

IN THE SUPREME COURT OF THE STATE OF NEVADA

* * * * *

MOHAMAD ALHULAIBI,

S.C. No.:

82114/82121

Electronically Filed

Jul 12 2021 03:30 p.m.

D.C. Case No.:

D-20-506093-D

Elizabeth A. Brown
Clerk of Supreme Court

Appellant,

vs.

AHED SAID SENJAB

MOTION TO SUSPEND BRIEFING AND ARGUMENT AND FOR

INSTRUCTIONS

I. INTRODUCTION

Respondent, Ahed Said Senjab, by and through her attorney, Marshal S.

Willick, Esq., of the Willick Law Group, and pursuant to NRAP 27, submits this

Motion to Suspend Briefing and Argument and for Instructions as to an appeal

that appears, to our review, to be duplicative of matters already briefed, argued,

and under submission.

II. FACTS

A *Complaint for Custody* was filed by Ahd Said Senjab on March 23, 2020, in Clark County, Nevada. The case was assigned to Department H, the Hon. T. Arthur Ritchie presiding. Mohamad Alhulaibi filed a *Motion to Dismiss for Lack of Jurisdictional Requirements* on April 14, 2020, in lieu of an *Answer*.

Ahd filed an *Opposition* on April 24, and Mohamad filed his *Reply* on May 13. After a continuance, and various exhibits and supplements were filed, the continued hearing was held on June 16. The Court made its decision and filed its *Findings of Fact, Conclusions of Law and Judgment* and *Notice of Entry* on June 17.

Mohamad filed a motion seeking to pick up the child and take him to Saudi Arabia on June 29, 2020. The Willick Law Group appeared as Co-

Counsel and Appellate Counsel on July 1, and Ahed filed her *Opposition* and a countermotion seeking abduction prevention measures the same day.

Ahed filed her Notice of Appeal of the dismissal order on July 16, 2020.

Through her appellate attorneys, Ahed filed a Supplement concerning the pending cross-motions and a stay on appeal on July 17, which Mohamad opposed and sought to strike.

At a hearing on August 4, the Court denied Mohamad's petition and motion and made some temporary orders while the appeal is pending, noting that the Extended Order of Protection granted to Ahed against Mohamad remained in effect until February, 2021.

Ahed filed her Fast Track Statement on September 21, 2020, in case number 81515. Mohamad filed his Fast Track Response on November 12,

2020. Ahd's Reply was filed on November 17, 2020 which resulted in Oral Argument being scheduled for June 1, 2021.

During the pendency of the appellate briefing, the district court entered the Order Denying Relief on the later-filed motions on October 13, 2020, on the basis that the entire case had already been dismissed. Mohamad appealed that decision on November 12, 2020. Although the Order Denying Relief is a new Order, it consists of the same cast of characters and arguments discussing the same issues raised in appeal number 81515.

At oral argument in appeal number 81515, Justice Pickering made mention of "two additional appeals," but I thought she was referring to some other unrelated cases, so I may not have answered her question correctly.

Just before the due date of Mohamad's brief in 82114/82121, Mohamad's counsel (Mr. Markman) called to ask whether the case was going forward.

Since both of us were unsure, we put in a joint call to the Clerk's Office, which reported that since the two other cases were "associated" and not "consolidated," they had their own briefing schedule, and that if we had any question about proper procedure, we should file a motion to ask.

Mr. Markman said that he was out of time, and intended to file exactly the same Appendix, and essentially the same brief as in the earlier case; I reported that I would try to file a motion asking for instructions, since Justices of this Court have previously told counsel that when they see wasteful or unnecessary proceedings, they should bring it to the Court's attention.

This *Motion* follows.

III. MOTION

At oral argument in 81515, all sides spent considerable time discussing the UCCJEA, and the question of whether, no matter what was decided relating to divorce jurisdiction, since child custody had its own statute (UCCJEA) as did child support (UIFSA), all of which was briefed and argued in the first case, orders could be issued for child custody and support.

From our review, the disposition of 81515 is extremely likely to render moot any proceedings in the “other two” cases. This situation thus looks like one of those “wasteful or unnecessary proceedings” that this Court want counsel to identify before time, money, and Court resources are spent on them.

Accordingly, I request instruction as to going ahead and filing a responsive brief on the latter two cases, which will trigger screening and perhaps

argument setting, while a decision that could issue at any time may render all of those actions moot.

Of course, it is possible that I have misunderstood what the Court is looking for in the briefing of the other two cases. But if that is true, I think I need further instruction anyway, since our position on UCCJEA and UIFSA jurisdiction was set out in the earlier briefing and argument, and I am unsure what further information the Court might be seeking.

Accordingly, I ask for an order either suspending any briefing and argument in the latter two cases until we see whether the decision in 81515 renders them moot, or in the alternative an extension of time to answer and, if possible, instructions as to what the Court wishes to have further briefed and argued.

IV. CONCLUSION

Based on the foregoing, Ahd requests this Court to:

1. Suspend briefing and argument in the latter two cases.
2. In the alternative, grant an extension and if possible guidance as to what is to be addressed in an Answering Brief.
3. Grant any other relief this court may deem appropriate.

Dated this 12th day of July, 2021.

Respectfully submitted,
WILLICK LAW GROUP

/s/ Marshal S. Willick, Esq.

Marshal S. Willick, Esq.
Attorney for Respondent

CERTIFICATE OF SERVICE

Pursuant to NRAP 25 (5)(d)(1) I certify that I am an employee of the
WILLICK LAW GROUP and that on this 12th day of July, 2021, a document entitled
Motion to Suspend Briefing and Argument and for Instructions as filed
electronically with the Clerk of the Nevada Supreme Court, and therefore
electronic service was made in accordance with the master service list as
follows, to the listed attorney below at the address, email address, and/or
facsimile number indicated below:

David Markman, Esq.
Markman Law
4484 S. Pecos Road #130
Las Vegas, Nevada 89121

/s/ Victoria Javiel
An Employee of WILLICK LAW GROUP

P:\wp19\SENJAB,A\SCDRAFTS\00507697.WPD\jj