



LEO P. FLANGAS, ESQ.
Nevada Bar No. 5637
FLANGAS CIVIL LAW FIRM, LTD.
600 S. 3rd Street
Las Vegas, Nevada 89101
VOX: (702) 384-1990
FAX: (702) 384-1009
e-mail: leo@flangaslawfirm.com
*Attorney for Petitioner Colonial
Real Estate Partnership, Ltd.*

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Elizabeth A. Brown
Clerk of Supreme Court

**DISTRICT COURT
CLARK COUNTY, NEVADA**

In re the Matter of the Estate of

Dennis John Carver

Deceased

Case No.: P-18-095892-E

Dept. No.: 8

CASE APPEAL STATEMENT

JOHN HOULIHAN and COLONIAL REAL ESTATE PARTNERSHIP, LTD., by and through their attorney, LEO P. FLANGAS, ESQ., hereby files his Case Appeal Statement.

1 . Name of Appellants filing this case appeal statement: JOHN HOULIHAN and COLONIAL REAL ESTATE PARTNERSHIP, LTD.

2 . Identify the Judge issuing the decision, judgment, or order appealed from: The Honorable Trevor Atkin, District Court Judge.

3 . Identify each appellant and name and address of counsel for each appellant: JOHN HOULIHAN and COLONIAL REAL ESTATE PARTNERSHIP.LTD., Appellants and are represented on appeal by LEO P. FLANGAS, ESQ., 600 S. Third Street, Las Vegas, NV 89101.

1 (702) 384-1990.

2 4 . Identify each Respondent and name and address of appellate counsel, if known, for each
3 respondent (if the name of respondent's counsel is unknown, indicate as much and provide the name
4 and address of respondent's trial counsel: ESTATE OF DENNIS JOHN CARVER and RHONDA
5 MORGAN, Personal Representative of the Estate, Respondents, and are represented by DAVID
6 BLAKE, ESQ., of the law firm of CLEAR COUNSEL LAW GROUP, 1671 W. Horizon Ridge Pkwy.,
7 Suite 200 Henderson, Nevada 89012 Telephone: (702) 476-5900.– Appellant's counsel believes the
8 same attorneys will represent respondent on appeal.
9

10 5 . Indicate whether any attorney identified above in response to questions 3 or 4 is not
11 licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission
12 to appear under SCR 42 (attach a copy of any district court order granting such permission): All
13 counsel are licensed to practice law in Nevada.

14 6 . Indicate whether appellant was represented by appointed or retained counsel in the
15 district court: Represented by retained counsel.
16

17 7 . Indicate whether appellant is represented by appointed or retained counsel on appeal:
18 Represented by retained counsel

19 8 . Indicate whether appellant was granted leave to proceed in forma pauperis and the date
20 of entry of the district court order granting appellant permission: Appellant did not request to proceed
21 in forma pauperis and therefore there is no order.

22 9 . Indicate the date the proceeding commenced in district court: The Petition for an
23 Order to Show Cause Why Estate Should not be Re-opened for Creditors to Submit Proof of Claims
24 and Accounting of the Estate Assets was filed on February 2, 2020.
25

26 10 . Provide a brief description of the nature of the Action and result in the district court,
27 including the type of judgment or order being appealed and the relief granted by the district court:
28

1 This is an Action on a creditor's claim on an ancillary probate where a known creditor was not given
2 notice. Appellant paid decedents company, a sole proprietorship, for services which were not
3 performed as of his death. The ancillary probate covers several parcels of Nevada real property.

4 In the main probate in California the original executor was removed for cause. The District Court
5 declined to allow the creditors claim as untimely.

6 11. Indicate whether the case was previously the subject of an appeal to or original writ
7 proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior
8 proceeding: There was no prior appeal filed in Supreme Court.
9

10 12. Indicate whether this appeal involves child custody or visitation: This case does not
11 involve child custody or visitation.

12 13. If this is a civil case, indicate whether this involves the possibility of settlement:
13 Settlement is worth pursuing.

14 Dated this 21 day of July 2020.
15

16 /s/ Leo P. Flangas
17 FLANGAS CIVIL LAW FIRM, LTD.
18 LEO P. FLANGAS, ESQ
19 Nevada Bar No. 5637
20 600 S. 3rd Street
21 Las Vegas, NV 89101
22 Phone: (702) 384-1990
23 E-mail: leo@flangaslawfirm.com
24 *Attorneys for Petitioners*
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27
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that on this 21th day of July, 2020, service of the CASE APPEAL STATEMENT was made by depositing a true and correct copy of the same service was made U.S. Mail and by submission to the electronic filing service for the Clark County Nevada Eighth Judicial Court upon all the parties registered to the District Court Electronic Filing Program addressed to the following:

David T. Blake
Clear Counsel Law Group
1671 W. Horizon Ridge Pkwy., Suite 200
Henderson, Nevada 89012
dave@clearcounsel.com
Attorneys for the Estate and Rhonda Morgan
Personal Representative of the Estate

/s/ Natasha Smith
Employee of Flangas Civil Law Firm, LTD.