

1 KATRINA CARTER
2 969 W. Cartwright Road #101
3 Mesquite, TX 75149
4 Plaintiff in Proper Person

Electronically Filed
Oct 20 2020 11:36 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

5 DISTRICT COURT
6 CLARK COUNTY, NEVADA

7 KATRINA CARTER,
8 Plaintiff,

) Case No. D-17-550112-C
) Dept No. E

9) **NOTICE OF APPEAL**

10 RUNNDLEY DUCKSWORTH,
11 Defendant.

12
13 COMES NOW, KATRINA CARTER, in Proper Person and gives notice
14 that Plaintiff intends to file an Appeal in the above case, D-17-550112-C.

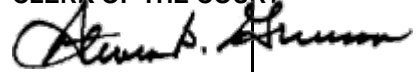
15 KATRINA CARTER requests waiver of appeal bond in this matter, and
16 authorization to proceed in Proper Person.

17 This notice pertains to the NOTICE OF ENTRY OF ORDER filed
18 9/24/2020, regarding custodial change and court not allowing Plaintiff to relocate
19 the child to Texas.

20 Dated this 14th day of October, 2020.

21 /s/ Katrina Carter

22
23 _____
24 KATRINA CARTER
25 Plaintiff In Proper Person
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**IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR
THE COUNTY OF CLARK**

7

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9

KATRINA YARNELL CARTER,

10

Plaintiff(s)

11

vs.

12

13

RUNNDLEY DUCKSWORTH,

14

Defendant(s),

Case No: D-17-550112-C

Dept No: E

15

16

CASE APPEAL STATEMENT

17

18

1. Appellant(s): Katrina Carter

19

2. Judge: Charles J. Hoskin

20

3. Appellant(s): Katrina Carter

21

Counsel:

22

Katrina Carter
969 W. Cartwright Rd., #101
Mesquite, TX 75149

23

24

25

4. Respondent (s): Runndley Ducksworth

26

Counsel:

27

Runndley Ducksworth
2221 Mediterranean Sea Ave.
North Las Vegas, NV 89031

28

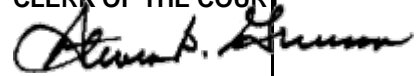
- 1 5. Appellant(s)'s Attorney Licensed in Nevada: N/A
2 Permission Granted: N/A
3 Respondent(s)'s Attorney Licensed in Nevada: N/A
4 Permission Granted: N/A
5 6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No
6 7. Appellant Represented by Appointed Counsel On Appeal: N/A
7 8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A
8 Appellant Filed Application to Proceed in Forma Pauperis: No
9 Date Application(s) filed: N/A
10 9. Date Commenced in District Court: April 7, 2017
11 10. Brief Description of the Nature of the Action: DOMESTIC - Child Custody
12 Type of Judgment or Order Being Appealed: Misc. Order
13 11. Previous Appeal: No
14 Supreme Court Docket Number(s): N/A
15 12. Case involves Child Custody and/or Visitation: Custody
16 Appeal involves Child Custody and/or Visitation: Custody
17 13. Possibility of Settlement: Unknown

18 Dated This 19 day of October 2020.

19 Steven D. Grierson, Clerk of the Court

20
21 /s/ Heather Ungermann
22 Heather Ungermann, Deputy Clerk
23 200 Lewis Ave
24 PO Box 551601
25 Las Vegas, Nevada 89155-1601
26 (702) 671-0512

27 cc: Katrina Carter
28



1 KATRINA CARTER
2 969 W. Cartwright Road #101
3 Mesquite, TX 75149
4 Plaintiff in Proper Person

5 DISTRICT COURT
6 CLARK COUNTY, NEVADA

7 KATRINA CARTER,
8 Plaintiff,

) Case No. D-17-550112-C
) Dept No. E

9 RUNNDLEY DUCKSWORTH,
10 Defendant.
11

12 **REQUEST FOR AUTHORIZATION TO PROCEED IN PROPER PERSON;**
13 **WAIVER OF APPEAL BOND;**
14 **AND TO TRANSMIT ENTIRE RECORD ON FILE**

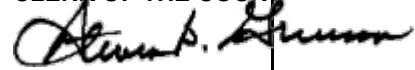
15 COMES NOW, KATRINA CARTER, and requests authorization of the
16 court to proceed in Proper Person, and that the court submit the entire record on
17 file.

18 Plaintiff also requests the court waive the bond in this matter.

19 Dated this 14th day of October, 2020.

20 /s/ Katrina Carter

21 KATRINA CARTER
22 In Proper Person



1 KATRINA CARTER
2 969 W. Cartwright Road #101
3 Mesquite, TX 75149
4 Plaintiff in Proper Person

5 **DISTRICT COURT**
6 **CLARK COUNTY, NEVADA**

7 KATRINA CARTER,)
8 Plaintiff,) Case No. D-17-550112-C
9) Dept No. E
10 RUNNDLEY DUCKSWORTH,)
11 Defendant.)

12 **CERTIFICATE OF MAILING**

13 I hereby certify that on 14th day of October, 2020, I deposited for mailing a
14 true and correct copy of the Notice of Appeal; Request for Authorization to
15 Proceed in Proper Person; Waiver of Appeal Bond; and to Transmit Entire Record
16 on File in the United States Post Office, First Class Mail, postage prepaid thereon,
17 These documents were eserved via the e filing (Odyssey) system. The addresses
18 are as follows:

19 Runndley Ducksworth runndley100@gmail.com
20

21 Ashlee Vazquez:eservice@mcfarlinglaw.com
22 /s/ASHLEY ORR

23 PERSON MAILING

24 RUNNDLEY DUCKSWORTH
25 2221 Mediterranean Sea Ave.
26 N. Las Vegas, NV 89031
27
28

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. D-17-550112-C

Katrina Yarnell Carter, Plaintiff.
vs.
Rundley Ducksworth, Defendant.

§
§
§
§

Location: **Department E**
 Judicial Officer: **Hoskin, Charles J.**
 Filed on: **04/07/2017**

CASE INFORMATION

Related Cases

R-07-139754-R (1J1F Related - Rule 5.103)
 R-19-208823-R (1J1F Related - Rule 5.103)

Case Type: **Child Custody Complaint**

Case Status: **10/13/2020 Reopened**

Statistical Closures

09/24/2020 Disposed After Trial Start (Bench Trial)
 10/29/2019 Settled/Withdrawn With Judicial Conference or Hearing
 07/30/2019 Settled/Withdrawn Without Judicial Conference or Hearing
 02/12/2019 Settled/Withdrawn With Judicial Conference or Hearing
 09/25/2018 Settled/Withdrawn With Judicial Conference or Hearing
 09/20/2017 Judgment Reached (Bench Trial)

Case Flags: **Order After Hearing Required
 Proper Person Mail Returned
 Order / Decree Logged Into
 Department
 Proper Person Documents
 Mailed
 Appealed to Supreme Court**

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	D-17-550112-C
Court	Department E
Date Assigned	01/02/2018
Judicial Officer	Hoskin, Charles J.

PARTY INFORMATION

Plaintiff

Carter, Katrina Yarnell
 969 W Cartwright RD
 APT 101
 Mesquite, TX 75149

Attorneys

Pro Se

702-601-9582(H)

Defendant

Ducksworth, Rundley
 2221 Mediterranean Sea Ave
 North Las Vegas, NV 89031

Pro Se

702-201-9352(H)

Rhodes, Michael, ESQ

Retained

702-366-0333(W)

Subject Minor

Ducksworth, Katron Xavier




Unbundled Attorney

Vazquez, Ashlee N
 6230 W Desert Inn RD
 Las Vegas, NV 89146
 Removed: 09/25/2020
 Change of Status

DATE

EVENTS & ORDERS OF THE COURT

EVENTS

- 04/07/2017  Complaint for Custody
 Filed by: Counter Defendant Carter, Katrina Yarnell
Complaint for Custody
- 04/07/2017  Request
 Filed By: Counter Defendant Carter, Katrina Yarnell
Request for Issuance of JPI
- 04/07/2017  Motion

CASE SUMMARY

CASE NO. D-17-550112-C

Filed By: Counter Defendant Carter, Katrina Yarnell
Party 2: Counter Claimant Ducksworth, Runndley
Motion and Notice of Motion for Permission to Relocate with a Minor Child

- 04/07/2017  Notice
Filed By: Counter Defendant Carter, Katrina Yarnell
Notice of Intent to Appear by Communication Equipment
- 04/07/2017  Ex Parte Motion
Filed by: Counter Defendant Carter, Katrina Yarnell
Ex Parte Motion for an Order Shortening Time
- 04/07/2017  Affidavit of Service
Filed By: Counter Defendant Carter, Katrina Yarnell
Party 2: Counter Claimant Ducksworth, Runndley
Affidavit of Service
- 04/18/2017  Answer and Counterclaim - Child Custody
Filed by: Counter Claimant Ducksworth, Runndley
Answer and Counterclaim
- 04/18/2017  Motion
Filed By: Counter Claimant Ducksworth, Runndley
Def't's Ex Parte Motion for Immediate Return of the Child to Nevada; for Joint Legal Custody and Related issues; and Atty's Fees
- 04/19/2017  Certificate of Mailing
Filed By: Counter Claimant Ducksworth, Runndley
Certificate of Mailing
- 04/27/2017  Opposition
Filed By: Counter Claimant Ducksworth, Runndley
Motion to Serve as Opposition to Plaintiff's Motion and Notice for Permission to Relocate with a Minor Child
- 04/27/2017  Certificate of Mailing
Filed By: Counter Claimant Ducksworth, Runndley
Certificate of Mailing
- 04/27/2017  Decree of Divorce
Decree of Divorce
- 06/12/2017  Witness List
Filed by: Counter Defendant Carter, Katrina Yarnell
Plaintiff's Witness List
- 06/12/2017  Motion
Filed By: Counter Defendant Carter, Katrina Yarnell
Plaintiff's Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt
- 06/14/2017  Exhibits
Filed By: Counter Defendant Carter, Katrina Yarnell
Exhibits Appendix for Motion to Enforce
- 06/14/2017  Certificate of Mailing
Certificate of Mailing for Plaintiff's Motion to Enforce
- 06/28/2017  Opposition
Filed By: Counter Claimant Ducksworth, Runndley
Defendant's Opposition to Plaintiff's Motion for and Order to Enforce and/or for an Order to Show Cause Regarding Contempt
- 07/11/2017  Notice
Filed By: Counter Defendant Carter, Katrina Yarnell
Plaintiff's Notice of Intent to Appear by Telephone

CASE SUMMARY

CASE NO. D-17-550112-C

- 07/17/2017  Pre-trial Memorandum
Filed By: Counter Claimant Ducksworth, Runndley
Defendant's Pre Trial Memorandum
- 07/17/2017  Witness List
Filed by: Counter Claimant Ducksworth, Runndley
Defendant's List of Witnesses
- 07/26/2017  Financial Disclosure Form
Filed by: Counter Claimant Ducksworth, Runndley
General Financial Disclosure Form
- 07/26/2017  Notice of Seminar Completion EDCR 5.302
Filed by: Counter Claimant Ducksworth, Runndley
Certificate of Cope Class
- 07/31/2017  Receipt of Copy
Filed By: Counter Defendant Carter, Katrina Yarnell
Receipt of Copy for Plaintiff's Exhibit Binder
- 09/19/2017  Order
Filed By: Counter Claimant Ducksworth, Runndley
Order
- 09/22/2017  Notice of Entry of Order
Filed By: Counter Claimant Ducksworth, Runndley
Notice of Entry
- 10/23/2017  Withdrawal of Attorney
Filed By: Counter Defendant Carter, Katrina Yarnell
Notice of Withdrawal of Unbundled Attorney for Plaintiff
- 10/26/2017  Notice of Withdrawal
Filed by: Counter Claimant Ducksworth, Runndley
Notice of Withdrawal of Counsel for Defendant
- 12/22/2017  Motion
Filed By: Counter Claimant Ducksworth, Runndley
Party 2: Counter Defendant Carter, Katrina Yarnell
Motion and Notice of Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt
- 12/22/2017  Ex Parte Application
Filed by: Counter Claimant Ducksworth, Runndley
Ex Parte Application for an Order to Show Cause
- 12/22/2017  Proof of Service
Proof of Service (Motion for Contempt/Order to Show Cause)
- 01/02/2018 Administrative Reassignment to Department E
Case Reassignment from Judge Bryce C. Duckworth Dept Q
- 01/02/2018  Notice of Rescheduling of Hearing
Notice of Rescheduling of Hearing
- 01/12/2018  Opposition
Filed By: Counter Defendant Carter, Katrina Yarnell
Opposition To Motion For An Order To Enforce And/Or For An Order To Show Cuase Regarding Contempt
- 01/12/2018  Exhibits
Filed By: Counter Defendant Carter, Katrina Yarnell
Exhibits
- 01/12/2018  Financial Disclosure Form
Filed by: Counter Defendant Carter, Katrina Yarnell
FDF

CASE SUMMARY

CASE NO. D-17-550112-C

- 01/19/2018  Notice
 Filed By: Counter Defendant Carter, Katrina Yarnell
Notice of Intent to Appear Telephonically
- 01/24/2018  Notice of Change of Address
 Filed By: Counter Defendant Carter, Katrina Yarnell
Notice of Change of Address
- 01/24/2018  Behavior Order
Behavior Order
- 04/04/2018  Notice of Hearing
Notice of Order to Show Cause Hearing
- 04/12/2018  Motion
 Filed By: Counter Claimant Ducksworth, Runndley
 Party 2: Counter Defendant Carter, Katrina Yarnell
Deft Motion for An Order to Show Cause Regarding Contempt and to Enforce Child Custody and or VIsitation
- 04/12/2018  Exhibits
 Filed By: Counter Claimant Ducksworth, Runndley
Exhibits
- 04/12/2018  Ex Parte Application
 Filed by: Counter Claimant Ducksworth, Runndley
Ex Parte Application for Order to Show Cause
- 05/09/2018  Notice of Withdrawal
 Filed by: Counter Defendant Carter, Katrina Yarnell
Notice of Withdrawal of Counsel
- 05/10/2018  Re-Notice of Motion
 Filed by: Counter Claimant Ducksworth, Runndley
 For: Counter Defendant Carter, Katrina Yarnell
- 05/10/2018  Exhibits
 Filed By: Counter Claimant Ducksworth, Runndley
Amended Exhibit Appendix
- 05/10/2018  Certificate of Service
 Filed by: Counter Claimant Ducksworth, Runndley
- 05/15/2018  Ex Parte Motion
 Filed by: Counter Claimant Ducksworth, Runndley
Ex Parte Motion for Order Shortening Time
- 05/15/2018  Certificate of Mailing
 Filed By: Counter Claimant Ducksworth, Runndley
 Party 2: Counter Defendant Carter, Katrina Yarnell
Certificate of Mailing
- 05/16/2018  Order Shortening Time
 Filed By: Counter Claimant Ducksworth, Runndley
Order Shortening Time
- 05/16/2018  Certificate of Service
 Filed by: Counter Claimant Ducksworth, Runndley
Certificate of Service (Order Shortening Time/Motion)
- 05/23/2018  Order
 Filed By: Counter Defendant Carter, Katrina Yarnell
Order
- 06/01/2018  Opposition

CASE SUMMARY

CASE NO. D-17-550112-C

- Filed By: Counter Defendant Carter, Katrina Yarnell
Pltf's Opposition to Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt
- 06/01/2018  Certificate of Mailing
Filed By: Counter Defendant Carter, Katrina Yarnell
Certificate of Mailing
- 06/01/2018  Certificate of Mailing
Filed By: Counter Claimant Ducksworth, Runndley
Certificate of Mailing
- 06/07/2018  Document Filed
Filed by: Counter Defendant Carter, Katrina Yarnell
Child Support Payment History
- 06/07/2018  Document Filed
Filed by: Counter Claimant Ducksworth, Runndley
Child Support - Paid to Date & Talking Parents
- 06/14/2018  Certificate of Mailing
Filed By: Counter Claimant Ducksworth, Runndley
Party 2: Counter Defendant Carter, Katrina Yarnell
Certificate of Mailing
- 06/14/2018  Document Filed
Filed by: Counter Claimant Ducksworth, Runndley
Most Recent Paycheck Stub with child Support Deducted
- 06/14/2018  Certificate of Mailing
Filed By: Counter Claimant Ducksworth, Runndley
Party 2: Counter Defendant Carter, Katrina Yarnell
Certificate of Mailing
- 06/21/2018  Motion
Filed By: Counter Claimant Ducksworth, Runndley
Party 2: Counter Defendant Carter, Katrina Yarnell
Dft's Motion and Notice of Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt
- 06/21/2018  Exhibits
Filed By: Counter Claimant Ducksworth, Runndley
Exhibit Appendix
- 06/21/2018  Ex Parte Application
Filed by: Counter Claimant Ducksworth, Runndley
Ex Parte Application for an Order to Show Cause
- 06/21/2018  Proof of Service
Filed By: Counter Claimant Ducksworth, Runndley
Party Served: Counter Defendant Carter, Katrina Yarnell
Proof of Service
- 06/21/2018  Certificate of Mailing
Filed By: Counter Claimant Ducksworth, Runndley
Party 2: Counter Defendant Carter, Katrina Yarnell
Certificate of Mailing
- 07/09/2018  Order to Show Cause
Order to Show Cause
- 07/09/2018  Notice of Entry of Order
Notice of Entry of Order to Show Cause
- 07/10/2018  Certificate
Certificate of Mailing for Plaintiff's Opposition and Counter-motion

CASE SUMMARY

CASE NO. D-17-550112-C

- 07/10/2018  Opposition and Countermotion
Filed By: Counter Defendant Carter, Katrina Yarnell
Plaintiff's Opposition and Countermotion
- 07/13/2018  Amended
Filed By: Counter Claimant Ducksworth, Runndley
Amended Motion
- 07/13/2018  Ex Parte Motion
Filed by: Counter Claimant Ducksworth, Runndley
Amended Ex Parte Motion for Order to Show Cause
- 07/13/2018  Motion
Filed By: Counter Claimant Ducksworth, Runndley
Party 2: Counter Defendant Carter, Katrina Yarnell
Defts Motion for Orders to Modify Child Custody, Visitation and or Child Support
- 07/13/2018  Financial Disclosure Form
Filed by: Counter Claimant Ducksworth, Runndley
Financial Disclosure Form
- 07/13/2018  Exhibits
Filed By: Counter Claimant Ducksworth, Runndley
Exhibits
- 07/13/2018  Certificate of Service
Filed by: Counter Claimant Ducksworth, Runndley
Certificate of Service
- 07/23/2018  Reply to Opposition
Filed by: Counter Claimant Ducksworth, Runndley
Deft's Reply to Opposition and/or Counterclaim
- 07/23/2018  Exhibits
Filed By: Counter Claimant Ducksworth, Runndley
Exhibit Appendix
- 07/23/2018  Certificate of Service
Filed by: Counter Claimant Ducksworth, Runndley
Certificate of Service
- 07/24/2018  Withdrawal of Attorney
Filed By: Counter Claimant Ducksworth, Runndley
Notice of Withdrawal
- 08/01/2018  Notice of Rescheduling of Hearing
Notice of Rescheduling of Hearing
- 08/01/2018  Ex Parte Motion
Filed by: Counter Defendant Carter, Katrina Yarnell
Plaintiff's Ex Parte Motion for Return of Children
- 08/01/2018  Opposition and Countermotion
Filed By: Counter Defendant Carter, Katrina Yarnell
Plaintiff's Opposition and Countermotion
- 08/02/2018 Opposition and Countermotion
Pt's Opposition To Motion For An Order To Enforce And/Or For An Order To Show Cause Regarding Contempt
- 08/03/2018  Ex Parte Motion
Filed by: Counter Defendant Carter, Katrina Yarnell
Ex Parte Motion for the Return of the Child
- 08/03/2018





CASE SUMMARY

CASE NO. D-17-550112-C

-  Order
 Filed By: Counter Defendant Carter, Katrina Yarnell
Order for the Return of the Child
- 08/10/2018  Notice of Change of Address
 Filed By: Counter Defendant Carter, Katrina Yarnell
Plaintiff's Notice of Change of Address
- 09/25/2018  Order
Order From August 14, 2018 Hearing
- 10/05/2018  Notice of Entry of Order
 Filed By: Counter Defendant Carter, Katrina Yarnell
Notice of Entry of Order from August 14, 2018, and Notice of Withdrawal of Counsel for Plaintiff
- 12/03/2018  Exhibits
 Filed By: Counter Defendant Carter, Katrina Yarnell
Exhibits Appendix in re Plaintiff's Motion for OSC
- 12/04/2018  Motion
 Filed By: Counter Defendant Carter, Katrina Yarnell
Plaintiff's Motion for OSC
- 12/13/2018  Opposition and Countermotion
 Filed By: Counter Claimant Ducksworth, Runndley
Defendant's Opposition to Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt
- 12/13/2018  Exhibits
 Filed By: Counter Claimant Ducksworth, Runndley
Defendant's Exhibit Appendix
- 12/13/2018  Certificate of Service
 Filed by: Counter Claimant Ducksworth, Runndley
Certificate of Service
- 01/04/2019  Ex Parte Motion
 Filed by: Counter Defendant Carter, Katrina Yarnell
Ex Parte Motion for Return of Children
- 01/04/2019  Notice
 Filed By: Counter Defendant Carter, Katrina Yarnell
Notice of Intent to Appear by Communication Equipment
- 01/04/2019  Order
 Filed By: Counter Defendant Carter, Katrina Yarnell
Order for Return of Child(ren)
- 01/04/2019  Ex Parte Motion
 Filed by: Counter Defendant Carter, Katrina Yarnell
Ex Parte Motion for an Order Shortening Time
- 01/04/2019  Order
 Filed By: Counter Defendant Carter, Katrina Yarnell
Order Shortening Time
- 01/04/2019  Notice
 Filed By: Counter Defendant Carter, Katrina Yarnell
Plaintiff's Notice of Intent to Appear by Telephone
- 01/09/2019  Exhibits
 Filed By: Counter Defendant Carter, Katrina Yarnell
Plaintiff's Supplemental Exhibits Appendix


CASE SUMMARY

CASE NO. D-17-550112-C

- 01/09/2019  Notice of Association of Counsel
 Filed by: Counter Claimant Ducksworth, Runndley
Notice of Association of Counsel
- 02/12/2019  Order
Order
- 02/15/2019  Notice of Entry of Order
 Filed By: Counter Claimant Ducksworth, Runndley
Notice of Entry of Order
- 07/26/2019  Motion
 Filed By: Counter Defendant Carter, Katrina Yarnell
Pltf's Motion and Notice of Motion for an Order to Show Cause Regarding Contempt and To Enforce Child Custody and/or Visitation
- 07/26/2019  Certificate of Service
 Filed by: Counter Defendant Carter, Katrina Yarnell
Certificate of Service
- 07/26/2019  Ex Parte Motion
 Filed by: Counter Defendant Carter, Katrina Yarnell
Ex Parte Motion for an Order Shortening Time
- 07/26/2019  Ex Parte Motion
 Filed by: Counter Defendant Carter, Katrina Yarnell
Ex Parte Motion for Return of Child(REN)
- 07/29/2019  Notice of Change of Address
 Filed By: Counter Defendant Carter, Katrina Yarnell
Notice of Change of Address
- 07/29/2019  Notice
 Filed By: Counter Defendant Carter, Katrina Yarnell
Notice of Intent to Appear by Communication Equipment
- 07/30/2019  Domestic Notice to Statistically Close Case
Domestic Notice to Statistically Close Case USJR Phase II
- 09/05/2019  Withdrawal of Attorney
 Filed By: Counter Claimant Ducksworth, Runndley
Withdrawal of Attorney
- 09/06/2019  Motion
 Filed By: Counter Claimant Ducksworth, Runndley
Def't's Motion And Notice of Motion For Order To Enforce And Or For An Order To Show Cause Regarding Contempt
- 09/06/2019  Motion
 Filed By: Counter Claimant Ducksworth, Runndley
Def't's Motion And Notice of Motion For Orders To Modify Child Custody Visitation And Or Child Support
- 09/06/2019  Ex Parte Application
 Filed by: Counter Claimant Ducksworth, Runndley
Ex Parte Application For An Order To Show Cause
- 09/06/2019  Proof of Service
 Filed By: Counter Claimant Ducksworth, Runndley
 Party Served: Counter Defendant Carter, Katrina Yarnell
Proof of Service
- 09/06/2019  Exhibits
 Filed By: Counter Claimant Ducksworth, Runndley
Def't's Exhibit Appendix



















CASE SUMMARY

CASE NO. D-17-550112-C

- 09/09/2019  Order to Show Cause
Filed By: Counter Claimant Ducksworth, Runndley
Order to Show Cause
- 09/25/2019  Opposition
Filed By: Counter Defendant Carter, Katrina Yarnell
Pltf's Opposition to Motion for an Order to Enforce and for an Order to Show Cause Regarding Contempt
- 09/25/2019  Exhibits
Filed By: Counter Defendant Carter, Katrina Yarnell
Exhibits
- 09/27/2019  Miscellaneous Filing
Notice of Intent to Appear by Communication Equipment
- 10/09/2019  Reply
Filed By: Counter Claimant Ducksworth, Runndley
Reply to Opposition and/or Countermotion
- 10/09/2019  Exhibits
Filed By: Counter Claimant Ducksworth, Runndley
Exhibits Appendix
- 10/09/2019  Certificate of Service
Filed by: Counter Claimant Ducksworth, Runndley
Certificate of Service
- 10/11/2019  Notice of Association of Counsel
Filed by: Counter Claimant Ducksworth, Runndley
Notice of Association of Counsel
- 10/29/2019  Order
Filed By: Counter Claimant Ducksworth, Runndley
Order
- 10/31/2019  Notice of Entry of Order
Filed By: Counter Claimant Ducksworth, Runndley
nej
- 10/31/2019  Withdrawal of Attorney
Filed By: Counter Claimant Ducksworth, Runndley
Withdrawal of Attorney
- 02/27/2020  Motion
Filed By: Counter Claimant Ducksworth, Runndley
Def't's Motion And Notice of Motion For Order To Enforce And Or For An Order To Show Cause Regarding Contempt
- 02/27/2020  Ex Parte Application
Filed by: Counter Claimant Ducksworth, Runndley
Ex Parte Application for an Order to Show Cause
- 02/27/2020  Exhibits
Filed By: Counter Claimant Ducksworth, Runndley
Exhibits Appendix
- 02/27/2020  Proof of Service
Filed By: Counter Claimant Ducksworth, Runndley
Party Served: Counter Defendant Carter, Katrina Yarnell
Proof of Service
- 02/27/2020  Ex Parte Motion
Filed by: Counter Claimant Ducksworth, Runndley
Ex Parte Motion for an Order Shortening Time



















CASE SUMMARY

CASE NO. D-17-550112-C

- 03/05/2020  Affidavit
Filed By: Counter Defendant Carter, Katrina Yarnell
Affidavit Seeking Disqualification Of Judge Due To Bias For Prejudice
- 03/05/2020  Notice of Change of Address
Filed By: Counter Defendant Carter, Katrina Yarnell
Notice of Change of Address
- 03/05/2020  Receipt of Copy
Filed By: Counter Defendant Carter, Katrina Yarnell
Receipt of Copy
- 03/09/2020  Answer
Answer to Affidavit Seeking Disqualification of Judge
- 03/09/2020  Notice of Entry of Order
Notice of Entry of Answer to Affidavit Seeking Disqualification of Judge
- 04/14/2020  Decision and Order
Decision and Order
- 04/14/2020  Decision and Order
- 04/20/2020  Order Granting
Order Granting Order to Show Cause and Setting Hearing
- 04/20/2020  Notice of Entry of Order
Notice of Entry of Order Granting Order to Show Cause and Setting Hearing
- 04/23/2020  Ex Parte Application
Ex Parte Application for an Order to Show Cause
- 04/23/2020  Order to Show Cause
Order to Show Cause
- 04/24/2020  Proof of Service
Filed By: Counter Claimant Ducksworth, Runndley
Party Served: Counter Defendant Carter, Katrina Yarnell
Proof of Service
- 05/01/2020  Motion
Filed By: Counter Claimant Ducksworth, Runndley
Motion and notice of motion for an order to show cause regarding contempt and to enforce child custody and or visitation
- 05/01/2020  Exhibits
Filed By: Counter Claimant Ducksworth, Runndley
Exhibit Appendix
- 05/01/2020  Notice of Hearing
Notice of Hearing
- 05/01/2020  Certificate of Service
Filed by: Counter Claimant Ducksworth, Runndley
Certificate of Service
- 05/04/2020  Opposition
Filed By: Counter Defendant Carter, Katrina Yarnell
Opposition to Motion for an Order to Enforce and/or For an Order to Show Casue Regarding Contempt
- 05/04/2020  Exhibits
Filed By: Counter Defendant Carter, Katrina Yarnell
Exhibits Appendix


















CASE SUMMARY

CASE NO. D-17-550112-C

- 05/04/2020  Notice
Filed By: Counter Defendant Carter, Katrina Yarnell
Notice of Intent to Appear by Communication Equipment
- 05/04/2020  Clerk's Notice of Nonconforming Document and Curative Action
Nonconforming Document
- 05/08/2020  Reply
Filed By: Counter Claimant Ducksworth, Runndley
Reply to Opposition and/or Counter-motion
- 05/08/2020  Certificate of Service
Filed by: Counter Claimant Ducksworth, Runndley
Reply to opposition and exhibits appendix
- 05/08/2020  Exhibits
Filed By: Counter Claimant Ducksworth, Runndley
Reply to opposition
- 05/14/2020  Notice of Rescheduling of Hearing
Notice of Rescheduling of Hearing
- 06/09/2020  Order for Family Mediation Center Services
(e-mailed to both FMC and Plaintiff on 6/9/20 se)
- 06/09/2020  Scheduling Order
Evidentiary Hearing Management Order
- 07/22/2020  Notice of Hearing
Notice of Order to Show Cause Hearing
- 07/29/2020  Motion
Filed By: Counter Claimant Ducksworth, Runndley
Defendant's Motion and Notice of Motion to Modify Child Custody Visitation and Child Support
- 07/30/2020  Notice of Appearance
Party: Counter Claimant Ducksworth, Runndley
Notice of Unbundled Appearance for Defendant
- 07/30/2020  Notice of Hearing
Notice of Hearing
- 08/03/2020  Certificate of Service
Filed by: Counter Claimant Ducksworth, Runndley
Certificate of service for motion
- 08/04/2020  Order
6/9/20 Hearing
- 08/04/2020  Certificate of Service
- 08/04/2020  Notice of Entry of Order
Filed By: Counter Claimant Ducksworth, Runndley
Notice of Entry of Order from June 9, 2020 Hearing
- 08/10/2020  Notice of Appearance
Party: Counter Defendant Carter, Katrina Yarnell
notice of Appearance of Counsel
- 08/15/2020  Opposition to Motion
Filed by: Counter Defendant Carter, Katrina Yarnell; Attorney Isso, Jennifer
Plaintiff's Opposition to Motion to Modify Child Custody, Visitation and Child Support and Counter-motion for Primary Physical Custody, Child Support, and Attorney's Fees and Cost
- 08/15/2020












CASE SUMMARY

CASE NO. D-17-550112-C


- 08/15/2020  Exhibits
Filed By: Counter Defendant Carter, Katrina Yarnell
Exhibits in Support of Opposition to Motion to Modify Child Custody, Visitation, and Child Support
- 08/15/2020  Certificate of Service
Filed by: Counter Defendant Carter, Katrina Yarnell
Certificate of Service
- 08/15/2020  Certificate of Service
Filed by: Counter Defendant Carter, Katrina Yarnell
Certificate of Service
- 08/15/2020  Certificate of Service
Filed by: Counter Defendant Carter, Katrina Yarnell
Certificate of Service
- 08/20/2020  Reply
Reply to Opposition and/or Countermotion
- 08/20/2020  Financial Disclosure Form
Filed by: Counter Claimant Ducksworth, Runndley
Fdf
- 08/20/2020  TPO Against Domestic Violence
Tpo on katrina carter
- 08/20/2020  Certificate of Service
Filed by: Counter Claimant Ducksworth, Runndley
Certificate of service
- 08/23/2020  Certificate
Filed By: Counter Defendant Carter, Katrina Yarnell
Certificate of Completion of COPE Class
- 08/24/2020  Notice of Rescheduling of Hearing
Notice of Rescheduling of Hearing
- 08/24/2020  Pre-trial Memorandum
Filed By: Counter Defendant Carter, Katrina Yarnell
Pre Trial Memorandum
- 08/24/2020  Financial Disclosure Form
Filed by: Counter Defendant Carter, Katrina Yarnell
General Financial Disclosure Form
- 08/24/2020  Certificate of Service
Filed by: Counter Defendant Carter, Katrina Yarnell
Certificate of Service
- 08/25/2020  Pre-trial Memorandum
Filed By: Counter Claimant Ducksworth, Runndley
Defendant's Pretrial Memorandum
- 09/01/2020  Supplemental
Filed By: Counter Claimant Ducksworth, Runndley
Supplemental Exhibit to Defendant's Reply
- 09/16/2020  Receipt of Copy
Filed By: Unbundled Attorney Vasquez, Ashlee; Counter Claimant Ducksworth, Runndley
Receipt of Copy for Defendant's Trial Exhibits
- 09/16/2020  Association of Counsel
Filed by: Counter Defendant Carter, Katrina Yarnell
Notice of Association of Counsel

CASE SUMMARY

CASE NO. D-17-550112-C

- 09/24/2020  Order
Findings of Fact, Conclusions of Law and Order
- 09/24/2020  Notice of Entry of Order
Notice of Entry of Findings of Fact, Conclusions of Law and Order
- 09/24/2020  Notice of Withdrawal
Filed by: Counter Claimant Ducksworth, Runndley
Notice of Withdrawal as Unbundled Attorney for Defendant
- 09/27/2020  Notice of Withdrawal
Filed by: Counter Defendant Carter, Katrina Yarnell
Notice of Withdrawal of Unbundled Attorney
- 09/27/2020  Withdrawal of Attorney
Filed By: Counter Defendant Carter, Katrina Yarnell
Amended Notice of Withdrawal of Unbundled Attorney
- 10/13/2020  Motion
Filed By: Counter Claimant Ducksworth, Runndley
Motion and notice of motion for an order to show cause regarding contempt and to enforce child custody and or visitation
- 10/13/2020  Proof of Service
Filed By: Counter Claimant Ducksworth, Runndley
Proof of Service (Motion for Contempt / Order to Show Cause)
- 10/13/2020  Notice of Hearing
Filed By: Counter Claimant Ducksworth, Runndley
Notice of Hearing
- 10/13/2020  Ex Parte Motion
Filed by: Counter Claimant Ducksworth, Runndley
Exparte motion for order shortening time
- 10/13/2020  Proof of Service
Filed By: Counter Claimant Ducksworth, Runndley
Party Served: Counter Defendant Carter, Katrina Yarnell
Proof of Service (Motion for Contempt / Order to Show Cause)
- 10/16/2020  Notice of Appeal
Filed By: Counter Defendant Carter, Katrina Yarnell
Notice of Appeal
- 10/16/2020  Request
Filed By: Counter Defendant Carter, Katrina Yarnell
REQUEST FOR AUTHORIZATION TO PROCEED IN PROPER PERSON; WAIVER OF APPEAL BOND; AND TO TRANSMIT ENTIRE RECORD ON FILE
- 10/16/2020  Certificate of Mailing
Filed By: Counter Defendant Carter, Katrina Yarnell
CERTIFICATE OF MAILING
- 10/19/2020  Order Shortening Time
OST
- 10/19/2020  Case Appeal Statement
Filed By: Counter Defendant Carter, Katrina Yarnell
Case Appeal Statement

HEARINGS

- 05/09/2017  **Motion (9:00 AM)** (Judicial Officer: Duckworth, Bryce C.)
Events: 04/07/2017 Motion

CASE SUMMARY**CASE NO. D-17-550112-C***Ptf's Motion and Notice of Motion for Permission to Relocate with a Minor Child***MINUTES****Motion**

Filed By: Counter Defendant Carter, Katrina Yarnell

Party 2: Counter Claimant Ducksworth, Runndley

Motion and Notice of Motion for Permission to Relocate with a Minor Child

Matter Heard;

Journal Entry Details:

PLAINTIFF'S MOTION AND NOTICE FOR PERMISSION TO RELOCATE WITH A MINOR CHILD.

DEFENDANT'S EX PARTE MOTION FOR IMMEDIATE RETURN OF THE CHILD TO NEVADA; FOR JOINT LEGAL CUSTODY AND RELATED ISSUES; AND ATTORNEY FEES. Attorney Kristfer Snow, Nevada Bar # 13253, present on behalf of Plaintiff in an UNBUNDLED CAPACITY. Plaintiff present and participating telephonically. Discussion regarding Plaintiff's relocation with minor child to Texas. Plaintiff relocated to Texas on 3/20/17 for employment without consent from Defendant. Defendant in response to Plaintiff's action drove to Texas on 4/3/17, with the attempt to remove the minor child from school and bring minor child back to Las Vegas. Plaintiff obtained counsel who insisted Plaintiff return minor child to Las Vegas. Minor child was returned to Las Vegas on 4/6/17 and now resides with Plaintiff's relative Mr. Morrison. Court noted Defendant's contempt charges for Child Support and Child Support Arrearage. Court further noted Plaintiff was awarded primary physical custody in 2011. Plaintiff's counsel stated Plaintiff is not opposed to Defendant's visitation with minor child. Plaintiff emphasized a request to have Defendant drug tested with a walk through of Defendant's residents where minor child will visit. Defendant admitted to marijuana usage on 5/9/17, and occasionally taking Hydrocodone for medical purposes. Plaintiff's counsel requesting Non- Jury Trial. **COURT ORDERED** as follows: 1. **NON-JURY TRIAL** set for 08/01/2017 at 1:30 PM. 2. Each party shall have ninety (90) minutes to present their case which includes opening statements, examination time (direct and cross) and closing statements. 3. Pretrial memorandum/Prehearing briefs to be exchanged and filed with courtesy copies delivered to chambers no later than 07/25/2017. 4. Discovery shall close at the close of business on 07/21/2017. 5. Parties are to exchange lists of witnesses no later than the close of business on 06/12/17 which is to include the name of the witness, address of the witness, telephone number and a brief description of what each witness shall have to offer. Any witness not identified in advance of the hearing who is presented at the hearing will not be permitted to testify at the hearing absent compelling circumstances. (The Court expects testimony from the parties.) 6. Parties are to exchange their proposed exhibits by 07/25/2017 and they are to provide their proposed exhibits to the Court Clerk by the close of business on 07/25/2017. Exhibits for Plaintiff are to be marked numerically and exhibits for Defendant are to be marked alphabetically. Exhibits are not to be filed. 7. Court hearing for 5/18/17 VACATED. 8. Parties are to abide by the Visitation and Access Agreement entered in case R-07-139754-R. 9. Once the school year ends, the parties shall exercise a month-on/month-off schedule. 10. Defendant will have minor child for the month of June, Plaintiff to have minor child for the month of July. 11. Defendant is to present himself to the American Toxicology Institute(ATI) today by 11:00 AM to provide hair and urine samples for drug screening. Failure to test by 11:00 AM shall be deemed as a failed test, Plaintiff shall front the cost of drug test. 12. Defendant admonished not use MARIJUANA around minor child. 13. Plaintiff may request ONE RANDOM DRUG SCREENING for Defendant at anytime before trial. However; Plaintiff will be responsible for cost and must make request by 10:00 AM through chambers. Once Defendant is notified he will have to the CLOSE of business to present himself for SCREENING. 14. Parties to take photographs of the physical resident where the minor child shall reside while in their care. 15. Plaintiff's temporary relocation request is DENIED. 16. Defendant's wage assignment set for \$157.00 stays from R-07-139754-R. 17. Honk and seatbelt Rule to take place during EXCHANGES. 18. All communication must be through TEXT or E-MAIL. Mr. Snow to prepare the Order from today's hearing, Mr. Anter to countersign. ;


Matter Heard

- 05/18/2017 **CANCELED Motion to Return** (10:00 PM) (Judicial Officer: Duckworth, Bryce C.)
Vacated - per Judge
Def't's Ex Parte Motion for Immediate Return of the Child to Nevada; for Joint Legal Custody and Related issues; and Atty's Fees
- 07/12/2017 **Motion to Enforce** (9:00 AM) (Judicial Officer: Duckworth, Bryce C.)
 Events: 06/12/2017 Motion
Pltf's Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt
 Matter Heard;
 Matter Heard
- 07/12/2017 **Opposition** (9:00 AM) (Judicial Officer: Duckworth, Bryce C.)
 Events: 06/28/2017 Opposition
Def't's Opposition to Pltf's Motion for and Order to Enforce and/or for an Order to Show Cause Regarding Contempt
 Matter Heard;
 Matter Heard

CASE SUMMARY

CASE NO. D-17-550112-C

07/12/2017

 **All Pending Motions** (9:00 AM) (Judicial Officer: Duckworth, Bryce C.)


Matter Heard;

Journal Entry Details:

PLAINTIFF'S MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT ... DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION FOR AND ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT. Plaintiff present and participating telephonically. Upon inquiry by the Court, Mr. Anter stated there's been no resolution. Upon further inquiry by the Court, Plaintiff stated she is in Texas and the minor child is currently with her family in Las Vegas. Following discussion, COURT ORDERED, neither party may engage in self-help. There shall be no modification to the current Orders pending the trial on 8/1/17 at 1:30 PM.;

Matter Heard

08/01/2017

 **Non-Jury Trial** (1:30 PM) (Judicial Officer: Hardcastle, Gerald W.)

RELOCATION

MINUTES

Matter Heard;

Journal Entry Details:

Attorney Kristofer Snow, Nevada Bar #13253, present with Plaintiff in an UNBUNDLED CAPACITY. Open statements. Testimony and exhibits provided (see worksheets). Closing statements. Based upon the COURT'S FINDINGS as set forth on the record, COURT ORDERED, as follows: 1. The parties shall be awarded JOINT LEGAL CUSTODY of the minor child. 2. Plaintiff shall be awarded PRIMARY PHYSICAL CUSTODY of the minor child. This Court maintains jurisdiction over custodial issues. 3. Plaintiff shall be allowed to relocate with the minor child to the State of Texas. 4. Defendant shall have VISITATION with the minor child as follows: a) During the summer months, Defendant shall have a period of seven (7) weeks beginning one week after school lets out. Plaintiff shall be allowed to VISIT the minor child for a period not to exceed two days twice if she decides to travel to Las Vegas during the summer. b) Defendant shall have Thanksgiving in odd-numbered years. c) Defendant shall have the 1st half of the Christmas/winter break in even-numbered years and the second half in odd-numbered years. The first half shall begin the day school lets out and the second half shall conclude the day before school resumes. d) Defendant shall have the minor child for spring break and Easter (if they coincide) in even-numbered years. e) Defendant shall be allowed to VISIT the minor child in Texas so long as he provides Plaintiff with 48 hours advance notice of his intent. These VISITS are not to interfere with school. 5. Defendant shall continue to pay CHILD SUPPORT in the amount of \$157.00 per month. 6. Effective immediately, so long as Defendant is current in making his CHILD SUPPORT payments, then Plaintiff shall be responsible for the cost of transportation. However, if Defendant is not current, then he shall be responsible for the cost of transportation. 7. The Court expects compliance with the Orders. Mr. Snow is to prepare the Order from today's hearing with Mr. Anter to countersign within 10 days.;

Matter Heard

01/24/2018

Motion (10:00 AM) (Judicial Officer: Hoskin, Charles J.)

Events: 12/22/2017 Motion

Def't's Motion and Notice of Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt

Matter Resolved;

Matter Resolved

01/24/2018

Opposition (10:00 AM) (Judicial Officer: Hoskin, Charles J.)


Events: 01/12/2018 Opposition

Pltf's Opposition To Motion For An Order To Enforce And/Or For An Order To Show Cause Regarding Contempt

Matter Resolved;

Matter Resolved

01/24/2018

 **All Pending Motions** (10:00 AM) (Judicial Officer: Hoskin, Charles J.)

1/24/18

MINUTES

Matter Heard;

Journal Entry Details:

DEFT'S MOTION AND NOTICE OF MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT... PLTF'S OPPOSITION TO MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT Telephonic appearance by Plaintiff. Scott Olifant, Esq., #7471, present with Defendant in an unbundled capacity. Matter trailed for Mr. Driscoll to call his client to discuss a resolution that counsel discussed today. Matter recalled: Mr. Driscoll stated the terms of the agreement. PER STIPULATION: Parties will continue to abide by the most recent order that requires Defendant to be current on support, and if he is current the Plaintiff will be paying for travel costs.

CASE SUMMARY

CASE NO. D-17-550112-C


Defendant missed the Thanksgiving visitation. Defendant will receive Plaintiff's Thanksgiving this year and then receive his normal Thanksgiving the following year. Parties agreed to abide by a mutual behavior order and the Court's default form satisfies both parties. Parties will communicate via Talking Parents. If they decide to go to another app later that is up to them. There should be two phone calls between the Defendant and the minor child each week - Sunday nights and Wednesday nights at 6:00 p.m. Defendant is to initiate the call at 6:00 p.m. where the child is. Phone call should not exceed thirty minutes. Defendant is allowed to have phone calls on the child's birthday and other important holidays, and parties will communicate via Talking Parents and arrange for a phone call if it not going to happen at the normal 6:00 p.m. time period. Each party is to bear their own fees and costs for today's hearing. Plaintiff concurred with the terms stated on the record. Defendant was not feeling well and stepped out of the courtroom. Mr. Olifant concurred with the terms stated on the record. Behavior Order ISSUED and FILED IN OPEN COURT. Counsel agreed to enforceability of the agreement under EDCR 7.50 until the order is submitted. COURT SO ORDERED. Mr. Olifant is to prepare the order and send it to Mr. Driscoll to review and sign off. The case will be closed when the order is entered.;
Matter Heard

- 04/26/2018 **CANCELED Order to Show Cause** (8:30 AM) (Judicial Officer: Hoskin, Charles J.)
Vacated
Nonsubmission of Order from 1/24/18 hearing
- 05/16/2018 **CANCELED Motion** (10:00 AM) (Judicial Officer: Hoskin, Charles J.)
Vacated - No Service
Deft Motion for An Order to Show Cause Regarding Contempt and to Enforce Child Custody and or Visitation
- 06/07/2018 **Motion for Order to Show Cause** (10:00 AM) (Judicial Officer: Hoskin, Charles J.)
Events: 04/12/2018 Motion
Deft's Motion for an Order to Show Cause
Reserve Ruling;
Reserve Ruling
- 06/07/2018 **Opposition** (10:00 AM) (Judicial Officer: Hoskin, Charles J.)
Events: 06/01/2018 Opposition
Pltf's Opposition to Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt
Matter Heard;
Matter Heard
- 06/07/2018  **All Pending Motions** (10:00 AM) (Judicial Officer: Hoskin, Charles J.)
6/7/18
Matter Heard;
Journal Entry Details:
DEFT'S MOTION FOR AN ORDER TO SHOW CAUSE...PLTF'S OPPOSITION TO MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT Warren Freeman, Esq., #11965, present with Defendant in an unbundled capacity. Statement by Mr. Freeman regarding the motion. Mr. Freeman advised Defendant is current and his wages have been garnished but he was informed funds are being held because of a welfare investigation against Plaintiff. Statement by Plaintiff regarding the opposition. Mr. Freeman advised Plaintiff just signed up for Talking Parents last week. Plaintiff advised she did not have the paperwork. Plaintiff requested a modification of the custody order. Court noted that request is not before the Court today. Court noted its concern that phone calls have not occurred as indicated at the hearing in January. Plaintiff requested that the phone calls be monitored to avoid inappropriate conversations. COURT ORDERED, Court ADMONISHED the parties that they need to comply with court orders. The question is whether Defendant is current on child support or not and who is responsible for the transportation costs. Court does not have any documentation to indicate whether Defendant is current on child support or not. Defendant may provide information to the Court and Plaintiff may provide information to the Court within ten days. Court will issue a minute order. Defendant is entitled to summer visitation. If Defendant purchases a plane ticket for the child to come here and Court needs to reassess those costs, Court is happy to do that. Defendant should make arrangements right away and communicate with Plaintiff via Talking Parents. If Court finds that Defendant is current on child support, Court will issue an order to show cause and set a show cause hearing to have Plaintiff demonstrate why she should not be held in contempt of Court. Plaintiff needs to follow court orders. If Plaintiff believes there is a need for a change, she needs to seek change rather than violate court orders. There should have been communication regarding summer school on Talking Parents. Request to reverse the prior court order is DENIED. There is not a basis to do so at this point. The parties have joint legal custody of the minor child and Defendant needs to be listed as a contact on the child's school records and be provided information with regard to medical situations, where the child is going to school, etc. All that can be done on Talking Parents. Court needs at least a 20% change in income to review child support and that has not been demonstrated. Phone calls need to take place. Court does not see a basis for telephone calls to be recorded or monitored on speaker phone. Court assumes Plaintiff would be able to have phone contact with the minor child when the child is with Defendant but that in not part of the court order. ;
Matter Heard

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. D-17-550112-C

- 08/14/2018 **Motion** (10:00 AM) (Judicial Officer: Hoskin, Charles J.)
Events: 06/21/2018 Motion
Dft's Motion and Notice of Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt
Matter Heard;
Matter Heard
- 08/14/2018 **Order to Show Cause** (10:00 AM) (Judicial Officer: Hoskin, Charles J.)
Events: 07/09/2018 Order to Show Cause
Denied;
Denied
- 08/14/2018 **Opposition & Countermotion** (10:00 AM) (Judicial Officer: Hoskin, Charles J.)
Events: 07/10/2018 Opposition and Countermotion
Pltf's Opposition to Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt
Matter Heard;
Matter Heard
- 08/14/2018 **Motion** (10:00 AM) (Judicial Officer: Hoskin, Charles J.)
Events: 07/13/2018 Motion
Defts Motion for Orders to Modify Child Custody, Visitation and or Child Support
Matter Heard;
Matter Heard
- 08/14/2018 **Motion** (10:00 AM) (Judicial Officer: Hoskin, Charles J.)
Events: 07/23/2018 Reply to Opposition
Defi's Reply to Opposition and/or Counterclaim
Matter Heard;
Matter Heard
- 08/14/2018  **All Pending Motions** (10:00 AM) (Judicial Officer: Hoskin, Charles J.)
DEFENDANT'S MOTION AND NOTICE OF MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT PLAINTIFF'S OPPOSITION TO MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT DEFENDANT'S MOTION FOR ORDERS TO MODIFY CHILD CUSTODY, VISITATION AND OR CHILD SUPPORT DEFENDANT'S REPLY TO OPPOSITION AND/OR COUNTERCLAIM ORDER TO SHOW CAUSE

MINUTES

Matter Heard;
Journal Entry Details:

- DEFENDANT'S MOTION AND NOTICE OF MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT PLAINTIFF'S OPPOSITION TO MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT DEFENDANT'S MOTION FOR ORDERS TO MODIFY CHILD CUSTODY, VISITATION AND OR CHILD SUPPORT DEFENDANT'S REPLY TO OPPOSITION AND/OR COUNTERCLAIM ORDER TO SHOW CAUSE Christopher Snow, Esq. (bar #13253) present and appearing UNBUNDLED on behalf of Plaintiff/Mom. Upon the Court's inquiry, Mr. Snow represented the minor child has been returned; COURT NOTES the issue is MOOT. Dad put on the record the communication between him and Mom regarding seeing the minor child, having access to the child's school records, and information regarding medical providers. It was Dad's understanding once he purchased the airline ticket he would have the child in June after the hearing. Dad enrolled in Talking Parents. Dad informed the Court he is current with child support; the Court CONFIRMED same. Dad is requesting reimbursement for the airline ticket he purchased when Mom failed to send the child for day it was purchased for. Dad wants to be informed about the child and for Mom to pay for the transportation since she relocated (so long as he is current with his child support obligation). Mr. Snow reference the June 7th hearing date and Mom sending the child to Dad the very next day (the child's things were not ready to leave that specific day). Mr. Snow went over the last hearing and what Judge Hardcastle put on the record. Mr. Snow represented Dad has been less than respectful to Mom during their conversations. Further discussion regarding same. Discussion regarding when the phone calls are to take place and Dad failure to comply with the order. Mom is requesting a modification when the call(s) should take place due to her work schedule; she is requesting it change from 6:00 p.m. to 8:00 p.m. Mr. Snow put some proposals on the record as to the flights/transportation costs. Further discussion regarding Dad being limited to filing motions. Mr. Snow is requesting Attorney's Fees (\$600.00). Mr. Snow advised the Court that Dad has a pending criminal trial related to Domestic Violence against his current live-in girlfriend. Mr. Snow believes any relief being requested for a change of custody should be denied. COURT NOTES Judge Hardcastle made an order allowing Mom to relocate to the State of Texas and put other orders in place. This was a Department Q's case and now before this Court. COURT NOTES there is a reasonable basis with confusion regarding transportation. There are two ways at looking at if Dad is current related to his child support obligation, arrears and the fact there are too many ways to make that determination indicates to the


CASE SUMMARY

CASE NO. D-17-550112-C

Court something needs to be done. COURT FINDS it was unreasonable the day of the hearing the child would be sent to Nevada from Texas and the next day was reasonable. Given the history of the case there should have been better communication. COURT stated its FINDINGS and ORDERED the following: 1. The Court shall CONTINUE to COMMUNICATE through TALKING PARENTS as previously ordered in January 2018. Everything related to the minor child should be addressed and discussed through TALKING PARENTS. 2. The COURT does not FIND there was a clear order for the Court to make a determination there was a violation of that order because of the inconsistencies indicated, so the request for CONTEMPT under the Show Cause order is DENIED. 3. There is an ongoing duty for both parties to ABIDE by the BEHAVIOR ORDER the Court put into place in January 2018. 4. The Court directed Dad to make sure he is listed on the child's school records now he has the school information. 5. Dad's request to MODIFY physical custody is DENIED based on his failure to demonstrate there has been a change in circumstances under Ellis. 6. As for the Countermotion issues, the Court does not have a basis to modify CHILD SUPPORT or impute income to Dad, and therefore, the request is DENIED. 7. RECORDING CONVERSATIONS: Unless there is an actual EMERGENCY, there is NO basis to record any conversation between one another and therefore the request is DENIED; all communication shall go through TALKING PARENTS. 8. TELEPHONIC COMMUNICATION: Dad has no issue with the phone calls taking place at 6:00 p.m. (PST). 9. TRANSPORTATION COSTS: Dad being current on child support is not a reasonable way to determine who pays the costs of transportation. Going forward the parties shall share in the cost of transportation. The receiving party will pay for the child to return to them. The order is clear with regards to when the child is to be returned. As long as there is no violation of the visitation schedule the receiving party will determine when the child returns. 10. Mr. Snow is looking for the Court to determine Dad as a vexatious litigant; the COURT does not FINDS Dad to be a vexatious litigant as it has not been the history in the case. However, if it becomes an issue in the future the Court may consider Dad being a vexatious litigant. As it stands now the standard has not been met currently. 11. Mr. Snow is requesting ATTORNEY'S FEES. The COURT does not FIND it appropriate given the orders put into place today pursuant to NRS 18.010 and therefore each shall bear their own fees and costs. Mr. Snow shall prepare the order. CASE CLOSED ; Matter Heard

01/10/2019 **Motion to Enforce** (9:00 AM) (Judicial Officer: Hoskin, Charles J.)
 Events: 12/04/2018 Motion
Pltf's Motion and Notice of Motion for an order to Enforce and/or for and Order to Show Cause Regarding Contempt
 Matter Heard;
 Matter Heard

01/10/2019 **Opposition & Countermotion** (9:00 AM) (Judicial Officer: Hoskin, Charles J.)
 Events: 12/13/2018 Opposition and Countermotion
Defendant's Opposition to Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt
 Matter Heard;
 Matter Heard

01/10/2019  **All Pending Motions** (9:00 AM) (Judicial Officer: Hoskin, Charles J.)
PLAINTIFF'S MOTION AND NOTICE OF MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AND ORDER TO SHOW CAUSE REGARDING CONTEMPT...DEFENDANT'S OPPOSITION TO MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT

MINUTES


Matter Heard;
 Journal Entry Details:

- PLAINTIFF'S MOTION AND NOTICE OF MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AND ORDER TO SHOW CAUSE REGARDING CONTEMPT...DEFENDANT'S OPPOSITION TO MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT
 Plaintiff/Mom present TELEPHONICALLY. Discussion regarding why Mom wants Defendant/Dad to pay for roundtrip airfare after the Court has already addressed it. Mom represented she want reimbursement for the Thanksgiving travel based on Dad's failure to take the child to the airport and her having to pay for that flight. Further discussion regarding Dad releasing the child to maternal grandmother if she is not available during her regular timeshare. Discussion regarding Dad not getting any Face Time communication (but for a minute or two at a time) and Mom s constant harassment. Discussion regarding Dad being proactive with the child's school and informing Mom through Talking Parents. Dad does not feel Mom wants to handle the responsibility of having the child. Dad is requesting Mom not book flights at 1:00 a.m. in the morning as it is inconvenient and is cutting his visitation short. Dad does not want to have to communicate with Mom's mother; her mother is demanding to see the child during his custodial time. Dad has no issue with the child having a burner phone. Further, Mom does not send the child with anything other than the clothes on his back. Dad is seeking a modification of custody based on the lack of communication, cutting into Dad's timeshare, and based on the child's grades declining. Mom represented Dad is not returning the child back to her on time. Mom wants the Court to ask the child where he wants to live; the Court wants to know why that would be in the child's best interest to involve him in these proceedings. Mom represented Dad harasses her daily and hits the child when in

CASE SUMMARY

CASE NO. D-17-550112-C

his care. The Court inquired why she has not contacted Child Protective Services (CPS); Mom said she was advised to address it through court. Mom would like to keep the child more this year, and enroll the child into summer school so she can get the child back on track. Further discussion regarding same. Mr. Freeman represented Mom is constantly calling the police for well checks and Dad is not beating the child. Dad wants Mom to stop bad mouthing him. Further discussion regarding Mr. Freeman's representation of a change in circumstance as there is harassment by both parties and/or the lack there of, and Dad's feels the child would be better with off with him. Additionally, Mom is not providing Dad with a travel itinerary, and he is requesting 7 to 14 day s notice. Arguments. **COURT ORDERED** the following: 1. Mom's request for a burner phone so she can contact the child while in Dad's care is **GRANTED**. 2. As for the airfare, the Court has already addressed this issue. The Court shall require a reasonable to time for the child to fly (not 1:00 a.m.). 3. The Court does not find good cause to limit Dad's time over the summer as his time is limited already (Mom moved to Texas) and therefore the current **VISITATION** shall be **MAINTAINED**. 4. Any/All information regarding the child's medical and school shall be communicated between the parties as part of the Joint Legal Custody provision. 5. The Court **ADMONISHED** the parties to focus of what is best for the minor child and not what is worse for the other parent. 6. Court order needs to be followed regarding contact between the parents whether through video or not, the Court is not sure why the calls between Dad and the child are one minute in length. The Court directed the parties to be encouraging regarding the other parent s relationship with the child and their contact versus a discouragement moving forward. 7. The Court has no basis to modify and/or review the current physical custodial arrangement at this time, nor has there been a substantial change in circumstance or has it been established it would be in the child's best interest; therefore the request for a modification is **DENIED**. 8. The request for a modification of travel costs is **DENIED**; the Court previously modified and clarified. 9. The child should have the appropriate clothing when traveling from one parent to the other. The Court is hopeful the parties can focus on being parents and doing what is best for the minor child instead of trying to harm one another. 10. The parties are required to follow the Behavior Order previously issued. 11. This Court will maintain Uniform Child Custody Jurisdiction Enforcement Act (UCCJEA) jurisdiction. 12. The Court is not able to address **CHILD SUPPORT ARREARS** as there is an active child support case (R-07-139754-R); the Court shall **DEFER** to them to address the issue. Mr. Freeman shall prepare the order. **CASE CLOSED ; Matter Heard**

- 09/05/2019 **CANCELED Motion** (9:00 AM) (Judicial Officer: Hoskin, Charles J.)
Vacated - per Attorney or Pro Per
Pltf's Motion and Notion of Motion for an Order to Show Cause Regarding Contempt and to Enforce Child Custody and/or Visitation (Plaintiff permitted to appear by phone. Court Clerk to initiate call to: 702-601-9582)
- 10/15/2019 **Motion** (9:00 AM) (Judicial Officer: Hoskin, Charles J.)
Def't's Motion And Notice of Motion For Order To Enforce And Or For An Order To Show Cause Regarding Contempt
Denied;
Denied
- 10/15/2019 **Motion** (9:00 AM) (Judicial Officer: Hoskin, Charles J.)
Def't's Motion And Notice of Motion For Orders To Modify Child Custody Visaiton And Or Child Support
Denied;
Denied
- 10/15/2019 **Opposition** (9:00 AM) (Judicial Officer: Hoskin, Charles J.)
Pltf's Opposition to Motion for an Order to Enforce and for an Order to Show Cause Regarding Contempt (Plaintiff permitted to appear by phone. Court Clerk to initiate call to: 702-601-9582)
Denied;
Denied
- 10/15/2019  **All Pending Motions** (9:00 AM) (Judicial Officer: Hoskin, Charles J.)
DEFENDANT'S MOTION AND NOTICE OF MOTION FOR ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT...DEFENDANT'S MOTION AND NOTICE OF MOTION FOR ORDERS TO MODIFY CHILD CUSTODY, VISITATION AND/OR CHILD SUPPORT...PLAINTIFF'S OPPOSITION TO MOTION FOR ORDER TO ENFORCE AND FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT

MINUTES

Matter Heard;
 Journal Entry Details:

- DEFENDANT'S MOTION AND NOTICE OF MOTION FOR ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT...DEFENDANT'S MOTION AND NOTICE OF MOTION FOR ORDERS TO MODIFY CHILD CUSTODY, VISITATION AND/OR CHILD SUPPORT...PLAINTIFF'S OPPOSITION TO MOTION FOR ORDER TO ENFORCE AND FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT Warren Freeman, Esq. (bar #11965) present and appearing unbundled on behalf of Defendant/Dad. Plaintiff/Mom is appearing by telephone. Discussion regarding Mom s failure to notify Dad after she relocated again, her failure to notify Dad she changed the child's school, her failure to keep Dad informed

CASE SUMMARY**CASE NO. D-17-550112-C**

about the child's grades declining, the child sleeping in class and Dad not receiving the child's report card due to the changing of schools. Further discussion regarding Mom being in violation of the Court's orders and her failure to communicate with Dad through Talking Parents. Further, Mom is not allowing Dad to speak with the child on Facetime. Mr. Freeman represented there has been a substantial change by Mom not allowing Dad to communicate with the child and Mom changing the child's school. Mr. Freeman stated Dad has no way to communicate with the child. Mom tries to use the police to hurt Dad, does not follow basic orders, and she should be held in contempt for her failure to follow the court orders. Mom said Dad informed her he will constantly take her to court until he gets full custody and she has to pay him child support. Mom indicated Dad does speak with the child, knows what school he is attending because he has been speaking with the teachers and over the summer she was not able to see or speak with the child during the six (6) weeks he had the child. Mom said Dad would not release the child to her on time, he is constantly causing conflict between her and the child and he is only paying thirty dollars (\$30.00) per month in child support, he does not help, he continues harassing her, he calls the teachers to find out anything negative and really does not care about the child. Mom represented she came to Las Vegas two (2) days early to see the child prior to picking the child back up. The Court confirmed and informed Mom there is a specific order that she provide Dad with advance notice when she wishes to exercise her two (2) days during the summer months. Upon the Courts inquiry, Mom stated she did not provide Dad with notification because she was not aware of it. Further discussion regarding Mom showing up in the middle of the night to see the child. Mom indicated she has moved and updated the Court but did not provide the information to Dad. The Court informed Mom anything she files with the court she must provide Dad with a copy. The Court further inquired if Mom changed the child school; Mom indicated she had changed the child's school and did not discuss it with Dad because he had been speaking with the child and knew about it through the child. The Court stated its concerns regarding the child being the go-between. **COURT NOTES** this case has been overly litigated and the games the parents are playing are disconcerting to the Court. The Court does not understand why Mom would tack on her two (2) days at the end of Dad's summer visitation. The Court further stated there were inconsistencies with Dad's motion based on the representations made today. In addition, child support is being brought up in this case when there is an upcoming hearing in case R-19-208823-R and it is being litigated in that case. For the record on 7/29/19 Mom filed a Notice of Change of Address providing her P.O. Box which the Court stated is fine for service; however inquired about the physical address the child is located. Mom provided Dad on the record with her physical address; 1505 Jessica Lane, Mesquite, Texas 75149. **COURT** stated its **FINDINGS** and **ORDERED** the following: 1. **MODIFICATION OF CUSTODY:** Dad failed to meet the standards under Ellis regarding a substantial change and that it would be in the child's best interest for the change. Dad's request to **MODIFY PHYSICAL CUSTODY** is **DENIED**. **COURT FINDS** no basis to **RELOCATE** the child back to Nevada. 2. **ORDER TO SHOW CAUSE:** The court orders are not specific enough for this Court to make those findings; and therefore the request for the **OSC** is **DENIED**. The Court did confirm Mom is permitted to visit with the child for two (2) days during the summer while in Dad's care and shall include a 48 hour notice requirement in addition to the August 2017 order moving forward. 3. **CHILD SUPPORT** shall be **DEFERRED** to Child Support Court. 4. **FACETIME:** There is no order for Dad to have facetime and therefore the Court cannot hold Mom in contempt for that and the so the request is **DENIED**. 5. **PHONE CALLS:** There is a specific order in place. Sunday and Wednesday nights not exceeding thirty (30) minutes and neither party should be hanging up as both parties are entitled to talk to the child during their non-custodial time. **COURT FINDS** no basis to record the phone call and put that order in place at a prior hearing. There is a request to change the phone calls days to Sunday and Wednesday which the Court stated was already done and exists from the January 24, 2018 hearing. 6. **VISITATION:** **COURT FINDS** no basis to modify visitation. Either parties failure to return the child back to the custodial parent on time is a basis for this Court to hold the offending party in contempt. 7. **VEXATIOUS:** **COURT FINDS** no basis to deem Dad as a vexation litigant and for the record the prior motion filed in this case prior to this current motion was filed by Mom. 8. As for the request for Dad to work a full time job is not something for the Court to put in place at this point unless there is an argument for willful unemployment or underemployment; and the Court does not have that argument before it today. 9. The relief requested to day is **DENIED** the current order shall remain in full force and effect. The Court directed the parties to follow the court orders. If there are changes in regards to the child the parties are required to provide that information to the other parent through Talking Parents. 10. **SCHOOL:** The minor child is currently attending Agnew Middle School. Mr. Freeman shall prepare the order. **CASE CLOSED ;**

Matter Heard

03/09/2020



Minute Order (7:30 AM) (Judicial Officer: Hoskin, Charles J.)


Minute Order - No Hearing Held;

Journal Entry Details:

- Journal Entry No Hearing Held and No Appearances **THE COURT FINDS** that this Court has received an Affidavit Seeking Disqualification of Judge Due to Bias or Prejudice filed by the Plaintiff on March 5, 2020. Said affidavit was served upon this Court in accordance to NRS 1.235 (4). Pursuant to NRS 1.235(5) this Court shall not proceed any further with this matter until resolution of this issue by the chief judge. The April 23, 2020 hearing shall be taken off calendar and re-set once this issue is resolved. A copy of this minute order should be furnished to the parties and Chief Judge Linda Bell. It is so **ORDERED**. **CLERK'S NOTE:** A copy of this minute order was sent to both parties at the addresses below and a copy forwarded to the Chief Judge Linda Bell. Katrina Yarnell Carter 969 W Cartwright RD APT 101 Mesquite TX 75149 Runndley Ducksworth 2221 Mediterranean Sea Ave North Las Vegas NV 89031 ;

CASE SUMMARY

CASE NO. D-17-550112-C

- 04/23/2020 *Minute Order - No Hearing Held*
CANCELED Motion (9:00 AM) (Judicial Officer: Hoskin, Charles J.)
Vacated - per Judge
Def't's Motion And Notice of Motion For Order To Enforce And Or For An Order To Show Cause Regarding Contempt
- 06/09/2020 **Order to Show Cause** (9:00 AM) (Judicial Officer: Hoskin, Charles J.)
06/09/2020, 09/01/2020, 09/17/2020
(CONTINUED FROM 6/9/20 and 9/1/20)
Matter Continued;
Matter Continued;
Matter Heard;
Matter Continued;
Matter Continued;
Matter Heard;
Matter Continued;
Matter Continued;
Matter Heard;
Matter Continued
- 06/09/2020 **Motion** (9:00 AM) (Judicial Officer: Hoskin, Charles J.)
Motion and Notice of Motion for an Order to Show Cause Regarding Contempt and to Enforce Child Custody and or Visitation
Evidentiary Hearing;
Evidentiary Hearing
- 06/09/2020 **Opposition** (9:00 AM) (Judicial Officer: Hoskin, Charles J.)
Opposition to Motion for an Order to Enforce and/or For an Order to Show Casue Regarding Contempt
Evidentiary Hearing;
Evidentiary Hearing
- 06/09/2020 **Hearing** (9:00 AM) (Judicial Officer: Hoskin, Charles J.)
Def't's Reply to Opposition and/or Countermotion
Matter Continued;
Matter Continued
- 06/09/2020  **All Pending Motions** (9:00 AM) (Judicial Officer: Hoskin, Charles J.)
DEFENDANT'S MOTION AND NOTICE OF MOTION FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT AND TO ENFORCE CHILD CUSTODY AND/OR VISITATION...PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION AND NOTICE OF MOTION FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT AND TO ENFORCE CHILD CUSTODY AND/OR VISITATION...DEFENDANT'S REPLY TO PLAINTIFF'S OPPOSITION AND/OR COUNTERMOTION
- MINUTES**
Matter Heard;
Journal Entry Details:

- DEFENDANT'S MOTION AND NOTICE OF MOTION FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT AND TO ENFORCE CHILD CUSTODY AND/OR VISITATION...PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION AND NOTICE OF MOTION FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT AND TO ENFORCE CHILD CUSTODY AND/OR VISITATION...DEFENDANT'S REPLY TO PLAINTIFF'S OPPOSITION AND/OR COUNTERMOTION Ms. Roberts, Esq., Plaintiff/Mom and Defendant/Dad present by video (Dad was in Ms. Robert's Office). Discussion regarding Mom's failure to abide by the Court's orders, her failure to put the child on the airplane to visit with Dad for Winter Break, Spring Break and now she is one (1) week late sending the child to Dad for this Summer's break. Further discussion regarding Mom indicating the child's refusal to go because his father hits him and Dad books flights during her work hours making it difficult to get the child to the airport. The Court asked why Mom did not file for a protective order when the claims were made Dad hits him; Mom stated because it happened in Las Vegas and there was no visible bruises when he returned. Ms. Roberts represented Dad has booked flights after 7:00 p.m. to accommodate Mom s work schedule and requesting reimbursement for the missed airfare; the Court confirmed it previously reimbursed the cost for the Winter Break. Discussion regarding Dad's efforts to speak with the child and it not going forward. Ms. Roberts believes Mom's violation of the Court's orders is a substantial change of circumstance to warrant an evidentiary hearing based on Dad's request for a modification of custody. COURT stated its FINDINGS and ORDERED the following: 1. The Court ORDERED Mom to have the child in Nevada in the next seven (7) days for the Summer. Since it has been Dad paying for the travel the Court shall require Mom to purchase the airline ticket to get the child to Nevada; Dad will pay for the return flight. The child shall remain with Dad during the summer until the child has to go back to school and if there is issues with school starting or not starting the Court will entertain a telephone conference. The Court wants the child with Dad to compensate

CASE SUMMARY

CASE NO. D-17-550112-C

for the time he missed over the last six (6) months. 2. The Court set the matter for an EVIDENTIARY HEARING on 9/15/20 to address Dad's request for a MODIFICATION of CUSTODY, whether there should be SANCTIONS for Mom's violation of Court orders and related issues. The Case and Evidentiary Hearing Management Order shall be processed into Odyssey and will be e-mailed to both the Plaintiff and to Ms. Roberts, Esq. 3. CALENDAR CALL set for 9/1/20. 4. The COURT FINDS the Plaintiff is in VIOLATION of the Court's Orders and shall continue to monitor the Order to Show Cause and CONTINUE the matter to the time of the calendar call set for 9/1/20 (continue to the time of trial upon a firm setting). 5. The Court REFERRED the minor child to the Family Meditation Center (FMC) upon his return to Nevada to conduct a CHILD INTERVIEW. Return date set for 9/1/20. A copy of the referral was e-mailed to both FMC and to Plaintiff on 6/9/20 (se). 6. Absent updated Financial Disclosure Forms (FDF) from both parties and the lack of the law being cited the Court has no basis at this time to address CHILD SUPPORT so it shall remain as previously ordered. If there is a modification of custody as a result of the evidentiary hearing the Court can review it at that time. 7. The Court CONFIRMED the non-custodial parent is entitled to TELEPHONE CONTACT with the child every Sunday and Wednesday. 8. REIMBURSEMENT for TRAVEL COSTS shall be DEFERRED absent additional information related to the Spring Break (Christmas already awarded). Ms. Roberts shall prepare the order. 9/1/20 11:00 A.M. CALENDAR CALL (STACK #5)...ORDER TO SHOW CAUSE (CONTINUE TO TRIAL DATE)...RETURN: FMC - CHILD INTERVIEW REPORT 9/15/20 1:30 P.M. EVIDENTIARY HEARING: MODIFICATION OF CUSTODY, SANCTIONS FOR VIOLATION OF COURT ORDERS ;
Matter Heard

SCHEDULED HEARINGS

Calendar Call (09/01/2020 at 11:00 AM) (Judicial Officer: Hoskin, Charles J.)
CALENDAR CALL (STACK #5)
Matter Heard

Evidentiary Hearing (09/17/2020 at 1:30 PM) (Judicial Officer: Hoskin, Charles J.)
EVIDENTIARY HEARING: MODIFICATION OF CUSTODY AND RELATED ISSUES (1/2 DAY - FIRM) -
(IN PERSON HEARING)
Decision Made


08/13/2020 **CANCELED Order to Show Cause** (8:30 AM) (Judicial Officer: Hoskin, Charles J.)
Vacated - Moot
Nonsubmission of Order from June 9, 2020 hearing

09/01/2020 **Calendar Call** (11:00 AM) (Judicial Officer: Hoskin, Charles J.)
CALENDAR CALL (STACK #5)
Matter Heard;
Matter Heard

09/01/2020 **Motion** (11:00 AM) (Judicial Officer: Hoskin, Charles J.)
Defendant's Motion and Notice of Motion to Modify Child Custody Visitation and Child Support
Matter Heard;
Matter Heard

09/01/2020 **Opposition & Countermotion** (11:00 AM) (Judicial Officer: Hoskin, Charles J.)
Plaintiff's Opposition to Motion to Modify Child Custody, Visitation and Child Support and Countermotion for Primary Physical Custody, Child Support, and Attorney's Fees and Cost
Matter Heard;
Matter Heard

09/01/2020 **Hearing** (11:00 AM) (Judicial Officer: Hoskin, Charles J.)
Defi's Reply to Opposition and/or Countermotion
Matter Heard;
Matter Heard

09/01/2020  **All Pending Motions** (11:00 AM) (Judicial Officer: Hoskin, Charles J.)
CALENDAR CALL (STACK #5)...ORDER TO SHOW CAUSE..DEFENDANT'S MOTION AND NOTICE OF MOTION TO MODIFY CHILD CUSTODY, VISITATION AND/OR CHILD SUPPORT...PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO MODIFY CHILD CUSTODY, VISITATION AND/OR CHILD SUPPORT; AND COUNTERMOTION FOR PRIMARY PHYSICAL CUSTODY, CHILD SUPPORT, ATTORNEY'S FEES AND COSTS...DEFENDANT'S REPLY TO PLAINTIFF'S OPPOSITION AND COUNTERMOTION
Matter Heard;
Journal Entry Details:

- CALENDAR CALL (STACK #5)...ORDER TO SHOW CAUSE...DEFENDANT'S MOTION AND NOTICE OF MOTION TO MODIFY CHILD CUSTODY, VISITATION AND/OR CHILD SUPPORT...PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO MODIFY CHILD CUSTODY, VISITATION AND/OR CHILD SUPPORT; AND COUNTERMOTION FOR PRIMARY PHYSICAL CUSTODY, CHILD SUPPORT, ATTORNEY'S FEES AND COSTS...DEFENDANT'S REPLY TO PLAINTIFF'S OPPOSITION AND

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. D-17-550112-C

COUNTERMOTION T-20-207112-T heard simultaneously this date. Plaintiff/Mom, Defendant/Dad, Ms. Isso and Ms. Vazquez all present by video. COURT NOTED for the record the Court feels the motion filed is similar to what the parties are going to an evidentiary hearing on. Discussion regarding the last order from the June 9, 2020 hearing whereby Mom was ordered to return the child to Dad which she did do, that order afforded Dad the child until school resumed in August as and for makeup time, however on July 26, 2020 the minor child snuck out of Dad's home leaving with Mom and Dad has not seen him or spoke with him since. Ms. Vazquez stated Mom is in violation of the Court's order and requested to maintain custody of the child pending the evidentiary hearing. Ms. Isso is requesting the Court vacate the evidentiary hearing based on the motion not being properly as it relates to Awad as to what the violation was, and the motion for custody did not meet the Rooney standard. Further discussion regarding Mom not being in violation of the court order, Dad's failure to see the child for years, Dad's failure to pay child support, Dad failure to ever visit the child in Texas, Dad harasses Mom the school and the child's coach, Dad disparages Mom in front of the child, and the child having expressed his preferences in the child interview that he only wants to spend time with his father during spring break. Further discussion regarding Mom providing Dad proper notice of her intent to see the child during Dad's custodial time with the child during the summer; however Dad left and took the child to Arizona after Mom purchased airfare having to wait for two days to see the child. Ms. Isso stated if Dad did what he was supposed to do under the order, these events would not have taken place. Ms. Isso informed the Court of Dad's threat to pistol whip shoot Mom and her having to call the police. The child expressed the domestic violence between Dad and his girlfriend, that Dad grabs him, spits on him, chokes him and threw him against the wall. Ms. Isso is requesting for Dad's visitation to be modified and for the Court to increase his child support obligation. Further discussion regarding the TEMPORARY PROTECTIVE ORDER (TPO) application stating it was a third party that pointed a gun and not the Adverse Party so the Court does not believe it has jurisdiction over that party. The Court made findings at June 9, 2020 hearing and discussed why the evidentiary hearing was set. COURT stated its FINDINGS and ORDERED the following: 1. The Evidentiary Hearing currently set for 9/15/20 shall be RESCHEDULED to 9/17/20 as a firm setting. This will be an IN PERSON HEARING. Both counsel were directed to determine what exhibits will be stipulated to in efforts to save time. 2. Pending the evidentiary hearing the Court is not inclined to make any temporary changes today but will address the compensatory time at the time of trial. 3. ATTORNEY'S FEES shall be DEFERRED to the time of trial. 4. The ORDER to SHOW CAUSE (OSC) shall be CONTINUED to the time of the evidentiary hearing set for 9/17/20.;
Matter Heard


09/17/2020

Evidentiary Hearing (1:30 PM) (Judicial Officer: Hoskin, Charles J.)
EVIDENTIARY HEARING: MODIFICATION OF CUSTODY AND RELATED ISSUES (1/2 DAY - FIRM) - (IN PERSON HEARING)

MINUTES

Decision Made;
 Decision Made

09/17/2020

 **All Pending Motions** (1:30 PM) (Judicial Officer: Hoskin, Charles J.)

EVIDENTIARY HEARING: MODIFICATION OF CUSTODY AND RELATED ISSUES (1/2 DAY - FIRM)...ORDER TO SHOW CAUSE

Matter Heard;

Journal Entry Details:

Plaintiff/Mom, Defendant/Dad, Mr. Rhodes and Ms. Vazquez all present in person. Ms. Isso present by audio for observation purposes only as co-counsel to Mr. Rhodes. Discussion regarding Mr. Rhodes' request for the minor child to testify today absent proper motion being filed and his request for continuance should the Court deny his request to allow the child to testify. In addition, Mr. Rhodes requested the child interview report to be admitted; Ms. Vazquez objected to all. Opening statements WAIVED by both counsel. Sworn testimony and Exhibits presented (see worksheet). Closing arguments by both counsel. COURT stated its FINDINGS and ORDERED the following: 1. The Court DENIED Mr. Rhodes' requests for the child to testify and for a continuance. 2. The Court is taking the matter UNDER ADVISEMENT and shall issue its written decision forthwith. CASE CLOSED upon entry of the order.;

Matter Heard

11/05/2020

Motion (10:00 AM) (Judicial Officer: Hoskin, Charles J.)
Defendant's Motion and Notice of Motion for an Order to Show Cause Regarding Contempt and to Enforce Child Custody and/or Visitation

04/07/2017

Summons
 Ducksworth, Runndley
 Served: 04/07/2017

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA
FAMILY COURT COVER SHEET**

D-17-550112-C

Dept: Q

CASE NO. _____ (To be assigned by the Clerk's Office)

Do you or any other party in this case (including any minor child) have any other current case(s) or past case(s) in the Family Court or Juvenile Court in Clark County?

YES NO

If yes, complete the other side of this form

PARTY INFORMATION (Please Print)

Plaintiff/Petitioner		Defendant/Respondent/Co-Petitioner/Ward/Decedent	
Last Name: <u>Carter</u>		Last Name: <u>Ducksworth</u>	
First Name: <u>Katrina</u>	Middle Name: <u>Yarnell</u>	First Name: <u>Ronaldley Jr</u>	Middle Name:
Home Address: <u>5101 Queen Ann</u>		Home Address: <u>2221 Mediterranean</u>	
City, State, Zip: <u>Forest Hill TX 76119</u>		City, State, Zip: <u>NLV NV 89031</u>	
Mailing Address: <u>5101 Queen Ann</u>		Mailing Address:	
City, State, Zip: <u>Forest Hill TX 76119</u>		City, State, Zip:	
Phone #: <u>7026619582</u>	Date of Birth: <u>9/3/87</u>	Phone #:	Date of Birth: <u>4/8/87</u>
Attorney Information		Attorney Information	
Name:	Bar No.:	Name:	Bar No.:
Address: <u>N/A</u>		Address: <u>N/A</u>	
City, State, Zip:		City, State, Zip:	
Phone #:		Phone #:	

(Check one box only for the type of case being filed with this cover sheet)

DOMESTIC	OTHER DOMESTIC RELATIONS PETITIONS	GUARDIANSHIP	PROBATE
Marriage Dissolution <input type="checkbox"/> Annulment <input type="checkbox"/> Divorce - No minor child(ren) <input type="checkbox"/> Divorce - With minor child(ren) <input type="checkbox"/> Foreign Decree <input type="checkbox"/> Joint Petition - No minor child(ren) <input type="checkbox"/> Joint Petition - With minor child(ren) <input type="checkbox"/> Separate Maintenance	<input type="checkbox"/> Adoption - Minor <input type="checkbox"/> Adoption - Adult <input checked="" type="checkbox"/> Child Custody (Non-Divorce) <input type="checkbox"/> Mental Health <input type="checkbox"/> Name Change <input type="checkbox"/> Paternity <input type="checkbox"/> Permission to Marry <input type="checkbox"/> Support - Other <input type="checkbox"/> Temporary Protective Order (TPO) <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Visitation (Non-Divorce) <input type="checkbox"/> Other (identify)	Guardianship of an Adult <input type="checkbox"/> Person <input type="checkbox"/> Estate <input type="checkbox"/> Person and Estate Guardianship of a Minor <input type="checkbox"/> Person <input type="checkbox"/> Estate <input type="checkbox"/> Person and Estate <input type="checkbox"/> Guardianship Trust	<input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside Estates <input type="checkbox"/> Trust/Conservatorships <input type="checkbox"/> Individual Trustee <input type="checkbox"/> Corporate Trustee <input type="checkbox"/> Other Probate
MISC. JUVENILE PETITIONS	IV-D CHILD SUPPORT PETITIONS		
<input type="checkbox"/> Work Permit <input type="checkbox"/> Emancipation	<input type="checkbox"/> DA - UIFSA <input type="checkbox"/> Child Support In State IV-D		

List children involved in this case (If more than 3 children, please enter the information on the reverse side)

Last Name	First Name	Middle Name	Date of Birth	Relationship
1. <u>Ducksworth</u>	<u>Katron</u>	<u>Xavier</u>	<u>12/18/10</u>	<u>Son</u>
2.				
3.				

Katrina Carter
Printed Name of Preparer

Katrina Carter
Signature of Preparer

4/7/17
Date

Supply the following information about any other proceeding (check all that apply):

Divorce Temporary Protective Orders (TPO) Custody/Child Support

UIFSA/URESA Paternity Juvenile Court Other

Please Print

List full name of all adult parties involved			Case number of other proceeding(s)	Approximate date of last order in other proceedings)
Last Name	First Name	Middle Name		
1. Carter	Katrina	Yarnell		
2. Ducksworth	Ronaldley			
3.				
4.				

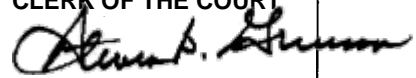
If children were involved (other than those listed on front page), please provide:

Last Name	First Name	Middle Name	Date of Birth	Relationship
1. Ducksworth	Katran	Xavier	12/18/10	Son
2.				
3.				
4.				
5.				
6.				
7.				
8.				

Children involved in this case (continuation from front page)

Last Name	First Name	Middle Name	Date of Birth	Relationship
4.				
5.				
6.	N/A			
7.				
8.				

**THIS INFORMATION IS REQUIRED BY
NRS 3.025, NRS 3.223, NRS 3.227, NRS 3.275,
NRS 125.130, NRS 125.230,
And will be kept in a confidential manner by the Clerk's Office.**



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ORDR

**DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

CARTER, KATRINA YARNELL,
Plaintiff,

Case No.: D-17-550112-C
Dept.: E

v.

Date: Sept. 17, 2020
Time: 1:30 p.m.

DUCKSWORTH, RUNNDLEY,
Defendant.

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND
ORDER**

This matter having come on for Evidentiary Hearing on the 17th day of September, 2020 for the Court to consider a modification of custody; Plaintiff, Katrina Carter (Katrina) being present and represented by Michael Rhodes, Esq. and Jennifer Isso, Esq.; Defendant, Runndley Ducksworth (Runndley) being present and represented by Ashlee Vasquez, Esq. The Court, having heard the evidence and arguments presented, and after taking the matter under advisement, finds and orders as follows.

Findings of Fact

That this Court has personal and subject matter jurisdiction in this case as Katrina has not yet sought Texas to assert UCCJEA jurisdiction as

- Disposed After Trial Start
 - Transferred
 - Other
 - Dismissed - Want of Prosecution
 - Involuntary (Statutory) Dismissal
 - Default Judgment
 - Judgment Reached by Trial
 - Judgment Reached by Trial
- Non-Trial Dispositions:
- Settled/Withdrawn:
 - Without Judicial Conf/Htg
 - With Judicial Conf/Htg
 - By ADR

1 the home state, even though the minor child, Katron, born December 18,
2 2006 (child) has resided in Texas since the relocation in 2017.
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4 That the parties' custody was defined by the September 19, 2017
5 Order. That Order resulted from the August 1, 2017 Evidentiary Hearing
6 before Senior Judge Gerry Hardcastle. That Order awarded the parties joint
7 legal custody and primary physical custody to Katrina. That Order also
8 permitted Katrina to relocate with the child to Texas. Runndley's visitation
9 schedule was established and a child support obligation was set. Although
10 not contained within the Order, Judge Hardcastle did admonish Katrina on
11 the record that, while he was permitting the move, if she did not follow the
12 visitation orders, it could be a basis to review the custodial orders.
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16 That the case was administratively reassigned to this Department in
17 2018. Since the custody order was put in place, the parties have been before
18 this Court in January 2018, June 2018, August 2018, January 2019 and
19 October 2019. At the January 24, 2018 Hearing, the parties were
20 admonished to follow court orders and stipulated to utilize the Talking
21 Parents application. The Court denied the request to reverse the prior court
22 order and admonished the parties that the phone calls with the child need to
23 take place.
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1 That, at the August 14, 2018 hearing on Runndley's Motion to
2 Enforce Orders, concerns regarding Runndley's ability to maintain contact
3 with the child were addressed and his request to modify custody based upon
4 Katrina's actions was denied. Further, the order pertaining to the
5 transportation costs was modified. At the January 10, 2019 hearing, on
6 Katrina's Motion, the fact that Katrina booked flights for the child at 1:00
7 a.m. was addressed. Runndley was seeking a modification of custody
8 referencing lack of communication, Katrina's efforts in reducing his court-
9 ordered timeshare and the child's declining grades. The Court could not find
10 a basis, at that time, to grant further proceedings to consider a modification
11 of custody. Further, the parties were admonished to focus on being good
12 parents instead of trying to harm each other.
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17 That, at the October 15, 2019 Hearing on Runndley's Motion for an
18 Order to Show Cause, the Court pointed out the extensive litigation and
19 game playing which had been pervasive in this case. Although Katrina
20 continued to take steps which were inconsistent with existing court orders,
21 the Court could not, at that time, find a basis to set further proceedings on
22 the request to modify custody.
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25 That the Court entered an Order on Runndley's February 27, 2020
26 Motion on April 20, 2020 (a delay occurred based upon Katrina's request to
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1 disqualify the Court). That Order granted Runndley's request for an Order
2 to Show Cause why Katrina should not be held in contempt of this Court's
3 visitation orders and awarded Runndley the cost of his missed flight over the
4 winter break. At the June 9, 2020 hearing, the fact that Runndley was
5 unable to exercise his winter break 2019 visit, his spring break 2020 visit
6 and the child was not yet with him for his summer 2020 visit was raised.
7 The Court ordered the child to be transported to Las Vegas for the summer
8 visitation within seven days and remain in Las Vegas until school started in
9 the fall as compensatory time. The Court also referred the child for an
10 interview with the Family Mediation Center (FMC) to obtain the child's
11 opinion on the outstanding issues. Ultimately, the Court found that
12 Katrina's ongoing efforts in limiting Runndley's court-ordered visitation
13 rose to the level to satisfy the substantial change of circumstance prong in
14 *Ellis* and *Rooney* and set the matter for evidentiary hearing on Runndley's
15 request to modify custody.

21 That, at the September 1, 2020 Calendar Call, the Court was informed
22 that, although the child was sent to Las Vegas seven days after the June 9,
23 2020 hearing, on July 26, 2020, Katrina removed the child out of Runndley's
24 home and did not return the child. Runndley has not been able to see or
25 speak to the child since. The Court also considered Runndley's request for a
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2 Temporary Protective Order (TPO) in case T-20-207112-T. However, since
3 the alleged aggressor was not one of the parties, the TPO was dissolved.
4 The Evidentiary Hearing was set firm and the parties stipulated to participate
5 in-person for that hearing. The Order to Show Cause against Katrina was
6 continued to the Evidentiary Hearing.
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8 That prior to taking testimony, Katrina's attorney requested that the
9 child testify during the hearing. The Court was informed that the child was
10 in a car in the parking lot and Katrina wanted him to testify. Katrina's
11 request was first raised at the outset of trial; the child was never listed as a
12 witness by either party; and Katrina did not timely request the child testify
13 which would have permitted the Court time to perform a best-interest
14 analysis. As such, the last-minute request was denied. *See* NRS 50.570 &
15 NRS 50.580.
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19 That Runndley testified in his case-in-chief. He indicated that the
20 child is a "good kid." The child has trouble listening and has behavioral
21 issues when in Runndley's care. The child is described by Runndley as a
22 normal kid. He disciplines the child by making him write sentences.
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24 That Runndley has never traveled to Texas to visit the child. He
25 stated that he has troubles communicating with Katrina.
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1 That Runndley resides in a four bedroom home and the child has his
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3 own room there. Runndley has other family members who live in Las
4 Vegas.

5 That the child relocated with Katrina to Texas in 2017. Runndley had
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7 trouble seeing the child following the relocation. Runndley produced e
8 mails he sent to the child's teachers in September 2018 and April 2019. *See*
9 Exhibit C. He now communicates with the child's teachers through the
10 school's application. Runndley is concerned about the child's absences,
11 tardies, suspensions and declining grades. The child was suspended from
12 school twice in the fall of 2019. *See* Exhibit J. Runndley attempted to
13 discuss these issues with Katrina through the Talking Parents application.
14 Katrina did not respond to those efforts.

15 That the child's grades, through the first few weeks of school, are
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17 mostly D's and F's. Runndley wants to hold the child back one grade. No
18 support was offered for holding the child back, other than Runndley's
19 opinion. Runndley states that he works with the child on school issues. *See*
20 Exhibit K. Runndley indicated that whenever he has the child in his care,
21 the Department of Family Services (CPS) is called to perform a welfare
22 check.
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1 That Runndley did not receive his court-ordered visitation with the
2 child during the winter break 2019 or spring break 2020. Runndley learned
3 that the child was in Las Vegas prior to spring break 2020, but Katrina did
4 not notify him of the same or permit any contact. Runndley spend \$300.98
5 on the child's flight for spring break which he would like reimbursed from
6 Katrina.
7 Katrina.

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9 That Katrina also did not permit the child to exercise the first part of
10 the summer break 2020. At the June 9, 2020 hearing, she was ordered to
11 insure the child was in Las Vegas within seven days of the hearing and the
12 child arrived seven days later. However, although the Court ordered the
13 child to spend the remainder of summer break with Runndley, Katrina took
14 the child on July 27, 2020, prior to school starting. Katrina did provide
15 notice to Runndley that she wanted to take the child for her two days.
16 However, that notice was for July 24, not July 26. Further, Katrina did not
17 return the child to Runndley. Katrina told the child to run out of Runndley's
18 home and jump in her car. Runndley tried to catch up with them, but was
19 unsuccessful. Runndley stated that an individual in Katrina's vehicle
20 pointed a gun at him.
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23 That Runndley is concerned about the child's school behavior when
24 with Katrina. He proposes a reversal of the current visitation schedule, but
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1 with him keeping more of the summer. Runndley also requested an itinerary
2 concerning the information prior to exchanges. He also stated that he is not
3 receiving the court-ordered phone contact with the child.
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5 That Runndley is currently unemployed and receiving unemployment
6 benefits of \$191.00 per week. Runndley's August 20, 2020 Financial
7 Disclosure Form (FDF) represents a gross monthly income (GMI) of
8 \$2,304.00 from unemployment. No explanation for the difference between
9 Runndley's testimony and the FDF information was offered.
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12 That, on cross-examination, Runndley indicated that he previously
13 worked at a uniform company as an attendant for three years. He could not
14 remember his previous days off from that job.
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16 That, when asked about the child's statements about Runndley
17 grabbing him in the FMC interview report, Runndley stated that kids say
18 what they are coached to say. Runndley states that he has never hit the
19 child. He stated that the child usually is a liar and cited the statements
20 concerning the child's grades as an example.
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23 That, Runndley could not remember if he received a credit or
24 reimbursement from the airlines for his March 2020 flight.
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26 That, on re-direct examination, Runndley stated that he is current on
27 his current child support and arrears payment. He admits to having
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1 outstanding arrears. Runndley states that, notwithstanding the child's
2 statements in the FMC interview report, the child does want to be with him.
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4 That Katrina testified in Runndley's case-in-chief. She lives in
5 Mesquite, Texas. The child sleeps on the couch in her one-bedroom
6 apartment. They moved to Texas in March 2017. Katrina did not enroll the
7 child in school for a few weeks after relocating. Katrina has family
8 members living in the state of Texas.
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10 That Katrina testified that the child is currently attending in-person
11 school. He takes the bus to school as Katrina works from 8:00 to 5:00.
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13 That Katrina reviewed the October 29, 2019 order, which states, on
14 page five: "Either parties' failure to return the child back to the custodial
15 parent on time is a basis for this Court to hold the offending party in
16 contempt." Katrina admitted that she did not put the child on the flight in
17 December 2019 for the winter break. She also admitted that she did not put
18 the child on the flight in March 2020 for spring break. Katrina admitted that
19 the child was in Las Vegas in February 2020 and that she did not advice
20 Runndley of that fact. Katrina did not send the child on time for the summer
21 2020 visitation. Katrina was aware that the child was to be in Runndley's
22 care until the end of the summer 2020 break. Notwithstanding that
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1 understanding, she picked up the child from Runndley's residence on July
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3 26, 2020 and did not return the child.

4 That Katrina indicated that she called Runndley to advise him that she
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6 would be picking the child up on July 26, 2020. However, given the way
7 she picked up the child, her credibility is in question regarding that
8 statement.

9 That Katrina is in violation of court orders relating to Runndley's
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11 winter break 2019, spring break 2020 the start of summer break 2020 and
12 the end of summer break 2020. It should be noted that when she violated the
13 orders at the beginning and end of summer break 2020, there was litigation
14 pending concerning her contempt of visitation orders. Such would typically
15 dissuade someone from blatantly violating court orders, but had no deterrent
16 value for Katrina.
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19 That Katrina indicated that the child was hurt during her taking the
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21 child from Runndley in late July 2020. The child had bruises and a sprained
22 ankle. Such further supports that her picking up the child was not agreed
23 upon by the parties.

24 That Katrina confirmed that she does not respond to the messages sent
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26 to her through the court-ordered Talking Parents application. She does not
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1 send Runndley copies of the child's report cards. The last time she advised
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3 Runndley about a doctor's appointment for the child was in 2017.

4 That, on cross-examination, Katrina stated that she took the child to
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6 the hospital after picking him up on July 26, 2020. She stated that the child
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8 was hurt while running away from Runndley to get into her car. Again, if
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10 everyone was aware of the pick-up, why would the child be running away?

11 That Katrina indicated that she told Runndley that the child did not
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13 want to go back to him. Katrina does not believe that the child is safe in
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15 Runndley's care.

16 That Katrina testified that the child did not want to go to visit
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18 Runndley in December 2019. She stated it was because the child was beaten
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20 by Runndley over Thanksgiving 2019 visitation. Katrina stated that she was
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22 aware that Runndley purchased a ticket in February 2020 for the child to
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24 travel for spring break visitation. She stated that the child was arguing not to
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26 go.

27 That Katrina wants Runndley to visit the child only in Texas. She
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29 indicated that Runndley can stay in a hotel while he is there visiting.

30 That Katrina states that the child's current issues with his grades are
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32 because of internet issues of which the school is aware. The child was
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34 suspended because of talking in class.

1 That CPS was called in December 2019, but there was no
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3 investigation. Katrina stated that the child has never lied to her. The child
4 did fight with her on the spring break 2020 visit.

5 That Katrina continued to testify in her case-in-chief. She indicated
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7 that her father passed away in February 2020 in Las Vegas. Such was the
8 reason she was in Las Vegas during that time. She did not indicate why she
9 did not contact Runndley to advise that the child was in town.

10 That Katrina stated that she is now willing to permit Runndley
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12 compensatory time for the visitation he previously missed. Such is
13 inconsistent with her testimony that the child is in danger when with
14 Runndley and that all visitation should occur in Texas.

15 That Katrina then testified that she wants to reduce Runndley's
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17 summer visitation to half of the current amount of time. When asked about
18 maintaining contact, Katrina indicated that she would *now* give Runndley
19 her telephone number.

20 That Katrina testified that the police showed up at her residence to
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22 perform welfare checks "two or three times a week" throughout 2020.
23 Again, Katrina's credibility is in question.

24 That on cross-examination, Katrina changed her testimony on whether
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26 the child was attending in-person school. Evidently the child has not
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1 attended in-person school, or travelled by school bus to school. In-person
2 school started the previous Monday, but the child is still attending on-line.
3 Again, Katrina's credibility is in question as a result of her inconsistent
4 testimony.
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7 That Katrina confirmed that her offer to permit compensatory time
8 offered during the trial was the first time she ever offered compensatory
9 time.
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11 That Runndley testified again in Katrina's case-in-chief. He stated
12 that he is currently unemployed because of Covid. He is looking for another
13 job as a parking flagger.
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15 That, on cross-examination, Runndley reviewed Exhibit 6, which is
16 the parties' Talking Parents communication. He pointed out that he asked
17 Katrina about the child's grades in the spring of 2019 and that she did not
18 respond. In October 2019, Runndley was attempting to get access to the
19 child's school records.
20

21 That Katrina's August 24, 2020 FDF represents a GMI of \$3,470.00
22 as a medical assistant.
23

24 **Conclusions of Law**

25 NRS 22.010, dealing with contempt, states:

26 The following acts or omissions shall be deemed contempts:

27 . . .
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2 3. Disobedience or resistance to any lawful writ, order, rule or process
3 issued by the court or judge at chambers.

4 The orders that Katrina is accused of violating were filed on
5 September 19, 2017 and August 4, 2020 (from the June 9, 2020 hearing).

6 The relevant provisions of the September 19, 2017 order state:

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8 4. [Runndley] shall have visitation with the minor child as follows:

9 a) During the summer months, [Runndley] shall have a period
10 of seven (7) weeks beginning one week after school lets out.

11 . . .

12 c) [Runndley] shall have the 1st half of the Christmas/winter
13 break in even years and the second half in odd-numbered
14 years. . . .

15 d) [Runndley] shall have the minor child for spring break and
16 Easter (if they coincide) in even-numbered years.

17 . . .

18 7. The Court expects compliance with the Orders.

19 The relevant provisions of the August 4, 2020 order states:

20 The child shall remain with [Runndley] during the summer until the
21 child has to go back to school . . . The Court wants the child with
22 [Runndley] to compensate for the time he missed over the last six (6)
23 months.

24 Both are lawful orders issued by the Court.

25 The Nevada Supreme Court further clarified the clarity of the orders
26 which are subject to contempt.

27 An order on which a judgment of contempt is based must be clear and
28 unambiguous, and must spell out the details of compliance in clear,

1 specific and unambiguous terms so that the person will readily know
2 exactly what duties or obligations are imposed on him.

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4 *Div. of Child & Family Servs., v. Eighth Judicial Dist. Court*, 120 Nev. 445,
5 454–55, 92 P. 3d 1239, 1245 (2004) (quoting *Cunningham v. Eighth*
6 *Judicial Dist. Court*, 102 Nev. 551, 559–60, 729 P.2d 1328, 1333-34
(1986)).

7
8 All are clear and unambiguous orders which make clear what the
9 parties must do to comply and what obligations were imposed upon them.
10 Additionally, Katrina was before this Court on several occasions over the
11 years based upon her failures to comply with those same orders.

12
13 While Katrina’s prior violations noted in prior hearings, the Court did
14 not make a contempt finding, preferring to attempt to encourage her
15 compliance in an effort to allow the parties to co-parent. Katrina was
16 warned by the Court prior to the 2017 Order, and several times since that
17 Order, that her continued violation may result in the Court considering a
18 modification based upon best interests of the child. Katrina even violated
19 the court-ordered visitation while waiting for the Order to Show Cause to be
20 heard for prior violations. It appears that the Court’s efforts to encourage
21 compliance were in vain.

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25 In an unpublished decision, the Nevada Supreme Court indicated that,
26 when contempt is criminal in nature, “to impose a contempt sentence, the
27 district court was required to find any violation of the court's order beyond a
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1 reasonable doubt.” *Bohannon v. Eighth Judicial Dist. Court of State in &*
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3 *for Cty. of Clark*, 400 P.3d 756 (Nev. 2017).

4 The evidence indicates, beyond a reasonable doubt, that Katrina
5 failed, on several occasions, to comply with this Court’s orders relating to
6
7 Runndley’s visitation. When Katrina’s violations were raised before the
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9 Court at the June 9, 2020 hearing, when the Order to Show Cause was
10 issued, Katrina was specifically directed to permit compensatory visitation
11 during the summer. Although the Court gave Katrina a chance to
12
13 compensate Runndley for his missed time, she instead chose to essentially
14 kidnap the child from Runndley’s care and has refused to return the child
15 since.

16 While Katrina argued that the child was the reason for the
17
18 withholding, she did not provide credible evidence that her violations of the
19 orders were not willful.

20 Ultimately, Runndley established, beyond a reasonable doubt that
21
22 Katrina violated the orders mandating Runndley’s visitation.

23
24 The Nevada Supreme Court has provided additional guidance in
25
26 contempt actions within the Family Division.

27 [T]he Sixth Amendment guarantee of the right to counsel applies only
28 in criminal prosecutions. Whether a contempt proceeding is classified

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2 as criminal or civil in nature depends on whether it is directed to
3 punish the contemnor or, instead, coerce his compliance with a court
4 directive. Criminal sanctions are punitive in that they serve the
5 purpose of preserving the dignity and authority of the court by
6 punishing a party for offensive behavior. In contrast, civil contempt is
7 said to be remedial in nature, as the sanctions are intended to benefit a
8 party by coercing or compelling the contemnor's future compliance,
9 not punishing them for past bad acts. Moreover, a civil contempt order
10 is indeterminate or conditional; the contemnor's compliance is all that
11 is sought and with that compliance comes the termination of any
12 sanctions imposed. Criminal sanctions, on the other hand, are
13 unconditional or determinate, intended as punishment for a party's
14 past disobedience, with the contemnor's future compliance having no
15 effect on the duration of the sentence imposed.

16 *Rodriguez v. Eighth Judicial Dist. Court*, 120 Nev. 798, 804-05, 102 P.3d
17 41, 45-46 (2004) (*citations omitted*).

18 The Nevada Supreme Court held “that because the district court's
19 contempt order did not contain a purge clause, it was criminal in nature and
20 [the accused's] Sixth Amendment right to counsel was violated when the
21 contempt order was entered after proceedings in which he was not
22 represented by counsel.” *Lewis v. Lewis*, 132 Nev. Adv. Op. 46, 373 P.3d
23 878, 881 (2016). Runndley never requested incarceration for Katrina's
24 contempt. Since Katrina has counsel, there was no need to consider whether
25 to appointed counsel to represent him in this Show Cause Hearing.
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2 Considering the evidence presented, it is appropriate to find Katrina in
3 contempt of the September 19, 2017 and August 4, 2020 Orders of this
4 Court.

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6 The controlling custody order is joint legal custody and primary
7 physical custody order to Katrina. In this case, Runndley is requesting
8 primary physical custody of the child in Las Vegas.

9
10 Regarding modifying physical custody, NRS 125C.0045 states:

11 “1. In any action for determining the custody of a minor child, the
12 court may, except as otherwise provided in this section and NRS
13 125C.0601 to 125C.0693, inclusive, and chapter 130 of NRS:

14 (a) During the pendency of the action, at the final hearing or at
15 any time thereafter during the minority of the child, make such
16 an order for the custody, care, education, maintenance and
17 support of the minor child as appears in his or her best interest;
18 and

19 (b) At any time modify or vacate its order, even if custody was
20 determined pursuant to an action for divorce and the divorce
21 was obtained by default without an appearance in the action by
22 one of the parties.

23 The party seeking such an order shall submit to the jurisdiction of the
24 court for the purposes of this subsection. The court may make such an
25 order upon the application of one of the parties or the legal guardian
26 of the minor.

27 2. Any order for joint custody may be modified or terminated by the
28 court upon the petition of one or both parents or on the court's own
motion if it is shown that the best interest of the child requires the
modification or termination. The court shall state in its decision the

1 reasons for the order of modification or termination if either parent
2 opposes it.”

3
4 In determining whether to modify a primary physical custodial order,
5 the movant must establish that there has been a substantial change of
6 circumstances, affecting the child, since the most recent custody order and
7 that the child’s best interests would be served by the change. *Ellis v.*
8 *Carucci*, 123 Nev. 145, 147, 161 P.3d 239, 240 (2007).
9

10 Since Katrina was granted primary physical custody in Texas, she has
11 made Runndley’s ability to maintain a relationship with the child difficult
12 through withholding visitation as well as regular electronic communication.
13 Such is a substantial change of circumstances affecting the child. The Court
14 must next look to whether a modification would be in the child’s best
15 interests.
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18 In analyzing the best interest of the child, the court must analyze the
19 factors enumerated in NRS 125C.0035(4). Those factors are reviewed
20 below:
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22 *The wishes of the child if the child is of sufficient age and*
23 *capacity to form an intelligent preference as to his or her physical*
24 *custody.* The child is 13 years old. The child is of sufficient age and
25 capacity to form an intelligent preference as to his physical custody.
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1 Katrina stated that she believes the child is capable of choosing. The
2 child expressed, within his August 17, 2020 FMC interview report,
3 that he is not happy with the current time-share arrangement. He
4 desires to spend more time with Katrina. This factor favors Katrina.
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7 *Any nomination of a guardian for the child by a parent.* No
8 nomination occurred in this case.

9
10 *Which parent is more likely to allow the child to have frequent*
11 *associations and a continuing relationship with the noncustodial*
12 *parent.* Since relocating to Texas, and contrary to suggestions by two
13 different courts, Katrina has stood in the way of Runndley's court-
14 ordered visitation. The communication between the parents, contained
15 in Exhibit 6, indicates that Katrina either refuses to respond to
16 requests or simply does not permit contact. Even between the initial
17 hearing when the evidentiary hearing was set and the evidentiary
18 hearing, Katrina essentially kidnapped the child during Runndley's
19 visitation time and did not return the child. There is some indication
20 that Katrina had difficulty communicating with the child while in
21 Runndley's care as well. Ultimately, this factor favors Runndley.
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24 *The level of conflict between the parents.* There is a substantial
25 amount of conflict in this case. Previously it was based on child
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support issues and, since relocation, it has focused on visitation issues. Katrina is a poor communicator. Runndley's responses do not help the situation. While Katrina's actions typically initiate conflict, this factor favors Runndley.

The ability of the parents to cooperate to meet the needs of the child. Katrina indicates that she will provide information "when asked." However, her role as primary physical custodian requires more than that. She says she is now able to cooperate. Runndley indicated that Katrina refuses to respond to his requests for information regarding the child. This factor is neutral.

The mental and physical health of the parents. Neither party indicated any health issues. Therefore, this factor is neutral.

The physical, developmental and emotional needs of the child. It should be noted that Katrina was not cooperative with Runndley's visitation prior to her allegations of abuse. The Court is concerned that the child must sleep on a couch at Katrina's residence and, as a teenager, has no privacy. There is also concern about Katrina's continual efforts to limit the child's healthy contact with Runndley. This factor favors Runndley.

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The nature of the relationship of the child with each parent.

Katrina discussed her relationship with the child as a good mother/child relationship. She states that she is the only parent taking care of the child. Runndley described his relationship as good. They like going outside and on vacations. Runndley did state that the child does not like discipline. Ultimately, this factor is neutral.

The ability to maintain a relationship with a sibling.

The child has a half-sister and half-brother in Runndley's household with whom the child has a good relationship. No siblings in Katrina's home were referenced. Therefore, this factor favors Runndley.

Any history of parental abuse or neglect of the child or a sibling of the child.

No evidence was presented concerning this factor.

Whether either parent has engaged in an act of domestic violence against the child, a parent of the child or any other person residing with the child.

Katrina is concerned that the child is being abused while with Runndley. The child's only reference to any issue was "the time that my dad grabbed me." No credible evidence of abuse was presented concerning this factor. This factor is neutral.

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Whether either parent has engaged in an act of abduction.

Katrina's actions, in direct contravention of a specific court-order in July 2020 is concerning. It is more concerning that it occurred while under the Court's microscope, with an Order to Show Cause for similar behavior pending. Katrina's abduction of the child is consistent with her pattern of violating Runndley's ability to maintain a healthy relationship with the child. This factor favors Runndley.

Given that Katrina currently maintains primary physical custody, Runndley bore the burden of establishing that is would be in the child's best interests to modify the custodial situation. He met that burden. The Court can modify physical custody on this record. *See* NRS 125C.003.

Given the physical custody order, it is appropriate that child support be set. Applying Katrina's GMI of \$3,470.00 to the regulatory formula of sixteen percent (16%) results in a monthly obligation of \$555.00. *See* NAC 425.145. No adjustment evidence was provided pursuant to NAC 425.150

Decision

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that Katrina is found to be in contempt of this Court's orders relating to Runndley's visitation time with the child. The Court will not issue a sanction for that contempt, other than compensatory time, which Runndley

1 will receive as a result of the custodial change. While Katrina's acts were
2 considered as part of the request to modify custody, the custodial change is
3 based upon Runndley meeting the legal requirements for modification and
4 not a sanction for Katrina's contempt.
5

6
7 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that
8 Runndley's motion to modify physical custody is GRANTED. It is in the
9 best interest of the child that the he be awarded primary physical custody.
10 That change of custody shall occur on or before October 11, 2020. Upon
11 return to Las Vegas, the child is to immediately be enrolled into his new
12 school. That process should be started prior to the child arriving. The
13 parties are directed to cooperate in the changing of schools.
14

15
16 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the
17 parties shall continue to share joint legal custody. As the definitions were
18 not laid out in the September 2017 Order, they are included herein.
19

20 The parents shall consult with each other in substantial
21 questions relating to religious upbringing, educational
22 programs, significant changes in social environment, and health
23 care of the child.

24 The parents shall have access to medical and school records
25 pertaining to the child and shall jointly consult, when possible,
26 with any and all professionals involved with the child.

27 All schools, health care providers, day care providers, and
28 counselors shall be, when possible, selected by the parties
jointly. In the event that the parties cannot agree to the
selection of a school, the child shall be maintained in the

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present school pending mediation and/or further Order of the Court.

Each parent shall be empowered to obtain emergency health care for the child without the consent of the other parent. Each parent shall notify the other parent as soon as reasonably possible of any illness requiring medical attention, or any emergency involving the child.

Each parent shall provide the other parent, upon receipt, information concerning the well-being of the child, including, but not limited to, copies of report cards; school meeting notices; vacation schedules; class programs; requests for conferences; results of standardized or diagnostic tests; notice of activities involving the child; samples of school work; order forms for school pictures; and all communications from health care providers. The parents shall also exchange the names, addresses and telephone numbers of all schools, health care providers, regular day care providers, and counselors who have contact with the child.

Each parent shall provide the other parent, upon receipt, information concerning school, athletic, religious, and social events in which the child participates. Both parents may participate in activities for the child, such as open house, attendance at an athletic event, etc.

Each parent shall provide the other parent with a travel itinerary and, whenever reasonably possible, telephone numbers at which the child can be reached whenever the child will be away from the parent's home for any period in excess of two days.

Each parent shall be entitled to reasonable telephone communication with the child. Each parent is restrained from unreasonably interfering with each child's right to privacy during such telephone conversations.

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Runndley's current child support obligation shall be terminated following his October 2020 support payment, but any arrears must still be paid. Katrina's child support obligation is determined to be \$555.00 per month beginning November 2020. Such support shall continue until further order of the Court, upon a three year review, or substantial change of circumstances.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that it is in the child's best interest that following the change in physical custody, the parties' timeshare with the child be modified as follows:

- During the summer break from school, Katrina shall have a period of six weeks of custodial time beginning one week after school lets out.
- Katrina shall have the Thanksgiving break from school in even years.
- Katrina shall have the first half of the winter break from school in odd years and the second half in even years.
- Katrina shall have the child for spring break in odd years.
- Katrina shall be permitted to visit with the child in Las Vegas, so long as she provides 14 days written notice and the visitation does not interfere with the child's school. The provisions within this paragraph are limited to four occasions within any 12 month period and are not to exceed 48 hours in length.
- All remaining custodial time shall be assigned to Runndley.

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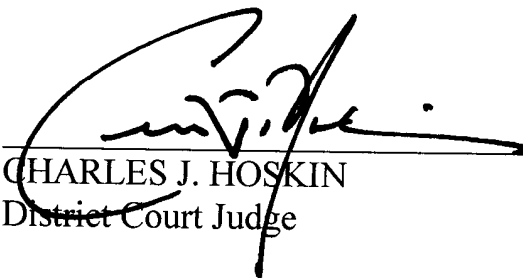
Both parties are required to provide a written itinerary prior to transporting the child.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Runndley did not establish that he was out-of-pocket for the recent travel expense, as he indicated that he may receive a credit for that missed flight. As such, his request for reimbursement is DENIED.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each side shall bear their own attorney's fees and costs.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all prior orders, not modified by this Order, including the costs of transportation, shall remain in full force and effect.

IT IS SO ORDERED this 23rd day of Sept., 2020



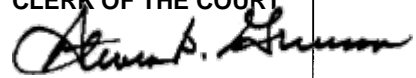
CHARLES J. HOSKIN
District Court Judge

1 NEO

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA

4 * * *

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Steven D. Grierson
CLERK OF THE COURT




5
6 Katrina Yarnell Carter, Plaintiff.
7 vs.
8 Runndley Ducksworth,
9 Defendant.

Case No: D-17-550112-C
Department E

10
11 **NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF**
12 **LAW AND ORDER**

13
14 Please take notice that an ORDER FROM HEARING was entered in
15 the foregoing action and the following is a true and correct copy
16 thereof.

17
18 Dated: September 24, 2020.

19
20 
21 Cassie Burns
22 Judicial Executive Assistant
23 Department E

24 **CERTIFICATE OF SERVICE**

25 I hereby certify that on the above file stamp date:

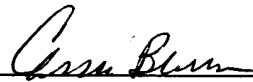
26 I placed a copy of the foregoing NOTICE OF ENTRY OF ORDER
27 in the appropriate attorney folder located in the Clerk of the Court's
28 Office of:

1 NEO

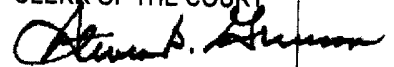
2 I mailed, via first-class mail, postage fully prepaid, the foregoing
3 NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF
4 LAW AND ORDER to:

4 Jennifer Izzo, Esq.
5 ji@issohugheslaw.com

6 Michael Rhodes, Esq.
7 eservice@mcfarlinglaw.com

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9
10 

11 _____
12 Cassie Burns
13 Judicial Executive Assistant
14 Department E
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1 ORDR
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3 **DISTRICT COURT**
4 **FAMILY DIVISION**
5 **CLARK COUNTY, NEVADA**

6
7 CARTER, KATRINA YARNELL,
8 Plaintiff,

Case No.: D-17-550112-C
Dept.: E

9 v.

Date: Sept. 17, 2020
Time: 1:30 p.m.

10 DUCKSWORTH, RUNNDLEY,
11 Defendant.
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13
14 **FINDINGS OF FACT, CONCLUSIONS OF LAW AND**
15 **ORDER**

16 This matter having come on for Evidentiary Hearing on the 17th day of
17 September, 2020 for the Court to consider a modification of custody;
18 Plaintiff, Katrina Carter (Katrina) being present and represented by Michael
19 Rhodes, Esq. and Jennifer Isso, Esq.; Defendant, Runndley Ducksworth
20 (Runndley) being present and represented by Ashlee Vasquez, Esq. The
21 Court, having heard the evidence and arguments presented, and after taking
22 the matter under advisement, finds and orders as follows.

23
24 **Findings of Fact**

25 That this Court has personal and subject matter jurisdiction in this
26 case as Katrina has not yet sought Texas to assert UCCJEA jurisdiction as
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- Other
 - Dismissed - Want of Prosecution
 - Involuntary (Statutory) Dismissal
 - Default Judgment
 - Transferred
 - Disposed After Trial Start
- Trial Dispositions:
- Judgment Reached by Trial
 - Settled/Withdrawn
 - Without Judicial Conf/Htg
 - With Judicial Conf/Htg
 - By ADR

1 the home state, even though the minor child, Katron, born December 18,
2 2006 (child) has resided in Texas since the relocation in 2017.

3
4 That the parties' custody was defined by the September 19, 2017
5 Order. That Order resulted from the August 1, 2017 Evidentiary Hearing
6 before Senior Judge Gerry Hardcastle. That Order awarded the parties joint
7 legal custody and primary physical custody to Katrina. That Order also
8 permitted Katrina to relocate with the child to Texas. Runndley's visitation
9 schedule was established and a child support obligation was set. Although
10 not contained within the Order, Judge Hardcastle did admonish Katrina on
11 the record that, while he was permitting the move, if she did not follow the
12 visitation orders, it could be a basis to review the custodial orders.
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16 That the case was administratively reassigned to this Department in
17 2018. Since the custody order was put in place, the parties have been before
18 this Court in January 2018, June 2018, August 2018, January 2019 and
19 October 2019. At the January 24, 2018 Hearing, the parties were
20 admonished to follow court orders and stipulated to utilize the Talking
21 Parents application. The Court denied the request to reverse the prior court
22 order and admonished the parties that the phone calls with the child need to
23 take place.
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2 That, at the August 14, 2018 hearing on Runndley's Motion to
3 Enforce Orders, concerns regarding Runndley's ability to maintain contact
4 with the child were addressed and his request to modify custody based upon
5 Katrina's actions was denied. Further, the order pertaining to the
6 transportation costs was modified. At the January 10, 2019 hearing, on
7 Katrina's Motion, the fact that Katrina booked flights for the child at 1:00
8 a.m. was addressed. Runndley was seeking a modification of custody
9 referencing lack of communication, Katrina's efforts in reducing his court-
10 ordered timeshare and the child's declining grades. The Court could not find
11 a basis, at that time, to grant further proceedings to consider a modification
12 of custody. Further, the parties were admonished to focus on being good
13 parents instead of trying to harm each other.
14

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17 That, at the October 15, 2019 Hearing on Runndley's Motion for an
18 Order to Show Cause, the Court pointed out the extensive litigation and
19 game playing which had been pervasive in this case. Although Katrina
20 continued to take steps which were inconsistent with existing court orders,
21 the Court could not, at that time, find a basis to set further proceedings on
22 the request to modify custody.
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26 That the Court entered an Order on Runndley's February 27, 2020
27 Motion on April 20, 2020 (a delay occurred based upon Katrina's request to
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1 disqualify the Court). That Order granted Runndley's request for an Order
2 to Show Cause why Katrina should not be held in contempt of this Court's
3 visitation orders and awarded Runndley the cost of his missed flight over the
4 winter break. At the June 9, 2020 hearing, the fact that Runndley was
5 unable to exercise his winter break 2019 visit, his spring break 2020 visit
6 and the child was not yet with him for his summer 2020 visit was raised.
7 The Court ordered the child to be transported to Las Vegas for the summer
8 visitation within seven days and remain in Las Vegas until school started in
9 the fall as compensatory time. The Court also referred the child for an
10 interview with the Family Mediation Center (FMC) to obtain the child's
11 opinion on the outstanding issues. Ultimately, the Court found that
12 Katrina's ongoing efforts in limiting Runndley's court-ordered visitation
13 rose to the level to satisfy the substantial change of circumstance prong in
14 *Ellis and Rooney* and set the matter for evidentiary hearing on Runndley's
15 request to modify custody.
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22 That, at the September 1, 2020 Calendar Call, the Court was informed
23 that, although the child was sent to Las Vegas seven days after the June 9,
24 2020 hearing, on July 26, 2020, Katrina removed the child out of Runndley's
25 home and did not return the child. Runndley has not been able to see or
26 speak to the child since. The Court also considered Runndley's request for a
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2 Temporary Protective Order (TPO) in case T-20-207112-T. However, since
3 the alleged aggressor was not one of the parties, the TPO was dissolved.
4 The Evidentiary Hearing was set firm and the parties stipulated to participate
5 in-person for that hearing. The Order to Show Cause against Katrina was
6 continued to the Evidentiary Hearing.
7

8 That prior to taking testimony, Katrina's attorney requested that the
9 child testify during the hearing. The Court was informed that the child was
10 in a car in the parking lot and Katrina wanted him to testify. Katrina's
11 request was first raised at the outset of trial; the child was never listed as a
12 witness by either party; and Katrina did not timely request the child testify
13 which would have permitted the Court time to perform a best-interest
14 analysis. As such, the last-minute request was denied. *See* NRS 50.570 &
15 NRS 50.580.
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19 That Runndley testified in his case-in-chief. He indicated that the
20 child is a "good kid." The child has trouble listening and has behavioral
21 issues when in Runndley's care. The child is described by Runndley as a
22 normal kid. He disciplines the child by making him write sentences.
23

24 That Runndley has never traveled to Texas to visit the child. He
25 stated that he has troubles communicating with Katrina.
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2 That Runndley resides in a four bedroom home and the child has his
3 own room there. Runndley has other family members who live in Las
4 Vegas.

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6 That the child relocated with Katrina to Texas in 2017. Runndley had
7 trouble seeing the child following the relocation. Runndley produced e
8 mails he sent to the child's teachers in September 2018 and April 2019. *See*
9 Exhibit C. He now communicates with the child's teachers through the
10 school's application. Runndley is concerned about the child's absences,
11 tardies, suspensions and declining grades. The child was suspended from
12 school twice in the fall of 2019. *See* Exhibit J. Runndley attempted to
13 discuss these issues with Katrina through the Talking Parents application.
14 Katrina did not respond to those efforts.

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18 That the child's grades, through the first few weeks of school, are
19 mostly D's and F's. Runndley wants to hold the child back one grade. No
20 support was offered for holding the child back, other than Runndley's
21 opinion. Runndley states that he works with the child on school issues. *See*
22 Exhibit K. Runndley indicated that whenever he has the child in his care,
23 the Department of Family Services (CPS) is called to perform a welfare
24 check.
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2 That Runndley did not receive his court-ordered visitation with the
3 child during the winter break 2019 or spring break 2020. Runndley learned
4 that the child was in Las Vegas prior to spring break 2020, but Katrina did
5 not notify him of the same or permit any contact. Runndley spend \$300.98
6 on the child's flight for spring break which he would like reimbursed from
7 Katrina.
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10 That Katrina also did not permit the child to exercise the first part of
11 the summer break 2020. At the June 9, 2020 hearing, she was ordered to
12 insure the child was in Las Vegas within seven days of the hearing and the
13 child arrived seven days later. However, although the Court ordered the
14 child to spend the remainder of summer break with Runndley, Katrina took
15 the child on July 27, 2020, prior to school starting. Katrina did provide
16 notice to Runndley that she wanted to take the child for her two days.
17 However, that notice was for July 24, not July 26. Further, Katrina did not
18 return the child to Runndley. Katrina told the child to run out of Runndley's
19 home and jump in her car. Runndley tried to catch up with them, but was
20 unsuccessful. Runndley stated that an individual in Katrina's vehicle
21 pointed a gun at him.
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26 That Runndley is concerned about the child's school behavior when
27 with Katrina. He proposes a reversal of the current visitation schedule, but
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1 with him keeping more of the summer. Runndley also requested an itinerary
2 concerning the information prior to exchanges. He also stated that he is not
3 receiving the court-ordered phone contact with the child.
4

5 That Runndley is currently unemployed and receiving unemployment
6 benefits of \$191.00 per week. Runndley's August 20, 2020 Financial
7 Disclosure Form (FDF) represents a gross monthly income (GMI) of
8 \$2,304.00 from unemployment. No explanation for the difference between
9 Runndley's testimony and the FDF information was offered.
10

11 That, on cross-examination, Runndley indicated that he previously
12 worked at a uniform company as an attendant for three years. He could not
13 remember his previous days off from that job.
14

15 That, when asked about the child's statements about Runndley
16 grabbing him in the FMC interview report, Runndley stated that kids say
17 what they are coached to say. Runndley states that he has never hit the
18 child. He stated that the child usually is a liar and cited the statements
19 concerning the child's grades as an example.
20

21 That, Runndley could not remember if he received a credit or
22 reimbursement from the airlines for his March 2020 flight.
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24 That, on re-direct examination, Runndley stated that he is current on
25 his current child support and arrears payment. He admits to having
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1 outstanding arrears. Runndley states that, notwithstanding the child's
2 statements in the FMC interview report, the child does want to be with him.
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4 That Katrina testified in Runndley's case-in-chief. She lives in
5 Mesquite, Texas. The child sleeps on the couch in her one-bedroom
6 apartment. They moved to Texas in March 2017. Katrina did not enroll the
7 child in school for a few weeks after relocating. Katrina has family
8 members living in the state of Texas.
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11 That Katrina testified that the child is currently attending in-person
12 school. He takes the bus to school as Katrina works from 8:00 to 5:00.
13

14 That Katrina reviewed the October 29, 2019 order, which states, on
15 page five: "Either parties' failure to return the child back to the custodial
16 parent on time is a basis for this Court to hold the offending party in
17 contempt." Katrina admitted that she did not put the child on the flight in
18 December 2019 for the winter break. She also admitted that she did not put
19 the child on the flight in March 2020 for spring break. Katrina admitted that
20 the child was in Las Vegas in February 2020 and that she did not advice
21 Runndley of that fact. Katrina did not send the child on time for the summer
22 2020 visitation. Katrina was aware that the child was to be in Runndley's
23 care until the end of the summer 2020 break. Notwithstanding that
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1 understanding, she picked up the child from Runndley's residence on July
2 26, 2020 and did not return the child.
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4 That Katrina indicated that she called Runndley to advise him that she
5 would be picking the child up on July 26, 2020. However, given the way
6 she picked up the child, her credibility is in question regarding that
7 statement.
8

9 That Katrina is in violation of court orders relating to Runndley's
10 winter break 2019, spring break 2020 the start of summer break 2020 and
11 the end of summer break 2020. It should be noted that when she violated the
12 orders at the beginning and end of summer break 2020, there was litigation
13 pending concerning her contempt of visitation orders. Such would typically
14 dissuade someone from blatantly violating court orders, but had no deterrent
15 value for Katrina.
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19 That Katrina indicated that the child was hurt during her taking the
20 child from Runndley in late July 2020. The child had bruises and a sprained
21 ankle. Such further supports that her picking up the child was not agreed
22 upon by the parties.
23

24 That Katrina confirmed that she does not respond to the messages sent
25 to her through the court-ordered Talking Parents application. She does not
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2 send Runndley copies of the child's report cards. The last time she advised
3 Runndley about a doctor's appointment for the child was in 2017.

4 That, on cross-examination, Katrina stated that she took the child to
5 the hospital after picking him up on July 26, 2020. She stated that the child
6 was hurt while running away from Runndley to get into her car. Again, if
7 everyone was aware of the pick-up, why would the child be running away?
8

9 That Katrina indicated that she told Runndley that the child did not
10 want to go back to him. Katrina does not believe that the child is safe in
11 Runndley's care.
12

13 That Katrina testified that the child did not want to go to visit
14 Runndley in December 2019. She stated it was because the child was beaten
15 by Runndley over Thanksgiving 2019 visitation. Katrina stated that she was
16 aware that Runndley purchased a ticket in February 2020 for the child to
17 travel for spring break visitation. She stated that the child was arguing not to
18 go.
19

20 That Katrina wants Runndley to visit the child only in Texas. She
21 indicated that Runndley can stay in a hotel while he is there visiting.
22

23 That Katrina states that the child's current issues with his grades are
24 because of internet issues of which the school is aware. The child was
25 suspended because of talking in class.
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1 That CPS was called in December 2019, but there was no
2 investigation. Katrina stated that the child has never lied to her. The child
3 did fight with her on the spring break 2020 visit.
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5 That Katrina continued to testify in her case-in-chief. She indicated
6 that her father passed away in February 2020 in Las Vegas. Such was the
7 reason she was in Las Vegas during that time. She did not indicate why she
8 did not contact Runndley to advise that the child was in town.
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11 That Katrina stated that she is now willing to permit Runndley
12 compensatory time for the visitation he previously missed. Such is
13 inconsistent with her testimony that the child is in danger when with
14 Runndley and that all visitation should occur in Texas.
15

16 That Katrina then testified that she wants to reduce Runndley's
17 summer visitation to half of the current amount of time. When asked about
18 maintaining contact, Katrina indicated that she would *now* give Runndley
19 her telephone number.
20

21 That Katrina testified that the police showed up at her residence to
22 perform welfare checks "two or three times a week" throughout 2020.
23 Again, Katrina's credibility is in question.
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25 That on cross-examination, Katrina changed her testimony on whether
26 the child was attending in-person school. Evidently the child has not
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attended in-person school, or travelled by school bus to school. In-person school started the previous Monday, but the child is still attending on-line. Again, Katrina's credibility is in question as a result of her inconsistent testimony.

That Katrina confirmed that her offer to permit compensatory time offered during the trial was the first time she ever offered compensatory time.

That Runndley testified again in Katrina's case-in-chief. He stated that he is currently unemployed because of Covid. He is looking for another job as a parking flagger.

That, on cross-examination, Runndley reviewed Exhibit 6, which is the parties' Talking Parents communication. He pointed out that he asked Katrina about the child's grades in the spring of 2019 and that she did not respond. In October 2019, Runndley was attempting to get access to the child's school records.

That Katrina's August 24, 2020 FDF represents a GMI of \$3,470.00 as a medical assistant.

Conclusions of Law

NRS 22.010, dealing with contempt, states:

The following acts or omissions shall be deemed contempts:

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3. Disobedience or resistance to any lawful writ, order, rule or process issued by the court or judge at chambers.

The orders that Katrina is accused of violating were filed on September 19, 2017 and August 4, 2020 (from the June 9, 2020 hearing).

The relevant provisions of the September 19, 2017 order state:

- 4. [Runndley] shall have visitation with the minor child as follows:
 - a) During the summer months, [Runndley] shall have a period of seven (7) weeks beginning one week after school lets out.
 - ...
 - c) [Runndley] shall have the 1st half of the Christmas/winter break in even years and the second half in odd-numbered years. . . .
 - d) [Runndley] shall have the minor child for spring break and Easter (if they coincide) in even-numbered years.

...
7. The Court expects compliance with the Orders.

The relevant provisions of the August 4, 2020 order states:

The child shall remain with [Runndley] during the summer until the child has to go back to school . . . The Court wants the child with [Runndley] to compensate for the time he missed over the last six (6) months.

Both are lawful orders issued by the Court.

The Nevada Supreme Court further clarified the clarity of the orders which are subject to contempt.

An order on which a judgment of contempt is based must be clear and unambiguous, and must spell out the details of compliance in clear,

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2 specific and unambiguous terms so that the person will readily know
3 exactly what duties or obligations are imposed on him.

4 *Div. of Child & Family Servs., v. Eighth Judicial Dist. Court*, 120 Nev. 445,
5 454–55, 92 P. 3d 1239, 1245 (2004) (quoting *Cunningham v. Eighth*
6 *Judicial Dist. Court*, 102 Nev. 551, 559–60, 729 P.2d 1328, 1333-34
(1986)).

7
8 All are clear and unambiguous orders which make clear what the
9 parties must do to comply and what obligations were imposed upon them.
10 Additionally, Katrina was before this Court on several occasions over the
11 years based upon her failures to comply with those same orders.

12
13 While Katrina’s prior violations noted in prior hearings, the Court did
14 not make a contempt finding, preferring to attempt to encourage her
15 compliance in an effort to allow the parties to co-parent. Katrina was
16 warned by the Court prior to the 2017 Order, and several times since that
17 Order, that her continued violation may result in the Court considering a
18 modification based upon best interests of the child. Katrina even violated
19 the court-ordered visitation while waiting for the Order to Show Cause to be
20 heard for prior violations. It appears that the Court’s efforts to encourage
21 compliance were in vain.

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25 In an unpublished decision, the Nevada Supreme Court indicated that,
26 when contempt is criminal in nature, “to impose a contempt sentence, the
27 district court was required to find any violation of the court's order beyond a
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1 reasonable doubt.” *Bohannon v. Eighth Judicial Dist. Court of State in &*
2
3 *for Cty. of Clark*, 400 P.3d 756 (Nev. 2017).

4 The evidence indicates, beyond a reasonable doubt, that Katrina
5 failed, on several occasions, to comply with this Court’s orders relating to
6 Runndley’s visitation. When Katrina’s violations were raised before the
7 Court at the June 9, 2020 hearing, when the Order to Show Cause was
8 issued, Katrina was specifically directed to permit compensatory visitation
9 during the summer. Although the Court gave Katrina a chance to
10 compensate Runndley for his missed time, she instead chose to essentially
11 kidnap the child from Runndley’s care and has refused to return the child
12 since.
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16 While Katrina argued that the child was the reason for the
17 withholding, she did not provide credible evidence that her violations of the
18 orders were not willful.
19

20 Ultimately, Runndley established, beyond a reasonable doubt that
21 Katrina violated the orders mandating Runndley’s visitation.
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23

24 The Nevada Supreme Court has provided additional guidance in
25 contempt actions within the Family Division.
26

27 [T]he Sixth Amendment guarantee of the right to counsel applies only
28 in criminal prosecutions. Whether a contempt proceeding is classified

1
2 as criminal or civil in nature depends on whether it is directed to
3 punish the contemnor or, instead, coerce his compliance with a court
4 directive. Criminal sanctions are punitive in that they serve the
5 purpose of preserving the dignity and authority of the court by
6 punishing a party for offensive behavior. In contrast, civil contempt is
7 said to be remedial in nature, as the sanctions are intended to benefit a
8 party by coercing or compelling the contemnor's future compliance,
9 not punishing them for past bad acts. Moreover, a civil contempt order
10 is indeterminate or conditional; the contemnor's compliance is all that
11 is sought and with that compliance comes the termination of any
12 sanctions imposed. Criminal sanctions, on the other hand, are
13 unconditional or determinate, intended as punishment for a party's
14 past disobedience, with the contemnor's future compliance having no
15 effect on the duration of the sentence imposed.

16 *Rodriguez v. Eighth Judicial Dist. Court*, 120 Nev. 798, 804-05, 102 P.3d
17 41, 45-46 (2004) (citations omitted).

18 The Nevada Supreme Court held “that because the district court's
19 contempt order did not contain a purge clause, it was criminal in nature and
20 [the accused's] Sixth Amendment right to counsel was violated when the
21 contempt order was entered after proceedings in which he was not
22 represented by counsel.” *Lewis v. Lewis*, 132 Nev. Adv. Op. 46, 373 P.3d
23 878, 881 (2016). Runndley never requested incarceration for Katrina's
24 contempt. Since Katrina has counsel, there was no need to consider whether
25 to appointed counsel to represent him in this Show Cause Hearing.

1
2 Considering the evidence presented, it is appropriate to find Katrina in
3 contempt of the September 19, 2017 and August 4, 2020 Orders of this
4 Court.

5
6 The controlling custody order is joint legal custody and primary
7 physical custody order to Katrina. In this case, Runndley is requesting
8 primary physical custody of the child in Las Vegas.

9
10 Regarding modifying physical custody, NRS 125C.0045 states:

11 “1. In any action for determining the custody of a minor child, the
12 court may, except as otherwise provided in this section and NRS
13 125C.0601 to 125C.0693, inclusive, and chapter 130 of NRS:

14 (a) During the pendency of the action, at the final hearing or at
15 any time thereafter during the minority of the child, make such
16 an order for the custody, care, education, maintenance and
17 support of the minor child as appears in his or her best interest;
18 and

19 (b) At any time modify or vacate its order, even if custody was
20 determined pursuant to an action for divorce and the divorce
21 was obtained by default without an appearance in the action by
22 one of the parties.

23 The party seeking such an order shall submit to the jurisdiction of the
24 court for the purposes of this subsection. The court may make such an
25 order upon the application of one of the parties or the legal guardian
26 of the minor.

27 2. Any order for joint custody may be modified or terminated by the
28 court upon the petition of one or both parents or on the court's own
motion if it is shown that the best interest of the child requires the
modification or termination. The court shall state in its decision the

1 reasons for the order of modification or termination if either parent
2 opposes it.”
3

4 In determining whether to modify a primary physical custodial order,
5 the movant must establish that there has been a substantial change of
6 circumstances, affecting the child, since the most recent custody order and
7 that the child’s best interests would be served by the change. *Ellis v.*
8 *Carucci*, 123 Nev. 145, 147, 161 P.3d 239, 240 (2007).
9

10 Since Katrina was granted primary physical custody in Texas, she has
11 made Runndley’s ability to maintain a relationship with the child difficult
12 through withholding visitation as well as regular electronic communication.
13 Such is a substantial change of circumstances affecting the child. The Court
14 must next look to whether a modification would be in the child’s best
15 interests.
16
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18 In analyzing the best interest of the child, the court must analyze the
19 factors enumerated in NRS 125C.0035(4). Those factors are reviewed
20 below:
21

22 *The wishes of the child if the child is of sufficient age and*
23 *capacity to form an intelligent preference as to his or her physical*
24 *custody.* The child is 13 years old. The child is of sufficient age and
25 capacity to form an intelligent preference as to his physical custody.
26
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1 Katrina stated that she believes the child is capable of choosing. The
2 child expressed, within his August 17, 2020 FMC interview report,
3 that he is not happy with the current time-share arrangement. He
4 desires to spend more time with Katrina. This factor favors Katrina.
5

6
7 *Any nomination of a guardian for the child by a parent.* No
8 nomination occurred in this case.
9

10 *Which parent is more likely to allow the child to have frequent*
11 *associations and a continuing relationship with the noncustodial*
12 *parent.* Since relocating to Texas, and contrary to suggestions by two
13 different courts, Katrina has stood in the way of Runndley's court-
14 ordered visitation. The communication between the parents, contained
15 in Exhibit 6, indicates that Katrina either refuses to respond to
16 requests or simply does not permit contact. Even between the initial
17 hearing when the evidentiary hearing was set and the evidentiary
18 hearing, Katrina essentially kidnapped the child during Runndley's
19 visitation time and did not return the child. There is some indication
20 that Katrina had difficulty communicating with the child while in
21 Runndley's care as well. Ultimately, this factor favors Runndley.
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26 *The level of conflict between the parents.* There is a substantial
27 amount of conflict in this case. Previously it was based on child
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support issues and, since relocation, it has focused on visitation issues. Katrina is a poor communicator. Runndley's responses do not help the situation. While Katrina's actions typically initiate conflict, this factor favors Runndley.

The ability of the parents to cooperate to meet the needs of the child. Katrina indicates that she will provide information "when asked." However, her role as primary physical custodian requires more than that. She says she is now able to cooperate. Runndley indicated that Katrina refuses to respond to his requests for information regarding the child. This factor is neutral.

The mental and physical health of the parents. Neither party indicated any health issues. Therefore, this factor is neutral.

The physical, developmental and emotional needs of the child. It should be noted that Katrina was not cooperative with Runndley's visitation prior to her allegations of abuse. The Court is concerned that the child must sleep on a couch at Katrina's residence and, as a teenager, has no privacy. There is also concern about Katrina's continual efforts to limit the child's healthy contact with Runndley. This factor favors Runndley.

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The nature of the relationship of the child with each parent.

Katrina discussed her relationship with the child as a good mother/child relationship. She states that she is the only parent taking care of the child. Runndley described his relationship as good. They like going outside and on vacations. Runndley did state that the child does not like discipline. Ultimately, this factor is neutral.

The ability to maintain a relationship with a sibling.

The child has a half-sister and half-brother in Runndley's household with whom the child has a good relationship. No siblings in Katrina's home were referenced. Therefore, this factor favors Runndley.

Any history of parental abuse or neglect of the child or a sibling of the child. No evidence was presented concerning this factor.

Whether either parent has engaged in an act of domestic violence against the child, a parent of the child or any other person residing with the child. Katrina is concerned that the child is being abused while with Runndley. The child's only reference to any issue was "the time that my dad grabbed me." No credible evidence of abuse was presented concerning this factor. This factor is neutral.

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Whether either parent has engaged in an act of abduction.

Katrina's actions, in direct contravention of a specific court-order in July 2020 is concerning. It is more concerning that it occurred while under the Court's microscope, with an Order to Show Cause for similar behavior pending. Katrina's abduction of the child is consistent with her pattern of violating Runndley's ability to maintain a healthy relationship with the child. This factor favors Runndley.

Given that Katrina currently maintains primary physical custody, Runndley bore the burden of establishing that is would be in the child's best interests to modify the custodial situation. He met that burden. The Court can modify physical custody on this record. *See* NRS 125C.003.

Given the physical custody order, it is appropriate that child support be set. Applying Katrina's GMI of \$3,470.00 to the regulatory formula of sixteen percent (16%) results in a monthly obligation of \$555.00. *See* NAC 425.145. No adjustment evidence was provided pursuant to NAC 425.150

Decision

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that Katrina is found to be in contempt of this Court's orders relating to Runndley's visitation time with the child. The Court will not issue a sanction for that contempt, other than compensatory time, which Runndley

1 will receive as a result of the custodial change. While Katrina's acts were
2 considered as part of the request to modify custody, the custodial change is
3 based upon Runndley meeting the legal requirements for modification and
4 not a sanction for Katrina's contempt.
5

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7 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that
8 Runndley's motion to modify physical custody is GRANTED. It is in the
9 best interest of the child that the he be awarded primary physical custody.
10 That change of custody shall occur on or before October 11, 2020. Upon
11 return to Las Vegas, the child is to immediately be enrolled into his new
12 school. That process should be started prior to the child arriving. The
13 parties are directed to cooperate in the changing of schools.
14
15

16 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the
17 parties shall continue to share joint legal custody. As the definitions were
18 not laid out in the September 2017 Order, they are included herein.
19

20 The parents shall consult with each other in substantial
21 questions relating to religious upbringing, educational
22 programs, significant changes in social environment, and health
23 care of the child.

24 The parents shall have access to medical and school records
25 pertaining to the child and shall jointly consult, when possible,
26 with any and all professionals involved with the child.
27 All schools, health care providers, day care providers, and
28 counselors shall be, when possible, selected by the parties
jointly. In the event that the parties cannot agree to the
selection of a school, the child shall be maintained in the

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present school pending mediation and/or further Order of the Court.

Each parent shall be empowered to obtain emergency health care for the child without the consent of the other parent. Each parent shall notify the other parent as soon as reasonably possible of any illness requiring medical attention, or any emergency involving the child.

Each parent shall provide the other parent, upon receipt, information concerning the well-being of the child, including, but not limited to, copies of report cards; school meeting notices; vacation schedules; class programs; requests for conferences; results of standardized or diagnostic tests; notice of activities involving the child; samples of school work; order forms for school pictures; and all communications from health care providers. The parents shall also exchange the names, addresses and telephone numbers of all schools, health care providers, regular day care providers, and counselors who have contact with the child.

Each parent shall provide the other parent, upon receipt, information concerning school, athletic, religious, and social events in which the child participates. Both parents may participate in activities for the child, such as open house, attendance at an athletic event, etc.

Each parent shall provide the other parent with a travel itinerary and, whenever reasonably possible, telephone numbers at which the child can be reached whenever the child will be away from the parent's home for any period in excess of two days.

Each parent shall be entitled to reasonable telephone communication with the child. Each parent is restrained from unreasonably interfering with each child's right to privacy during such telephone conversations.

1
2 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that
3 Runndley's current child support obligation shall be terminated following
4 his October 2020 support payment, but any arrears must still be paid.
5 Katrina's child support obligation is determined to be \$555.00 per month
6 beginning November 2020. Such support shall continue until further order
7 of the Court, upon a three year review, or substantial change of
8 circumstances.
9

10
11 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that it
12 is in the child's best interest that following the change in physical custody,
13 the parties' timeshare with the child be modified as follows:
14

15 During the summer break from school, Katrina shall have a period of
16 six weeks of custodial time beginning one week after school lets out.

17 Katrina shall have the Thanksgiving break from school in even years.

18 Katrina shall have the first half of the winter break from school in odd
19 years and the second half in even years.

20 Katrina shall have the child for spring break in odd years.

21 Katrina shall be permitted to visit with the child in Las Vegas, so long
22 as she provides 14 days written notice and the visitation does not
23 interfere with the child's school. The provisions within this paragraph
24 are limited to four occasions within any 12 month period and are not
25 to exceed 48 hours in length.

26 All remaining custodial time shall be assigned to Runndley.
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Both parties are required to provide a written itinerary prior to transporting the child.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Runndley did not establish that he was out-of-pocket for the recent travel expense, as he indicated that he may receive a credit for that missed flight. As such, his request for reimbursement is DENIED.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each side shall bear their own attorney's fees and costs.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all prior orders, not modified by this Order, including the costs of transportation, shall remain in full force and effect.

IT IS SO ORDERED this 23rd day of Sept., 2020



CHARLES J. HOSKIN
District Court Judge

emphasized a request to have Defendant drug tested with a walk through of Defendant's residents where minor child will visit. Defendant admitted to marijuana usage on 5/9/17, and occasionally taking Hydrocodone for medical purposes. Plaintiff's counsel requesting Non- Jury Trial. COURT ORDERED as follows:

1. NON-JURY TRIAL set for 08/01/2017 at 1:30 PM.
2. Each party shall have ninety (90) minutes to present their case which includes opening statements, examination time (direct and cross) and closing statements.
3. Pretrial memorandum/Prehearing briefs to be exchanged and filed with courtesy copies delivered to chambers no later than 07/25/2017.
4. Discovery shall close at the close of business on 07/21/2017.
5. Parties are to exchange lists of witnesses no later than the close of business on 06/12/17 which is to include the name of the witness, address of the witness, telephone number and a brief description of what each witness shall have to offer. Any witness not identified in advance of the hearing who is presented at the hearing will not be permitted to testify at the hearing absent compelling circumstances. (The Court expects testimony from the parties.)
6. Parties are to exchange their proposed exhibits by 07/25/2017 and they are to provide their proposed exhibits to the Court Clerk by the close of business on 07/25/2017. Exhibits for Plaintiff are to be marked numerically and exhibits for Defendant are to be marked alphabetically. Exhibits are not to be filed.
7. Court hearing for 5/18/17 VACATED.
8. Parties are to abide by the Visitation and Access Agreement entered in case R-07-139754-R.
9. Once the school year ends, the parties shall exercise a month-on/month-off schedule.
10. Defendant will have minor child for the month of June, Plaintiff to have minor child for the month of July.
11. Defendant is to present himself to the American Toxicology Institute(ATI) today by 11:00 AM to provide hair and urine samples for drug screening. Failure to test by 11:00 AM shall be deemed as a failed test, Plaintiff shall front the cost of drug test.

12. Defendant admonished not use MARIJUANA around minor child.

13. Plaintiff may request ONE RANDOM DRUG SCREENING for Defendant at anytime before trial. However; Plaintiff will be responsible for cost and must make request by 10:00 AM through

PRINT DATE:	10/19/2020	Page 2 of 31	Minutes Date:	May 09, 2017
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chambers. Once Defendant is notified he will have to the CLOSE of business to present himself for SCREENING.

14. Parties to take photographs of the physical resident where the minor child shall reside while in their care.

15. Plaintiff's temporary relocation request is DENIED.

16. Defendant's wage assignment set for \$157.00 stays from R-07-139754-R.

17. Honk and seatbelt Rule to take place during EXCHANGES.

18. All communication must be through TEXT or E-MAIL.

Mr. Snow to prepare the Order from today's hearing, Mr. Anter to countersign.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	10/19/2020	Page 3 of 31	Minutes Date:	May 09, 2017
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint**COURT MINUTES**

July 12, 2017

D-17-550112-C Katrina Yarnell Carter, Plaintiff.
vs.
Runndley Ducksworth, Defendant.

July 12, 2017 9:00 AM All Pending Motions

HEARD BY: Duckworth, Bryce C.**COURTROOM:** Courtroom 01**COURT CLERK:** Michael A. Padilla**PARTIES:**

Katrina Carter, Plaintiff, Counter Defendant, Pro Se
present
Katron Ducksworth, Subject Minor, not
present
Runndley Ducksworth, Defendant, Counter Pro Se
Claimant, present

JOURNAL ENTRIES

- PLAINTIFF'S MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT ... DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION FOR AND ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT.

Plaintiff present and participating telephonically.

Upon inquiry by the Court, Mr. Anter stated there's been no resolution. Upon further inquiry by the Court, Plaintiff stated she is in Texas and the minor child is currently with her family in Las Vegas. Following discussion, COURT ORDERED, neither party may engage in self-help. There shall be no modification to the current Orders pending the trial on 8/1/17 at 1:30 PM.

INTERIM CONDITIONS:

PRINT DATE:	10/19/2020	Page 4 of 31	Minutes Date:	May 09, 2017
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FUTURE HEARINGS:

PRINT DATE:	10/19/2020	Page 5 of 31	Minutes Date:	May 09, 2017
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint**COURT MINUTES**

August 01, 2017

D-17-550112-C Katrina Yarnell Carter, Plaintiff.
vs.
Runndley Ducksworth, Defendant.

August 01, 2017 1:30 PM Non-Jury Trial

HEARD BY: Hardcastle, Gerald W.**COURTROOM:** Courtroom 01**COURT CLERK:** Michael A. Padilla**PARTIES:**

Katrina Carter, Plaintiff, Counter Defendant, Pro Se
present
Katron Ducksworth, Subject Minor, not
present
Runndley Ducksworth, Defendant, Counter Pro Se
Claimant, present

JOURNAL ENTRIES

- Attorney Kristofer Snow, Nevada Bar #13253, present with Plaintiff in an UNBUNDLED CAPACITY.

Open statements. Testimony and exhibits provided (see worksheets). Closing statements. Based upon the COURT'S FINDINGS as set forth on the record, COURT ORDERED, as follows:

1. The parties shall be awarded JOINT LEGAL CUSTODY of the minor child.
2. Plaintiff shall be awarded PRIMARY PHYSICAL CUSTODY of the minor child. This Court maintains jurisdiction over custodial issues.
3. Plaintiff shall be allowed to relocate with the minor child to the State of Texas.
4. Defendant shall have VISITATION with the minor child as follows:

PRINT DATE:	10/19/2020	Page 6 of 31	Minutes Date:	May 09, 2017
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a) During the summer months, Defendant shall have a period of seven (7) weeks beginning one week after school lets out. Plaintiff shall be allowed to VISIT the minor child for a period not to exceed two days twice if she decides to travel to Las Vegas during the summer.

b) Defendant shall have Thanksgiving in odd-numbered years.

c) Defendant shall have the 1st half of the Christmas/winter break in even-numbered years and the second half in odd-numbered years. The first half shall begin the day school lets out and the second half shall conclude the day before school resumes.

d) Defendant shall have the minor child for spring break and Easter (if they coincide) in even-numbered years.

e) Defendant shall be allowed to VISIT the minor child in Texas so long as he provides Plaintiff with 48 hours advance notice of his intent. These VISITS are not to interfere with school.

5. Defendant shall continue to pay CHILD SUPPORT in the amount of \$157.00 per month.

6. Effective immediately, so long as Defendant is current in making his CHILD SUPPORT payments, then Plaintiff shall be responsible for the cost of transportation. However, if Defendant is not current, then he shall be responsible for the cost of transportation.

7. The Court expects compliance with the Orders.

Mr. Snow is to prepare the Order from today's hearing with Mr. Anter to countersign within 10 days.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	10/19/2020	Page 7 of 31	Minutes Date:	May 09, 2017
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

January 24, 2018

D-17-550112-C Katrina Yarnell Carter, Plaintiff.
vs.
Runndley Ducksworth, Defendant.

January 24, 2018 10:00 AM All Pending Motions

HEARD BY: Hoskin, Charles J. **COURTROOM:** Courtroom 02

COURT CLERK: Carol Foley

PARTIES:

Katrina Carter, Plaintiff, Counter Defendant, Pro Se
not present
Katron Ducksworth, Subject Minor, not
present
Runndley Ducksworth, Defendant, Counter Pro Se
Claimant, present

JOURNAL ENTRIES

- DEFT'S MOTION AND NOTICE OF MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT... PLTF'S OPPOSITION TO MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT

Telephonic appearance by Plaintiff. Scott Olifant, Esq., #7471, present with Defendant in an unbundled capacity.

Matter trailed for Mr. Driscoll to call his client to discuss a resolution that counsel discussed today.

Matter recalled: Mr. Driscoll stated the terms of the agreement.

PER STIPULATION:

Parties will continue to abide by the most recent order that requires Defendant to be current on

PRINT DATE:	10/19/2020	Page 8 of 31	Minutes Date:	May 09, 2017
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support, and if he is current the Plaintiff will be paying for travel costs.

Defendant missed the Thanksgiving visitation. Defendant will receive Plaintiff's Thanksgiving this year and then receive his normal Thanksgiving the following year.

Parties agreed to abide by a mutual behavior order and the Court's default form satisfies both parties.

Parties will communicate via Talking Parents. If they decide to go to another app later that is up to them.

There should be two phone calls between the Defendant and the minor child each week - Sunday nights and Wednesday nights at 6:00 p.m. Defendant is to initiate the call at 6:00 p.m. where the child is. Phone call should not exceed thirty minutes.

Defendant is allowed to have phone calls on the child's birthday and other important holidays, and parties will communicate via Talking Parents and arrange for a phone call if it not going to happen at the normal 6:00 p.m. time period.

Each party is to bear their own fees and costs for today's hearing.

Plaintiff concurred with the terms stated on the record. Defendant was not feeling well and stepped out of the courtroom. Mr. Olifant concurred with the terms stated on the record.

Behavior Order ISSUED and FILED IN OPEN COURT.

Counsel agreed to enforceability of the agreement under EDCR 7.50 until the order is submitted.
COURT SO ORDERED.

Mr. Olifant is to prepare the order and send it to Mr. Driscoll to review and sign off.

The case will be closed when the order is entered.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	10/19/2020	Page 9 of 31	Minutes Date:	May 09, 2017
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

June 07, 2018

D-17-550112-C Katrina Yarnell Carter, Plaintiff.
vs.
Runndley Ducksworth, Defendant.

June 07, 2018 10:00 AM All Pending Motions

HEARD BY: Hoskin, Charles J. **COURTROOM:** Courtroom 02

COURT CLERK: Carol Foley

PARTIES:

Katrina Carter, Plaintiff, Counter Defendant, Pro Se
present
Katron Ducksworth, Subject Minor, not
present
Runndley Ducksworth, Defendant, Counter Pro Se
Claimant, present

JOURNAL ENTRIES

- DEFT'S MOTION FOR AN ORDER TO SHOW CAUSE...PLTF'S OPPOSITION TO MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT

Warren Freeman, Esq., #11965, present with Defendant in an unbundled capacity.

Statement by Mr. Freeman regarding the motion. Mr. Freeman advised Defendant is current and his wages have been garnished but he was informed funds are being held because of a welfare investigation against Plaintiff. Statement by Plaintiff regarding the opposition.

Mr. Freeman advised Plaintiff just signed up for Talking Parents last week. Plaintiff advised she did not have the paperwork. Plaintiff requested a modification of the custody order. Court noted that request is not before the Court today.

Court noted its concern that phone calls have not occurred as indicated at the hearing in January.

PRINT DATE:	10/19/2020	Page 10 of 31	Minutes Date:	May 09, 2017
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Plaintiff requested that the phone calls be monitored to avoid inappropriate conversations.

COURT ORDERED,

Court ADMONISHED the parties that they need to comply with court orders.

The question is whether Defendant is current on child support or not and who is responsible for the transportation costs. Court does not have any documentation to indicate whether Defendant is current on child support or not. Defendant may provide information to the Court and Plaintiff may provide information to the Court within ten days. Court will issue a minute order.

Defendant is entitled to summer visitation. If Defendant purchases a plane ticket for the child to come here and Court needs to reassess those costs, Court is happy to do that. Defendant should make arrangements right away and communicate with Plaintiff via Talking Parents.

If Court finds that Defendant is current on child support, Court will issue an order to show cause and set a show cause hearing to have Plaintiff demonstrate why she should not be held in contempt of Court.

Plaintiff needs to follow court orders. If Plaintiff believes there is a need for a change, she needs to seek change rather than violate court orders.

There should have been communication regarding summer school on Talking Parents.

Request to reverse the prior court order is DENIED. There is not a basis to do so at this point.

The parties have joint legal custody of the minor child and Defendant needs to be listed as a contact on the child's school records and be provided information with regard to medical situations, where the child is going to school, etc. All that can be done on Talking Parents.

Court needs at least a 20% change in income to review child support and that has not been demonstrated.

Phone calls need to take place. Court does not see a basis for telephone calls to be recorded or monitored on speaker phone.

Court assumes Plaintiff would be able to have phone contact with the minor child when the child is with Defendant but that is not part of the court order.

PRINT DATE:	10/19/2020	Page 11 of 31	Minutes Date:	May 09, 2017
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INTERIM CONDITIONS:

FUTURE HEARINGS:

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

August 14, 2018

D-17-550112-C Katrina Yarnell Carter, Plaintiff.
vs.
Runndley Ducksworth, Defendant.

August 14, 2018 10:00 AM All Pending Motions

HEARD BY: Hoskin, Charles J. **COURTROOM:** Courtroom 02

COURT CLERK: Sherri Estes

PARTIES:

Katrina Carter, Plaintiff, Counter Defendant, Pro Se
present
Katron Ducksworth, Subject Minor, not
present
Runndley Ducksworth, Defendant, Counter Pro Se
Claimant, present

JOURNAL ENTRIES

-- DEFENDANT'S MOTION AND NOTICE OF MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT PLAINTIFF'S OPPOSITION TO MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT DEFENDANT'S MOTION FOR ORDERS TO MODIFY CHILD CUSTODY, VISITATION AND OR CHILD SUPPORT DEFENDANT'S REPLY TO OPPOSITION AND/OR COUNTERCLAIM ORDER TO SHOW CAUSE

Christopher Snow, Esq. (bar #13253) present and appearing UNBUNDLED on behalf of Plaintiff/Mom.

Upon the Court's inquiry, Mr. Snow represented the minor child has been returned; COURT NOTES the issue is MOOT.

Dad put on the record the communication between him and Mom regarding seeing the minor child, having access to the child's school records, and information regarding medical providers. It was

PRINT DATE:	10/19/2020	Page 13 of 31	Minutes Date:	May 09, 2017
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Dad's understanding once he purchased the airline ticket he would have the child in June after the hearing. Dad enrolled in Talking Parents. Dad informed the Court he is current with child support; the Court CONFIRMED same. Dad is requesting reimbursement for the airline ticket he purchased when Mom failed to send the child for day it was purchased for. Dad wants to be informed about the child and for Mom to pay for the transportation since she relocated (so long as he is current with his child support obligation).

Mr. Snow reference the June 7th hearing date and Mom sending the child to Dad the very next day (the child's things were not ready to leave that specific day). Mr. Snow went over the last hearing and what Judge Hardcastle put on the record. Mr. Snow represented Dad has been less than respectful to Mom during their conversations. Further discussion regarding same. Discussion regarding when the phone calls are to take place and Dad failure to comply with the order. Mom is requesting a modification when the call(s) should take place due to her work schedule; she is requesting it change from 6:00 p.m. to 8:00 p.m.

Mr. Snow put some proposals on the record as to the flights/transportation costs. Further discussion regarding Dad being limited to filing motions. Mr. Snow is requesting Attorney's Fees (\$600.00). Mr. Snow advised the Court that Dad has a pending criminal trial related to Domestic Violence against his current live-in girlfriend. Mr. Snow believes any relief being requested for a change of custody should be denied.

COURT NOTES Judge Hardcastle made an order allowing Mom to relocate to the State of Texas and put other orders in place. This was a Department Q's case and now before this Court. COURT NOTES there is a reasonable basis with confusion regarding transportation. There are two ways at looking at if Dad is current related to his child support obligation, arrears and the fact there are too many ways to make that determination indicates to the Court something needs to be done.

COURT FINDS it was unreasonable the day of the hearing the child would be sent to Nevada from Texas and the next day was reasonable. Given the history of the case there should have been better communication.

COURT stated its FINDINGS and ORDERED the following:

1. The Court shall CONTINUE to COMMUNICATE through TALKING PARENTS as previously ordered in January 2018. Everything related to the minor child should be addressed and discussed through TALKING PARENTS.
2. The COURT does not FIND there was a clear order for the Court to make a determination there was a violation of that order because of the inconsistencies indicated, so the request for CONTEMPT under the Show Cause order is DENIED.
3. There is an ongoing duty for both parties to ABIDE by the BEHAVIOR ORDER the Court put into place in January 2018.

PRINT DATE:	10/19/2020	Page 14 of 31	Minutes Date:	May 09, 2017
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4. The Court directed Dad to make sure he is listed on the child's school records now he has the school information.
5. Dad's request to MODIFY physical custody is DENIED based on his failure to demonstrate there has been a change in circumstances under Ellis.
6. As for the Countermotion issues, the Court does not have a basis to modify CHILD SUPPORT or impute income to Dad, and therefore, the request is DENIED.
7. RECORDING CONVERSATIONS: Unless there is an actual EMERGENCY, there is NO basis to record any conversation between one another and therefore the request is DENIED; all communication shall go through TALKING PARENTS.
8. TELEPHONIC COMMUNICATION: Dad has no issue with the phone calls taking place at 6:00 p.m. (PST).
9. TRANSPORTATION COSTS: Dad being current on child support is not a reasonable way to determine who pays the costs of transportation. Going forward the parties shall share in the cost of transportation. The receiving party will pay for the child to return to them. The order is clear with regards to when the child is to be returned. As long as there is no violation of the visitation schedule the receiving party will determine when the child returns.
10. Mr. Snow is looking for the Court to determine Dad as a vexatious litigant; the COURT does not FINDS Dad to be a vexatious litigant as it has not been the history in the case. However, if it becomes an issue in the future the Court may consider Dad being a vexatious litigant. As it stands now the standard has not been met currently.
11. Mr. Snow is requesting ATTORNEY'S FEES. The COURT does not FIND it appropriate given the orders put into place today pursuant to NRS 18.010 and therefore each shall bear their own fees and costs.

Mr. Snow shall prepare the order.

CASE CLOSED

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	10/19/2020	Page 15 of 31	Minutes Date:	May 09, 2017
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to handle the responsibility of having the child. Dad is requesting Mom not book flights at 1:00 a.m. in the morning as it is inconvenient and is cutting his visitation short. Dad does not want to have to communicate with Mom's mother; her mother is demanding to see the child during his custodial time. Dad has no issue with the child having a burner phone. Further, Mom does not send the child with anything other than the clothes on his back. Dad is seeking a modification of custody based on the lack of communication, cutting into Dad's timeshare, and based on the child's grades declining.

Mom represented Dad is not returning the child back to her on time. Mom wants the Court to ask the child where he wants to live; the Court wants to know why that would be in the child's best interest to involve him in these proceedings. Mom represented Dad harasses her daily and hits the child when in his care. The Court inquired why she has not contacted Child Protective Services (CPS); Mom said she was advised to address it through court. Mom would like to keep the child more this year, and enroll the child into summer school so she can get the child back on track. Further discussion regarding same.

Mr. Freeman represented Mom is constantly calling the police for well checks and Dad is not beating the child. Dad wants Mom to stop bad mouthing him. Further discussion regarding Mr. Freeman's representation of a change in circumstance as there is harassment by both parties and/or the lack there of, and Dad's feels the child would be better with off with him. Additionally, Mom is not providing Dad with a travel itinerary, and he is requesting 7 to 14 day s notice.

Arguments. COURT ORDERED the following:

1. Mom's request for a burner phone so she can contact the child while in Dad's care is GRANTED.
2. As for the airfare, the Court has already addressed this issue. The Court shall require a reasonable to time for the child to fly (not 1:00 a.m.).
3. The Court does not find good cause to limit Dad's time over the summer as his time is limited already (Mom moved to Texas) and therefore the current VISITATION shall be MAINTAINED.
4. Any/All information regarding the child's medical and school shall be communicated between the parties as part of the Joint Legal Custody provision.
5. The Court ADMONISHED the parties to focus of what is best for the minor child and not what is worse for the other parent.
6. Court order needs to be followed regarding contact between the parents whether through video or not, the Court is not sure why the calls between Dad and the child are one minute in length. The Court directed the parties to be encouraging regarding the other parent s relationship with the child and their contact versus a discouragement moving forward.

7. The Court has no basis to modify and/or review the current physical custodial arrangement at this

PRINT DATE:	10/19/2020	Page 17 of 31	Minutes Date:	May 09, 2017
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time, nor has there been a substantial change in circumstance or has it been established it would be in the child's best interest; therefore the request for a modification is DENIED.

8. The request for a modification of travel costs is DENIED; the Court previously modified and clarified.

9. The child should have the appropriate clothing when traveling from one parent to the other. The Court is hopeful the parties can focus on being parents and doing what is best for the minor child instead of trying to harm one another.

10. The parties are required to follow the Behavior Order previously issued.

11. This Court will maintain Uniform Child Custody Jurisdiction Enforcement Act (UCCJEA) jurisdiction.

12. The Court is not able to address CHILD SUPPORT ARREARS as there is an active child support case (R-07-139754-R); the Court shall DEFER to them to address the issue.

Mr. Freeman shall prepare the order.

CASE CLOSED

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	10/19/2020	Page 18 of 31	Minutes Date:	May 09, 2017
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

October 15, 2019

D-17-550112-C Katrina Yarnell Carter, Plaintiff.
vs.
Runndley Ducksworth, Defendant.

October 15, 2019 9:00 AM All Pending Motions

HEARD BY: Hoskin, Charles J. **COURTROOM:** Courtroom 02

COURT CLERK: Sherri Estes

PARTIES:

Katrina Carter, Plaintiff, Counter Defendant, Pro Se
present
Katron Ducksworth, Subject Minor, not
present
Runndley Ducksworth, Defendant, Counter Pro Se
Claimant, present

JOURNAL ENTRIES

-- DEFENDANT'S MOTION AND NOTICE OF MOTION FOR ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT...DEFENDANT'S MOTION AND NOTICE OF MOTION FOR ORDERS TO MODIFY CHILD CUSTODY, VISITATION AND/OR CHILD SUPPORT...PLAINTIFF'S OPPOSITION TO MOTION FOR ORDER TO ENFORCE AND FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT

Warren Freeman, Esq. (bar #11965) present and appearing unbundled on behalf of Defendant/Dad. Plaintiff/Mom is appearing by telephone.

Discussion regarding Mom s failure to notify Dad after she relocated again, her failure to notify Dad she changed the child's school, her failure to keep Dad informed about the child's grades declining, the child sleeping in class and Dad not receiving the child's report card due to the changing of schools. Further discussion regarding Mom being in violation of the Court's orders and her failure to communicate with Dad through Talking Parents. Further, Mom is not allowing Dad to speak with the child on Facetime. Mr. Freeman represented there has been a substantial change by Mom not

PRINT DATE:	10/19/2020	Page 19 of 31	Minutes Date:	May 09, 2017
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allowing Dad to communicate with the child and Mom changing the child's school. Mr. Freeman stated Dad has no way to communicate with the child. Mom tries to use the police to hurt Dad, does not follow basic orders, and she should be held in contempt for her failure to follow the court orders.

Mom said Dad informed her he will constantly take her to court until he gets full custody and she has to pay him child support. Mom indicated Dad does speak with the child, knows what school he is attending because he has been speaking with the teachers and over the summer she was not able to see or speak with the child during the six (6) weeks he had the child. Mom said Dad would not release the child to her on time, he is constantly causing conflict between her and the child and he is only paying thirty dollars (\$30.00) per month in child support, he does not help, he continues harassing her, he calls the teachers to find out anything negative and really does not care about the child. Mom represented she came to Las Vegas two (2) days early to see the child prior to picking the child back up. The Court confirmed and informed Mom there is a specific order that she provide Dad with advance notice when she wishes to exercise her two (2) days during the summer months. Upon the Courts inquiry, Mom stated she did not provide Dad with notification because she was not aware of it. Further discussion regarding Mom showing up in the middle of the night to see the child. Mom indicated she has moved and updated the Court but did not provide the information to Dad. The Court informed Mom anything she files with the court she must provide Dad with a copy. The Court further inquired if Mom changed the child school; Mom indicated she had changed the child's school and did not discuss it with Dad because he had been speaking with the child and knew about it through the child. The Court stated its concerns regarding the child being the go-between.

COURT NOTES this case has been overly litigated and the games the parents are playing are disconcerting to the Court. The Court does not understand why Mom would tack on her two (2) days at the end of Dad's summer visitation. The Court further stated there were inconsistencies with Dad's motion based on the representations made today. In addition, child support is being brought up in this case when there is an upcoming hearing in case R-19-208823-R and it is being litigated in that case.

For the record on 7/29/19 Mom filed a Notice of Change of Address providing her P.O. Box which the Court stated is fine for service; however inquired about the physical address the child is located. Mom provided Dad on the record with her physical address; 1505 Jessica Lane, Mesquite, Texas 75149.

COURT stated its FINDINGS and ORDERED the following:

1. MODIFICATION OF CUSTODY: Dad failed to meet the standards under Ellis regarding a substantial change and that it would be in the child's best interest for the change. Dad's request to MODIFY PHYSICAL CUSTODY is DENIED. COURT FINDS no basis to RELOCATE the child back to Nevada.
2. ORDER TO SHOW CAUSE: The court orders are not specific enough for this Court to make those findings; and therefore the request for the OSC is DENIED. The Court did confirm Mom is permitted

PRINT DATE:	10/19/2020	Page 20 of 31	Minutes Date:	May 09, 2017
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to visit with the child for two (2) days during the summer while in Dad's care and shall include a 48 hour notice requirement in addition to the August 2017 order moving forward.

3. CHILD SUPPORT shall be DEFERRED to Child Support Court.

4. FACETIME: There is no order for Dad to have facetime and therefore the Court cannot hold Mom in contempt for that and the so the request is DENIED.

5. PHONE CALLS: There is a specific order in place. Sunday and Wednesday nights not exceeding thirty (30) minutes and neither party should be hanging up as both parties are entitled to talk to the child during their non-custodial time. COURT FINDS no basis to record the phone call and put that order in place at a prior hearing. There is a request to change the phone calls days to Sunday and Wednesday which the Court stated was already done and exists from the January 24, 2018 hearing.

6. VISITATION: COURT FINDS no basis to modify visitation. Either parties failure to return the child back to the custodial parent on time is a basis for this Court to hold the offending party in contempt.

7. VEXATIOUS: COURT FINDS no basis to deem Dad as a vexation litigant and for the record the prior motion filed in this case prior to this current motion was filed by Mom.

8. As for the request for Dad to work a full time job is not something for the Court to put in place at this point unless there is an argument for willful unemployment or underemployment; and the Court does not have that argument before it today.

9. The relief requested to day is DENIED the current order shall remain in full force and effect. The Court directed the parties to follow the court orders. If there are changes in regards to the child the parties are required to provide that information to the other parent through Talking Parents.

10. SCHOOL: The minor child is currently attending Agnew Middle School.

Mr. Freeman shall prepare the order.

CASE CLOSED

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	10/19/2020	Page 21 of 31	Minutes Date:	May 09, 2017
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DISTRICT COURT
CLARK COUNTY, NEVADA

Child Custody Complaint

COURT MINUTES

March 09, 2020

D-17-550112-C Katrina Yarnell Carter, Plaintiff.
vs.
Runndley Ducksworth, Defendant.

March 09, 2020 7:30 AM Minute Order

HEARD BY: Hoskin, Charles J. COURTROOM: Courtroom 02

COURT CLERK: Sherri Estes

PARTIES:

Katrina Carter, Plaintiff, Counter Defendant, Pro Se
not present
Katron Ducksworth, Subject Minor, not
present
Runndley Ducksworth, Defendant, Counter Pro Se
Claimant, not present

JOURNAL ENTRIES

-- Journal Entry No Hearing Held and No Appearances

THE COURT FINDS that this Court has received an Affidavit Seeking Disqualification of Judge Due to Bias or Prejudice filed by the Plaintiff on March 5, 2020. Said affidavit was served upon this Court in accordance to NRS 1.235 (4).

Pursuant to NRS 1.235(5) this Court shall not proceed any further with this matter until resolution of this issue by the chief judge. The April 23, 2020 hearing shall be taken off calendar and re-set once this issue is resolved.

A copy of this minute order should be furnished to the parties and Chief Judge Linda Bell. It is so ORDERED.

CLERK'S NOTE: A copy of this minute order was sent to both parties at the addresses below and a copy forwarded to the Chief Judge Linda Bell.

PRINT DATE:	10/19/2020	Page 22 of 31	Minutes Date:	May 09, 2017
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D-17-550112-C

Katrina Yarnell Carter
969 W Cartwright RD
APT 101
Mesquite TX 75149

Runndley Ducksworth
2221 Mediterranean Sea Ave
North Las Vegas NV 89031

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	10/19/2020	Page 23 of 31	Minutes Date:	May 09, 2017
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

June 09, 2020

D-17-550112-C Katrina Yarnell Carter, Plaintiff.
vs.
Runndley Ducksworth, Defendant.

June 09, 2020 9:00 AM All Pending Motions

HEARD BY: Hoskin, Charles J.

COURTROOM: Courtroom 02

COURT CLERK: Sherri Estes

PARTIES:

Katrina Carter, Plaintiff, Counter Defendant, Pro Se
present
Katron Ducksworth, Subject Minor, not
present
Michele Roberts, Unbundled Attorney, present
Runndley Ducksworth, Defendant, Counter Pro Se
Claimant, present

JOURNAL ENTRIES

-- DEFENDANT'S MOTION AND NOTICE OF MOTION FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT AND TO ENFORCE CHILD CUSTODY AND/OR VISITATION...PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION AND NOTICE OF MOTION FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT AND TO ENFORCE CHILD CUSTODY AND/OR VISITATION...DEFENDANT'S REPLY TO PLAINTIFF'S OPPOSITION AND/OR COUNTERMOTION

Ms. Roberts, Esq., Plaintiff/Mom and Defendant/Dad present by video (Dad was in Ms. Robert's Office).

Discussion regarding Mom's failure to abide by the Court's orders, her failure to put the child on the airplane to visit with Dad for Winter Break, Spring Break and now she is one (1) week late sending the child to Dad for this Summer's break. Further discussion regarding Mom indicating the child's refusal to go because his father hits him and Dad books flights during her work hours making it

PRINT DATE:	10/19/2020	Page 24 of 31	Minutes Date:	May 09, 2017
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difficult to get the child to the airport. The Court asked why Mom did not file for a protective order when the claims were made Dad hits him; Mom stated because it happened in Las Vegas and there was no visible bruises when he returned. Ms. Roberts represented Dad has booked flights after 7:00 p.m. to accommodate Mom s work schedule and requesting reimbursement for the missed airfare; the Court confirmed it previously reimbursed the cost for the Winter Break. Discussion regarding Dad's efforts to speak with the child and it not going forward. Ms. Roberts believes Mom's violation of the Court's orders is a substantial change of circumstance to warrant an evidentiary hearing based on Dad's request for a modification of custody.

COURT stated its FINDINGS and ORDERED the following:

1. The Court ORDERED Mom to have the child in Nevada in the next seven (7) days for the Summer. Since it has been Dad paying for the travel the Court shall require Mom to purchase the airline ticket to get the child to Nevada; Dad will pay for the return flight. The child shall remain with Dad during the summer until the child has to go back to school and if there is issues with school starting or not starting the Court will entertain a telephone conference. The Court wants the child with Dad to compensate for the time he missed over the last six (6) months.

2. The Court set the matter for an EVIDENTIARY HEARING on 9/15/20 to address Dad's request for a MODIFICATION of CUSTODY, whether there should be SANCTIONS for Mom s violation of Court orders and related issues. The Case and Evidentiary Hearing Management Order shall be processed into Odyssey and will be e-mailed to both the Plaintiff and to Ms. Roberts, Esq.

3. CALENDAR CALL set for 9/1/20.

4. The COURT FINDS the Plaintiff is in VIOLATION of the Court's Orders and shall continue to monitor the Order to Show Cause and CONTINUE the matter to the time of the calendar call set for 9/1/20 (continue to the time of trial upon a firm setting).

5. The Court REFERRED the minor child to the Family Meditation Center (FMC) upon his return to Nevada to conduct a CHILD INTERVIEW. Return date set for 9/1/20. A copy of the referral was e-mailed to both FMC and to Plaintiff on 6/9/20 (se).

6. Absent updated Financial Disclosure Forms (FDF) from both parties and the lack of the law being cited the Court has no basis at this time to address CHILD SUPPORT so it shall remain as previously ordered. If there is a modification of custody as a result of the evidentiary hearing the Court can review it at that time.

7. The Court CONFIRMED the non-custodial parent is entitled to TELEPHONE CONTACT with the child every Sunday and Wednesday.

8. REIMBURSEMENT for TRAVEL COSTS shall be DEFERRED absent additional information related to the Spring Break (Christmas already awarded).

PRINT DATE:	10/19/2020	Page 25 of 31	Minutes Date:	May 09, 2017
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Ms. Roberts shall prepare the order.

9/1/20 11:00 A.M. CALENDAR CALL (STACK #5)...ORDER TO SHOW CAUSE (CONINTUE TO TRIAL DATE)...RETURN: FMC - CHILD INTERVIEW REPORT

9/15/20 1:30 P.M. EVIDENTIARY HEARING: MODIFICATION OF CUSTODY, SANCTIONS FOR VIOLATION OF COURT ORDERS

INTERIM CONDITIONS:

FUTURE HEARINGS: Sep 01, 2020 11:00AM Order to Show Cause
(CONTINUED FROM 6/9/20 and 9/1/20)

Courtroom 02 Hoskin, Charles J.

Sep 01, 2020 11:00AM Calendar Call
CALENDAR CALL (STACK #5)
Courtroom 02 Hoskin, Charles J.

PRINT DATE:	10/19/2020	Page 26 of 31	Minutes Date:	May 09, 2017
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

September 01, 2020

D-17-550112-C Katrina Yarnell Carter, Plaintiff.
vs.
Runndley Ducksworth, Defendant.

**September 01, 11:00 AM All Pending Motions
2020**

HEARD BY: Hoskin, Charles J. **COURTROOM:** Courtroom 02

COURT CLERK: Sherri Estes

PARTIES:

Ashlee Vazquez, Unbundled Attorney, present
Katrina Carter, Plaintiff, Counter Defendant, Pro Se
present
Katron Ducksworth, Subject Minor, not
present
Runndley Ducksworth, Defendant, Counter Pro Se
Claimant, present

JOURNAL ENTRIES

-- CALENDAR CALL (STACK #5)...ORDER TO SHOW CAUSE...DEFENDANT'S MOTION AND NOTICE OF MOTION TO MODIFY CHILD CUSTODY, VISITATION AND/OR CHILD SUPPORT...PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO MODIFY CHILD CUSTODY, VISITATION AND/OR CHILD SUPPORT; AND COUNTERMOTION FOR PRIMARY PHYSICAL CUSTODY, CHILD SUPPORT, ATTORNEY'S FEES AND COSTS...DEFENDANT'S REPLY TO PLAINTIFF'S OPPOSITION AND COUNTERMOTION

T-20-207112-T heard simultaneously this date.

Plaintiff/Mom, Defendant/Dad, Ms. Isso and Ms. Vazquez all present by video.

COURT NOTED for the record the Court feels the motion filed is similar to what the parties are going to an evidentiary hearing on.

PRINT DATE:	10/19/2020	Page 27 of 31	Minutes Date:	May 09, 2017
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Discussion regarding the last order from the June 9, 2020 hearing whereby Mom was ordered to return the child to Dad which she did do, that order afforded Dad the child until school resumed in August as and for makeup time, however on July 26, 2020 the minor child snuck out of Dad's home leaving with Mom and Dad has not seen him or spoke with him since. Ms. Vazquez stated Mom is in violation of the Court's order and requested to maintain custody of the child pending the evidentiary hearing. Ms. Isso is requesting the Court vacate the evidentiary hearing based on the motion not being properly as it relates to Awad as to what the violation was, and the motion for custody did not meet the Rooney standard. Further discussion regarding Mom not being in violation of the court order, Dad's failure to see the child for years, Dad's failure to pay child support, Dad failure to ever visit the child in Texas, Dad harasses Mom the school and the child's coach, Dad disparages Mom in front of the child, and the child having expressed his preferences in the child interview that he only wants to spend time with his father during spring break. Further discussion regarding Mom providing Dad proper notice of her intent to see the child during Dad's custodial time with the child during the summer; however Dad left and took the child to Arizona after Mom purchased airfare having to wait for two days to see the child. Ms. Isso stated if Dad did what he was supposed to do under the order, these events would not have taken place. Ms. Isso informed the Court of Dad's threat to pistol whip shoot Mom and her having to call the police. The child expressed the domestic violence between Dad and his girlfriend, that Dad grabs him, spits on him, chokes him and threw him against the wall. Ms. Isso is requesting for Dad's visitation to be modified and for the Court to increase his child support obligation.

Further discussion regarding the TEMPORARY PROTECTIVE ORDER (TPO) application stating it was a third party that pointed a gun and not the Adverse Party so the Court does not believe it has jurisdiction over that party.

The Court made findings at June 9, 2020 hearing and discussed why the evidentiary hearing was set.

COURT stated its FINDINGS and ORDERED the following:

1. The Evidentiary Hearing currently set for 9/15/20 shall be RESCHEDULED to 9/17/20 as a firm setting. This will be an IN PERSON HEARING. Both counsel were directed to determine what exhibits will be stipulated to in efforts to save time.
2. Pending the evidentiary hearing the Court is not inclined to make any temporary changes today but will address the compensatory time at the time of trial.
3. ATTORNEY'S FEES shall be DEFERRED to the time of trial.
4. The ORDER to SHOW CAUSE (OSC) shall be CONTINUED to the time of the evidentiary hearing set for 9/17/20.

PRINT DATE:	10/19/2020	Page 28 of 31	Minutes Date:	May 09, 2017
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INTERIM CONDITIONS:

FUTURE HEARINGS: Sep 17, 2020 1:30PM Evidentiary Hearing
EVIDENTIARY HEARING: MODIFICATION OF CUSTODY AND RELATED ISSUES (1/2
DAY - FIRM) - (IN PERSON HEARING)
Courtroom 02 Hoskin, Charles J.

PRINT DATE:	10/19/2020	Page 29 of 31	Minutes Date:	May 09, 2017
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

September 17, 2020

D-17-550112-C Katrina Yarnell Carter, Plaintiff.
vs.
Runndley Ducksworth, Defendant.

**September 17, 1:30 PM All Pending Motions
2020**

HEARD BY: Hoskin, Charles J. **COURTROOM:** Courtroom 02

COURT CLERK: Sherri Estes; Gabriella Konicek

PARTIES:
Ashlee Vazquez, Unbundled Attorney, present
Katrina Carter, Plaintiff, Counter Defendant, Pro Se
present
Katron Ducksworth, Subject Minor, not
present
Runndley Ducksworth, Defendant, Counter Pro Se
Claimant, present

JOURNAL ENTRIES

- Plaintiff/Mom, Defendant/Dad, Mr. Rhodes and Ms. Vazquez all present in person. Ms. Isso present by audio for observation purposes only as co-counsel to Mr. Rhodes.

Discussion regarding Mr. Rhodes' request for the minor child to testify today absent proper motion being filed and his request for continuance should the Court deny his request to allow the child to testify. In addition, Mr. Rhodes requested the child interview report to be admitted; Ms. Vazquez objected to all.

Opening statements WAIVED by both counsel. Sworn testimony and Exhibits presented (see worksheet). Closing arguments by both counsel.

COURT stated its FINDINGS and ORDERED the following:

PRINT DATE:	10/19/2020	Page 30 of 31	Minutes Date:	May 09, 2017
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

1. The Court DENIED Mr. Rhodes' requests for the child to testify and for a continuance.
2. The Court is taking the matter UNDER ADVISEMENT and shall issue its written decision forthwith.

CASE CLOSED upon entry of the order.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	10/19/2020	Page 31 of 31	Minutes Date:	May 09, 2017
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

PLAINTIFF'S LIST OF EXHIBITS

EXHIBIT LABEL	OFFERED	ADMITTED
✓ 1) Visitation Agreement 0001-0007	8/1/17	8/1/17
2) Temporary Guardianship 0009-0010		
✓ 3) Airline Ticket Reservation 0012-0017	8/1/17	8/1/17
4) 2016 School Accountability Summary 0019		
5) Acknowledgement of Acceptance 0021-0024		
6) Child Support Enforcement Information 0026-0030		
7) Text Messages Between Father and Subject Minor 0032-0052		
✓ 8) Text Messages Between the Parties 0054-0076	8/1/17 e.g.	8/1/17
9) Text Messages Between the Parties 0078-0079		
10) Call Logs 0081-0120		
11) Screen Capture of Father's Facebook 0122		
12) Screen Capture of Father's Facebook 0124		
13) Screen Capture of Father's Facebook 0126		
14) Screen Capture of Father's Facebook 0128		
✓ 15) Screen Capture of Father's Facebook 0130	8/1/17	8/1/17

	OFFERED	ADMITTED
X Screen Capture of Father's Facebook 0132		
X Screen Capture of Father's Facebook 0134		
X Screen Capture of Father's Facebook 0136		
X Screen Capture of Father's Facebook 0138		
X Screen Capture of Father's Facebook 0140		
X Screen Capture of Father's Facebook 0142		
X Screen Capture of Father's Facebook 0144		
X Screen Capture of Father's Facebook 0146		
X Child Support Hearing Videos 1-12 (Digital Only) <ol style="list-style-type: none"> 1. 7/24/2008 2. 1/31/2011 3. 9/27/2012 4. 3/28/2013 5. 6/12/2013 6. 11/26/2013 7. 4/2/2014 8. 3/20/2015 9. 9/23/2015 10. 2/16/2016 11. 7/26/2016 12. 9/21/2016 		

EXH
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 ji@issohugheslaw.com
Attorney for Defendant, unbundled

DISTRICT COURT, FAMILY DIVISION
 CLARK COUNTY, NEVADA

KATRINA CARTER,
 Plaintiff,
 vs.

CASE NO: D-17-550112-C
 DEPT NO: E
 TRIAL DATE: 08/1/2020, 11:00 am.

RUNNDLEY DUCKSWORTH
 JR.,
 Defendant.

Plaintiff's Trial Exhibits

No.	Description	Date	Offered	Admitted
1	Court Order entered on September 19, 2017 (Bates 1-2)	9-17-20	Stip	9-17-20
2	Court Order entered on September 25, 2018 (Bates 3-7)			
3	Court Order entered on October 29, 2019 (Bates 8-13)			
4	Court Order for the Child Support case (Bates 14-18)	9-17-20	Stip	9-17-20
5	Photographs of the child's bruises (Bates 19-20)	Returned to Counsel		
6	Talking Parents messages between the parties (Bates 21-116)	9-17-20	Stip	9-17-20

No.	Description	Date	Offered	Admitted
7	Defendant's criminal record (Bates 117-21)			
8	Defendant's recent criminal activity (Bates 122)			
9	The child's UMC medical records (Bates 123-35)			
10.	Child's grades as of 9/17/20	9-17-20		9-17-20

Returned to Counsel

1
2
3
4
5

NOTE: Any further documents/evidence disclosed by Plaintiff will be supplemented prior to trial.

DATED this 22nd day of August, 2020.

/s/ Jennifer Isso, Esq.

JENNIFER ISSO, ESQ.

Nevada Bar No. 13157

Attorney for Plaintiff, unbundled

1 **EXHS**
 2 Ashlee Vazquez, Esq.
 3 Nevada Bar Number 14637
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 6 Las Vegas, NV 89146
 7 (702) 565-4335 phone
 8 (702) 732-9385 fax
 9 eservice@mcfarlinglaw.com
 10 Unbundled Attorney for Defendant,
 11 Runndley Ducksworth, Jr.

7 **EIGHTH JUDICIAL DISTRICT COURT**

8 **FAMILY DIVISION**

9 **CLARK COUNTY, NEVADA**

10 KATRINA YARNELL CARTER,
 11 Plaintiff,

Case Number: D-17-550112-C
 Department: E

12 VS.

Date of Trial: September 15, 2020
 Time of Trial: 1:30 p.m.

13 RUNNDLEY DUCKSWORTH JR.,
 14 Defendant.

15 **DEFENDANT'S TRIAL EXHIBITS**

Exhibit	Bates	Description	Offer	Obj.	Admit
16 A.	MLG00 333-367	Photos of Katron and Dad and family	9-17-20	Y	9-17-20
17 B.	MLG00 001	Dad's Positive Parenting Program Certificate 09/05/15	9-17-20		9-17-20
18 C.	MLG00 0004	Email from Katron's teacher Ms. Bockhoff re Katron Sleeping in class 04/09/19	9-17-20	Y	9-17-20
19 D.	MLG00 0026	Messages regarding school in April 04/19/18- 05/16/19			
20 E.	MLG00 0023	Phone call log from school nurse 05/16/2019			
21 F.	MLG00 0022	Message from Dad to Mom regarding Katron's Grades and Schooling 05/25/19			
22 G.	MLG00 0021	Message from Dad regarding not listed on Katron's school records 10/15/19			

Exhibit	Bates	Description	Offer	Obj.	Admit
H.	MLG00 015-18	Katron's Progress Reports 10/22/19			Returned to Counsel
I.	MLG00 019-20	Runndley's access to Katron's school information 08/19/19-02/25/20			Returned to Counsel
J.	MLG00 0002-3	Katron's School Attendance Records 08/28/19-03/06/20 (Removed 0003) (Se)	9-17-20	y	9-17-20
K.	MLG00 005-14	Katron's Homework 07/17/20	9-17-20		9-17-20
L.	MLG00 0027	Messages regarding Dad trying to phone and Facetime Katron, 01/16/19-02/22/19			
M.	MLG00 0036	Messages regarding Dad's Birthday 04/19/19			
N.	MLG00 0037	Talking Parent messages from Katrina regarding Flight time 06/10/19			
O.	MLG00 326	Photos of Katron at the Airport, 6/10/19			
P.	MLG00 0025	Shot Records for school 07/19/19			
Q.	MLG00 057-59	Talking Parent messages from Dad to Mom re his concerns re Katron's schooling 7/21/19			
R.	MLG00 038-45	Talking Parents messages between parties regarding pick up 07/25/19			
S.	MLG00 0075-76	Talking Parents message requesting updated address and school information 09/24/2019			
T.	MLG00 079-80	Message from Dad to Katrina regarding trying to call Katron 10/16/19-10/20/19			
U.	MLG00 0082	Messages between parties regarding Thanksgiving visit with Dad 10/25/19-10/28/19			
V.	MLG00 083-85	Text message between parties regarding Katron Travels 02/29/20-03/07/20			
W.	MLG02 91-292	Plane ticket for Katron for Spring break visit 03/07/20	9-17-20		9-17-20
X.	MLG00 330	Photos of Katron from pick up from airport, 6/2020			
Y.	MLG00 290	Cox call log from Dad's phone between Mom and Katron 07/2020			
Z.	MLG32 1-225	City of North Las Vegas police report for child concealment/aiming firearm at person			



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

KATRINA CARTER
969 W. CARTWRIGHT RD., #101
MESQUITE, TX 75149

DATE: October 19, 2020
CASE: D-17-550112-C

RE CASE: KATRINA YARNELL CARTER vs. RUNNDLEY DUCKSWORTH

NOTICE OF APPEAL FILED: October 16, 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
 - *Previously paid Bonds are not transferable between appeals without an order of the court.*
- 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; REQUEST FOR AUTHORIZATION TO PROCEED IN PROPER PERSON, WAIVER OF APPEAL BOND, AND TO TRANSMIT ENTIRE RECORD ON FILE; CERTIFICATE OF MAILING; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER; NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

KATRINA YARNELL CARTER,

Plaintiff(s),

vs.

RUNNDLEY DUCKSWORTH,

Defendant(s),

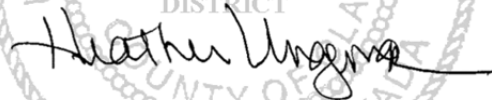
Case No: D-17-550112-C

Dept No: E

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 19 day of October 2020.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

