

FILED

IN THE SUPREME COURT OF THE STATE OF NEVADA FEB 12 2021

INDICATE FULL CAPTION:

FREDERICK O. SILVER,  
Appellant,  
vs.

CANDICE KATIE TOWNER,  
Respondent.

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

No. 81982 /D-18-565588-C

DOCKETING STATEMENT  
CIVIL APPEALS

GENERAL INFORMATION

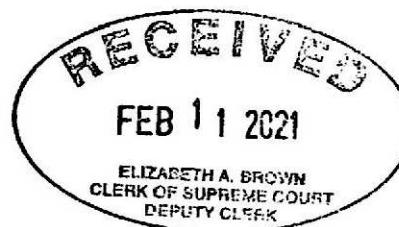
Appellants must complete this docketing statement in compliance with NRAP 14(a). The purpose of the docketing statement is to assist the Supreme Court in screening jurisdiction, identifying issues on appeal, assessing presumptive assignment to the Court of Appeals under NRAP 17, scheduling cases for oral argument and settlement conferences, classifying cases for expedited treatment and assignment to the Court of Appeals, and compiling statistical information.

WARNING

This statement must be completed fully, accurately and on time. NRAP 14(c). The Supreme Court may impose sanctions on counsel or appellant if it appears that the information provided is incomplete or inaccurate. *Id.* Failure to fill out the statement completely or to file it in a timely manner constitutes grounds for the imposition of sanctions, including a fine and/or dismissal of the appeal.

A complete list of the documents that must be attached appears as Question 27 on this docketing statement. Failure to attach all required documents will result in the delay of your appeal and may result in the imposition of sanctions.

This court has noted that when attorneys do not take seriously their obligations under NRAP 14 to complete the docketing statement properly and conscientiously, they waste the valuable judicial resources of this court, making the imposition of sanctions appropriate. See KDI Sylvan Pools v. Workman, 107 Nev. 340, 344, 810 P.2d 1217, 1220 (1991). Please use tab dividers to separate any attached documents.



21-04293

1. Judicial District Eighth Judicial District Department Department H  
County Clark County Judge Thomas Arthur Ritchie Jr  
District Ct. Case No. D-18-565588-

**2. Attorney filing this docketing statement:**

Attorney Silver, Frederick Omoyuma Telephone 210-803-2299

Firm Silver, Frederick Omoyuma

Address 7737 Skolout St, Apt 126  
San Antonio TX 78227

Client(s) FREDERICK O. SILVER

If this is a joint statement by multiple appellants, add the names and addresses of other counsel and the names of their clients on an additional sheet accompanied by a certification that they concur in the filing of this statement.

**3. Attorney(s) representing respondents(s):**

Attorney Candice Katie Towner Telephone \_\_\_\_\_

Firm Candice Katie Towner

Address  
8216 MT BRODIE CIR,  
LAS VEGAS, NV 89145-4559

Client(s) \_\_\_\_\_

Attorney \_\_\_\_\_ Telephone \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

Client(s) \_\_\_\_\_

(List additional counsel on separate sheet if necessary)

**4. Nature of disposition below (check all that apply):**

- |   |   |
|---|---|
| <input type="checkbox"/> Judgment after bench trial         | <input type="checkbox"/> Dismissal:   |
| <input type="checkbox"/> Judgment after jury verdict        | <input type="checkbox"/> Lack of jurisdiction                                   |
| <input type="checkbox"/> Summary judgment                   | <input type="checkbox"/> Failure to state a claim                               |
| <input checked="" type="checkbox"/> Default judgment        | <input type="checkbox"/> Failure to prosecute                                   |
| <input type="checkbox"/> Grant/Denial of NRCP 60(b) relief  | <input checked="" type="checkbox"/> Other (specify): <u>UNKNOWN</u>             |
| <input type="checkbox"/> Grant/Denial of injunction         | <input type="checkbox"/> Divorce Decree:  |
| <input type="checkbox"/> Grant/Denial of declaratory relief | <input type="checkbox"/> Original <input type="checkbox"/> Modification         |
| <input type="checkbox"/> Review of agency determination     | <input checked="" type="checkbox"/> Other disposition (specify): <u>UNKNOWN</u> |

**5. Does this appeal raise issues concerning any of the following?**

- ☒ Child Custody
- ☒ Venue
- ☒ Termination of parental rights

**6. Pending and prior proceedings in this court.** List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal:

NONE

**7. Pending and prior proceedings in other courts.** List the case name, number and court of all pending and prior proceedings in other courts which are related to this appeal (e.g., bankruptcy, consolidated or bifurcated proceedings) and their dates of disposition:

NONE.

**8. Nature of the action.** Briefly describe the nature of the action and the result below:

There was no Nature of the action, as there was no cause of action upon which relief could be granted.

**9. Issues on appeal.** State concisely the principal issue(s) in this appeal (attach separate sheets as necessary):

- (1) Lack of Subject-Matter jurisdiction
- (2) Lack of Personal Jurisdiction; Personal jurisdiction
- (3) Improper Venue;
- (4) Insufficient Process
- (5) insufficient Service of Process
- (6) Failure to State a Claim upon which relief can be Granted
- (7) There was no / none controversy for the Court to resolve between the parties

**10. Pending proceedings in this court raising the same or similar issues.** If you are aware of any proceedings presently pending before this court which raises the same or similar issues raised in this appeal, list the case name and docket numbers and identify the same or similar issue raised:

None

**11. Constitutional issues.** If this appeal challenges the constitutionality of a statute, and the state, any state agency, or any officer or employee thereof is not a party to this appeal, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

☐ N/A

☒ Yes

☐ No

If not, explain:

**12. Other issues.** Does this appeal involve any of the following issues?

☐ Reversal of well-settled Nevada precedent (identify the case(s))

☒ An issue arising under the United States and/or Nevada Constitutions

☐ A substantial issue of first impression

☐ An issue of public policy

☐ An issue where en banc consideration is necessary to maintain uniformity of this court's decisions

☐ A ballot question

If so, explain:

**13. Assignment to the Court of Appeals or retention in the Supreme Court.** Briefly set forth whether the matter is presumptively retained by the Supreme Court or assigned to the Court of Appeals under NRAP 17, and cite the subparagraph(s) of the Rule under which the matter falls. If appellant believes that the Supreme Court should retain the case despite its presumptive assignment to the Court of Appeals, identify the specific issue(s) or circumstance(s) that warrant retaining the case, and include an explanation of their importance or significance:

Appellant: Frederick O Silver, states that this Court should hear the matter as it related to issues arising from the United States Constitution, Both the States of Nevada and Texas Constitution,

Well settled law on Jurisdictional matter that has to be proven on the record

**14. Trial.** If this action proceeded to trial, how many days did the trial last? 0 \_\_\_\_\_

Was it a bench or jury trial? No, there was No Trial, There was No Hearing \_\_\_\_\_

**15. Judicial Disqualification.** Do you intend to file a motion to disqualify or have a justice recuse him/herself from participation in this appeal? If so, which Justice?

At this present time i do not wish to disqualify or have a Justice recuse him/herself from participation in this appeal, However I Reserve WITHOUT Waiving Any Rights Remedies or Defenses Statutory or Procedural, In accordance with United States / Nevada / Texas Rule of Civil Procedure to disqualify or have a Justice recuse him/herself from participation in this appeal

## TIMELINESS OF NOTICE OF APPEAL

**16. Date of entry of written judgment or order appealed from** 10/14/2020

If no written judgment or order was filed in the district court, explain the basis for seeking appellate review:

Order was entered and order was never served on FREDERICK O SILVER.

**17. Date written notice of entry of judgment or order was served** 00000000

Was service by:

☐ Delivery

☒ Mail/electronic/fax

**18. If the time for filing the notice of appeal was tolled by a post-judgment motion (NRCP 50(b), 52(b), or 59)**

(a) Specify the type of motion, the date and method of service of the motion, and the date of filing.

☐ NRCP 50(b)      Date of filing \_\_\_\_\_

☐ NRCP 52(b)      Date of filing \_\_\_\_\_

☐ NRCP 59      Date of filing \_\_\_\_\_

**NOTE: Motions made pursuant to NRCP 60 or motions for rehearing or reconsideration may toll the time for filing a notice of appeal. See AA Primo Builders v. Washington, 126 Nev. \_\_\_\_, 245 P.3d 1190 (2010).**

(b) Date of entry of written order resolving tolling motion 00000000

(c) Date written notice of entry of order resolving tolling motion was served 00000000

Was service by:

☐ Delivery

☐ Mail

**19. Date notice of appeal filed** 10/20/2020

If more than one party has appealed from the judgment or order, list the date each notice of appeal was filed and identify by name the party filing the notice of appeal:  
NO OTHER PARTY

**20. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(a) or other**

NRAP 4(a)

**SUBSTANTIVE APPEALABILITY**

**21. Specify the statute or other authority granting this court jurisdiction to review the judgment or order appealed from:**

(a)

- |  |                                       |
|--|---------------------------------------|
| <input type="checkbox"/> NRAP 3A(b)(1)         | <input type="checkbox"/> NRS 38.205   |
| <input type="checkbox"/> NRAP 3A(b)(2)         | <input type="checkbox"/> NRS 233B.150 |
| <input type="checkbox"/> NRAP 3A(b)(3)         | <input type="checkbox"/> NRS 703.376  |
| <input type="checkbox"/> Other (specify) _____ |                                       |

(b) Explain how each authority provides a basis for appeal from the judgment or order:



**22. List all parties involved in the action or consolidated actions in the district court:**

(a) Parties:

FREDERICK O. SILVER, Appellant,

vs.

CANDICE KATIE TOWNER, Respondent.

(b) If all parties in the district court are not parties to this appeal, explain in detail why those parties are not involved in this appeal, *e.g.*, formally dismissed, not served, or other:

None.

**23. Give a brief description (3 to 5 words) of each party's separate claims, counterclaims, cross-claims, or third-party claims and the date of formal disposition of each claim.**

There was no Claims alleged by any Party

There was no Issues for the court to resolve

There was no cause of action

There was Controversy between the parties to this case for the court to hear

There was no issue for the court to adjudicate

**24. Did the judgment or order appealed from adjudicate ALL the claims alleged below and the rights and liabilities of ALL the parties to the action or consolidated actions below?**

☐ Yes

☒ No

**25. If you answered "No" to question 24, complete the following:**

(a) Specify the claims remaining pending below:

There was no Claims alleged by any Party

There was no Issues for the court to resolve

There was no cause of action

There was Controversy between the parties to this case for the court to hear

There was no issue for the court to adjudicate

(b) Specify the parties remaining below:  
There are no parties remaining.

(c) Did the district court certify the judgment or order appealed from as a final judgment pursuant to NRCP 54(b)?

☐ Yes

☒ No

(d) Did the district court make an express determination, pursuant to NRCP 54(b), that there is no just reason for delay and an express direction for the entry of judgment?

☐ Yes

☒ No

**26. If you answered "No" to any part of question 25, explain the basis for seeking appellate review (e.g., order is independently appealable under NRAP 3A(b)):**

There was no Claims alleged by any Party

There was no Issues for the court to resolve

There was no cause of action

There was Controversy between the parties to this case for the court to hear

There was no issue for the court to adjudicate

**27. Attach file-stamped copies of the following documents:**

- The latest-filed complaint, counterclaims, cross-claims, and third-party claims
- Any tolling motion(s) and order(s) resolving tolling motion(s)
- Orders of NRCP 41(a) dismissals formally resolving each claim, counterclaims, cross-claims and/or third-party claims asserted in the action or consolidated action below, even if not at issue on appeal
- Any other order challenged on appeal
- Notices of entry for each attached order

## VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement.

FREDERICK O. SILVER

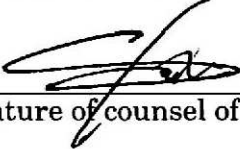
Name of appellant

Silver, Frederick Omoyuma

Name of counsel of record

Feb 5, 2021

Date

  
Signature of counsel of record

Bexar County State of Texas USA

State and county where signed


## CERTIFICATE OF SERVICE

I certify that on the 5th day of February, 2021, I served a copy of this completed docketing statement upon all counsel of record:

- ☐ By personally serving it upon him/her; or
- ☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attach a separate sheet with the addresses.)

Candice Katie Towner.  
8216 MT BRODIE CIR,  
LAS VEGAS, NV 89145-4559

Dated this 4th day of February, 2021

  
Signature

## Case Information

D-18-565588-C | Candice K Towner, Plaintiff, vs. Frederick O Silver, Defendant.

Case Number  
D-18-565588-C  
File Date  
02/07/2018

Court  
Department H  
Case Type  
Child Custody Complaint

Judicial Officer  
Ritchie, T. Arthur, Jr.  
Case Status  
Closed

## Party

Subject Minor  
Towner, Gabriel William

DOB  
XX/XX/XXXX

Plaintiff  
Towner, Candice K

DOB  
XX/XX/XXXX

Active Attorneys ▼  
Pro Se

Defendant  
Silver, Frederick O

Aliases  
AKA Silver, Frederick Omoyuma  
DOB  
XX/XX/XXXX

Active Attorneys ▼  
Pro Se

## Events and Hearings

02/07/2018 Complaint for Custody ▼

Complaint for Custody

Comment

Complaint for Custody

02/07/2018 Summons ▼

Served

03/30/2018

04/09/2018 Affidavit in Support ▼

Aff. Support of Req for Summary Dispo for Decree of Divorce

Comment

Affidavit in Support of Service

05/16/2018 Default ▼

Default