

Kwame Anir Saafir, Appellant

V.

State of Nevada et al,
Respondents

Case No: 81946

District Court Case No.

J-18-342106-P2

Dept. No: D

Electronically Filed
Jul 29 2021 07:00 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

from the

Eighth Judicial District Court, FAMILY DIVISION
Clark County, Nevada
Department D
THE HONORABLE MARK TUETON, District Judge

WITHDRAWAL OF ATTORNEY APPENDIX
VOLUME 3

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EXHIBIT G
COURT TRANSCRIPT
September 10, 2019

FILED
JUL 01 2021
Alvin S. Blum
CLERK OF COURT

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5 EIGHTH JUDICIAL DISTRICT COURT

6 JUVENILE DIVISION

7 CLARK COUNTY, NEVADA

8
9 In the Matter of:) CASE NO. J-18-342106-P2
10 K.S.,) DEPT. D
11 Protected Minor(s).) APPEAL NO. 81946
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SEALED

BEFORE THE HONORABLE JON NORHEIM

TRANSCRIPT RE: PERMANENCY PLANNING HEARING

TUESDAY, SEPTEMBER 10, 2019

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APPEARANCES:

For the State of Nevada: FELICIA QUINLAN, ESQ.
601 North Pecos Road
Las Vegas, Nevada 89101

Protected Minor: KIMORA SAAFIR
For the Protected Minor: SARA STEPHAN
725 E. Charleston Blvd.
Las Vegas, Nevada 89104

The Father: KWAME SAAFIR
For the Father: Pro per

ALSO PRESENT:

HOSEA KIM
Department of Family Services

1 LAS VEGAS, NEVADA

TUESDAY, SEPTEMBER 10, 2019

2 P R O C E E D I N G S

3 (THE PROCEEDING BEGAN AT 02:16:45.)

4 THE COURT: All right. Case number J342106, Showanda
5 Mosley.

6 Can I get appearances, please?

7 Ms. Quinlan.

8 MS. QUINLAN: Felicia Quinlan, Clark County District
9 Attorney. Good afternoon.

10 MR. KIM: Hosea Kim, Department of Family Services.

11 MS. STEPHAN: CAP attorney, Sara Stephen, bar number
12 13768. I'm taking this case over from Mary McCarthy, who
13 represented Kimora.

14 THE COURT: All right. And I have natural father, Kwame
15 Saafir, present.

16 Mr. Kim, any updates to the report, anything else
17 the Court should be aware of?

18 MR. KIM: No, Your Honor. I did speak with Mr. Saafir
19 prior to our hearing. He has some concerns, not so -- not so
20 much directed towards today's hearing, but just some specific
21 concerns with his son that's not part of this case, which I
22 told him that we would (indiscernible).

23 I have not had any contact with Ms. Mosley over
24 these past six months. I think she called one time from a
25 private number. I think she had contact with Kimora maybe on

1 one occasion on a short form conversation. But other than
2 that, I don't know where she is. She might -- I think she
3 alluded to traveling back and forth from California to Las
4 Vegas. And that's what she was doing prior.

5 THE COURT: Ms. Stephan, any concerns with the report?

6 MS. STEPHAN: No, Your Honor.

7 THE COURT: Mr. Saafir, any -- any issues with the
8 report?

9 MR. SAAFIR: I haven't read the report yet. But I do
10 want to -- you're a new Judge. So I want to tell you that I
11 did request that I have a attorney represent me. The
12 attorney was taken from me. So I don't choose to represent
13 myself. I want an attorney to represent me. But if I'm
14 forced to do so, I'll talk.

15 THE COURT: So Ms. Perez was your counsel and she
16 withdrew.

17 MR. SAAFIR: Oh the judge told her to with- withdraw. I
18 wanted counsel. I -- I didn't request for her withdrawal.

19 THE COURT: Ms. Perez, are you in a position to be able
20 to be reappointed?

21 MR. SAAFIR: Oh no. No, this...

22 MS. PEREZ: Your Honor, I want to make sure I on -- know
23 who I'm talking -- what case I'm talking about. Please
24 educate me as to which case we're on.

25 THE COURT: Oh I'm sorry. You represented mom.

1 MR. SAAFIR: Yeah.
2 MS. PEREZ: I -- I...
3 MS. QUINLAN: Yeah.
4 THE COURT: Showanda Mosley. I'm sorry.
5 MS. PEREZ: I had Showanda.
6 MR. SAAFIR: Her -- her -- her...
7 THE COURT: Yes.
8 MR. SAAFIR: Her -- her...
9 THE COURT: I'm sorry. You had mom. I apologize.
10 MS. PEREZ: Oh okay.
11 MR. SAAFIR: Her -- her mom had a case.
12 THE COURT: So -- so...
13 MR. SAAFIR: But with...
14 THE COURT: So who was your attorney?
15 MR. SAAFIR: I don't remember her name. But I think
16 that her -- this is for her mom's first case where they --
17 they terminated and placed Kimora with me.
18 THE COURT: Okay.
19 MR. SAAFIR: And then this is...
20 THE COURT: So you are requesting counsel today.
21 MR. SAAFIR: Yeah.
22 THE COURT: If you will work with counsel, I will
23 appoint you counsel.
24 MR. SAAFIR: Okay.
25 THE COURT: All right. Have you filled out a financial

1 statement yet?

2 THE MARSHAL: Yeah, he has, Judge.

3 THE COURT: He has. Okay.

4 THE MARSHAL: I -- I believe, I want to say, he may have
5 had, we probably have to look back, but Ms. Connolly.

6 THE COURT: It's almost certainly was...

7 MS. QUINLAN: I believe he had Miss...

8 THE MARSHAL: So...

9 MS. QUINLAN: ...Connolly. And I believe...

10 THE MARSHAL: So then we would...

11 MS. QUINLAN: ...they withdrew for conflict.

12 THE MARSHAL: ...give them to Caitlyn.

13 THE COURT: Yeah.

14 MR. SAAFIR: But...

15 THE COURT: So we're gonna appoint new counsel today.

16 MR. SAAFIR: I have...

17 THE COURT: Ms. McAmis' card is gonna be given to you.
18 I'm gonna have her -- I'm gonna have her do a conflict check
19 and to check back next week to see whether or not she can
20 represent you. So I'm gonna set this just for the -- just
21 for the confirmation of counsel next week.

22 MR. SAAFIR: I -- I have something to submit to the
23 Court showing my appeal from the DV.

24 THE COURT: So I -- I saw that the supreme court had
25 dismissed your appeal back...

1 MR. SAAFIR: I -- I'm tal- I'm talking about
2 (indiscernible)...

3 THE COURT: Oh your criminal DV.

4 MR. SAAFIR: ...because...

5 THE COURT: Okay. Why don't you give that to your
6 attorney once she's done a conflict check and can make sure
7 that she can act -- can represent you. And then she can
8 decide whether that should be submitted to the Court and then
9 -- and -- and -- and how that ought to be submitted to the
10 Court.

11 I'm hesitant at this point to have you do to
12 terribly much without talking with your attorney.

13 MR. SAAFIR: Okay.

14 THE MARSHAL: So would we come back in a week?

15 THE COURT: So we're gonna come back in a week for
16 confirmation of counsel. I do need to do the review today to
17 stay within time limits. So I'm gonna conduct the review.
18 But if you have issues with the report, you can go over those
19 with counsel. And...

20 MS. PEREZ: We would just request the -- the ability
21 to...

22 THE MARSHAL: How does 11 a.m. look...

23 MS. PEREZ: ...log objections.

24 THE COURT: Absolutely.

25 THE MARSHAL: ...on the 17th...

1 THE COURT: So you could log objections verbally...

2 THE MARSHAL: ...when we come back?

3 THE COURT: ...next week. I don't know if you'll be
4 able to do that because you'll only be confirming next week.

5 MS. PEREZ: Right.

6 THE COURT: But if you have the ability to log
7 objections next week, you're welcome to do so verbally. And
8 then you wouldn't have to file anything.

9 THE MARSHAL: Yeah, so when he says, yeah...

10 THE COURT: If -- if you haven't had...

11 THE MARSHAL: ...we'll do 11:00.

12 THE COURT: ...that opportunity, I'll give you 30
13 additional days to lodge -- lodge objections.

14 MR. PEREZ: Understood, Your Honor. Thanks.

15 THE COURT: So at this point, the Department wants a
16 goal change. We're at one year.

17 MS. QUINLAN: Right.

18 THE COURT: Frankly, I have almost no participation. I
19 -- it -- I can't -- I couldn't -- there's nothing in this
20 would -- that would allow me to make a compelling reasons
21 finding, which means I'm pretty much mandated to -- to, under
22 federal law, to change goal to current -- concurrent goal of
23 termination of parental rights and reunification. So the
24 primary goal will be TPR.

25 And is -- is grandma an adoptive resource? I'm

1 sorry. I think it was probably in the report, but I don't...

2 MR. KIM: Yes.

3 THE COURT: So -- so the -- the -- the plan, as far as
4 the Department is concerned, would be to have grandma adopt;
5 correct?

6 MR. KIM: Yes.

7 MR. SAAFIR: Oh is...

8 MS. QUINLAN: Correct.

9 MR. SAAFIR: Is that what you were saying when you --
10 you said termination?

11 THE COURT: Yeah.

12 MR. SAAFIR: Or you were saying termination of the case?

13 THE COURT: No, when he says...

14 MR. KIM: Termination of...

15 THE COURT: ...termination, they're...

16 MR. KIM: Termination of your rights.

17 THE COURT: ...asking -- they're asking formally in this
18 report for your mother to adopt Kimora.

19 MR. SAAFIR: Okay.

20 THE COURT: That's what they're asking for. Again, you
21 -- you can and should discuss what your options are with your
22 attorney. Okay?

23 At this point, is there anything else the
24 Department wants to discuss?

25 MS. QUINLAN: No.

1 THE COURT: Any issues on behalf of Kimora, Ms. Stephan,
2 that need to be addressed today?

3 MS. STEPHAN: No, Your Honor.

4 THE COURT: All right. So the Court's gonna find that
5 reasonable efforts were made during this review period. The
6 goal shall be changed to primary goal of termination of
7 parental rights and adoption by the paternal grandmother with
8 a concurrent goal of reunification.

9 And the -- the Court will set a review date of?

10 THE CLERK: March 10th at 2:15.

11 MS. QUINLAN: This is a C unit. So it needs to be March
12 3rd.

13 MR. SAAFIR: I -- I can't request a stay..

14 UNIDENTIFIED SPEAKER: Hold on. Hold on.

15 MR. SAAFIR: ...of these proceedings?

16 THE MARSHAL: Hang on.

17 MR. SAAFIR: Is there a way to do that?

18 THE COURT: So what's gonna happen is you're gonna have
19 a hearing next week.

20 MR. SAAFIR: Okay.

21 THE COURT: This is -- so -- so federal and state law
22 mandate that we always have a hearing at least once every six
23 months. So we're having that hearing today. I must by
24 federal and state law...

25 THE MARSHAL: So March 3rd.

1 THE COURT: ...set it another...
2 THE MARSHAL: At what time?
3 THE COURT: ...six-month review.
4 THE MARSHAL: 2:15?
5 THE COURT: That's what I'm doing today. I'm setting
6 that mandatory six-month review. There's also going to be a
7 hearing next Tuesday. At that hearing if you have objections
8 to the report, you need to make sure your attorney knows
9 about them so that you can put those on the record.
10 MR. SAAFIR: Are you going to be the Judge?
11 THE COURT: If -- if there's going to be -- I'm just
12 filling in for Judge Teuton for the next two weeks while he's
13 on vacation.
14 MR. SAAFIR: So can...
15 THE COURT: He will be back.
16 MR. SAAFIR: Can we have a date for when Teuton's back?
17 THE COURT: So Judge Teuton will be back on that March
18 -- it's March 3rd.
19 At what time?
20 THE CLERK: 2:15.
21 THE COURT: 2:15.
22 THE MARSHAL: At 2:15 p.m.
23 THE COURT: So Judge Teuton will be...
24 THE MARSHAL: I wrote that down...
25 THE COURT: ...back...

1 THE MARSHAL: ...for you.

2 THE COURT: ...by then. Next week is confirmation of
3 counsel; and if you've had an opportunity to go over with
4 your attorney any objections you have, she will lodge them on
5 the record. If you have not, then you can still make
6 objections within the next 30 days by giving them to her; and
7 she will make written objections. Okay?

8 Now, the Department is asking for your rights to be
9 terminated. That doesn't happen without you knowing about
10 it. So they will file a motion, serve you with that motion.
11 You and your attorney will have an opportunity to review
12 that, come in, enter a plea and decide what you're going to
13 do.

14 MR. SAAFIR: I -- I'm asking for -- for the review date
15 to be after Teuton's back because...

16 THE COURT: The review date is well after Teuton's back.

17 MR. SAAFIR: No, no. I'm saying the date that you set
18 for next week.

19 THE COURT: Next week is for confirmation of counsel.

20 MR. SAAFIR: I...

21 THE COURT: That needs to happen sooner rather than
22 later. You want an attorney right away, correct?

23 MR. SAAFIR: I -- I do. But I'm asking for that to be
24 when Teuton's here because he said that -- that the -- what
25 they used to start this case was a conviction -- the

1 conviction for the DV. And the conviction's been a te-
2 appealed.

3 THE COURT: I understand that the last time you were in
4 court, he asked you for the document that you have in your
5 hand.

6 MR. SAAFIR: I -- I have new...

7 THE COURT: I -- I -- I -- I saw that. It's reflected
8 in the minutes.

9 MR. SAAFIR: I didn't watch the tape. But the minutes
10 indicate that he asked you for those documents. What you're
11 going to do is give those documents to your attorney. Most
12 likely, she's going to file them as part of a supplemental
13 pleading. But that's something that you and she are going to
14 talk about so that Judge Teuton will be aware of them. More
15 so than handing them for him to look at, you need to make
16 them part of the record so that they're permanently in here.
17 Okay?

18 So this is, again, something you'll talk over with
19 your attorney. All I'm doing next week is -- is allowing
20 your attorney to do what's called a conflicts check, to make
21 sure she didn't represent someone else in this case
22 previously that would cause her to be unable to represent
23 you. That's what she's doing. If she has no conflict, then
24 she's going to be your attorney. And then you and she can
25 talk about how this case ought to proceed.

1 But what I'm saying is, nothing of any substance is
2 happening next Tuesday. She's either going to become your
3 attorney or not. You're either going to have factual
4 disputes with the report, and she's going to put those on the
5 record; or you're not. That's -- that's what we're doing
6 next week.

7 UNIDENTIFIED SPEAKER: Okay.

8 THE COURT: All right. The meaningful things, the --
9 the potential termination of your parental rights are a ways
10 off. You will get notice of them. There will be a hearing.
11 Judge Teuton will be here. Okay?

12 MR. SAAFIR: Okay.

13 THE COURT: All right.

14 Anything else while I'm on the record?

15 MR. KIM: No, Your Honor.

16 MS. QUINLAN: No, Your Honor.

17 THE COURT: All right. Thank you folks very much.

18 THE MARSHAL: So we'll see you next week.

19 MS. QUINLAN: What time's the hearing next week?

20 (THE PROCEEDING ENDED AT 02:26:03.)

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


SHERRY JUSTICE,
Transcribed II

EXHIBIT H
COURT TRANSCRIPT
November 19, 2019

FILED

JUL 01 2021

Alma L. Lamm
CLERK OF COURT

1 TRANS

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5 EIGHTH JUDICIAL DISTRICT COURT

6 JUVENILE DIVISION

7 CLARK COUNTY, NEVADA

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9 In the Matter of:) CASE NO. J-18-342106-P2
10 K.S.,) DEPT. D
11 Protected Minor(s).) APPEAL NO. 81946
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SEALED

BEFORE THE HONORABLE ROBERT W. TEUTON

TRANSCRIPT RE: HEARING

TUESDAY, NOVEMBER 19, 2019

1 APPEARANCES:

2 For the State of Nevada: FELICIA QUINLAN, ESQ.
3 601 North Pecos Road
Las Vegas, Nevada 89101

4 Protected Minor: KIMORA SAAFIR
5 For the Protected Minor: SARA STEPHAN, ESQ.
6 725 E. Charleston Blvd.
Las Vegas, Nevada 89104

7 The Father: KWAME SAAFIR
8 For the Father: KRISTINA WILDEVELD, ESQ.
9 550 E. Charleston Blvd.
#A
Las Vegas, Nevada 89104

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1 LAS VEGAS, NEVADA

TUESDAY, NOVEMBER 19, 2019

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P R O C E E D I N G S

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(THE PROCEEDING BEGAN AT 11:47:16.)

4

THE COURT: We're on the record in case number J342106.

5

Appearances, please.

6

MS. QUINLAN: Felicia Quinlan, Clark County District

7

Attorney, also appearing on behalf of the Department of

8

Family Services.

9

MS. STEPHAN: CAP attorney, Sara Stephan, bar number

10

13768, for Kimora.

11

MS. WILDEVELD: Kristina Wildeveld, 5825, on behalf of

12

Caitlyn McAmis, for Kwame Saamir -- Saafir, who is present

13

out of custody.

14

Your matter -- Your Honor, this is the time set for

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the status check on his appeal that he had filed in proper

16

person.

17

THE COURT: Right.

18

MS. WILDEVELD: And he has an update on that.

19

THE COURT: Okay.

20

MS. WILDEVELD: Go ahead.

21

THE COURT: So, yeah. We continued this from when, on

22

November 7th, because I think Judge Scotty was scheduled to

23

make a decision before -- well, it was before today. And

24

apparently that hasn't happened.

25

MR. SAAFIR: Well, he -- he set a briefing schedule. So

1 I had -- I filed my opening brief. The City has until
2 January 2nd to file the respondent's brief. And I have until
3 January 16th to file a reply. And it'll -- it's scheduled to
4 be heard January 30th.

5 THE COURT: All right. Ms. Stephan, have -- have you
6 been able to meet with Kimora?

7 MS. STEPHAN: No, but I've been talking with the
8 grandmother. We've just been playing phone tag. And she's
9 been working. But I think I'm supposed to see her this
10 Friday.

11 THE COURT: All right.

12 How's your daughter doing?

13 MS. SAAFIR: She's doing good.

14 THE COURT: All right. Well, I guess we need to wait
15 until Judge Scotty makes his decision.

16 MR. SAAFIR: Okay. So other than that, is everything
17 still the same, the visitings and everything like that?

18 THE COURT: Yeah, and...

19 MR. SAAFIR: After a year...

20 THE COURT: ...in- including your other...

21 MR. SAAFIR: ...are things...

22 THE COURT: ...requirements in your...

23 MR. SAAFIR: ...still the same?

24 THE COURT: ...case plan, as well.

25 MR. SAAFIR: What?

1 THE COURT: I said including the other requirements in
2 your case plan.

3 MR. SAAFIR: We -- we -- we already talked about that.
4 It isn't as if I'm neglecting my case plan. But I told you
5 my position about how this a direct and penal consequence of
6 the -- of the DV because you only used the evidence of
7 conviction for -- for this.

8 THE COURT: Right.

9 MR. SAAFIR: And they didn't have any probable cause to
10 order a mental health evaluation because if there was a
11 mental health issues that they had, they would've said that
12 when they -- they placed her with me, when the other court
13 placed her with me and said that I was a fit dad. And when
14 they took her from her mom and they ordered her mom to have a
15 mental health evaluation. So there wasn't probable cause for
16 that.

17 As far as DV classes and everything and -- and
18 parenting classes, I'm not saying that they'll hurt me. If -
19 - but -- it -- they -- they will. They'll hurt everything
20 that I'm doing because this is like having two jobs. I work
21 full time and I -- I have to visit my kids when I have time.

22 And I have to -- I'm pro se and I have to -- to do
23 my own research and study and teach myself how to file
24 respondent's briefs and everything like that. So I don't
25 have time for anything. And I'm indigent. So it -- I don't

1 have time to do anything but what I'm doing. And I really
2 don't even have time to do this.

3 THE COURT: All right. We're -- you said January 30th
4 was the decision.

5 MS. QUINLAN: Mm-hm.

6 MS. WILDEVELD: Yes, Your Honor.

7 MS. QUINLAN: And our 18-month review is on March 3rd.

8 THE COURT: March 3rd.

9 MS. QUINLAN: Mm-hm.

10 THE COURT: All right.

11 MS. QUINLAN: And currently the goal is adoption. So it
12 should be referred coming up here pretty soon.

13 THE COURT: Right.

14 So, Mr. Saaфир, I -- I would suggest that if Judge
15 -- if Judge Scotty upholds the conviction, you need to get in
16 touch with your caseworker immediately to start participating
17 in this program here.

18 MR. SAAFIR: Okay. Well, if the next...

19 THE COURT: If he reverses it...

20 MR. SAAFIR: ...step would be...

21 THE COURT: If he reverses the decision then we'll argue
22 whether or not the adjudication here should be set aside or
23 affirmed.

24 MR. SAAFIR: Well, you -- you -- you said in the
25 beginning that the only thing that you used to -- for this...

1 THE COURT: The basis was the conviction.
2 MR. SAAFIR: ...was the -- was the -- was the
3 conviction. So if he -- my appeal is withdraw and then...
4 MS. WILDEVELD: Granted.
5 MR. SAAFIR: ...it -- it's -- yeah.
6 MS. WILDEVELD: If your appeal is granted.
7 MR. SAAFIR: If -- if -- if my appeal is granted and
8 my...
9 MS. WILDEVELD: The case is overturned.
10 MR. SAAFIR: Yeah, the case is overturned and my...
11 MS. WILDEVELD: You no longer have a conviction.
12 THE COURT: Yeah, so, Mr. Saaafir, what -- we need to
13 wait and find out what happens...
14 MR. SAAFIR: Okay.
15 THE COURT: ...before we say what's going to happen
16 after that.
17 MR. SAAFIR: But...
18 MS. WILDEVELD: And I know that Ms. McAmis has had a lot
19 of contact with Mr. Saaafir. I've met him in the office, as
20 well.
21 THE COURT: All right.
22 MR. SAAFIR: But wouldn't the next step, even if he
23 didn't at -- grant my appeal at the district court level,
24 which it -- it doesn't -- wouldn't have a reason not to, but
25 if he didn't, the next step would be the supreme court.

1 THE COURT: Well, okay. So let me just say this.

2 MR. SAAFIR: Okay.

3 THE COURT: Your -- your as -- your -- your free to do
4 whatever you want.

5 MR. SAAFIR: Okay.

6 THE COURT: Recognize that the time that has already run
7 on this case here, that if you don't engage in services at
8 some point, even though the criminal case may be before the
9 supreme court, if you don't follow the case plan, by -- by
10 statute it's 14 months, there's presumptions that the child
11 shouldn't be returned to your care. There is a presumption
12 that it's in the best interest that your rights be
13 terminated. I just want you to be fully aware of the
14 consequences of -- of -- of saying, I'm not going to do
15 anything until I've exhausted -- the -- the child's five
16 years old.

17 MR. SAAFIR: Okay. I understand.

18 THE COURT: We're not gonna wait till she's ten...

19 MR. SAAFIR: I'm -- I'm -- I...

20 THE COURT: ...to make a decision.

21 MR. SAAFIR: I'm -- I'm not -- I see her whenever I can.

22 THE COURT: I know.

23 MR. SAAFIR: And -- and -- and I'm not saying that I'm
24 not going to do anything. I'm saying that I'm -- I can't do
25 anything because of this as a direct consequence...

1 THE COURT: I'm not talking about it. I'm talking
2 about...

3 MS. WILDEVELD: It doesn't matter -- we'll talk...

4 THE COURT: ...post...

5 MS. WILDEVELD: I'll talk to him outside.

6 THE COURT: Okay.

7 MR. SAAFIR: And -- and -- and what would be the grounds
8 for parental right termination because I haven't
9 participated.

10 MS. WILDEVELD: Failure to follow your case plan. You
11 finish your case plan...

12 MR. SAAFIR: Okay. And the...

13 MS. WILDEVELD: ...in a timely manner in order to give
14 the child...

15 MR. SAAFIR: And...

16 MS. WILDEVELD: ...permanency.

17 MR. SAAFIR: And the -- and the case plan is because of
18 what? Why was the case plan given to me? Because of this
19 DV, right?

20 THE COURT: Correct.

21 MS. QUINLAN: No, because of the...

22 MR. SAAFIR: Okay.

23 MS. QUINLAN: ...assessment.

24 MR. SAAFIR: That's...

25 MS. QUINLAN: No, no. It was the PCFA process.

1 MR. SAAFIR: No, I -- I...

2 MS. QUINLAN: So...

3 MR. SAAFIR: ...never -- I -- when the -- when the
4 original case was opened, I didn't have a case. Her mom had
5 a case. They placed her with me without any case plan, no
6 CPS involvement.

7 THE COURT: Okay. Okay.

8 MR. SAAFIR: Said that I was...

9 THE COURT: Mr. Saafir.

10 MR. SAAFIR: ...a fit dad. Okay.

11 THE COURT: Let's -- let's not hash out water that's
12 already gone under the bridge.

13 MR. SAAFIR: Okay.

14 THE COURT: Let's talk about how we're gonna cross the
15 bridge.

16 MR. SAAFIR: Okay.

17 THE COURT: Okay? Now we'll do that once Judge Mosley
18 or, Mosley, Judge Scotty makes his decision.

19 MR. SAAFIR: Okay.

20 THE COURT: All right. All right. I'll see you back
21 here...

22 THE MARSHAL: Here's your next review hearing.

23 THE COURT: ...March 3rd.

24 MS. WILDEVELD: Thank you, Your Honor.

25 MR. SAAFIR: So this -- the -- the termination of

1 parental rights, would that only be for me; or are they
2 seeking that for her mom, too?

3 MS. QUINLAN: Both.

4 THE COURT: That'll be both.

5 MR. SAAFIR: Okay.

6 THE COURT: They have not...

7 You've not yet filed a...

8 MS. QUINLAN: Not yet.

9 THE COURT: ...a motion?

10 MS. QUINLAN: No, it's referred.

11 THE COURT: All right. Thank you.

12 MS. QUINLAN: Thank you.

13 THE COURT: We're done?

14 THE MARSHAL: Yes, we are.

15 MS. WILDEVELD: Thank you, Your Honor.

16 (Whereupon the matter was trailed at

17 11:54:25 and recalled at 11:54:39.)

18 MR. SAAFIR: If I can ask the Court for a -- for --
19 to...

20 THE COURT: Okay. We're -- we're back on the record.

21 MR. SAAFIR: ...to, like, make the visits more flexible
22 for her because she needs help. She's asked me to -- my
23 mom's asked me to ask the Court that. So I'm asking. I
24 don't see a reason why it wouldn't be.

25 MS. QUINLAN: So he can follow up with the caseworker

1 about when...

2 MR. SAAFIR: But it has to be ordered...

3 MS. QUINLAN: ...his visits are scheduled.

4 MR. SAAFIR: ...by the Court. But...

5 MS. QUINLAN: No, it doesn't. It's a super- with the
6 scheduling of the supervised visitation...

7 MR. SAAFIR: Yeah.

8 MS. QUINLAN: ...you can...

9 MR. SAAFIR: Because...

10 MS. QUINLAN: ...work that out with the caseworker.

11 MR. SAAFIR: If -- if -- if the -- the CPS ordered that
12 I have, like, open visits with my son but supervised visits
13 with my daughter, it makes it hard for my mom. It isn't,
14 like, really hard for me. But it makes it harder for her and
15 for my mom.

16 THE COURT: And what is it that you're asking?

17 MR. SAAFIR: For...

18 MS. WILDEVELD: For more flexibility...

19 MR. SAAFIR: Yeah, for more...

20 MS. WILDEVELD: ...in the visits.

21 MR. SAAFIR: ...flexibility for the visits. And it --
22 there shouldn't be a reason that it isn't granted because
23 they've already allowed that for my son. Like, I can take
24 him for the weekend, to take him back to his mom, but.

25 THE COURT: I'm not -- I'm not tracking...

1 MS. QUINLAN: So whatever the scheduling is, I'm not
2 sure what the scheduling issue is.

3 THE COURT: The -- the scheduling is, it's gotta be
4 Monday, Wednesday, Friday. And that's already been --
5 there's no such schedule. What you're asking is that the
6 terms of the visitation be changed? Did I not require that
7 it be supervised?

8 MR. SAAFIR: Yeah, so that -- so that if she has to go
9 somewhere; or if she needs a babysitter, she doesn't have to
10 pay for it; or something like that to make it easier for her.

11 THE COURT: And this visitation is anywhere from a
12 couple of hours midweek to over on a weekend?

13 MR. SAAFIR: Yeah.

14 THE COURT: Okay.

15 MR. SAAFIR: Not -- not over -- not over a weekend. But
16 if she has some- somewhere to go or something to do and she -
17 - she usually have to pay for a babysitter, she wouldn't have
18 to pay for the babysitter.

19 THE COURT: Oh I see what you're saying.

20 MR. SAAFIR: That's what I was saying.

21 MS. QUINLAN: And, Your Honor, we would be opposed to
22 any unsupervised contact. He hasn't even done an assessment
23 to see what recommendations would come out, so.

24 MR. SAAFIR: So why...

25 THE COURT: Yeah.

1 MR. SAAFIR: Why -- why did you recommend to the court
2 to give me unsupervised contact with my son?

3 MS. QUINLAN: I didn't do that.

4 THE COURT: That's never been recommended.

5 MR. SAAFIR: CPS did that. And I have...

6 MS. QUINLAN: No.

7 MR. SAAFIR: I have the document that they did that. So
8 it doesn't make sense.

9 THE COURT: Well, if you got documents that they did
10 that, then show it to your attorney. And Ms. McAmis can...

11 MR. SAAFIR: Well, I've already...

12 THE COURT: ...bring it back...

13 MR. SAAFIR: ...shown it...

14 THE COURT: ...before the court.

15 MR. SAAFIR: I've submitted it to you, too, where --
16 where they talked to Shanna Davis in the C -- TPO court.
17 Shanna Davis told them that it's her recommendation that I --
18 that I have...

19 MS. QUINLAN: (Indiscernible).

20 MR. SAAFIR: ...open, unsupervised visits...

21 MS. QUINLAN: This was just on...

22 MR. SAAFIR: ...with my son...

23 MS. QUINLAN: ...for his appeal, so.

24 MR. SAAFIR: ...have him for the weekends and -- and
25 that it was their recommendation and their opinion that I'm

1 not a danger to the kids. The only think that they
2 recommended is that I don't have contact with Alyssa because
3 the alleged DV was with her. That was the only thing. I
4 don't have contact with her. She isn't my girlfriend. I --
5 I'm not around her. So what's the danger?

6 THE COURT: All right. Well, I do recall when you
7 started talking about the TPO. And I think I did indicate
8 that what the TPO findings were, not the necessarily the same
9 findings that I've made and they're not based upon the same
10 facts that were presented to me.

11 MR. SAAFIR: Well, the facts that were fr- were
12 presented...

13 THE COURT: We're done.

14 MR. SAAFIR: ...to you were presented from a
15 investigator.

16 THE COURT: We're done.

17 MR. SAAFIR: That's who presented them to the TPO court.

18 THE COURT: We're done.

19 MR. SAAFIR: Okay.

20 MS. QUINLAN: Thank you, Your Honor.

21 MS. WILDEVELD: Thank you.

22 THE COURT: Thank you.

23 (THE PROCEEDING ENDED AT 11:57:48.)

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


SHERRY JUSTICE
Transcriber IT

EXHIBIT I
COURT TRANSCRIPT
July 14, 2020

FILED

JUL 01 2021

Shirley L. Johnson
CLERK OF COURT

1 TRANS

2
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4
5 EIGHTH JUDICIAL DISTRICT COURT

6 JUVENILE DIVISION

7 CLARK COUNTY, NEVADA

8
9 In the Matter of:) CASE NO. J-18-342106-P2
10 K.S.,) DEPT. D
11 Protected Minor(s).) APPEAL NO. 81946
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SEALED

BEFORE THE HONORABLE ROBERT W. TEUTON

TRANSCRIPT RE: STATUS CHECK

TUESDAY, JULY 14, 2020

1 APPEARANCES:

2 For the State of Nevada: FELICIA QUINLAN, ESQ.
3 601 North Pecos Road
Las Vegas, Nevada 89101

4 Protected Minor: KIMORA SAAFIR
5 For the Protected Minor: SARA STEPHEN, ESQ.
6 725 E. Charleston Blvd.
Las Vegas, Nevada 89104

7 The Father: KWAME SAAFIR
8 For the Father: CAITLYN MCAMIS, ESQ.
9 550 E. Charleston Blvd.
#A
10 Las Vegas, Nevada 89104

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1 LAS VEGAS, NEVADA

TUESDAY, JULY 14, 2020

2 P R O C E E D I N G S

3 (THE PROCEEDING BEGAN AT 10:54:41.)

4 THE COURT: All right. We are on the record in case
5 number J342106. Present in the courtroom is Kwame Saafir.

6 Correct, sir? All right.

7 Ms. Quinlan, your appearance, please.

8 MS. QUINLAN: Felicia Quinlan, Clark County District
9 Attorney. Good morning.

10 THE COURT: Good morning.

11 Ms. Stephan, your appearance, please.

12 MS. STEPHAN: Good morning, CAP attorney, Sara Stephan,
13 13768, for Kimora.

14 THE COURT: And Ms. McAmis, your appearance, please.

15 MS. MCAMIS: Good morning, Your Honor. Caitlyn McAmis,
16 bar number 12616, court-appointed counsel on behalf of
17 natural father, Kwame Saafir, who is present in court.

18 THE COURT: All right. This is a status check on the --
19 on the guardianship? Where are we?

20 MS. QUINLAN: Yeah.

21 THE COURT: Go ahead.

22 MS. QUINLAN: Yes, Your Honor. So Mr. Kim, the
23 permanency worker, has reached out to the guardianship
24 department because this was approved for the KinGAP program,
25 meaning that grandma would get assistance from the state.

1 And it's reported that it's already with the guardianship
2 attorney. And it's reported that the grandmother has a
3 virtual meeting this week. And on Monday, she goes to the
4 attorney's office to sign the document. She has an
5 appointment.

6 THE COURT: Oh great.

7 MS. QUINLAN: So as soon as those get signed, they can
8 get filed. And we can move forward.

9 THE COURT: Have the hearing and -- okay.

10 MS. QUINLAN: Mm-hm.

11 THE COURT: All right.

12 Ms. -- Ms. McAmis, is there anything you wanted to
13 add to that?

14 MS. MCAMIS: I know that Mr. Saafir is present in court.
15 I know that he still has a lot of his concerns that he's
16 raised before. But I don't have any objection to the
17 progression of the guardianship. It does maintain his
18 parental rights. It gives him the time that he needs to try
19 to litigate his criminal -- his criminal litigation issues
20 and additionally, work on his case plan, which he has
21 expressed interest in.

22 THE COURT: Okay.

23 MR. SAAFIR: How -- how do I talk to my attorney
24 without, like,...

25 THE COURT: You what?

1 MR. SAAFIR: I -- I can't tell her what to say without
2 you hearing me. So it isn't attorney/client privilege, so.

3 THE COURT: Yeah, you can't.

4 MR. SAAFIR: (Indiscernible).

5 THE COURT: You can talk to her on the phone. You can
6 go to her office. She can file an...

7 MS. MCAMIS: He's said...

8 THE COURT: ...a written notice.

9 MS. MCAMIS: And, Your Honor, he spoke with Ms. Thomas
10 from my office earlier -- or earlier last week. I've already
11 voiced that he still has his concerns that he raises every
12 time. And we don't need to belabor that with, you know, 40
13 minutes of discussion about he doesn't stand by the original
14 conviction. He's pursuing his litigation.

15 MR. SAAFIR: But -- but -- but...

16 THE COURT: All right.

17 MR. SAAFIR: Isn't -- this is because the -- I -- I
18 don't know how to have her talk for me. So this is kind
19 of...

20 THE COURT: Well...

21 MR. SAAFIR: ...a violation of my...

22 THE COURT: Mr. Saafir.

23 MR. SAAFIR: ...attorney/client privilege. But it's
24 because the supreme court advised that I should file a writ
25 of -- of mandamus. And that's my attorney's job. And there

1 is probable cause for writ of mandamus because I wasn't
2 allowed to have an attorney for the trial for this case. Not
3 -- not only the -- the criminal case that's -- that -- the
4 records been forwarded to the supreme court. So -- so their
5 reviewing it. But for this case, I wasn't -- I was told that
6 I can't have an attorney for the trial and that violated my
7 right to have effective counsel.

8 THE COURT: All right. All right. All right. So...

9 MR. SAAFIR: So I'm -- I'm just asking if my attorney
10 can do her job and file a writ of mandamus for me because I
11 understand why they're doing that. I understand that the
12 situation is what it is. And if it was up to me, she
13 wouldn't have got taken from me in the first place. But I
14 understand that she's where she is. And I understand why CPS
15 doesn't want to keep changing placements. And I understand
16 that it's -- it isn't healthy and -- and that she's happy and
17 that -- I understand all of that. So I'm not saying that I'm
18 trying to change anything. I -- what I am saying, is it
19 wouldn't have happened in the first place if it was up to me.
20 But...

21 THE COURT: All right.

22 MR. SAAFIR: ...I -- I do...

23 THE COURT: Well, let me...

24 MR. SAAFIR: I do want to appeal this. So -- so what I
25 want to know is, is this...

1 THE COURT: All right. Mr. Saafir.

2 MR. SAAFIR: What?

3 THE COURT: Proceeding with the guardianship, as far as
4 I know, is not in any way gonna -- gonna jeopardize your
5 ability to pursue whatever legal theories you may have.

6 MR. SAAFIR: I -- what -- what I'm asking is this
7 because going forward with the termination proceedings
8 would've been a final judgment, and that would've been
9 appealable. But the -- the...

10 THE COURT: So I just want to make sure. I mean, I --
11 I'm not gonna change it from guardianship. But are you
12 really suggesting...

13 MR. SAAFIR: No, no. (Indiscernible).

14 THE COURT: ...that you want to roll the dice...

15 MR. SAAFIR: (Indiscernible).

16 THE COURT: ...on a TPR...

17 MR. SAAFIR: It -- it...

18 THE COURT: ...and have your rights terminated?

19 MR. SAAFIR: It -- it wouldn't be rolling the dice
20 because I should've had an attorney. That's a violation of
21 my rights already there. But I understand -- I understand
22 why I've been advised the way that I've been advised. You
23 know, I understand why they're going they're going with the
24 guardianship.

25 THE COURT: All right.

1 MR. SAAFIR: But is that appealable? Or is -- that
2 isn't a part of a judgment because I just want it on the
3 record that I'm -- I'm not in agreement with anything? I'm
4 just -- I'm just goin' with it and doing what I've been...

5 THE COURT: Well, the guardianship...

6 MR. SAAFIR: ...ordered to...

7 THE COURT: ...would result in the termination of
8 wardship. That would be a final decision of this Court. And
9 presumably, that's a final decision that could be appealed.

10 MR. SAAFIR: Okay. And as...

11 THE COURT: As far as I know. You can't count...

12 MR. SAAFIR: As -- as...

13 THE COURT: ...on me...

14 MR. SAAFIR: As far as my case plan that I don't think
15 that I should have to do, but I am...

16 THE COURT: Okay.

17 MR. SAAFIR: ...taking parenting classes because I was
18 told that they'd...

19 THE COURT: Okay.

20 MR. SAAFIR: ...terminate my rights if I didn't. But
21 would I still have to do all of that even though -- even
22 though it's -- it's another punishment because...

23 THE COURT: Mr. Saafir.

24 MR. SAAFIR: ...I've -- I've been...

25 THE COURT: When this Court terminates this wardship...

1 MR. SAAFIR: Okay.

2 THE COURT: I really don't care what you do.

3 MR. SAAFIR: Okay.

4 THE COURT: We have the permanency review date scheduled
5 for September 15th. That date will stand. Hopefully we'll
6 proceed with the guardianship before that day arrives.

7 THE MARSHAL: September 15th at what time? Anybody
8 know?

9 THE COURT: No. You always ask the hardest questions.

10 THE MARSHAL: I know, Judge.

11 THE CLERK: At 3 p.m.

12 THE MARSHAL: 3 p.m.

13 THE COURT: All right.

14 MR. SAAFIR: So -- so who...

15 THE COURT: September 15th at 3 p.m.

16 MR. SAAFIR: So would -- with -- if they do term- you
17 terminating wardship and her having temporary guardianship,
18 is the custody still mine, but just placement and
19 guardianship is with her or who has custody?

20 THE COURT: She does.

21 MR. SAAFIR: She has custody?

22 THE COURT: She's the guardian.

23 MR. SAAFIR: Okay. So -- so you're still ter-
24 terminating my custody basically.

25 THE COURT: I'm terminating this Court's jurisdiction.

1 MR. SAAFIR: This Court's jurisdiction.

2 THE COURT: Because with a guardianship, there's no
3 longer a need for this Court to be involved to maintain --
4 maintain her safety.

5 MR. SAAFIR: Okay.

6 THE COURT: All right. I'll see you in September.

7 MR. SAAFIR: September is the hearing for what?

8 THE COURT: September, what was the date I gave you?

9 THE MARSHAL: September 15th at 3 p.m. He has it. I
10 wrote it down for him.

11 THE COURT: Okay.

12 MR. SAAFIR: Is -- is -- is there a reason that my
13 attorney's been told not to -- that she can't file a writ of
14 mandamus for me?

15 THE COURT: Your attorney has been appointed by the
16 Court to represent you in this matter.

17 MR. SAAFIR: The -- the -- this -- this matter a writ of
18 mandamus would be for this matter because if you see that
19 when I appealed to the supreme court, they agreed that I have
20 grounds for appeal. But that my only remedy would be a writ
21 of mandamus.

22 THE COURT: Well, the attorney...

23 MR. SAAFIR: And it's...

24 THE COURT: Your attorney can only file a writ --
25 attorneys have an ethical obligation that -- that there has

1 to be a good reason to go forward with a legal theory. And
2 I'm not gonna force an attorney to do something that they
3 don't think...
4 MR. SAAFIR: If -- if...
5 THE COURT: ...is appropriate.
6 MR. SAAFIR: ...the supreme court...
7 THE COURT: I'm -- I'm done.
8 MR. SAAFIR: ...found that I have good reason, then how
9 could the attorney...
10 THE COURT: I have no idea what the...
11 MR. SAAFIR: Oh.
12 THE COURT: ...supreme court did or why...
13 MR. SAAFIR: Okay.
14 THE COURT: ...they did what they did. All I know, Mr.
15 Saafir, right now, we're done.
16 MR. SAAFIR: Okay.
17 THE COURT: Okay.
18 THE MARSHAL: We're done. I'm gonna call the next case.
19 THE COURT: Other cases.
20 MR. SAAFIR: Okay.
21 THE MARSHAL: We'll see you back again on September
22 15th.
23 MR. SAAFIR: Okay.
24 THE MARSHAL: Okay.
25 (THE PROCEEDING ENDED AT 11:02:42.)

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

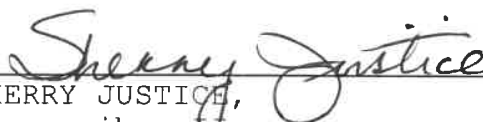

SHERRY JUSTICE,
Transcriber

EXHIBIT J
ORDER ON APPEAL
August 12, 2020

Steven D. Grierson

ORDR

Africa A. Sanchez, Esq.

Nevada Bar No. 7503

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Attorney for Petitioner

ASHA COLSON

**EIGHTH JUDICIAL DISTRICT COURT/FAMILY DIVISION
CLARK COUNTY, NEVADA**

In the Matter of the Guardianship of: }

KIMORA MENYON SAAFIR,

Minor. }

Case No.: J-18-342106-P2

Dept. No: TEUTON #11

**ORDER APPOINTING GENERAL GUARDIAN OVER MINOR
WARD**

UPON REVIEW of the verified Petition for Appointment of Guardian submitted by the Petitioner; the same having come before the above-entitled Court, and it appearing to the satisfaction of the Court that proper notice of hearing of this matter has been duly given in the manner required by law, that all allegations contained in the verified petition are true and correct, and that the ward is a resident of Nevada and good cause appearing:

<input type="checkbox"/> Other	Adjudicated:
<input type="checkbox"/> Dismissal/Non-Adjudicated	<input type="checkbox"/> By Default
<input type="checkbox"/> Disposed by ADR	<input checked="" type="checkbox"/> By Plea/Admsn/Stip
<input type="checkbox"/> Waiver/Certify/Transfer to Adult Court	<input type="checkbox"/> After EH/Bench Trial
<input type="checkbox"/> Transferred to Another Juvenile Court	

Appellants Withdrawal of Attorney Appendix 247 of 249

1 **IT IS HEREBY ORDERED** that the Petitioner ASHA COLSON, is
2 appointed Guardian of the Person of KIMORA MENYON SAAFIR, born May
3
4 11, 2014, a minor.

5 **IT IS FURTHER ORDERED** that Letters of Guardianship shall
6
7 issue to the Guardian upon the taking of the oath of office as required by law.

8 **IT IS FURTHER ORDERED** that the Guardian shall file an
9
10 Acknowledgement of duties and responsibilities upon entry of this order and
11 before entering into her duties as guardian.

12 **IT IS FURTHER ORDERED** that all non-court ordered visitations
13
14 will be at the discretion of the guardian.

15 **IT IS FURTHER ORDERED** that the Guardian shall properly
16
17 maintain, care for, educate and support the Ward as Guardian of the Ward's
18 person.

19 **IT IS FURTHER ORDERED** that notice of entry of this order must
20
21 be sent by the Guardian to the relatives, care providers and interested
22 persons entitled to notice under NRS 159A.047.

23 //

24 //

25 //

IT IS FURTHER ORDERED that upon entry of this Order, the Clark County Department of Family Services (CCDFS) legal custody of the subject minor child is terminated, including all proceedings concerning the child pursuant to NRS 432B.410 to 432b.590, and both CCDFS and counsel for the Guardian are excused from any further responsibility in the Guardianship case.

IT IS SO ORDERED.

DATED this 12 day of August, 2020.

District Court Judge

Submitted by:

Africa A. Sanchez, Esq.
Nevada Bar No. 7503
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Attorney for Petitioner
ASHA COLSON

CERTIFICATE OF SERVICE

I hereby certify that I am Nicholas Shook, the named attorney for the Appellants and that on July 29, 2021, I electronically filed the foregoing Appellants' Motion to Withdrawal Appendix Volume 3 via this Court's electronic filing system. Parties that are registered with this Court's electronic filing system will be served electronically. There are no parties who are not currently registered under the electronic filing system of this Court.

Dated this 29th day of July 2021.



Nicholas Shook, Esq.
Nevada Bar No, 13400

CERTIFICATE OF COMPLIANCE

I hereby certify that this appendix complies with the requirements of NRAP 30. This Appellants' Appendix includes all of the documents required under NRAP 30(b)(3) which incorporates NRAP 30(b)(2). And that this Appendix is broken into three volumes where each is volume contains containing less than 250 pages and 28 megabytes as required by this Court's Electronic Filing System and each part requires less than 7 megabytes.

Dated this 29th day of July 2021.



Nicholas Shook, Esq.
Nevada Bar No. 13400