

1                   **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2                   Ali Shahrokhi,

3                                   Petitioner,

4                   vs.

5                   Kizzy Burrow,

6                                   Respondent.

Electronically Filed  
Nov 12 2020 02:48 p.m.  
Sup. Ct. Docket No. 81978  
Elizabeth A. Brown  
Clerk of Supreme Court  
Dist. Ct. Case No. D-18-581208-P

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9                   **RESPONSE TO PETITIONER’S REQUEST FOR JUDICIAL NOTICE**  
10                                   **PURSUANT TO NRS 47.140**

11                   Respondent, Kizzy Burrow, by and through her counsel, Thomas J. Standish,  
12                   Esq. and Philip Spradling, Esq., hereby responds to Petitioner’s Request for Judicial  
13                   Notice Pursuant to NRS 47.140.

14                   Petitioner starts by asking the Court to acknowledge the language of NRS  
15                   126.036, stating that “the liberty interest of a parent in the care, custody and  
16                   management of the parent’s child is a fundamental right” and ends by asking this Court  
17                   to declare various parts of Nevada Statute unconstitutional, the District Court’s order  
18                   wrongful, and the minor child returned to Nevada. Petitioner is confused.

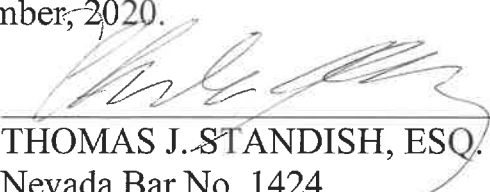
19                   NRS 126.036 is not a declaration that right to custody of one’s child is a  
fundamental interest protected by the U.S. Constitution. The U.S. Supreme Court has

1 expressly stated that it is not: a parent's interest in the custody of a child "is not the  
2 stuff of which fundamental rights qualifying as a liberty interests are made." *Michael*  
3 *H. v. Gerald D.*, 491 U.S. 110, 127, 109 S. Ct. 2333, 2344 (1989).

4 Moreover, NRS 126.036 is in the context of establishing paternity. The Court  
5 did not deprive or terminate petitioner's paternity. Moreover, NRS 126.036(b)  
6 expressly provides circumstances in which a state courts and other state entities from  
7 acting in their official capacity within the scope of their authority. This would not  
8 make sense if NRS 126.036 acted to make custody determinations unconstitutional.  
9 Petitioner has confused the language of a "fundamental right" with cases invoking  
10 constitutional protections and require strict scrutiny.

11 If Petitioner seeks to have the Court declare various parts of the Nevada Revised  
12 Statutes unconstitutional, he should do so in his appeal.

13  
14 DATED this 12<sup>th</sup> day of November, 2020.

15   
16 THOMAS J. STANDISH, ESQ.  
17 Nevada Bar No. 1424  
18 PHILIP SPRADLING, ESQ.  
19 Nevada Bar No. 13590  
1635 Village Center Circle, Suite 180  
Las Vegas, Nevada 89134

## CERTIFICATE OF SERVICE

I hereby certify that the foregoing RESPONSE TO PETITIONER'S REQUEST FOR JUDICIAL NOTICE PURSUANT TO NRS 47.140 was served, on this date, as follows:

By mailing it by first class mail with sufficient postage prepaid to the following address:

Ali Shahrokhi  
10695 Dean Martin Dr. #1214  
Las Vegas, Nev. 89141

  
An employee of Standish Law Group