

Electronically Filed  
Feb 11 2021 11:53 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

1 ERIN NEWPORT  
2 7100 Grand Montecito Pkwy #1074  
3 Las Vegas, NV 89149  
4 (702) 672-6933  
5 Petitioner/Mom in Proper Person

6 DISTRICT COURT  
7 CLARK COUNTY, NEVADA

9 In the Matter of the Guardianship  
10 of the Minors,

11 Malan Faith McCallister and  
12 Mariah Grace McCallister,

13 Protected Minors.

Case No. G-19-052440-M  
Dept No. B


NOTICE OF APPEAL

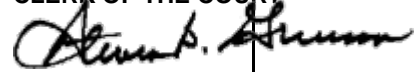
14 COMES NOW, ERIN NEWPORT, in Proper Person and gives notice that  
15 Plaintiff intends to file an Appeal in the above case, G-19-052440-M.

16 ERIN NEWPORT requests waiver of appeal bond in this matter, and  
17 authorization to proceed in Proper Person.

18 This notice pertains to the NOTICE OF ENTRY OF ORDER filed January  
19 27, 2021, which did not agree to terminate guardianship and return children to  
20 mother.

21 Dated this 8<sup>th</sup> day of Feb., 2021.

22   
23 ERIN NEWPORT  
24 Plaintiff In Proper Person



1 ASTA

2  
3  
4  
5  
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**  
7 **STATE OF NEVADA IN AND FOR**  
8 **THE COUNTY OF CLARK**

9 In the Matter of the Guardianship of:

10 MAIAN FAITH MCCALLISTER;  
11 MARIAH GRACE MCCALLISTER,

12 Protected Minor(s)  
13

Case No: G-19-052440-M

Dept No: B

14  
15 **CASE APPEAL STATEMENT**

16 1. Appellant(s): Erin Newport

17 2. Judge: Linda Marquis

18 3. Appellant(s): Erin Newport

19 Counsel:

20 Erin Newport  
21 7100 Grand Montecito Pkwy., #1074  
22 Las Vegas, NV 89149

23 4. Respondent (s): Guardians Montrail Green and Jermia Coaxum-Green

24 Counsel:

25 Patricia Warnock, Esq.  
26 516 S. Fourth St.  
27 Las Vegas, NV 89101

28 5. Appellant(s)'s Attorney Licensed in Nevada: N/A  
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes  
Permission Granted: N/A

6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

Appellant Filed Application to Proceed in Forma Pauperis: No  
Date Application(s) filed: N/A

9. Date Commenced in District Court: October 30, 2019

10. Brief Description of the Nature of the Action: DOMESTIC - Guardianship

Type of Judgment or Order Being Appealed: Judgment

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Case involves Child Custody and/or Visitation: N/A

Appeal involves Child Custody and/or Visitation: N/A

13. Possibility of Settlement: Unknown

Dated This 10 day of February 2021.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

Heather Ungermann, Deputy Clerk  
200 Lewis Ave  
PO Box 551601  
Las Vegas, Nevada 89155-1601  
(702) 671-0512

cc: Erin Newport



*Steven D. Grierson*

1 ERIN NEWPORT  
2 7100 Grand Montecito Pkwy #1074  
3 Las Vegas, NV 89149  
4 (702) 672-6933  
5 Petitioner/Mom in Proper Person

6 DISTRICT COURT  
7 CLARK COUNTY, NEVADA

8 In the Matter of the Guardianship  
9 of the Minors,

} Case No. G-19-052440-M  
} Dept No. B

10 Malan Faith McCallister and  
11 Mariah Grace McCallister,

12 Protected Minors.

13 CERTIFICATE OF MAILING

14 I hereby certify that on 8<sup>th</sup> day of Feb., 2021, I deposited for  
15 mailing a true and correct copy of the Notice of Appeal; Request for Authorization  
16 to Proceed in Proper Person; Waiver of Appeal Bond; and to Transmit Entire  
17 Record on File in the United States Post Office, First Class Mail, postage prepaid  
18 thereon, addressed to:

19 PATRICIA WARNOCK, ESQ.  
20 JOHN SCHALLER, ESQ.  
21 JOHN BUCHMILLER & ASSOCIATES  
22 516 S. Fourth Street  
23 Las Vegas, NV 89101

24 *[Signature]*  
25  
26  
27  
28  
PERSON MAILING



*Steven D. Grierson*

1 ERIN NEWPORT  
2 7100 Grand Montecito Pkwy #1074  
3 Las Vegas, NV 89149  
4 (702) 672-6933  
5 Petitioner/Mom in Proper Person

6 DISTRICT COURT  
7 CLARK COUNTY, NEVADA

8 In the Matter of the Guardianship  
9 of the Minors,

Case No. G-19-052440-M  
Dept No. B

10 Malan Faith McCallister and  
11 Mariah Grace McCallister,

12 Protected Minors.

13 **REQUEST FOR AUTHORIZATION TO PROCEED IN PROPER PERSON;**  
14 **WAIVER OF APPEAL BOND;**  
15 **AND TO TRANSMIT ENTIRE RECORD ON FILE**

16 COMES NOW, ERIN NEWPORT, and requests authorization of the court  
17 to proceed in Proper Person, and that the court submit the entire record on file.

18 Petitioner ERIN NEWPORT also requests the court waive the bond in this  
19 matter.

20 Dated this 8<sup>th</sup> day of Feb., 2021.

21 *Erin Newport*  
22 ERIN NEWPORT  
23 In Proper Person  
24  
25  
26  
27  
28

# CASE SUMMARY

## CASE NO. G-19-052440-M

In the Matter of the Guardianship of:  
**Mariah Grace McCallister, Malan Faith McCallister,**  
 Protected Minor(s)

§  
§  
§  
§

Location: **Department B**  
 Judicial Officer: **Marquis, Linda**  
 Filed on: **10/30/2019**

### CASE INFORMATION

#### Statistical Closures

06/02/2020 Settled/Withdrawn With Judicial Conference or Hearing

Case Type: **Guardianship of Minor**

Subtype: **Person Only - Minor**

Case Status: **11/24/2020 Reopened**

Case Flags: **Appealed to Supreme Court**

### DATE

### CASE ASSIGNMENT

#### Current Case Assignment

Case Number G-19-052440-M  
 Court Department B  
 Date Assigned 10/30/2019  
 Judicial Officer Marquis, Linda

### PARTY INFORMATION

<b>Petitioner</b>	<b>Coaxum, Jermia</b> 7808 License Street Las Vegas, NV 89131	<i>Attorneys</i> <b>Strickland, Seth Michael</b> <i>Retained</i> 702-631-6111(W)
	<b>Green, Montrail</b> 7808 License Street Las Vegas, NV 89131	<b>Warnock, Patricia W.</b> <i>Retained</i> 702-278-9268(W)
<b>Protected Person</b>	<b>McCallister, Malan Faith</b> 8904 Goldstone Ave. Las Vegas, NV 89143	
	<b>McCallister, Mariah Grace</b> 8904 Goldstone Las Vegas, NV 89143	
<b>Guardian of Person</b>	<b>Coaxum, Jermia</b> 7808 License Street Las Vegas, NV 89131	<b>Strickland, Seth Michael</b> <i>Retained</i> 702-631-6111(W)
	<b>Green, Montrail</b> 7808 License Street Las Vegas, NV 89131	<b>Warnock, Patricia W.</b> <i>Retained</i> 702-278-9268(W)
<b>Unbundled Attorney</b>	<b>Isso, Jennifer</b> 2470 St. Rose PKWY STE 306F Henderson, NV 89074 Removed: 11/20/2019 Change of Status	

### DATE

### EVENTS & ORDERS OF THE COURT

#### EVENTS

10/30/2019



Petition

Filed By: Guardian of Person Green, Montrail

**CASE SUMMARY**  
**CASE NO. G-19-052440-M**

	<i>Petition for Appointment of Guardian and Application for Order Shortening Time</i>
10/30/2019	 Confidential Information Sheet - Guardianship Filed by: Guardian of Person Green, Montrail <i>Non-public Confidential Information</i>
10/30/2019	 Affidavit of Petitioner Filed by: Guardian of Person Green, Montrail <i>Declaration of Petitioner Per NRS 159.044(m)</i>
10/30/2019	 Affidavit of Petitioner Filed by: Guardian of Person Coaxum, Jermia <i>Declaration of Petitioner Per NRS 159.044(m)</i>
10/30/2019	 Citation Filed By: Guardian of Person Green, Montrail <i>Citation to Appear and Show Cause</i>
11/19/2019	 Certificate of Mailing Filed By: Guardian of Person Green, Montrail <i>Certificate of Mailing with Attached Documents</i>
11/20/2019	 Notice of Appearance Party: Protected Person McCallister, Mariah Grace <i>Notice of Appearance of Counsel</i>
11/20/2019	 Notice of Telephonic Hearing Filed by: Protected Person McCallister, Mariah Grace <i>Notice of Telephonic Appearance of Natural Mother</i>
11/20/2019	 Notice of Withdrawal Filed by: Protected Person McCallister, Mariah Grace <i>Notice of Withdrawal of Unbundled Attorney</i>
11/20/2019	 Order <i>Order to Appoint Investigator</i>
11/26/2019	 Notice of Entry <i>Notice of Entry</i>
12/09/2019	 Notice Filed By: Guardian of Person Green, Montrail <i>Notice to Vacate December 12 2019 Hearing</i>
12/09/2019	 Notice Filed By: Guardian of Person Green, Montrail <i>Re-Notice of Petition for Appointment of Guardian Over Two Children</i>
12/09/2019	 Clerk's Notice of Hearing <i>Clerk's Notice of Hearing</i>
12/10/2019	 Certificate of Mailing Filed By: Guardian of Person Green, Montrail <i>Certificate of Mailing</i>
01/09/2020	 Re-Notice Filed by: Guardian of Person Coaxum, Jermia; Guardian of Person Green, Montrail <i>Re-Notice of Certificate of Mailing and Signed Returned Receipts</i>
02/20/2020	 Confidential Report of AOC Investigator <i>Confidential Report of AOC Investigator</i>
02/20/2020	 Certificate of Service <i>Certificate of Service</i>



**CASE SUMMARY**  
**CASE NO. G-19-052440-M**

02/25/2020	 Notice of Telephonic Hearing Filed by: Other Newport, Erin <i>Notice of Telephonic Appearance</i>
02/25/2020	 Notice of Withdrawal Filed by: Other Newport, Erin <i>Notice of Withdrawal of Unbundled Attorney</i>
06/01/2020	 Notice of Non-Compliance <i>Notice of Non-Compliance OAG/ LETTERS</i>
06/02/2020	 Notice of Entry Filed By: Guardian of Person Coaxum, Jermia; Guardian of Person Green, Montrail <i>Notice of Entry of Order Appointing Guardians</i>
06/02/2020	 Order Filed By: Guardian of Person Coaxum, Jermia; Guardian of Person Green, Montrail <i>Order Appointing Guardians Over Minor Children</i>
06/02/2020	 Letters of General Guardianship Filed by: Guardian of Person Coaxum, Jermia; Guardian of Person Green, Montrail <i>Letters of Co-Guardianship</i>
10/21/2020	 Petition to Terminate Guardianship Filed by: Other Newport, Erin <i>Petition to Terminate Guardianship</i>
10/21/2020	 Exhibits Filed By: Other Newport, Erin <i>Exhibits in Support of Petition to Terminate Guardianship</i>
10/23/2020	 Citation to Appear and Show Cause Filed By: Other Newport, Erin <i>Citation to Appear and Show Cause</i>
10/24/2020	 Certificate of Mailing Filed By: Other Newport, Erin <i>Certificate of Mailing</i>
10/24/2020	 Certificate of Mailing Filed By: Other Newport, Erin <i>Amended Certificate of Mailing</i>
11/19/2020	 Objection Filed By: Guardian of Person Green, Montrail <i>Objection to Petition to Terminate Guardianship</i>
11/24/2020	 Amended Petition Filed By: Other Newport, Erin <i>Amended Petition to Terminate Guardianship</i>
11/25/2020	 Citation to Appear and Show Cause Filed By: Other Newport, Erin <i>Citation to Appear and Show Cause</i>
11/27/2020	 Exhibits Filed By: Other Newport, Erin <i>Appendix of Exhibits in Support of Petition to Terminate Guardianship</i>
11/27/2020	 Certificate of Mailing Filed By: Other Newport, Erin <i>Certificate of Mailing and Service</i>
12/11/2020	 Notice of Change of Address



**CASE SUMMARY**  
**CASE NO. G-19-052440-M**

Filed By: Guardian of Person Green, Montrail  
*Notice of Change of Address of Guardians*

12/17/2020



Objection

Filed By: Guardian of Person Coaxum, Jermia; Guardian of Person Green, Montrail  
*Objection to Amended Petition to Terminate Guardianship*

01/26/2021



Findings of Fact, Conclusions of Law and Judgment

*Findings of Fact Conclusions of Law, and Order Denying petition to Terminate Guardianship of the Protected Persons*

01/26/2021



Findings of Fact, Conclusions of Law and Judgment

*Findings of Fact Conclusions of Law, Order Denying Petition to Terminate Guardianship*

01/27/2021



Notice of Entry of Order

Filed By: Guardian of Person Coaxum, Jermia; Guardian of Person Green, Montrail  
*Notice of Entry of Order*

01/27/2021



Notice of Entry of Order

Filed By: Guardian of Person Coaxum, Jermia; Guardian of Person Green, Montrail  
*Notice of Entry of Order*

01/27/2021



Withdrawal of Attorney

Filed By: Other Newport, Erin  
*Notice of Withdrawal of Unbundled Attorney*

02/08/2021



Notice of Appeal

Filed By: Other Newport, Erin  
*Notice of Appeal*

02/08/2021



Request

Filed By: Other Newport, Erin  
*Request For Authorization To Proceed Improper Person; Waiver Of Appeal Bond; And To Transmit Entire Record On File*

02/08/2021



Certificate of Mailing

Filed By: Other Newport, Erin  
*Certificate of Mailing*

02/10/2021



Case Appeal Statement

Filed By: Other Newport, Erin  
*Case Appeal Statement*

**HEARINGS**

11/20/2019



**Citation to Appear** (10:30 AM) (Judicial Officer: Marquis, Linda)

*Citation to Appear and Show Cause*

Matter Continued;

Journal Entry Details:

**CITATION TO APPEAR AND SHOW CAUSE REGARDING PETITION FOR APPOINTMENT OF GUARDIAN OVER TWO CHILDREN AND APPLICATION FOR ORDER SHORTENING TIME** Court Clerks: Karen Christensen, Tanya Stengel (ts) Jennifer Isso, Nevada Bar #13157, appearing on behalf of Natural Mother. Erin Newport, Natural Mother, appeared telephonically. Kelly Newport, Maternal Grandfather, present. Court noted the appearance of Proposed Protected Minors. Court further noted it is missing proof of service and confidential identifiers for Proposed Protected Minors. Court and Counsel engaged in discussion regarding proof of service. Court noted it is missing the green receipts and proof of service for Billy and Lean Cary, Cindy Bean, and Joy Newport. Attorney Isso stated there is no father listed on the birth certificates. Attorney Isso stated Natural Mother went to California to obtain employment and left Proposed Protected Minors with her father, Mr. Newport. Attorney Isso stated Proposed Protected Minors were visiting with Petitioners for the summer and then were not returned when Mr. Newport went to pick them up; at that time Natural Mother executed a 6 month Temporary Guardianship for Mr. Newport. Attorney Strickland stated it is believed that Natural Mother is in Baltimore, Maryland working as an escort and has a warrant out for prostitution here in Las Vegas. Court noted parties agree there is a need for a Guardianship and the Court will need to determine who is best suited to be Guardian. Court further noted it cannot procedurally move forward today due to lack of service. Court, Counsel and parties engaged in discussion regarding Natural Father. Court noted there has been no determination of paternity; it is up to Attorney Strickland to figure out a way to get a paternity test. Upon Inquiry from the Court,

**CASE SUMMARY**  
**CASE NO. G-19-052440-M**

*Natural Mother stated she executed a 6 month Temporary Guardianship giving Mr. Newport Temporary Guardianship of Proposed Protected Minors. Court noted it will not be making an Order to return Proposed Protected Minors; however that is the only controlling document in place until a decision is made. COURT ORDERED, Court shall order Child Protective Services (CPS) records for review. A Supreme Court Investigator shall be APPOINTED to investigate this case. The Investigator shall speak with Proposed Protected Minors, review medical records, obtain background checks on every person living in every house related to this matter, and view homes for suitability. Matter set for STATUS CHECK on 12/12/19 at 9:30 am for proof of service. Petitioner's appearances are WAIVED; may appear by telephone if a request is filed. Matter set for HEARING on 2/25/20 at 9:30 am for Investigator's Report. ;*

12/12/2019

**CANCELED Status Check (9:30 AM)** (Judicial Officer: Marquis, Linda)

*Vacated - per Order*

*Petition for Appointment (Continued from 11/20/19 for Proof of Service)*

01/09/2020



**Hearing (10:30 AM)** (Judicial Officer: Marquis, Linda)

*Petition For Appointment Of Guardian Over Two Children*

*Matter Heard;*

*Journal Entry Details:*

*HEARING REGARDING PETITION FOR APPOINTMENT OF GUARDIAN OVER TWO CHILDREN Court Clerks: Karen Christensen, Tanya Stengel (ts) Kelly Newport, Maternal Grandfather, present. The Court reviewed the case history and pleadings on file. Attorney Strickland stated he filed updated addresses and Certificate of Mailing with attached receipts. Court, Counsel, and Mr. Newport engaged in discussion regarding service. Attorney Strickland stated he looked into how to get a paternity test in prison and found out he would need an Order from the Court. Court noted all further issues will be addressed at the next hearing. COURT ORDERED, the following: All previous Orders shall STAND. Hearing set 2/25/20 at 9:30 am for Investigator's Report shall STAND. ;*

02/25/2020



**Hearing (9:30 AM)** (Judicial Officer: Marquis, Linda)

*Investigator's Report*

*Matter Heard;*

*Journal Entry Details:*

*HEARING: INVESTIGATOR'S REPORT COURT CLERKS: Blanca Madrigal, Karen Christensen (kc) LaChasity Carroll, Supreme Court Guardianship Compliance Officer, present. Attorney Jennifer Isso, Nevada Bar #13157, appeared on behalf of Erin Newport in an UNBUNDLED capacity. Erin Newport participated telephonically. Maternal Grandfather, Kelly Newport, present. Ms. Isso made statements regarding lack of service to Natural Mother, Grandfather and Grandmother. Court noted a Certificate of Service was filed showing service to all parties within two degrees of consanguinity. Court questioned if Ms. Isso thought aunts and uncles were within two degrees of consanguinity. Ms. Isso stated she was uncertain. Court reviewed the investigator's report and noted Natural Mother and Grandfather had criminal histories. Court and counsel engaged in discussion regarding whether or not Proposed Protected Minors were vaccinated. Ms. Isso provided immunization records for Court's review. A copy of the immunization records was made and LEFT-SIDE FILED. Court noted although Natural Mother had stated she was against vaccinations, it appeared as though the children had started being immunized a few years ago, however there was no follow-up until earlier this month when the children had several vaccinations, with more scheduled next month. Ms. Isso stated it was not known whether Petitioners were blood related to the children. Court reminded Ms. Isso Maternal Grandfather is unable to be appointed as guardian due to his criminal conviction. Argument as to whether the children were in the care of Petitioners for a few weeks or up to six months. Court questioned why family members would leave the children with Petitioners if they knew there was no blood relation. Maternal Grandfather stated he needed help with the children. Court noted the CPS records were requested, and FINDS, the CPS records shall assist the Court in making a best interest determination. CPS records shall be ADMITTED as Court s Exhibit A. Ms. Carroll made statements as to her report. She described Petitioners' and Mr. Newport's house visits. Discussion as to why the children were not attending Kindergarten. Mr. Newport stated he contacted the school district and was told the children had to be five years old by August, or they had to wait for another year to attend school. Court noted the Clark County school district policy is that a child may attend Kindergarten if they turn five years old by September 30th of the new school year. Ms. Warnock stated although the Petitioners may not be blood related, they care for the children and want to put them into school. Ms. Isso questioned if there were enough beds for all of the children in Petitioners' home. Ms. Carroll responded. Court noted it is more concerned with unvaccinated children, and children who are not attending school. Court stated its FINDINGS on the record. COURT ORDERED: Order Appointing Petitioners as Guardians over the Person shall be APPROVED and GRANTED. Ms. Warnock shall submit an Order for Court's signature. Guardians shall pick up the Protected Minors from Maternal Grandfather TODAY at 3:00 PM (2/25/20). Maternal Grandfather's address stated on the record. Counsel shall file an Order to Show Cause if Maternal Grandfather does not comply with this order. Case ADJUDICATED. CLERK'S NOTE: Immediately following the hearing, COURT ORDERED, Protected Minors shall be enrolled in Kindergarten within thirty (30) days of this hearing. ;*

11/20/2020



**Citation to Appear (10:30 AM)** (Judicial Officer: Marquis, Linda)

*Citation to Appear and show Cause*

**CASE SUMMARY**  
**CASE NO. G-19-052440-M**

Denied;

Journal Entry Details:

**CITATION TO APPEAR AND SHOW CAUSE: PETITION FOR TERMINATION OF GUARDIANSHIP** In accordance with Administrative Order 20-01, out of an abundance of caution, and in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans. Court Clerks: Tanya Stengel, Karen Christensen (kc) Ms. Warnock advised she filed an objection to the Petition last night. Ms. Warnock stated the Guardians' objections to Natural Mother's request to terminate the guardianship. Ms. Isso stated she reviewed the objection this morning and responded to the objections. Ms. Isso advised Natural Mother is able to provide for the children and would be willing to keep the children at their current school. Additional arguments made by counsel. Ms. Warnock advised the Protected Minors were enrolled in school, they have been meeting with a therapist, they meet online with a speech pathologist three times a week, and they are scheduled to have their IEP meeting shortly. Upon Court's inquiry, Ms. Warnock stated Natural Mother, through Ms. Isso, objected to the guardianship when it was granted. Ms. Isso and Ms. Warnock made statements regarding where the children were living at the time the guardianship was granted. Ms. Warnock stated Natural Mother has not had the children living with her for most of their lives. Court noted a consent for guardianship was not filed when guardianship was granted. Court reviewed the history of the case with regard to Natural Mother further noted it made findings Court stated FINDINGS on the record in order to determine which standard for termination of guardianship applied. Ms. Isso requested additional time to review the objections filed yesterday. Court stated it did not read the objection filed yesterday, and based on the statements made in the Petition, the burden of proof was not met. **COURT ORDERED: Petition for Termination of Guardianship shall be DENIED.** Ms. Warnock shall prepare and submit an Order for Court's signature. ;

12/28/2020



**Citation to Appear (10:00 AM)** (Judicial Officer: Marquis, Linda)

*Citation to Appear and Show Cause*

Denied;

Journal Entry Details:

**CITATION TO APPEAR AND SHOW CAUSE: PETITION FOR TERMINATION OF GUARDIANSHIP** In accordance with Administrative Order 20-01, out of an abundance of caution, and in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans. Court Clerks: Tanya Stengel, Karen Christensen (kc) Court reviewed the pleadings on file. Ms. Isso stated reasons for filing an amended petition just a few days after the termination of guardianship was denied, and made statements in support of Natural Mother's request to terminate the guardianship. Arguments made by counsel as to whether or not Natural Mother originally consented to the guardianship. Ms. Warnock made statements regarding Natural Mother's inconsistency to be in the minor children's lives, a telephone visitation schedule, Natural Mother's inability to make telephone calls in a timely manner. Ms. Warnock stated Protected Minors' medical and educational needs and the additional assistance the children receive through their IEPs. Additional arguments by counsel. Ms. Isso requested an evidentiary hearing in the event Court was unwilling to terminate the guardianship. Court noted, due to the filing of Amended Petition within days of Court's previous denial, Court considered the Amended Petitioner as a Motion to Reconsider and a New Petition to Terminate Guardianship. Court noted although Natural Mother had entered into a temporary six month guardianship, no consent to a court-appointed permanent guardianship was filed at the time Court granted guardianship. Court stated its FINDINGS on the record. **COURT ORDERED: Petition for Termination of Guardianship and Motion for Reconsideration shall be DENIED.** Guardians shall provide a copy of the Protected Minors' IEPs, any progress reports related to their IEPs, a copy of their updated immunizations, and a copy of Protected Minors' report cards each SEMESTER, to Natural Mother via the e-mail listed in court records. Natural Mother shall have FaceTime or telephone visits every Wednesday at 5:00 PM, and every Saturday at 12:00 PM (noon). Natural Mother's calls shall be timely. The FaceTime/telephone visits shall be child-centered, and developmentally appropriate for the age of Protected Minors. Natural Mother may assist Protected Minors with speech therapy homework during telephone calls. Guardians shall e-mail a copy of the homework and sight words to Natural Mother. Counsel shall communicate after 60 days to determine additional telephone visitation and whether in-person visitation is appropriate. If counsel is unable to come to an agreement, matter may be set on Court's calendar. ;



1 FFCL

2 PATRICIA WARNOCK, ESQ.

3 Nevada Bar #14432

4 JOHN SCHALLER, ESQ.

5 Nevada Bar #15092

6 JOHN BUCHMILLER & ASSOCIATES

7 516 South Fourth Street

8 Las Vegas, Nevada 89101

9 Phone: (702) 849-0616 Fax: (702) 583-7373

10 patricia@buchmillerlaw.com

11 jschaller@buchmillerlaw.com

12 Attorneys for Guardians Montrail Green and Jermia Coaxum-Green

13 EIGHTH JUDICIAL DISTRICT COURT  
14 FAMILY DIVISION  
15 COUNTY OF CLARK, STATE OF NEVADA

16 In the Matter of the Guardianship of the  
17 Persons:

18 MALAN FAITH MCCALLISTER and  
19 MARIAH GRACE MCCALLISTER,

20 Protected Minors.

CASE NO: G-19-052440-M

DEPT NO: B

HEARING DATE: 11/20/20

21 **FINDING OF FACT CONCLUSIONS OF LAW, AND ORDER**  
22 **DENYING PETITION TO TERMINATE GUARDIANSHIP**  
23 **OF THE PROTECTED PERSONS**

24 The PETITION TO TERMINATE GUARDIANSHIP ("Petition") filed in this matter on  
25 October 21, 2020, by Natural Mother, Erin Newport, through her Counsel, JENNIFER ISSO,  
26 ESQ., and objected to by the Co-Guardians, Montrail Green, and Jermia Coaxum-Green, by and  
27 through their counsel PATRICIA WARNOCK, ESQ., of the law firm JOHN BUCHMILLER  
28 AND ASSOCIATES, LLC. In accordance with Administrative Order 20-01, out of an  
abundance of caution, and in order to prevent the spread of COVID-19 infection in the  
community, this Hearing was held via video conference through BlueJeans. This matter having

1 come on for hearing on November 20, 2020. The Honorable Linda Marquis and all parties  
2 having appeared via Blue Jeans.

3 The Court having reviewed the Petition, Exhibits and the pleadings and papers on file  
4 herein, having heard oral arguments of counsel, and Objections by Co-Guardians, and being fully  
5 advised of the premises, and good cause appearing therefore makes the following findings of fact  
6 and conclusions of law.

7  
8 Attorney Warnock advised she filed an objection to the Petition last night. Attorney  
9 Warnock stated the Guardians' objections to Natural Mother's request to terminate the  
10 guardianship. Attorney Isso stated she reviewed the objection this morning and responded to the  
11 objections. Attorney Isso advised Natural Mother is able to provide for the children and would  
12 be willing to keep the children at their current school. Additional arguments made by counsel.  
13 Attorney Warnock advised the Protected Minors were enrolled in school, they have been meeting  
14 with a therapist, they meet online with a speech pathologist three times a week, and they are  
15 scheduled to have their IEP meeting shortly.

16  
17  
18 Upon Court's inquiry, Attorney Warnock stated Natural Mother, through Attorney Isso,  
19 objected to the guardianship when it was granted. Attorney Isso and Attorney Warnock made  
20 statements regarding where the children were living at the time the guardianship was granted.  
21 Attorney Warnock stated Natural Mother has not had the children living with her for most of  
22 their lives. Court noted a consent for guardianship was not filed when guardianship was granted.  
23 Court reviewed the history of the case with regard to Natural Mother further noted it made  
24 findings

25  
26 Court stated FINDINGS on the record in order to determine which standard for  
27 termination of guardianship applied. Attorney Isso requested additional time to review the  
28

1 objections filed yesterday. Court stated it did not read the objection filed yesterday, and based  
2 on the statements made in the Petition, the burden of proof was not met.

3  
4 **I. FINDINGS OF FACT**

5 **A. Petition to Terminate Guardianship Denied.**

6 THE COURT FINDS THAT Montrail Green and Jermia Coaxum-Green were appointed co-  
7 guardians of the protected persons, twin girls Mariah McCallister and Malan McCallister on  
8 February 25, 2020.

9 THE COURT FURTHER FINDS THAT Natural Mother filed a Petition to terminate  
10 Guardianship on October 21, 2020.

11 THE COURT FURTHER FINDS THAT Co-Guardians filed an objection to the Petition  
12 to Terminate Guardianship.

13 THE COURT FURTHER FINDS that the Natural Mother objected to the Guardianship  
14 and did not file a consent to the Guardianship at any of the previous hearings, including on  
15 November 20, 2019, January 9, 2020, and February 25, 2020, when appearing in court via  
16 telephone.

17 THE COURT FINDS THAT pursuant to NRS 159A.1905 Natural Mother must show by  
18 clear and convincing evidence that termination or modification of the protected persons would be  
19 in the best interests of the protected persons and that burden of proof lies on Natural Mother  
20 pursuant to NRS 159A.1905.

21 THE COURT FURTHER FINDS that the Guardians objected to the termination of the  
22 guardianship.

23 THE COURT FURTHER FINDS THAT Guardians have concerns regarding the validity  
24 of the authenticity of the exhibits attached to the filing of the petition to terminate.  
25  
26  
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28



1 THE COURT FURTHER FINDS THAT even if it accepted the exhibits filed in support  
2 of Natural Mother's Petition to Terminate as true and correct, Natural Mother's petition would  
3 still be insufficient to show that the welfare of the protected minors would be substantially  
4 enhanced by the termination of the guardianship.  
5

6 THE COURT FURTHER FINDS THAT even if it accepted everything filed as true and  
7 correct, Natural Mother still did not meet her burden of proof by clear and convincing evidence  
8 as required by NRS 159A.1905 that the children's welfare would be substantially enhanced by  
9 placement with the Natural Mother.  
10

11 THE COURT FURTHER FINDS THAT the protected persons are in school and have  
12 been with the Guardians for a substantial amount of time.

13 THE COURT FURTHER FINDS THAT the protected persons are receiving services in  
14 addition to school, and that the Guardians are making sure they are receiving those services.  
15

16 THE COURT FURTHER FINDS THAT Natural Mother failed to meet the burden of  
17 proof required to terminate the guardianship and denied Natural Mother's Petition to Terminate.  
18

## 19 II. CONCLUSIONS OF LAW

20 1. Pursuant to NRS 159A.1915, a parent has the burden of proof to show by clear and  
21 convincing evidence that there has been a material change of circumstances since the time the  
22 guardianship was created. The parent must show that, as part of the change of circumstances, the  
23 parent has been restored to suitability; and if a parent consents to the guardianship when it is  
24 created, the parent must also show by clear and convincing evidence that the welfare of the  
25 protected minor would be substantially enhanced by the termination of the guardianship and the  
26 placement of the protected minor with the parent.  
27  
28

1           2.       Pursuant to NRS 159A.1919, if the parent consented to the guardianship when it  
2 was created, the parent is required to make only that showing set forth in paragraph (a) of  
3 subsection 1: that, as part of the change of circumstances, the parent has been restored to  
4 suitability.  
5

6           3.       Natural Mother has not met her burden of proving by clear and convincing  
7 evidence that the welfare of the protected minors would be substantially enhanced by the  
8 termination of the guardianship and the placement of the protected minors with the parent.  
9

10                   **III. ORDER**  
11

12               Based on the foregoing Findings of Fact and Conclusions of Law,  
13

14               **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that the Petition to  
15   Dated this 26th day of January, 2021  
terminate is DENIED;  
16

17   *Linda Marquis*

18   HONORABLE JUDGE LINDA MARQUIS

19   DB8 F15 9E91 B74D  
20   Linda Marquis  
  District Court Judge

21               Submitted By:

22               /s/Patricia Warnock, Esq.

23               PATRICIA WARNOCK, ESQ.

24               Nevada Bar No. 14432

25               JOHN BUCHMILLER & ASSOCIATES, LLC.

26               516 S. Fourth Street,

27               Las Vegas, Nevada 89101

28               Attorney for Co-Guardians

  Approved as to Form and Content

/s/ Jennifer Issa

JENNIFER ISSO, ESQ. (see email)

Nevada Bar No. 13157

THE ISSO & HUGHES LAW FIRM

Attorney for Natural Mother



Patricia Warnock <patricia@buchmillerlaw.com>

---

## McCallister/Newport

---

Jennifer Isso <ji@issohugheslaw.com>

Mon, Jan 25, 2021 at 8:57 AM

To: Patricia Warnock <patricia@buchmillerlaw.com>

OK that is fine. Affix my e-signature and send to the court today pls. Ms. Newport does not have the SS numbers. I checked with her again yesterday.

Jennifer Isso, Esq.  
Isso & Hughes Law Firm  
2470 Saint Rose Parkway, Suite 306  
Henderson, NV 89074  
702.434.4424 (main)  
702.712.7811 (cell)  
ji@issohugheslaw.com (email)  
www.issoandhugheslawfirm.com (website)

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---

**From:** Patricia Warnock <patricia@buchmillerlaw.com>

**Sent:** Saturday, January 23, 2021 9:34 AM

**To:** Jennifer Isso <ji@issohugheslaw.com>

**Subject:** Re: McCallister/Newport

[Quoted text hidden]



1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 In the Matter of the Guardianship of: CASE NO: G-19-052440-M  
7 DEPT. NO. Department B  
8 Mariah Grace McCallister,  
9 Malan Faith McCallister,  
Protected Minor(s)

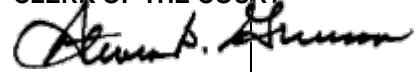
10  
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District  
13 Court. The foregoing Findings of Fact, Conclusions of Law and Judgment was served via the  
14 court's electronic eFile system to all recipients registered for e-Service on the above entitled  
case as listed below:

15 Service Date: 1/26/2021

16 Jennifer Isso	ji@issohugheslaw.com
17 Eric Tucker	erict@issohugheslaw.com
18 Kate McCloskey	NVGCO@nvcourts.nv.gov
19 LaChasity Carroll	lcarroll@nvcourts.nv.gov
20 Patricia Warnock	patricia@buchmillerlaw.com
21 John Schaller	johnschaller01@gmail.com
22 Jayson Warnock	jayson@buchmillerlaw.com
23 Tyler Springer	tyler@buchmillerlaw.com

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NEOJ

PATRICIA WARNOCK, ESQ.

Nevada Bar #14432

JOHN SCHALLER, ESQ.

Nevada Bar #15092

JOHN BUCHMILLER & ASSOCIATES, LLC

516 South Fourth Street, Las Vegas, Nevada 89101

Phone: (702) 849-0616

Fax: (702) 583-7373

patricia@buchmillerlaw.com

jschaller@buchmillerlaw.com

*Attorneys for Guardians Montrail Green and Jermia Coaxum-Green*

EIGHTH JUDICIAL DISTRICT COURT - FAMILY DIVISION

COUNTY OF CLARK, STATE OF NEVADA

In the Matter of the Guardianship of the

CASE NO: G-19-052440-M

Persons:

DEPT NO: B

MALAN FAITH MCCALLISTER and

MARIAH GRACE MCCALLISTER,

Protected Minors.

**NOTICE OF ENTRY OF ORDER**

**PLEASE TAKE NOTICE** that a FINDING OF FACT CONCLUSIONS OF LAW, AND ORDER DENYING PETITION TO TERMINATE GUARDIANSHIP OF THE PROTECTED PERSONS was duly entered on the 26<sup>th</sup> day of January 2021, in the above-entitled matter, and is attached hereto and incorporated herewith as fully set forth.

**DATED** this 27<sup>th</sup> day of January, 2021.

JOHN BUCHMILLER & ASSOCIATES, LLC

/s/ PATRICIA WARNOCK, ESQ.

PATRICIA WARNOCK, ESQ.

Nevada Bar #14432

JOHN SCHALLER, ESQ.

Nevada Bar #15092

JOHN BUCHMILLER & ASSOCIATES, LLC

516 South Fourth Street, Las Vegas, Nevada 89101

Phone: (702) 849-0616

*Attorneys for Guardians Montrail Green and  
Jermia Coaxum-Green*

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Jennifer Isso: [ji@issohugheslaw.com](mailto:ji@issohugheslaw.com)

Eric Tucker: [erict@issohugheslaw.com](mailto:erict@issohugheslaw.com)

LaChasity Carroll: [lcarroll@nvcourts.nv.gov](mailto:lcarroll@nvcourts.nv.gov)

Kate McCloskey: [NVGCO@nvcourts.nv.gov](mailto:NVGCO@nvcourts.nv.gov)

*/s/ Tyler Springer*  
An Employee of John Buchmiller & Associates, LLC

1 **FFCL**  
2 **PATRICIA WARNOCK, ESQ.**  
3 Nevada Bar #14432  
4 **JOHN SCHALLER, ESQ.**  
5 Nevada Bar #15092  
6 **JOHN BUCHMILLER & ASSOCIATES**  
7 516 South Fourth Street  
8 Las Vegas, Nevada 89101  
9 Phone: (702) 849-0616 Fax: (702) 583-7373  
10 patricia@buchmillerlaw.com  
11 jschaller@buchmillerlaw.com  
12 *Attorneys for Guardians Montrail Green and Jermia Coaxum-Green*

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

In the Matter of the Guardianship of the  
Persons:

MALAN FAITH MCCALLISTER and  
MARIAH GRACE MCCALLISTER,

Protected Minors.

CASE NO: G-19-052440-M

DEPT NO: B

HEARING DATE: 11/20/20

**FINDING OF FACT CONCLUSIONS OF LAW, AND ORDER**  
**DENYING PETITION TO TERMINATE GUARDIANSHIP**  
**OF THE PROTECTED PERSONS**

The PETITION TO TERMINATE GUARDIANSHIP ("Petition") filed in this matter on  
October 21, 2020, by Natural Mother, Erin Newport, through her Counsel, JENNIFER ISSO,  
ESQ., and objected to by the Co-Guardians, Montrail Green, and Jermia Coaxum-Green, by and  
through their counsel PATRICIA WARNOCK, ESQ., of the law firm JOHN BUCHMILLER  
AND ASSOCIATES, LLC. In accordance with Administrative Order 20-01, out of an  
abundance of caution, and in order to prevent the spread of COVID-19 infection in the  
community, this Hearing was held via video conference through BlueJeans. This matter having

1 come on for hearing on November 20, 2020. The Honorable Linda Marquis and all parties  
2 having appeared via Blue Jeans.

3 The Court having reviewed the Petition, Exhibits and the pleadings and papers on file  
4 herein, having heard oral arguments of counsel, and Objections by Co-Guardians, and being fully  
5 advised of the premises, and good cause appearing therefore makes the following findings of fact  
6 and conclusions of law.

7  
8 Attorney Warnock advised she filed an objection to the Petition last night. Attorney  
9 Warnock stated the Guardians' objections to Natural Mother's request to terminate the  
10 guardianship. Attorney Isso stated she reviewed the objection this morning and responded to the  
11 objections. Attorney Isso advised Natural Mother is able to provide for the children and would  
12 be willing to keep the children at their current school. Additional arguments made by counsel.  
13 Attorney Warnock advised the Protected Minors were enrolled in school, they have been meeting  
14 with a therapist, they meet online with a speech pathologist three times a week, and they are  
15 scheduled to have their IEP meeting shortly.

16  
17  
18 Upon Court's inquiry, Attorney Warnock stated Natural Mother, through Attorney Isso,  
19 objected to the guardianship when it was granted. Attorney Isso and Attorney Warnock made  
20 statements regarding where the children were living at the time the guardianship was granted.  
21 Attorney Warnock stated Natural Mother has not had the children living with her for most of  
22 their lives. Court noted a consent for guardianship was not filed when guardianship was granted.  
23 Court reviewed the history of the case with regard to Natural Mother further noted it made  
24 findings

25  
26 Court stated FINDINGS on the record in order to determine which standard for  
27 termination of guardianship applied. Attorney Isso requested additional time to review the  
28



1 objections filed yesterday. Court stated it did not read the objection filed yesterday, and based  
2 on the statements made in the Petition, the burden of proof was not met.

3  
4 **I. FINDINGS OF FACT**

5 **A. Petition to Terminate Guardianship Denied.**

6 THE COURT FINDS THAT Montrail Green and Jermia Coaxum-Green were appointed co-  
7 guardians of the protected persons, twin girls Mariah McCallister and Malan McCallister on  
8 February 25, 2020.

9 THE COURT FURTHER FINDS THAT Natural Mother filed a Petition to terminate  
10 Guardianship on October 21, 2020.

11 THE COURT FURTHER FINDS THAT Co-Guardians filed an objection to the Petition  
12 to Terminate Guardianship.

13 THE COURT FURTHER FINDS that the Natural Mother objected to the Guardianship  
14 and did not file a consent to the Guardianship at any of the previous hearings, including on  
15 November 20, 2019, January 9, 2020, and February 25, 2020, when appearing in court via  
16 telephone.

17 THE COURT FINDS THAT pursuant to NRS 159A.1905 Natural Mother must show by  
18 clear and convincing evidence that termination or modification of the protected persons would be  
19 in the best interests of the protected persons and that burden of proof lies on Natural Mother  
20 pursuant to NRS 159A.1905.

21 THE COURT FURTHER FINDS that the Guardians objected to the termination of the  
22 guardianship.

23 THE COURT FURTHER FINDS THAT Guardians have concerns regarding the validity  
24 of the authenticity of the exhibits attached to the filing of the petition to terminate.  
25  
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28

1 THE COURT FURTHER FINDS THAT even if it accepted the exhibits filed in support  
2 of Natural Mother's Petition to Terminate as true and correct, Natural Mother's petition would  
3 still be insufficient to show that the welfare of the protected minors would be substantially  
4 enhanced by the termination of the guardianship.  
5

6 THE COURT FURTHER FINDS THAT even if it accepted everything filed as true and  
7 correct, Natural Mother still did not meet her burden of proof by clear and convincing evidence  
8 as required by NRS 159A.1905 that the children's welfare would be substantially enhanced by  
9 placement with the Natural Mother.  
10

11 THE COURT FURTHER FINDS THAT the protected persons are in school and have  
12 been with the Guardians for a substantial amount of time.

13 THE COURT FURTHER FINDS THAT the protected persons are receiving services in  
14 addition to school, and that the Guardians are making sure they are receiving those services.  
15

16 THE COURT FURTHER FINDS THAT Natural Mother failed to meet the burden of  
17 proof required to terminate the guardianship and denied Natural Mother's Petition to Terminate.  
18

## 19 II. CONCLUSIONS OF LAW

20 1. Pursuant to NRS 159A.1915, a parent has the burden of proof to show by clear and  
21 convincing evidence that there has been a material change of circumstances since the time the  
22 guardianship was created. The parent must show that, as part of the change of circumstances, the  
23 parent has been restored to suitability; and if a parent consents to the guardianship when it is  
24 created, the parent must also show by clear and convincing evidence that the welfare of the  
25 protected minor would be substantially enhanced by the termination of the guardianship and the  
26 placement of the protected minor with the parent.  
27  
28

2. Pursuant to NRS 159A.1919, if the parent consented to the guardianship when it was created, the parent is required to make only that showing set forth in paragraph (a) of subsection 1: that, as part of the change of circumstances, the parent has been restored to suitability.

3. Natural Mother has not met her burden of proving by clear and convincing evidence that the welfare of the protected minors would be substantially enhanced by the termination of the guardianship and the placement of the protected minors with the parent.

### III. ORDER

Based on the foregoing Findings of Fact and Conclusions of Law,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Petition to  
 terminate is DENIED;  
 Dated this 26th day of January, 2021

**Dated this 26th day of January, 2021**

Juda Marguís

HONORABLE JUDGE LINDA MARQUIS

DB8 F15 9E91 B74D  
Linda Marquis  
District Court Judge

Submitted By:

/s/Patricia Warnock, Esq.

PATRICIA WARNOCK, ESQ.

Nevada Bar No. 14432

**JOHN BUCHMILLER & ASSOCIATES, LLC.**

516 S. Fourth Street.

Las Vegas, Nevada 89101

Attorney for Co-Guardians

Approved as to Form and Content

15/ Jennifer Issa

JENNIFER ISSO, ESQ. (see email)

Nevada Bar No. 13157

THE ISSO & HUGHES LAW FIRM

Attorney for Natural Mother



Patricia Warnock <patricia@buchmillerlaw.com>

---

## McCallister/Newport

---

Jennifer Isso <ji@issohugheslaw.com>

Mon, Jan 25, 2021 at 8:57 AM

To: Patricia Warnock <patricia@buchmillerlaw.com>

OK that is fine. Affix my e-signature and send to the court today pls. Ms. Newport does not have the SS numbers. I checked with her again yesterday.

Jennifer Isso, Esq.  
Isso & Hughes Law Firm  
2470 Saint Rose Parkway, Suite 306  
Henderson, NV 89074  
702.434.4424 (main)  
702.712.7811 (cell)  
ji@issohugheslaw.com (email)  
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---

**From:** Patricia Warnock <patricia@buchmillerlaw.com>

**Sent:** Saturday, January 23, 2021 9:34 AM

**To:** Jennifer Isso <ji@issohugheslaw.com>

**Subject:** Re: McCallister/Newport

[Quoted text hidden]

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 In the Matter of the Guardianship of: CASE NO: G-19-052440-M  
7 DEPT. NO. Department B  
8 Mariah Grace McCallister,  
9 Malan Faith McCallister,  
10 Protected Minor(s)

11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District  
13 Court. The foregoing Findings of Fact, Conclusions of Law and Judgment was served via the  
14 court's electronic eFile system to all recipients registered for e-Service on the above entitled  
case as listed below:

15 Service Date: 1/26/2021

16 Jennifer Isso	ji@issohugheslaw.com
17 Eric Tucker	erict@issohugheslaw.com
18 Kate McCloskey	NVGCO@nvcourts.nv.gov
19 LaChasity Carroll	lcarroll@nvcourts.nv.gov
20 Patricia Warnock	patricia@buchmillerlaw.com
21 John Schaller	johnschaller01@gmail.com
22 Jayson Warnock	jayson@buchmillerlaw.com
23 Tyler Springer	tyler@buchmillerlaw.com

24  
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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Guardianship of Minor**

**COURT MINUTES**

November 20, 2019

G-19-052440-M

In the Matter of the Guardianship of:  
Mariah Grace McCallister, Malan Faith McCallister, Protected Minor(s)

**November 20,  
2019**

**10:30 AM**

**Citation to Appear**

**HEARD BY:** Marquis, Linda

**COURTROOM:** RJC Courtroom 10A

**COURT CLERK:** Tanya Stengel; Karen Christensen

**PARTIES:**

Erin Newport, Other, present

Jermia Coaxum, Petitioner, present

Malan McCallister, Protected Person, present

Mariah McCallister, Protected Person, present

Montrail Green, Petitioner, present

State Guardianship Compliance Officer,

Agency, not present

Seth Strickland, Attorney, present

Patricia Warnock, Attorney, not present

<b>JOURNAL ENTRIES</b>
------------------------

- CITATION TO APPEAR AND SHOW CAUSE REGARDING PETITION FOR APPOINTMENT OF  
GUARDIAN OVER TWO CHILDREN AND APPLICATION FOR ORDER SHORTENING TIME

Court Clerks: Karen Christensen, Tanya Stengel (ts)

Jennifer Isso, Nevada Bar #13157, appearing on behalf of Natural Mother.

Erin Newport, Natural Mother, appeared telephonically.

Kelly Newport, Maternal Grandfather, present.

Court noted the appearance of Proposed Protected Minors.

Court further noted it is missing proof of service and confidential identifiers for Proposed Protected Minors.

PRINT DATE:	02/10/2021	Page 1 of 13	Minutes Date:	November 20, 2019
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**Notice:** Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Court and Counsel engaged in discussion regarding proof of service. Court noted it is missing the green receipts and proof of service for Billy and Lean Cary, Cindy Bean, and Joy Newport.

Attorney Isso stated there is no father listed on the birth certificates. Attorney Isso stated Natural Mother went to California to obtain employment and left Proposed Protected Minors with her father, Mr. Newport. Attorney Isso stated Proposed Protected Minors were visiting with Petitioners for the summer and then were not returned when Mr. Newport went to pick them up; at that time Natural Mother executed a 6 month Temporary Guardianship for Mr. Newport.

Attorney Strickland stated it is believed that Natural Mother is in Baltimore, Maryland working as an escort and has a warrant out for prostitution here in Las Vegas.

Court noted parties agree there is a need for a Guardianship and the Court will need to determine who is best suited to be Guardian. Court further noted it cannot procedurally move forward today due to lack of service.

Court, Counsel and parties engaged in discussion regarding Natural Father. Court noted there has been no determination of paternity; it is up to Attorney Strickland to figure out a way to get a paternity test.

Upon Inquiry from the Court, Natural Mother stated she executed a 6 month Temporary Guardianship giving Mr. Newport Temporary Guardianship of Proposed Protected Minors. Court noted it will not be making an Order to return Proposed Protected Minors; however that is the only controlling document in place until a decision is made.

COURT ORDERED,

Court shall order Child Protective Services (CPS) records for review.

A Supreme Court Investigator shall be APPOINTED to investigate this case. The Investigator shall speak with Proposed Protected Minors, review medical records, obtain background checks on every person living in every house related to this matter, and view homes for suitability.

Matter set for STATUS CHECK on 12/12/19 at 9:30 am for proof of service. Petitioner's appearances are WAIVED; may appear by telephone if a request is filed.

Matter set for HEARING on 2/25/20 at 9:30 am for Investigator's Report.

**INTERIM CONDITIONS:**

PRINT DATE:	02/10/2021	Page 2 of 13	Minutes Date:	November 20, 2019
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

**FUTURE HEARINGS:**

PRINT DATE:	02/10/2021	Page 3 of 13	Minutes Date:	November 20, 2019
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Guardianship of Minor**

**COURT MINUTES**

January 09, 2020

G-19-052440-M

In the Matter of the Guardianship of:

Mariah Grace McCallister, Malan Faith McCallister, Protected Minor(s)

**January 09, 2020**

**10:30 AM**

**Hearing**

**HEARD BY:** Marquis, Linda

**COURTROOM:** RJC Courtroom 10A

**COURT CLERK:** Karen Christensen; Tanya Stengel

**PARTIES:**

Erin Newport, Other, not present

Jermia Coaxum, Petitioner, Guardian of  
Person, not present

Seth Strickland, Attorney, present

Malan McCallister, Protected Person, not  
present

Mariah McCallister, Protected Person, not  
present

Montrail Green, Petitioner, Guardian of  
Person, not present

Patricia Warnock, Attorney, not present

State Guardianship Compliance Officer,  
Agency, not present

<b>JOURNAL ENTRIES</b>
------------------------

- HEARING REGARDING PETITION FOR APPOINTMENT OF GUARDIAN OVER TWO CHILDREN

Court Clerks: Karen Christensen, Tanya Stengel (ts)

Kelly Newport, Maternal Grandfather, present.

The Court reviewed the case history and pleadings on file.

Attorney Strickland stated he filed updated addresses and Certificate of Mailing with attached receipts.

PRINT DATE:	02/10/2021	Page 4 of 13	Minutes Date:	November 20, 2019
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

Court, Counsel, and Mr. Newport engaged in discussion regarding service.

Attorney Strickland stated he looked into how to get a paternity test in prison and found out he would need an Order from the Court.

Court noted all further issues will be addressed at the next hearing.

COURT ORDERED, the following:

All previous Orders shall STAND.

Hearing set 2/25/20 at 9:30 am for Investigator's Report shall STAND.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:** Feb 25, 2020 9:30AM Hearing  
Investigator's Report  
RJC Courtroom 10A Marquis, Linda



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Guardianship of Minor**

**COURT MINUTES**

**February 25, 2020**

G-19-052440-M

In the Matter of the Guardianship of:

Mariah Grace McCallister, Malan Faith McCallister, Protected Minor(s)

**February 25, 2020**

**9:30 AM**

**Hearing**

**HEARD BY:** Marquis, Linda

**COURTROOM:** RJC Courtroom 10A

**COURT CLERK:** Karen Christensen; Tanya Stengel

**PARTIES:**

Erin Newport, Other, present

Jennifer Isso, Attorney, present

Jennifer Isso, Attorney, present

Jermia Coaxum, Petitioner, present

Seth Strickland, Attorney, not present

Malan McCallister, Protected Person, not present

Mariah McCallister, Protected Person, not present

Montrail Green, Petitioner, present

Patricia Warnock, Attorney, not present

State Guardianship Compliance Officer, Agency, present

<b>JOURNAL ENTRIES</b>
------------------------

- HEARING: INVESTIGATOR'S REPORT

COURT CLERKS: Blanca Madrigal, Karen Christensen (kc)

LaChasity Carroll, Supreme Court Guardianship Compliance Officer, present.

Attorney Jennifer Isso, Nevada Bar #13157, appeared on behalf of Erin Newport in an UNBUNDLED capacity.

Erin Newport participated telephonically.

Maternal Grandfather, Kelly Newport, present.

PRINT DATE:	02/10/2021	Page 6 of 13	Minutes Date:	November 20, 2019
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

Ms. Isso made statements regarding lack of service to Natural Mother, Grandfather and Grandmother. Court noted a Certificate of Service was filed showing service to all parties within two degrees of consanguinity. Court questioned if Ms. Isso thought aunts and uncles were within two degrees of consanguinity. Ms. Isso stated she was uncertain.

Court reviewed the investigator's report and noted Natural Mother and Grandfather had criminal histories.

Court and counsel engaged in discussion regarding whether or not Proposed Protected Minors were vaccinated. Ms. Isso provided immunization records for Court's review. A copy of the immunization records was made and LEFT-SIDE FILED.

Court noted although Natural Mother had stated she was against vaccinations, it appeared as though the children had started being immunized a few years ago, however there was no follow-up until earlier this month when the children had several vaccinations, with more scheduled next month.

Ms. Isso stated it was not known whether Petitioners were blood related to the children. Court reminded Ms. Isso Maternal Grandfather is unable to be appointed as guardian due to his criminal conviction. Argument as to whether the children were in the care of Petitioners for a few weeks or up to six months. Court questioned why family members would leave the children with Petitioners if they knew there was no blood relation. Maternal Grandfather stated he needed help with the children.

Court noted the CPS records were requested, and FINDS, the CPS records shall assist the Court in making a best interest determination. CPS records shall be ADMITTED as Court s Exhibit A.

Ms. Carroll made statements as to her report. She described Petitioners' and Mr. Newport's house visits.

Discussion as to why the children were not attending Kindergarten. Mr. Newport stated he contacted the school district and was told the children had to be five years old by August, or they had to wait for another year to attend school. Court noted the Clark County school district policy is that a child may attend Kindergarten if they turn five years old by September 30th of the new school year.

Ms. Warnock stated although the Petitioners may not be blood related, they care for the children and want to put them into school.

Ms. Isso questioned if there were enough beds for all of the children in Petitioners' home. Ms. Carroll responded. Court noted it is more concerned with unvaccinated children, and children who are not attending school.

Court stated its FINDINGS on the record.

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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

**COURT ORDERED:**

Order Appointing Petitioners as Guardians over the Person shall be APPROVED and GRANTED. Ms. Warnock shall submit an Order for Court's signature.

Guardians shall pick up the Protected Minors from Maternal Grandfather TODAY at 3:00 PM (2/25/20). Maternal Grandfather's address stated on the record. Counsel shall file an Order to Show Cause if Maternal Grandfather does not comply with this order.

Case ADJUDICATED.

CLERK'S NOTE: Immediately following the hearing, COURT ORDERED, Protected Minors shall be enrolled in Kindergarten within thirty (30) days of this hearing.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Guardianship of Minor****COURT MINUTES**

November 20, 2020

G-19-052440-M

In the Matter of the Guardianship of:  
Mariah Grace McCallister, Malan Faith McCallister, Protected Minor(s)

**November 20,  
2020****10:30 AM****Citation to Appear****HEARD BY:** Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Karen Christensen; Tanya Stengel**PARTIES:**

Erin Newport, Other, present

Jennifer Isso, Attorney, present

Jennifer Isso, Attorney, present

Jermia Coaxum, Petitioner, Guardian of  
Person, present

Seth Strickland, Attorney, not present

Malan McCallister, Protected Person, not  
presentMariah McCallister, Protected Person, not  
presentMontrail Green, Petitioner, Guardian of  
Person, present

Patricia Warnock, Attorney, present

State Guardianship Compliance Officer,  
Agency, not present

<b>JOURNAL ENTRIES</b>
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**- CITATION TO APPEAR AND SHOW CAUSE: PETITION FOR TERMINATION OF  
GUARDIANSHIP**

In accordance with Administrative Order 20-01, out of an abundance of caution, and in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans.

Court Clerks: Tanya Stengel, Karen Christensen (kc)

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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

Ms. Warnock advised she filed an objection to the Petition last night. Ms. Warnock stated the Guardians' objections to Natural Mother's request to terminate the guardianship.

Ms. Isso stated she reviewed the objection this morning and responded to the objections. Ms. Isso advised Natural Mother is able to provide for the children and would be willing to keep the children at their current school. Additional arguments made by counsel. Ms. Warnock advised the Protected Minors were enrolled in school, they have been meeting with a therapist, they meet online with a speech pathologist three times a week, and they are scheduled to have their IEP meeting shortly.

Upon Court's inquiry, Ms. Warnock stated Natural Mother, through Ms. Isso, objected to the guardianship when it was granted. Ms. Isso and Ms. Warnock made statements regarding where the children were living at the time the guardianship was granted. Ms. Warnock stated Natural Mother has not had the children living with her for most of their lives. Court noted a consent for guardianship was not filed when guardianship was granted. Court reviewed the history of the case with regard to Natural Mother further noted it made findings

Court stated FINDINGS on the record in order to determine which standard for termination of guardianship applied.

Ms. Isso requested additional time to review the objections filed yesterday. Court stated it did not read the objection filed yesterday, and based on the statements made in the Petition, the burden of proof was not met.

**COURT ORDERED:**

Petition for Termination of Guardianship shall be DENIED.

Ms. Warnock shall prepare and submit an Order for Court's signature.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Guardianship of Minor**

**COURT MINUTES**

**December 28, 2020**

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G-19-052440-M      In the Matter of the Guardianship of:  
Mariah Grace McCallister, Malan Faith McCallister, Protected Minor(s)

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**December 28, 2020    10:00 AM      Citation to Appear**

**HEARD BY:**    Marquis, Linda

**COURTROOM:**    RJC Courtroom 10A

**COURT CLERK:**    Karen Christensen; Tanya Stengel

**PARTIES:**

Erin Newport, Other, present	Jennifer Isso, Attorney, present
Jennifer Isso, Attorney, present	
Jermia Coaxum, Petitioner, Guardian of Person, present	Seth Strickland, Attorney, not present
Malan McCallister, Protected Person, not present	
Mariah McCallister, Protected Person, not present	
Montrail Green, Petitioner, Guardian of Person, present	Patricia Warnock, Attorney, present
State Guardianship Compliance Officer, Agency, not present	

<b>JOURNAL ENTRIES</b>
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- CITATION TO APPEAR AND SHOW CAUSE: PETITION FOR TERMINATION OF GUARDIANSHIP

In accordance with Administrative Order 20-01, out of an abundance of caution, and in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans.

Court Clerks: Tanya Stengel, Karen Christensen (kc)

Court reviewed the pleadings on file.

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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

Ms. Isso stated reasons for filing an amended petition just a few days after the termination of guardianship was denied, and made statements in support of Natural Mother's request to terminate the guardianship.

Arguments made by counsel as to whether or not Natural Mother originally consented to the guardianship.

Ms. Warnock made statements regarding Natural Mother's inconsistency to be in the minor children's lives, a telephone visitation schedule, Natural Mother's inability to make telephone calls in a timely manner. Ms. Warnock stated Protected Minors' medical and educational needs and the additional assistance the children receive through their IEPs.

Additional arguments by counsel. Ms. Isso requested an evidentiary hearing in the event Court was unwilling to terminate the guardianship.

Court noted, due to the filing of Amended Petition within days of Court's previous denial, Court considered the Amended Petitioner as a Motion to Reconsider and a New Petition to Terminate Guardianship.

Court noted although Natural Mother had entered into a temporary six month guardianship, no consent to a court-appointed permanent guardianship was filed at the time Court granted guardianship.

Court stated its FINDINGS on the record.

**COURT ORDERED:**

Petition for Termination of Guardianship and Motion for Reconsideration shall be DENIED.

Guardians shall provide a copy of the Protected Minors' IEPs, any progress reports related to their IEPs, a copy of their updated immunizations, and a copy of Protected Minors' report cards each SEMESTER, to Natural Mother via the e-mail listed in court records.

Natural Mother shall have FaceTime or telephone visits every Wednesday at 5:00 PM, and every Saturday at 12:00 PM (noon). Natural Mother's calls shall be timely. The FaceTime/telephone visits shall be child-centered, and developmentally appropriate for the age of Protected Minors. Natural Mother may assist Protected Minors with speech therapy homework during telephone calls. Guardians shall e-mail a copy of the homework and sight words to Natural Mother.

Counsel shall communicate after 60 days to determine additional telephone visitation and whether in-person visitation is appropriate. If counsel is unable to come to an agreement, matter may be set

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on Court's calendar.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

## EXHIBITS

CASE NO. G-19-052440-M

2 | 25 | 20

[illegible]



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE  
**NOTICE OF DEFICIENCY**  
ON APPEAL TO NEVADA SUPREME COURT

**ERIN NEWPORT**  
**7100 GRAND MONTECITO PKWY., #1074**  
**LAS VEGAS, NV 89149**

**DATE: February 10, 2021**  
**CASE: G-19-052440-M**

**RE CASE:** In the Matter of the Guardianship of: MAIAN FAITH MCCALLISTER; MARIAH GRACE MCCALLISTER, Protected Minor(s)

NOTICE OF APPEAL FILED: February 8, 2021

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)\*\*
  - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)\*\*
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)\*\*
  - NRAP 7: Bond For Costs On Appeal in Civil Cases
  - *Previously paid Bonds are not transferable between appeals without an order of the District Court.*
- ☐ Case Appeal Statement
  - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

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**NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:**

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. The district court clerk shall apprise appellant of the deficiencies in writing, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (g) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

***Please refer to Rule 3 for an explanation of any possible deficiencies.***

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***\*\*Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.***

# Certification of Copy

State of Nevada }  
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; CERTIFICATE OF MAILING; REQUEST FOR AUTHORIZATION TO PROCEED IN PROPER PERSON, WAIVER OF APPEAL BOND, AND TO TRANSMIT ENTIRE RECORD ON FILE; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; FINDING OF FACT CONCLUSIONS OF LAW, AND ORDER DENYING PETITION TO TERMINATE GUARDIANSHIP OF PROTECTED PERSONS; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

In the Matter of the Guardianship of:

MAIAN FAITH MCCALLISTER;  
MARIAH GRACE MCCALLISTER,

Protected Minor(s),

Case No: G-19-052440-M

Dept No: B

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 10 day of February 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

