

IN THE SUPREME COURT OF THE STATE OF NEVADA

MOHAMAD ALHULAIBI

Appellant,

vs.

AHED SAID SENJAB

Respondent.

Supreme Court No.: 82114

Supreme Court No.: 82121

Electronically Filed
Jun 23 2021 12:01 a.m.
District Court No.: D-20-606093-D
Elizabeth A. Brown
Clerk of Supreme Court

**APPELLANT MOHAMAD
ALHULAIBI'S FAST TRACK
STATEMENT**

Appellant's Appendix – Volume I

Attorney for Appellant:

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Nevada Bar No. 9536
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Attorneys for Respondent:

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CLERK OF THE COURT
Alvin P. Linn

CASE NO: D-20-606093-D
Department: To be determined

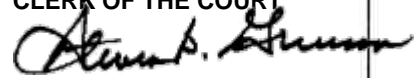
**STATEMENT OF LEGAL AID REPRESENTATION
AND FEE WAIVER (PURSUANT TO NRS 12.015)**


Signature of Preparer

AA000001

2

2



1 **COMD**

2 **APRIL GREEN, ESQ.**

3 Nevada Bar No.: 8340C

4 **BARBARA E. BUCKLEY, ESQ.**

5 Nevada Bar No.: 3918

6 **LEGAL AID CENTER OF SOUTHERN NEVADA, INC.** CASE NO: D-20-606093-D

7 725 E. Charleston Blvd.

Department: To be determined

8 Las Vegas, NV 89104

9 (702) 386-1415 Direct/Fax

10 (702) 386-1070 ext. 1415

11 asgreen@lacs.org

12 Attorneys for Plaintiff

13 **DISTRICT COURT**
14 **FAMILY DIVISION**
15 **CLARK COUNTY, NEVADA**

16 AHED SAID SENJAB,

17 Plaintiff,

18 vs.

19 MOHAMAD ALHULAIBI,

20 Defendant.

Case No.:

Dept. No.:

21 **COMPLAINT FOR DIVORCE**

22 The Plaintiff, AHED SAID SENJAB, by and through her attorney, April Green, Esq.
23 of Legal Aid Center of Southern Nevada, Inc., as and for a Complaint for Divorce against
24 Defendant alleges as follows:

25 1. That Plaintiff, for a period of more than six (6) weeks immediately preceding
26 this action, has been and now is an actual, bona fide resident of the State of Nevada, County
27 of Clark and has been actually physically present and domiciled in Nevada for more than six
28 weeks prior to the filing of this action.

2. That Plaintiff and Defendant were married on the 17th day of February, 2018,
in the Country of Saudi Arabia, and have been and still are husband and wife.

3. That there is one (1) minor child who is the issue of this marriage or was
adopted by the parties and Plaintiff is not currently pregnant. The names and dates of birth of

1 the minor child is:

2 RYAN MOHAMAD ALHULAIBI, born February 16, 2019.

3 4. That the Plaintiff, AHED SENJAB, is a fit and proper person to be awarded
4 sole legal and sole physical custody of the minor child.

5 5. That the Defendant, MOHAMAD ALHULAIBI, should be awarded
6 supervised visitation with the minor child on Saturdays only for two (2) hours based upon
7 Defendant's prior threat to abduct the child.

8 6. That Defendant should be ordered to pay child support in the amount of 16%
9 of his gross monthly income; Defendant's income is unknown to Plaintiff.

10 7. That pursuant to Eighth Judicial District Court Rule 5.07, Plaintiff and
11 Defendant shall each successfully complete the Transparenting Class within forty-five (45)
12 days of service of the initial Complaint or Petition upon Defendant, and that no action shall
13 proceed to final hearing until a notice of completion of the class has been filed with the Court,
14 provided that non-compliance by a parent who does not enter an appearance shall not delay a
15 final hearing.

16 8. That Plaintiff should maintain Medicaid for the minor child, if available. Any
17 unreimbursed medical, dental, optical, orthodontic or other health related expenses incurred
18 for the benefit of the minor children is to be divided equally between the parties.

19 9. That there is community property to be adjudicated by the Court as follows:
20 Plaintiff should be awarded sole interest, title and possession of the
21 her clothing, prayer rugs, the \$1,000.00 Defendant took from Plaintiff as well as all of
22 Plaintiff's and other personal property presently in Defendant's possession.

23 There may be additional community assets of the parties, the exact amounts and
24 descriptions of which are presently unknown to Plaintiff. Plaintiff asks permission of this
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1 Court to amend this Complaint to insert this information when it becomes known to Plaintiff
2 or at the time of trial.

3 10. That there is no community debt which should be adjudicated by the Court to
4 the best of Plaintiff's knowledge.

5 There may be community debt of the parties, the exact amounts and descriptions of
6 which are presently unknown to Plaintiff. Plaintiff asks permission of this Court to amend
7 this Complaint to insert this information when it becomes known to Plaintiff or at the time of
8 trial. Plaintiff requests that Defendant be ordered to pay any such community debt and to
9 indemnify and hold Plaintiff harmless thereon.

10 11. That Plaintiff should be awarded spousal support in the amount of \$2,000.00
11 per month for a period of five (5) years.

12 12. That Plaintiff should have her former or maiden name restored to her as
13 follows: AHED SAID SENJAB.

14 13. That during the course of the marriage, the tastes, mental disposition, views,
15 likes and dislikes of Plaintiff and Defendant have become so widely divergent that the parties
16 have become incompatible in marriage to such an extent that it is impossible for them to live
17 together as husband and wife; that the incompatibility between Plaintiff and Defendant is so
18 great that there is no possibility of reconciliation between them.

19 WHEREFORE, Plaintiff prays for a Judgment as follows:

20 A. That the marriage existing between Plaintiff and Defendant be dissolved and that
21 Plaintiff be granted an absolute Decree of Divorce and that each of the parties be restored to
22 the status of a single, unmarried person;

23 B. That the Court grant the relief requested in this Complaint for Divorce; and

24 C. For such other and further relief as this Court deems necessary and just.

25 DATED this 23rd day of March, 2020.

26
27 **LEGAL AID CENTER OF SOUTHERN NEVADA, INC.**

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By



APRIL GREEN, ESQ.
Nevada Bar No.: 8340
BARBARA E. BUCKLEY, ESQ.
Nevada Bar No.: 3918
725 East Charleston Blvd.
Las Vegas, NV 89104
(702) 386-1416 Direct/Fax
(702) 386-1070 Ext. 1415
asgreen@lacsns.org
Attorneys for Plaintiff

VERIFICATION

STATE OF NEVADA)
 :ss.
COUNTY OF CLARK)

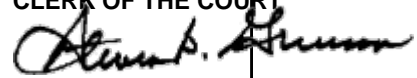
AHED SENJAB, under penalties of perjury, being first duly sworn, deposes and says:
That I am the Plaintiff in the above-entitled action; that I have read the foregoing
COMPLAINT FOR DIVORCE and know the contents thereof; that the same is true of my
own knowledge, except for those matters therein contained stated upon information and
belief, and as to those matter, I believe them to be true.

By A.S.

AHED SAID SENJAB

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3



1 **REQT**
2 **APRIL S. GREEN, ESQ.**
3 Nevada Bar No.: 8340C
4 **BARBARA E. BUCKLEY, ESQ.**
5 Nevada Bar No.: 3918
6 **LEGAL AID CENTER OF SOUTHERN NEVADA, INC.**
7 725 East Charleston Blvd.
8 Las Vegas, Nevada 89104
9 (702) 386-1415 Direct/Fax
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11 asgreen@lacs.org
12 Attorneys for Plaintiff

8 **DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

9 AHED SAID SENJAB,

10 Plaintiff,

11 vs.

12 MOHAMAD ALHULAIBI,

13 Defendant.

Case No.: D-20-606093-D

Dept. No.: F

14
15 **REQUEST FOR ISSUANCE OF JOINT PRELIMINARY INJUNCTION**

16 I respectfully request that the Court issue a Joint Preliminary Injunction in the above-
17 entitled action pursuant to EDCR 5.517.

18 DATED this 24th day of March, 2020.

19 **LEGAL AID CENTER OF SOUTHERN NEVADA,**
20 **INC.**

21 By: 

22 **APRIL S. GREEN, ESQ.**

23 Nevada Bar No.: 8340C

24 **BARBARA BUCKLEY, ESQ.**

25 Nevada Bar No.: 3918

26 725 East Charleston Boulevard

27 Las Vegas, Nevada 89104

28 (702) 386-1415 Direct/Fax

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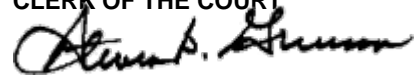
Attorneys for Plaintiff

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District Court Clark County, Nevada

Electronically Filed
3/26/2020 1:21 PM
Steven D. Grierson
CLERK OF THE COURT



AHED SAID SENJAB,

Plaintiff,

Case No.: D-20-606093-D

vs.

Dept. No.: F

MOHAMAD ALHULAIBI,

Defendant.

SUMMONS

NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.

TO THE DEFENDANT: MOHAMAD ALHULAIBI

A civil Complaint for Divorce has been filed by the plaintiff against you; this action is brought to recover a judgment dissolving the bonds of matrimony existing between you and the plaintiff.

1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you, exclusive of the day of service, you must do the following:

a. File with the Clerk of this Court, whose address is shown below, a formal written response to the Complaint in accordance with the rules of the Court.

b. Serve a copy of your response upon the attorney whose name and address is shown below.

2. Unless you respond, your default will be entered upon application of the plaintiff and this Court may enter a judgment against you for the relief demanded in the Complaint, which could result in the taking of money or property or other relief requested in the Complaint.

3. If you intend to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.


Issued at the direction of:
**LEGAL AID CENTER OF
SOUTHERN NEVADA, INC.**

STEVEN D. GRIERSON

Clerk of the Court

By:

Electronically Issued
3/24/2020


Deputy Clerk Jenny Gamez

Date

County Courthouse

601 N. Pecos

Las Vegas, Nevada 89101


APRIL S. GREEN, ESQ.

Nevada Bar No.: 8340C

BARBARA E. BUCKLEY, ESQ.

Nevada Bar No.: 3918

725 E. Charleston Blvd.

Las Vegas, Nevada 89104

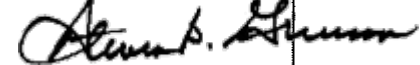
(702) 386-1070, Ext. 1415

Attorneys for Plaintiff

NOTE: When service is by publication, add a brief statement of the object of the action. See Rules of Civil Procedure, Rule

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JPI

DISTRICT COURT
CLARK COUNTY, NEVADA

AHED SAID SENJAB, PLAINTIFF

CASE NO: D-20-606093-D

VS.

DEPARTMENT F

MOHAMAD ABULHAKIM ALHULAIBI,

DEFENDANT.

JOINT PRELIMINARY INJUNCTION

Notice: This injunction is effective upon the requesting party when issued and against the other party when served. This injunction shall remain in effect from the time of its issuance until trial or until dissolved or modified by the court.

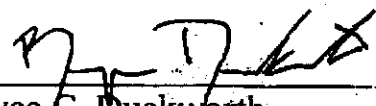
TO: Plaintiff and Defendant:


PURSUANT TO EIGHTH JUDICIAL COURT RULE 5.517, YOU, AND ANY OFFICERS, AGENTS, SERVANTS, EMPLOYEES OR A PERSON IN ACTIVE CONCERT OR PARTICIPATION WITH YOU, ARE HEREBY PROHIBITED AND RESTRAINED FROM:

1. Transferring, encumbering, concealing, selling or otherwise disposing of any of your joint, common or community property of the parties or any property which is the subject of a claim of community interest, except in the usual course of conduct or for the necessities of life or for retention of counsel for the case in which this Injunction is obtained; or cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of:
 - a. Any retirement benefits or pension plan held for the benefit (or election for benefit) of the parties or any minor child; or
 - b. Any insurance coverage, including life, health, automobile, and disability coverage;
- without the written consent of the parties or the permission of the court.

2. Molesting, harassing, stalking, disturbing the peace of or committing an assault or battery on the person of the other party or any child, stepchild, other relative or family pet of the parties.
3. Relocating any child of the parties under the jurisdiction of the State of Nevada from the state without the prior written consent of all parties with custodial rights or the permission of the court.

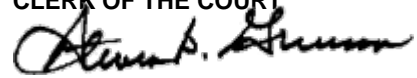
DATED this 24th day of March, 2020:


Bryce C. Duckworth
Presiding Judge, Family Division



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APRIL S. GREEN, ESQ.
Nevada Bar No. 8340C
BARBARA E. BUCKLEY, ESQ.
Nevada Bar No. 3918
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Attorneys for Plaintiff
Department to be determined

Family District Court

Plaintiff / Petitioner: Ahed Said Senjab	Case No: D-20-606093-D Department to be determined
Defendant / Respondent: Mohamad Abulhakim Alhulaibi	AFFIDAVIT/DECLARATION OF SERVICE-Mohamad Abulhakim Alhulaibi

I, Jennifer Harhay, R-051861, being duly sworn, or under penalty of perjury, state that at all times relevant, I was over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents.

That on Wed, Mar 25 2020 at 02:03 PM, at the address of 1055 E. Flamingo Road 416, within Las Vegas, NV, the undersigned duly served the following document(s): Summons and Complaint; Joint Preliminary Injunction in the above entitled action upon Mohamad Abulhakim Alhulaibi, by then and there, at the residence and usual place of abode of said person(s), personally delivering 1 true and correct copy(ies) of the above documents to KELLY NASH, GATE GUARD PER N.R.S. 14.090 1 (a) "A guard posted at the gate and the guard denies access to the residence for service of process, service of process is effective upon leaving a copy thereof with the guard".

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct. No Notary is Required per NRS 53.045.

Date: 03/26/2020

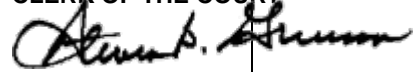


Jennifer Harhay, R-051861

ACE Executive Services, LLC (NV #2021C)
8275 S EASTERN AVE STE 200
LAS VEGAS, NV 89123
Job: 4443674 (2020-002001)

7

7



RWAO
APRIL S. GREEN, ESQ.
Nevada Bar No.: 8340C
BARBARA E. BUCKLEY, ESQ.
Nevada Bar No.: 3918
LEGAL AID CENTER OF SOUTHERN NEVADA, INC.
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(702) 386-1415 Direct/Fax
(702) 386-1070, Ext. 1415
asgreen@lacsnc.org
Attorneys for Plaintiff

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

AHED SAID SENJAB,)	
)	
Plaintiff,	)	Case No.: D-20-606093-D
)	
vs.	)	Dept. No.: H
)	
MOHAMAD ALHULAIBI,)	
)	
Defendant.)	

REQUEST FOR WAIVER OF PROGRAM ATTENDANCE

COMES NOW Plaintiff, AHED SAID SENJAB, by and through her attorney, APRIL S. GREEN, ESQ., of LEGAL AID CENTER OF SOUTHERN NEVADA, INC., and respectfully requests that the Court waive the requirement that Plaintiff attend the Court Education Program required under the provisions of EDCR 5.07 that Plaintiff has a language barrier and she is currently living at Safe Nest.

Dated this 13th day of April, 2020.

Respectfully Submitted:

By 

APRIL S. GREEN, ESQ.
Nevada Bar No.: 8340C
BARBARA E. BUCKLEY, ESQ.
Nevada Bar No.: 3918
**LEGAL AID CENTER OF SOUTHERN
NEVADA, INC.**
725 East Charleston Blvd.

1 Las Vegas, Nevada 89104
2 (702) 386-1415 Direct/Fax
3 (702) 386-1070, Ext. 1415
4 Attorneys for Plaintiff

5 **ORDER**

6 Upon ex parte application, the Court having reviewed the matter, and good cause
7 appearing therefore, it is hereby

8 **ORDERED** that the Plaintiff's request to waive attendance in the program is hereby
9 granted.
10

11 DATED this 13 day of April, 2020.

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14 DISTRICT COURT JUDGE

15 LCD

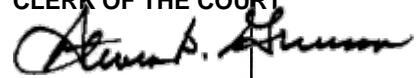
16 Respectfully Submitted:

17
18 By 

19 **APRIL S. GREEN, ESQ.**
Nevada Bar No.: 8340C
20 **BARBARA E. BUCKLEY, ESQ.**
Nevada Bar No.: 3918
21 **LEGAL AID CENTER OF SOUTHERN**
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25 Attorneys for Plaintiff
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Phone: (702) 843-5899
Fax: (702) 843-6010
Attorneys for Mohamad Alhulabi

DISTRICT COURT
CLARK COUNTY, NEVADA

* * * * *

AHED SAID SENJAB

Plaintiff,

vs.

MOHAMAD ALHULAIBI

Defendants.

CASE NO.: D-20-606093-D

DEPT. NO.: H

ORAL ARGUMENT REQUESTED

NOTICE: YOU ARE REQUIRED TO FILE A WRITTEN RESPONSE TO THIS MOTION WITH THE CLERK OF THE COURT AND TO PROVIDE THE UNDERSIGNED WITH A COPY OF YOUR RESPONSE WITHIN TEN (10) DAYS OF YOUR RECEIPT OF THIS MOTION. FAILURE TO FILE A WRITTEN RESPONSE WITH THE CLERK OF THE COURT WITHIN (10) DAYS OF YOUR RECEIPT OF THIS MOTION MAY RESULT IN THE REQUESTED RELIEF BEING GRANTED BY THE COURT WITHOUT HEARING PRIOR TO THE SCHEDULED HEARING DATE.

DEFENDANT'S MOTION TO DISMISS FOR LACK OF JURISDICTIONAL REQUIREMENTS

Defendant Mohamad Alhulaibi ("Mohamad") by and through his counsel of record MARKMAN LAW hereby submits this Motion to Dismiss in response to the Complaint filed by Plaintiff Ahed Senjab ("Ahed" or "Plaintiff").

This Motion is made and based upon the following Memorandum of Points and Authorities along with Exhibits and any oral argument the Court may consider.

///

1
2 **MEMORANDUM OF POINTS AND AUTHORITIES**

3 **I. INTRODUCTION**

4 On March 24, 2020, the Plaintiff in this matter filed her complaint for Divorce. The
5 Plaintiff's Complaint centered mainly on dissolution of the marriage, sole legal and physical
6 custody of the minor, child support, division of community property, and spousal support. While
7 Mohamad does not object to the dissolution of the marriage, Mohammad does not believe this
8 Court is the proper court to hear the divorce and child custody matters. Mohamad is on a student
9 visa and Plaintiff is a dependent to Mohamad's student visa. As neither party maintains the
10 requisite intent and/or ability to make Nevada their permanent home, personal and subject matter
11 jurisdiction are therefore lacking and it would not be appropriate to enter a divorce decree or
12 child custody order.

13 As such, and as demonstrated below, the Plaintiff's Complaint fails, and Mohamad's Motion
14 should be granted.

15 **II. FACTS**

16 Mohamad and Plaintiff are both citizens of Syria. Mohamad and Plaintiff were
17 married on February 17th, 2018 in the Country of Saudi Arabia. Mohamad and Plaintiff have one
18 son together, Ryan Mohamad Alhulaibi ("Minor Child"), born on February 16, 2019. The minor
19 child is not a citizen of the United States.

20 Mohamad moved to Nevada on or about August 2018 for the purpose of furthering his
21 education. Mohamad has always planned to return to either Saudi Arabia or Syria after he
22 completed his education. Mohamad has never had the intent to remain in the United States let
23 alone Nevada. Mohamad is currently scheduled to complete his studies by no later than July
24 2020 with the ability to be done with his studies by the end of May 2020.

25 Mohamad is in the United States on an F1 Visa (student visa). Plaintiff is in the United
26 States on an F2 Visa (student visa dependent). Minor child is also on an F2 Visa. Based on
27 Plaintiff's current visa status a divorce would end Plaintiff's ability to remain in the United
28 States.

1 Plaintiff moved to Nevada from Saudi Arabia with the minor child on or about January
2 13, 2020. Plaintiff moved out of the apartment on or about February 12, 2020.

3 Upon information and belief, Mohamad understands that Plaintiff has roughly one
4 hundred thousand dollars (\$100,000.00) in assets consisting of gold and property in Saudi Arabia
5 and Syria. Mohamad believes that Plaintiff may be using the divorce in an attempt to gain legal
6 status in the United States for her and her family.

7 **III. STANDARDS**

8 **a. MOTION TO DISMISS**

9 Nevada Rule of Civil Procedure 12(b)(1) allows a defendant to move for
10 dismissal on the grounds that the court lacks jurisdiction over the subject matter of plaintiff's
11 claims. Nev. R. Civ. Pr. 12(b)(1); Wright v. Incline Vill. Gen Improvement Dist., 597 F. Supp. 2d
12 1191 (D. Nev. 2009), citing Bender v. Williamsport Area Sch. Dist., 475 U.S. 534, 541, 106 S.Ct.
13 1326, 89 L.Ed. 2d 501 (1986). Once a 12(b)(1) defense is asserted the burden is on plaintiff to
14 establish that the court has subject matter jurisdiction over the action. Assoc. of Medical Colleges
15 v. United States, 217 F.3d 770, 778-779 (9th Cir. 2000). "In resolving a factual attack on
16 jurisdiction, [a] district court may review evidence beyond the complaint without converting the
17 motion to dismiss into a motion for summary judgment." Safe Air v. Meyer, 373 F.3d 1035, 1039
18 (9th Cir. 2004). Although the above mentioned Nevada case law is federal case law, because the
19 Nevada Rules of Civil Procedure are based in large part upon their federal counterparts (i.e.,
20 Federal Rules of Civil Procedure), federal cases interpreting the Federal Rules of Civil Procedure
21 "are strong persuasive authority" when Courts interpret the Nevada Rules of Civil
22 Procedure. Executive Mgmt., Ltd. v. Ticor Title Ins. Co., 118 Nev. 46, 53, 38 P.3d 872, 876
23 (2002).

24 Nevada Rule of Civil Procedure 12(b)(2) allows a defendant to move for dismissal on the
25 grounds that the court lacks jurisdiction over the person whom plaintiff names as a defendant. Nev.
26 R. Civ. Pr. 12(b)(2).

27
28 ///

1 **IV. ANALYSIS**

2 **A. Plaintiff Does Not Meet the Residency Requirement of NRS 125.020**

3 Even though Plaintiff alleges she meets the residency requirements of NRS 125.020, her
4 complaint fails based on her lack of ability to form the bona fide intent requisite. In Plaintiff's
5 complaint she alleges that she is a bona fide resident of the State of Nevada and has been domiciled
6 in Nevada for more than six weeks prior to the filing of the action. Nevada law requires not only
7 that a person reside in Nevada for six weeks but that it is accompanied by a bona fide intention to
8 make Nevada their home and to remain in Nevada permanently or at least for an indefinite time.
9 Aldabe v. Aldabe, 84 Nev. 392, 396, 441 P.2d 691, 694 (1968); Williams V. North Carolina, 325
10 U.S. 226, 241(1945); citing Lamb v. Lamb, 57 Nev. 421, 65 P.2d 872 (1937). Plaintiff cannot have
11 the requisite intent to remain in Nevada permanently or for an indefinite amount of time because
12 if the divorce is granted, Plaintiff will have no legal basis to remain in the United States. While
13 Plaintiff may intend to remain in Nevada following the dissolution of the marriage she will not
14 legally be allowed to stay. Therefore, Plaintiff cannot have the required intent necessary to have
15 *bona fide* status in accordance with NRS 125.020.

16
17 Plaintiff upon coming to the United States must have or should have known that her time in
18 Nevada was only going to be for a definite period of time, that would conclude upon Mohamad's
19 completion of his education.

20 Moreover, Plaintiff entered the United States on or about January 13, 2020 and moved out of
21 the apartment that the parties shared on or about February 12, 2020. Plaintiff was not in Nevada
22 for six (6) weeks prior to abandoning the marriage. Upon Plaintiff moving out of the parties'
23 apartment, Plaintiff should have known that she could not legally remain in the United States let
24 alone the State of Nevada as Plaintiff's ability to legally remain in the United States was directly
25 tied to her being married to Mohammad and Mohammad's continued educational studies.

26 As Plaintiff cannot meet the residency requirements of NRS 125.020, as interpreted by the
27 courts, Plaintiff's complaint must be dismissed.

28 ///

1 **B. Mohamad Has Never Intended to Remain in Nevada**

2 Mohamad does not have the requisite intent to make Nevada his permanent residence. In
3 Plunkett, the parties lived in Nevada for eight months, while the husband worked on a construction
4 job, after which the couple left the state and did not return for twelve years. Plunkett v. Plunkett,
5 71, Nev. 159, 283, P.2d 225. The Court while determining that Nevada was not the proper
6 jurisdiction for the divorce proceeding stated in *dicta*, that domicile may have never even existed
7 for either of the parties. Id. at 161. While the Court did not elaborate regarding why domicile had
8 never existed, the Court presumably reasoned that even though the parties lived in Nevada for
9 eight months they never intended to permanently reside in the state. Id.

10 Here, Mohamad has a current F1 Visa and has lived in Nevada since August 2018.
11 Similar to the parties in Plunkett, throughout Mohamad's time in Nevada, Mohamad has never had
12 the intent or desire to live in Nevada or the United States following the completion of his education.
13 Mohamad has always intended to return to either Saudi Arabia or Syria. Mohamad understands
14 that under his current visa status he cannot continue to live in the United States if he is not attending
15 school. Mohamad is currently scheduled to end his education at UNLV by the end of July 2020.
16 Thus, Mohamad does not possess the requisite intent necessary to make him a *bona fide* resident
17 for the purpose of jurisdictional requirements in this divorce proceeding. Further, based on
18 Mohamad's anticipated completion of his studies, it is possible that the instant case is not resolved
19 prior to Mohamad leaving the United States and returning to Saudi Arabia or Syria.

20 As Defendant also does not meet the residency requirements of NRS 125.020, as interpreted
21 by the courts, Plaintiff's complaint must be dismissed.

22 **C. Nevada is not the Minor Child's Habitual Residence**

23 Pursuant to NRS 125A.305:

24 "... a court of this State has jurisdiction to make an initial child custody determination only
25 if:

- 26 (a) This State is the home state of the child on the date of the commencement of
27 the proceeding or was the home state of the child within 6 months before the
28 commencement of the proceeding and the child is absent from this State but a
parent or person acting as a parent continues to live in this State.

1 Pursuant to NRS 125A.085, Home State is defined as follows:

- 2 (1) The state in which a child lived with a parent or a person acting as a parent for
3 at least 6 consecutive months, including any temporary absence from the state,
4 immediately before the commencement of a child custody proceeding.

5 Nevada is not the minor child's habitual residence. In Swan v. Swan, the Court held that
6 Nevada was not the home state of the children because the children had lived in Nevada for less
7 than forty days prior to the commencement of the proceeding. Swan v. Swan, 796 P. 2d 221, 222
8 (1990). Further, the Court held it did not have subject matter jurisdiction to decide the custody
9 award under the home state requirement. Id. Here, the minor child lived in Nevada for seventy-
10 two (72) days prior to the commencement of the instant action. The two and half months the minor
11 child lived in Nevada prior to the commencement of the action is less than half of the 6 month
12 statutory requirement. At the time of the filing of this instant motion the minor child still has not
13 lived in Nevada for six months. The Swan Court also found that it was not in the best interest of
14 children to have Nevada determine custody as the children were attending school in Utah and that
15 was where the children had close relations and family. Id. at 223. Here, the child is one years old
16 and is not attending school, he has no roots in the United States nor Nevada, the minor child's only
17 family in Nevada is his parents. Neither parent of the child is a citizen of the United States. The
18 minor child's parents are in the United States on temporary status directly tied to Mohamad's
19 studies at UNLV, therefore it is appropriate that Saudi Arabia is the proper court to retain
20 jurisdiction over the marriage and child custody matters.

21
22 In determining the habitual residence of a minor child, the court must consider both the time a
23 child is present in a state, and factors indicating the degree of settled purpose from the child's
24 perspective. Vaile v. Eighth Judicial Dist. Court ex rel. County of Clark, 118 Nev. 262, 279, 44
25 P.3d 506, 518 (2002). "A child's habitual residence is a place where he or she has been physically
26 present for an amount of time sufficient for acclimatization and which has a degree of settled
27 purpose from the child's perspective. Id.

28 The minor child in this case is not old enough to have acclimatized to Nevada. Nor has the

1 minor child had any degree of settled purpose. The minor child lived in the parties shared
2 apartment for less than one month before being uprooted to live with his mother in a shelter. The
3 minor child now splits time between the two parents. Hence, the child's habitual residence must
4 remain Saudi Arabia as the child is not acclimatized to Nevada and the parents' purpose in being
5 in the United States is for Mohammad to further his education. With the parties original intent to
6 return to Saudi Arabia or Syria following Mohammad's completion of his education.
7

8 Therefore, even if the Court decided that either of the parties had the requisite intent to make
9 Nevada their residence, Nevada is still not the habitual residence of the minor. Accordingly, for
10 the sake of judicial economy it is in all the parties best interest to have the Saudi Arabian courts
11 decide all matters. Therefore, this court should dismiss the entirety of the instant complaint.

12 **V. CONCLUSION**

13 For the above reasons, Mohamad respectfully requests that the Court dismiss the
14 Complaint.

15 Dated this 14th day of April, 2020.

16 MARKMAN LAW

17
18
19 By: /s/ DAVID MARKMAN

20 DAVID MARKMAN, ESQ.

21 Nevada Bar No. 12440

22 4484 S. Pecos Rd. #130

23 Las Vegas, Nevada 89121

24 (702) 843-5899

25 Attorneys for Plaintiffs
26
27
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AA000020

1 CERTIFICATE OF SERVICE

2 Pursuant to NRCP 5(b), I certify that I am an employee of MARKMAN LAW, and that
3 on this 14th day of April 2020, I caused the foregoing document entitled DEFENDANT'S
4 MOTION TO DISMISS FOR LACK OF JURISDICTIONAL REQUIREMENTS, to be served as
follows:

5 ☐ pursuant to EDCR 8.05(a), EDCR 8.05(f), NRCP 5(b)(2)(D) and Administrative
6 Order 14-2 captioned "In the Administrative Matter of Mandatory Electronic
7 Service in the Eighth Judicial District Court," by mandatory electronic service
through the Eighth Judicial District Court's electronic filing system;

8 ☒ by placing same to be deposited for mailing in the United States Mail, in a sealed
9 envelope upon which first class postage was prepaid in Las Vegas, Nevada;

10 ☐ pursuant to EDCR 7.26, to be sent via **facsimile**, by duly executed consent for
11 service by electronic means;

12 ☐ sent out for hand-delivery via Receipt of Copy.

13 To the attorney(s) listed below at the address, email address, and/or facsimile number
14 indicated below:

15 APRIL GREEN, ESQ.
16 Nevada Bar 8340C
17 BARBARA BUCKLEY
18 Nevada Bar No. 3918
19 LEGAL AID CENTER OF SOUTHERN NEVADA, INC.
20 725 E. Charleston Blvd.
Las Vegas, NV 89104
asgreen@lacsno.org

21
22 /s/ David Markman
23 David Markman, Esq.
24
25
26
27
28

MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

AHED SAID SENJAB

Plaintiff/Petitioner

MOHAMAD ALHULAIBI

Defendant/Respondent

Case No. 0-20-606093-D

Dept. H

**MOTION/OPPOSITION
FEE INFORMATION SHEET**

Notice: Motions and Oppositions filed after entry of a final order issued pursuant to NRS 125, 125B or 125C are subject to the reopen filing fee of \$25, unless specifically excluded by NRS 19.0312. Additionally, Motions and Oppositions filed in cases initiated by joint petition may be subject to an additional filing fee of \$129 or \$57 in accordance with Senate Bill 388 of the 2015 Legislative Session.

Step 1. Select either the \$25 or \$0 filing fee in the box below.

- ☐ **\$25** The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.
-OR-
☒ **\$0** The Motion/Opposition being filed with this form is not subject to the \$25 reopen fee because:
☒ The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
☐ The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.
☐ The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on _____.
☐ Other Excluded Motion (must specify) _____.

Step 2. Select the \$0, \$129 or \$57 filing fee in the box below.

- ☒ **\$0** The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
☒ The Motion/Opposition is being filed in a case that was not initiated by joint petition.
☐ The party filing the Motion/Opposition previously paid a fee of \$129 or \$57.
-OR-
☐ **\$129** The Motion being filed with this form is subject to the \$129 fee because it is a motion to modify, adjust or enforce a final order.
-OR-
☐ **\$57** The Motion/Opposition being filing with this form is subject to the \$57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of \$129.


Step 3. Add the filing fees from Step 1 and Step 2.

The total filing fee for the motion/opposition I am filing with this form is:

☒ **\$0** ☐ **\$25** ☐ **\$57** ☐ **\$82** ☐ **\$129** ☐ **\$154**

Party filing Motion/Opposition: MOHAMAD ALHULAIBI Date 4/14/2020

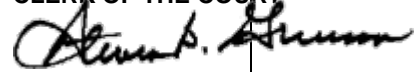
Signature of Party or Preparer



AA000022

9

9



1 **NOA**
2 **DAVID MARKMAN, ESQ.**
3 Nevada Bar No. 12440
4 **MARKMAN LAW**
5 4484 S. Pecos Rd Ste. 130
6 Las Vegas, Nevada 89121
7 Phone: (702) 843-5899
8 Fax: (702) 843-6010
9 Attorneys for Mohamad Alhulabi

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

9 AHED SAID SENJAB

10 Plaintiff,

11 vs.

12 MOHAMAD ALHULAIBI

13 Defendants.
14

CASE NO.: D-20-606093-D

DEPT. NO.: H

15 **NOTICE OF APPEARANCE**

16 COMES NOW, David Markman, Esq. of Markman Law, serves notice on the Court and
17 all parties that he is now representing Mohamad Alhulaibi in this matter. Any papers, pleadings,
18 order or notices, should be sent to Markman Law hereafter.

19 The undersigned does hereby affirm the foregoing document does not contain the
20 social security number of any person.

21 Dated this 14th day of April, 2020.

22 MARKMAN LAW

23 By: /s/ DAVID MARKMAN

24 DAVID MARKMAN, ESQ.
25 Nevada Bar No. 12440
26 4484 S. Pecos Rd. #130
27 Las Vegas, Nevada 89121
28 (702) 843-5899
Attorneys for Plaintiffs

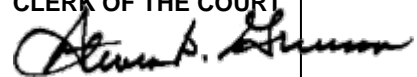
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Electronically Filed
4/15/2020 6:45 AM
Steven D. Grierson
CLERK OF THE COURT



Ahed Said Senjab, Plaintiff

vs.

Mohamad Abulhakim Alhulaibi, Defendant.

Case No.: D-20-606093-D

Department H

NOTICE OF HEARING

Please be advised that the Defendant's Motion to Dismiss for Lack of Jurisdictional Requirements in the above-entitled matter is set for hearing as follows:

Date: May 20, 2020

Time: 10:00 AM

Location: RJC Courtroom 03G
Regional Justice Center
200 Lewis Ave.
Las Vegas, NV 89101

NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Juanito Nasarro
Deputy Clerk of the Court

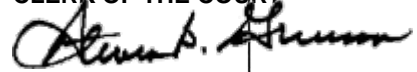
CERTIFICATE OF SERVICE

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Juanito Nasarro
Deputy Clerk of the Court

11

11



1 AFFR

2 APRIL S. GREEN, ESQ.

3 Nevada Bar No.: 8340C

4 BARBARA E. BUCKLEY, ESQ.

5 Nevada Bar No.: 3918

6 LEGAL AID CENTER OF SOUTHERN NEVADA, INC.

7 725 East Charleston Blvd.

8 Las Vegas, Nevada 89104

9 (702) 386-1415 Direct/Fax

10 (702) 386-1070, Ext. 1415

11 asgreen@lacs.org

12 Attorneys for Plaintiff

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DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

AHED SAID SENJAB,

Plaintiff,

vs.

MOHAMAD ALHULAIBI,

Defendant.

Case No.: D-20-606093-D

Dept. No.: H

AFFIDAVIT OF RESIDENT WITNESS

STATE OF NEVADA)
COUNTY OF CLARK)
:ss.

1. I, JAHAYKA Roque, do solemnly swear to testify herein to the truth,
the whole truth and nothing but the truth.

2. That I am over the age of eighteen and competent to testify to the facts herein.

3. That I have lived in the State of Nevada since 2007 and presently
live at P.O. Box 571150 Las Vegas NV 89157. It is my intention to live
in Clark County, Nevada for the foreseeable future.

4. That to my personal knowledge, Plaintiff resides at P.O. Box 571150, Las Vegas,
Nevada 89157, and has been physically living within the State of Nevada on a daily basis for at
least six (6) weeks prior to the filing of the Complaint for Divorce.

5. That to my personal knowledge, Plaintiff has physically lived in the State of
Nevada since Feb. 12 - 2020.

1 6. That I see Plaintiff on the average of 7 times a week. Plaintiff is my
2 Friends.

3 7. That I know of my own personal knowledge that Plaintiff is a bona fide resident
4 of the State of Nevada.

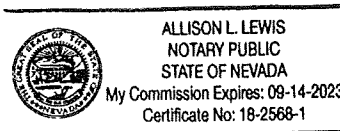
5 FURTHER AFFIANT SAYETH NAUGHT.

6 DATED this 15 day of April, 2020.

7
8 *John Doe*

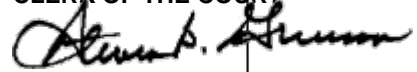
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10 SUBSCRIBED AND SWORN to before me
11 this 15th day of April, 2020 by

12
13 *Allison L. Lewis*
14 NOTARY PUBLIC in and for said
15 County and State



12

12



1 **AFSD**
2 **APRIL S. GREEN, ESQ.**
3 Nevada Bar No.: 8340C
4 **BARBARA E. BUCKLEY, ESQ.**
5 Nevada Bar No.: 3918
6 **LEGAL AID CENTER OF SOUTHERN NEVADA, INC.**
7 725 East Charleston Blvd.
8 Las Vegas, Nevada 89104
9 (702) 386-1415 Direct/Fax
10 (702) 386-1070, Ext. 1415
11 asgreen@lacs.org
12 Attorneys for Plaintiff

13 **DISTRICT COURT**
14 **FAMILY DIVISION**
15 **CLARK COUNTY, NEVADA**

16 AHED SAID SENJAB,)
17)
18 Plaintiff,) Case No.: D-20-606093-D
19)
20 vs.) Dept. No.: H
21)
22 MOHAMAD ALHULAIBI,)
23)
24 Defendant.)

25 **AFFIDAVIT OF PLAINTIFF IN SUPPORT OF**
26 **REQUEST FOR SUMMARY DISPOSITION OF DECREE OF DIVORCE**

27 STATE OF NEVADA)
28) ss:
COUNTY OF CLARK)

1. I, AHED SAID SENJAB, do solemnly swear to testify herein to the truth, the whole truth and nothing but the truth.

2. That I am the Plaintiff in Case Number D-20-606093-D.

3. That I live at P.O. Box 571150, Las Vegas, Nevada 89157.

4. That I first moved to Clark County, Nevada in JANUARY 14, 2020, which is more than six (6) weeks prior to filing the Complaint for Divorce. It is my intention to live in Clark County for the foreseeable future.

5. That I have read the Complaint for Divorce in this case and can testify hereto that the allegations in that document are true and correct to the best of my own personal knowledge.

6. That my spouse and I are incompatible in marriage. Our likes and dislikes are so widely divergent that we can no longer live together as husband and wife. Reconciliation is not

1 possible.

2 7. That there is one (1) minor child born the issue of this marriage, no children were
3 adopted by the parties, and Plaintiff is not currently pregnant.

4 8. That there is community property to be adjudicated by the Court.

5 9. That there are no community debts to be adjudicated by the Court.

6 10. That I will be awarded spousal support in the amount of \$2,000.00 per month for
7 a period of five (5) years.

8 11. That I shall have my former or maiden name restored to me, to wit: AHED SAID
9 SENJAB.

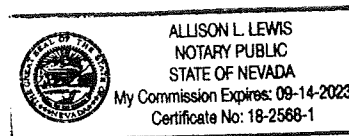
10 FURTHER AFFIANT SAYETH NAUGHT.

11 DATED this 15th day of April, 2020.

12
13 A.S.
14 AHED SAID SENJAB

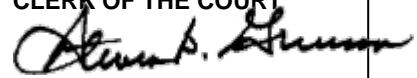
15 SUBSCRIBED AND SWORN to before me
16 this 15th day of April, 2020 by
17 Ahed Said Sanjab.

18 Allison L Lewis
19 NOTARY PUBLIC in and for said
20 County and State



13

13



1 **OPPS**
2 **APRIL GREEN, ESQ.**
3 Nevada Bar No.: 8340C
4 **BARBARA E. BUCKLEY, ESQ.**
5 Nevada Bar No.: 3918
6 **LEGAL AID CENTER OF SOUTHERN NEVADA, INC.**
7 725 E. Charleston Blvd.
8 Las Vegas, NV 89104
9 (702) 386-1415 Direct/Fax
10 (702) 386-1070 ext. 1415
11 asgreen@lacsns.org
12 Attorneys for Plaintiff

8 **DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

10 AHED SAID SENJAB,)	
)	
11 Plaintiff,	)	Case No.: D-20-606093-D
	)	Dept. No: H
12 vs.)	
)	
13)	
)	
14 MOHAMED ALHULAIBI,	)	Date of Hearing: 5/20/2020
	)	Time of Hearing: 10:00 a.m.
15 Defendant.)	
16)	

17 **PLAINTIFF'S OPPOSITION TO DEFENDANT'S**
18 **MOTION TO DISMISS FOR LACK OF JURISDICTIONAL**
19 **REQUIREMENTS**

20 Comes now, April Green, Esq. of the Legal Aid Center of Southern Nevada,
21 Inc., counsel for Plaintiff, Ahed Said Senjab, and herein files this Opposition to
22 Defendant's Motion to Dismiss. This opposition is made in good faith and is
23 supported by law and fact and is brought before the Court based upon the
24 pleadings on file herein, Points and Authorities and the Affidavit of Ahed Said
25 Senjab, attached hereto and arguments as will be made by counsel at the duly
26 noticed hearing.

27 WHEREFORE, Plaintiff, Ahed Said Senjab, moves this Court for the
28 following:

- 1 1. An Order denying Defendant's Motion to Dismiss in its entirety; and
2 2. For such other and further relief as the Court may deem just and proper.
3

4 DATED this 21st day of April, 2020.
5

6 **LEGAL AID CENTER OF SOUTHERN
NEVADA, INC.**

7
8 By: 

APRIL S. GREEN, ESQ.

Nevada Bar No.: 8340C

BARBARA E. BUCKLEY, ESQ.

Nevada Bar No.: 3918

725 E. Charleston Blvd.

Las Vegas, NV 89104

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(702) 386-1070 ext. 1415

asgreen@lacsns.org

Attorneys for Plaintiff
14

15
16 **MEMORANDUM OF POINTS AND AUTHORITIES**

17 **I.**

18 **FACTS**

19 Plaintiff, AHED SAID SENJAB ("AHED" or Plaintiff), and Defendant,
20 MOHAMAD ALHULAIBI ("Mohamad" or Defendant), are from Syria but lived
21 in Saudi Arabia. The parties were married on February 17, 2018 in the Country of
22 Saudi Arabia. The parties have one (1) minor child, RYAN MOHAMAD
23 ALHULAIBI, born February 16, 2019. Mohamad moved to Las Vegas, Nevada in
24 August 2018. Ahed and the parties' minor child moved to Las Vegas, Nevada in
25 January, 2020 by student visa. Mohamad is a graduate student and works at the
26 University of Nevada, Las Vegas as a tutor. Ahed is not currently employed.

27 The parties separated on or around February 9, 2020 due to domestic
28 violence in the relationship. A police report was filed on February 10, 2020

1 wherein Ahed alleged severe domestic violence including verbal, physical, sexual,
2 and economic abuse. She indicates she was treated like a slave by her husband.
3 Ahed filed for a protection order and it was granted and extended for one year.
4 Ahed left the parties' apartment on or about February 12, 2020 as a result of all the
5 foregoing. Ahed currently resides with the minor child at Safe Nest.

6 II.

7 PROCEDURAL HISTORY

8 Plaintiff filed and was granted a Temporary Protection Order (TPO) on
9 February 14, 2020 which was extended for one (1) year. She was granted
10 temporary custody of the child by TPO Court subject to Defendant's visitation.
11 Thereafter, Plaintiff filed a "Complaint for Divorce" on March 24, 2020. In her
12 Complaint, Ahed requests sole legal and sole physical custody of the parties'
13 minor child. She requests that the Defendant be awarded supervised visitation with
14 the minor child on Saturdays only for two (2) hours based upon Defendant's prior
15 threat to abduct the child and because she believes the child is not safe in his care.
16 Plaintiff also requests that Defendant be ordered to pay child support in the
17 amount of 16 percent of his gross monthly income and spousal support of
18 \$2,000.00 per month for a period of five (5) years. Defendant filed a Motion to
19 Dismiss for Lack of Jurisdictional Requirements. This Opposition follows.

20 III.

21 LEGAL AUTHORITY AND ARGUMENT

22 I. THE COURT SHOULD NOT GRANT DEFENDANT'S 23 MOTION TO DISMISS BECAUSE THIS COURT DOES HAVE 24 JURISDICTION

25 A defendant may move to dismiss for lack of personal jurisdiction. *See Nev.*
26 *R. Civ. Pr. 12(b)(2)*. Once a defendant raises the defense, the burden then falls on
27 the plaintiff to prove sufficient facts to establish that jurisdiction is proper.
28 *Boschetto v. Hansing*, 539 F.3d 1011, 1015 (9th Cir. 2008). A plaintiff can meet

1 this burden by presenting evidence sufficient to establish that (1) personal
2 jurisdiction is proper under the laws of the state where it is asserted; and (2) the
3 exercise of jurisdiction does not violate the defendant's right to due process.
4 *Ziegler v. Indian River County*, 64 F.3d 470, 473 (9th Cir. 1995); *Chan v. Soc'y*
5 *Expeditions, Inc.*, 39 F.3d 1398, 1404-05 (9th Cir. 1994). To survive a motion to
6 dismiss for lack of personal jurisdiction, a plaintiff need only make "a *prima facie*
7 showing of jurisdictional facts." *Pebble Beach Co. v. Caddy*, 453 F.3d 1151, 1154
8 (9th Cir. 2006). Furthermore, when analyzing such a motion to dismiss, "the court
9 resolves all disputed facts in favor of the plaintiff." *Id.*

10 When no federal statute governs personal jurisdiction, the district court
11 applies the law of the forum state. *See Panavision Int'l L.P. v. Toeppen*, 141 F.3d
12 1316, 1320 (9th Cir. 1998). Nevada has authorized its courts to exercise
13 jurisdiction over persons "on any basis not inconsistent with ... the Constitution of
14 the United States." Nev. Rev. Stat. § 14.065. Thus, the Due Process Clause of the
15 Fourteenth Amendment is the relevant constraint on Nevada's authority to bind a
16 nonresident defendant to a judgment of its courts. *World-Wide Volkswagen Corp.*
17 *v. Woodson*, 444 U.S. 286, 291 (1980). In divorce cases, personal jurisdiction is
18 present as long as the court has personal jurisdiction over *either* of the parties to
19 the marriage. *Williams v. North Carolina*, 317 U.S. 287 (1942).

20 There are two categories of personal jurisdiction: general jurisdiction and
21 specific jurisdiction. General jurisdiction exists over a defendant who has
22 "substantial" or "continuous and systematic" contacts with the forum state such
23 that the assertion of personal jurisdiction over him is constitutionally fair even
24 where the claims are unrelated to those contacts. Even when there is no general
25 jurisdiction over a defendant, specific jurisdiction exists when there are sufficient
26 minimum contacts with the forum state such that the assertion of personal
27 jurisdiction "does not offend 'traditional notions of fair play and substantial
28 justice.'" *Int'l Shoe Co. v. State of Wash., Office of Unemployment Comp. &*

1 *Placement*, 326 U.S. 310, 316 (1945). Courts have found general jurisdiction when
2 a defendant “purposefully avails himself of the privilege of conducting activities
3 within the Forum State, thus invoking the benefits and protections of its laws.” In
4 Nevada, courts require one of the parties to be a resident in Nevada for at least six
5 weeks prior to filing a complaint for divorce. Nevada requires six months
6 residency for child custody matters or divorces with children, subject to a few
7 exceptions.

8 Nevada Rule of Civil Procedure (NRCP) 12(b)(1) governs subject-matter
9 jurisdiction. It requires that at least one party be a bona fide resident of this state
10 for the court to have subject matter jurisdiction to entertain a divorce. *Plunkett v.*
11 *Plunkett*, 71 Nev. 159, 283 P.2d 255 (1955). As long as the court has personal
12 jurisdiction over either of the parties to the marriage, Nevada has jurisdiction.
13 Once a 12(b)(1) defense is asserted, the burden is on the plaintiff to establish that
14 the court has subject matter jurisdiction over the action. *Assoc. of Medical*
15 *Colleges v. United States*, 217 F.3d 770, 778-779 (9th Cir. 2000).

16 **The Uniform Child Custody and Jurisdiction Enforcement Act**
17 (UCCJEA) codified at NRS 125A.305, states in relevant part as follows:

18 1. Except as otherwise provided in NRS 125A.335, a court of
19 this State has jurisdiction to make an initial child custody
determination only if:

20 (a) This State is the home state of the child on the
21 date of the commencement of the proceeding or
22 was the home state of the child within 6 months
23 before the commencement of the proceeding and
24 the child is absent from this State but a parent or
person acting as a parent continues to live in this
State;

25 (b) A court of another state does not have
26 jurisdiction pursuant to paragraph (a) or a court of
27 the home state of the child has declined to exercise
jurisdiction on the ground that this State is the
28 more appropriate forum pursuant to NRS
125A.365 or 125A.375 and:

(1) The child and the child's parents, or the child and at least one parent or a person acting as a parent, have a significant connection with the State other than mere physical presence; and

(2) Substantial evidence is available in this State concerning the child's care, protection, training and personal relationships;

(c) All courts having jurisdiction pursuant to paragraph (a) or (b) have declined to exercise jurisdiction on the ground that a court of this State is the more appropriate forum to determine the custody of the child pursuant to NRS 125A.365 or 125A.375; or

(d) No court of any other state would have jurisdiction pursuant to the criteria specified in paragraphs (a), (b) or (c).

NRS 125A.335 Temporary Emergency Jurisdiction states

1. A court of this state has temporary emergency jurisdiction if the child is present in this state and the child has been abandoned or it is necessary in an emergency to protect the child because the child, or a sibling or parent of the child, is subject to or threatened with mistreatment or abuse.
2. If there is no previous child custody determination that is entitled to be enforced pursuant to the provisions of this chapter and a child custody proceeding has not been commenced in a court of a state having jurisdiction pursuant to NRS 125A.305, 125A.315 and 125A.325, a child custody determination made pursuant to this section remains in effect until an order is obtained from a court of a state having jurisdiction pursuant to NRS 125A.305, 125A.315, and 125A.325. If a child custody proceeding has not been or is not commenced in a court of a state having jurisdiction pursuant to NRS 125A.315 and 125A.325, a child custody determination made pursuant to this section becomes a final determination, if it so provides, and this state becomes the home state of the child.

//

//

1 NRS 125A.365 regarding inconvenient forum states in relevant part as
2 follows:

3 1. A court of this state which has jurisdiction pursuant to the
4 provisions of this chapter to make a child custody determination *may*
5 *decline to exercise its jurisdiction at any time if it determines that it*
6 *is an inconvenient forum under the circumstances and that a court*
7 *of another state is a more appropriate forum.* The issue of
inconvenient forum may be raised upon motion of a party, the court's
own motion or request of another court.

8 2. Before determining whether it is an inconvenient forum, a
9 court of this state shall consider whether it is appropriate for a court
10 of another state to exercise jurisdiction. For this purpose, the court
shall allow the parties to submit information and shall consider all
relevant factors, including:

11 (a) *Whether domestic violence has occurred and is likely to*
12 *continue in the future and which state could best protect the*
13 *parties and the child;*

14 (b) The length of time the child has resided outside this state;

15 (c) The distance between the court in this state and the court in
16 the state that would assume jurisdiction;

17 (d) *The relative financial circumstances of the parties;*

18 (e) Any agreement of the parties as to which state should
assume jurisdiction;

(f) The nature and location of the evidence required to resolve
the pending litigation, including testimony of the child; . . .

(emphasis added)

19 **A. Nevada has Personal Jurisdiction over Both Parties in this Case**

20 The Plaintiff had resided in Nevada for more than six (6) weeks when she
21 filed for divorce in Nevada thereby meeting the residency requirements to initiate
22 litigation and thereby submitting to the jurisdiction of the courts. Moreover, both
23 parties reside in the state of Nevada, in Defendant's case for more than a year, and
24 therefore Nevada has both general and specific jurisdiction over the parties.

25 Moreover, Plaintiff has submitted an "Affidavit of Resident Witness"
26 attesting to her residency in the state for more than six (6) weeks before she filed
27 the divorce complaint. The Plaintiff, therefore, has had substantial contact with
28 the state of Nevada as a resident and stated an intent to live in the state for the

1 indefinite future in documents filed with this Court. Moreover, regardless of how
2 she got here, she decided to leave her abusive marriage, divorce Defendant and not
3 to return to Saudi Arabia to live with Defendant. She has rights to remain in the
4 country that are independent of Defendant's student visa. Indeed, she has an
5 independent path to citizenship of which Mohamad has no control over.

6 Mohamad has been physically present in Nevada since August 2018 on an
7 F1 Student Visa. Mohamad's contacts in Nevada are substantial, continuous and
8 systematic. Mohamad is not only a student at UNLV, but also an employee. While
9 Mohamad contends that he never intended to make Nevada his permanent
10 residence, he has lived in the state for almost two years. A substantial amount of
11 Mohamad's academic and professional contacts are in Nevada, such that he is
12 "essentially at home" in this state. Mohamad contends that he is scheduled to
13 finish his education in July 2020. He asserts further that, after finishing his
14 education, he intends to travel back to Saudi Arabia or Syria. However, Mohamad
15 has not made any plans whatsoever to return to Saudi Arabia or Syria and did not
16 plan to do so in the near future. Mohamad moved to Nevada with the intent to
17 make Nevada his home indefinitely. This is supported by the fact that Ahed and
18 her son just moved to Nevada in January 2020. If Mohamad truly intended to
19 move back to Saudi Arabia or Syria so quickly, why did he choose to move his
20 family to Las Vegas so recently? Further, if Mohamad intended to move back to
21 Saudi Arabia or Syria after finishing his studies in just three (3) months, why
22 hasn't he made plans to do so? These facts suggest that Mohamad did not intend to
23 move back to Saudi Arabia or Syria and intended to live in Nevada indefinitely.
24 Because of his significant contacts in Nevada and his intent to remain here
25 indefinitely, Mohamad possesses the requisite intent necessary to make him a bona
26 fide resident of Nevada for the purpose of personal jurisdictional requirements in
27 this divorce proceeding. Notwithstanding, regardless of Mohamad's personal
28 intentions to return to his country, he has been a resident of Nevada for over a

1 year, working and moving his family to the state. His wife is currently divorcing
2 him for cruelty and violence, however. Her intentions to remain in this country
3 are wholly independent from Defendant's. How she got here is not dispositive
4 regarding whether this Court has personal jurisdiction over her. Mohamad's
5 motion to dismiss is merely an attempt to control his wife and to subject her to his
6 will and to force her to return to a place she does not wish to return to.

7
8 **B. Nevada has Subject Matter Jurisdiction over the Custody**
9 **Determination**

10 Pursuant to NRS 125A.335(c), Nevada may acquire jurisdiction over a
11 custody determination if at least one parent or a person acting as a parent, has a
12 significant connection with the State other than mere physical presence. Mohamad
13 has significant connections with Nevada that go beyond mere physical presence in
14 the State. Mohamad is a resident of Nevada and both a student and employee at
15 the University of Nevada, Las Vegas. His personal, academic, and professional
16 contacts in this state are substantial.

17 Moreover, Plaintiff, Ahd, is also a resident of Nevada having significant
18 contacts in the state by living here with the intention to remain for the indefinite
19 future as opposed to fleeting, cursory presence in the state. She resides in a
20 domestic violence shelter which is working towards a housing placement for
21 Ahd. She has filed and received an order of protection and had contacts with
22 local police due to the domestic violence against her. She is divorcing her
23 husband for domestic violence and cruelty against him. She has no intention of
24 returning to her marriage or to return to Saudi Arabia. Her intention to remain in
25 Nevada is wholly independent of his desires, whatever they may be. She does not
26 need his permission "to intend" to remain in Nevada.

27 Second, Nevada may acquire jurisdiction over a custody matter if "no court
28 of any other state would have jurisdiction over the parties pursuant to NRS
125A.335 (a), (b), or (c)." *See* NRS 125A.335(d). The parties moved to the United

1 States and live in Las Vegas, Nevada. They do not live elsewhere regardless of
2 where they came from. Accordingly, no other state would have jurisdiction over
3 this matter. In other words, neither party lives outside of Nevada so Nevada may
4 exercise jurisdiction over the child. The Defendant's motion to dismiss is
5 baseless.

6 Because of the reasons stated herein, Nevada has jurisdiction over the child
7 custody determination.

8
9 **C. This Case should proceed in Nevada as it is a more convenient forum to
make a custody determination**

10 In his Motion to Dismiss, Mohamad argues that Saudi Arabia would be a
11 more appropriate forum for this divorce and custody dispute. *See Motion to*
12 *Dismiss, pg. 7.* However, Saudi Arabia would be an inconvenient forum for both
13 parties. Nevada, on the other hand, is a convenient forum for the reasons stated
14 herein.

15 In determining whether a court is an inconvenient forum, a court of this
16 state shall consider whether it is appropriate for a court of another state to exercise
17 jurisdiction. The first factor courts should consider when making this
18 determination is whether there has been any domestic violence in the relationship.
19 The court must also consider which state is in the best position to protect the
20 parties and the child. In this case, Ahed has alleged severe domestic violence
21 including verbal, physical, sexual and economic abuse. There was a police report
22 filed in which Ahed alleges that Mohamad committed domestic battery against
23 her. Ahed fled the marital resident as a result of the domestic violence and is now
24 residing at SafeNest. Ahed filed for and was granted a Temporary Protection
25 Order extended for one year because she presented a *prima facie* case pursuant to
26 NRS 33.018 meeting the legal standards. Nevada courts have exercised
27 jurisdiction over the parties in the TPO case without a challenge by the Defendant.
28 Both parties reside in the state regardless of how they got here or whether

1 Defendant intends to remain in the state. In this case, given the alleged abuse, the
2 Defendant appears to be weaponizing jurisdiction authority to wrest control over
3 Plaintiff and her future. However, the Plaintiff has the right to have intentions
4 independent of Defendant. Both parties live in Nevada as well as the child so no
5 other Court could or should exercise jurisdiction over the child. The parents of the
6 child and the records regarding the child are in this state since they all reside here.
7 Mohammad has no authority for his proposition that coming here on a visa
8 precludes the exercise of jurisdiction by a state court.

9 Moreover, the distance between Nevada and Saudi Arabia is substantial and
10 the parties' financial situations are not conducive to traveling to Saudi Arabia to
11 litigate this case. While Mohamad is gainfully employed at UNLV as a tutor and
12 as a graduate student, Ahed does not and has not worked since arriving in Nevada.
13 As a result of Mohamad's economic abuse, Ahed does not have any money, assets,
14 resources, or even a bank account. She could not afford to travel independently to
15 Saudi Arabia with her child for the purposes of litigating this divorce and custody
16 dispute. Accordingly, Nevada is a more appropriate forum to litigate this action.

17 IV.

18 CONCLUSION

19 WHEREFORE, the Plaintiff, Ahed Said Senjab, respectfully requests that
20 this Court issue an Order as follows:

- 21 1. That Defendant's Motion to Dismiss be denied in its entirety; and
- 22 2. For such other and further relief as this Court deems just and equitable.

23
24 DATED this 21st day of April, 2020.

25 **LEGAL AID CENTER OF SOUTHERN**
26 **NEVADA, INC.**

27 By: 

28 **APRIL S. GREEN, ESQ.**
Nevada Bar No.: 8340C

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BARBARA E. BUCKLEY, ESQ.
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(702) 386-1415 Direct/Fax
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Attorneys for Plaintiff

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1. That I am the Plaintiff in the above-entitled action and have personal knowledge and am competent to testify concerning the facts herein.
2. That I have read the above and foregoing Plaintiff's Opposition to Defendant's Motion to Dismiss and hereby testify that the facts and statements contained thereon are true and correct to the best of my knowledge and belief.
3. The factual averments contained in the preceding filing are incorporated herein as if set forth in full.

Executed this day of April, 2020.

AA000044

MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

AHED SAID SENJAB

Plaintiff/Petitioner

v.

MOHAMED ALHULAIBI

Defendant/Respondent

Case No. D-20-606093-D

Dept. H

**MOTION/OPPOSITION
FEE INFORMATION SHEET**

Notice: Motions and Oppositions filed after entry of a final order issued pursuant to NRS 125, 125B or 125C are subject to the reopen filing fee of \$25, unless specifically excluded by NRS 19.0312. Additionally, Motions and Oppositions filed in cases initiated by joint petition may be subject to an additional filing fee of \$129 or \$57 in accordance with Senate Bill 388 of the 2015 Legislative Session.

Step 1. Select either the \$25 or \$0 filing fee in the box below.

- ☐ **\$25** The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.
- OR-
- ☒ **\$0** The Motion/Opposition being filed with this form is not subject to the \$25 reopen fee because:
- ☒ The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
 - ☐ The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.
 - ☐ The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on _____.
 - ☐ Other Excluded Motion (must specify) _____.

Step 2. Select the \$0, \$129 or \$57 filing fee in the box below.

- ☒ **\$0** The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
- ☒ The Motion/Opposition is being filed in a case that was not initiated by joint petition.
 - ☐ The party filing the Motion/Opposition previously paid a fee of \$129 or \$57.
- OR-
- ☐ **\$129** The Motion being filed with this form is subject to the \$129 fee because it is a motion to modify, adjust or enforce a final order.
- OR-
- ☐ **\$57** The Motion/Opposition being filing with this form is subject to the \$57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of \$129.

Step 3. Add the filing fees from Step 1 and Step 2.

The total filing fee for the motion/opposition I am filing with this form is:

☒ **\$0** ☐ **\$25** ☐ **\$57** ☐ **\$82** ☐ **\$129** ☐ **\$154**

Party filing Motion/Opposition: APRIL S. GREEN, ESQ. Date 04/24/2020

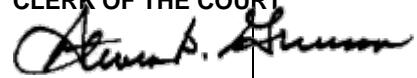
Signature of Party or Preparer



AA000045

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14



EXH

APRIL S. GREEN, ESQ.

Nevada Bar No.: 8340C

BARBARA E. BUCKLEY, ESQ.

Nevada Bar No.: 3918

LEGAL AID CENTER OF SOUTHERN NEVADA, INC.

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Attorneys for Plaintiff

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

AHED SAID SENJAB,

Plaintiff,

vs.

MOHAMED ALHULAIBI,

Defendant.

Case No.: D-20-606093-D

Dept. No: H

Date of Hearing: 5/20/2020

Time of Hearing: 10:00 a.m.

**EXHIBIT IN SUPPORT OF PLAINTIFF'S OPPOSITION TO DEFENDANT'S
MOTION TO DISMISS FOR LACK OF JURISDICTIONAL REQUIREMENTS**

COMES NOW, Plaintiff, AHED SAID SENJAB, by and through her counsel, APRIL S. GREEN, ESQ., of LEGAL AID CENTER OF SOUTHERN NEVADA, INC., hereby submits her exhibit in support of Plaintiff's Opposition to Defendant's Motion to Dismiss for Lack of Jurisdictional Requirements as follows:

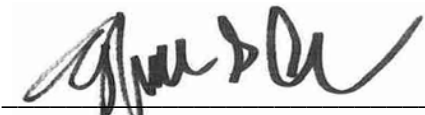
Exhibit No.	Name of Document	Bate Stamp #
A	LVMPD Case Report No.: LLV200200045682	P00001-P00002

Dated this 24th day of April, 2020.

Respectfully submitted by:

LEGAL AID CENTER OF SOUTHERN
NEVADA, INC.

1
2 By:



3 **APRIL S. GREEN, ESQ.**

Nevada Bar No. 8340C

4 **BARBARA E. BUCKLEY, ESQ.**

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Administrative

Location **1055 E Flamingo Rd, #416 LAS VEGAS, NV 89119**
Occurred On (Date / Time) **Tuesday 2/4/2020 9:00:00 AM**
Reporting Officer **14743 - Swanger, Jason**
Entered By **B17266M - Martinez, Brenda**
Related Cases

Or Between (Date / Time) **Tuesday 2/4/2020 12:22:03 PM** Sector / Beat **N3**
Reported On **2/10/2020**
Entered On **2/10/2020 12:17:27 PM**
Jurisdiction **Clark County**

Traffic Report **No** Place Type Accident Involved

Offenses:

Domestic Battery, (1st)(M)-NRS 200.485.1A

Completed **Yes** Domestic Violence Hate/Bias **Unknown (Offenders Motivation Not Known)**
Entry Premises Entered Type Security **Tools**
Weapons **Personal Weapons (Hands, Feet, Teeth, etc.)** Location Type **Residence/Home**
Criminal Activities

Victims:

Name: **Senjab, Ahed**

Victim Type **Individual** Written Statement **Yes** Can ID Suspect **Yes**
Victim of **50235 - Domestic Battery, (1st)(M)-NRS 200.485.1A**
DOB **1/12/1997** Age **23** Sex **Female** Race **Unknown** Ethnicity **Not Hispanic or Latino**
Height **5' 4"** Weight **100** Hair Color **Brown** Eye Color **Brown**
Employer/School **Stay at home mom.**
Occupation/Grade
Injury **Apparent Minor Injury** Work Schedule
Injury Weapons **Personal Weapons (Hands, Feet, Teeth, etc.)**

Addresses

Residence **1055 Flamingo Rd #416 Las Vegas, NV 89119 United States**
Phones
Cellular **(702) 861-5382**

Offender Relationships

S - Alhabile, Mohammed Victim Was Spouse

Notes: **Victim will call in a couple days to go to safe nest. Victim stated she needed to pack a few things for the baby before she leave the apartment.**

Suspects:

Name: **Alhabile, Mohammed**

Alias:
Scope ID DOB Age **27** Race **Unknown** Ethnicity **Not Hispanic or Latino**
Sex **Male** Height **5' 5"** Weight **175** Hair Color **Black** Eye Color **Brown**
Employer/School **unlv** Occupation/Grade **student teacher**

Addresses

Residence

Phones

Cellular

Notes:

Information Released To:
SEN / AB, AHED
2/19/2020
Clark County Police Dept.

Arrestees:

Witnesses:

Other Entities:

Name: Contact **Sengab, Ahmed**

Written Statement **No** Can ID Suspect **No**
DOB Age **19** Sex **Male** Race **Unknown** Ethnicity **Not Hispanic or Latino**
Height **5' 9"** Weight **155** Hair Color **Black** Eye Color **Brown**
Driver License Number Driver License State

2/19/2020 9:34 AM

LLV200200045682

P000012

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International Phone #
Notes:

Properties: ()

Narrative

On 02/10/2020 at approximately 0943 hours, I Officer J. Swanger P#14743 and Officer B. Martinez P#17266 operating as marked patrol unit 2 Nora 12 was dispatched to Vegas Tower Apts located at 1055 Flamingo Rd, #416. Las Vegas NV 89119 in reference to a domestic battery call. The details of the call are as follows; that the person reporting wanted to pick items up from his apartment.

Upon arrival I made contact with (who you made contact with Mohamed Alhabili) who made the following statement; Officers came to the apartment yesterday reference a verbal only domestic disturbance. Yesterday, Mohamed left his residence for a few days willingly. Mohamed stated that he wanted officers to escort him to his residence to pick up a few items and see his child.

I then made contact with Ahed Senjab who made the following statement mostly in Arabic which was translated into English by her brother Ahmed Senjab ; Ahed has had multiple prior domestic battery issues beginning February 1st. On February 1st Ahed and Mohamed had a verbal argument which became physical. Ahed stated that she was hit on the left cheek of her face one time and that Mohammed took her phone away from her so she could not contact police. Ahed stated that Mohammed forcefully pulled her phone out of her hands to prevent her from calling 911. Mohammed then returned the phone to her. Ahed then locked herself in her bedroom because she was afraid. Ahed did state that she was able to attempt to call 911 on this date but that no one answered on the other line.

Ahed stated that on February 4th, 2020 another verbal argument began due to Mohamed wanting her to do his laundry. Mohamed became upset and that is when Muhammed through a cardboard box at Ahed's legs hitting them both. Ahed said that she has two green bruising on both legs, near her knees, where she was hit by the box on the date of February 4th 2020.

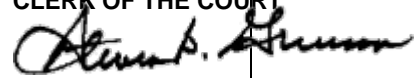
Ahed stated that she had possibly contacted police but that she was unsure if a report was taken due to a mark not being visible at that time.

Ahed also stated that she did not want to go to a shelter today due to needing more time to pack and possibly being able to reside with a family member but that she would call tomorrow to attempt to go to a shelter if that was not a possibility.

Officers observed green bruising on both legs, near the knees which is conducive to the statements that Ahed made to officers about the incident that occurred on February 4th 2020.

15

15



RIS
DAVID MARKMAN, ESQ.
Nevada Bar No. 12440
MARKMAN LAW
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Phone: (702) 843-5899
Fax: (702) 843-6010
Attorneys for Mohamad Alhulabi

DISTRICT COURT
CLARK COUNTY, NEVADA

AHED SAID SENJAB

Plaintiff,

vs.

MOHAMAD ALHULAIBI

Defendants.

CASE NO.: D-20-606093-D

DEPT. NO.: H

DEFENDANT’S REPLY IN SUPPORT OF HIS MOTION TO DISMISS FOR LACK OF
JURISDICTIONAL REQUIREMENTS

Defendant Mohamad Alhulaibi (“Mohamad”) by and through his counsel of record MARKMAN LAW hereby submits this Reply in Support of His Motion to Dismiss the Complaint filed by Plaintiff Ahed Senjab (“Ahed” or “Plaintiff”).

This Motion is made and based upon the following Memorandum of Points and Authorities along with Exhibits and any oral argument the Court may consider.

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

On March 24, 2020, the Plaintiff in this matter filed her complaint for Divorce. The Plaintiff’s Complaint centered mainly on dissolution of the marriage, sole legal and physical custody of the minor, child support, division of community property, and spousal support.

The motion to dismiss followed and was filed on April 14th, 2020. Plaintiff filed her opposition on April 24th, 2020. Plaintiff’s opposition did not cite to any controlling law that

1 shows she is allowed to form the subjective intent to remain in the United States. The reason
2 Plaintiff did not cite to any controlling law regarding her ability to form a subjective intent to
3 remain in the United States is that the weight of the law in both the United States Supreme
4 Court and the 9th Circuit is against her. The U.S. Supreme Court and the 9th Circuit have both
5 held on numerous occasions Congress does not allow nonimmigrant aliens to form the
6 subjective intent to remain in the United States. As such, and as demonstrated below, the
7 Plaintiff's Complaint fails, and Mohamad's Motion should be granted.
8

9 II. FACTS

10 Mohamad moved to Nevada on or about August 2018, for the purpose of furthering his
11 education. Mohamad has always planned to return to either Saudi Arabia or Syria after he
12 completed his education. Ahd applied for a Visa to legally enter the United States on July 15,
13 2018. Due to the presidential proclamation, Ahd was not granted her VISA clearance until the
14 end of 2019.

15 Mohammad returned to Saudi Arabia after the conclusion of the UNLV fall semester on
16 or about December 17th or 18th. Since Ahd's VISA was finally approved, while Mohamad was
17 home on winter break Mohamad purchased roundtrip tickets for Ahd, the minor child and
18 himself to go to Nevada so they could all be together here in the United States for his final
19 semester. The roundtrip tickets for Mohammad, Ahd, and Ryan had them land in Las Vegas
20 on January 13, 2020, with a return flight to Saudi Arabia for everyone on June 18, 2020. Please
21 see attached as **Exhibit 1**, a true and correct copy of the roundtrip tickets itinerary from Turkish
22 Airlines. Mohammad still plans on returning to Saudi Arabia on June 18, 2020 as scheduled.
23 Mohammad's visa is currently set to expire on May 16, 2020, as he is completing his education
24 at the end of the UNLV spring 2020 semester. Mohamad will have a 60 day grace period to
25 remain in the United States after which he will be in violation of immigration law. Please see
26 attached as **Exhibit 2**, a true and correct copy of an email from UNLV discussing his graduation
27 from UNLV and VISA status.
28

Mohamad has the minor child three (3) days a week. There has been nothing

1 substantiated that the child is not safe in Mohamad's care. In fact, when Mohamad took the
2 minor child to visit the doctor on April 13, 2020, the doctor said the minor child "is growing
3 and developing very well." Please see attached as **Exhibit 3**, a true and correct copy of Dr.
4 Josephine Jaw-Yi Sun's medical report from April 13, 2020. Mohamad has followed the order
5 for pick up and drop off of the minor child at the courthouse. Plaintiff initiated a child protective
6 service case against Mohamad, the CPS investigator found the allegations unsubstantiated and
7 closed the case. Please see attached as **Exhibit 4**, a true and correct copy of Child Protective
8 Services Disposition.
9

10 On February 9, 2020, Plaintiff called the Las Vegas Metropolitan Police Department
11 ("LVMPD") on Mohamad. Plaintiff alleged only that Mohamad verbally abused her when
12 LVMPD showed up to the apartment. On February 9th, Ahd also informed LVMPD that her
13 brother law was coming from the State of Maryland to pick her up. At which point LVMPD
14 admonished Plaintiff that she cannot take the minor child from Nevada. Please see attached as
15 **Exhibit 5**, a true and correct copy of the LVMPD record from February 9th, 2020.

16 On February 10, 2020, Mohamad called LVMPD so that they could escort him to his
17 residence while he retrieved some items. While Mohamad was getting some of his items,
18 Plaintiff alleged to LVMPD that Mohamad was both physically and verbally abusive, even
19 though she never brought up physical abuse to the responding officers on February 9th.
20 Mohamad vehemently denies that he was ever physically or verbally abusive but does admit
21 they had a verbal altercation on February 9th, 2020.

22 Mohamad retained his counsel through the Nevada Bar's Lawyer Referral Service
23 Modest Means Program, which means that he qualified for reduced fee legal services based on
24 his financial situation and that he is not to be charged more than seventy-five dollars per hour
25 for legal services.

26 Upon information and belief, Ahd has hypothyroidism, iron deficiency anemia, and
27 varicose veins, which makes her more susceptible to bruising. Upon information and belief,
28 Ahd's current VISA status does not allow her to legally work in the United States. Mohamad

1 has never prevented Ahd from working.

2 **III. ANALYSIS**

3 **A. Neither Party cannot establish domicile in the United States let alone Nevada.**

4 Plaintiff's subjective intent does not allow for her to create a domicile in Nevada. Domicile
5 is primarily a creature of state law, but federal immigration laws impose outer limits on a state's
6 freedom to define it. Park v. Barr, 946 F.3d 1096, 1098 (9th Cir. 2020); see Toll v. Moreno, 458
7 U.S. 1, 10-11, 102 S. Ct. 2977 (1982). A nonimmigrant student is defined as "an alien having
8 a residence in a foreign country which he has no intention of abandoning... and who seeks to
9 enter the United States temporarily and solely for the purpose of pursuing... a course of
10 study..." Elkins v. Moreno 435 U.S. 647, 665 (1978). In Park, the Court held that Congress has
11 not permitted nonimmigrants to lawfully form a subjective intent to remain in the United States,
12 such an intent would conflict with Congress's definition of the nonimmigrant classification.
13 Park v. Barr, 946 F.3d at 1099.

14 "Congress has precluded the covered alien from establishing domicile in the United States."
15 Toll v. Moreno, 458 U.S. at 14; See also Elkins v. Moreno 435 U.S. at 665 (By including
16 restrictions, the Supreme Court of the United States has also noted that nonimmigrants cannot
17 establish domicile where "Congress expressly conditioned admission... on an intent not to
18 abandon a foreign residence"). In fact, the United States Supreme Court found "that Congress
19 intended that, in the absence of an adjustment of status... nonimmigrants in restricted classes
20 who sought to establish domicile would be deported." Id. at 666. Lastly, a nonimmigrant
21 precluded from establishing residency could not gain residency by violating visa conditions
22 because then her very presence in the country would be illegal. Park v. Barr, 946 F.3d at 1099;
23 citing Carlson v. Reed, 249 F.3d 876, 880-81 (9th Cir. 2001).

24 Here, the federal law in the 9th Circuit is clear, neither Plaintiff nor Mohamad can form the
25 subjective intent necessary to create a domicile in Nevada. In fact, just by Plaintiff stating she
26 has an intent to make the United States her domicile, she has subjected herself to being deported
27 in violation of the conditions of her visa. Plaintiff claims she has an independent right to remain
28

1 in the United States but does not elaborate on what those rights might be.

2 Additionally, it is not even clear that Plaintiff has the subjective intent to remain in Nevada,
3 because when she called LVMPD on February 9th, she told them that she was waiting for her
4 brother in law to pick her up from the State of Maryland. It appears Plaintiff changed her mind
5 about going to Maryland only when the officer let her know that she could not leave the state
6 with the minor child.

7 Plaintiff then goes on to argue why would, Mohamad have brought her to the United States
8 in January if he did not intend to stay. First, Mohamad did not have control over when Plaintiff
9 could legally enter the United States. Plaintiff's visa was only approved at the end of 2019.
10 Second, Plaintiff's argument lacks merit as having his family here for a six (6) month period is
11 not inconsequential. Plaintiff, also argues why hasn't Mohamad made plans to return to Saudi
12 Arabia, even though she knows that the tickets purchased on December 25, 2019 were roundtrip
13 tickets with a return date of June 18, 2020.

14 Plaintiff's claims of physical abuse are not relevant to the motion at hand. Settling the forum
15 for adjudication of a dispute over a child's custody, of course, does not dispose of the merits of
16 the controversy over custody. Monasky v. Taglieri, 140 S.Ct. 719, 729 (2020). Mohamad is in
17 no way arguing that the parties should not get divorced only that this is an improper forum.
18 Mohamad does vehemently deny any allegations of physical or verbal abuse of Plaintiff, but if
19 Plaintiff wants to bring up allegations of abuse she is entitled to do so in the proper forum.
20 Requiring Mohamad to have to defend this action in the United States when his visa expires on
21 May 16, 2020 is not convenient, financially affordable, and would subject him to remaining in
22 the United States illegally. If Mohamad were to remain in the United States past the 60-day
23 grace period, he may be prevented from receiving a visa in the future.

24 Additionally, Plaintiff's claims of physical abuse are unsubstantiated. Plaintiff changed her
25 story about what happened on February 9th, it was not until the next day when Mohamad called
26 the police to escort him to the apartment to get some stuff that Plaintiff made any claim of
27 physical abuse. Bruising on the legs of a person that bruises easily is not evidence of physical
28

1 abuse, especially when Plaintiff had the opportunity to discuss physical abuse at the time of the
2 purported incident and instead told the officers it was only verbal in nature.

3 Lastly, Plaintiff claims Mohamad is gainfully employed but his employment is subject to
4 terminate when his visa terminates. Even when Mohamad was able to be legally employed in
5 the United States the types of employment he was able to obtain with the F-1 visa were very
6 limited.

7 For all the above reasons this Honorable Court should grant Mohamad's motion to dismiss
8 the case.

9
10 **B. Nevada is not the Minor Child's Habitual Residence**

11 Plaintiff does not dispute that Nevada is not the Minor Child's habitual residence. Plaintiff
12 does not dispute that Saudi Arabia is the Minor Child's habitual residence. Plaintiff instead
13 argues that the parties have substantial presence in the state. Having substantial presence in the
14 state is not the proper standard.

15 A court of this state shall treat a foreign country as if it were a state of the United States for
16 the purpose of applying NRS 125A.005 to NRS 125A.395, inclusive. Kar v. Kar, 132 Nev. 636,
17 639 (2016); citing NRS 125A.225(1).

18 NRS 125A.305(1)(c) permits a court to exercise jurisdiction when other states that would
19 have jurisdiction under paragraphs (a) or (b) have declined to do so "on the ground that a court
20 of this State is the more appropriate forum to determine the custody of the child pursuant to
21 NRS 125A.365 or 125A.375." This does not apply here because no state other than Nevada had
22 the opportunity to decline jurisdiction. Id. at 642.

23 Here, Nevada is not the Minor Child's habitual residence. Saudi Arabia remains the habitual
24 residence. Saudi Arabia is to be treated as a state for the purpose of the child's habitual
25 residence. Saudi Arabia has not declined to exercise jurisdiction. There is nothing in the record
26 showing that this Court needs to exercise emergency jurisdiction as the Plaintiff attempts to
27 allude to. Therefore, the proper forum remains Saudi Arabia to determine all child custody
28 matters. Based on the above, Mohamad requests that his motion be granted and that the instant

1 matter be dismissed.

2 **IV. CONCLUSION**

3 For the above reasons, Mohamad respectfully requests that the Court dismiss the
4 Complaint.
5

6 Dated this 13th day of May, 2020.

7 MARKMAN LAW

8
9 By: /s/ DAVID MARKMAN

10 DAVID MARKMAN, ESQ.

11 Nevada Bar No. 12440

12 4484 S. Pecos Rd. #130

13 Las Vegas, Nevada 89121

14 (702) 843-5899

15 Attorneys for Plaintiffs
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DECLARATION OF MOHAMAD ALHULAIBI

1. I, Mohamad Alhulaibi, do solemnly swear to testify herein to the truth, the whole truth and nothing but the truth.
2. That I am the Defendant in the above-entitled action.
3. That I am above the age of majority and am competent to testify to the facts contained in this declaration.
4. That I make this declaration in support of the foregoing Reply in Support of the Motion to Dismiss.
5. That the Exhibits attached to the Reply in Support of my Motion to Dismiss attached as Exhibits 1-5 are true and accurate copies of said documents.
6. That I have read said Reply in Support of the Motion to Dismiss and hereby certify that the facts set forth in the Points and Authorities attached thereto are true of my own knowledge, except for those matters therein contained stated upon information and belief, and as to those matters, I believe them to be true. I incorporate said facts into this declaration as though fully set forth herein.

Dated this 13th day of May, 2020



Mohamad Alhulaibi

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[X] pursuant to EDCR 8.05(a), EDCR 8.05(f), NRCp 5(b)(2)(D) and Administrative Order 14-2 captioned “In the Administrative Matter of Mandatory Electronic Service in the Eighth Judicial District Court,” by mandatory electronic service through the Eighth Judicial District Court’s electronic filing system;

[] by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;

[] pursuant to EDCR 7.26, to be sent via **facsimile**, by duly executed consent for service by electronic means;

[] sent out for hand-delivery via Receipt of Copy.

APRIL GREEN, ESQ.
Nevada Bar 8340C
BARBARA BUCKLEY
Nevada Bar No. 3918
LEGAL AID CENTER OF SOUTHERN NEVADA, INC.
725 E. Charleston Blvd.
Las Vegas, NV 89104
asgreen@lacsns.org

AA000058

EXHIBIT 1

EXHIBIT 1

Turkish Airlines - Online Ticket - Information Message

onlineticket@thy.com <onlineticket@thy.com>
Wed 12/25/2019 8:24 AM
To: M014@LIVE.COM <M014@LIVE.COM>



Mr. MOHAMAD ALHULAIBI
Your e-ticket has been issued. We are pleased to welcome you as Turkish Airlines.

Summary

Transaction date: Wednesday, December 25, 2019, 11:20 AM (Istanbul Local Time)

TU252R

Booking Reference

Your favorite seat awaits you!



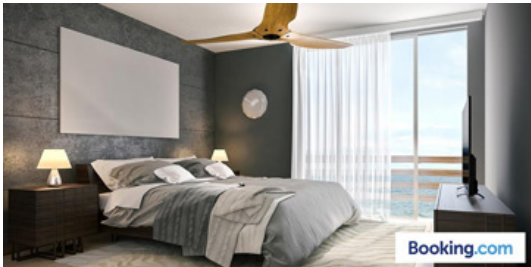
Select your seat

Is your car ready?



Rent a car

Time for your accommodation



Select hotel

Visa
432*****179 0 instalment

OUTBOUND TRIP

Riyadh - Las Vegas on Monday 13 Jan 2020
Economy Class

REISSUE	REFUND / CANCELLATION	BAGGAGE ALLOWANCE	MILES TO BE EARNED FOR MILES&SMILES MEMBERS
✓With 245 SAR penalty	✓With 489 SAR penalty charge	✓Check-in Baggage : 2 pieces x 23 kg	✓4108 Status Miles
✓With 734 SAR penalty - (In case of no-show)			✓4108 Bonus Miles

✓ Cabin Baggage : 1
piece x 8 kg



*When making changes to your ticket, you must pay the fee difference as well as any additional price differences that may occur.



The fare rules of the most restrictive flight are valid for cancellations and refund processes.



The flights on your ticket must be used in sequence. If you do not board any of the flights on your ticket, the remaining flights will be automatically canceled, including your return flights.

Riyadh time

Duration
1d 1h

Riyadh (RUH) **06:30**

20:36 Las Vegas (LAS)

Las Vegas
time

FLIGHT	FROM	TO	DURATION
TK145 Turkish Airlines A321 Economy Class (T)	6:30 AM Monday, January 13 Riyadh (Saudi Arabia) King Khalid International Airport	11:20 AM Monday, January 13 Istanbul (Turkey) Istanbul Airport	4h 50m
Layovers & Connecting Flights for Istanbul, Turkey Istanbul Airport			2h 35m
TK79 Turkish Airlines B777-300ER Economy Class (T)	1:55 PM Monday, January 13 Istanbul (Turkey) Istanbul Airport	4:35 PM Monday, January 13 San Francisco (United States) San Francisco International Airport	13h 40m
Layovers & Connecting Flights for San Francisco, United States San Francisco International Airport			2h 25m
TK9591 Operated by United Airlines A320-200 Economy Class (T)	7:00 PM Monday, January 13 San Francisco (United States) San Francisco International Airport	8:36 PM Monday, January 13 Las Vegas (United States) Las Vegas McCarran International Airport	1h 36m

INBOUND TRIP

Las Vegas - Riyadh on Thursday 18 Jun 2020

Economy Class

REISSUE

REFUND /
CANCELLATION

BAGGAGE
ALLOWANCE

MILES TO BE EARNED FOR
MILES&SMILES MEMBERS

✓With 245 SAR penalty	✓With 489 SAR penalty charge	✓Check-in Baggage : 2 pieces x 23 kg	✓755 Status Miles
✓With 734 SAR penalty - (In case of no-show)		✓Cabin Baggage : 1 piece x 8 kg	✓755 Bonus Miles



*When making changes to your ticket, you must pay the fee difference as well as any additional price differences that may occur.



The fare rules of the most restrictive flight are valid for cancellations and refund processes.



The flights on your ticket must be used in sequence. If you do not board any of the flights on your ticket, the remaining flights will be automatically canceled, including your return flights.

Las Vegas time			
Duration 1d 0h			
jetBlue	Las Vegas (LAS) 13:17	23:50 Riyadh (RUH) Next day	
			Riyadh time

FLIGHT	FROM	TO	DURATION
jetBlue B6778 Operated by JetBlue Airways Economy Class (S)	1:17 PM Thursday, June 18 Las Vegas (United States) Las Vegas McCarran International Airport	9:30 PM Thursday, June 18 Boston (United States) Boston Logan International Airport	5h 13m
Layovers & Connecting Flights for Boston, United States Boston Logan International Airport			2h 15m
TK82 Turkish Airlines AIRBUS A330-300 Economy Class (L)	11:45 PM Thursday, June 18 Boston (United States) Boston Logan International Airport	4:10 PM Friday, June 19 Istanbul (Turkey) Istanbul Airport	9h 25m
Layovers & Connecting Flights for Istanbul, Turkey Istanbul Airport			3h 30m
TK140 Turkish Airlines AIRBUS A330-300 Economy Class (L)	7:40 PM Friday, June 19 Istanbul (Turkey) Istanbul Airport	11:50 PM Friday, June 19 Riyadh (Saudi Arabia) King Khalid International Airport	4h 10m

Total price





















SAR 11.140



Turkish Airlines reserves the right to change rules regarding ticket changes and refunds.

Main contact for this trip	Email address	Telephone
Mr. MOHAMAD ALHULAIBI	m014@live.com	+966599544638

Passengers	Seat	Meals	Special Assistance
Passengers	Frequent flyer program	Membership number	
MA Mr. MOHAMAD ALHULAIBI Ticket no 2352404045177	None	-	Join Miles&Smiles Earn 7272 Miles from this flight.
AS Ms. AHED SENJAB Ticket no 2352404045179	None	-	Join Miles&Smiles Earn 7272 Miles from this flight.
RA RYAN ALHULAIBI Ticket no 2352404045181	None	-	

Passengers		Riyadh to Istanbul Economy Class	Istanbul to San Francisco Economy Class	San Francisco to Las Vegas Economy Class	Las Vegas to Boston Economy Class	Boston to Istanbul Economy Class	Istanbul to Riyadh Economy Class
MA	Mr. MOHAMAD ALHULAIBI Ticket no 2352404045177	 Baggage allowance 2 PIECES maximum	 Baggage allowance 2 PIECES maximum	 Baggage allowance 2 PIECES maximum	 Baggage allowance 2 PIECES maximum	 Baggage allowance 2 PIECES maximum	 Baggage allowance 2 PIECES maximum
AS	Ms. AHED SENJAB Ticket no 2352404045179	 Baggage allowance 2 PIECES maximum	 Baggage allowance 2 PIECES maximum	 Baggage allowance 2 PIECES maximum	 Baggage allowance 2 PIECES maximum	 Baggage allowance 2 PIECES maximum	 Baggage allowance 2 PIECES maximum
RA	RYAN ALHULAIBI Ticket no 2352404045181	 Baggage allowance 1 PIECES maximum	 Baggage allowance 1 PIECES maximum	 Baggage allowance 1 PIECES maximum	 Baggage allowance 1 PIECES maximum	 Baggage allowance 1 PIECES maximum	 Baggage allowance 1 PIECES maximum
Carry-on baggage allowance					Calculate excess baggage charge		
All passengers  1 piece + 1 personal item			Business Class  1 extra piece of baggage		Excess baggage calculator		
Maximum weight for a single piece of carry-on baggage: 8					Calculate excess baggage		

kg Maximum dimensions of hand baggage: 55x40x23 cm
Maximum dimensions of carry-on baggage: 55x40x23 cm



The total cost of your ticket has been collected with the payment method you chose at checkout. In accordance with the Tax Procedure Law General Notification Serial No. 462, financial e-tickets which have been electronically signed and are valid as authentication documents can be accessed at the following address within 72 hours at the latest after the ticket has been issued:

ebiletatura.turkishairlines.com

If you purchase travel insurance, your policy will be sent with your ticket within 24 hours.

When paying with credit card, cardholders must confirm that they will make the credit card available for presentation with a valid government ID (Passport, birth certificate, driver's license, marriage certificate, etc.) before the flight to either our sale offices or at the check-in counters. The card will also have to be present after any changes or cancellations/refunds. Self check-in is not allowed for processes in which you must present your credit card. If the card you pay with is a virtual card then please bring the credit card connected with the virtual card with you.

You must have all documents required for flight (passports, visas, ID, etc.) with you at all times.

Visas for the country to which you're traveling and other documents are the responsibility of the passenger. Turkish Airlines is not responsible for checking that the passenger has the necessary documents. For more detailed information, please [click here](#).

Online check-in is available 24 hours before your flight.

For international flights you must be at the airport no later than 2 hours before the flight's scheduled departure time. Baggage check-in must be completed at least 60 minutes before the schedule departure time.

For domestic flights you must be at the airport no later than 1 hour before the flight's scheduled departure time. Baggage check-in must be completed at least 45 minutes before the schedule departure time.

Because Turkish Airlines is based in Turkey, credit cards that do not belong to a Turkish bank may result in additional transaction fees. Please contact your bank for further information.

Before boarding your flight you must have received your boarding pass and completed the baggage process.

When planning when to arrive at the airport, please take into consideration the time it will take to pay baggage fees if you exceed the baggage allowance.

Passengers who have not arrived at the gate before the boarding time has ended, including those who've printed boarding passes online, will not be accepted on board.

Due to operational reasons, special assistance requests such as wheelchair assistance must be made at least 48 hours before your flight. Special meal requests must be made at least 24 hours before your flight. For more detailed information please [click here](#).

For some connecting flights, passengers continue their trip from different airports in the same city. For example, some London-Tehran flights flight through Istanbul by arriving at Sabiha Gökçen International Airport and departing from Istanbul Airport. Passenger approval is required in these cases, and all transfer between airports, including baggage transfer, is the responsibility of the passenger.

For baggage rules on flights departing/arriving in the United States for all Turkish Airlines or codeshare flights, please [click here](#).

To learn about all the services and travel conditions for passengers with special status, please [click here](#).

For visa information regarding flights connecting in Canada, please [click here](#).

For more detailed information regarding flights without a baggage allowance, please [click here](#).

For more detailed information regarding flights with at least one stop in Saudi Arabia, please [click here](#).

Remember that carry-on baggage must not exceed the maximum dimensions allowed. For more detailed information, please [visit](#) our carry-on baggage page.

Due to operational reasons, the type of aircraft planned for this flight may be changed.

Turkish Airlines cannot be held responsible for the late receipt of your e-mail due to technical issues. This e-mail may contain proprietary and confidential information. The information contained in this e-mail may not be disclosed, distributed or delivered to anyone other than the names written on the e-mail.

If you think that you have received this email in error, please contact the sender. Delete the message and any attachments enclosed.

Any questions?

For more information [click](#).

www.turkishairlines.com

3/17/2020

Mail - MHD HUL - Outlook

Türk Hava Yolları AO

Türk Hava Yolları A.O. Genel Müdürlük Binası, Atatürk Havalimanı 34149

Yeşilköy/İstanbul

Mersis No: 0876004746400017

EXHIBIT 2

EXHIBIT 2



Mohamad Alhulaibi <alhulaib@unlv.nevada.edu>

URGENT: F-1 I-20 expiration approaching NSHE ID 2001034964

3 messages

oiss@unlv.edu <oiss@unlv.edu>
Reply-To: oiss@unlv.edu
To: ALHULAIB@unlv.nevada.edu

Tue, Apr 28, 2020 at 5:00 PM

Dear Mohamad ALHULAIBI,

You are receiving this message because, based on our records, your F-1 I-20 end date will occur during the month of May 2020 (May 16, 2020). This is an important reminder that your F-1 program at UNLV will complete beginning with your I-20 program end date. **YOUR I-20 IS EXPIRING** next month.

If you are **NOT** completing your program requirements this summer term, **please contact OISS immediately** so that we can advise you accordingly. *Be aware that any potential I-20 program extensions must occur before the end date of your I-20 (only if you are eligible for a program extension).*

- If you plan to apply for post-completion OPT following program completion, please remember that you should apply for OPT with USCIS as quickly as possible, as this process takes an average of 90 days to receive approval from USCIS. Please refer to our [OPT form](#) for more information and instructions to begin.
- If you successfully complete your program and graduate this term, you will be allotted a 60-day grace period following the end of the spring 2020 semester (05/16/2020), which will end on July 15, 2020. During this time you may remain in the U.S.; **any changes to your record – such as transferring to a new program, applying for a change of status, applying for OPT, etc. – must be processed before the end of this grace period.**
- If you are graduating at the end of this semester, but have *not* yet notified OISS, please submit a “[proof of graduation](#)” form (signed by your academic advisor) to our office so that we can accurately update your I-20 record.

If you have any questions, please email me or you can schedule an appointment with me online through the OISS website.

Regards,

Anastasia “Tess” Staubs

International Student Advisor

Office of International Students and Scholars

University of Nevada, Las Vegas

anastasia.staub@unlv.edu / (702) 895-0268

Mohamad Alhulaibi <alhulaib@unlv.nevada.edu>
To: oiss@unlv.edu

Tue, Apr 28, 2020 at 5:16 PM

Hello Ms. Anastasia,

What should I do if the airports are closed? Should I wait or should I apply for an extension?

Thank you,
[Quoted text hidden]

--

Sincerely,
Mohamad Alhulaibi
Graduate Assistant
design+build Studio
UNLV | School of Architecture

Office of International Students and Scholars <oiss@unlv.edu>
To: Mohamad Alhulaibi <alhulaib@unlv.nevada.edu>

Wed, Apr 29, 2020 at 8:27 AM

Hello,

Thank you for your email! Please note that I-20 can only be extended on the basis of uncompleted academic coursework. If you have already completed all the necessary classes for your degree program, you will need to either apply for OPT, apply for a new program, or find a way to leave the US before July 15, 2020.

Hopefully the above helps, but if you have any questions or concerns please do not hesitate to contact us.

Thank you!
Talitha

[Quoted text hidden]

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Office of International Students and Scholars
University of Nevada, Las Vegas
4505 S. Maryland Parkway, Box 451035
Las Vegas, NV 89154-1035

Located in Student Services Complex, Building A (SSC-A) - Suite 201

Phone: 1+702-774-OISS (6477)
Fax: 1+702-895-1118
Email: oiss@unlv.edu
Web: <http://www.unlv.edu/iss>

EXHIBIT 3

EXHIBIT 3

AFTER VISIT SUMMARY

UNLV | Medicine

Ryan Alhulaibi DoB: 2/16/2019



4/13/2020 8:45 AM



UNLV General Pediatrics Clinic 702-944-2828

Instructions from Josephine Jaw-Yi Sun, MD

Ryan Alhulaibi is growing and developing very well.

Please stop formula and switch to whole milk but limit to < 20 oz per day. You may give 100% fruit juice but limit to < 4 oz daily. Please also stop using bottles and switch to sippy-cups for all beverages.

Your child can eat any solid foods at this point but be sure that everything is cut into small pieces so that your child does not choke.

Please start brushing teeth twice daily with a rice-sized amount of fluoride toothpaste. Please also schedule first dental appointment.

Switch to convertible car seat and keep it rear facing until 2 years of age.

Screen time (TV's, cell phones, computers) is NOT recommended at this age and may delay their speech development.

Please go to the ED if poor liquid intake, significantly decreased urine output, lethargy, excessive irritability, or increased work of breathing.

If you have any non-urgent questions or concerns about your child, we have doctors and nurses answering our phone (702-944-2828) 24 hours a day, 7 days a week. If you call during clinic after hours, you will have to leave a brief message and we will return your phone call.

Referrals:

1. GI - Dr. Alhosh at UNLV Pediatrics
2. Allergy - will receive call from us or from Allergy



Read the attached information

Additional instructions from Josephine Jaw-Yi Sun, MD



Return in about 5 weeks

(around 5/18/2020) for 15mo WCC and weight check.

EXHIBIT 4

EXHIBIT 4



CLARK COUNTY DEPARTMENT OF FAMILY SERVICES

121 South Martin Luther King Blvd
Las Vegas, Nevada 89106
(702) 455-5444

Notice of Child Protective Services Report Disposition

Date: 02/27/2020

Name: ALHULAIBI, MOHAMED
Address: 1055 E FLAMINGO RD 416
LAS VEGAS NV 89119

Case No. 1467874 Report No. 1872495

Child(ren): ALHULAIBI, RYAN

Dear Mr. Alhulaibi

The above named family or child was referred to our agency for Child Protective Services response and intervention. The purpose of this letter is to inform you of this agency's disposition involving the above-named minor child(ren). The Protective Services report was closed on 02/27/2020 with a disposition of Unsubstantiated.

If you have further questions, please contact the Child Protective Services Investigator, Danielle Casteleiro at 702-455-5982, who was assigned to your case.

Sincerely,

A handwritten signature in blue ink, appearing to read "Danielle Casteleiro", with a long horizontal flourish extending to the right.

Danielle Casteleiro
Department of Family Services

AA000072

EXHIBIT 5

EXHIBIT 5



CERTIFIED RECORDS CHECK

DATE: May 12, 2020

I declare under the penalty of perjury:

I am authorized to conduct a search of the criminal history records of the Las Vegas Metropolitan Police Department (LVMPD). I conducted a name search of LVMPD records for any criminal history record information relating to arrests, misdemeanor or felony convictions for ALHULAIBI, MOHAMAD DOB 09/30/1992. Based on this search conducted on May 12, 2020, LVMPD records reflect the following information:

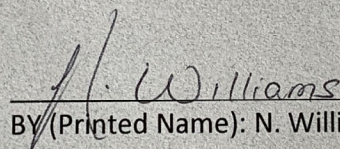
- ☐ The subject has a criminal history record with the LVMPD. See attached 0 page (s).
☒ No arrests, misdemeanor or felony convictions with the LVMPD. No attachments.

Please be advised the identity of the above-named person was NOT VERIFIED by fingerprints.

For proper certification, the attached records must remain attached.

I declare under penalty of perjury that the foregoing is true and correct.

JOSEPH LOMBARDO, Sheriff



BY (Printed Name): N. Williams P#: 15980

FOR: Lisa Hank

Director, Records and Fingerprint Bureau

Pursuant to Nevada Revised Statute, the Las Vegas Metropolitan Police Department is only authorized to release criminal history information from its own records. For information concerning other police departments or public agencies, contact the police department or agency directly or for complete state-wide background checks, contact the State of Nevada Central Repository at 775-684-6262.



LVMPD - COMMUNICATION CENTER EVENT SEARCH

EVT	LLV200200041460	TYPE	416B	PRI	1
LOC	VEGAS TOWERS APTS	BLDG		APT	
ADDR	1061 E FLAMINGO RD	XST	4100 CLAYMONT ST	CITY / SD	LAS VEGAS / CC
CADD	1061 E FLAMINGO RD	CNAM	KAYLEE WILLIAMS	CPHONE	702 7338844
MAP	2825-18	S/B	N3	SRA	K424
P/U	2NTV	OFF1	J17753M	OFF2	
DATE	2020-02-09	INIT	11:34:54	AREA	SC
911	Y	CLSE	13:50:41	DISP	M

11:34:54	INC CREATE		Initiated By C14386	C004	C14386
11:34:54	PER INFO			C004	C14386
11:34:54	CM		FRONT OFC/ FEM RESIDENT CAME TO OFC W/JUV CRYING/ LANGUAGE BARRIER	C004	14386
11:35:16	CM		OFC IS TRYING TO GET SOMEONE WHO SPEAKS LANG ENR - UNK WHAT UNIT SHE IS IN/ UNK WHAT THE PROBLEM IS	C004	14386
11:35:30	CM		FEM IS FROM SAUDI ARABIA	C004	14386
12:10:57	AS	2NTV	1061 E FLAMINGO RD	C024	16478
12:10:57	AS	2N24	1061 E FLAMINGO RD	C024	16478
12:10:57	PRIM UNIT		Primary: From: To: LV/2NTV (Vehicle:10999)	C024	C16478
12:10:57	DPTCH		LV/2NTV (Officers: LV/Manzanedo Jesus)	C024	C16478
12:10:57	INC STAT		IncStatName From: Pending To: Active	C024	C16478
12:10:57	DPTCH		LV/2N24 (Officers: LV/Montes Daniela, LV/Griffin Thomas)	C024	C16478
12:11:03	ER	2N24	1061 E FLAMINGO RD	M0848	D17762M
12:11:05	ER	2NTV	1061 E FLAMINGO RD	M0851	J17753M
12:17:24	AR	2NTV	1061 E FLAMINGO RD	M0851	J17753M
12:19:25	AR	2N24	1061 E FLAMINGO RD	M0848	D17762M
12:31:56	CM		2NTV C4	C024	16478
12:55:09	CM		2NTV KNOCK AND TALK @ BLDG 2 APT 416	C024	16478
13:42:11	CL	2N24		M0848	D17762M
13:42:11	INC UPDT		Dispo: From: To: N	M0848	D17762M
13:42:11	INC UPDT		DispoFields From: To: N	M0848	D17762M
13:42:11	INC UPDT		UnitIDFields From: To: LV/2N24	M0848	D17762M
13:42:11	CM		DISPO N:2N24- Female half (Ahed, Senjab DOB [REDACTED] 1997) claimed verbal only between her and her husband. Ahed stated her Husband (Mohamad, Alhulaibi DOB [REDACTED] 1992) has been threatening her with taking their son away from her, When officers made contact with Mohamad he stated verbal only as well and said Ahed threatens him to take the baby. Ahed stated she does not want to go back home, Officers offered shelter services but were refused at this time due to Mohamad agreeing to leave the apartment and sleep at a hotel for couple days while Ahed's brother in law comes from Maryland State to pick her up. Mohamad was advised if he needed anything from the apartment to call 311 so an officer can stand by while he gets what he needs. Both parties are aware they have equal custody and neither can take their son till they go through Family court. DV Blue card was provided to Ahed. Front office manager stated tenant who resides in the building (was the translator) offered to help Ahed and her contact number was provided to Ahed (Cell # 702-664-8045) (Apartment # 1-1011.)	M0848	D17762M
13:47:19	TO	2NTV	ccac	M0851	J17753M
13:47:26	AO	2NTV	ccac	M0851	J17753M
13:50:41	CL	2NTV		M0851	J17753M
13:50:41	INC UPDT		Dispo: From: To: M	M0851	J17753M

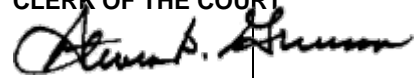


**LVMPD - COMMUNICATION CENTER
EVENT SEARCH**

13:50:41	INC UPDT		DispoFields From: To: M	M0851	J17753M
13:50:41	INC UPDT		UnitIDFields From: To: LV/2NTV	M0851	J17753M
13:50:41	INC STAT		IncStatName From: Active To: Closed	M0851	J17753M

16

16



EXH

APRIL S. GREEN, ESQ.

Nevada Bar No.: 8340C

BARBARA E. BUCKLEY, ESQ.

Nevada Bar No.: 3918

LEGAL AID CENTER OF SOUTHERN NEVADA, INC.

725 E. Charleston Blvd.

Las Vegas, NV 89104

(702) 386-1415 Direct/Fax

(702) 386-1070 ext. 1415

asgreen@lacs.org

Attorneys for Plaintiff

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

AHED SAID SENJAB,

Plaintiff,

vs.

MOHAMED ALHULAIBI,

Defendant.

Case No.: D-20-606093-D

Dept. No: H

Date of Hearing: 5/20/2020

Time of Hearing: 10:00 a.m.

**SUPPLEMENTAL EXHIBITS IN SUPPORT OF PLAINTIFF'S OPPOSITION TO
DEFENDANT'S MOTION TO DISMISS FOR LACK OF JURISDICTIONAL
REQUIREMENTS**

COMES NOW, Plaintiff, AHED SAID SENJAB, by and through her counsel, APRIL S. GREEN, ESQ., of LEGAL AID CENTER OF SOUTHERN NEVADA, INC., hereby submits her exhibit in support of Plaintiff's Opposition to Defendant's Motion to Dismiss for Lack of Jurisdictional Requirements as follows:

Exhibit No.	Name of Document	Bate Stamp #
B	Ryan's Daily Routine	P00003-P00005
C	Activities for Infants 12-16 Months Old	P00006
D	Cow's Milk Alternatives	P00007

Dated this 18th day of May, 2020.

1 Respectfully submitted by:
2 **LEGAL AID CENTER OF SOUTHERN**
3 **NEVADA, INC.**

4 By: 

5 **APRIL S. GREEN, ESQ.**

6 Nevada Bar No. 8340C

7 **BARBARA E. BUCKLEY, ESQ.**

8 Nevada Bar No.: 3918

9 725 E. Charleston Blvd.

10 Las Vegas, NV 89104

11 (702) 386-1415 Direct/Fax

12 (702) 386-1070 ext. 1415

13 asgreen@lacsns.org

14 Attorneys for Plaintiff

EXHIBIT B

DR. Jordana Boneh (702) 944-2828
UNLV General Pediatric Clinic

4-3-20

Rayan's Medicine -

Take 1ml. of medicine at 8:00AM after
breakfast. Daily

Please return medicine back with Rayan
on Monday.

Rayan is allergic to Soy Milk, Peas,
and mangoes.

Rayan wears size 6 diapers.

Fruits and vegetables Rayan eats are:
Cooked broccoli and pumpkin ~~carrots~~,
~~cucumbers~~,

Rayan can eat carrots, cucumber, apple
oranges, grapes, bananas, avocados.

Rayan eats a boiled egg at breakfast.

Rayan cannot drink cow's milk or soy milk.
goat milk,

Please call The DR. before you give
him any kind of milk.

He can have apple juice.

If Rayan has an allergic reaction,
may have to take to the Emergency Room.

5-15-20

22 Ramadan

Ryan wakes up at 6-6:30 AM for breast feeding.

Ryan plays some sport before breakfast

His favorite breakfast meal is boiling egg
or fruit mixed with oats.

Ryan likes drinking water using his cup and
likes juice.

Ryan breast feeds almost every two hours.

Ryan plays, walks, runs and learns colors
and words all day.

He has learned words such as mom, dad,
mouth, hand, nose, eye, head, hair, foot,
ball, car, sky, tree, cup, bowl, spoon,
duck, tissue and many words hard to count

His lunch meal is rice, chicken, and vegetable,
rice, meat and vegetable or chicken pieces
with vegetables

Between meals he has snacks such as fruit
biscuit, or juice with breastfeeding.

Ryan has a nap between 12:30-1:30
and after playing, learning and
walking

Ryan has a shower every day

P00004

AA000081

5-15-20

Ryan's dinner meal (oats with fruit)
vegetable or fruit with breastfeeding

I read a short story for Ryan before bed

Ryan sleeps at 9 PM

Ryan's Mom

EXHIBIT C

Activities for Infants 12-16 Months Old



<p>✓ Babies love games at this age (Pat-a-Cake, This Little Piggy). Try different ways of playing the games and see if your baby will try it with you. Hide behind furniture or doors for Peekaboo; clap blocks or pan lids for Pat-a-cake.</p>	<p>✓ Make puppets out of a sock or paper bag—one for you and one for your baby. Have your puppet talk to your baby or your baby's puppet. Encourage your baby to "talk" back.</p>	<p>✓ To encourage your baby's first steps, hold your baby in standing position, facing another person. Have your baby step toward the other person to get a favorite toy or treat.</p>	<p>✓ Give your baby containers with lids or different compartments filled with blocks or other small toys. Let your baby open and dump. Play "putting things back." This will help your baby learn how to release objects where he wants them.</p>	<p>Loosely wrap a small toy in a paper towel or facial tissue without tape. Your baby can unwrap it and find a surprise. Use tissue paper or wrapping paper, too. It's brightly colored and noisy.</p>
<p>✓ Babies enjoy push and pull toys. Make your own pull toy by threading yogurt cartons, spools, or small boxes on a piece of yarn or soft string (about 2 feet long). Tie a bead or plastic stacking ring on one end for a handle.</p>	<p>✓ Tape a large piece of drawing paper to a table. Show your baby how to scribble with large nontoxic crayons. Take turns making marks on the paper. It's also fun to paint with water.</p>	<p>✓ Arrange furniture so that your baby can work her way around a room by stepping across gaps between furniture. This encourages balance in walking.</p>	<p>✓ Babies continue to love making noise. Make sound shakers by stringing canning rims together or filling medicine bottles (with child-proof caps) with different-sounding objects like marbles, rice, salt, bolts, and so forth. Be careful to secure lids tightly.</p>	<p>This is the time your baby learns that adults can be useful! When your baby "asks" for something by vocalizing or pointing, respond to his signal. Name the object your baby wants and encourage him to communicate again—taking turns with each other in a "conversation."</p>
<p>✓ Play the naming game. Name body parts, common objects, and people. This lets your baby know that everything has a name and helps her begin to learn these names.</p>	<p>✓ Make an obstacle course with boxes or furniture so that your baby can climb in, on, over, under, and through. A big box can be a great place to sit and play.</p>	<p>✓ Let your baby help you clean up. Play "feed the wastebasket" or "give it to Mommy or Daddy."</p>	<p>✓ Make a surprise bag for your baby to find in the morning. Fill a paper or cloth bag with a soft toy, something to make a sound, a little plastic jar with a screw-top lid, or a book with cardboard pages.</p>	<p>✓ Play "pretend" with a stuffed animal or doll. Show and tell your baby what the doll is doing (walking, going to bed, eating, dancing across a table). See if your baby will make the doll move and do things as you request. Take turns.</p>
<p>✓ Cut up safe finger foods (do not use foods that pose a danger of your baby's choking) in small pieces and allow your baby to feed himself. It is good practice to pick up small things and feel different textures (bananas, soft crackers, berries).</p>	<p>✓ Let your baby "help" during daily routines. Encourage your baby to "get" the cup and spoon for mealtime, to "find" shoes and coat for dressing, and to "bring" the pants or diaper for changing. Following directions is an important skill for your baby to learn.</p>	<p>✓ Your baby is learning that different toys do different things. Give your baby a lot of things to roll, push, pull, hug, shake, poke, turn, stack, spin, and stir.</p>	<p>✓ Most babies enjoy music. Clap and dance to the music. Encourage your baby to practice balance by moving forward, around, and back. Hold her hands for support, if needed.</p>	<p>Prepare your baby for a future activity or trip by talking about it beforehand. Your baby will feel like a part of what is going on rather than being just an observer. It may also help reduce some fear of being "left behind."</p>

EXHIBIT D

What kinds of cow's milk alternatives are available?

While soy milk has traditionally been the most commonly used cow's milk alternative, there are many options available. Use of tree nut milk, including almond and cashew milks, have become increasingly popular. Rice and oat milk, as well as hemp milk, are also possible alternatives. Some of these alternatives are flavored, for example with chocolate and vanilla, however these contain added sugar and calories.

What are the differences among cow's milk alternatives?

Cow's milk alternatives often contain less protein and less calories in comparison to cow's milk. Most are fortified with vitamin D and calcium. It is important to check labels (</English/healthy-living/nutrition/Pages/Front-of-Package-Nutrition-Labels.aspx>) since protein and vitamin content may differ among brands. See the chart for a comparison of common unflavored milk alternatives.

Comparison of Common Unflavored Milk Alternatives

	Whole Milk (1 cup)	Rice Milk (1 Cup)	Soy Milk (1 cup)	Coconut Milk (1 cup)	Almond Milk (1 cup)	Oat Milk (1 cup)	Hemp Milk (1 cup)
Energy (kcal)	149	115	105	76	37	130	70
Protein (g)	7.69	0.68	6.34	0.51	1.44	4	3
Total fat (g)	7.93	2.37	3.59	5.08	2.68	2.5	5
Saturated fat (g)	4.55	0	0.5	5.083	0	0	0.5
Cholesterol (mg)	24	0	0	0	0	0	0
Carbohydrate (g)	11.71	22.37	12	7.12	1.42	24	1
Calcium (mg)	276	288	300	459	481	350	300
Iron (mg)	0.07	0.49	1.02	0.73	0.85	1.8	1.8
Vitamin D (IU)	128	96	108	96	96	100	100

Note: Homemade almond milk or other homemade milk alternatives do not contain the same number of vitamins, because they are not fortified.

Rayan - Eats chicken, meat, rice. Please use the ointment after changing the baby's diapers.

Please when food or drink is provided for Rayan and he shows allergic reaction, take him to the doctor or E.R.

How much dairy is recommended for my child?

Infants' diets primarily consist of dairy to help them meet their caloric needs for growth. In addition, dairy provides enough fat needed for brain and eye development.

- **At one year**, babies should consume approximately 2 servings of dairy per day, or about 16 to a maximum of 24 ounces of whole milk per day. Whole-fat milk is recommended for children at this age, unless there is a family history (</English/family-life/health-management/Pages/Your-Family-Health-History-and-Genetics.aspx>) or risk for obesity or heart disease. Talk with your child's pediatrician about which milk he or she recommends for your one-year-old child.
- **Between two and three years old**, children should consume 2.5 servings of dairy per day. The AAP recommends that children stay on whole milk until they are two years of age — unless there is a reason to switch to low-fat milk sooner. Whole milk contains approximately 4% milk fat. It may help to gradually switch your child from whole milk to a lower-fat milk. Therefore, many pediatricians recommend that children get reduced fat (2%) milk for a few weeks before switching them to low fat (1%) or no fat (skim) milk. If children cannot drink cow's milk, they can meet their dairy requirements by eating yogurt and cheese, but vitamin D may be needed as a supplement since not all yogurts are fully supplemented with vitamin D. Talk with your child pediatrician before giving your child any supplements.

How much calcium and vitamin D are recommended for my child to eat each day?

The specific amount is based on your child's age. Here is a breakdown of the recommended dietary allowances (RDA) for calcium and vitamin D (</English/healthy-living/nutrition/Pages/Vitamin-D-On-the-Double.aspx>).

17

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Divorce - Complaint

COURT MINUTES

May 20, 2020

D-20-606093-D Ahed Said Senjab, Plaintiff
vs.
Mohamad Abulhakim Alhulaibi, Defendant.

May 20, 2020 10:00 AM All Pending Motions

HEARD BY: Ritchie, T. Arthur, Jr. COURTROOM: RJC Courtroom 03G

COURT CLERK: Prock, Kathy

PARTIES PRESENT:

Ahed Said Senjab, Plaintiff, Present April S. Green, Attorney, Present

Mohamad Abulhakim Alhulaibi, Defendant, Present David Markman, Attorney, Present

Ryan Mohamad Alhulaibi, Subject Minor, Not Present

JOURNAL ENTRIES

DEFENDANT'S MOTION TO DISMISS FOR LACK OF JURISDICTIONAL REQUIREMENTS...PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISMISS FOR LACK OF JURISDICTIONAL REQUIREMENTS

Court interpreter (Arabic), Omar J. Rifad, was present on behalf of the Plaintiff.

Both parties, Court Interpreter Rifad, Attorney Green, and Attorney Markman appeared telephonically, pursuant to the Administrative Orders for public safety.

Court stated it reviewed the papers and pleadings in this case and the TPO case (T-203688-T). Both counsel stated there are no agreements.

Court reviewed the history of the case. Court stated it saw no Jurisdiction Enforcement Act Affidavit.

Discussion regarding the timeline of when Plaintiff alleges physical presence in Nevada, with intent to make it her home, and non-immigration alien not having a proper domicile and cannot get divorced.

Court stated it has jurisdiction to grant the divorce. Further, Nevada Courts are to have subject matter jurisdiction over custody matters.

Attorney Markman stated Defendant believes the home of the child is Saudi Arabia, for the reason they were in Saudi Arabia six months prior to the filing. Attorney Green stated Defendant has no intention to return to Saudi Arabia. Court stated Nevada is not the home state and Plaintiff needs to walk through the elements of custody. Attorney Markman stated they never had such intent to stay.

Argument regarding people getting divorced all the time, who are not legal, however, reside here.

Court noted there is a Protection Order that has been extended to February, 2021 and that Protection Order provided for a split week custody schedule. Attorney Markman stated the abuse allegations have not been substantiated. Further, Defendant admitted it was all verbal, and then alleged physical abuse. Court stated the Protection Order is a valid Order.

Court stated it can have temporary, emergency jurisdiction. Attorneys Markman and Green stated there are no other cases and no other action.

Attorney Markman stated Defendant was waiting for her brother-in-law to come from the State of Maryland, pick up her and the child, and take them to Maryland. Attorney Markman requested the child be on the ticket to return home with Defendant.

Attorney Green stated Attorney Markman's Reply was way beyond the scope of Defendant's Motion.

Court stated this case has many layers of analysis for residency of Plaintiff, custody jurisdiction, personal jurisdiction over Defendant, and jurisdiction to grant the divorce. Further, every issue involves legal and factual questions.

Court stated it will allow Plaintiff to supplement the Memorandum of law to address each of these issues.

COURT ORDERED, the following:

Defendant's MOTION and Plaintiff's OPPOSITION shall be CONTINUED.

The DEADLINE for the BRIEFS to be FILED is 6/8/2020. The Court will read the cases Attorney Markman cited and Attorney Green's SUPPLEMENT.

CONTINUED TO: 6/16/2020 9:00 AM - Regional Justice Center, Courtroom 3G

INTERIM CONDITIONS:

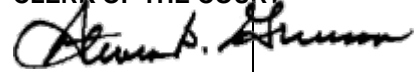
FUTURE HEARINGS:

Jun 16, 2020 9:00AM Motion
RJC Courtroom 03G Ritchie, T. Arthur, Jr.

Jun 16, 2020 9:00AM Opposition & Countermotion
RJC Courtroom 03G Ritchie, T. Arthur, Jr.

18

18



EXH

APRIL S. GREEN, ESQ.

Nevada Bar No.: 8340C

BARBARA E. BUCKLEY, ESQ.

Nevada Bar No.: 3918

LEGAL AID CENTER OF SOUTHERN NEVADA, INC.

725 E. Charleston Blvd.

Las Vegas, NV 89104

(702) 386-1415 Direct/Fax

(702) 386-1070 ext. 1415

asgreen@lacs.org

Attorneys for Plaintiff

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

AHED SAID SENJAB,

Plaintiff,

vs.

MOHAMED ALHULAIBI,

Defendant.

Case No.: D-20-606093-D

Dept. No: H

Date of Hearing: 5/20/2020

Time of Hearing: 10:00 a.m.

**2nd SUPPLEMENTAL EXHIBITS IN SUPPORT OF PLAINTIFF'S OPPOSITION TO
DEFENDANT'S MOTION TO DISMISS FOR LACK OF JURISDICTIONAL
REQUIREMENTS**

COMES NOW, Plaintiff, AHED SAID SENJAB, by and through her counsel, APRIL S. GREEN, ESQ., of LEGAL AID CENTER OF SOUTHERN NEVADA, INC., hereby submits her exhibits in support of Plaintiff's Opposition to Defendant's Motion to Dismiss for Lack of Jurisdictional Requirements as follows:

Exhibit No.	Name of Document	Bate Stamp #
E	Application for a Temporary and/or Extended Order for Protection Against Domestic Violence	P00008-P00026
F	Extended Order for Protection Against Domestic Violence	P00027-P00032

Dated this 20th day of May, 2020.

1 Respectfully submitted by:
2 **LEGAL AID CENTER OF SOUTHERN**
3 **NEVADA, INC.**

4 By: 

5 **APRIL S. GREEN, ESQ.**

6 Nevada Bar No. 8340C

7 **BARBARA E. BUCKLEY, ESQ.**

8 Nevada Bar No.: 3918

9 725 E. Charleston Blvd.

10 Las Vegas, NV 89104

11 (702) 386-1415 Direct/Fax

12 (702) 386-1070 ext. 1415

13 asgreen@lacsns.org

14 Attorneys for Plaintiff

EXHIBIT E

1 APPO

Electronically Filed
02/14/2020

Heather S. Smith
CLERK OF THE COURT

2 DISTRICT COURT,
3 FAMILY DIVISION,
4 CLARK COUNTY, NEVADA

5 Ahd Said Snjab
6 + OBO Ryan Alhulaibi Applicant,
7 vs.

Case No. T-20-203453-1
TEO

7 Mohamad Abulhakim Alhulaibi
8 Adverse Party.

9 APPLICATION FOR A TEMPORARY AND/OR EXTENDED ORDER FOR PROTECTION
AGAINST DOMESTIC VIOLENCE

10 Please write or print clearly. Use black or dark blue ink. Complete this Application to the best of your
11 knowledge.

11 Applicant states the following facts under penalty of perjury:

- 12 1. Applicant's Date of Birth: 1/12/97 Adverse Party's Date of Birth: 9/30/92
13 Relationship: I am the wife
(for example, wife, ex-husband, girlfriend, father, sister, etc.) of the Adverse Party.
14 A. Length of relationship: since 2/17/2018
15 B. Have you ever lived together? Yes ☒ No ☐ If so, how long? 5 months
16 C. Are you living together now? Yes ☐ No ☒
17 D. Date of Separation: 2/10/20
18 E. We have child(ren) **TOGETHER**: Yes ☒ No ☐ If yes, where and with whom are these
19 child(ren) living? with applicant; address confidential

- 20 2. My address is: ☒ **CONFIDENTIAL**. (If confidential, do not write address here)

21 If address is not confidential, write below:

22 Address _____

23 City _____ County _____ State _____ Zip Code _____

24 I ☐ own ☐ rent this residence. Lease/title is held in all the following name(s):
25 _____

26 How long have you been living in this residence? 2/11/20

- 27 3 Adverse Party's address is:

28 Address 1055 E. Flamingo Rd.

29 City Las Vegas County Clark State NV Zip Code 89119

How long has the Adverse Party been living in this residence? 2 years

4 My place of employment is ☐ **CONFIDENTIAL.** (If confidential, do not write address here)
If not confidential, state place of employment.

Name of employer N/A

Address: _____

City _____ County _____ State _____

5. Adverse Party's employer is _____

Address: _____

City _____ County _____ State _____ Zip Code _____

6. (a) The name(s) and date(s) of birth of the minor child(ren) of whom I am the parent, appointed guardian, or who live in my home, are as follows:

NAME (first and last)	DATE OF BIRTH	APPLICANT'S CHILD (Yes/No)	ADVERSE PARTY'S CHILD (Yes/No)	WHO CHILD LIVES WITH
1. Ryan Alhulaibi	2/16/19	Circle one <input checked="" type="radio"/> Yes <input type="radio"/> No	Circle one <input checked="" type="radio"/> Yes <input type="radio"/> No	Mother
2.		Circle one <input type="radio"/> Yes <input type="radio"/> No	Circle one <input type="radio"/> Yes <input type="radio"/> No	
3.		Circle one <input type="radio"/> Yes <input type="radio"/> No	Circle one <input type="radio"/> Yes <input type="radio"/> No	
4.		Circle one <input type="radio"/> Yes <input type="radio"/> No	Circle one <input type="radio"/> Yes <input type="radio"/> No	
5.		Circle one <input type="radio"/> Yes <input type="radio"/> No	Circle one <input type="radio"/> Yes <input type="radio"/> No	
6.		Circle one <input type="radio"/> Yes <input type="radio"/> No	Circle one <input type="radio"/> Yes <input type="radio"/> No	

(b) Have you or the Adverse Party ever been awarded custody/guardianship of the minor child(ren) by

Court Order? ☐ Yes ☒ No

Who was awarded custody/guardianship? ☐ Applicant ☐ Adverse Party

By what Court? N/A

Court Case No. (if known) _____

7. Please check the appropriate box, IF **YOU** or the **ADVERSE PARTY** have ever filed a case in any court for a ☐ Divorce, ☐ Custody, ☐ Paternity, ☐ Child Support, ☐ Guardianship, ☐ Order for Protection Against Domestic Violence, ☐ Stalking/Harassment Order. Please indicate when and where the case(s) was filed, and list the case number(s) if known.

N/A

8. (a) Has CHILD PROTECTIVE SERVICES (CPS) ever been contacted regarding any member of the household in the past year ☒ Yes ☐ No

(b) Is CPS currently involved with this family? ☒ Yes ☐ No

If yes, give details, including the caseworker's name:

9. (a) Does the Adverse Party possess a firearm, or does the Adverse Party have a firearm under his or her custody or control? ☐ Yes ☒ No ☐ I don't know.

(b) Has the Adverse Party ever threatened, harassed, or injured you, the minor child(ren), or anyone else with a firearm or any other weapon? ☐ Yes ☒ No ☐ I don't know.

If yes, give details:

N/A

10. (a) ☒ I have been or reasonably believe I will become a victim of domestic violence committed by the Adverse Party.

(b) ☒ The child(ren) have been or are in danger of becoming a victim of domestic violence committed by the Adverse Party.

I would like to talk briefly since papers will not be able to precisely express my words. I'm willing to answer any questions and go into more details once I have the opportunity to stand and speak in front of a judge.

I came to this place in order to file a case against my husband for domestic battery, physical violence, emotional abuse in front of my child. He uses profanity, screams loudly and intimidates me in front of my child. At this moment, I'm truly fearful since about two days ago, my husband's family threatened my family to kill one of my family members if my husband goes to prison. I'm extremely frightened of his threats towards my family and myself. I'm desperately asking you to provide me with protection. I'm extremely afraid of him, I don't want to speak with him nor see him. And if it is necessary to do so, then I hope you will put me in a safe place. I'm hoping you will grant my child and myself safety as well as my family. I want to keep my child's custody due to the fact that I have been taking care of him since he was inside my tummy. I have been his main caregiver since he was born. As I mentioned in the beginning of this statement, I would like to file a case against my husband. I want you to appoint me a lawyer since I cannot afford to hire one. I will tell the judge about everything that happened once I get the judge gives me the permission to speak. I would to thank you for placing me a safe environment.

I was just informed to write down my entire story here but I believe papers are not sufficient to express my story. Since I came to this country as well as in the past, I have always been exposed to insults in front of my child. As I mentioned previously, I have been physically abused and harmed multiple times. He attacked me in front my child. My child wakes up in the of his sleep screaming of fear. He wakes up screaming, I calmed him down and put him back to sleep. Then he wakes up again screaming few times throughout the night. I have developed awful feelings as a result of my husband's horrible treatment towards me in front of my child. He addresses me by "waitress" and constantly threatens me by taking my child away from me. He has hit physically three times since I came to the United States. He constantly threatens to beat me. When I called the police on him for the first time, he told me I'm your husband and have the right to beat you. He insulted me many times along with the physical abuse which all happens right in front of my child. I fear for my child's mental and emotional state. I worry that my child will develop a sense of fear, I wish he could feel a sense of peace and calm.

Before my husband hit me for the first time while here, he used to threaten to kill me, I told him "I'm now here in the United States and I know that physical abuse is not tolerated here". He said "No, I'm able to physically abuse you". And he proceeded with beating me up after he said that which immediately gave me a sense of extreme fear. I started feeling dizzy, my ears started ringing and my eyes became blurry. I sat down on the floor, held my son tightly and burst into tears. He started to scream at me, my child became very scared and started crying too. I carried my child and called the police. At that moment, my husband told me to go ahead and call the police but he will put me in jail. I immediately became frightened, cancelled the call and started crying. Then, I called my family, he screamed at them while threatening that he will take away my cell phone. I fearfully ran to my room with my child and locked the door on us. He continued to scream louder and louder. I called my family again using my international cellphone and explained to them how scared I felt. They advised me to call the police right away. Unfortunately, they had no idea what intense and mixed feelings I was experiencing during that instant. I was fearful of his threats, I was afraid for my child, his intention to force me to travel overseas without my child, his desire to put me in jail and take away my son from me. I continuously tried contacting my father-in-law by phone so I can tell him that his son hit me again. I previously told my father-in-law that I wanted to get divorced from his son. I started crying, recording voice messages and sending them to my father-in-law. I was begging for divorce. But his dad doesn't allow it.

When my husband called his dad the next morning, his dad told him "tell her there is no divorce". I told my father-in-law "your son physically abused me again". His response was that he is my husband, he has the right to hit me and that I'm obligated to remain patient. Afterwards, I sat down crying and crying.

Later, he attacked me by throwing a box at my face as well as other items at my legs. He demands that I wash his clothes and organize his belongings. He would constantly come to me while I'm breastfeeding my baby and demand that I immediately leave the baby in order to organize and take care of his stuff. He would refuse to wait until I'm done feeding the baby and. He would demand immediate response from me, making me leave the baby and stand up. Also, he regularly insults me by calling me after animal names. He demands that I kiss his hand and his feet. He always yells with an extremely loud voice, I tell him to lower his voice so that the baby doesn't get too scared as a result of the screaming, but he would say no. His behavior and manners are extremely bad, he thinks it is normal to act in such a way in front of our child.

Occasionally, when I take a shower while my husband is in the apartment, I ask him to carefully watch the baby while I'm taking a shower. Once I get out of the bathroom, I find the baby on his own in the kitchen area, opening the cabinets, going through the items and playing with cleaners and chemicals. I worry a great deal about my child. The fact is that my husband doesn't care about our child and doesn't look after him.

One day before I called the police, my husband threatened to kill me if I ended up traveling overseas with my son. I have a proof, a piece of paper which he wrote on it himself. He said that if I stay and keep my child, then I'm not allowed to share anything about my son with my family. He continued to threaten me while giving me orders. He sat down and kept on screaming loudly.

He attacked me twice trying to hit my face. I do wear reading glasses so when he attacked me, I became very scared that he will break my glasses and cause my eyes to get hurt. His intention was punch me in the face. He sat down and kept on screaming loudly. I tried to explain to him that our child became very afraid of his loud voice and that his voice gets extremely loud. I asked him to lower his voice since the baby was asleep. The baby keeps waking up in the middle of his sleep, crying fearfully as a result of hearing all the screams.

On the following day, I took my baby and ran to the office downstairs where there were employees present. I told them that I'm fearful and that I would like to speak to the police. After the police arrived, they started questioning me and I showed them the bruises on my legs. I expressed to them how scared I felt for my baby and for myself. I also told them I do not want to stay with my husband at all. My husband has caused me to feel terrified of him since he constantly screams and uses profanity towards me as well as threatens me.

The police asked me whether I want to go to a shelter. I replied by saying "yes, I want my son and I to stay together in a very safe place". They responded saying yes to my request and we all went back upstairs to my apartment. My husband commented saying "the jail is your shelter". This comment scared me tremendously. He proceeded to tell the police that he will leave the apartment and that I can stay there for couple of days only until he returns. I don't have any place to go to as well as I don't have any money in my possession. My husband asked the police if he can see our baby so we went back with the police to the office, where the employees were, and he saw the baby. Then he left the office area to go outside. After the police departed, he kept walking back and forth in front of the office area. I became very worried since I didn't know how I could go back to my apartment upstairs while he stood outside the office. The Office Manager told me I could stay there for some time until he would leave the area. But my husband stayed there for a long time and did not leave. Meanwhile, an interpreter arrived at the office and guided me through a back door to get back to my apartment.

The police arrived at my apartment and ordered my husband to collect his belongings. The police also gave me a phone number to contact in order to seek protections for my child and myself. I called the phone they gave me and came to the shelter.

Before I left my apartment, my husband came to the office and asked one of the employees to tell me to contact a certain person but I refused and came to the shelter.

I want to mention about an incident that happened in Saudi Arabia when I was pregnant, he tried to choke me. I ran to my room and locked the door. He turned off the electricity on the entire house and left me by myself. When my family called him to check on me, he told them that we were both home together and that I was completely fine. He lies skillfully. He regularly hit me in Saudi Arabia. Now, he has been threatening my family. His family and himself have been declaring that in case my husband goes into jail, then they will kill one of my family members. His family has been constantly threatening my family and I. I would like to grant protection for my family as well. Now, I'm afraid to travel outside the country since he might try to kill me.

I would like to request three items/ three cases against him:

1. I want to keep my child's custody and his passport
2. I would like complete protection for my child and myself (the case of physical and emotional abuse)
3. I would like to grant protection for my family since my husband along his family have been constantly threatening them

THIS APPLICATION IS A PUBLIC RECORD

الآن قالوا له ان الكثير قصتي كاملة هنا ولكنني لا تكفيني الوقت اذا عدت ان جئت الى هنا
 واذا ضاع السيف كنت دائما اقرضه لاجل ان اعام طفلي بما اقلد لكم تعرضت لضرب عدة مرات
 ولا تهجم وكل هذا اعام طفلي اصبحت طفلي يصيح في الليل عند الموت بسبب طرد ليضج وانا اهدد
 وياؤد انهم يقوم عدة مرات احييت تادني بشعر جدي اسيء الى امامته السيئة جبراً الي واملح
 الطفل ~~ي~~ يناديني بالقوسوف ويهردهني دائماً باخذ طفلي حين قام بضربي لاجل ان عند
 ان جئت الى امري ~~ك~~ او اذضاً للتدوير للضرب عندي طلبت ان الذي طاول مرة قال لي
 اننا زوجان وديح لي ان انا ضريك قصتي كثيراً (اذا ضاً الضرب كل هذا بسبب اعام الطفل
 وان الخاضع الى نفسة الطفل وتسهر بالوقت اريد دائماً ان تسهر باللام والهدوء
~~عن ابي ضربي اول مرة قلته اننا ضايف امري~~ لان يهردهني باقتل قلته اننا ضايف امري
 واعرف انه لا يهجم الضرب قال لي الا يهكمشي ان اقبلك وقم بضربي عندها ضحك كثيراً

AA000098

ثاناً

وَأَنَا أَلَيْسَ الْمَظْهَرُ وَخَفْتُ كَثْرًا عَلَى عِيُونِي يَرِيءُ أَنْ يَهْوِي بَنِي بُو كَسْرٍ عَلَى وَجْهِ
وَحَلَسَ بِالْمَصْرَافِ وَحَلَسَ قَلْبَهُ الْفُطْرُ أَصْبَحَ جَبْرًا لِيَأْخُذَ عَزْهُو كَلَامًا
إِنْ هَوَيْتَكَ جَبْرًا عَانِي أَسْفَافَهُ مَلِكًا الْفُطْرُ نَأْمٌ وَكَلَامُهُ سَيَدُورُ وَنَبِيٌّ نَأْمٌ
مَنْ لَقِيَ مِنْ الصَّوْتِ ~~لَا يَخْلُقُ لِي قَلْبُهُ إِلَّا أَوْ كَلَامًا~~ ~~مَنْ لَقِيَ~~
فِي صَبَاحِ الْيَوْمِ الْقَابِلِ قَعَتِ بَاحِرُ الْفُطْرِ خَرَجَتْ حَسْرَةً إِلَى عَفْوَةٍ يُوجِدُهَا عَفْوَتُهُ وَقَلْبُهُ لَمْ
أَنْفِي خَائِفَةً جَبْرًا وَأَرِيدُ الشَّرْطَ جَانَتْ الْبِشْرُطَةُ حَقِيقَتُهُ عَفْوَةٍ وَقَلْبُهُ لَمْ يَلِ الْبِشْرُطَةَ
عَلَى رَجُلِي وَمَنْ لَقِيَ لِي قَلْبُهُ لَمْ يَلِ رَجُلِي خَائِفَةً جَبْرًا عَلَى الْفُطْرِ ~~مَنْ لَقِيَ~~
وَعَلَى نَفْسِي وَقَلْبُهُ لَمْ يَلِ لَأَرِيدُ لَلْبُوسِ نَأْمٌ الْبِقَامَةِ أَفِيدًا إِنَّهُ مَيِّسٌ لِي
بَعْدَ كَيْفِيَّتِهِ لَأَنَّهُ دَامًا يَهْوِي بِالْمَصْرَافِ وَالْمَلِكُ طَبَاظُ نَأْمٍ تَكَلَّمَ وَتَقَرَّرَ
قَالُوا لِي دَلِيلُ تَرْيُوفِ الْفُطْرِ الْفُطْرُ قَلْبُهُ لَمْ يَلِ نَأْمٌ أَرِيدُ أَنْ يَفْقَهُ الْفُطْرُ وَأَنْفِي عَفْوَةٍ
جَبْرًا أَمِنْ قَالُوا لِي نَأْمٌ وَعَفْوَةٍ ~~مَنْ لَقِيَ~~ الْفُطْرُ قَالُوا لِي لَلْبُوسِ ~~مَنْ لَقِيَ~~ الْفُطْرُ
كَثِيرًا وَقَالَ لَشَرْطُهُ أَنْ يَفْقَهُ الْفُطْرُ وَأَنْفِي أَنْ يَفْقَهُ الْفُطْرُ قَالُوا لِي لَلْبُوسِ
سَوْفَ يَفْقَهُ وَأَنَا أَلَيْسَ لِي حَكْمٌ أَنْ أَذْهَبَ إِلَيْهِ وَلَيْسَ لِي مَالٌ عِنْدَهُ عَفْوَةً
~~مَنْ لَقِيَ~~ الْفُطْرُ وَأَنَا لَشَرْطُهُ أَرِيدُ أَنْ أَرَى الْفُطْرَ فَتَزِلُّ إِلَيَّ الْمَكْبِتُ الَّذِي بِهِ لَوُفُّ الْفُطْرِ
عَلَى الشَّرْطِ وَرَفِي طِفْلُهُ وَذَهَبَ إِلَى ~~مَنْ لَقِيَ~~ خَارِجَ الْمَكْبِتِ وَغَضِبَ ذَهَبَ الشَّرْطُ جَلَسَ عَفْوَةً
وَيَمُوتُ أَمَامَ طَائِفَةٍ فِي الْوَلَدِ فَخَفْتُ كَثِيرًا كَيْفَ سَوْفَ أَهْدِي إِلَى الْفُطْرِ وَهِيَ الْخَارِجُ
قَالَتْ لِي صَاحِبَةُ الْمَكْبِتِ أَنْ يَفْقَهُ الْفُطْرُ أَنْ أَجْلِسَ قَلْبًا عَنْهَا وَأَذْهَبَ عَنِ الْفُطْرِ
وَلَكِنْ رُوِيَ جَبْرًا وَخَرَجْتُ مِنْهَا لَأَرِيدُ إِلَى الْمَكْبِتِ وَأَخَذْتُ نَأْمًا مِنَ الْبَابِ
الْمَكْبِتِ إِلَى الْفُطْرِ وَجَانَتْ الشَّرْطَةُ إِلَى الْفُطْرِ قَالُوا لِي لَلْبُوسِ لَأَخَذْتُ الْفُطْرَ
وَأَنَا طَوْنِي رَأَيْتُ لِي ~~مَنْ لَقِيَ~~ الْفُطْرَ وَنَفْسِي نَأْمًا وَحَايَةَ طِفْلِي وَرَأَيْتُ لَلْبُوسِ
وَأَنَا قَعَتِ بِالْمَكْبِتِ عَفْوَةً وَجَانَتْ إِلَى الْمَكْبِتِ قَبْلَ خُرُوجِي عَنْ الشَّرْطِ
جَبْرًا نَأْمًا إِلَى حَكْمَتِي الْمَكْبِتِ يَدِيرُ الْمَكْبِتَ أَنْ يَقُولَ لِي
أَنْ أَلْكَمَ ~~مَنْ لَقِيَ~~ شَرْطُهُ هُوَ يَدِيرُ أَنْ أَلْكَمَ لَحْنِي رَأَيْتُ عَفْوَةً
ذَهَبَتْ إِلَى الْمَكْبِتِ
وَأَنَا لَمْ يَفْقَهُ الْفُطْرَ وَأَنَا لَمْ يَفْقَهُ الْفُطْرَ وَأَنَا لَمْ يَفْقَهُ الْفُطْرَ
فَضَلَّتْ الْفُطْرَ أَفْقَالَتِ الْبَابُ نَأْمًا وَأَطْفَرُ الْفُطْرِ وَأَخَذْتُ لَلْبُوسِ وَأَخَذْتُ
لَلْبُوسِ نَأْمًا وَأَنَا لَمْ يَفْقَهُ الْفُطْرَ وَهِيَ كَثِيرٌ بِهَا مَرَّةً وَأَخَذْتُ قَامَ بَنِي
فِي الْمَكْبِتِ
الآن يَقُومُ بِتَهْدِيدِ أَهْلِي هُوَ أَلَمٌ يَقُولُونَ إِذَا وَجَّهَ حَسْرَةً دَخَلَ الَّذِي سَوْفَ
يَقْتُلُونَ أَحَدًا مِنْ أَهْلِي فَهَوَيْتُ بِهِمْ وَنَأْمًا أَهْلِي بِأَيْتَمَارٍ وَأَنَا أَرِيدُ مَلَانِي

1 وما أريد الآن هو وضع سلة قضايا علي (1) أريد حضارة الطفل وليكن

2 (2) ثم لي عانة طملي ونفسي ~~أفك~~

3 أن أخت عجانة جواز الفضل

4 (3) أريد الحياة الكاملة لي ولطفلي القصة عن الصنف الذي يسببه لي حبس نفسي

5 (3) أريد عانة أهلي لأفهمهم بالسر

6 أهله وهو

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INFORMATION FOR VICTIMS OF
DOMESTIC VIOLENCE

MY NAME IS OFFICER: K.J. SWANGER
V. ARZATE

AGENCY: LVMPD

EVENT #: LLV 2002000 456 82

If an arrest is made, suspect will be taken to:

Detention

INFORMATION FOR VICTIMS OF
DOMESTIC VIOLENCE

MY NAME IS OFFICER: D. MONTE

AGENCY: LVMPD

EVENT #: LLV 2002000 041460

If an arrest is made, suspect will be taken to:

Detention.

NEVADA LAW REQUIRES ME TO INFORM
YOU OF THE FOLLOWING INFORMATION:

NEVADA LAW REQUIRES ME TO INFORM YOU OF
THE FOLLOWING INFORMATION:

For information regarding the suspect's CHARGES or
RELEASE from jail, call:

Clark County Detention Center 702-671-3900
Las Vegas City Detention Center 702-229-6460
North Las Vegas Detention Center 702-633-1400
Henderson Jail 702-267-4600
24-Hour TDD 1-800-326-6868

You may also request notification of the suspect's release from
custody by calling the above numbers.

Family Violence Intervention Program website:

www.clarkcountycourts.us

Click on Family Division, Family Violence Intervention

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by calling the above numbers.

Family Violence Intervention Program website:

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Click on Family Division, Family Violence Intervention

COMMUNITY RESOURCES



Safe Nest Crisis Line/Shelter 1-800-702-6464 702-646-4981
Counseling 702-877-0133
Henderson SAFE House Crisis Line/Shelter 702-564-3227
Counseling 702-451-4203
Protection Orders — Family Court 702-455-3400
Emergency Protection Order 702-646-4981
(If suspect is arrested and in custody) available 24-hours,
including weekends & Holidays

This card is provided by:

The EIGHTH JUDICIAL DISTRICT COURT
FAMILY VIOLENCE INTERVENTION PROGRAM

REV. 7-16

COMMUNITY RESOURCES

 Safe Nest Crisis Line/Shelter 702-646-4981 
Counseling 702-877-0133
Henderson SAFE House Crisis Line/Shelter .. 702-564-3227
Counseling 702-451-4203
Protection Orders - Family Court 702-455-3400
Emergency Protection Order 702-646-4981
(If suspect is arrested and in custody) available 24-hours,
including weekends & Holidays

This card is provided by:

The EIGHTH JUDICIAL DISTRICT COURT
FAMILY VIOLENCE INTERVENTION PROGRAM

P00018 REV. 11-17

AA000102

Suspect:

- ☐ Cited ☐ Arrested ☐ Unknown
☐ City ☐ County
☐ Misdemeanor ☐ Gross Misdemeanor
☐ Felony

LAS VEGAS METROPOLITAN POLICE DEPARTMENT**VICTIM'S INFORMATION GUIDE**

Offense DOMESTIC BATTERY	Area Command SCA C	Event Number LLV20000045682
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This report is important for you to keep since it is the only way you will have to refer to your particular case and event number. If you need a copy of your report, it can be obtained during the hours of 8 a.m. to 5 p.m., Monday through Friday, 8 a.m. to 3 p.m. on weekends from the LVMPD Police Records Section, 400 S. Martin L. King Blvd., Bldg. C, (702) 828-3476, **FIVE WORKING DAYS** after filing of the report, for a nominal fee.

ATTENTION: IT IS YOUR RESPONSIBILITY TO IMMEDIATELY NOTIFY THE LVMPD IF YOU SHOULD RECOVER YOUR STOLEN VEHICLE YOURSELF.

The department relies on a number of factors available in any report to assign a follow-up investigator. Experience has proven that certain information must normally be determined at the time of the initial investigation before a case has the potential for being solved. Without suspects, witnesses, evidence, or other investigative leads, a case cannot be solved except under special circumstances. For example, a suspect caught committing another crime is found with evidence linking him to this one, or he may confess to other crimes including this one. **If you have any questions or additional information, please contact the detective handling your case at the appropriate telephone number listed below or complete an Additional Crime Information report. (Refer to the Event Number listed above.)**

OBLIGATIONS OF CITIZENS FILING MISDEMEANOR CRIME REPORTS WITH LVMPD

1. If an arrest was not made, or if a citation was not issued, and you wish to pursue this matter, you must contact the detective assigned to handle your case at the appropriate number listed below, **AT LEAST TEN (10) BUSINESS DAYS AFTER THE REPORT HAS BEEN FILED**, Monday through Friday, 8:00 a.m. - 4:00 p.m. You may be required to testify against the defendant (suspect) if the case is prosecuted in the courts. All felonies will be investigated.
2. You must give the Event Number at the top of this page if you call about your case.
3. If the suspect in your case is arrested or cited for a misdemeanor, **DO NOT CONTACT THE DETECTIVE ASSIGNED TO YOUR CASE**. You may get information about the status of your case by contacting either the County or City Victim Advocates (listed below). The police department does not have any court information.
4. If this is a misdemeanor crime report and is for **INSURANCE PURPOSES ONLY** or **YOU DO NOT WISH TO PROSECUTE**, and no one has been arrested, please **DO NOT** contact the detective.
5. If no arrest has been made and you need victim assistance, you may contact a Victim Advocate from the Police Department at **(702) 828-2955**.

CONTACT TELEPHONE NUMBERS

Financial Crimes (Fraud/Forgery/ID Theft).....	(702) 828-3483	Bolden Area Command	(702) 828-3347
Abuse-Neglect.....	(702) 828-3364	Convention Center Area Command.....	(702) 828-3204
Homicide.....	(702) 828-3521	Downtown Area Command.....	(702) 828-4314
Missing Persons	(702) 828-2907	Enterprise Area Command	(702) 828-4809
Commercial Robbery.....	(702) 828-3591	Northeast Area Command	(702) 828-7355
Sexual Assault.....	(702) 828-3421	Northwest Area Command	(702) 828-8577
		Southeast Area Command	(702) 828-8242
		South Central Area Command.....	(702) 828-8639
		Spring Valley Area Command.....	(702) 828-2639

LVMPD VICTIM ADVOCATE: Provides crisis intervention, an assessment of the immediate needs of the victims and their families, initiates crime victim assistance paperwork, provides referrals to other agencies, and functions as a liaison with LVMPD personnel and other law enforcement agencies. For assistance, please call the LVMPD Victim Advocate at (702) 828-2955 Monday through Friday 7:00 a.m. - 4:00 p.m.

LAS VEGAS CITY ATTORNEY VICTIM/WITNESS ASSISTANCE: Provides specialized advocacy for victims of domestic violence or battery occurring within the City of Las Vegas. If you are a victim of domestic violence or battery and an arrest has been made or a citation has been issued, please contact the Las Vegas City Attorney's Victim Witness Advocate at (702) 229-2525.

CLARK COUNTY DISTRICT ATTORNEY VICTIM/WITNESS ASSISTANCE CENTER: Provides Justice Court and District Court case information and addresses any concerns you may have regarding your appearance as a witness. When you receive a subpoena to appear in a Justice Court or District Court case, please contact the Victim Witness Assistance Center at (702) 671-2525. If you move or have another address where you wish to receive a subpoena, please contact the advocates at the court.

ASSISTANCE TO VICTIMS OF VIOLENT CRIME: Victims of violent crime who are physically injured or victims of sexual assault may qualify for medical and counseling assistance from the State of Nevada under NRS 217. For information, contact the LVMPD Victim/Witness Advocate or the Nevada State Victims of Violent Crime Program at (702) 486-2740. Note: Applications for this service must be received within one year of the commission of the crime.

ASSISTANCE TO VICTIMS OF SEXUAL ASSAULT: Victims of sexual assault may be eligible for medical treatment and counseling under NRS 217. For information, call the Clark County District Attorney Victim Witness Assistance Center (702) 671-2525, or Rape Crisis Center at (702) 366-1640. Note: Applications for this service must be received within 60 days of the commission of the crime.

THREATS AND DISSUASION TO TESTIFY: Victims and witnesses threatened and/or asked not to testify or prosecute, should contact the detective assigned to the original case. You may also notify the prosecutor if you have already been assigned one.

۱. X \rightarrow $\frac{X}{100}$

۰ %

۲. $\frac{X}{100}$ در Y

۳. $\frac{X}{100}$ در Y \rightarrow $\frac{X}{100} \times Y$

۴. $\frac{X}{100}$ در Y \rightarrow $\frac{X}{100} \times Y$

11. Have **YOU** ever been arrested or charged with domestic violence, or any other crime committed against your spouse, partner, or child(ren)? ☐ Yes ☒ No If yes, WHEN and where?

N/A

12. To your knowledge, has the **ADVERSE PARTY** ever been arrested or charged with domestic violence, or any other crime committed against his/her spouse, partner, or child(ren)? ☐ Yes ☒ No ☐ I don't know
If yes, WHEN and where?

N/A

13. An emergency exists, and I need a **TEMPORARY ORDER FOR PROTECTION AGAINST DOMESTIC VIOLENCE** issued immediately, without notice to the Adverse Party, to avoid irreparable injury or harm. I request that it include the following relief, and any other relief the Court deems necessary in an emergency situation. (Please check all the choice(s) that may apply to **YOU**):

☒ (A) Prohibit the Adverse Party, either directly or through an agent, from threatening, physically injuring, or harassing me and/or the minor child(ren).

☒ (B) Prohibit the Adverse Party from any contact with me whatsoever.

☒ (C) Exclude the Adverse Party from my residence and order the Adverse Party to stay at least 100 yards away from my residence.

☒ (D) Obtain law enforcement assistance to ☒ accompany me to the following residence,

1055 E Flamingo Rd Las Vegas NV

or ☐ to accompany the Adverse Party to the following residence, _____

_____ to obtain personal property.

☒ (E) Grant temporary custody of the minor child(ren) to me.

☐ (F) Order that custody, visitation, and support of the minor child(ren) remain as ordered in the

Decree of Divorce/Order entered in Case Number _____

in the _____ Court of the State of _____

☒ (G) Order the Adverse Party to stay at least 100 yards away from the minor child(ren)'s school, or day care, located at ☒ **CONFIDENTIAL**. (If confidential, do not write name of school and address here)

☐ If not confidential, write name of school and address(es) below:

1. Name of school/daycare: _____

Address: _____

City _____ County _____ State _____

2. Name of school/daycare: _____

Address: _____

City _____ County _____ State _____

3. Name of school/daycare: _____

Address: _____

City _____ County _____ State _____

☐ (H) Order the Adverse Party to stay at least 100 yards away from my place of employment.

☐ (I) Order the Adverse Party to stay at least 100 yards away from the following places which I or the minor child(ren) frequent regularly:

1. _____

Address: _____

City _____ County _____ State _____

2. _____

Address: _____

City _____ County _____ State _____

3. _____

Address: _____

City _____ County _____ State _____

☐ (J) (1) Prohibit the Adverse Party, either directly or through an agent, from physically injuring or threatening to injure any animal that is owned or kept by the Adverse Party, the minor child(ren), or me.

☐ (J) (2) Prohibit the Adverse Party, either directly or through an agent, from taking possession of any animal owned or kept by me or the minor child(ren).

☒ (K) I further request the following other conditions:

I further request our child's (Ryan Alhulaibi) passport and my personal belongings from the adverse party residence. Another condition is that adverse party and family stop threatening my family. I am requesting that adverse party write an undertaken and is responsible for if my family is harmed.

IF YOU WISH TO APPLY FOR A HEARING FOR AN EXTENDED ORDER FOR PROTECTION COMPLETE THE FOLLOWING INFORMATION

14. ☒ I request the Court hold a hearing for an **EXTENDED ORDER FOR PROTECTION AGAINST DOMESTIC VIOLENCE** (which could be in effect for up to one year), and at that hearing the Court issue an Extended Order for Protection Against Domestic Violence and that it include the following relief and any other relief the Court deems appropriate.

(Please check all the choice(s) that may apply to **YOU**).

- ☒ (A) Prohibit the Adverse Party, either directly or through an agent, from threatening, physically injuring, or harassing me and/or the minor child(ren).
- ☒ (B) Prohibit the Adverse Party from any contact with me whatsoever.
- ☒ (C) Exclude the Adverse Party from my residence and order the Adverse Party to stay at least 100 yards away from my residence.
- ☒ (D) Grant temporary custody of the minor child(ren) to me.
- ☐ (E) Grant the Adverse Party visitation with the minor child(ren).
- ☐ (F) Order the Adverse Party to pay support and maintenance of the minor child(ren). (You may be required to file an Affidavit of Financial Condition prior to the hearing.)
- ☐ (G) Order the Adverse Party to pay the rent or make payments on a mortgage or pay towards my support and maintenance.
- ☐ (H) Order that custody, visitation, and support of the minor child(ren) remain as ordered in the Decree of Divorce/Order entered in Case Number _____ in the _____ Court of the State of _____.

☒ (I) Order the Adverse Party to stay at least 100 yards away from the minor child(ren)'s school, or day care, located at: ☒ **CONFIDENTIAL** (If confidential, do not write name of school and address here).

☐ If address is not confidential, please write name of school and address(es) below:

1. Name of School/Daycare _____

Address _____

City _____ County _____ State _____

2. Name of School/Daycare _____

Address: _____

City _____ County _____ State _____

3. Name of School/Daycare _____

Address _____

City _____ County _____ State _____

☐ (J) Order the Adverse Party to stay at least 100 yards away from my place of employment.

☐ (K) Order the Adverse Party to stay at least 100 yards away from the following places which I or the minor child(ren) frequent regularly:

1. Name _____

Address _____

City _____ County _____ State _____

2. Name _____

Address _____

City _____ County _____ State _____

3. Name _____

Address _____

City _____ County _____ State _____

- 1 ☐ (L) (1) Prohibit the Adverse Party, either directly or through an agent, from physically injuring or
2 threatening to injure any animal that is owned or kept by the Adverse Party, the minor child(ren), or
3 me.
- 4 ☐ (L) (2) Prohibit the Adverse Party, either directly or through an agent, from taking possession of any
5 animal owned or kept by me or the minor child(ren).
- 6 ☐ (L) (3) I request the Court to specify the arrangements for the possession and care of any such
7 animal owned or kept by the Adverse Party, the minor child(ren) or me.
- 8 ☐ (M) Order the Adverse Party to pay for lost earnings and expenses incurred as a result of my
9 attendance at any hearing concerning this Application.

10 ☒ (N) I further request the following other conditions:

11 _____

12 _____

13 _____

14 _____

15 _____

16 I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF NEVADA THAT
17 I HAVE READ THE STATEMENTS CONTAINED IN THIS APPLICATION, KNOW THE CONTENTS
18 THEREFORE, AND BELIEVE THEM TO BE TRUE AND CORRECT

19 Date 2/14/20

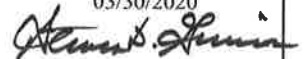
21 A.S.

22 Signature of Applicant

23 And Said Sinjab

24 Applicant's Name (Please Print)

EXHIBIT F


CLERK OF THE COURT

IN THE EIGHTH JUDICIAL DISTRICT COURT, FAMILY DIVISION
COUNTY OF CLARK, STATE OF NEVADA

Ahd Sinjab, Applicant

vs

Mohamad Alhulaibi, Adverse Party

**EXTENDED ORDER FOR PROTECTION
AGAINST DOMESTIC VIOLENCE**

Case No.: T-20-203688-T

Dept. No.: H

Date Issued: 3/30/2020

Date Expires: 2/14/2021

VIOLATION OF THIS ORDER IS A CRIME

YOU, THE ADVERSE PARTY, ARE NOTIFIED THAT YOU CAN BE ARRESTED even if the person who obtained this Order invites or allows you to contact him or her. You have the sole responsibility to avoid or refrain from violating the terms of this Order. Only the Court can change this Order upon written application.

YOU ARE FURTHER NOTIFIED THAT IF YOU ARE ARRESTED FOR VIOLATING THIS ORDER, you will not be admitted to bail sooner than 12 hours after your arrest if: (1) the arresting officer determines that the violation is accompanied by a direct or indirect threat of harm; or (2) you have previously violated a temporary or extended order for protection of the type for which you have been arrested; or (3) at the time of the violation or within 2 hours after the violation, you have: (a) a concentration of alcohol of 0.08 or more in your blood or breath; or (b) an amount of a prohibited substance in your blood or urine that is equal to or greater than the amount set forth in subsection 3 of NRS 484.379.

YOU ARE FURTHER NOTIFIED that child stealing/kidnapping is a felony.

THIS ORDER is valid and enforceable throughout the State of Nevada. This Order meets all Full Faith and Credit provisions of the Violence Against Women Act, and is enforceable in all 50 states, the District of Columbia, U.S. Territories, and Indian Nations. All other courts and law enforcement agencies with jurisdiction within the United States and all Indian Nations shall give full faith and credit to this Order pursuant to 18 U.S.C. § 2265.

Possession, shipment, transportation, or receipt of a firearm or ammunition while this Order is in effect may constitute a felony under federal law 18 USC § 922(g)(8), and is punishable by a fine of up to \$250,000 and/or a prison sentence of up to ten (10) years. Further, if prohibited by this Order, possession, custody, or control of a firearm while this Order is in effect is a category B felony under NRS Chapter 33.

1 The Court having considered the filings, testimony, and any evidence presented at hearing, and the
2 Court having found that the above-named Adverse Party received actual notice of hearing at which such
3 person had an opportunity to participate, and the Adverse Party ☒ was present ☐ was not present ☒ was
4 represented by counsel, Joseph Reiff, Esq., and the above-named Applicant ☒ was
5 present ☐ was not present ☒ was represented by counsel Brianna Bower, Esq., and the Court having
6 jurisdiction over the parties and this matter pursuant to NRS 33.010, et seq., and it appearing to the
7 satisfaction of the Court from specific facts shown that an act of domestic violence has occurred, there
8 exists a threat of domestic violence, and/or you represent a credible threat to the physical safety of the
9 Applicant or the minor child(ren), the Court enters this Order, and as a result:

10
11 **YOU ARE PROHIBITED, either directly or through an agent, from threatening, physically**
12 **injuring, or harassing the Applicant and/or the minor child(ren). YOU ARE FURTHER**
13 **PROHIBITED from selling, damaging, destroying, giving away, or otherwise disposing of, or**
14 **tampering with, any property owned by the Applicant, or in which the Applicant has an interest;**

15 **YOU ARE PROHIBITED from any contact whatsoever with the Applicant, but not**
16 **limited to, in person, by telephone, through the mail, through electronic mail (e-mail), facsimile, or**
17 **through another person.**

18 1. ☒ **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from
19 Applicant's residence located in ☒ Clark, County, Nevada, ☐ CONFIDENTIAL, or at:

20 ☐ N/A, N/A,
21 (Street) (City)

22 or any other place that Applicant may reside. **YOU** shall not interfere with Applicant's possession and
23 use of the residence, including utilities, phones, leases, and other related residential services;

24 2. ☒ The Court, having jurisdiction under and meeting the requirements of Chapter 125A of
25 the Nevada Revised Statutes (UCCJEA), grants to the Applicant temporary custody of the following
26 minor child(ren) of the parties: Ryan Ahulaibi, DOB 2-16-19

27 **YOU ARE PROHIBITED** from interfering with the Applicant's custody of the minor child(ren)
28 named in this paragraph. It is in the best interest of the child(ren) that no negative, insulting, or
disparaging comments be made by one party against the other party in the presence of the minor
child(ren).

1
2
3 3. ☒ **YOU ARE GRANTED** visitation with the minor child(ren): Ryan Ahulaibi, under the
4 following terms and conditions: Each week from Fridays at 3:00 p.m. through Mondays at 10:00 a.m. The
5 exchanges will occur at the Family Court building at 601 N. Pecos Rd.

6 4. ☐ **YOU ARE ORDERED** to pay support and maintenance of the minor child(ren) as set
7 forth in the attached Child Support Addendum.

8 5. ☐ **YOU ARE ORDERED** to pay the rent or make payments on a mortgage on the
9 Applicant's place of residence or pay towards the support and maintenance of the Applicant, as follows:
10 N/A

11
12 6. ☐ Custody, visitation, and support of the minor child(ren) of the parties shall remain as
13 ordered in the Decree of Divorce/Order entered between the parties in Case Number N/A in the N/A
14 Court of the State of N/A.

15 7. ☐ **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from
16 the minor child(ren)'s school(s), or day care, including, but not limited to, the places listed below:

17 ☐ **CONFIDENTIAL**

18
19 (a) Name of School N/A

20 Address: N/A

21 City N/A County N/A Nevada.

22 (a) Name of School N/A

23 Address: N/A

24 City N/A County N/A Nevada.

25 (a) Name of School N/A

26 Address: N/A

27 City N/A County N/A Nevada.

28 8. ☐ **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from
these place(s) of employment or any other place that Applicant may be employed. **YOU ARE**
PROHIBITED from any contact whatsoever with

these place(s) of employment in person, by telephone, by mail, or any other means of communication.

☐ **CONFIDENTIAL**

(a) Name N/A Address N/A
City N/A County N/A Nevada.

(b) Name N/A Address N/A
City N/A County N/A Nevada.

(c) Name N/A Address N/A
City N/A County N/A Nevada.

9. ☐ **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from the following places frequented regularly by Applicant and/or the minor child(ren):

(a) Name N/A Address N/A
City N/A County N/A Nevada.

(b) Name N/A Address N/A
City N/A County N/A Nevada.

(c) Name N/A Address N/A
City N/A County N/A Nevada.

(d) Name N/A Address N/A
City N/A County N/A Nevada.

10. (a) ☐ **YOU ARE PROHIBITED**, either directly or through an agent, from physically injuring or threatening to injure any animal that is owned or kept by the Applicant, the minor child(ren), or **YOU**.

(b) ☐ **YOU ARE PROHIBITED**, either directly or through an agent, from taking possession of any animal owned or kept by the Applicant or the minor child(ren).

(c) ☐ The arrangements for the possession and care of any animal(s) referenced above are as follows: N/A

11. ☐ **YOU ARE ORDERED** to comply with the attached Firearms Addendum.

12. ☐ The following provisions and exceptions are made a part of this Order N/A

THIS ORDER WILL REMAIN IN EFFECT UNTIL 11:59 P.M. ON THE DATE SET FORTH ON PAGE 1 UNLESS THIS COURT ORDERS OTHERWISE.

The Adverse Party is ordered to pay all previously deferred court costs and fees of
\$ N/A payable to N/A by Click here to enter a date..
(date)

☐ Pursuant to NRS 33.030(2) the Adverse Party is ordered to pay \$ N/A to Applicant by
Click here to enter a date..
(date)

ORDER TO LAW ENFORCEMENT

A. Any law enforcement officer who has probable cause to believe a violation of any provision of this Order has occurred is ordered to arrest the Adverse Party. Such party is to be charged with a criminal violation of this Order in addition to any other criminal charges which may be justified.

B. If such law enforcement officer cannot verify that the Adverse Party was served with a copy of this Application and Order, the officer shall inform the Adverse Party of the following: (1) the specific terms of this Order; (2) that the Adverse Party now has notice of the provisions of this Order; (3) that a violation of this Order will result in the Adverse Party's arrest; and (4) the location of the Court that issued the original Order and the hours during which the Adverse Party can obtain a copy of the Order. The law enforcement officer shall then provide written proof of notice to the officer's agency and to the Court.

Dated: This 30th day of March, 2020



JUDICIAL OFFICER
Department H

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the foregoing Findings and
2 Recommendations are approved and are hereby made Orders of the Court. These Orders are effective
3 immediately. Pursuant to EDCR 5.518(e), you have 14 days from your receipt of this Order to file an
4 Objection to this Decision.

5 
6 DISTRICT COURT JUDGE

19

19

1 **EXH**

2 **APRIL S. GREEN, ESQ.**

3 Nevada Bar No.: 8340C

4 **BARBARA E. BUCKLEY, ESQ.**

5 Nevada Bar No.: 3918

6 **LEGAL AID CENTER OF SOUTHERN NEVADA, INC.**

7 725 E. Charleston Blvd.

8 Las Vegas, NV 89104

9 (702) 386-1415 Direct/Fax

10 (702) 386-1070 ext. 1415

11 asgreen@lacsns.org

12 Attorneys for Plaintiff

13 **DISTRICT COURT**
14 **FAMILY DIVISION**
15 **CLARK COUNTY, NEVADA**

16 AHED SAID SENJAB,

17 Plaintiff,

18 vs.

19 MOHAMED ALHULAIBI,

20 Defendant.

Case No.: D-20-606093-D

Dept. No: H

21 **CONFIDENTIAL EXHIBIT IN SUPPORT OF PLAINTIFF'S MEMORANDUM OF**
22 **LAW IN OPPOSITION OF DEFENDANT'S MOTION TO DISMISS**

23 COMES NOW, Plaintiff, AHED SAID SENJAB, by and through her counsel, APRIL S.
24 GREEN, ESQ., of LEGAL AID CENTER OF SOUTHERN NEVADA, INC., hereby submits
25 her exhibits in support of Plaintiff's Memorandum of Law in Opposition of Defendant's Motion
26 to Dismiss as follows:

27 ➤ Nonimmigrant Status Certification

28 Dated this 8th day of June, 2020.

Respectfully submitted by:

**LEGAL AID CENTER OF SOUTHERN
NEVADA, INC.**

By: 

APRIL S. GREEN, ESQ.

Nevada Bar No. 8340C

1 **BARBARA E. BUCKLEY, ESQ.**

2 Nevada Bar No.: 3918

3 725 E. Charleston Blvd.

4 Las Vegas, NV 89104

5 (702) 386-1415 Direct/Fax

6 (702) 386-1070 ext. 1415

7 asgreen@lacs.n.org

8 Attorneys for Plaintiff



Supplement B, U Nonimmigrant Status Certification

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-918
OMB No. 1615-0104
Expires 04/30/2021

For USCIS Use Only	Remarks

► **START HERE** - Type or print in black or blue ink.

Part 1. Victim Information

1. Alien Registration Number (A-Number) (if any)

► A-

2.a. Family Name (Last Name)

2.b. Given Name (First Name)

2.c. Middle Name

Other Names Used (Include maiden names, nicknames, and aliases, if applicable.)

If you need extra space to provide additional names, use the space provided in **Part 7. Additional Information**.

3.a. Family Name (Last Name)

3.b. Given Name (First Name)

3.c. Middle Name

4. Date of Birth (mm/dd/yyyy)

5. Gender ☐ Male ☒ Female

Part 2. Agency Information

1. Name of Certifying Agency

Name of Certifying Official

2.a. Family Name (Last Name)

2.b. Given Name (First Name)

2.c. Middle Name

3. Title and Division/Office of Certifying Official

Name of Head of Certifying Agency

4.a. Family Name (Last Name)

4.b. Given Name (First Name)

4.c. Middle Name

Agency Address

5.a. Street Number and Name

5.b. ☐ Apt. ☐ Ste. ☐ Flr.

5.c. City or Town

5.d. State 5.f. ZIP Code

5.g. Province

5.h. Postal Code

5.i. Country

Other Agency Information

6. Agency Type

☐ Federal ☐ State ☒ Local

7. Case Status

☒ On-going ☐ Completed

☐ Other

8. Certifying Agency Category

☐ Judge ☒ Law Enforcement ☐ Prosecutor

☐ Other

9. Case Number

10. FBI Number or SID Number (if applicable)

Part 3. Criminal Acts

If you need extra space to complete this section, use the space provided in Part 7. Additional Information.

1. The petitioner is a victim of criminal activity involving a violation of one of the following Federal, state, or local criminal offenses (or any similar activity). (Select all applicable boxes)

- | | |
|---|---|
| <input type="checkbox"/> Abduction | <input type="checkbox"/> Manslaughter |
| <input type="checkbox"/> Abusive Sexual Contact | <input type="checkbox"/> Murder |
| <input type="checkbox"/> Attempt to Commit Any of the Named Crimes | <input type="checkbox"/> Obstruction of Justice |
| <input type="checkbox"/> Being Held Hostage | <input type="checkbox"/> Peonage |
| <input type="checkbox"/> Blackmail | <input type="checkbox"/> Perjury |
| <input type="checkbox"/> Conspiracy to Commit Any of the Named Crimes | <input type="checkbox"/> Prostitution |
| <input checked="" type="checkbox"/> Domestic Violence | <input type="checkbox"/> Rape |
| <input type="checkbox"/> Extortion | <input type="checkbox"/> Sexual Assault |
| <input type="checkbox"/> False Imprisonment | <input type="checkbox"/> Sexual Exploitation |
| <input type="checkbox"/> Felonious Assault | <input type="checkbox"/> Slave Trade |
| <input type="checkbox"/> Female Genital Mutilation | <input type="checkbox"/> Solicitation to Commit Any of the Named Crimes |
| <input type="checkbox"/> Fraud in Foreign Labor Contracting | <input type="checkbox"/> Stalking |
| <input type="checkbox"/> Incest | <input type="checkbox"/> Torture |
| <input type="checkbox"/> Involuntary Servitude | <input type="checkbox"/> Trafficking |
| <input type="checkbox"/> Kidnapping | <input type="checkbox"/> Unlawful Criminal Restraint |
| | <input type="checkbox"/> Witness Tampering |

Provide the dates on which the criminal activity occurred.

- 2.a. Date (mm/dd/yyyy)
- 2.b. Date (mm/dd/yyyy)
- 2.c. Date (mm/dd/yyyy)
- 2.d. Date (mm/dd/yyyy)

3. List the statutory citations for the criminal activity being investigated or prosecuted, or that was investigated or prosecuted.

NRS 200.485.1A

- 4.a. Did the criminal activity occur in the United States (including Indian country and military installations) or the territories or possessions of the United States?

☒ Yes ☐ No

- 4.b. If you answered "Yes," where did the criminal activity occur?

LAS VEGAS NEVADA

- 5.a. Did the criminal activity violate a Federal extraterritorial jurisdiction statute?

☐ Yes ☐ No

- 5.b. If you answered "Yes," provide the statutory citation providing the authority for extraterritorial jurisdiction.

6. Briefly describe the criminal activity being investigated and/or prosecuted and the involvement of the petitioner named in Part 1. Attach copies of all relevant reports and findings.

MS SENJAB REPORTED MULTIPLE INCIDENTS OF DOMESTIC VIOLENCE BY HER HUSBAND HAD OCCURRED. HE AND MS. SENJAB ARGUED AND ARGUMENT BECAME PHYSICAL. HER HUSBAND TOOK HER PHONE AND HIT HER ON FACE. ANOTHER INCIDENT HUSBAND THROUGH A BOX AT MS SENJAB BRUISING HER LEGS AND KNEES. MS SENJAB CONTACTED POLICE IMMEDIATELY. SAFENEST WAS RECOMMENDED BY POLICE

7. Provide a description of any known or documented injury to the victim. Attach copies of all relevant reports and findings.

MS SENJAB HAD BRUISING ON HER LEGS AND KNEES WHICH WAS OBSERVED BY THE POLICE

Part 4. Helpfulness Of The Victim

For the following questions, if the victim is under 16 years of age, incompetent or incapacitated, then a parent, guardian, or next friend may act on behalf of the victim.

1. Does the victim possess information concerning the criminal activity listed in Part 3.? ☒ Yes ☐ No
2. Has the victim been helpful, is the victim being helpful, or is the victim likely to be helpful in the investigation or prosecution of the criminal activity detailed above? ☒ Yes ☐ No
3. Since the initiation of cooperation, has the victim refused or failed to provide assistance reasonably requested in the investigation or prosecution of the criminal activity detailed above? ☐ Yes ☒ No

If you answer "Yes" to Item Numbers 1. - 3., provide an explanation in the space below. If you need extra space to complete this section, use the space provided in Part 7. Additional Information.

MS. SENJAB IMMEDIATELY CONTACTED OR
TRIED TO CONTACT THE POLICE WHEN HER
HUSBAND BECAME VIOLENT. SHE HAS
COOPERATED IN EVERY RESPECT TO ASSIST
THE POLICE AND MS SENJAB WILL CONTINUE
TO OFFER ASSISTANCE TO THE DETECTIVES,
IF ASKED.

4. Other. Include any additional information you would like to provide.

MS. SENJAB COMPLETED A VOLUNTARY
STATEMENT AND COOPERATED IN THE POLICE
INVESTIGATION AND PROVIDED ADDITIONAL
WRITTEN INFORMATION SHE SHARED WITH
THE POLICE THEREAFTER

Part 5. Family Members Culpable In Criminal Activity

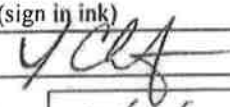
1. Are any of the victim's family members culpable or believed to be culpable in the criminal activity of which the petitioner is a victim? ☒ Yes ☐ No

If you answered "Yes," list the family members and their criminal involvement. (If you need extra space to complete this section, use the space provided in **Part 7. Additional Information.**)

- 2.a. Family Name (Last Name) **ALHABILI**
- 2.b. Given Name (First Name) **MOHAMED**
- 2.c. Middle Name
- 2.d. Relationship **HUSBAND**
- 2.e. Involvement **PERPETRATOR**
-
- 3.a. Family Name (Last Name)
- 3.b. Given Name (First Name)
- 3.c. Middle Name
- 3.d. Relationship
- 3.e. Involvement
-
- 4.a. Family Name (Last Name)
- 4.b. Given Name (First Name)
- 4.c. Middle Name
- 4.d. Relationship
- 4.e. Involvement

Part 6. Certification

I am the head of the agency listed in **Part 2.** or I am the person in the agency who was specifically designated by the head of the agency to issue a U Nonimmigrant Status Certification on behalf of the agency. Based upon investigation of the facts, I certify, under penalty of perjury, that the individual identified in **Part 1.** is or was a victim of one or more of the crimes listed in **Part 3.** I certify that the above information is complete, true, and correct to the best of my knowledge, and that I have made and will make no promises regarding the above victim's ability to obtain a visa from U.S. Citizenship and Immigration Services (USCIS), based upon this certification. I further certify that if the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he or she is a victim, I will notify USCIS.

1. Signature of Certifying Official (sign in ink) 
2. Date of Signature (mm/dd/yyyy) **05/19/2020**
3. Daytime Telephone Number **702 828 3111**
4. Fax Number

Part 7. Additional Information

If you need extra space to complete any item within this supplement, use the space below or attach a separate sheet of paper; type or print the agency's name, petitioner's name, and the Alien Registration Number (A-Number) (if any) at the top of each sheet; indicate the **Page Number**, **Part Number**, and **Item Number** to which your answer refers; and sign and date each sheet. If you need more space than what is provided, you may also make copies of this page to complete and file with this supplement.

1. Agency Name

LAS VEGAS METROPOLITAN POLICE DEPT

Petitioner's Name2.a. Family Name
(Last Name) SENJAB2.b. Given Name
(First Name) AHED

2.c. Middle Name SAID

3. A-Number (if any)

▶ A-

4.a. Page Number 4.b. Part Number 4.c. Item Number

4.d.

5.a. Page Number 5.b. Part Number 5.c. Item Number

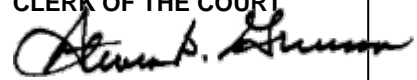
5.d.

6.a. Page Number 6.b. Part Number 6.c. Item Number

6.d.

20

20



BREF
APRIL S. GREEN, ESQ.
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Attorneys for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

AHED SAID SENJAB,)	
)	
Plaintiff,	)	Case No.: D-20-606093-D
)	
vs.	)	Dept. No: H
)	
MOHAMED ALHULAIBI,	)	Date of Hearing: June 16, 2020
	)	Time of Trial: 10:00 a.m.
Defendant.)	
)	

PLAINTIFF'S MEMORANDUM OF LAW IN OPPOSITION
TO DEFENDANT'S MOTION TO DISMISS

The Plaintiff, AHED SAID SENJAB, by and through her attorney, April S. Green, Esq., of Legal Aid Center of Southern Nevada, Inc., herein files this Plaintiff's Memorandum of Law in Opposition to Defendant's Motion to Dismiss as follows:

I.

ISSUES

1. Whether the Court has jurisdiction to grant the divorce;
2. Whether Plaintiff May Intend to Live in Nevada for the Indefinite Future;
3. Whether the Court May Exercise jurisdiction over the Minor Child; and
4. Whether the Court has the Authority to Exercise Personal Jurisdiction over the Parties.

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Plaintiff, AHED SAID SENJAB (“AHED” or “Plaintiff”) and Defendant, MOHAMAD ALHULAIBI (“MOHAMAD” or “Defendant”) both moved to the United States from Saudi Arabia. The parties were married on February 17, 2018 in the Country of Saudi Arabia. They have one (1) minor child, RYAN MOHAMAD ALHULAIBI (“RYAN”), born February 16, 2019. MOHAMAD moved to Las Vegas, Nevada in August, 2018. AHED and the parties’ minor child moved to Las Vegas, Nevada on or about January 13, 2020 to join MOHAMAD. MOHAMAD is on a student visa (F-1 visa). AHED and RYAN came to the United States as dependents connected to MOHAMAD’s student visa (F-2 visas). MOHAMAD works at the University of Nevada, Las Vegas as a graduate assistant. He was also a student at UNLV and alleges that he graduated in May of 2020 although his education may continue according to AHED. AHED is not currently employed.

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1 MOHAMAD made included threats to her physical well-being as well as threats to her family,
2 many of whom live in Saudi Arabia. Specifically, MOHAMAD threatened to have one of
3 AHED's family members killed if he goes to prison or is otherwise separated from his child.
4 Further, MOHAMAD refers to AHED as his "waitress" and degrades and humiliates her by
5 calling her animal names and demanding her to kiss his hands and feet. MOHAMAD abuses
6 their child by frequently screaming and yelling at AHED in front of him according to AHED.
7 RYAN often wakes up crying and screaming, inconsolable, when MOHAMAD behaves with
8 violence toward her, she says.

10 AHED alleges that MOHAMAD inflicted physical injury upon her. AHED says the
11 abuse was rampant while the parties lived in Saudi Arabia, including an incident in which
12 MOHAMAD strangled her, locked her in a room, turned the electricity off and left her there
13 alone for several hours. AHED alleges that the abuse persisted once she arrived in Las Vegas.
14 AHED stated that MOHAMAD hit her several times, including incidents in which he tried to
15 hit her in the face and that MOHAMAD threw things at her, causing bruising on her legs.
16 AHED is terrified of MOHAMAD and fears that, if she is required to return to Saudi Arabia,
17 the abuse will get worse.

19 AHED further alleges that MOHAMAD does not provide adequate care for their child.
20 For example, AHED claims that, on at least one occasion, when she was taking a shower, she
21 asked MOHAMAD to watch over the child. While AHED was in the shower, MOHAMAD
22 left the child alone. AHED claims that she returned from her shower to find her son by
23 himself in the kitchen, opening cabinets and playing with cleaning supplies and chemicals.
24 MOHAMAD consistently puts himself before both AHED and RYAN, often demanding
25 AHED stop breastfeeding or otherwise caring for the child and comply with his demands.
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1 AHED is fearful that, if she is returned to Saudi Arabia, she or her family will be
2 harmed. She is fearful that MOHAMAD will abduct the child, as he has threatened to do, and
3 refuse her contact with the child. She claims, and there is ample evidence, that divorce is
4 considered shameful in Saudi Arabia and women are particularly disadvantaged when it
5 comes to custody matters. Despite AHED's attempts to plead with MOHAMAD's family to
6 stop him from abusing her, she is largely ignored and told she must remain patient with
7 MOHAMAD. AHED is under significant emotional stress because of MOHAMAD's abuse
8 and her uncertain future. While it is true that AHED and RYAN came to the United States as
9 dependents on MOHAMAD's student visa (F-1 visa), AHED now has an independent
10 pathway to legal status and she intends to remain in Nevada for the indefinite future.
11 However, the specifics of AHED's path to citizenship in this country are confidential by
12 nature pursuant to federal law. Specifically, 34 U.S.C 12291(b)(2) prohibits disclosure of
13 identifying information about the petitioner to ensure the safety of adult, youth and child
14 victims of violence.
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17 III.

18 PROCEDURAL HISTORY

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20 Plaintiff, AHED SAID SENJAB, filed an application for a Temporary Protection
21 Order (TPO) on February 14, 2020. The TPO was granted and extended for one year, or until
22 February 14, 2021. Plaintiff filed a Complaint for Divorce on March 24, 2020, having lived in
23 the US more than six (6) weeks before she filed her Complaint for Divorce. In her complaint,
24 AHED requests sole legal and sole physical custody of the parties' minor child. She requested
25 that Defendant be awarded supervised visitation with the minor child due to Defendant's
26 abuse and prior threats to abduct the child. Defendant, MOHAMAD ALHULAIBI, filed a
27 Motion to Dismiss for Lack of Jurisdiction on April 14, 2020. AHED filed an Opposition to
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1 Defendant's Motion to Dismiss on April 24, 2020. MOHAMAD filed a Reply in Support of
2 his Motion to Dismiss on May 13, 2020. The Court requested briefs on the issue of
3 jurisdiction. This Brief follows.

4 III.

5 ARGUMENT AND ANALYSIS

6 A. AHED's Intent to Reside in Nevada for the Indefinite Future is Independent of 7 Restrictions Regarding MOHAMAD's Student VISA.

8
9 AHED is a resident of Las Vegas, Nevada for the purposes of divorce because she lived
10 in Nevada more than six (6) weeks before she filed the action for divorce and because she
11 intends to reside in Nevada for the indefinite future. AHED moved to Las Vegas, Nevada in
12 January of 2020. At the time she arrived in Nevada, she and their minor child joined her
13 husband, MOHAMAD, who had been living in Nevada since 2018. At the time AHED moved
14 to Nevada, she settled in and took care of her child and her husband to the best of her ability.
15 While there was prior domestic violence against AHED, at the time she moved here, she did
16 not immediately pursue divorce. Apparently, however, on or about February 1st and 4th, 2020,
17 AHED suffered domestic violence at the hands of MOHAMAD. On or about February 10,
18 2020, with police intervention, AHED and RYAN moved out of the marital residence and into
19 the Safe Nest domestic violence shelter and have been there ever since. (Confirmation of Safe
20 Nest residency annexed hereto as Exhibit "C"). At the shelter, AHED receives domestic
21 violence counseling, referrals for legal assistance and other services. She ultimately decided to
22 end her abusive marriage and filed for divorce on March 24, 2020. Therefore, at the time she
23 filed for divorce on March 24, 2020, she had resided in Nevada for over six (6) weeks and she
24 had formed an intent to reside in Nevada for the indefinite future, having decided to end her
25 marriage and not to return to Saudi Arabia at any point with her abusive husband.
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1 Nevada authority states as follows:

2 **NRS 125.020 Verified complaint; residence or domicile; jurisdiction of district**
3 **court**, provides in relevant part as follows:

4 1. Divorce from the bonds of matrimony may be obtained for the
5 causes provided in *NRS 125.010* by verified complaint to the district court of
6 any county;

7 . . .

8 (d) In which the parties last cohabited; or

9 (e) If plaintiff resided 6 weeks in the State before the suit was brought.

10 2. Unless the case of action accrued within the county while the
11 plaintiff and defendant were actually *domiciled* therein, no court has
12 jurisdiction to grant a divorce unless either the plaintiff or defendant has been
13 resident of the State for a period of not less than 6 weeks preceding the
14 commencement of the action.

15 **NRS 10.155 Legal residence**, provides in relevant part as follows:

16 Unless otherwise provided by specific statute, the legal residence of a person
17 with reference to the person's right of naturalization, right to maintain or
18 defend any suit at law or in equity, or any other right dependent on residence,
19 is *that place where the person has been physically present within the State or*
20 *county, as the case may be, during all of the period for which residence is*
21 *claimed by the person*. Should any person absent himself or herself from the
22 jurisdiction of his or her residence with the intention in good faith to return
23 without delay and continue his or her residence, the time of such absence is not
24 considered in determining the fact of residence.

25 Finally, **NRS 41.191 Declaration of domicile in Nevada**, sets out the requirements
26 to establish a domicile in Nevada as follows:

27 1. Any person who has established domicile in this state may manifest
28 and evidence his or her domicile by *filing in the office of the clerk of the*
district court for the county in which the person resides, a sworn statement
showing that the person resides in and maintains a residence in that county,
which the person recognizes and intends to maintain as his or her permanent
home.

2. Any person who has established a domicile in this state, but who
maintains another residence in some other state, may manifest and evidence his
or her domicile in this state by filing in the office of the clerk of the district
court for the county in which the person resides, a sworn statement that the
person's residence in Nevada constitutes his or her predominant and principal

1 home, and that the person intends to continue it permanently as his or her
2 predominant and principal home.

3 3. A sworn statement filed pursuant to this section must contain, in
4 addition to the declaration required in subsection 1 or 2, a declaration that the
5 person making the statement is at the time of making the statement a bona fide
6 resident of the State, and it must set forth the person's place of residence, the
city, county and state in which the person formerly resided, and all other
places, if any, in which the person maintains a residence.

7 MOHAMAD has lived in Las Vegas, Nevada since August 2018. He is a student and
8 employee of the University of Nevada, Las Vegas (UNLV). Upon information and belief, he
9 may be still in the employment of UNLV presently. It is unknown whether MOHAMAD
10 actually intends to return to Saudi Arabia.
11

12 Nevada is the state in which both parties and the minor child presently reside. Their
13 contacts with the state are "constant and continuous," and far more than fleeting or cursory.
14 Indeed, the contacts are substantial and meaningful. Nevada is the state in which MOHAMAD
15 committed acts of domestic violence against AHED, underpinning her desire to leave the
16 marriage and her intent to live in Nevada for the indefinite future. Under NRS 125.010, a
17 plaintiff or defendant must be domiciled in the state for a court to have jurisdiction over the
18 divorce action, requiring physical presence and an intent to remain indefinitely. The issue in
19 which this case largely centers on whether AHED could "form and intent to remain in Nevada
20 indefinitely" under the law and facts in this case.
21

22 As stated, MOHAMAD's and AHED's came to this state pursuant to MOHAMAD's
23 student VISA. Notwithstanding, AHED now has a path to citizenship, independent of
24 MOHAMAD's Visa. Although the specifics of AHED's right path to citizenship is confidential
25 and privileged under federal law, she is willing to disclose the information to the Court under
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1 separate cover without disclosure to the Defendant. (Annexed hereto as a “Confidential
2 Record” submitted to Dept H).

3 MOHAMAD offers a plethora of cases which purportedly stand for the proposition that
4 AHED could not form an intent to remain in Nevada indefinitely because the student Visa
5 precludes formation of intent to establish domicile in the US because there is a prohibition
6 against non-immigrants abandoning their foreign residences. However, the proffered line of
7 cases are entirely distinguishable from this matter. In this case, a party who initially presented
8 under an F2 Visa, subsequently filed for a divorce and also became qualified for an
9 independent path to citizenship while present in this country after her arrival pursuant to a
10 student visa.
11

12 For instance, the Defendant cited *Elkins v. Moreno*, , 435 U.S. 647, 663-666 (1978)
13 wherein the Supreme Court stated that, under federal law, Congress expressly required that an
14 immigrant seeking admission under **certain** nonimmigrant classifications must maintain a
15 permanent residence abroad which he has no intent of abandoning. *Elkins* did not specifically
16 address student Visa’s, but the G-4 program. The Court ultimately held that Congress did not
17 impose this requirement on individuals seeking admission under G-4 visas. *Id.* at 666. A G-4
18 visa is a diplomatic visa that allows employees of international organizations to enter the
19 United States. Accordingly, individuals with G-4 Visas may develop a subjective intent to stay
20 in the United States indefinitely. *Id.* Therefore, *Elkins* is not dispositive regarding the case at
21 bar since it concerned the G-4 Visa, not student VISAS, and because the case does not
22 preclude a party to a divorce, having an independent path to citizenship, from claiming
23 residency specifically because they came here on an F2 Visa.
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27 Similarly, in *Toll v. Moreno*, the Supreme Court again confronted the issue of
28 nonimmigrant status and domicile. The Court echoed the ruling of *Elkins* and held that

1 nonimmigrant students attending school under G-4 visas were capable of establishing domicile.
2 *Toll v. Moreno*, 458 U.S. 1, 102 S. Ct. 2977, 2984 (1982). The Court left open the possibility
3 that individuals holding other nonimmigrant visas (visas that are not dependent on maintaining
4 residence abroad), may also form an intent to remain indefinitely. Likewise, *Park v. Barr*, 946
5 F3d.1096, 1098(2020), held that Congress has not permitted non-immigrants to lawfully form a
6 subjective intent to remain in the United States. In *Carlson v. Reed*, 249 F. 3d 876 (9th Cir.
7 2001) the Ninth Circuit held that an individual holding a TN/TD visa did not have the legal
8 capacity to possess the requisite intent to establish domicile. In *Carlson*, the Ninth Circuit used
9 the approach articulated by the Supreme Court in *Elkins* and *Moreno* and sought to determine
10 whether “Congress conditioned the plaintiff/appellant’s admission into the U.S. on an intent
11 not to abandon a foreign residence” or otherwise “on an intent not to seek domicile in the
12 United States.” *Id.* at 880. A “TN” visa is a type of temporary visa that requires that the
13 recipient of such a visa to return to their home country after a designated time period. A “TD”
14 visa is for the dependents of “TN” visas. In *Carlson*, the Ninth Circuit held that “because
15 admission into the United States for TN/TD nonimmigrant aliens is expressly conditioned on
16 an intent not to establish permanent residence here, it is evident that Congress has precluded
17 such aliens from establishing domicile in the United States.” *Id.* Again, however, AHED’s
18 independent right to establish residency in Nevada, does not require her to return to her home
19 country after a designated time period. In contrast, it provides her a pathway to legal residency
20 and ultimately, a pathway to citizenship. Accordingly, she may form the requisite domiciliary
21 intent to remain in Nevada indefinitely and she has done so. MOHAMAD does not present a
22 case that precludes a spouse with an independent path to citizenship from establishing domicile
23 in the United States. AHED’s pathway to legal status is not contingent on her maintaining a
24 residence in Saudi Arabia. In contrast, AHED’s relief will allow her to stay in the United States

1 legally and eventually become a lawful permanent resident and ultimately, a U.S. citizen.

2 Accordingly, AHED can form and did lawfully form the requisite intent to remain indefinitely
3 in Nevada for the purposes of domicile at the time she filed the Complaint for Divorce.

4 Therefore, the string of cases used by Defendant to suggest that AHED is precluded
5 from establishing residency in Nevada are not dispositive and are distinguishable from this
6 case. The authority proffered by MOHAMAD should therefore be disregarded by the Court as
7 they represent a false barrier to a victim of domestic violence occurring on this soil from
8 forming an intent to remain in this state or country where federal law specifically provides for
9 a path to citizenship for her class of persons. For to preclude immigration relief mandated by
10 Congress for a specific class of persons based upon immigration rules for entry into the country
11 would be an absurd result.
12

13
14 The Defendant, in his “Reply in Support of his Motion to Dismiss for Lack of
15 Jurisdiction Requirements, “page 4, line 28, states, “Plaintiff claims she has an independent
16 right to remain in the United States but does not elaborate on what those rights may be.” This
17 implies that Defendant recognizes that if Plaintiff had an independent path to citizenship, it
18 would matter. Moreover, erroneously, Defendant claimed that domestic violence claimed by
19 Plaintiff is not relevant. Indeed, the domestic abuse here is relevant because it was the basis
20 for AHED forming an intent to remain in Nevada indefinitely. Ending the domestic violence
21 against her was the motivation for filing the divorce and for seeking an independent right to
22 citizenship. The domestic violence was extreme in this case and AHED was granted a
23 protection order for one year, the maximum time permitted by statute without special findings.
24 MOHAHAD attempts to undermine and minimize AHED’s allegations of domestic violence
25 by implying that she had other motivations for alleging violence at his hands. However, NRS
26 33.020(1) states that “A Court shall only consider whether the act of domestic violence or the
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1 threat thereof satisfies the requirements of NRS 33.010 **without considering any other factor**
2 in its determination to grant the temporary or extended order. (emphasis added). This language
3 “without considering any other factor” was added in the last legislative session to address just
4 these sorts of defenses to allegations of domestic violence in defensive maneuvers to shift the
5 focus of the court and to assess false motive to the victim. The Court should disregard
6 MOHAMAD’s false allegations of immigration and other alleged motives designed to confuse
7 and mislead the Court. Essentially, Defendant needs to control the narrative and cause the
8 Court to question whether AHED was a victim by implying that she caused the bruising
9 noticed by police, through text messages allegedly demonstrating the parties were in love and
10 by insinuating she was using domestic violence for immigration purposes for herself and her
11 family. NRS 33.020(1) specifically forbids these types of shenanigans. AHED’s TPO was
12 granted and it was extended for one year by a Court of law and MOHAMED submitted to
13 jurisdiction in that case, defended against the protection order, did not object or appeal the
14 Order and admittedly followed the Court’s orders. Those actions alone should form the basis
15 of an exercise of jurisdiction over him in this case.

16
17 While Nevada does not have controlling case law regarding nonimmigrant status,
18 domicile, and divorce actions specifically, cases from other jurisdictions are instructive and
19 persuasive. These cases hold that a party’s nonimmigrant alien status does not bar that party
20 from establishing domicile for purposes of a dissolution or divorce statute. (*Rzeszotarski v.*
21 *Rzeszotarski*, 296 A.2d 431 (D.C. 1972); *Alves v. Alves*, 262 A.2d (D.C. 1970); *Nicolas v.*
22 *Nicolas*, 444 So.2d 1118 (Fla. Dist. Ct. App. 1984); *Abou-Issa v. Abou-Issa*, 229 Ga. 77, 189
23 S.E.2d 443 (1972) 22; *In re Marriage of Pirouzkar*, 51 Or. App. 519, 626 P.2d 380 (1981);
24 *Bustamante v. Bustamante*, 645 P.2d 40 (Utah Sup. Ct. 1982).
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1 In the case of *In re Marriage of Dick*, the California Court of Appeals for the Fourth
2 District held that a spouse's "nonimmigrant status does not preclude a finding of domicile
3 under California law for the purposes of obtaining a dissolution of marriage." *In re Marriage*
4 *of Dick*, 15 Cal. App. 4th 144, 18 Cal Rptr. 2d 743 (1993). In that case, the wife filed a motion
5 to dismiss challenging the residence requirement. The core of her argument was that, "because
6 the husband was a nonimmigrant alien, he could not possess the intention to be a resident of
7 California." *Id.* at 151. The court rejected this argument and held that the husband had
8 established an intent to remain in California and affirmed the dissolution. *Id.* at 158. The court
9 in that case went on to say that, "the enforcement of immigration law properly remains with
10 those to whom it is entrusted by law and does not need in aid of enforcement the judicially
11 created civil disability of exclusion from our divorce courts." *Id.* at 155. Following the
12 reasoning of *In re Marriage of Dick* as well as the above-cited cases, this court should allow
13 this case to proceed on its merits as AHED has a pathway to legal status and possesses the
14 requisite intention to remain in Nevada indefinitely. Thus, AHED should be permitted to
15 obtain her divorce in Nevada.

16 Because AHED may form the subjective intent to remain in Nevada indefinitely, she
17 can establish domicile for the purposes of obtaining a divorce in Nevada. The cases presented
18 by Defendant are wholly distinguishable from this matter because of AHED's meritorious and
19 independent path to citizenship. She had more than six weeks residency and the requisite
20 intent to live here for the indefinite future at the time she filed the Complaint for Divorce on
21 March 24, 2020. Therefore, she meets the requirements for both residency and domicile,
22 therefore, Nevada has jurisdiction to grant the divorce.

23 **B. Nevada is the Most Appropriate Forum to Decide Child Custody in this**
24 **Case.**
25
26

1 The **Uniform Child Custody and Jurisdiction Enforcement Act** (UCCJEA)
2 codified at NRS 125A.305, states in relevant part as follows:

3 1. Except as otherwise provided in NRS 125A.335, a court of this State
4 has jurisdiction to make an initial child custody determination only if:

5 (a) This State is the home state of the child on the date
6 of the commencement of the proceeding or was the
7 home state of the child within 6 months before the
8 commencement of the proceeding and the child is
9 absent from this State but a parent or person acting
10 as a parent continues to live in this State;

11 (b) A court of another state does not have jurisdiction
12 pursuant to paragraph (a) or a court of the home state
13 of the child has declined to exercise jurisdiction on
14 the ground that this State is the more appropriate
15 forum pursuant to NRS 125A.365 or 125A.375 and:

16 (1) The child and the child's parents, or the child
17 and at least one parent or a person acting as a
18 parent, have a significant connection with the
19 State other than mere physical presence; and

20 (2) Substantial evidence is available in this State concerning
21 the child's care, protection, training and personal
22 relationships;

23 (c) All courts having jurisdiction pursuant to paragraph (a) or
24 (b) have declined to exercise jurisdiction on the ground that
25 a court of this State is the more appropriate forum to
26 determine the custody of the child pursuant to NRS
27 125A.365 or 125A.375; or

28 (d) No court of any other state would have jurisdiction
pursuant to the criteria specified in paragraphs (a),
(b) or (c).

29 **NRS 125A.335 Temporary Emergency Jurisdiction.**

30 1. A court of this state has temporary emergency jurisdiction if the
31 child is present in this state and the child has been abandoned or it
32 is necessary in an emergency to protect the child because the child,
33 or a sibling **or parent** of the child, is subject to or threatened with
34 mistreatment or abuse. (emphasis added).

- 1 2. If there is no previous child custody determination that is entitled to
2 be enforced pursuant to the provisions of this chapter and a child
3 custody proceeding has not been commenced in a court of a state
4 having jurisdiction pursuant to NRS 125A.305, 125A.315 and
5 125A.325, a child custody determination made pursuant to this
6 section remains in effect until an order is obtained from a court of a
7 state having jurisdiction pursuant to NRS 125A.305, 125A.315, and
8 125A.325. If a child custody proceeding has not been or is not
9 commenced in a court of a state having jurisdiction pursuant to
10 NRS 125A.315 and 125A.325, a child custody determination made
11 pursuant to this section becomes a final determination, if it so
12 provides, and this state becomes the home state of the child.

13 The parties' minor child, RYAN MOHAMAD ALHULAIBI was born February 16,
14 2019. RYAN migrated to the United States with his mother in January, 2020 and has lived
15 here ever since. In fact, RYAN has lived with his mother, AHED, for the entirety of his
16 young life. Since the parties' separation in February, 2020, the child continued living with
17 his mother subject to visitation by his father as permitted in Case No.: T-2-203688-T.

18 Since his arrival in the States, RYAN has had numerous contacts in Nevada. Not only
19 has he lived here for nearly five months, his doctors are here, he has been immunized here,
20 he has lived in Safe Nest shelter here, he has received shelter services here, he has been
21 named as a derivative in his mother's immigration petition (also giving him an independent
22 path to citizenships) here, the police have provided services to him via his mother here, he
23 was the subject of custody, visitation and child support orders in Case No.: T-2-203688-T
24 here, he has toddler friends and acquaintances here and he has been the subject of an
25 unsubstantiated "Child Protective Services" investigation in this County and State. RYAN
26 has been seen by Volunteers in Medicine of Southern Nevada, Children's Hospital, UNLV
27 Medicine and UMC). ("Medical Records regarding RYAN annexed hereto as Exhibit "D").
28 ("Child Protective Services Report Disposition "dated 2/27/20 annexed hereto as Exhibit
 "E"). Unbeknownst to AHED, she was falsely reported for neglect, but CPS determined that

1 the claims were unfounded. AHED believes that MOHAMAD made the false report. Both of
2 RYAN's parents, AHED and MOHAMAD reside in Nevada and AHED has pursued an
3 independent right to citizenship for both herself and RYAN to live in Nevada for the
4 indefinite future. MOHAMAD has lived in the United States since 2018 and, upon
5 information and belief, has the right to continue to live here through extensions and other
6 immigration relief afforded to persons of his educational background and training.
7

8 Based upon the foregoing, Nevada is a more appropriate forum than Saudi Arabia to
9 make custody decisions regarding RYAN. To date, no action for custody or divorce has
10 been filed in any other jurisdiction. All parties to this action and the child presently live in
11 Nevada. All pertinent and relevant information about the child emanate in Nevada and the
12 child has pursued the right to reside in this country indefinitely through his mother.
13 Presently, AHED has primary physical custody of the child in T-2-203688-T.
14

15 MOHAMAD has not come to this Court with "clean hands" where the child is
16 concerned. He does not dispute that RYAN is physically present in Nevada and residing at
17 a domestic violence shelter in Las Vegas with his mother, AHED. He does not dispute that
18 he was the subject of and did not object to the jurisdiction of TPO Court to make orders for
19 RYAN which he has followed. AHED was forced to flee her home as a result of severe
20 domestic violence she suffered at MOHAMAD's hands in Nevada. AHED alleges that
21 RYAN was present and witnessed the violence against his mother. AHED is concerned that
22 if MOHAMAD is permitted to pursue custody in Saudi Arabia, RYAN, a candidate for
23 immigration relief in this Country, will have to live a life without his mother. AHED stated
24 in the annexed TPO application that she believes that the laws in Saudi Arabia favor men
25 overwhelmingly. Moreover, MOHAMAD could win custody in *absencia* since she will not
26 be able to appear in such an action if filed. In Saudi Arabia, violence against women is
27
28

1 tolerated according to AHED, so RYAN will have little chance to live with the caring,
2 attentive and nurturing parent. MOHAMAD filed a document purporting to “school”
3 AHED on pointers to care for RYAN, but in actuality he got his information from a
4 document she hand wrote out and gave to him to ensure proper care of RYAN during his
5 visitation. (Annexed hereto as Exhibit “F”).

7 Further, according to AHED, MOHAMAD repeatedly puts himself and his desires
8 before RYAN. AHED alleges that MOHAMAD has failed to care for the child adequately
9 and neglects RYAN’s needs, well-being and safety. MOHAMAD has screamed at her,
10 berated, threatened and thrown things at AHED while she was holding her child with no
11 regard for RYAN’s safety. MOHAMAD has made repeated threats to abduct RYAN and
12 take him to Saudi Arabia, where he is likely to receive sole custody of the child.
13 MOHAMAD has further threatened AHED’s well-being and her life, as well as the life of
14 her family in the event that she is awarded custody of RYAN or otherwise limits his access
15 to their child. AHED is concerned that, if she is forced to return to Saudi Arabia to litigate
16 custody, MOHAMAD will not only take her son away from her and prohibit her from seeing
17 her child indefinitely, but may also harm her, RYAN, or her family. Based upon the
18 foregoing, this Court should deem Nevada the most appropriate forum to make orders for
19 custody of RYAN.

22 Moreover, Nevada courts have held that a credible threat of abduction of a minor child is
23 a ground for assuming Temporary Emergency Jurisdiction. For example, in *Ciausova v.*
24 *Eighth Judicial District Court*, the Nevada Supreme Court reviewed the district court’s
25 exercise of Temporary Emergency Jurisdiction and held that the district court properly
26 exercised Temporary Emergency Jurisdiction to address a credible risk of abduction.
27 *Ciausova v. Eighth Judicial Dist. Court*, 131 Nev. 1263 (2015). Here, MOHAMAD has
28

1 repeatedly threatened to abduct the minor child and flee to Saudi Arabia where he is likely
2 to be granted sole custody of the minor child. If forced to litigate custody in Saudi Arabia,
3 AHED will likely lose her parental rights and MOHAMAD will be allowed to withhold the
4 child. This risk is not only credible, but likely if this court fails to assume at least temporary
5 emergency jurisdiction in this case.
6

7 In another case, *Gillispie-Burton v. Spezialetti*, the Nevada Court of Appeals reviewed a
8 custody order from Colorado. Colorado had relinquished jurisdiction to Nevada, but the
9 Colorado court initially found that the child was in “imminent danger” constituting an
10 emergency because the mother had removed the minor child from school in an attempt to
11 take the child from the state. *Gillispie-Burton v. Spezialetti*, 2015 Nev. App. Unpub. LEXIS
12 467, 131 Nev. 1283, 2015 WL 6442389. The Nevada Court of Appeals held that Colorado,
13 under an identical UCCJEA statute, had jurisdiction and authority to issue temporary orders
14 regarding custody and parenting time. *Id.* Here, MOHAMAD has threatened to take the
15 child out of the country to assume sole custody. He has been unable to do so because of
16 court orders issued in the TPO Court and possibly because, he does not plan to leave Nevada
17 himself.
18

19
20 Courts have also interpreted the language of the UCCJEA to include threatened
21 mistreatment and abuse to parents, as well as children. For example, in the case, *In re*
22 *Marriage of Fernandez-Abin & Sanchez*, the California Court of Appeals for the Fourth
23 Circuit, held that a court may establish “temporary emergency jurisdiction over a child if the
24 child is present in this state,” and as relevant here, if “it is necessary in an emergency to
25 protect the child because the child, or a sibling *or a parent* of the child, is subjected to, or
26 threatened with, mistreatment or abuse.” *In re Marriage of Fernandez-Abin & Sanchez*, 191
27 Cal. App. 4th 1015, 120 Cal Rptr. 3d 227 (2011) (emphasis added). Thus, the language of the
28

1 UCCJEA specifically permitted an interpretation so that Congress determined that provision
2 to apply where a husband has committed acts of violence against a wife. MOHAMAD has
3 subjected AHED to and threatened her with mistreatment and abuse. There is a protection
4 order in place because of the violence. MOHAMAD has also subjected RYAN to
5 mistreatment, in the form of disregard for his emotional development, safety, and well-
6 being. RYAN has an independent path to citizenship and to live in the country going
7 forward. Although he is a child, his right to live free of abuse and neglect in this country
8 should be highly regarded by the Court.

10 If allowed to remain in AHED's custody, RYAN will likely be allowed to become a
11 resident of this country as a derivative on AHED's meritorious immigration petition. RYAN
12 has been in the United States for nearly five months now. In the absence of custody
13 proceedings or a controlling custody order in another state, a Nevada court exercising
14 Temporary Emergency Jurisdiction may pave the way for a custody determination that
15 becomes final once the child lives in Nevada for enough time to make Nevada the child's
16 home state. *Nayeli M.G. v. Graviel G. (In re Guardianship of N.M.)*, 131 Nev. 751, 358 P.3d
17 216, 219 (2015). There is no controlling custody order in this case. Thus, if this Court
18 decides to assume jurisdiction over the minor child in this case, it is possible under
19 controlling authority for the emergency jurisdiction to become the final order.

22 However, the Court really need not find emergency jurisdiction because it has jurisdiction
23 over RYAN because Nevada is the most appropriate forum. Because there is a credible threat
24 of abduction and because AHED and RYAN were subject to and threatened with
25 mistreatment and abuse, AHED SAID SENJAB respectfully requests that this Court exercise
26 jurisdiction over RYAN or, in the least, exercise Temporary Emergency Jurisdiction over this
27 custody matter.
28

1 **C. The Court May Exercise Personal Jurisdiction Over Defendant in this Case.**

2 The Supreme Court of the United States has expressed the view that among the most firmly
3 established principles of personal jurisdiction in American tradition is that the courts of a state
4 have jurisdiction over nonresidents who are physically present in the state. *Burnham v.*
5 *Superior Court of Cal.*, 495 U.S. 602, 110 S. Ct. 2105 (1990). Although *International Shoe Co.*
6 *v. Washington* (1945) and subsequent cases have established that a defendant's litigation-
7 related "minimum contacts" with a state may take the place of physical presence as the basis
8 for jurisdiction, nothing in those cases supports the proposition that physical presence is itself
9 insufficient to establish jurisdiction. The Court has further held that personal jurisdiction based
10 on physical presence alone constitutes sufficient due process. *Burnham v. Superior Court of*
11 *Cal.*, 495 U.S. 602, 110 S. Ct. 2105 (1990).

12 NRS 125.020(2) states, in pertinent part, "No court has jurisdiction to grant a divorce
13 unless either the plaintiff or defendant has been a resident of the state for a period of not less
14 than six (6) weeks preceding the commencement of the action." The word "residence" has been
15 construed as requiring actual, physical presence and a good faith belief or intent to make a
16 particular place a place of residence. *Fleming v. Fleming*, 36 Nev. 135, 134, 445 (1913).

17 Here, there is no question that MOHAMAD has been physically present in Las Vegas,
18 Nevada for more than six (6) weeks. He moved here from Saudi Arabia in August 2018 and
19 has remained in the state ever since. MOHAMAD's presence in Nevada is not merely
20 transient. According to AHED, he intended to reside here after he finished his education at the
21 University of Nevada, Las Vegas. His intent to make Nevada his residence is further evidenced
22 by the fact that he brought his family here, AHED and RYAN, from Saudi Arabia to Nevada to
23 live with him. While he cannot form the requisite domiciliary intent to make Nevada his
24 permanent home, he undoubtedly possessed an intent to make Nevada his continuous residence
25

1 for the foreseeable future. His round trip tickets are nothing more than a “showing” of intent to
2 return for immigration purposes. In actuality, according to AHED, his ambition was to be here
3 for a few more years and that is why he brought them here. He has no incentive to reveal those
4 intentions to the Court at this time.

5
6 Alternatively, although not necessary, MOHAMAD has sufficient contacts with Nevada to
7 satisfy personal jurisdiction. The minimum contacts test is an alternative to physical presence.
8 Whether the contacts are sufficient to satisfy the constitutional standard depends upon the
9 “quality and nature” of the defendant’s act in the forum state. *Burnham v. Superior Court of*
10 *Cal.*, 495 U.S. 602, 110 S. Ct. 2105 (1990). Such an act may be a single occurrence or it may
11 be continuous presence of the defendant in the state. MOHAMAD moved to Nevada
12 voluntarily to pursue an education at UNLV.

13
14 Accordingly, by living here for more than two (2) years, he has benefitted from Nevada’s
15 legal protections. MOHAMAD is a resident, student, and employee in Nevada. He rented an
16 apartment and has a Nevada drivers’ license. He subjected himself without objection to the
17 jurisdiction of our courts in Case No. T-2-203688-T. His presence in Nevada is not casual, it
18 was and is constant and continuous for the last two years as well as presently. MOHAMAD
19 formed sufficient minimum contacts in Nevada such that the maintenance of this suit in
20 Nevada does not offend “traditional notions of fair play and substantial justice.” While he
21 cannot form an intent to remain in Nevada indefinitely because of his current F-1 Visa, there is
22 no requirement that he form an intent to remain indefinitely in Nevada, as he is not the party
23 who filed the initial complaint and Nevada law does not require both parties to be domiciliaries
24 of Nevada.

25
26 Because MOHAMAD is both physically present and has formed sufficient minimum
27 contacts in Nevada, this Court has personal jurisdiction over the Defendant in this case.
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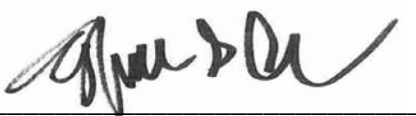
IV.

CONCLUSION

AHED SAID SENJAB respectfully submits her Brief and requests that the Court, upon a finding that the Court has jurisdiction to grant the divorce; jurisdiction over the minor child and the custody matter; and personal jurisdiction over the Defendant, MOHAMAD ALHULAIBI, allow this case to proceed on its' merits.

DATED this 5th day of June, 2020.

**LEGAL AID CENTER OF SOUTHERN
NEVADA, INC.**

By 

APRIL S. GREEN, ESQ.

Nevada Bar No.: 8340C

BARBARA E. BUCKLEY, ESQ.

Nevada Bar No.: 3918

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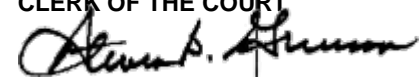
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21

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Attorneys for Plaintiff

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

AHED SAID SENJAB,)
)
Plaintiff,) Case No.: D-20-606093-D
) Dept. No: H
vs.)
)
)
MOHAMED ALHULAIBI,)
)
Defendant.)
)

**EXHIBITS IN SUPPORT OF PLAINTIFF'S MEMORANDUM OF LAW IN
OPPOSITION OF DEFENDANT'S MOTION TO DISMISS**

COMES NOW, Plaintiff, AHED SAID SENJAB, by and through her counsel, APRIL S. GREEN, ESQ., of LEGAL AID CENTER OF SOUTHERN NEVADA, INC., hereby submits her exhibits in support of Plaintiff's Memorandum of Law in Opposition of Defendant's Motion to Dismiss as follows:

Exhibit No.	Name of Document	Bate Stamp #
A	LVMPD Case Report No.: LLV200200045682	P00001-P00002
B	TPO Pleadings	P00003-P00027
C	Letter from SafeNest dated 2/25/2020	P00028
D	Medical Records	P00029-P00052
E	Letter from the Department of Family Services dated 2/27/2020	P00053
F	Mom's Care Plan to Father Regarding Ryan	P00054-P00058

1 Dated this 8th day of June, 2020.

2 Respectfully submitted by:
3 **LEGAL AID CENTER OF SOUTHERN**
4 **NEVADA, INC.**

5 By: 

6 **APRIL S. GREEN, ESQ.**

7 Nevada Bar No. 8340C

8 **BARBARA E. BUCKLEY, ESQ.**

9 Nevada Bar No.: 3918

10 725 E. Charleston Blvd.

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14 asgreen@lacsnsn.org

15 Attorneys for Plaintiff

EXHIBIT A



Administrative

Location 1055 E Flamingo Rd, #416 LAS VEGAS, NV 89119
Occurred On (Date / Time) Tuesday 2/4/2020 9:00:00 AM
Reporting Officer 14743 - Swanger, Jason
Entered By B17266M - Martinez, Brenda
Related Cases

Or Between (Date / Time) Tuesday 2/4/2020 12:22:03 PM
Reported On 2/10/2020
Entered On 2/10/2020 12:17:27 PM
Jurisdiction Clark County

Traffic Report No

Place Type

Accident Involved

Offenses:

Domestic Battery, (1st)(M)-NRS 200.485.1A

Completed Yes

Domestic Violence

Entry

Premises Entered

Weapons

Personal Weapons (Hands, Feet, Teeth, etc.)

Criminal Activities

Hate/Bias Unknown (Offenders Motivation Not Known)
Type Security Tools
Location Type Residence/Home

Victims:

Name: Senjab, Ahed

Victim Type Individual
Victim of 50235 - Domestic Battery, (1st)(M)-NRS 200.485.1A
Written Statement Yes
Can ID Suspect Yes
DOB 1/12/1997
Height 5' 4"
Age 23
Weight 100
Sex Female
Race Unknown
Ethnicity Not Hispanic or Latino
Employer/School Stay at home mom.
Hair Color Brown
Eye Color Brown
Occupation/Grade
Injury Apparent Minor Injury
Work Schedule
Injury Weapons Personal Weapons (Hands, Feet, Teeth, etc.)

Addresses

Residence 1055 Flamingo Rd #416 Las Vegas, NV 89119 United States

Phones

Cellular (702) 861-5382

Offender Relationships

S - Alhabile, Mohammed

Victim Was Spouse

Notes: Victim will call in a couple days to go to safe nest. Victim stated she needed to pack a few things for the baby before she leave the apartment.

Suspects:

Name: Alhabile, Mohammed

Alias:

Scope ID
DOB
Age 27
Race Unknown
Ethnicity Not Hispanic or Latino
Sex Male
Height 5' 5"
Weight 175
Hair Color Black
Eye Color Brown
Employer/School unlv
Occupation/Grade student teacher

Addresses

Residence

Phones

Cellular

Notes:

Released To:
SEN / AB, AHED
2/4/20
2/10/20

Arrestees:

Witnesses:

Other Entities:

Name: Contact Sengab, Ahmed

Written Statement No
Can ID Suspect No

DOB
Height 5' 9"
Age 19
Weight 155
Sex Male
Race Unknown
Ethnicity Not Hispanic or Latino
Driver License Number
Hair Color Black
Eye Color Brown
Driver License State

2/19/2020 9:34 AM

LLV200200045682

P00001
Page 1 of 2

AA000149

Addresses
Residence
Phones
International Phone #
Notes:

Properties: ()

Narrative

On 02/10/2020 at approximately 0943 hours, I Officer J. Swanger P#14743 and Officer B. Martinez P#17266 operating as marked patrol unit 2 Nora 12 was dispatched to Vegas Tower Apts located at 1055 Flamingo Rd, #416. Las Vegas NV 89119 in reference to a domestic battery call. The details of the call are as follows; that the person reporting wanted to pick items up from his apartment.

Upon arrival I made contact with (who you made contact with Mohamed Alhabili) who made the following statement; Officers came to the apartment yesterday reference a verbal only domestic disturbance. Yesterday, Mohamed left his residence for a few days willingly. Mohamed stated that he wanted officers to escort him to his residence to pick up a few items and see his child.

I then made contact with Ahed Senjab who made the following statement mostly in Arabic which was translated into English by her brother Ahmed Senjab ; Ahed has had multiple prior domestic battery issues beginning February 1st. On February 1st Ahed and Mohamed had a verbal argument which became physical. Ahed stated that she was hit on the left cheek of her face one time and that Mohammed took her phone away from her so she could not contact police. Ahed stated that Mohammed forcefully pulled her phone out of her hands to prevent her from calling 911. Mohammed then returned the phone to her. Ahed then locked herself in her bedroom because she was afraid. Ahed did state that she was able to attempt to call 911 on this date but that no one answered on the other line.

Ahed stated that on February 4th, 2020 another verbal argument began due to Mohamed wanting her to do his laundry. Mohamed became upset and that is when Muhammed through a cardboard box at Ahed's legs hitting them both. Ahed said that she has two green bruising on both legs, near her knees, where she was hit by the box on the date of February 4th 2020.

Ahed stated that she had possibly contacted police but that she was unsure if a report was taken due to a mark not being visible at that time.

Ahed also stated that she did not want to go to a shelter today due to needing more time to pack and possibly being able to reside with a family member but that she would call tomorrow to attempt to go to a shelter if that was not a possibility.

Officers observed green bruising on both legs, near the knees which is conducive to the statements that Ahed made to officers about the incident that occurred on February 4th 2020.

P00002

EXHIBIT B

Handwritten Signature
CLERK OF THE COURT

IN THE EIGHTH JUDICIAL DISTRICT COURT, FAMILY DIVISION
COUNTY OF CLARK, STATE OF NEVADA

Ahd Sinjab, Applicant

vs

Mohamad Alhulaibi, Adverse Party

**EXTENDED ORDER FOR PROTECTION
AGAINST DOMESTIC VIOLENCE**

Case No.: T-20-203688-T

Dept. No.: H

Date Issued: 3/30/2020

Date Expires: 2/14/2021

VIOLATION OF THIS ORDER IS A CRIME

YOU, THE ADVERSE PARTY, ARE NOTIFIED THAT YOU CAN BE ARRESTED even if the person who obtained this Order invites or allows you to contact him or her. You have the sole responsibility to avoid or refrain from violating the terms of this Order. Only the Court can change this Order upon written application.

YOU ARE FURTHER NOTIFIED THAT IF YOU ARE ARRESTED FOR VIOLATING THIS ORDER, you will not be admitted to bail sooner than 12 hours after your arrest if: (1) the arresting officer determines that the violation is accompanied by a direct or indirect threat of harm; or (2) you have previously violated a temporary or extended order for protection of the type for which you have been arrested; or (3) at the time of the violation or within 2 hours after the violation, you have: (a) a concentration of alcohol of 0.08 or more in your blood or breath; or (b) an amount of a prohibited substance in your blood or urine that is equal to or greater than the amount set forth in subsection 3 of NRS 484.379.

YOU ARE FURTHER NOTIFIED that child stealing/kidnapping is a felony.

THIS ORDER is valid and enforceable throughout the State of Nevada. This Order meets all Full Faith and Credit provisions of the Violence Against Women Act, and is enforceable in all 50 states, the District of Columbia, U.S. Territories, and Indian Nations. All other courts and law enforcement agencies with jurisdiction within the United States and all Indian Nations shall give full faith and credit to this Order pursuant to 18 U.S.C. § 2265.

Possession, shipment, transportation, or receipt of a firearm or ammunition while this Order is in effect may constitute a felony under federal law 18 USC § 922(g)(8), and is punishable by a fine of up to \$250,000 and/or a prison sentence of up to ten (10) years. Further, if prohibited by this Order, possession, custody, or control of a firearm while this Order is in effect is a category B felony under NRS Chapter 33.

P00003

1 The Court having considered the filings, testimony, and any evidence presented at hearing, and the
2 Court having found that the above-named Adverse Party received actual notice of hearing at which such
3 person had an opportunity to participate, and the Adverse Party ☒ was present ☐ was not present ☒ was
4 represented by counsel, Joseph Reiff, Esq., and the above-named Applicant ☒ was
5 present ☐ was not present ☒ was represented by counsel Brianna Bower, Esq., and the Court having
6 jurisdiction over the parties and this matter pursuant to NRS 33.010, et seq., and it appearing to the
7 satisfaction of the Court from specific facts shown that an act of domestic violence has occurred, there
8 exists a threat of domestic violence, and/or you represent a credible threat to the physical safety of the
9 Applicant or the minor child(ren), the Court enters this Order, and as a result:

10
11 **YOU ARE PROHIBITED, either directly or through an agent, from threatening, physically**
12 **injuring, or harassing the Applicant and/or the minor child(ren). YOU ARE FURTHER**
13 **PROHIBITED from selling, damaging, destroying, giving away, or otherwise disposing of, or**
14 **tampering with, any property owned by the Applicant, or in which the Applicant has an interest;**

15 **YOU ARE PROHIBITED from any contact whatsoever with the Applicant, but not**
16 **limited to, in person, by telephone, through the mail, through electronic mail (e-mail), facsimile, or**
17 **through another person.**

18 1. ☒ **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from
19 Applicant's residence located in ☒ Clark, County, Nevada, ☐ CONFIDENTIAL, or at:

20 ☐ N/A, N/A,
21 (Street) (City)

22 or any other place that Applicant may reside. **YOU** shall not interfere with Applicant's possession and
23 use of the residence, including utilities, phones, leases, and other related residential services;

24 2. ☒ The Court, having jurisdiction under and meeting the requirements of Chapter 125A of
25 the Nevada Revised Statutes (UCCJEA), grants to the Applicant temporary custody of the following
26 minor child(ren) of the parties: Ryan Ahulaibi, DOB 2-16-19

27 **YOU ARE PROHIBITED** from interfering with the Applicant's custody of the minor child(ren)
28 named in this paragraph. It is in the best interest of the child(ren) that no negative, insulting, or
disparaging comments be made by one party against the other party in the presence of the minor
child(ren).

P00004

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3 3. ☒ **YOU ARE GRANTED** visitation with the minor child(ren): Ryan Ahulaibi, under the
4 following terms and conditions: Each week from Fridays at 3:00 p.m. through Mondays at 10:00 a.m. The
5 exchanges will occur at the Family Court building at 601 N. Pecos Rd.

6 4. ☐ **YOU ARE ORDERED** to pay support and maintenance of the minor child(ren) as set
7 forth in the attached Child Support Addendum.

8 5. ☐ **YOU ARE ORDERED** to pay the rent or make payments on a mortgage on the
9 Applicant's place of residence or pay towards the support and maintenance of the Applicant, as follows:
10 N/A

11
12 6. ☐ Custody, visitation, and support of the minor child(ren) of the parties shall remain as
13 ordered in the Decree of Divorce/Order entered between the parties in Case Number N/A in the N/A
14 Court of the State of N/A.

15
16 7. ☐ **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from
17 the minor child(ren)'s school(s), or day care, including, but not limited to, the places listed below:

18 ☐ **CONFIDENTIAL**

19 (a) Name of School N/A

20 Address: N/A

21 City N/A County N/A Nevada.

22 (a) Name of School N/A

23 Address: N/A

24 City N/A County N/A Nevada.

25 (a) Name of School N/A

26 Address: N/A

27 City N/A County N/A Nevada.

28 8. ☐ **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from
these place(s) of employment or any other place that Applicant may be employed. **YOU ARE**
PROHIBITED from any contact whatsoever with

P00005

these place(s) of employment in person, by telephone, by mail, or any other means of communication.

☐ **CONFIDENTIAL**

(a) Name N/A Address N/A
City N/A County N/A Nevada.

(b) Name N/A Address N/A
City N/A County N/A Nevada.

(c) Name N/A Address N/A
City N/A County N/A Nevada.

9. ☐ **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from the following places frequented regularly by Applicant and/or the minor child(ren):

(a) Name N/A Address N/A
City N/A County N/A Nevada.

(b) Name N/A Address N/A
City N/A County N/A Nevada.

(c) Name N/A Address N/A
City N/A County N/A Nevada.

(d) Name N/A Address N/A
City N/A County N/A Nevada.

10. (a) ☐ **YOU ARE PROHIBITED**, either directly or through an agent, from physically injuring or threatening to injure any animal that is owned or kept by the Applicant, the minor child(ren), or **YOU**.

(b) ☐ **YOU ARE PROHIBITED**, either directly or through an agent, from taking possession of any animal owned or kept by the Applicant or the minor child(ren).

(c) ☐ The arrangements for the possession and care of any animal(s) referenced above are as follows: N/A

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1 11. ☐ **YOU ARE ORDERED** to comply with the attached Firearms Addendum.

2
3 12. ☐ The following provisions and exceptions are made a part of this Order N/A

4
5 **THIS ORDER WILL REMAIN IN EFFECT UNTIL 11:59 P.M. ON THE DATE SET**
6 **FORTH ON PAGE 1 UNLESS THIS COURT ORDERS OTHERWISE.**

7
8 **The Adverse Party is ordered to pay all previously deferred court costs and fees of**
9 **\$ N/A payable to N/A by Click here to enter a date..**
10 **(date)**

11 ☐ Pursuant to NRS 33.030(2) the Adverse Party is ordered to pay \$ N/A to Applicant by
12 Click here to enter a date..
13 **(date)**

14 **ORDER TO LAW ENFORCEMENT**

15 A. Any law enforcement officer who has probable cause to believe a violation of any provision of
16 this Order has occurred is ordered to arrest the Adverse Party. Such party is to be charged with a criminal
17 violation of this Order in addition to any other criminal charges which may be justified.

18 B. If such law enforcement officer cannot verify that the Adverse Party was served with a copy of
19 this Application and Order, the officer shall inform the Adverse Party of the following: (1) the specific
20 terms of this Order; (2) that the Adverse Party now has notice of the provisions of this Order; (3) that a
21 violation of this Order will result in the Adverse Party's arrest; and (4) the location of the Court that
22 issued the original Order and the hours during which the Adverse Party can obtain a copy of the Order.
23 The law enforcement officer shall then provide written proof of notice to the officer's agency and to the
24 Court.

25 Dated: This 30th day of March, 2020

26 

27 JUDICIAL OFFICER
28 Department H

P00007

AA000156

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the foregoing Findings and
2 Recommendations are approved and are hereby made Orders of the Court. These Orders are effective
3 immediately. Pursuant to EDCR 5.518(e), you have 14 days from your receipt of this Order to file an
4 Objection to this Decision.
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DISTRICT COURT JUDGE

P00008

1 APPO

Electronically Filed
02/14/2020

2 DISTRICT COURT,
3 FAMILY DIVISION,
4 CLARK COUNTY, NEVADA

Heather B. Shuman
CLERK OF THE COURT

5 Ahd Said Sinjab
6 + OBO Ryan Alhulaibi Applicant,
7 vs.

Case No. T 20 203053-1
TEO

8 Mohamad Abulhakim Alhulaibi
9 Adverse Party.

10 APPLICATION FOR A TEMPORARY AND/OR EXTENDED ORDER FOR PROTECTION
11 AGAINST DOMESTIC VIOLENCE

12 Please write or print clearly. Use black or dark blue ink. Complete this Application to the best of your
13 knowledge.

14 Applicant states the following facts under penalty of perjury:

15 1. Applicant's Date of Birth: 1/12/97 Adverse Party's Date of Birth: 9/30/92

16 Relationship: I am the wife

(for example, wife, ex-husband, girlfriend, father, sister, etc.) of the Adverse Party.

17 A. Length of relationship: since 2/17/2018

18 B. Have you ever lived together? Yes ☒ No ☐ If so, how long? 5 months

19 C. Are you living together now? Yes ☐ No ☒

20 D. Date of Separation: 2/10/20

21 E. We have child(ren) TOGETHER: Yes ☒ No ☐ If yes, where and with whom are these
22 child(ren) living? with applicant; address confidential

23 2. My address is: ☒ CONFIDENTIAL. (If confidential, do not write address here)

24 If address is not confidential, write below:

25 Address _____

City _____ County _____ State _____ Zip Code _____

I ☐ own ☐ rent this residence. Lease/title is held in all the following name(s):

How long have you been living in this residence? 2/11/20

3 Adverse Party's address is:

Address 1055 E. Flamingo Rd.

City Las Vegas County Clark State NV Zip Code 89119

How long has the Adverse Party been living in this residence? 2 years

4 My place of employment is ☐ **CONFIDENTIAL.** (If confidential, do not write address here)
If not confidential, state place of employment.

Name of employer N/A

Address: _____

City _____ County _____ State _____

5. Adverse Party's employer is _____

Address: _____

City _____ County _____ State _____ Zip Code _____

6. (a) The name(s) and date(s) of birth of the minor child(ren) of whom I am the parent, appointed guardian, or who live in my home, are as follows:

NAME (first and last)	DATE OF BIRTH	APPLICANT'S CHILD (Yes/No)	ADVERSE PARTY'S CHILD (Yes/No)	WHO CHILD LIVES WITH
1. Ryan Alhulaibi	2/16/19	Circle one Yes No	Circle one Yes No	Mother
2.		Circle one Yes No	Circle one Yes No	
3.		Circle one Yes No	Circle one Yes No	
4.		Circle one Yes No	Circle one Yes No	
5.		Circle one Yes No	Circle one Yes No	
6.		Circle one Yes No	Circle one Yes No	

(b) Have you or the Adverse Party ever been awarded custody/guardianship of the minor child(ren) by

Court Order? ☐ Yes ☒ No

Who was awarded custody/guardianship? ☐ Applicant ☐ Adverse Party

By what Court? N/A

Court Case No. (if known) _____

7. Please check the appropriate box, IF **YOU** or the **ADVERSE PARTY** have ever filed a case in any court for a ☐ Divorce, ☐ Custody, ☐ Paternity, ☐ Child Support, ☐ Guardianship, ☐ Order for Protection Against Domestic Violence, ☐ Stalking/Harassment Order. Please indicate when and where the case(s) was filed, and list the case number(s) if known.

N/A

8. (a) Has CHILD PROTECTIVE SERVICES (CPS) ever been contacted regarding any member of the household in the past year ☒ Yes ☐ No

(b) Is CPS currently involved with this family? ☒ Yes ☐ No

If yes, give details, including the caseworker's name:

9. (a) Does the Adverse Party possess a firearm, or does the Adverse Party have a firearm under his or her custody or control? ☐ Yes ☒ No ☐ I don't know.

(b) Has the Adverse Party ever threatened, harassed, or injured you, the minor child(ren), or anyone else with a firearm or any other weapon? ☐ Yes ☒ No ☐ I don't know.

If yes, give details:

N/A

10. (a) ☒ I have been or reasonably believe I will become a victim of domestic violence committed by the Adverse Party.
(b) ☒ The child(ren) have been or are in danger of becoming a victim of domestic violence committed by the Adverse Party.

I would like to talk briefly since papers will not be able to precisely express my words. I'm willing to answer any questions and go into more details once I have the opportunity to stand and speak in front of a judge.

I came to this place in order to file a case against my husband for domestic battery, physical violence, emotional abuse in front of my child. He uses profanity, screams loudly and intimidates me in front of my child. At this moment, I'm truly fearful since about two days ago, my husband's family threatened my family to kill one of my family members if my husband goes to prison. I'm extremely frightened of his threats towards my family and myself. I'm desperately asking you to provide me with protection. I'm extremely afraid of him, I don't want to speak with him nor see him. And if it is necessary to do so, then I hope you will put me in a safe place. I'm hoping you will grant my child and myself safety as well as my family. I want to keep my child's custody due to the fact that I have been taking care of him since he was inside my tummy. I have been his main caregiver since he was born. As I mentioned in the beginning of this statement, I would like to file a case against my husband. I want you to appoint me a lawyer since I cannot afford to hire one. I will tell the judge about everything that happened once I get the judge gives me the permission to speak. I would to thank you for placing me a safe environment.

I was just informed to write down my entire story here but I believe papers are not sufficient to express my story. Since I came to this country as well as in the past, I have always been exposed to insults in front of my child. As I mentioned previously, I have been physically abused and harmed multiple times. He attacked me in front my child. My child wakes up in the of his sleep screaming of fear. He wakes up screaming, I calmed him down and put him back to sleep. Then he wakes up again screaming few times throughout the night. I have developed awful feelings as a result of my husband's horrible treatment towards me in front of my child. He addresses me by "waitress" and constantly threatens me by taking my child away from me. He has hit physically three times since I came to the United States. He constantly threatens to beat me. When I called the police on him for the first time, he told me I'm your husband and have the right to beat you. He insulted me many times along with the physical abuse which all happens right in front of my child. I fear for my child's mental and emotional state. I worry that my child will develop a sense of fear, I wish he could feel a sense of peace and calm.

Before my husband hit me for the first time while here, he used to threaten to kill me, I told him "I'm now here in the United States and I know that physical abuse is not tolerated here". He said "No, I'm able to physically abuse you". And he proceeded with beating me up after he said that which immediately gave me a sense of extreme fear. I started feeling dizzy, my ears started ringing and my eyes became blurry. I sat down on the floor, held my son tightly and burst into tears. He started to scream at me, my child became very scared and started crying too. I carried my child and called the police. At that moment, my husband told me to go ahead and call the police but he will put me in jail. I immediately became frightened, cancelled the call and started crying. Then, I called my family, he screamed at them while threatening that he will take away my cell phone. I fearfully ran to my room with my child and locked the door on us. He continued to scream louder and louder. I called my family again using my international cellphone and explained to them how scared I felt. They advised me to call the police right away. Unfortunately, they had no idea what intense and mixed feelings I was experiencing during that instant. I was fearful of his threats, I was afraid for my child, his intention to force me to travel overseas without my child, his desire to put me in jail and take away my son from me. I continuously tried contacting my father-in-law by phone so I can tell him that his son hit me again. I previously told my father-in-law that I wanted to get divorced from his son. I started crying, recording voice messages and sending them to my father-in-law. I was begging for divorce. But his dad doesn't allow it.

When my husband called his dad the next morning, his dad told him "tell her there is no divorce". I told my father-in-law "your son physically abused me again". His response was that he is my husband, he has the right to hit me and that I'm obligated to remain patient. Afterwards, I sat down crying and crying.

Later, he attacked me by throwing a box at my face as well as other items at my legs. He demands that I wash his clothes and organize his belongings. He would constantly come to me while I'm breastfeeding my baby and demand that I immediately leave the baby in order to organize and take care of his stuff. He would refuse to wait until I'm done feeding the baby and. He would demand immediate response from me, making me leave the baby and stand up. Also, he regularly insults me by calling me after animal names. He demands that I kiss his hand and his feet. He always yells with an extremely loud voice, I tell him to lower his voice so that the baby doesn't get too scared as a result of the screaming, but he would say no. His behavior and manners are extremely bad, he thinks it is normal to act in such a way in front of our child.

Occasionally, when I take a shower while my husband is in the apartment, I ask him to carefully watch the baby while I'm taking a shower. Once I get out of the bathroom, I find the baby on his own in the kitchen area, opening the cabinets, going through the items and playing with cleaners and chemicals. I worry a great deal about my child. The fact is that my husband doesn't care about our child and doesn't look after him.

One day before I called the police, my husband threatened to kill me if I ended up traveling overseas with my son. I have a proof, a piece of paper which he wrote on it himself. He said that if I stay and keep my child, then I'm not allowed to share anything about my son with my family. He continued to threaten me while giving me orders. He sat down and kept on screaming loudly.

He attacked me twice trying to hit my face. I do wear reading glasses so when he attacked me, I became very scared that he will break my glasses and cause my eyes to get hurt. His intention was punch me in the face. He sat down and kept on screaming loudly. I tried to explain to him that our child became very afraid of his loud voice and that his voice gets extremely loud. I asked him to lower his voice since the baby was asleep. The baby keeps waking up in the middle of his sleep, crying fearfully as a result of hearing all the screams.

On the following day, I took my baby and ran to the office downstairs where there were employees present. I told them that I'm fearful and that I would like to speak to the police. After the police arrived, they started questioning me and I showed them the bruises on my legs. I expressed to them how scared I felt for my baby and for myself. I also told them I do not want to stay with my husband at all. My husband has caused me to feel terrified of him since he constantly screams and uses profanity towards me as well as threatens me.

The police asked me whether I want to go to a shelter. I replied by saying "yes, I want my son and I to stay together in a very safe place". They responded saying yes to my request and we all went back upstairs to my apartment. My husband commented saying "the jail is your shelter". This comment scared me tremendously. He proceeded to tell the police that he will leave the apartment and that I can stay there for couple of days only until he returns. I don't have any place to go to as well as I don't have any money in my possession. My husband asked the police if he can see our baby so we went back with the police to the office, where the employees were, and he saw the baby. Then he left the office area to go outside. After the police departed, he kept walking back and forth in front of the office area. I became very worried since I didn't know how I could go back to my apartment upstairs while he stood outside the office. The Office Manager told me I could stay there for some time until he would leave the area. But my husband stayed there for a long time and did not leave. Meanwhile, an interpreter arrived at the office and guided me through a back door to get back to my apartment.

The police arrived at my apartment and ordered my husband to collect his belongings. The police also gave me a phone number to contact in order to seek protections for my child and myself. I called the phone they gave me and came to the shelter.

Before I left my apartment, my husband came to the office and asked one of the employees to tell me to contact a certain person but I refused and came to the shelter.

I want to mention about an incident that happened in Saudi Arabia when I was pregnant, he tried to choke me. I ran to my room and locked the door. He turned off the electricity on the entire house and left me by myself. When my family called him to check on me, he told them that we were both home together and that I was completely fine. He lies skillfully. He regularly hit me in Saudi Arabia. Now, he has been threatening my family. His family and himself have been declaring that in case my husband goes into jail, then they will kill one of my family members. His family has been constantly threatening my family and I. I would like to grant protection for my family as well. Now, I'm afraid to travel outside the country since he might try to kill me.

I would like to request three items/ three cases against him:

1. I want to keep my child's custody and his passport
2. I would like complete protection for my child and myself (the case of physical and emotional abuse)
3. I would like to grant protection for my family since my husband along his family have been constantly threatening them

THIS APPLICATION IS A PUBLIC RECORD

الآن قالوا له ان أكثر قصتي كماله هذا ولكنني لا تكفي الوقت أدعيه ان جئت الى هنا
وأرضاه بالسيف كتبت دائما أقرب من إيمانك أمام طغلي بما قلنا لكم ثم صرنا لضرب عنقه عزرا
والله أعلم وكل هذا أمام طغلي أصبح طغلي يصيح في الليل عن الموت شيئا لم يسمع وأنا أهدم
فيما هو يقوم عنه مرات أحسبنا أنه يصيح صراخا لا يسمي له الملائكة السبعة حتى أتى وأطاع
الطغلي ~~ي~~ ينادي بالقوم وبعديش دائما يأخذ طغلي حتى قام بضرب عنقه عزرا عند
أن جئت الى أمرك أو أرضا لا تقرب للهرب عنهما طلبت في الدار طولا عرضا قال لي
أنا زوجك وديع لي أن أصريك فتصني كثيرا وأدع الضرب كل هذا صرنا أمام الطفل
وأننا أفض الى نفسه الطفل وتصيح بالوقت أريد دائما أن يشعروا بالسلام والهدوء
عندما يصربني أول مرة ~~قال له الله أصيب~~ لأن بهديني بأقل قلنا له أنا ههنا أصربنا
وأعرف أنه لا يصح الضرب قال لي إلا يصحني أن أصريك وقم بضرب عنقه صرنا كثيرا

AA000164

قام

وعلى

الطفل

وشرعت بربوار شديد وطنين في اذني وعياني لم اعلم اني لهما تحت بالجلوس في الارض
واصعدت طفلي وجلست اليك وتوكلت بالاصراخ على ~~والطفل~~ ^{والطفل} خاف جدا وجلوسه
عنه بقاءه واتصلت على الشرط عنها قال لي اتصلت اذا صوف اذهبك الى السجن
فانرا اخفون كثيرا وجلست اليك ^{والانفاس} ~~والانفاس~~ ^{والانفاس} قام بالاصراخ عليهم وتقدم
بصبي بالحوال عني وركبت خافه اهل كفلها واتصلت اليك على انما ولي
عنه احسن نهر في هوى اعلى واعلى اتصلا على اهل عن الحوال الى هوى
وقلت لهم انما خافا خافه قالوا لي اتصلت على الشرط فورا ولكن لا نخرج
تصوري عنها ~~الطفل~~ ^{والانفاس} ~~والانفاس~~ ^{والانفاس} خافه جدا عن ذم رداءه لي وحانه
كثيرا اتصلا كثيرا ~~على رداءه~~ ^{على رداءه} لاقول له انك صوب مرة اخرى
انك تملك الان رداءا اريد ان انفصل عنه وجلست اليك واتصلت له بوقتي ارجو
اريد ان اطلق ولكن ~~الان~~ اريد ان لا اريد ذلك وعنه اذ قل له في هوى اليرم الثاني
قال قل لها لا يوجر طلاق وعنه ~~الان~~ ^{الان} ارضا قمت بالقول له فوتم نهر صوب اخرى
قال هذا زوجك وارضع ان يضربك ويلزم عليك الصبر حاسا انك تروني
وغيرها ارضا حزينه والكرتون على وجهي وظهر انك صوب على وجهي والرضا يري
ان اقوم بصل ملايه وتنظيم الاعراض وان ارضع طال يقول انك حلالا وتوصي
بتنظيم الاعراض ~~والان~~ ^{والان} لا يري انك تروني من الرضا صوب على الفور
ان اقول للطفل واقوم في ~~الان~~ ^{الان} وادني ان دائما في اذني بالحوال
~~والان~~ ^{والان} ونقول قلمي في ذي وقلي ويصير في صوب على ~~الان~~ ^{الان}
واقول له دائما اخفض صوتك لا تظن بقاء كثير آمن الصراخ يقول لي لا اريد
لا وصاحله حرا حرا حرة ولهذا عني عادي عنه امام لطفل وعنه اقم
بالنهار انك اقم في وجوده ~~الان~~ ^{الان} خرج المنزل اقول له انتبه له اريد ان اقم
الى امه واما اخرج من الام اري الطفل في طابقي وهو يفتح الرضف
التي يوجبها مواد التذليل ~~الان~~ ^{الان} اخاف من كثير ~~الان~~ ^{الان} وهو في
لا ياتي على الطفل ولا يهتم به وقيل انك اهل على الشرط في يوم
كان يهددني ان احدث السر مع طين صوب يقبلني ولدي الاثبات لورقة
التي كان يركب على ~~الان~~ ^{الان} وقال اذا اريد لا يوسع طين لا يوسع
انك اقم اهل عن طين وصوب يقبلني ~~الان~~ ^{الان} ~~الان~~ ^{الان} ~~الان~~ ^{الان}
~~الان~~ ^{الان} وجلست بالاصراخ ~~الان~~ ^{الان} ~~الان~~ ^{الان} ~~الان~~ ^{الان} ~~الان~~ ^{الان}
صوب على وجهي

شأنها

1 وأنا ليس النظمارة وحفت كثيرا على عيني يري ان يهزني بكوني على وجهي
2 وحسب بالصرخ وحسب قلت له الطفل اصبح جيرا الى ان عرفت
3 ان هزوني جيرا على اني اخذته منه سديلا الطفل نام وكل فتنة سيدة طوبى
4 من لم يولد من الصوت ~~في البيت الذي ظهر في الارض~~ ~~في البيت الذي ظهر في الارض~~
5 في صباح اليوم التالي صعدت باخر الطفل من تحت عيني الى غرفة يوجد بها عموه وقلت لهم
6 انني خائفة جدا واريد الشرطة جاءت الشرطة حقت عيني وقلت له الذي الذي اراد
7 انك يرحلي وما قولك في ذلك قلت لهم اني جئت الى البيت الذي ظهر في الارض
8 وعلى نفسي وقلت لهم اني لا اريد للابوس في البيت الذي ظهر في الارض
9 اني كثرته لانه اذا اخذهم بالصرخ في البيت الذي ظهر في الارض فقلت
10 قالوا له جلا ترون الذهب في البيت قلت لهم اني اريد ان ياتي طفل وانني صانع
11 جيرا اذن قالوا لي نعم وعندها ~~جاءني~~ ^{جاءني} الى المنزل قال لي البيت هو الذي في الخافت
12 كثيرا فقال الشرط اني صعدت من البيت وانني انا ليعود فقل في المنزل وانه
13 سوف يعود وان ليس لي هناك ان اذهب اليه وليس لي مال عندها عندها قال
14 في الشرط وانا الشرط اريد ان اري الطفل فقلت اني انا الذي في البيت الذي ظهر في الارض
15 في الشرط واني طوله وذهب الى ~~البيت الذي ظهر في الارض~~ ^{البيت الذي ظهر في الارض} وذهب الشرط الى البيت الذي ظهر في الارض
16 وذهب في امام طابقي في اللوبي فقلت كثيرا كيف سوف اذهب الى المنزل وذهب في الخارج
17 قالت لي صاحبة البيت اني في بيتي ان اخلص قايلا عندها اذهب في البيت الذي ظهر في الارض
18 ولكن زوجي اخذ ولم يذهب جئت في لائحة الى المحبة واخذتني من الباب
19 الخافت الى المنزل وصاحبه الشرط الى المنزل وقالوا له يا اخي انك انا
20 وانا طوبى رتم لي في البيت الذي ظهر في الارض وقلت في البيت الذي ظهر في الارض
21 وانا صعدت بالادخال على ارجلهم وحيث الى البيت الذي ظهر في الارض من البيت الذي ظهر في الارض
22 جئت في البيت الذي ظهر في الارض في البيت الذي ظهر في الارض ان يقول لي
23 ان اكل ~~البيت الذي ظهر في الارض~~ ^{البيت الذي ظهر في الارض} هو الذي يظهر في البيت الذي ظهر في الارض
24 ذهبت الى البيت الذي ظهر في الارض

21 في البيت الذي ظهر في الارض وعندها قالت حالي في البيت الذي ظهر في الارض
22 في البيت الذي ظهر في الارض في البيت الذي ظهر في الارض في البيت الذي ظهر في الارض
23 في البيت الذي ظهر في الارض في البيت الذي ظهر في الارض في البيت الذي ظهر في الارض
24 في البيت الذي ظهر في الارض في البيت الذي ظهر في الارض في البيت الذي ظهر في الارض
25 في البيت الذي ظهر في الارض في البيت الذي ظهر في الارض في البيت الذي ظهر في الارض

انني اريها ~~في البيت الذي ظهر في الارض~~ ^{في البيت الذي ظهر في الارض} وانا ان اذهب الى البيت الذي ظهر في الارض

وما أريد إلا أن هو ربي ٣ قضية علي (١) أريد حضارة العدل والحرية
 (٢) أريد حياة طيبة ومضيئة ~~أفضل~~
 أن أجد ~~جواز~~ جواز الفضل
 (٣) أريد الحياة الكاملة لي ولطفلي القضية عن الضيف الذي يسلم لي حبيبتي
 (٤) أريد حياة أهلي لأفقدهم بالسرار
 أهله وهو

INFORMATION FOR VICTIMS OF
DOMESTIC VIOLENCE

** J. SWANCKER*

MY NAME IS OFFICER: *V. ARZATE*

AGENCY: *LVMPD*

EVENT #: *LLV 2002000456 82*

If an arrest is made, suspect will be taken to:

Detention

INFORMATION FOR VICTIMS OF
DOMESTIC VIOLENCE

MY NAME IS OFFICER: *D. MONTES*

AGENCY: *LVMPD*

EVENT #: *LLV 200200041460*

If an arrest is made, suspect will be taken to:

Detention.

NEVADA LAW REQUIRES ME TO INFORM
YOU OF THE FOLLOWING INFORMATION:

NEVADA LAW REQUIRES ME TO INFORM YOU OF
THE FOLLOWING INFORMATION:

For information regarding the suspect's CHARGES or
RELEASE from jail, call:

Clark County Detention Center 702-671-3900
Las Vegas City Detention Center 702-229-6460
North Las Vegas Detention Center 702-633-1400
Henderson Jail 702-267-4600
24-Hour TDD 1-800-326-6868

You may also request notification of the suspect's release from
custody by calling the above numbers.

Family Violence Intervention Program website:

www.clarkcountycourts.us

Click on Family Division, Family Violence Intervention

For information regarding the suspect's CHARGES or
RELEASE from jail, call:

Clark County Detention Center 702-671-3900
Las Vegas City Detention Center 702-229-6460
Henderson Jail 702-267-4600
24-Hour TDD 1-800-326-6868

You may also request notification of the suspect's release from custody
by calling the above numbers.

Family Violence Intervention Program website:

www.clarkcountycourts.us

Click on Family Division, Family Violence Intervention

COMMUNITY RESOURCES



Safe Nest Crisis Line/Shelter *1-5* 702-646-4981
Counseling 702-877-0133
Henderson SAFE House Crisis Line/Shelter 702-564-3227
Counseling 702-451-4203
Protection Orders — Family Court 702-455-3400
Emergency Protection Order 702-646-4981
(If suspect is arrested and in custody) available 24-hours,
including weekends & Holidays

This card is provided by:

The EIGHTH JUDICIAL DISTRICT COURT
FAMILY VIOLENCE INTERVENTION PROGRAM

REV. 7-16

COMMUNITY RESOURCES

 Safe Nest Crisis Line/Shelter *702-646-4981* 
Counseling 702-877-0133
Henderson SAFE House Crisis Line/Shelter .. 702-564-3227
Counseling 702-451-4203
Protection Orders - Family Court 702-455-3400
Emergency Protection Order 702-646-4981
(If suspect is arrested and in custody) available 24-hours,
including weekends & Holidays

This card is provided by:

The EIGHTH JUDICIAL DISTRICT COURT
FAMILY VIOLENCE INTERVENTION PROGRAM

REV 11/17
P00019

AA000168

Suspect:

- ☐ Cited ☐ Arrested ☐ Unknown
☐ City ☐ County
☐ Misdemeanor ☐ Gross Misdemeanor
☐ Felony

LAS VEGAS METROPOLITAN POLICE DEPARTMENT**VICTIM'S INFORMATION GUIDE**

Offense DOMESTIC BATTERY	Area Command SCA C	Event Number 44V20000045682
------------------------------------	------------------------------	---------------------------------------

This report is important for you to keep since it is the only way you will have to refer to your particular case and event number. If you need a copy of your report, it can be obtained during the hours of 8 a.m. to 5 p.m., Monday through Friday, 8 a.m. to 3 p.m. on weekends from the LVMPD Police Records Section, 400 S. Martin L. King Blvd., Bldg. C, (702) 828-3476, **FIVE WORKING DAYS** after filing of the report, for a nominal fee.

ATTENTION: IT IS YOUR RESPONSIBILITY TO IMMEDIATELY NOTIFY THE LVMPD IF YOU SHOULD RECOVER YOUR STOLEN VEHICLE YOURSELF.

The department relies on a number of factors available in any report to assign a follow-up investigator. Experience has proven that certain information must normally be determined at the time of the initial investigation before a case has the potential for being solved. Without suspects, witnesses, evidence, or other investigative leads, a case cannot be solved except under special circumstances. For example, a suspect caught committing another crime is found with evidence linking him to this one, or he may confess to other crimes including this one. **If you have any questions or additional information, please contact the detective handling your case at the appropriate telephone number listed below or complete an Additional Crime Information report. (Refer to the Event Number listed above.)**

OBLIGATIONS OF CITIZENS FILING MISDEMEANOR CRIME REPORTS WITH LVMPD

1. If an arrest was not made, or if a citation was not issued, and you wish to pursue this matter, you must contact the detective assigned to handle your case at the appropriate number listed below, **AT LEAST TEN (10) BUSINESS DAYS AFTER THE REPORT HAS BEEN FILED**, Monday through Friday, 8:00 a.m. - 4:00 p.m. You may be required to testify against the defendant (suspect) if the case is prosecuted in the courts. All felonies will be investigated.
2. You must give the Event Number at the top of this page if you call about your case.
3. If the suspect in your case is arrested or cited for a misdemeanor, **DO NOT CONTACT THE DETECTIVE ASSIGNED TO YOUR CASE**. You may get information about the status of your case by contacting either the County or City Victim Advocates (listed below). The police department does not have any court information.
4. If this is a misdemeanor crime report and is for **INSURANCE PURPOSES ONLY** or **YOU DO NOT WISH TO PROSECUTE**, and no one has been arrested, please **DO NOT** contact the detective.
5. If no arrest has been made and you need victim assistance, you may contact a Victim Advocate from the Police Department at (702) 828-2955.

CONTACT TELEPHONE NUMBERS

Financial Crimes (Fraud/Forgery/ID Theft).....	(702) 828-3483	Bolden Area Command	(702) 828-3347
Abuse-Neglect.....	(702) 828-3364	Convention Center Area Command.....	(702) 828-3204
Homicide.....	(702) 828-3521	Downtown Area Command.....	(702) 828-4314
Missing Persons	(702) 828-2907	Enterprise Area Command	(702) 828-4809
Commercial Robbery.....	(702) 828-3591	Northeast Area Command	(702) 828-7355
Sexual Assault.....	(702) 828-3421	Northwest Area Command	(702) 828-8577
		Southeast Area Command	(702) 828-8242
		South Central Area Command......	(702) 828-8639
		Spring Valley Area Command.....	(702) 828-2639

LVMPD VICTIM ADVOCATE: Provides crisis intervention, an assessment of the immediate needs of the victims and their families, initiates crime victim assistance paperwork, provides referrals to other agencies, and functions as a liaison with LVMPD personnel and other law enforcement agencies. For assistance, please call the LVMPD Victim Advocate at (702) 828-2955 Monday through Friday 7:00 a.m. - 4:00 p.m.

LAS VEGAS CITY ATTORNEY VICTIM/WITNESS ASSISTANCE: Provides specialized advocacy for victims of domestic violence or battery occurring within the City of Las Vegas. If you are a victim of domestic violence or battery and an arrest has been made or a citation has been issued, please contact the Las Vegas City Attorney's Victim Witness Advocate at (702) 229-2525.

CLARK COUNTY DISTRICT ATTORNEY VICTIM/WITNESS ASSISTANCE CENTER: Provides Justice Court and District Court case information and addresses any concerns you may have regarding your appearance as a witness. When you receive a subpoena to appear in a Justice Court or District Court case, please contact the Victim Witness Assistance Center at (702) 671-2525. If you move or have another address where you wish to receive a subpoena, please contact the advocates at the court.

ASSISTANCE TO VICTIMS OF VIOLENT CRIME: Victims of violent crime who are physically injured or victims of sexual assault may qualify for medical and counseling assistance from the State of Nevada under NRS 217. For information, contact the LVMPD Victim/Witness Advocate or the Nevada State Victims of Violent Crime Program at (702) 486-2740. Note: Applications for this service must be received within one year of the commission of the crime.

ASSISTANCE TO VICTIMS OF SEXUAL ASSAULT: Victims of sexual assault may be eligible for medical treatment and counseling under NRS 217. For information, call the Clark County District Attorney Victim Witness Assistance Center (702) 671-2525, or Rape Crisis Center at (702) 366-1640. Note: Applications for this service must be received within 60 days of the commission of the crime.

THREATS AND DISSUASION TO TESTIFY: Victims and witnesses threatened and/or asked not to testify or prosecute, should contact the detective assigned to the original case. You may also notify the prosecutor if you have already been assigned one.

P00020

۱. $\frac{X}{\% 0}$
۲. $\frac{X}{\% 0}$
۳. $\frac{X}{\% 0}$
۴. $\frac{X}{\% 0}$

11. Have **YOU** ever been arrested or charged with domestic violence, or any other crime committed against your spouse, partner, or child(ren)? ☐ Yes ☒ No If yes, WHEN and where?

N/A

12. To your knowledge, has the **ADVERSE PARTY** ever been arrested or charged with domestic violence, or any other crime committed against his/her spouse, partner, or child(ren)? ☐ Yes ☒ No ☐ I don't know
If yes, WHEN and where?

N/A

13. An emergency exists, and I need a **TEMPORARY ORDER FOR PROTECTION AGAINST DOMESTIC VIOLENCE** issued immediately, without notice to the Adverse Party, to avoid irreparable injury or harm. I request that it include the following relief, and any other relief the Court deems necessary in an emergency situation. (Please check all the choice(s) that may apply to **YOU**):

☒ (A) Prohibit the Adverse Party, either directly or through an agent, from threatening, physically injuring, or harassing me and/or the minor child(ren).

☒ (B) Prohibit the Adverse Party from any contact with me whatsoever.

☒ (C) Exclude the Adverse Party from my residence and order the Adverse Party to stay at least 100 yards away from my residence.

☒ (D) Obtain law enforcement assistance to ☒ accompany me to the following residence,

1055 E Flamingo Rd Las Vegas NV

or ☐ to accompany the Adverse Party to the following residence,

to obtain personal property.

☒ (E) Grant temporary custody of the minor child(ren) to me.

☐ (F) Order that custody, visitation, and support of the minor child(ren) remain as ordered in the

Decree of Divorce/Order entered in Case Number

in the Court of the State of

☒ (G) Order the Adverse Party to stay at least 100 yards away from the minor child(ren)'s school, or day care, located at ☒ **CONFIDENTIAL**. (If confidential, do not write name of school and address here)

☐ If not confidential, write name of school and address(es) below:

1. Name of school/daycare: _____

Address: _____

City _____ County _____ State _____

2. Name of school/daycare: _____

Address: _____

City _____ County _____ State _____

3. Name of school/daycare: _____

Address: _____

City _____ County _____ State _____

☐ (H) Order the Adverse Party to stay at least 100 yards away from my place of employment.

☐ (I) Order the Adverse Party to stay at least 100 yards away from the following places which I or the minor child(ren) frequent regularly:

1. _____

Address: _____

City _____ County _____ State _____

2. _____

Address: _____

City _____ County _____ State _____

3. _____

Address: _____

City _____ County _____ State _____

☐ (J) (1) Prohibit the Adverse Party, either directly or through an agent, from physically injuring or threatening to injure any animal that is owned or kept by the Adverse Party, the minor child(ren), or me.

☐ (J) (2) Prohibit the Adverse Party, either directly or through an agent, from taking possession of any animal owned or kept by me or the minor child(ren).

☒ (K) I further request the following other conditions:

I further request our child's (Ryan Alhulaibi) passport and my personal belongings from the adverse party residence. Another condition is that adverse party and family stop threatening my family. I am requesting that adverse party write an undertaken and is responsible for if my family is harmed.

IF YOU WISH TO APPLY FOR A HEARING FOR AN EXTENDED ORDER FOR PROTECTION COMPLETE THE FOLLOWING INFORMATION

14. ☒ I request the Court hold a hearing for an **EXTENDED ORDER FOR PROTECTION AGAINST DOMESTIC VIOLENCE** (which could be in effect for up to one year), and at that hearing the Court issue an Extended Order for Protection Against Domestic Violence and that it include the following relief and any other relief the Court deems appropriate.

(Please check all the choice(s) that may apply to **YOU**).

☒ (A) Prohibit the Adverse Party, either directly or through an agent, from threatening, physically injuring, or harassing me and/or the minor child(ren).

☒ (B) Prohibit the Adverse Party from any contact with me whatsoever.

☒ (C) Exclude the Adverse Party from my residence and order the Adverse Party to stay at least 100 yards away from my residence.

☒ (D) Grant temporary custody of the minor child(ren) to me.

☐ (E) Grant the Adverse Party visitation with the minor child(ren).

☐ (F) Order the Adverse Party to pay support and maintenance of the minor child(ren). (You may be required to file an Affidavit of Financial Condition prior to the hearing.)

☐ (G) Order the Adverse Party to pay the rent or make payments on a mortgage or pay towards my support and maintenance.

☐ (H) Order that custody, visitation, and support of the minor child(ren) remain as ordered in the Decree of Divorce/Order entered in Case Number _____

in the _____ Court of the State of _____.

☒ (I) Order the Adverse Party to stay at least 100 yards away from the minor child(ren)'s school, or day care, located at: ☒ **CONFIDENTIAL** (If confidential, do not write name of school and address here).

☐ If address is not confidential, please write name of school and address(es) below:

1. Name of School/Daycare _____

Address _____

City _____ County _____ State _____

2. Name of School/Daycare _____

Address: _____

City _____ County _____ State _____

3. Name of School/Daycare _____

Address _____

City _____ County _____ State _____

☐ (J) Order the Adverse Party to stay at least 100 yards away from my place of employment.

☐ (K) Order the Adverse Party to stay at least 100 yards away from the following places which I or the minor child(ren) frequent regularly:

1. Name _____

Address _____

City _____ County _____ State _____

2. Name _____

Address _____

City _____ County _____ State _____

3. Name _____

Address _____

City _____ County _____ State _____

- 1 ☐ (L) (1) Prohibit the Adverse Party, either directly or through an agent, from physically injuring or
2 threatening to injure any animal that is owned or kept by the Adverse Party, the minor child(ren), or
3 me.
4 ☐ (L) (2) Prohibit the Adverse Party, either directly or through an agent, from taking possession of any
5 animal owned or kept by me or the minor child(ren).
6 ☐ (L) (3) I request the Court to specify the arrangements for the possession and care of any such
7 animal owned or kept by the Adverse Party, the minor child(ren) or me.
8 ☐ (M) Order the Adverse Party to pay for lost earnings and expenses incurred as a result of my
9 attendance at any hearing concerning this Application.

10 ☒ (N) I further request the following other conditions:
11 _____
12 _____
13 _____
14 _____
15 _____

16 **I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF NEVADA THAT**
17 **I HAVE READ THE STATEMENTS CONTAINED IN THIS APPLICATION, KNOW THE CONTENTS**
18 **THEREFORE, AND BELIEVE THEM TO BE TRUE AND CORRECT**

19 Date 2/14/20
20

21 A.S.
22

23 Signature of Applicant

24 And Said Sinjab
25

Applicant's Name (Please Print)

EXHIBIT C



SafeNest

CEO

Liz Ortenburger

Crisis Hotline: 702-646-4981
Admin/Counseling: 702-877-0133
Donation Center: 702-257-3800

Board of Trustees

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President
Angelica M. Lopez
Vice-President
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Greg Clemens
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Mark Ferrario
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Dan Kruger
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Jane Memmer
April O'Brien
Rita Suarez Palmer
Randy Pazik
Kathy Phillips
Basil Raffa
Gus Ramos
Bart Roberts
Deb Simpson
George Smith
Ray Specht
Tom Thomas
Charles Zobell

Date: Feb. 25, 2020

To Whom It May Concern:

This is to certify that Ahed Singab
and her children: Ryan Alhulaibi

Beginning of stay Feb. 11, 2020

are currently residing at the SafeNest Domestic Violence Shelter. The shelter is a sanctuary for women escaping domestic violence. The location of shelter cannot be disclosed for security reasons. However, we can provide a mailing address:

PO Box 571150
Las Vegas, NV 89157

There are times that a physical address is needed, please use our SafeNest address as needed and appropriate:

3900 Meadows Lane
Las Vegas, NV 89107

Sincerely,

Rhonda Reynolds

Shelter Staff
SafeNest

3900 Meadows Lane, Las Vegas, NV 89107
www.safenest.org

P00028

AA000178

EXHIBIT D



Volunteers in Medicine of
Southern Nevada
A Culture of Caring



Alhulaibi
Ryan

Patient ID
26259

Eligible From
02/25/2020-02/15/2021

NOT FOR TAX OR INSURANCE PURPOSES

AFTER VISIT SUMMARY

Ryan Alhulibi MRN: 1000433344

3/15/2020 PEDIATRIC ED 702-383-3734

Instructions



Your child's medications have changed

START giving your child:
acetaminophen
This replaces a similar medication. See the full medication list for instructions.

DESITIN

ibuprofen (MOTRIN)

STOP giving your child:
acetaminophen 100 mg/mL solution (TYLENOL)
Replaced by a similar medication.

Review your child's updated medication list below.



Read the attached information

1. _Diaper Rash, KidsHealth (English)
2. Fever in Children (English)



Pick up these medications from any pharmacy with your child's printed prescription

acetaminophen • DESITIN • ibuprofen



Follow up with UMC PEDIATRICS in 2 days (around 3/17/2020)

Specialty: Pediatrics
Contact: 1800 W. Charleston Blvd.
Las Vegas Nevada 89102
702-383-2778



Follow up with Thomas Wiggins

Specialty: Family Medicine
Contact: 1397 S LOOP RD
Pahrump NV 89048
775-727-5500

What's Next

Your child currently has no upcoming appointments scheduled.

Today's Visit

You were seen by Fisher, Jay D, MD

Reason for Visit

Fever

Diagnoses

- Diaper rash
- Fever, unspecified fever cause

Lab Tests Completed

Rapid influenza A/B antibodies
Respiratory syncytial virus

Medications Given

ibuprofen (MOTRIN) Last given at 10:54 AM

Your Child's End of Visit Vitals



Temperature
(Temporal)
97.8 °F



Pulse
145



Respiration
32



Oxygen
Saturation
99%

UNLV | Medicine

March 31, 2020

Ryan Alhulaibi
3900 Meadows Lane
Las Vegas, NV 89107

Dear Mr. Alhulaibi,

This letter is to confirm the following appointment for Ryan Alhulaibi:

Reason for Visit:	Follow up
Date:	5/04/20
Time:	10:40 AM
Arrival Time:	10:25 AM
Reason for Early Arrival:	
Provider:	Jordana Boneh, MD
Address:	1524 Pinto Lane 3rd Floor
Department:	UNLV General Pediatrics Clinic
Phone:	702-944-2828
Instructions:	Please arrive 15 minutes early, bring ID, insurance card and current medications.
	Payment for any co-pay or co-insurance is expected at the time of service.

If for any reason you are unable to keep this appointment, please contact the office at 702-944-2828 to reschedule.

As always, your care team and physician look forward to your visit. You can check-in to your appointment at one of the Welcome kiosks in the sign-in area or with the front desk staff.

Sincerely,
Admit/Discharge Representative for Jordana Boneh, MD

P00031

AA000182

PEDIATRIC ED Date: Mar 15, 2020
Phone: 702-383-3734
1800 W. Charleston Blvd.
Las Vegas NV 89102

Patient Name: Ryan Alhulibi
Address: 3900dows lane MRN: 1000433344
LAS VEGAS NV 89107
Home phone: 702-383-3536 DOB: 02/16/2019

Patient Weight
03/15/20 9.2 kg (27 %, Z= -0.63)*

* Growth percentiles are based on WHO (Boys, 0-2 years) data.

Rx: acetaminophen 160 mg/5 mL elixir Order ID
(37043827)

Route: oral

RX Ref #:

Sig: Take 15 mg/kg by mouth every 6 (six) hours.

Qty: **1 (One) Bottle**

Refill: **0 (Zero)** Days Supply:

Dx: Diaper rash (L22)

Signature: 

Prescriber: Jay D Fisher, MD
NPI: 1629118518

Security features: (**) Border for quantity and refill amount, microprint
signature line visible at 5x magnification must show "original prescription",
and this description.

PEDIATRIC ED Date: Mar 15, 2020
Phone: 702-383-3734
1800 W. Charleston Blvd.
Las Vegas NV 89102

Patient Name: Ryan Alhulibi
Address: 3900dows lane MRN: 1000433344
LAS VEGAS NV 89107
Home phone: 702-383-3536 DOB: 02/16/2019

Patient Weight
03/15/20 9.2 kg (27 %, Z= -0.63)*

* Growth percentiles are based on WHO (Boys, 0-2 years) data.

Rx: ibuprofen (MOTRIN) 100 mg/5 mL suspension
Order ID (37043828)

Route: oral

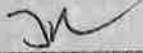
RX Ref #:

Sig: Take 4.6 mL (92 mg total) by mouth every 6 (six) hours
as needed for mild pain.

Qty: **100 (One Hundred) mL**

Refill: **0 (Zero)** Days Supply: -

Dx: Fever, unspecified fever cause (R50.9)

Signature: 

Prescriber: Jay D Fisher, MD
NPI: 1629118518

Security features: (**) Border for quantity and refill amount, microprint
signature line visible at 5x magnification must show "original prescription",
and this description.

PEDIATRIC ED Date: Mar 15, 2020
Phone: 702-383-3734
1800 W. Charleston Blvd.
Las Vegas NV 89102

Patient Name: Ryan Alhulibi
Address: 3900dows lane MRN: 1000433344
LAS VEGAS NV 89107
Home phone: 702-383-3536 DOB: 02/16/2019

Patient Weight
03/15/20 9.2 kg (27 %, Z= -0.63)*

* Growth percentiles are based on WHO (Boys, 0-2 years) data.

Rx: zinc oxide-cod liver oil (DESITIN) 40 % paste
Order ID (37043829)

Route: topical

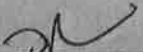
RX Ref #:

Sig: Apply 1 application topically 6 (six) times a day.

Qty: **100 (One Hundred) g**

Refill: **0 (Zero)** Days Supply:

Dx: Fever, unspecified fever cause (R50.9)

Signature: 

Prescriber: Jay D Fisher, MD
NPI: 1629118518

Security features: (**) Border for quantity and refill amount, microprint
signature line visible at 5x magnification must show "original prescription",
and this description.

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UNLV General Pediatrics Clinic
Phone: 702-944-2828
1524 Pinto Lane 3rd Floor
LAS VEGAS NV 89106-4195

Date: Apr 7, 2020

Patient Name: Ryan Alhulaibi
Address: 3900 meadows lane
LAS VEGAS NV 89107
Home phone: 702-383-3536

MRN: 1000433344

DOB: 02/16/2019

Patient Weight
04/07/20 9.44 kg (29 %, Z= -0.54)*

* Growth percentiles are based on WHO (Boys, 0-2 years) data.

Rx: zinc oxide-cod liver oil (DESITIN) 40 % paste
Order ID (37061423)

Route:

RX Ref #:

Sig: Apply to affected area with every diaper change.

Qty: **1 (One) Tube**

Refill: **2 (Two)** Days Supply:

Dx: Diaper rash (L22)

AdminInstructions: Apply to affected area with every diaper change.

Signature:

Prescriber: Jordana Boneh, MD
NPI: 1992067748

Security features: (**) Border for quantity and refill amount, microprint signature line visible at 5x magnification must show "original prescription", and this description.

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P00033

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UNLV General Pediatrics Clinic
Phone: 702-944-2828
1524 Pinto Lane 3rd Floor
LAS VEGAS NV 89106-4195

Date: Mar 31, 2020

Patient Name: Ryan Alhulaibi
Address: 3900 meadows lane
LAS VEGAS NV 89107
Home phone: 702-383-3536

MRN: 1000433344

DOB: 02/16/2019

Patient Weight
03/31/20 9.582 kg (36 %, Z= -0.36)*

* Growth percentiles are based on WHO (Boys, 0-2 years) data.

**Rx: multivitamin-mineral-iron (PEDIATRIC
MULTIVITAMIN-IRON) 750 unit-400 unit-10 mg/mL
drops drops** Order ID (37061421)

Route: oral


RX Ref #:

Sig: Take 1 mL by mouth daily.

Qty: **90 (Ninety) mL**

Refill: **1 (One)** Days Supply:

Dx: Iron deficiency anemia secondary to inadequate dietary
iron intake (D50.8)

Signature: 

Prescriber: Jordana Boneh, MD
NPI: 1992067748

Security features: (**) Border for quantity and refill amount, microprint
signature line visible at 5x magnification must show "original prescription",
and this description.

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P00034

AA000185



nevada immunization Record
Official Document

Registro de Inmunizacion
Documento Oficial

Name/Nombre: **RYAN ALHULAIBI**

Date of Birth/Fecha de Nacimiento: **02/16/2019**

Gender/Genero: **M**

Nevada WebID#: **4448720**

Date of Next Vaccination/Fecha de Proxima Vacuna: **06/30/2020**

Present this record at each medical visit.
Presente este documento durante sus visitas medicas.

Immunization Provider:

UNLV MEDICINE PEDIATRIC CENTER
1524 PINTO LN
LAS VEGAS, NV 89106

702-944-2828

Allergies/Precautions/Contraindications
Alergias/Precauciones/Contraindicaciones:

Vaccine Reactions / Reacciones contra Vacunas:

Comments

Date	Note

Vaccine/Vacuna	Date Given Dada en la Fecha MM/DD/YYYY	Age at Imm. Edad Cuando Imm. Imm.	Doctor or Clinic Doctor o Clinica
Influenza			
Influenza Quad Inj P	04/13/2020	1Y 1M 28D	UNLVPEDS
Influenza Quad Inj P	02/26/2020	1Y 0M 10D	VMSN-RUFFIN

Vaccine/Vacuna	Date Given Dada en la Fecha MM/DD/YYYY	Age at Imm. Edad Cuando Imm.	Doctor or Clinic Doctor o Clinica
DTaP/Td/Tdap			
1	DTaP	04/30/2019	0Y 2M 14D PR
2	DTaP	06/19/2019	0Y 4M 3D PR
3	DTaP	12/30/2019	0Y 10M 14D PR
4			
5			
Polio			
1	IPV	04/30/2019	0Y 2M 14D PR
2	IPV	06/19/2019	0Y 4M 3D PR
3	IPV	12/30/2019	0Y 10M 14D PR
4	IPV	02/26/2020	1Y 0M 10D VMSN-RUFFIN
MMR/Measles			
1	MMR	02/26/2020	1Y 0M 10D VMSN-RUFFIN
2			
Hib			
1	Hib, UF	04/30/2019	0Y 2M 14D PR
2	Hib, UF	06/19/2019	0Y 4M 3D PR
3	Hib, UF	12/30/2019	0Y 10M 14D PR
4	Hib (PRP-T)	04/13/2020	1Y 1M 28D UNLVPEDS
HEPB			
1	Hep B, ped/adol	02/17/2019	0Y 0M 1D PR
2	Hep B, ped/adol	04/30/2019	0Y 2M 14D PR
3	Hep B, ped/adol	06/19/2019	0Y 4M 3D PR
4	Hep B, ped/adol	12/30/2019	0Y 10M 14D PR
5			
HEPA			
1	Hep A, ped/adol	02/26/2020	1Y 0M 10D VMSN-RUFFIN
2			
Pneumococcal			
1	PCV, UF	04/30/2019	0Y 2M 14D PR
2	PCV, UF	06/19/2019	0Y 4M 3D PR
3	PCV, UF	12/30/2019	0Y 10M 14D PR
4	PCV-13 (Prevnar 13)	02/26/2020	1Y 0M 10D VMSN-RUFFIN
5			
ROTA			
1			
2			
3			
Varicella(CPOX)			
1	CPOX (Varicella)	02/26/2020	1Y 0M 10D VMSN-RUFFIN
2			
Other			
1	BCG	02/17/2019	0Y 0M 1D
Meningococcal			
1			
2			
HPV			
1			
2			
3			

P00035

AA000186

Discharge Instructions



800 Hope Place
Las Vegas, NV 89106
702-383-3734

Patient: Ryan Alhulibi
Date of Birth: 2/16/2019
Date of Visit: March 15, 2020

Thank you for trusting UMC with your care.

When you get home, please follow-up with a physician. Included in the "Take Home Instructions for the Patient" you will notice you have a referral. This is not scheduled appointment. This is your Emergency Department Physician's recommendation of whom you should see for follow-up. Please call them to schedule an appointment.

Do you have a Primary Care Physician?

YES-Please call your Primary Care Physician's office and let them know you were seen in the Emergency Department and that you want to schedule a follow-up appointment.

NO-You may select a clinic from the referral list your Emergency Department Physician provided to you or you may choose a clinic on your own. Please schedule a Primary Care or Specialty Care follow-up visit.

AMERIGROUP - 1-800-600-4441

SMART CHOICE - 1-800-962-8074 or 702-242-7317

Do you have other insurance?

Contact your insurance company to find out how to schedule a Primary Care or Specialty Care follow-up visit.

Each community clinic is different and based on your medication condition and payment method, some may be more appropriate for you than others. The following clinics accept a variety of payments, including private insurance, Medicare, Nevada Medicaid and cash/check/credit card. Please contact the clinic for specific payment arrangements.

Primary Care Clinics:

UMC Primary Care Clinics	702-383-CARE (2273) Multiple locations: umcsn.com
Nevada Health Centers	702-885-7185 Multiple locations: nevadahealthcenters.org
Guadalupe Clinic	702-384-1110 Multiple locations: guadalupemed.com
First MED	702-731-0909 (3343 S. Eastern Ave, Las Vegas)
Volunteers in Medicine	702-967-0530 (4770 Harrison Ave, Las Vegas)
Nevada Obstetrical Charity Clinic	702-438-2229 (1950 Pinto Lane, Las Vegas)

**Nevada Immunization Record**

Official Document

Registro de Inmunización

Documento Oficial

Name/Nombre: **RYAN ALHULAIBI**Date of Birth/Fecha de Nacimiento: **02/16/2019**Gender/Genero: **M**Nevada WebIZ ID#: **4448720**Date of Next Vaccination/Fecha de Proxima Vacuna: **06/30/2020**Present this record at each medical visit.
Presente este documento durante sus visitas medicas.**Immunization Provider:**UNLV MEDICINE PEDIATRIC CENTER
1524 PINTO LN
LAS VEGAS, NV 89106

702-944-2828

Allergies/Precautions/Contraindications**Alergias/Precauciones/Contraindicaciones:****Vaccine Reactions / Reacciones contra Vacunas:****Comments**

Date	Note

Vaccine/Vacuna	Date Given Dada en la Fecha MM/DD/YYYY	Age at Imm. Edad Cuando Imm.	Doctor or Clinic Doctor o Clinica
Influenza			
1 Influenza Quad Inj P	04/13/2020	1Y 1M 28D	UNLV Peds
2 Influenza Quad Inj P	02/26/2020	1Y 0M 10D	VMSN-RUFFIN
3			

Vaccine/Vacuna	Date Given Dada en la Fecha MM/DD/YYYY	Age at Imm. Edad Cuando Imm.	Doctor or Clinic Doctor o Clinica
DTaP/Td/Tdap			
1 DTaP	04/30/2019	0Y 2M 14D	PR
2 DTaP	06/19/2019	0Y 4M 3D	PR
3 DTaP	12/30/2019	0Y 10M 14D	PR
4			
5			
Polio			
1 IPV	04/30/2019	0Y 2M 14D	PR
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3 IPV	12/30/2019	0Y 10M 14D	PR
4 IPV	02/26/2020	1Y 0M 10D	VMSN-RUFFIN
MMR/Measles			
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2			
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4 Hep B, ped/adol	12/30/2019	0Y 10M 14D	PR
5			
HEPA			
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2			
Pneumococcal			
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4 PCV-13 (Prevnar 13)	02/26/2020	1Y 0M 10D	VMSN-RUFFIN
5			
ROTA			
1			
2			
3			
Varicella(CPOX)			
1 CPOX (Varicella)	02/26/2020	1Y 0M 10D	VMSN-RUFFIN
2			
Other			
1 BCG	02/17/2019	0Y 0M 1D	PR
Meningococcal			
1			
2			
HPV			
1			
2			
3			

P00037

AA000188



nevada immunization Record

Official Document

Registro de Inmunización

Documento Oficial

Name/Nombre: **RYAN ALHULAIBI**Date of Birth/Fecha de Nacimiento: **02/16/2019**Gender/Genero: **M**Nevada WebIZ ID#: **4448720**Date of Next Vaccination/Fecha de Proxima Vacuna: **06/30/2020**Present this record at each medical visit.
Presente este documento durante sus visitas medicas.

Immunization Provider:

UNLV MEDICINE PEDIATRIC CENTER
1524 PINTO LN
LAS VEGAS, NV 89106

702-944-2828

Allergies/Precautions/Contraindications

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Vaccine Reactions / Reacciones contra Vacunas:

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5			
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1 Hib, UF	04/30/2019	0Y 2M 14D	PR
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HEPB			
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4 Hep B, ped/adol	12/30/2019	0Y 10M 14D	PR
5			
HEPA			
1 Hep A, ped/adol	02/26/2020	1Y 0M 10D	VMSN-RUFFI
2			
Pneumococcal			
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5			
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1 CPOX (Varicella)	02/26/2020	1Y 0M 10D	VMSN-RUFFI
2			
Other			
1 BCG	02/17/2019	0Y 0M 1D	PR
Meningococcal			
1			
2			
HPV			
1			
2			
3			

P00038

AA000189

4-10-20
5-15-20
Back to Top

What kinds of cow's milk alternatives are available?

While soy milk has traditionally been the most commonly used cow's milk alternative, there are many options available. Use of tree nut milk, including almond and cashew milks, have become increasingly popular. Rice and oat milk, as well as hemp milk, are also possible alternatives. Some of these alternatives are flavored, for example with chocolate and vanilla, however these contain added sugar and calories.

What are the differences among cow's milk alternatives?

Cow's milk alternatives often contain less protein and less calories in comparison to cow's milk. Most are fortified with vitamin D and calcium. It is important to check labels (</English/healthy-living/nutrition/Pages/Front-of-Package-Nutrition-Labels.aspx>) since protein and vitamin content may differ among brands. See the chart for a comparison of common unflavored milk alternatives.

Comparison of Common Unflavored Milk Alternatives

	Whole Milk (1 cup)	Rice Milk (1 Cup)	Soy Milk (1 cup)	Coconut Milk (1 cup)	Almond Milk (1 cup)	Oat Milk (1 cup)	Hemp Milk (1 cup)
Energy (kcal)	149	115	105	76	37	130	70
Protein (g)	7.69	0.68	6.34	0.51	1.44	4	3
Total fat (g)	7.93	2.37	3.59	5.08	2.68	2.5	5
Saturated fat (g)	4.55	0	0.5	5.083	0	0	0.5
Cholesterol (mg)	24	0	0	0	0	0	0
Carbohydrate (g)	11.71	22.37	12	7.12	1.42	24	1
Calcium (mg)	276	288	300	459	481	350	300
Iron (mg)	0.07	0.49	1.02	0.73	0.85	1.8	1.8
Vitamin D (IU)	128	96	108	96	96	100	100

Note: Homemade almond milk or other homemade milk alternatives do not contain the same number of vitamins, because they are not fortified.

Rayan - Eats chicken, meat, rice. Please use

The ointment after changing the baby's diapers.

Please when food or drink is provided for Rayan and he shows allergic reaction, take him to the doctor or E.R.

How much dairy is recommended for my child?

Infants' diets primarily consist of dairy to help them meet their caloric needs for growth. In addition, dairy provides enough fat needed for brain and eye development.

- **At one year**, babies should consume approximately 2 servings of dairy per day, or about 16 to a maximum of 24 ounces of whole milk per day. Whole-fat milk is recommended for children at this age, unless there is a family history (</English/family-life/health-management/Pages/Your-Family-Health-History-and-Genetics.aspx>) or risk for obesity or heart disease. Talk with your child's pediatrician about which milk he or she recommends for your one-year-old child.
- **Between two and three years old**, children should consume 2.5 servings of dairy per day. The AAP recommends that children stay on whole milk until they are two years of age — unless there is a reason to switch to low-fat milk sooner. Whole milk contains approximately 4% milk fat. It may help to gradually switch your child from whole milk to a lower-fat milk. Therefore, many pediatricians recommend that children get reduced fat (2%) milk for a few weeks before switching them to low fat (1%) or no fat (skim) milk. If children cannot drink cow's milk, they can meet their dairy requirements by eating yogurt and cheese, but vitamin D may be needed as a supplement since not all yogurts are fully supplemented with vitamin D. Talk with your child pediatrician before giving your child any supplements.

How much calcium and vitamin D are recommended for my child to eat each day?

The specific amount is based on your child's age. Here is a breakdown of the recommended dietary allowances (RDA) for calcium and vitamin D (</English/healthy-living/nutrition/Pages/Vitamin-D-On-the-Double.aspx>).

Medication List

STOP giving your child these medications



acetaminophen 160 mg/5 mL elixir



DESITIN 40 % paste

Generic drug: zinc oxide-cod liver oil



ibuprofen 100 mg/5 mL suspension

Commonly known as: MOTRIN

UMConnect

UMConnect Activation: Parent/Guardian Proxy Access

UMConnect allows you to send messages to your doctor, view your test result reports, *renew your prescriptions*, schedule appointments, pay you bill online, and more.

To sign up, the parent or guardian needs to have an active UMConnect account.

Ask the UMC Staff for help to sign up and associate the child's account.

Please provide date of birth & social security number as identification to complete the sign up process. This is available for children to the age of 12.

The web page is: <https://umconnect.umcsn.com/MyChart/>

You will be ask for a Username, password & an answer to a security question.

UMConnect Activation Code: Activation code not generated

Patient does not meet minimum criteria for UMConnect access.

If you have questions, you can ask the UMC staff, or you can e-mail umconnect@umcsn.com for our UMConnect staff. Remember, UMConnect is NOT to be used for urgent needs. For medical emergencies, dial **911**.

Your Medication List as of April 7, 2020 4:15 PM

① Always use your most recent med list.



START

DESITIN 40 % paste

Generic drug: zinc oxide-cod liver oil

Started by: Jordana Boneh, MD

Apply to affected area with every diaper change.

pediatric multivitamin-iron 750 unit-400 unit-10 mg/mL drops drops Take 1 mL by mouth daily.

Generic drug: multivitamin-mineral-iron

P00041



Cow's Milk Alternatives: Parent FAQs

By: Anthony Porto, MD, MPH, FAAP & Rachel Drake, MS, RD, CSO, CSP, CDN

Milk is a grocery list staple for many families. But, many infants and children are allergic to milk protein ([/English/healthy-living/nutrition/Pages/Milk-Allergy.aspx](#)) or unable to digest the sugar ([/English/healthy-living/nutrition/Pages/Lactose-Intolerance-in-Children.aspx](#)) in cow's milk. Some avoid it for other health concerns—or simply because they don't like the taste ([/English/tips-tools/ask-the-pediatrician/Pages/My-preschooler-refuses-to-drink-milk.aspx](#)). These families can choose from a growing array of cow's milk alternatives that now fill the dairy aisle.

The nutritional content in the various dairy alternative products is important for parents to be aware of when shopping. Choices range from other animal-based beverages (e.g., goat's milk) to products made from nuts (e.g., almond milk), beans (e.g., soy milk), grains, and other plants.

The American Academy of Pediatrics (AAP) knows that deciding what's best for your family can be confusing. To help you sort it all out, here are frequently asked questions from parents about cow's milk alternatives.



When do I introduce cow's milk into my baby's diet?

The AAP recommends breastmilk ([/English/ages-stages/baby/feeding/Pages/Where-We-Stand-Breastfeeding.aspx](#)) as the sole source of nutrition for your baby for about the first 6 months. If a baby is breastfed by a mother who is drinking cow's milk, or is formula fed with traditional infant formula, he or she has already been exposed to cow's milk protein. Most babies can begin consuming dairy foods around 6 months of age — after a few first solid foods ([/English/ages-stages/baby/feeding-nutrition/Pages/Starting-Solid-Foods.aspx](#)) have been introduced. Plain, whole-fat or whole Greek yogurt is a good first form of cow's milk protein for babies to try. Avoid the added sugar commonly found in yogurt marketed to babies and toddlers.

Once a baby is developmentally able to eat finger foods, other dairy — such as pieces of cheese — can be added. The AAP recommends that whole cow's milk and low-iron formulas not be used during the first year of life, because babies' digestive systems under age 1 may not tolerate the cow's milk protein in large quantities. Low-iron formulas can also lead to anemia. *Note: Low-iron formulas are no longer marketed routinely in the United States.*

What if my baby is allergic to cow's milk?

If your formula-fed baby has a cow's milk allergy, ask your pediatrician about switching to a non-cow's milk, protein-based formula. Hypoallergenic formulas are cow's milk based; only soy formulas are not. Discuss these options with your child's pediatrician before switching.

According to a study (<https://pediatrics.aappublications.org/content/143/4/e20190281>) published in *Pediatrics*, there is not enough evidence for breastfeeding mothers to routinely avoid allergenic foods—like cow's milk—while breastfeeding.

If your pediatrician diagnoses your baby with a cow's milk protein allergy, then he or she may recommend you remove cow's milk from your diet while breastfeeding. Be aware that it can take several weeks for the milk protein to disappear entirely. The AAP does not currently have an official recommendation on this issue.

After your baby's first birthday, he or she may begin using cow's milk alternatives or occasionally change to a toddler version of the formulas mentioned above.

What's next

* Schedule an appointment with Thomas Wiggins as soon as possible for a visit in 1 week(s)

1397 S LOOP RD
PAHRUMP NV 89048
775-727-5500 *


Transportation Humania

844-409-0685

Peals

775-751-4600

What's next

 Schedule an appointment with Thomas Wiggins as soon as possible for a visit in 1 week(s)

1397 S LOOP RD
PAHRUMP NV 89048
775-727-5500



Transportation Humania

844-409-0685

Peels

775-751-4600

What's Next

APR
13
2020

WELL CHILD CHECK with Jordana Boneh, MD

Monday April 13 9:00 AM (Arrive by 8:30 AM)

Please arrive 30 minutes early, bring ID, insurance card and current medications.

Payment for any co-pay or co-insurance is expected at the time of service.

UNLV General Pediatrics Clinic
1524 Pinto Lane 3rd Floor
LAS VEGAS NV 89106-4195
702-944-2828

MAY
4
2020

Follow up with Jordana Boneh, MD

Monday May 4 10:40 AM (Arrive by 10:10 AM)

Please arrive 15 minutes early, bring ID, insurance card and current medications.

UNLV General Pediatrics Clinic
1524 Pinto Lane 3rd Floor
LAS VEGAS NV 89106-4195
702-944-2828

Payment for any co-pay or co-insurance is expected at the time of service.

MyChart

MyChart allows you to send messages to your doctor, view your test results, renew your prescriptions, schedule appointments, and more. To sign up, go to <https://mychart.unlvmedicine.org> and click on the Sign Up Now link in the New User? box. Enter your MyChart Activation Code exactly as it appears below along with the last four digits of your Social Security Number and your Date of Birth to complete the sign-up process. If you do not sign up before the expiration date, you must request a new code.

MyChart Access Code: Activation code not generated
Patient does not meet minimum criteria for UMConnect access.

If you have questions, you can email ehr@medicine.unlv.edu for our MyChart staff. Remember, MyChart is NOT to be used for urgent needs. For medical emergencies, dial 911.

Instructions (continued)

If your child has a fever, here are some things you can do to help him or her feel better:

- **Give fluids** to **replace** those lost through **sweating** with fever. Water is best, but low-sodium **broths** or soups, diluted fruit juice, or frozen juice bars can be used for older children. Talk with your healthcare provider about a plan. For an infant, breastmilk or formula is fine and all that is usually needed.
- If your child has **discomfort** from the fever, **check with your healthcare provider to see** if you can use ibuprofen or acetaminophen to **help** reduce the fever. The correct dose for **these medicines depends** on your child's weight. Don't use ibuprofen in children younger than 6 months old. Never give aspirin to a child under age 18. It could cause a rare but serious condition called Reye syndrome.
- Make sure your child gets lots of rest.
- Dress your child lightly and change clothes often if he or she sweats a lot. Use only enough covers on the bed for your child to be comfortable.

Facts about fevers

Fever facts include the following:

- Exercise, eating, excitement, and hot or cold drinks can all affect your child's temperature.
- A child's reaction to fever can vary. Your child may feel fine with a high fever, or feel miserable with a slight fever.
- If your child is active and alert, and is eating and drinking, you don't need to give fever medicine.
- Temperatures are naturally lower between midnight and early morning and higher between late afternoon and early evening.

When to call your child's healthcare provider

Call the healthcare provider's office if your otherwise healthy child has any of the signs or symptoms below:

- Fever (see Fever and children, below)
- A seizure caused by the fever
- Rapid breathing or shortness of breath
- A stiff neck or headache
- Trouble swallowing
- Signs of dehydration. These include severe thirst, dark yellow urine, infrequent urination, dull or sunken eyes, dry skin, and dry or cracked lips
- Your child still doesn't look right to you, even after taking a nonaspirin pain reliever

Fever and children

Always use a digital thermometer to check your child's temperature. Never use a mercury thermometer.

Here are guidelines for fever temperature. Ear temperatures aren't accurate before 6 months of age. Don't take an oral temperature until your child is at least 4 years old. When you talk to your child's healthcare provider, tell him or her which method you used to take your child's temperature.

Infant under 3 months old:

- Ask your child's healthcare provider how you should take the temperature.
- Rectal or forehead (temporal artery) temperature of 100.4°F (38°C) or higher, or as directed by the provider
- Armpit temperature of 99°F (37.2°C) or higher, or as directed by the provider

100.4° F



AFTER VISIT SUMMARY

Ryan Alhulibi MRN: 1000433344

Adenovirus infection 3/15/2020 - 3/20/2020 UMC PEDIATRICS 702-383-3939 UMC Hospital 702-383-2000

Instructions



Your child's medications have changed

- STOP giving your child:
 - acetaminophen 160 mg/5 mL elixir
 - DESITIN 40 % paste
 - ibuprofen 100 mg/5 mL suspension (MOTRIN)

Review your child's updated medication list below.

Testing for COVID-19 were negative. Testing was sent out to outside Lab.
* Both patients negative.
Alexandra LSN (702) 629-0093



Activity Instructions

Post-Discharge Activity: Normal activity as tolerated.
Normal activity as tolerated.



Diet Instructions

Pediatric Discharge Diet: Return to previous diet
Diet type: Return to previous diet

You are allergic to the following

Date Reviewed: Mar 16, 2020 Reviewed By: Abigail Jayne Canda, RN: Reviewed

Accurate as of: Mar 20, 2020 2:30 PM

Allergen	Reactions	Deletion Reason
Milk	Not Noted	
Wheat Flour	Not Noted	

You are intolerant to the following

Date Reviewed: Mar 16, 2020 Reviewed By: Abigail Jayne Canda, RN: Reviewed

Accurate as of: Mar 20, 2020 2:30 PM

No active intolerances/contraindications

Call all or have shelter bring you back if he gets worse.

AFTER VISIT SUMMARY

Ryan Alhulaibi DoB: 2/16/2019

4/7/2020 3:15 PM UNLV General Pediatrics Clinic 702-944-2828

UNLV Medicine

Instructions from Jordana Boneh, MD

Consider a trial of oat milk as a milk alternative (see attached handout).



Today's medication changes

- START taking:
DESITIN

Accurate as of April 7, 2020 4:15 PM.
Review your updated medication list below.



Read the attached information

Additional instructions from Jordana Boneh, MD



Pick up these medications from any pharmacy with your printed prescription

DESITIN



Ambulatory referral to Gastroenterology

Multiple visits requested (expires 7/6/2020)



Labs ordered today

Ova and parasite screen
Complete as directed

Stool culture
Complete as directed



Return in about 1 week

(around 4/14/2020), or if symptoms worsen or fail to improve.

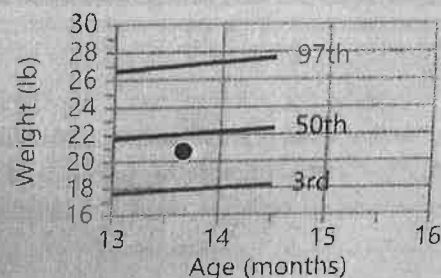
Today's Visit

You saw Jordana Boneh, MD on Tuesday April 7, 2020. The following issues were addressed: Teething infant; Diaper rash; Allergy, food; and Rectal prolapse.



Weight

20 lb 13 oz (29th percentile)

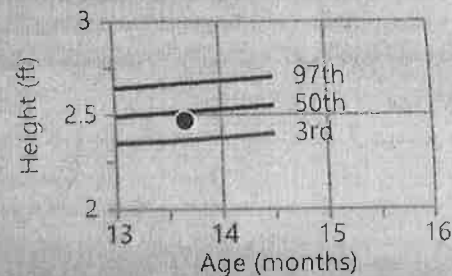


Reference: WHO (Boys, 0-2 years)



Height

2' 6" (27th percentile)



Reference: WHO (Boys, 0-2 years)



BMI

16.26 (40th percentile)



Temperature (Temporal)

97.5 °F

Percentiles calculated using: WHO (Boys, 0-2 years)

Instructions

Please call primary pediatrician or return to pediatric emergency room if persistent fever/vomiting/diarrhea, respiratory distress, change in mental status, not tolerating oral intake, or for any other concerns.

Fever in Children



A fever is a natural reaction of the body to an illness, such as infections from viruses or bacteria. In most cases, the fever itself is not harmful. It actually helps the body fight infections. A fever does not need to be treated unless your child is uncomfortable and looks or acts sick. How your child looks and feels are often more important than the level of the fever.

If your child has a fever, check his or her temperature as needed. Don't use a glass thermometer that contains mercury. They can be dangerous if the glass breaks and the mercury spills out. Always use a digital thermometer when checking your child's temperature. The way you use it will depend on your child's age. Ask your child's healthcare provider for more information about how to use a thermometer on your child. General guidelines are:

- The American Academy of Pediatrics advises that rectal temperatures are most accurate for children younger than 3 years. Accuracy is very important because babies must be seen right away by a healthcare provider if they have a fever. Be sure to use a rectal thermometer correctly. A rectal thermometer may accidentally poke a hole in (perforate) the rectum. It may also pass on germs from the stool. Always follow the product maker's directions for proper use. If you don't feel comfortable taking a rectal temperature, use another method. When you talk with your child's healthcare provider, tell him or her which method you used to take your child's temperature.
- For toddlers, take the temperature under the armpit (axillary).
- For children old enough to hold a thermometer in the mouth (usually around 4 or 5 years of age), take the temperature in the mouth (oral).
- For children age 6 months and older, you can use an ear (tympanic) thermometer.
- A forehead (temporal artery) thermometer may be used in babies and children of any age. This is a better way to screen for fever than an armpit temperature.

Comfort care for fevers



Ruffin Family Clinic
Volunteers in Medicine of Southern Nevada

1240 North Martin Luther King Blvd.
Las Vegas, NV 89106
Phone (702) 967-0530 | Fax (702) 967-0538
www.vmsn.org

Next appointment is with: Wiggins
Weds 2 27 10:30
DAY MONTH DATE A.M. P.M.

Cancellation notice must be provided at least 24 hours in advance
by calling 702-750-9008. Thank you!



Ruffin Family Clinic
Volunteers in Medicine of Southern Nevada

1240 North Martin Luther King Blvd.
Las Vegas, NV 89106
Phone (702) 967-0530 | Fax (702) 967-0538
www.vmsn.org

Next appointment is with: Wiggins
5/27/2020 9:30
DAY MONTH DATE A.M. P.M.

Cancellation notice must be provided at least 24 hours in advance
by calling 702-750-9008. Thank you!

Human Papilloma Virus Vaccine	٢٤ شهر 24 Months
الحمى الشوكية Meningococcal Vaccine	
الإنفلونزا الفيروسية Influeaza Vaccine	أول الشتاء من → 5 Years

UMC

702-383-3939

800 Hope Place

LV NV 89106

AFTER VISIT SUMMARY

Ryan Alhulaibi DoB: 2/16/2019

UNLV Medicine

4/13/2020 8:45 AM UNLV General Pediatrics Clinic 702-944-2828

Instructions from Josephine Jaw-Yi Sun, MD

Ryan Alhulaibi is growing and developing very well.

Please stop formula and switch to whole milk but limit to < 20 oz per day. You may give 100% fruit juice but limit to < 4 oz daily. Please also stop using bottles and switch to sippy-cups for all beverages.

Your child can eat any solid foods at this point but be sure that everything is cut into small pieces so that your child does not choke.

Please **start** brushing teeth twice daily with a rice-sized amount of fluoride toothpaste. Please also schedule first dental appointment.

Switch to convertible car seat and keep it rear facing until 2 years of age.

Screen time (TV's, cell phones, computers) is NOT recommended at this age and may delay their speech development.

Please go to the ED if poor liquid intake, significantly decreased urine output, lethargy, excessive irritability, or increased work of breathing.

If you have any non-urgent questions or concerns about your child, we have doctors and nurses answering our phone (702-944-2828) 24 hours a day, 7 days a week. If you call during clinic after hours, you will have to leave a brief message and we will return your phone call.

Referrals:

1. GI - Dr. Alhosh at UNLV Pediatrics
2. Allergy - will receive call from us or from Allergy



Read the attached information

Additional instructions from Josephine Jaw-Yi Sun, MD



Return in about 5 weeks

(around 5/18/2020) for 15mo WCC and weight check.

P00052

EXHIBIT E



CLARK COUNTY
DEPARTMENT OF FAMILY SERVICES

121 South Martin Luther King Blvd
Las Vegas, Nevada 89106
(702) 455-5444

Notice of Child Protective Services Report Disposition

Date: 02/27/2020

Name: SENJAB, AHED
Address: PO BOX 571150
LAS VEGAS NV 89157

Case No. 1467874 Report No. 1872495

Child(ren): ALHULAIBI, RYAN

Dear Ms. Ahed Senjab,

The above named family or child was referred to our agency for Child Protective Services response and intervention. The purpose of this letter is to inform you of this agency's disposition involving the above-named minor child(ren). The Protective Services report was closed on 02/27/2020 with a disposition of Unsubstantiated.

If you have further questions, please contact the Child Protective Services Investigator, Danielle Casteleiro at 702-455-5982, who was assigned to your case.

Sincerely,

A handwritten signature in black ink, appearing to read "Danielle", with a long, sweeping horizontal line extending to the right.

Danielle Casteleiro
Department of Family Services

P00053

AA000205

EXHIBIT F

DR. Jordana Boneh (702) 944-2828
UNLV General Pediatric Clinic

4-3-20

Rayan's Medicine -

Take 1ml. of medicine at 8:00 AM after
breakfast. Daily

Please return medicine back with Rayan
on Monday.

Rayan is allergic to Soy Milk, Peas,
and mangoes.

Rayan wears size 6 diapers.

Fruits and vegetables Rayan eats are:
Cooked broccoli and pumpkin ~~carrots~~,
~~cucumbers~~,

Rayan can eat carrots, cucumber, apple
oranges, grapes, bananas, avocados.

Rayan eats a boiled egg at breakfast.

Rayan cannot drink cow's milk or soy milk.
goat milk,

Please call The DR. before you give
him any kind of milk.

He can have apple juice.

If Rayan has an allergic reaction,
may have to take to the Emergency Room.

P00054

AA000207

5-15-20

22 Ramadan

Ryan wakes up at 6-6:30 AM for breast feeding.

Ryan plays some sport before breakfast

His favorite breakfast meal is boiling egg or fruit mixed with oats.

Ryan likes drinking water using his cup and likes juice.

Ryan breast feeds almost every two hours.

Ryan plays, walks, runs and learns colors and words all day.

He has learned words such as mom, dad, mouth, hand, nose, eye, head, hair, foot, ball, car, sky, tree, cup, bowl, spoon, duck, tissue and many words hard to count

His lunch meal is rice, chicken, and vegetable, rice, meat and vegetable or chicken pieces with vegetables

Between meals he has snacks such as fruit biscuit, or juice with breast feeding.

Ryan has a nap between 12:30-1:30 and after playing, learning and walking

Ryan has a shower every day

P00055

AA000208

5-15-20

Ryan's dinner meal (oats with fruit)
vegetable or fruit with breastfeeding

I read a short story for Ryan before bed

Ryan sleeps at 9 PM.

Ryan's Mom

Activities for Infants 12-16 Months Old



✓ Babies love games at this age (Pat-a-Cake, This Little Piggy). Try different ways of playing the games and see if your baby will try it with you. Hide behind furniture or doors for Peekaboo; clap blocks or pan lids for Pat-a-cake.	✓ Make puppets out of a sock or paper bag—one for you and one for your baby. Have your puppet talk to your baby or your baby's puppet. Encourage your baby to "talk" back.	✓ To encourage your baby's first steps, hold your baby in standing position, facing another person. Have your baby step toward the other person to get a favorite toy or treat.	✓ Give your baby containers with lids or different compartments filled with blocks or other small toys. Let your baby open and dump. Play "putting things back." This will help your baby learn how to release objects where he wants them.	Loosely wrap a small toy in a paper towel or facial tissue without tape. Your baby can unwrap it and find a surprise. Use tissue paper or wrapping paper, too. It's brightly colored and noisy.
✓ Babies enjoy push and pull toys. Make your own pull toy by threading yogurt cartons, spools, or small boxes on a piece of yarn or soft string (about 2 feet long). Tie a bead or plastic stacking ring on one end for a handle.	✓ Tape a large piece of drawing paper to a table. Show your baby how to scribble with large nontoxic crayons. Take turns making marks on the paper. It's also fun to paint with water.	✓ Arrange furniture so that your baby can work her way around a room by stepping across gaps between furniture. This encourages balance in walking.	✓ Babies continue to love making noise. Make sound shakers by stringing canning rims together or filling medicine bottles (with child-proof caps) with different-sounding objects like marbles, rice, salt, bolts, and so forth. Be careful to secure lids tightly.	This is the time your baby learns that adults can be useful! When your baby "asks" for something by vocalizing or pointing, respond to his signal. Name the object your baby wants and encourage him to communicate again—taking turns with each other in a "conversation."
✓ Play the naming game. Name body parts, common objects, and people. This lets your baby know that everything has a name and helps her begin to learn these names.	✓ Make an obstacle course with boxes or furniture so that your baby can climb in, on, over, under, and through. A big box can be a great place to sit and play.	✓ Let your baby help you clean up. Play "feed the wastebasket" or "give it to Mommy or Daddy."	✓ Make a surprise bag for your baby to find in the morning. Fill a paper or cloth bag with a soft toy, something to make a sound, a little plastic jar with a screw-top lid, or a book with cardboard pages.	✓ Play "pretend" with a stuffed animal or doll. Show and tell your baby what the doll is doing (walking, going to bed, eating, dancing across a table). See if your baby will make the doll move and do things as you request. Take turns.
✓ Cut up safe finger foods (do not use foods that pose a danger of your baby's choking) in small pieces and allow your baby to feed himself. It is good practice to pick up small things and feel different textures (bananas, soft crackers, berries).	✓ Let your baby "help" during daily routines. Encourage your baby to "get" the cup and spoon for mealtime, to "find" shoes and coat for dressing, and to "bring" the pants or diaper for changing. Following directions is an important skill for your baby to learn.	✓ Your baby is learning that different toys do different things. Give your baby a lot of things to roll, push, pull, hug, shake, poke, turn, stack, spin, and stir.	✓ Most babies enjoy music. Clap and dance to the music. Encourage your baby to practice balance by moving forward, around, and back. Hold her hands for support, if needed.	✓ Prepare your baby for a future activity or trip by talking about it beforehand. Your baby will feel like a part of what is going on rather than being just an observer. It may also help reduce some fear of being "left behind."

What kinds of cow's milk alternatives are available?

While soy milk has traditionally been the most commonly used cow's milk alternative, there are many options available. Use of tree nut milk, including almond and cashew milks, have become increasingly popular. Rice and oat milk, as well as hemp milk, are also possible alternatives. Some of these alternatives are flavored, for example with chocolate and vanilla, however these contain added sugar and calories.

What are the differences among cow's milk alternatives?

Cow's milk alternatives often contain less protein and less calories in comparison to cow's milk. Most are fortified with vitamin D and calcium. It is important to check labels (</English/healthy-living/nutrition/Pages/Front-of-Package-Nutrition-Labels.aspx>) since protein and vitamin content may differ among brands. See the chart for a comparison of common unflavored milk alternatives.

Comparison of Common Unflavored Milk Alternatives

	Whole Milk (1 cup)	Rice Milk (1 Cup)	Soy Milk (1 cup)	Coconut Milk (1 cup)	Almond Milk (1 cup)	Oat Milk (1 cup)	Hemp Milk (1 cup)
Energy (kcal)	149	115	105	76	37	130	70
Protein (g)	7.69	0.68	6.34	0.51	1.44	4	3
Total fat (g)	7.93	2.37	3.59	5.08	2.68	2.5	5
Saturated fat (g)	4.55	0	0.5	5.083	0	0	0.5
Cholesterol (mg)	24	0	0	0	0	0	0
Carbohydrate (g)	11.71	22.37	12	7.12	1.42	24	1
Calcium (mg)	276	288	300	459	481	350	300
Iron (mg)	0.07	0.49	1.02	0.73	0.85	1.8	1.8
Vitamin D (IU)	128	96	108	96	96	100	100

Note: Homemade almond milk or other homemade milk alternatives do not contain the same number of vitamins, because they are not fortified.

Rayan - Eats chicken, meat, rice. Please use the ointment after changing the baby's diapers.

Please when food or drink is provided for Rayan and he shows allergic reaction, take him to the doctor or E.R.

How much dairy is recommended for my child?

Infants' diets primarily consist of dairy to help them meet their caloric needs for growth. In addition, dairy provides enough fat needed for brain and eye development.

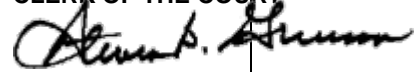
- **At one year**, babies should consume approximately 2 servings of dairy per day, or about 16 to a maximum of 24 ounces of whole milk per day. Whole-fat milk is recommended for children at this age, unless there is a family history (</English/family-life/health-management/Pages/Your-Family-Health-History-and-Genetics.aspx>) or risk for obesity or heart disease. Talk with your child's pediatrician about which milk he or she recommends for your one-year-old child.
- **Between two and three years old**, children should consume 2.5 servings of dairy per day. The AAP recommends that children stay on whole milk until they are two years of age — unless there is a reason to switch to low-fat milk sooner. Whole milk contains approximately 4% milk fat. It may help to gradually switch your child from whole milk to a lower-fat milk. Therefore, many pediatricians recommend that children get reduced fat (2%) milk for a few weeks before switching them to low fat (1%) or no fat (skim) milk. If children cannot drink cow's milk, they can meet their dairy requirements by eating yogurt and cheese, but vitamin D may be needed as a supplement since not all yogurts are fully supplemented with vitamin D. Talk with your child pediatrician before giving your child any supplements.

How much calcium and vitamin D are recommended for my child to eat each day?

The specific amount is based on your child's age. Here is a breakdown of the recommended dietary allowances (RDA) for calcium and vitamin D (</English/healthy-living/nutrition/Pages/Vitamin-D-On-the-Double.aspx>).

22

22



1 **SUPP**

2 **DAVID MARKMAN, ESQ.**

3 Nevada Bar No. 12440

4 **MARKMAN LAW**

5 4484 S. Pecos Rd Ste. 130

6 Las Vegas, Nevada 89121

7 Phone: (702) 843-5899

8 Fax: (702) 843-6010

9 Attorneys for Mohamad Alhulabi

10 **DISTRICT COURT**
11 **CLARK COUNTY, NEVADA**

12 * * * * *

13 AHED SAID SENJAB

14 Plaintiff,

15 vs.

16 MOHAMAD ALHULAIBI

17 Defendants.

CASE NO.: D-20-606093-D

DEPT. NO.: H

18 **DEFENDANT'S SUPPLEMENTAL BRIEFING IN SUPPORT OF HIS MOTION TO**
19 **DISMISS**

20 Defendant Mohamad Alhulaibi ("Mohamad") by and through his counsel of record
21 MARKMAN LAW hereby submits this Supplement in Support of his Motion to Dismiss in
22 response to the Complaint filed by Plaintiff Ahed Senjab ("Ahed" or "Plaintiff").

23 This Supplement is made and based upon the following Memorandum of Points and
24 Authorities along with Exhibits and any oral argument the Court may consider.

25 **MEMORANDUM OF POINTS AND AUTHORITIES**

26 **I. ANALYSIS**

27 **A. This Court Does Not Have Subject Matter Jurisdiction Regarding the Divorce or
Child Custody**

A party can acquiesce to jurisdiction, here Mohamad has done no such thing and has in fact
filed a Motion to Dismiss for Lack of Jurisdiction. At this time, for the sake of brevity Mohamad

1 will not reiterate all the case law on point with his Motion and Reply, instead he will focus on
2 the narrow issue of dismissing due to subject matter jurisdiction and how it should be
3 implemented. The Nevada Supreme Court has made it clear that it will prohibit a district court
4 from exercising jurisdiction when the court knows that statutorily it does not have jurisdiction,
5 especially when invoking such jurisdiction would upset nationwide public policy. *See Friedman*
6 *v. Eighth Judicial Dist. Court of State, ex rel. Cty. of Clark*, 127 Nev. 842, 854, 264 P.3d 1161,
7 1169 (2011). Mohamad while not fully discussing the following cases in this supplement
8 reiterates that *Park v. Barr*, 946 F.3d 1096, 1098 (9th Cir. 2020); *Toll v. Moreno*, 458 U.S. 1, 10-
9 11, 102 S. Ct. 2977 (1982); *Elkins v. Moreno* 435 U.S. 647, 665 (1978); *Carlson v. Reed*, 249
10 F.3d 876, 880-81 (9th Cir. 2001); *Monasky v. Taglieri*, 140 S.Ct. 719, 729 (2020) are all very
11 much on point with the instant case and stand for the proposition that U.S. Courts do not have
12 subject matter jurisdiction to hear divorce or child custody matters when the parties are non-
13 immigrant aliens because the parties cannot legally form the subjective intent to remain in the
14 United States.

15
16 **1) Mohamad has Properly Filed A Motion to Dismiss For Lack of Subject**
17 **Matter Jurisdiction and Attached Evidence that this Court lacks Subject**
18 **Matter Jurisdiction**

19 The Nevada Rules of Civil Procedure provide that the defense of lack of jurisdiction over the
20 subject matter may, at the option of the defendant, be made by motion. NRCP 12(b)(1). *Morrison*
21 *v. Beach City LLC*, 116 Nev. 34, 36–37, 991 P.2d 982, 983 (2000). NRCP 12(h)(3) provides that
22 “[w]henever it appears by suggestion of the parties or otherwise that the court lacks jurisdiction of the
23 subject matter, the court shall dismiss the action.” *Id*; *see also Christopoulos v. Gardella*, No. 71807, 2017
24 WL 6806098, at *2 (Nev. App. Dec. 28, 2017) (The Nevada Appeals Court, determined that Nevada was
25 not the home state of the minor child and therefore dismissed the complaint for lack of subject matter
26 jurisdiction.).

1 The **burden of proving the jurisdictional requirement is properly placed on the plaintiff**...In
2 federal practice, the district court can take evidence on the claim that the complaint does not fall within
3 the subject matter jurisdiction requirements of the court, and such evidence is not necessarily confined to
4 the allegations of the complaint. *Id.* (*Emphasis added*). Morrison v. Beach City LLC, 116 Nev. 34, 36–
5 37, 991 P.2d 982, 983 (2000). “In resolving a factual attack on jurisdiction, [a] district court may
6 review evidence beyond the complaint without converting the motion to dismiss into a motion
7 for summary judgment.” Safe Air v. Meyer, 373 F.3d 1035, 1039; *See* St. Clair v. City of Chico,
8 880 F.2d 199, 201 (9th Cir. 1989)(Unlike a Rule 12(b)(6) motion, a Rule 12(b)(1) motion can
9 attack the substance of a complaint's jurisdictional allegations despite their formal sufficiency,
10 and in so doing rely on affidavits or any other evidence properly before the court... The district
11 court obviously does not abuse its discretion by looking to this extra-pleading material in
12 deciding the issue, even if it becomes necessary to resolve factual disputes.) The court may
13 consider evidence presented in affidavits to assist it in its determination regarding jurisdiction.
14 Viega GmbH v. Eighth Jud. Dist. Ct., 130 Nev. 368, 374, 328 P.3d 1152, 1156 (2014).

15 In this case, Mohamad presented substantial evidence attached to his previous reply
16 confirming the fact this Court lacks subject matter jurisdiction. Further, the previously attached
17 evidence shows that Mohamad has unsupervised custody of the minor child three (3) days of the
18 week and that the child has not been endangered nor has Mohamad tried to remove the minor
19 from the state.

20 **2) Case Law is Clear a Nonimmigrant Alien Cannot Form the Requisite Subjective**
21 **Intent to Remain in the United States and Therefore Cannot Properly Establish Domicile**
22 **In any State in the United States**

23 Nevada law requires parties to a divorce to not only reside in Nevada for six weeks but that
24 it is also accompanied by a bona fide intention to make Nevada their home and to remain in
25 Nevada permanently or at least for an indefinite time. Aldabe v. Aldabe, 84 Nev. 392, 396, 441

1 P.2d 691, 694 (1968). In Park, the Court held that Congress has not permitted nonimmigrants to
2 lawfully form a subjective intent to remain in the United States, such an intent would conflict
3 with Congress's definition of the nonimmigrant classification. Park v. Barr, 946 F.3d at 1099. In
4 Park, the Court goes on further to discuss a California Court of Appeals case In re Marriage of
5 Dick, 15 Cal. App. 4th at 154, 18 Cal.Rptr.2d 743, the court declined to read Dick as applicable
6 because it would conflict with federal law. In fact, the Park Court noted that the California
7 Supreme Court had previously held undocumented immigrants cannot establish domicile in order
8 to qualify for in-state tuition. Id. See Martinez v. Regents of Univ. of Calif., 50 Cal. 4th 1277,
9 1290, 117 Cal.Rptr.3d 359, 241 P.3d 855 (2010). The Park Court ultimately read the holding of
10 Marriage of Dick narrowly in order to accommodate the "preeminent role of the Federal
11 Government with respect to the regulation of aliens within our borders." Park v. Barr, 946 F.3d
12 at 1100; citing Toll, 458 U.S. at 10, 102 S.Ct.

13 Here, Plaintiff has the burden to prove this Court has proper jurisdiction and she clearly has
14 not met her burden to establish that Nevada has the jurisdictional requirements to hear this case.
15 In fact it's quite the opposite, Plaintiff has not disputed the fact that she entered the United States
16 as a dependent to Mohamad's Visa, a Visa that by its very nature does not allow Mohamad, let
17 alone his dependents to form the subjective intent to remain in the United States. Therefore, a
18 divorce cannot be validly granted in the United States for the parties and thus this case must be
19 dismissed for lack of subject matter jurisdiction.

20 **B. A Return Order Should Issue Ordering the Minor Child to be Returned to His**
21 **Habitual Residence of Saudi Arabia as it is in the Minor Child's Best Interest to Have This**
22 **Matter heard in the Country of his Habitual Residence**

23 This Court should issue a return order or a substantially similar order so that Mohamad can
24 return to Saudi Arabia with his minor child. [T]he Supreme Court of the United States has
25 indicated that the Hague Convention "is based on the principle that the best interests of the child
26 are well served when decisions regarding custody rights are made in the country of habitual
residence." Cook v. Arimitsu, No. A19-1235, 2020 WL 1983223, at *3 (Minn. Ct. App. Apr. 27,

2020); *citing* Abbott v. Abbott, 560 U.S. 1, 20, 130 S. Ct. 1983, 1995 (2010); *see also* Monasky, 140 S. Ct. at 723 (recognizing that the “core premise” of the Hague Convention is that the children’s best interests are generally “best served when custody decisions are made in the child’s country of habitual residence”).

A child wrongfully removed from her country of “habitual residence” ordinarily must be returned to that country. Monasky v. Taglieri, 140 S. Ct. 719 (2020). The Convention ordinarily requires the **prompt** return of a child wrongfully removed or **retained** away from the country in which she habitually resides. (*emphasis added*)Monasky v. Taglieri, 140 S. Ct. 719, 723 (2020); *citing* Art. 12, Treaty Doc., at 9 (cross-referencing Art. 3, *id.*, at 7); *see also* Chafin v. Chafin, 568 U.S. 165, 180, 133 S. Ct. 1017, 1028, 185 L. Ed. 2d 1 (2013) (The Hague Convention mandates the prompt return of children to their countries of habitual residence.) When a Court does not order the prompt return of a child, the child loses precious months in which the child could have been readjusting to life in her country of habitual residence. *See* Chafin 568 U.S. at 178. Even when a country is not a party to the Hague convention, the court can properly order the return of a minor child. *See* Ogawa v. Ogawa, 125 Nev. 660, 670–71, 221 P.3d 699, 706 (2009); *see also* Davis v. Ewalefo, 131 Nev. 445, 454, 352 P.3d 1139, 1145 (2015)(courts have “decline[d] to adopt a bright-line rule prohibiting out-of-country visitation by a parent whose country has not adopted the Hague Convention or executed an extradition treaty with the United States.”); *see also* Long v. Ardestani, 241 Wis.2d 498, 624 N.W.2d 405, 417 (Wis.Ct.App.2001) (finding no cases that “even hint” at a rule that provides, “as a matter of law that a parent ... may not take a child to a country that is not a signatory to the Hague Convention if the other parent objects”).

Here, the minor child is being wrongfully retained in the United States and is being prevented from returning to his country of habitual residence and those precious months in which the minor could be readjusting to life in his habitual residence are being lost while the minor child is

1 shuffled back and forth between his father's apartment and a shelter. This court should dismiss
2 this case for lack of subject matter jurisdiction and order the immediate return of the minor child
3 to Saudi Arabia.

4 **II. CONCLUSION**

5 For the above reasons, Mohamad respectfully requests that the Court dismiss the Complaint and
6 order the return of the minor child to Saudi Arabia.

7
8 Dated this 8th day of June, 2020.

9 MARKMAN LAW

10
11 By: /s/ DAVID MARKMAN

12 DAVID MARKMAN, ESQ.

13 Nevada Bar No. 12440

14 4484 S. Pecos Rd. #130

15 Las Vegas, Nevada 89121

16 (702) 843-5899

17 Attorneys for Plaintiffs
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Pursuant to NRCp 5(b), I certify that I am an employee of MARKMAN LAW, and that on this 8th day of June 2020, I caused the foregoing document entitled DEFENDANT’S SUPPLEMENTAL BRIEFING IN SUPPORT OF HIS MOTION TO DISMISS, to be served as follows:

- ☒ pursuant to EDCR 8.05(a), EDCR 8.05(f), NRCP 5(b)(2)(D) and Administrative Order 14-2 captioned "In the Administrative Matter of Mandatory Electronic Service in the Eighth Judicial District Court," by mandatory electronic service through the Eighth Judicial District Court's electronic filing system;
- ☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;
- ☐ pursuant to EDCR 7.26, to be sent via **facsimile**, by duly executed consent for service by electronic means;
- ☐ sent out for hand-delivery via Receipt of Copy.


To the attorney(s) listed below at the address, email address, and/or facsimile number indicated below:

APRIL GREEN, ESQ.
Nevada Bar 8340C
BARBARA BUCKLEY
Nevada Bar No. 3918
LEGAL AID CENTER OF SOUTHERN NEVADA, INC.
725 E. Charleston Blvd.
Las Vegas, NV 89104
asgreen@lacsno.org

/s/ David Markman
David Markman, Esq.

23

23



CLERK OF THE COURT

1 **EXH**

2 **APRIL S. GREEN, ESQ.**

3 Nevada Bar No.: 8340C

4 **BARBARA E. BUCKLEY, ESQ.**

5 Nevada Bar No.: 3918

6 **LEGAL AID CENTER OF SOUTHERN NEVADA, INC.**

7 725 E. Charleston Blvd.

8 Las Vegas, NV 89104

9 (702) 386-1415 Direct/Fax

10 (702) 386-1070 ext. 1415

11 asgreen@lacsns.org

12 Attorneys for Plaintiff

13 **DISTRICT COURT**
14 **FAMILY DIVISION**
15 **CLARK COUNTY, NEVADA**

16 AHED SAID SENJAB,)

17 Plaintiff,)

Case No.: D-20-606093-D

Dept. No: H

18 vs.)

19 MOHAMED ALHULAIBI,)

20 Defendant.)

21 **CONFIDENTIAL EXHIBIT IN SUPPORT OF PLAINTIFF'S MEMORANDUM OF**
22 **LAW IN OPPOSITION OF DEFENDANT'S MOTION TO DISMISS**

23 COMES NOW, Plaintiff, AHED SAID SENJAB, by and through her counsel, APRIL S.
24 GREEN, ESQ., of LEGAL AID CENTER OF SOUTHERN NEVADA, INC., hereby submits
25 her exhibits in support of Plaintiff's Memorandum of Law in Opposition of Defendant's Motion
26 to Dismiss as follows:

27 ➤ Nonimmigrant Status Certification

28 Dated this 8th day of June, 2020.

Respectfully submitted by:

**LEGAL AID CENTER OF SOUTHERN
NEVADA, INC.**

By: 

APRIL S. GREEN, ESQ.

Nevada Bar No. 8340C

1 **BARBARA E. BUCKLEY, ESQ.**

2 Nevada Bar No.: 3918

3 725 E. Charleston Blvd.

4 Las Vegas, NV 89104

(702) 386-1415 Direct/Fax

(702) 386-1070 ext. 1415

asgreen@lacsns.org

Attorneys for Plaintiff



Supplement B, U Nonimmigrant Status Certification

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-918
OMB No. 1615-0104
Expires 04/30/2021

For USCIS Use Only	Remarks

► **START HERE** - Type or print in black or blue ink.

Part 1. Victim Information

1. Alien Registration Number (A-Number) (if any)
► A-
- 2.a. Family Name (Last Name)
- 2.b. Given Name (First Name)
- 2.c. Middle Name
- Other Names Used** (Include maiden names, nicknames, and aliases, if applicable.)
If you need extra space to provide additional names, use the space provided in **Part 7. Additional Information**.
- 3.a. Family Name (Last Name)
- 3.b. Given Name (First Name)
- 3.c. Middle Name
4. Date of Birth (mm/dd/yyyy)
5. Gender ☐ Male ☒ Female

Part 2. Agency Information

1. Name of Certifying Agency
- Name of Certifying Official
- 2.a. Family Name (Last Name)
- 2.b. Given Name (First Name)
- 2.c. Middle Name
3. Title and Division/Office of Certifying Official

Name of Head of Certifying Agency

- 4.a. Family Name (Last Name)
- 4.b. Given Name (First Name)
- 4.c. Middle Name

Agency Address

- 5.a. Street Number and Name
- 5.b. ☐ Apt. ☐ Ste. ☐ Flr.
- 5.c. City or Town
- 5.d. State 5.f. ZIP Code
- 5.g. Province
- 5.h. Postal Code
- 5.i. Country

Other Agency Information

6. Agency Type
☐ Federal ☐ State ☒ Local
7. Case Status
☒ On-going ☐ Completed
☐ Other
8. Certifying Agency Category
☐ Judge ☒ Law Enforcement ☐ Prosecutor
☐ Other
9. Case Number
10. FBI Number or SID Number (if applicable)

Part 3. Criminal Acts

If you need extra space to complete this section, use the space provided in **Part 7. Additional Information**.

1. The petitioner is a victim of criminal activity involving a violation of one of the following Federal, state, or local criminal offenses (or any similar activity). (Select all applicable boxes)

- | | |
|---|---|
| <input type="checkbox"/> Abduction | <input type="checkbox"/> Manslaughter |
| <input type="checkbox"/> Abusive Sexual Contact | <input type="checkbox"/> Murder |
| <input type="checkbox"/> Attempt to Commit Any of the Named Crimes | <input type="checkbox"/> Obstruction of Justice |
| <input type="checkbox"/> Being Held Hostage | <input type="checkbox"/> Peonage |
| <input type="checkbox"/> Blackmail | <input type="checkbox"/> Perjury |
| <input type="checkbox"/> Conspiracy to Commit Any of the Named Crimes | <input type="checkbox"/> Prostitution |
| <input checked="" type="checkbox"/> Domestic Violence | <input type="checkbox"/> Rape |
| <input type="checkbox"/> Extortion | <input type="checkbox"/> Sexual Assault |
| <input type="checkbox"/> False Imprisonment | <input type="checkbox"/> Sexual Exploitation |
| <input type="checkbox"/> Felonious Assault | <input type="checkbox"/> Slave Trade |
| <input type="checkbox"/> Female Genital Mutilation | <input type="checkbox"/> Solicitation to Commit Any of the Named Crimes |
| <input type="checkbox"/> Fraud in Foreign Labor Contracting | <input type="checkbox"/> Stalking |
| <input type="checkbox"/> Incest | <input type="checkbox"/> Torture |
| <input type="checkbox"/> Involuntary Servitude | <input type="checkbox"/> Trafficking |
| <input type="checkbox"/> Kidnapping | <input type="checkbox"/> Unlawful Criminal Restraint |
| | <input type="checkbox"/> Witness Tampering |

Provide the dates on which the criminal activity occurred.

2.a. Date (mm/dd/yyyy)

2.b. Date (mm/dd/yyyy)

2.c. Date (mm/dd/yyyy)

2.d. Date (mm/dd/yyyy)

3. List the statutory citations for the criminal activity being investigated or prosecuted, or that was investigated or prosecuted.

NRS 200.485.1A

- 4.a. Did the criminal activity occur in the United States (including Indian country and military installations) or the territories or possessions of the United States?

☒ Yes ☐ No

- 4.b. If you answered "Yes," where did the criminal activity occur?

LAS VEGAS NEVADA

- 5.a. Did the criminal activity violate a Federal extraterritorial jurisdiction statute?

☐ Yes ☐ No

- 5.b. If you answered "Yes," provide the statutory citation providing the authority for extraterritorial jurisdiction.

6. Briefly describe the criminal activity being investigated and/or prosecuted and the involvement of the petitioner named in Part 1. Attach copies of all relevant reports and findings.

MS SENJAB REPORTED MULTIPLE INCIDENTS OF DOMESTIC VIOLENCE BY HER HUSBAND HAD OCCURRED. HE AND MS. SENJAB ARGUED AND ARGUMENT BECAME PHYSICAL. HER HUSBAND TOOK HER PHONE AND HIT HER ON FACE. ANOTHER INCIDENT HUSBAND THROUGH A BOX AT MS SENJAB BRUISING HER LEGS AND KNEES. MS SENJAB CONTACTED POLICE IMMEDIATELY. SAFENEST WAS RECOMMENDED BY POLICE

7. Provide a description of any known or documented injury to the victim. Attach copies of all relevant reports and findings.

MS SENJAB HAD BRUISING ON HER LEGS AND KNEES WHICH WAS OBSERVED BY THE POLICE

Part 4. Helpfulness Of The Victim

For the following questions, if the victim is under 16 years of age, incompetent or incapacitated, then a parent, guardian, or next friend may act on behalf of the victim.

1. Does the victim possess information concerning the criminal activity listed in Part 3.? ☒ Yes ☐ No
2. Has the victim been helpful, is the victim being helpful, or is the victim likely to be helpful in the investigation or prosecution of the criminal activity detailed above? ☒ Yes ☐ No
3. Since the initiation of cooperation, has the victim refused or failed to provide assistance reasonably requested in the investigation or prosecution of the criminal activity detailed above? ☐ Yes ☒ No

If you answer "Yes" to Item Numbers 1. - 3., provide an explanation in the space below. If you need extra space to complete this section, use the space provided in Part 7. Additional Information.

MS. SENJAB IMMEDIATELY CONTACTED OR TRIED TO CONTACT THE POLICE WHEN HER HUSBAND BECAME VIOLENT. SHE HAS COOPERATED IN EVERY RESPECT TO ASSIST THE POLICE AND MS SENJAB WILL CONTINUE TO OFFER ASSISTANCE TO THE DETECTIVES, IF ASKED.

4. Other. Include any additional information you would like to provide.

MS. SENJAB COMPLETED A VOLUNTARY STATEMENT AND COOPERATED IN THE POLICE INVESTIGATION AND PROVIDED ADDITIONAL WRITTEN INFORMATION SHE SHARED WITH THE POLICE THEREAFTER

Part 5. Family Members Culpable In Criminal Activity

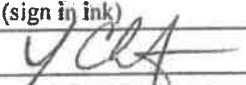
1. Are any of the victim's family members culpable or believed to be culpable in the criminal activity of which the petitioner is a victim? ☒ Yes ☐ No

If you answered "Yes," list the family members and their criminal involvement. (If you need extra space to complete this section, use the space provided in Part 7. Additional Information.)

- 2.a. Family Name (Last Name)
- 2.b. Given Name (First Name)
- 2.c. Middle Name
- 2.d. Relationship
- 2.e. Involvement
-
- 3.a. Family Name (Last Name)
- 3.b. Given Name (First Name)
- 3.c. Middle Name
- 3.d. Relationship
- 3.e. Involvement
-
- 4.a. Family Name (Last Name)
- 4.b. Given Name (First Name)
- 4.c. Middle Name
- 4.d. Relationship
- 4.e. Involvement

Part 6. Certification

I am the head of the agency listed in Part 2. or I am the person in the agency who was specifically designated by the head of the agency to issue a U Nonimmigrant Status Certification on behalf of the agency. Based upon investigation of the facts, I certify, under penalty of perjury, that the individual identified in Part 1. is or was a victim of one or more of the crimes listed in Part 3. I certify that the above information is complete, true, and correct to the best of my knowledge, and that I have made and will make no promises regarding the above victim's ability to obtain a visa from U.S. Citizenship and Immigration Services (USCIS), based upon this certification. I further certify that if the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he or she is a victim, I will notify USCIS.

1. Signature of Certifying Official (sign in ink) 
2. Date of Signature (mm/dd/yyyy)
3. Daytime Telephone Number
4. Fax Number

Part 7. Additional Information

If you need extra space to complete any item within this supplement, use the space below or attach a separate sheet of paper; type or print the agency's name, petitioner's name, and the Alien Registration Number (A-Number) (if any) at the top of each sheet; indicate the **Page Number**, **Part Number**, and **Item Number** to which your answer refers; and sign and date each sheet. If you need more space than what is provided, you may also make copies of this page to complete and file with this supplement.

1. Agency Name

LAS VEGAS METROPOLITAN POLICE DEPT

Petitioner's Name

2.a. Family Name
(Last Name) SENJAB

2.b. Given Name
(First Name) AHED

2.c. Middle Name SAID

3. A-Number (if any)

► A-

4.a. Page Number 4.b. Part Number 4.c. Item Number

4.d.

5.a. Page Number 5.b. Part Number 5.c. Item Number

5.d.

6.a. Page Number 6.b. Part Number 6.c. Item Number

6.d.

24

24

Divorce - Complaint

COURT MINUTES

June 16, 2020

D-20-606093-D Ahed Said Senjab, Plaintiff
vs.
Mohamad Abulhakim Alhulaibi, Defendant.

June 16, 2020 09:00 AM All Pending Motions

HEARD BY: Ritchie, T. Arthur, Jr. **COURTROOM:** RJC Courtroom 03G

COURT CLERK: Prock, Kathy

PARTIES PRESENT:

Ahed Said Senjab, Plaintiff, Present April S. Green, Attorney, Present

Mohamad Abulhakim Alhulaibi, Defendant, Present David Markman, Attorney, Present

Ryan Mohamad Alhulaibi, Subject Minor, Not Present

JOURNAL ENTRIES

DEFENDANT'S MOTION TO DISMISS FOR LACK OF JURISDICTIONAL REQUIREMENTS...PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISMISS FOR LACK OF JURISDICTIONAL REQUIREMENTS

Both parties, Attorney Green, and Attorney Markman appeared telephonically, pursuant to the Administrative Orders for public safety.

Court interpreter (Arabic), Saad Musa, appeared telephonically on behalf of the Plaintiff.

Court reviewed the history of the case. Court stated it has reviewed the Motion, Response, Reply, and the additional Memorandum, filed 6/8/2020. Further, a review of the papers does not show contested facts.

Court noted the parties were married on 2/17/2018. Further, it is not disputed that Plaintiff was here on a student F1 Visa to attend school, he applied for the Visa in 2018, and it was granted in 2019. Further, it is not contested that Plaintiff purchased air travel and traveled to the United States with his wife and child on 1/13/2020. Court noted this is not the home state of the child.

Court noted there is a Protection Order for domestic violence (case no. T-20-203688-T), Plaintiff being the Applicant, the Protection Order was heard and extended, and is in effect until 2/14/2021. Attorney Markman stated Defendant denies all of Plaintiff's allegations in her application.

Court stated it does not appear contested that Plaintiff was present in Nevada from March, 2020, and she has resided here six weeks prior to filing, and she was here on an F2 Visa (student Visa dependant).

Argument regarding whether Nevada has subject matter jurisdiction, whether Plaintiff had the intent to remain in the State of Nevada, whether Plaintiff met the requirements of Nevada law to file for divorce, whether this Court has jurisdiction over the child, and Plaintiff having the right to citizenship through the Violence Against Women Act.

Court noted Federal law preempts Nevada law.

COURT ORDERED, the following:

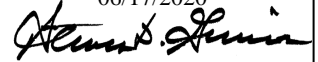
Matter TAKEN UNDER ADVISEMENT on the Motion To Dismiss, and all other issues will be incorporated in the decision.

INTERIM CONDITIONS:

FUTURE HEARINGS:

25

25


CLERK OF THE COURT

1 FFCL
2
3

4 DISTRICT COURT
5 FAMILY DIVISION
6 CLARK COUNTY, NEVADA
7
8
9

10 AHED SAID SENJAB,
11 Plaintiff,

CASE NO. D-20-606093-D
DEPT NO. H

12 vs.

13 MOHAMAD ABULHAKIM
14 ALHULAIBI,
15 Defendant.

Date of Hearing: June 16, 2020
Time of Hearing: 9:00 a.m.

16
17
18 **FINDINGS OF FACT, CONCLUSIONS OF LAW,**
19 **DECISION AND ORDER**

20 This matter came on for hearing before Art Ritchie, District Court Judge,
21 Department H. Plaintiff was represented by her attorneys, Legal Aid Center of
22 Southern Nevada, and April S. Green, Esq. Defendant was represented by his
23 attorneys, Markman Law, and David Markman, Esq. This court considered the
24 papers and pleadings, the arguments of counsel, and for good cause stated in this
25 order, grants Mohamad Abulhakim Alhulaibi's motion to dismiss.
26
27

1 **I. BACKGROUND**
2

3 This is a divorce case to dissolve a marriage between Ahed Said Senjab
4 and Mohamad Abulhakim Alhulaibi. Ms. Senjab and Mr. Alhulaibi are citizens
5 of Syria. They married in Saudi Arabia on February 17, 2018. The parties have
6 one minor child, Ryan Mohamad Alhulaibi, who was born on February 16, 2019.
7

8 Mohamad Abulhakim Alhulaibi obtained an F-1 Visa and came to the United
9 States to attend graduate school at UNLV in 2018. Mr. Alhulaibi alleged that
10 Ahed Said Senjab applied for an F-2 Visa in August, 2018, and that an F-2 Visa
11 was granted to her and the parties' child at the end of 2019. In December, 2019,
12 Mr. Alhulaibi returned to Saudi Arabia after the fall semester. Mr. Alhulaibi
13 alleged that he purchased round trip airline tickets on Turkish Airlines for
14 himself, Ahed Said Senjab, and the parties' child for travel to Nevada on January
15 13, 2020 with a return flight to Saudi Arabia on June 18, 2020.
16
17
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19

20 The parties and their child arrived in Las Vegas, Nevada, on January 13, 2020.
21 On February 14, 2020, Ahed Said Senjab filed an Application for Protective
22 Order, assigned Case No. T-20-203688-T. The Ex-Parte Application was
23 granted, and the matter was continued for consideration of an extension of the
24 order. The matter was heard on March 17, 2020 and on March 30, 2020. The
25 Hearing Master heard testimony from the parties and argument from counsel.
26
27
28

1 The court granted the request and extended the protective order until February 14,
2 2021. The Extended Protective Order was filed on March 30, 2020 and it
3 contains custody orders defining Ms. Senjab's physical custody time with Ryan
4 as Monday at 10:00 a.m. through Friday at 3:00 p.m., and Mr. Alhulaibi's
5 physical custody time with Ryan as Friday at 3:00 p.m. though Monday at 10:00
6 a.m.
7
8

9
10 Ahed Said Senjab filed a Complaint for Divorce on March 24, 2020. Ms.
11 Senjab seeks a divorce, child custody and support orders, and spousal support.
12 Mohamad Abulhakim Alhulaibi was served on March 25, 2020. Mr. Alhulaibi's
13 Motion to Dismiss was filed on April 14, 2020. Ms. Senjab filed her Opposition
14 on April 24, 2020 and Mr. Alhulaibi's Reply to Opposition was filed on May 13,
15 2020. Ms. Senjab filed Supplemental Exhibits on May 18, 2020 and on May 20,
16 2020.
17
18

19 The matter was heard on May 20, 2020. The parties appeared by telephone,
20 with counsel. Because of the timing of Plaintiff's filings, and because the court
21 requested additional briefing, the matter was continued to June 16, 2020.
22
23

24 Ahed Said Senjab filed a Memoranda of Law on June 8, 2020 and Mohamad
25 Abulhakim Alhulaibi filed a Supplemental Brief on June 8, 2020. On June 11,
26
27
28

1 2020, Ms. Senjab filed a third Supplemental Exhibit. The parties were present by
2 telephone and represented by counsel at the hearing on June 16, 2020.
3

4 **II. LEGAL STANDARD**

5
6 Subject matter jurisdiction is the power of the court to decide a particular
7 type of controversy. A party may file a motion asserting the defense of lack of
8 subject-matter jurisdiction pursuant to NRCP 12(b)(1). The court should dismiss
9 a case when a party fails to state a claim upon which relief can be granted. If a
10 court determines at any time that it lacks subject-matter jurisdiction, the court
11 must dismiss the action. NRCP 12(h)(3).
12
13

14 **III. FINDINGS AND CONCLUSIONS**

- 15 1. For this Nevada court to have subject matter jurisdiction to grant a
16 divorce, one of the parties must be a bona fide resident of the state of
17 Nevada.
18
- 19 2. NRS 125.020 (e) provides that the district court has jurisdiction to grant
20 a divorce if one of the parties has resided 6 weeks in the state before the
21 suit was brought.
22
- 23 3. Residence is synonymous with domicile. Physical presence, together
24 with intent, constitutes bona fide residence for divorce jurisdiction.
25
26 *Aldabe v. Aldabe*, 84 Nev 392, 441 P.2d 691 (1968).
27
28

- 1 4. Ahed Said Senjab has the burden to prove that she or Mohamad
2 Abulhakim Alhulaibi is a bona fide resident of the state of Nevada for
3 this court to grant a divorce.
4
- 5 5. Ahed Said Senjab and Mohamad Abulhakim Alhulaibi have been
6 physically present in the state of Nevada for at least 6 weeks prior to the
7 filing of this divorce case.
8
- 9 6. This court finds that pursuant to state law, undocumented immigrants
10 who physically live in Nevada have been able to access Nevada courts
11 to obtain a divorce so long as they have been physically present in
12 Nevada, and so long as they establish a subjective intention to make
13 Nevada their home.
14
- 15 7. The Ninth Circuit Court of Appeals, in *Park v. Barr*, 946 F.3d 1096
16 (2020), held that federal law has preempted state law. The holding in
17 *Park*, bars nonimmigrants who come to the United States on a visa
18 issued pursuant to Title 8 of the United States Code from establishing
19 the subjective intent that is required to give this Nevada court subject
20 matter jurisdiction to grant a divorce.
21
- 22 8. Ahed Said Senjab and Mohamad Abulhakim Alhulaibi are
23 nonimmigrants. Based on decisional law from the United States
24 Supreme Court, and the Ninth Circuit Court of Appeals, federal law will
25
26
27
28

1 either allow or prohibit a nonimmigrant visa holder to establish
2 residency or domicile.
3

4 9. The Immigration and Nationality Act imposes limits on a state freedom
5 to define domicile. *Park v. Barr*, 946 F.3d 1096 (2020).
6

7 10. The federal law, prohibiting a nonimmigrant from establishing domicile,
8 continues even if a visa is overstayed. *Park v. Barr*, 946 F.3d 1096
9 (2020). In *Park*, Woul Park, a nonimmigrant, came to the United
10 States on a B-2 Visa, and stayed in the United States after the lawful
11 status had lapsed. The Ninth Circuit Court of Appeals held that Woul
12 Park was precluded from establishing lawful domicile in California by
13 operation of federal law.
14
15

16 11. The United States Supreme Court, in *Toll v. Moreno*, 458 US 1 (1982),
17 held that because Congress expressly allowed a nonimmigrant with a
18 G-4 visa to establish domicile to obtain in-state college tuition, state
19 law was precluded under the Supremacy Clause of the United States
20 Constitution.
21
22

23 12. Foreign students pursuing academic studies are classified as F-1.
24 Dependents of holders of an F-1 visa are classified as F-2 spouses or
25 dependents. The immigration status of an F-2 dependent is dependent
26 upon the F-1 student.
27
28

- 1 13. Under federal law, nonimmigrants that come to the United States
2 through F-1 and F-2 visas are required to maintain a residence in their
3 country of citizenship with no intention of abandoning it.
4
- 5 14. Ahed Said Senjab and Mohamad Abulhakim Alhulaibi were permitted
6 to enter the United States on an express condition not to abandon the
7 foreign residence.
8
- 9 15. Congress has not permitted Ahed Said Senjab and Mohamad
10 Abulhakim Alhulaibi to lawfully form a subjective intent to remain in
11 the United States.
12
- 13 16. The Immigration and Nationality Act prevents Ahed Said Senjab and
14 Mohamad Abulhakim Alhulaibi from establishing the requisite intent to
15 remain in the United States/Nevada.
16
- 17 17. Congress expressly conditioned admission to the United States through
18 F-1 and F-2 visas on a stated intention not to abandon the foreign
19 residence.
20
- 21 18. Ahed Said Senjab's subjective intent to make Nevada her home is
22 precluded by Congress' definition of the nonimmigrant classification.
23
- 24 19. This court concludes that Nevada lacks subject matter jurisdiction to
25 grant a divorce.
26

27 /////

1 Therefore,

2 **ORDER**

3
4 **IT IS HEREBY ORDERED** that Mohamad Abulhakim Alhulaibi's
5 motion to dismiss is granted.
6

7 **IT IS FURTHER ORDERED** that this case is dismissed and closed with
8 the entry of this order.
9

10 Dated this 17th day of June, 2020

11 

12 03B A97 1706 ED86
13 T. Arthur Ritchie
14 DISTRICT COURT JUDGE
15 DEPARTMENT H
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