son and support. (Time Stamp 01:42:44)
21

22 THE COURT FURTHER FINDS these Parties decided to operate for years
23 without a Court Order. Plaintiff could have established an Order at any time during
24 2012, 2013, 2014 through 2017 when Defendant supposedly fell off the face of the
25 earth and there was still no effort to create an Order. (Time Stamp 1:43:18) There
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27
28

1 because it is there child, but there is also an obligation on the other side to establish
2 an Order prior to the child's age of eighteen (18). It is debated what happen from
3 age fourteen (14) to seventeen (17). The Defendant may have distanced himself
4 from the situation, but an action should have and could have occurred in 2017
5 rather than 2019 once the information was received from the Paternal Grandma.
6

7 (Time Stamp 01:43:39)
8

9 THE COURT FURTHER FINDS as far as the Court can tell, the child at
10 issue has resided with Plaintiff. There may have been periods where he resided
11 with Paternal Grandmother, but it does not seem important for this distinction.
12

13 (Time Stamp 01:45.36)
14

15 THE COURT FURTHER FINDS a parent must establish support for a
16 disabled child before they turn eighteen (18) years old, all the more so when the
17 parents admit the child is not disabled as defined under the law. (Time Stamp
18 01:46:03)
19

20 NOW THEREFORE,
21

22 IT IS HEREBY ORDERED that the Plaintiff's request for compensation
23 from the Defendant, in the form of back child support, is denied.
24

25 IT IS FURTHER ORDERED that each Party shall bear their own attorney
26 fees and costs. (Time Stamp 01:46:38)
27
28

1 IT IS FURTHER ORDERED that Attorney Roberts shall prepare the Order
2 from the Evidentiary Hearing and Attorney Leavitt shall sign as to form and
3 content. (Time Stamp 01:47:01)
4

5 IT IS SO ORDERED this 23 day of April, 2020.

6 Bill Henderson
7
8 DISTRICT COURT JUDGE um

9 Submitted this 20th day of
10 April, 2020.

Approved as to Content and Form this
day of _____, 2020.

11 **ROBERTS STOFFEL FAMILY**
12 **LAW GROUP**

LEAVITT & FLAXMAN, LLC

13
14 By: Amanda M. Roberts

By: _____

15 Amanda M. Roberts, Esq.
16 State Bar of Nevada No. 9294
17 4411 South Pecos Road
18 Las Vegas, Nevada 89121
19 PH: (702) 474-7007
20 FAX: (702) 474-7477
EMAIL: efile@lvfamilylaw.com
Attorneys for Defendant,
Thomas Ward

~~Brandon K. Leavitt, Esq.
State Bar of Nevada No. 11834
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Henderson, Nevada 89074
PH: (702) 213-9657
FAX: (702) _____
EMAIL: brandon@leavittflaxman.com
Attorney for Plaintiff,
Lillian Hargrove~~

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

May 30, 2019

D-19-585818-C Lillian Lacy Hargrove, Plaintiff.
vs.
Thomas Reid Ward, Defendant.

May 30, 2019

9:00 AM

Motion

HEARD BY: Henderson, Bill

COURTROOM: Courtroom 12

COURT CLERK: Annette Duncan

PARTIES:

Gabriel Ward, Subject Minor, not present

Lillian Hargrove, Plaintiff, present

Pro Se

Thomas Ward, Defendant, Counter Claimant,
not present

Amanda Roberts, Attorney, present

JOURNAL ENTRIES

- MOTION: PLAINTIFF'S MOTION AND NOTICE OF MOTION TO ESTABLISH PATERNITY AND/OR DNA TESTING

Defendant Thomas Ward appeared TELEPHONICALLY.

Attorney Brandon Leavitt, Bar #11834, present on behalf of the Plaintiff in an UNBUNDLED capacity.

Conference between Court and counsel outside the present of the Parties.

Discussion regarding the incorrectly filed Paternity case proceeding via the custody case it was filed under. Court and Counsel discussed the appropriate way to resolve the case. Attorney Leavitt advised Counsel agree to a status check in an attempt to globally resolve the case.

Attorney Leavitt noted, he is unbundled through today, although he may not be hired for the return hearing. However, he intends to negotiate the case pending the return hearing with Attorney Roberts.

PRINT DATE:	06/11/2020	Page 1 of 12	Minutes Date:	May 30, 2019
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

COURT ORDERED,

STATUS CHECK SET RE: RESOLUTION on 6-20-19 at 10:00 am in Department 12.

The Court will go forward in this action as Paternity Case and will not request Counsel to File a Paternity Case as a correction.

Attorney Leavitt shall prepare the Order from today's hearing and Attorney Robert's shall countersign.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	06/11/2020	Page 2 of 12	Minutes Date:	May 30, 2019
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

June 20, 2019

D-19-585818-C Lillian Lacy Hargrove, Plaintiff.
vs.
Thomas Reid Ward, Defendant.

June 20, 2019 10:00 AM Status Check

HEARD BY: Henderson, Bill

COURTROOM: Courtroom 12

COURT CLERK: Valerie Marsden

PARTIES:

Gabriel Ward, Subject Minor, not present

Lillian Hargrove, Plaintiff, present

Thomas Ward, Defendant, present

Pro Se

Amanda Roberts, Attorney, present

JOURNAL ENTRIES

- STATUS CHECK RE: RESOLUTION

Atty Brandon Leavitt, Bar #11834, present in an Unbundled capacity with Plaintiff.

Defendant present by telephone from California.

Discussion by Counsel concerning the now emancipated child of the Parties.

Court noted, Paternity was Stipulated to and Defendant's name is on the child's Birth Certificate.

Court further noted, Parties have attempted settlement with no agreement reached.

COURT ORDERED the following:

1. Plaintiff shall print out all of the text messages and e-mails concerning Defendant's visitation and payment of child support over the years.

2. Evidentiary Hearing re: Child Support SET for 9/17/19 at 1:30 p.m.

PRINT DATE:	06/11/2020	Page 3 of 12	Minutes Date:	May 30, 2019
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

3. Discovery is now open and will close 9/1/19.
4. Discovery shall be propounded by 8/1/19.
5. Trial Briefs, if necessary, are due by 9/13/19.
6. Atty Leavitt is permitted to Withdraw as Counsel for Plaintiff.

Atty Roberts shall prepare the Order from today's hearing, Atty Leavitt to sign as to form and content.

INTERIM CONDITIONS:

FUTURE HEARINGS: Jun 20, 2019 10:00AM Status Check
SC RE: RESOLUTION
Courtroom 12 Henderson, Bill

PRINT DATE:	06/11/2020	Page 4 of 12	Minutes Date:	May 30, 2019
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

November 21, 2019

D-19-585818-C Lillian Lacy Hargrove, Plaintiff.
vs.
Thomas Reid Ward, Defendant.

**November 21, 1:30 PM Evidentiary Hearing
2019**

HEARD BY: Henderson, Bill

COURTROOM: Courtroom 02

COURT CLERK: Valerie Marsden

PARTIES:

Gabriel Ward, Subject Minor, not present
Lillian Hargrove, Plaintiff, Counter Defendant, Brandon Leavitt, Attorney, present
present
Thomas Ward, Defendant, Counter Claimant, Amanda Roberts, Attorney, present
present

JOURNAL ENTRIES

- EVIDENTIARY HEARING RE: CHILD SUPPORT

Parties sworn and testified.

Testimony and Exhibits presented (see worksheets).

COURT ORDERED, matter CONTINUED to 12/2/19 from 1:30 p.m. to 3:30 p.m. and 12/13/19 from 9:00 a.m. to 12 Noon.

COURT FURTHER ORDERED, Court WAIVES the signing of the notarized form for the Blue Jeans App, for Defendant to appear by Video Conference at the next hearing.

INTERIM CONDITIONS:

PRINT DATE:	06/11/2020	Page 5 of 12	Minutes Date:	May 30, 2019
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

FUTURE HEARINGS:

PRINT DATE:	06/11/2020	Page 6 of 12	Minutes Date:	May 30, 2019
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

December 02, 2019

D-19-585818-C Lillian Lacy Hargrove, Plaintiff.
vs.
Thomas Reid Ward, Defendant.

December 02, 2019 1:30 PM

Evidentiary Hearing

HEARD BY: Henderson, Bill

COURTROOM: Courtroom 12

COURT CLERK: Valerie Marsden

PARTIES:

Gabriel Ward, Subject Minor, not present

Lillian Hargrove, Plaintiff, Counter Defendant, Brandon Leavitt, Attorney, present
present

Thomas Ward, Defendant, Counter Claimant, Amanda Roberts, Attorney, present
present

JOURNAL ENTRIES

- EVIDENTIARY HEARING RE: CHILD SUPPORT (DAY 2)

Defendant/Dad present by video conference.

Testimony and exhibits presented (see worksheets).

COURT ORDERED the following:

1. The Evidentiary Hearing date of 12/13/19 at 9:00 a.m. is VACATED.
2. Evidentiary Hearing CONTINUED to 1/17/20 at 3:30 p.m. for the Decision.
3. Counsel can supplement prior to the next hearing.

PRINT DATE:	06/11/2020	Page 7 of 12	Minutes Date:	May 30, 2019
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

INTERIM CONDITIONS:

FUTURE HEARINGS: Dec 02, 2019 1:30PM Evidentiary Hearing
Evidentiary Hearing Re Child Support (day 2)
Courtroom 12 Henderson, Bill

PRINT DATE:	06/11/2020	Page 8 of 12	Minutes Date:	May 30, 2019
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

January 17, 2020

D-19-585818-C Lillian Lacy Hargrove, Plaintiff.
vs.
Thomas Reid Ward, Defendant.

January 17, 2020 3:30 PM Evidentiary Hearing

HEARD BY: Henderson, Bill

COURTROOM: Courtroom 12

COURT CLERK: Michelle Cunningham

PARTIES:

Gabriel Ward, Subject Minor, not present
Lillian Hargrove, Plaintiff, Counter Defendant, Brandon Leavitt, Attorney, present
present
Thomas Ward, Defendant, Counter Claimant, Amanda Roberts, Attorney, present
present

JOURNAL ENTRIES

- EVIDENTIARY HEARING RE: CHILD SUPPORT (DAY 3)

Discussion regarding Defendant/Father appearing audio-visually or telephonically today. Attorney Leavitt stated he was willing to waive Defendant/Father's appearance today.

Court stated it would prefer to set a Day 4 to render his decision but if a decision is made prior, the hearing can be vacated.

Court Clerk placed phone call to Defendant/Father and he appeared TELEPHONICALLY.

Court reviewed the history of the case in regards to child support and visitation.

Closing arguments by counsel.

COURT ORDERED the following:

PRINT DATE:	06/11/2020	Page 9 of 12	Minutes Date:	May 30, 2019
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

1. Evidentiary Hearing shall be continued to 1/24/2020 @ 1:30 p.m. for the Court's decision.

INTERIM CONDITIONS:

FUTURE HEARINGS: Jan 17, 2020 3:30PM Evidentiary Hearing
Evidentiary Hearing re: Child Support (day 3)
Courtroom 12 Henderson, Bill

PRINT DATE:	06/11/2020	Page 10 of 12	Minutes Date:	May 30, 2019
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

January 24, 2020

D-19-585818-C Lillian Lacy Hargrove, Plaintiff.
vs.
Thomas Reid Ward, Defendant.

January 24, 2020 1:30 PM Evidentiary Hearing

HEARD BY: Henderson, Bill

COURTROOM: Courtroom 12

COURT CLERK: Valerie Marsden

PARTIES:

Gabriel Ward, Subject Minor, not present
Lillian Hargrove, Plaintiff, Counter Defendant, Brandon Leavitt, Attorney, present
present
Thomas Ward, Defendant, Counter Claimant, Amanda Roberts, Attorney, present
not present

JOURNAL ENTRIES

- EVIDENTIARY HEARING DAY 4 FOR COURT'S DECISION

Defendant not available by telephone due to a family emergency, Defendant currently resides in South Lake Tahoe, CA.

Plaintiff STIPULATES to waiver of Defendant's appearance.

Court noted the minor child is now emancipated.

Court stated it's Findings.

COURT ORDERED the following:

1. Plaintiff's request for CHILD SUPPORT ARREARS after the child emancipates is DENIED, as there is no authority to award after emancipation as there was no Court Order for Child Support.

PRINT DATE:	06/11/2020	Page 11 of 12	Minutes Date:	May 30, 2019
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

2. Each Party shall bear their own Attorney's Fees and Costs.

Atty Robert shall prepare the Order from today's hearing, Atty Leavitt to sign as to form and content.

INTERIM CONDITIONS:

FUTURE HEARINGS: Jan 24, 2020 1:30PM Evidentiary Hearing
Evidentiary Hearing Day 4 for Court's decision
Courtroom 12 Henderson, Bill

PRINT DATE:	06/11/2020	Page 12 of 12	Minutes Date:	May 30, 2019
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.



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

ADAM J. BREEDEN, ESQ.
376 E. WARM SPRINGS RD., STE 120
LAS VEGAS, NV 89119

DATE: June 11, 2020
CASE: D-19-585818-C

RE CASE: LILLIAN LACY HARGROVE vs. THOMAS REID WARD

NOTICE OF APPEAL FILED: June 10, 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; ORDER AFTER EVIDENTIARY HEARING; NOTICE OF ENTRY OF ORDER
AFTER EVIDENTIARY HEARING; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

LILLIAN LACY HARGROVE,

Plaintiff(s),

vs.

THOMAS REID WARD,

Defendant(s),

Case No: D-19-585818-C

Dept No: R

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 11 day of June 2020.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk