

FILED

DEC 23 2020

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

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3 Las Vegas, NV 89141  
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6 In Proper Person

IN THE SUPREME COURT OF NEVADA

6 ALI SHAHROKHI,  
7 Appellant,

8 vs.

9 KIZZY BURROW,  
10 Respondent.  
11

) Case No.: 81978

) District Court Case No.: D-18-581208-P

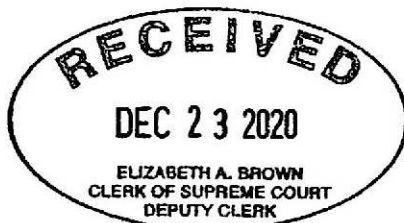
12 **MOTION FOR ORDER GRANTING EXPANSION OF PAGES FOR**  
13 **EMERGENCY MOTION FOR STAY**

14  
15 ALI SHAHROKHI ("ALI"), in proper person, respectfully requests that  
16 this court issue an order granting him permission to file his Emergency Motion  
17 for Stay which exceeds the NRAP 27 (d)(2) page limit of 10 pages.

18 DATED this 22nd day of December, 2020.

19 *[Signature]*  
20

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20-46322

1 The issues in this case involve child custody and are submitted to  
2 on an emergency basis because on 1/3/2021, school resumes in Nevada.  
3 Further, the current orders and judgements have a direct impact on ALI  
4 immediately, such as child support and a recent post-judgment motion,  
5 ordering ALI pay \$185,000 in Attorney's fees. The district court has  
6 continued to deny ALI and BENNET any visitation, *ongoing 17 months*,  
7 and every day that passes *is irreparable*. The district court further gave  
8 the respondent complete discretion to sever all contact between father  
9 and child.

10 The district court continues to issue error ridden orders that affect  
11 ALI immediately. Additionally, JUDGE HARTER has shown an  
12 impermissible bias toward ALI, which is seen in the district court's orders.

13 ALI, has never been found to be unfit nor has he been alleged to  
14 have harmed the minor child. This emergency stay is needed to protect  
15 ALI's constitutional rights; and to prevent the district court from enforcing  
16 and continuing to issue arbitrary and capricious orders.

17 Ali's Emergency Motion for Stay is essential to Ali's case, and the  
18 child's welfare, because without it, the minor child will undoubtedly begin  
19 school in another state, again with no fair analysis as to whether that is in  
20 his best interest. Worse, the child's relationship with ALI will continue to  
21 be irreparably damaged, with ALI unable to have any contact with his son,  
22 if KIZZY so decides or to have any input or information on things such as  
23 the child's schooling and healthcare.

1 The district court suspended Ali's legal custody rights, allowed the  
2 parties' child to relocate to Oregon, and severed all contact between Ali  
3 and his son. ALI was granted, through his emergency stay in case 79336-  
4 COA, permission to contact his son, where the bare minimum was agreed  
5 to in him only having 8 hours a year, or 10 minutes a week of facetime.  
6 Absolutely no visitation was ordered to date, as the district court told ALI  
7 that it's his fault, he signed the stipulation in the best interests of the  
8 child.

9 ALI has recently suffered a personal tragedy; this case is extensive  
10 and complicated, including a violation of due process and violation of ALI's  
11 right to parent. There has already been one remand issued on the district  
12 court. The litigation has been ongoing for two years with over 100 filings  
13 and a three-day trial. A new case was issued recently that is applicable to  
14 ALI's case, and JUDGE HARTER, just refused to recuse a little over a  
15 week ago. ALI tried to get this stay in as fast as possible because every  
16 day that passes without seeing his son, is painful.

17 Ali has had no visitation with BENNETT 17 months, with no  
18 allegations of abuse or neglect and no proceedings evaluating ALI's fitness  
19 to parent. ALI is a fit parent according to law as he has not been deemed  
20 unfit by clear and convincing evidence. The severance of the parent child  
21 relationship is damaging to ALI and BENNETT with every day that passes.  
22 Further, Ali is a professional, and in such his license can be affected by  
23 the lower court's unfair proceedings and he needs immediate relief.

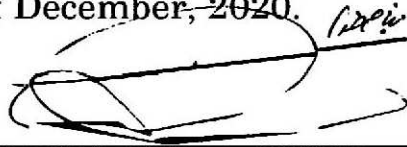
1 BENNETT's schooling resumes on 1/3/2020, in NEVADA.  
2 Additionally an appeal with such an extensive underlying record, even as  
3 ALI is likely to prevail, can take close to a year from now, including a  
4 remand. This is simply too long to allow the continued irreparable harm  
5 occurring in ALI and BENNET having **no visitation** and ALI having no  
6 parental rights as BENNETT's father.

7 The importance of the Emergency Motion for Stay is the reason why  
8 ALI exceeds the 10-page limit, also the extensive occurrences of abused  
9 discretion and error in the underlying case are significant and many. The  
10 stay written by a seasoned attorney for the petition for writ in 79336-COA,  
11 was almost double the page allowance. Here ALI is pro se and the stay is  
12 so important to me I cannot risk leaving something out, as if this stay is  
13 not granted, *I may go over two years with no visitation with my son.* This  
14 stay is vital to my rights and my son's rights.

15 ALI has striven to present the fullest picture in support of the  
16 request for stay, while still being mindful of the NRAP limitation. In  
17 doing that, ALI has been unable to get the motion for stay under 12 ½  
18 pages of substance. Therefore, ALI requests that this Court permit the  
19 filing of the The Emergency Motion for Stay is 42 pages when the cover  
20 sheet, certification pages, and certificate of service are included.

1           ALI requests that the stay be accepted because there is good cause  
2 in this particular case.

3 Entered in this action on the 22nd day of December, 2020.

4   
5

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## CERTIFICATE OF COMPLIANCE

1. I certify that the underlying motion is necessary to avoid irreparable harm and that relief is needed in less than 14 days.

2. I further certify that the Respondent Judge and opposing counsel for the real party in interest are being notified of this motion contemporaneously with this filing and will receive a copy of this motion as set forth in the Certificate of Service below.

3. An emergency exists in the underlying motion because the district court terminated all contact between Ali and his son; terminated Ali's legal custody rights indefinitely; and allowed the child to be removed from the jurisdiction without fair proceedings set so that Ali can seek a remedy. These orders are causing continual damage to the child and to the parent-child relationship, and are a continued violation of Ali's constitutional rights.

4. An emergency also exists because if a stay is not granted immediately the child will not be able to return to his school, which begins next week.

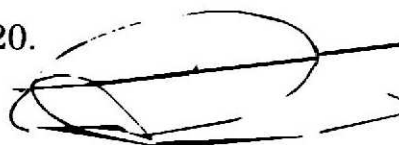
5. ALI and BENNET have had no visitation in 17 months and every day that passes causes more harm.

6. The level of bias that judge Harter shows towards ALI is impermissible and has risen to a level of blatantly depriving ALI his Constitutional rights.

1 7. This motion should be granted for the reasons set forth above.

2  
3 6. I certify that this motion complies with the requirements of NRAP  
4 27.

5  
6 DATED this 22<sup>nd</sup> day of December, 2020.



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