

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE GUARDIANSHIP
OF THE PERSONS: M. F. M. AND M. G. M.,
PROTECTED MINORS.

ERIN NEWPORT,

Appellant,

vs.

MONTRAIL GREEN; AND JERMIA
COAXUM-GREEN,

Respondents.

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Elizabeth A. Brown
Clerk of Supreme Court

Case No. 82469

APPEAL

From the Eighth Judicial District Court, Clark County
The Honorable Linda Marquis, District Judge
District Court Case No.: G-19-052440-M

APPELLANT APPENDIX VOLUME IV

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IV	Request for Authorization to Proceed in Proper Person; Waiver of Appeal Bond; and to Transmit Entire Record on File, Dated February 8, 2021	AA359
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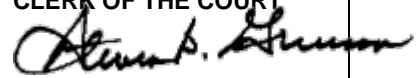
CERTIFICATE OF SERVICE

Pursuant to NRAP 25, I certify that I am an employee of Morris Law Center and that on this 9th day of August, 2021, I served a true and correct copy of the foregoing **APPELLANT'S APPENDIX VOLUME IV** as follows:

- ☐ 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; and/or
- ☐ to be sent via facsimile (as a courtesy only); and/or
- ☐ to be hand-delivered to the attorneys at the address listed below:
- ☒ to be submitted to the above-entitled Court for electronic filing and service upon the Court's Service List for the above-referenced case.

John F. Schaller
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By: Anna M. Hepler
An employee of Morris Law Center



COS
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DISTRICT COURT, FAMILY DIVISION
CLARK COUNTY, NEVADA

In the Matter of the Guardianship of the CASE NO: G-19-052440-M

Persons:

DEPT NO: B

MALAN FAITH MCCALLISTER and
MARIAHGRACE MCCALLISTER,

Protected

Minors.

CERTIFICATE OF MAILING AND SERVICE

I, the undersigned, do hereby certify that on the 27th day of November 2020, a true and correct copy of the Petitioner's Amended Petition to Terminate Guardianship, Exhibits, and Citation to Appear and Show Cause was Mailed, U.S. Postage Paid and served through odyssey E-Service to the following:

Patricia Horton
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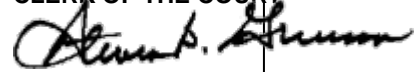
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/s/ Jennifer Isso

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13
14 EIGHTH JUDICIAL DISTRICT COURT
15 FAMILY DIVISION
16 COUNTY OF CLARK, STATE OF NEVADA
17

18 In the Matter of the Guardianship of the
19 Persons:

20 MALAN FAITH MCCALLISTER and
21 MARIAH GRACE MCCALLISTER,

22 Protected Minors.

CASE NO: G-19-052440-M

DEPT NO: B

HEARING DATE: 12/28/20

HEARING TIME: 10:00 A.M.

23 **OBJECTION TO AMNDED PETITION TO TERMINATE GUARDIANSHIP**

24 **NOW COMES** the named Guardians and Respondents, MONTRAIL GREEN and
25 JERMIA COAXUM GREEN (“The Greens”), by and through their legal counsel PATRICIA
26 WARNOCK, ESQ. and JOHN SCHALLER, ESQ., of JOHN BUCHMILLER & ASSOCIATES,
27 LLC, and files this **OBJECTION TO AMENDED PETITION TO TERMINATE**
28 **GUARDIANSHIP** over MALAN FAITH MCCALLISTER and MARIAH GRACE
MCCALLISTER (collectively, “Protected Minors”). In accordance with NRS 159A, the Greens
object as follows:

POINTS AND AUTHORITIES

I. INTRODUCTION

Procedural

It appears that this amended petition, filed only four days after our last hearing and title *Amended Petition for Termination* is nothing more than a request for a rehearing and should be denied in its entirety. This is nothing more than another attempt by Natural Mother to harass the guardians, and she should be sanctioned for her actions. In fact, Natural Mother's counsel informed this office that if she lost this upcoming hearing, she would just appeal again. This pattern of harassment must stop.

Background

This action now involves an amended filing by Erin Newport ("Mom") only four days after the prior hearing on her petition to terminate guardianship of the twin girls, Malan and Mariah McCallister. Mom, who has been making her living as an escort (in her case, on information and belief her "escort" services are a front for prostitution) often in another state over the last several years, and made only minimal efforts to have contact with the girls, does not articulate any meaningful change in circumstance during that four-day period. Just as her efforts since the last hearing to make contact with the minor children seem aimed at inconveniencing and harassing the Guardians, not in talking to her kids, so too it appears that the amended filing was part of this pattern of harassment.

Before Malan and Mariah came under the care of the Guardians around May 2019, they had been under the care of extended family, bouncing from home to home, and were at that point still mainly pre-verbal, with significant deficits in among other things not only language but also grooming, toileting, and other basics of life. Neither Mom nor Ryan McCallister ("Dad") were

1 involved with the kids at that point. After they were born in 2014, Malan and Mariah moved in
2 with their paternal great-Aunt, Winifred McCallister, until she passed away in 2017. From 2017
3 to May 2019, the children lived with their maternal grandfather, Kelly Newport (“Kelly”).
4 Although they have never really lived with their mother or father, prior to this Guardianship there
5 were no court orders concerning the custody of Malan and Mariah McCallister.
6

7 “Dad” is not listed on either child’s birth certificate and there has never been a court order
8 regarding child support, custody, or a finding of paternity. Dad has never been a primary caregiver
9 for the children, nor has he ever fulfilled any substantial custodial responsibilities. Dad is in prison
10 and has been incarcerated since before the birth of the girls. Mom is known to be an *escort*.
11

12 Co-Guardian, Montrail Green is the paternal uncle of the girls and Co-Guardian Jermia
13 Coaxum-Green is his wife¹. The Greens were appointed Co-Guardians on or about February 25,
14 2020, just before COVID-19 closures took place.
15

16 The girls began living with the Greens because Kelly was not well enough to care for two four
17 (4) (now six) year-old girls in his small apartment. Kelly called The Greens and asked them to
18 take the girls because he could no longer handle caring for the girls. Mom was living in other
19 states, advertising her escorting services online. Additionally, Mom had outstanding warrants in
20 Clark County for unpaid traffic violations and in Hollywood, California for criminal charges. Mom
21 is believed to have been a prostitute at the time of the filing for guardianship.
22

23 When the girls first came to live with the Greens, they were mostly non-verbal and were unable
24 to read, write, or count past four (4). They spent most of their time on a tablet, watching videos
25 and playing games. The Greens began to educate the girls, teaching them the alphabet, sight words,
26
27
28

¹ Ms. Coaxum and Mr. Green were married May 6, 2020.

1 numbers, and how to properly speak. Additionally, Ms. Coaxum-Green began to care for their
2 personal grooming, including caring for their neglected ethnic hair. When the girls came to the
3 Greens, they had lice, their hair was balled up and in very poor condition. The girls did not know
4 how to brush their own hair or teeth; and barely knew how to care for themselves in toileting. Ms.
5 Coaxum-Green spent time with the girls showing them how to care for themselves and their
6 personal grooming.
7

8 After several months, the Greens contacted Kelly to inquire about the children's medical
9 records, shot records, etc., because the Greens wanted to get them enrolled into a preschool. At
10 that point, Kelly asked the Greens to return the girls. The Greens refused, knowing that the girls'
11 mental and physical health would suffer if allowed to return to the prior living situation. After
12 discussing it between themselves, The Greens declined to return the girls. Kelly called CPS and
13 the police. Both agencies refused to return the girls to Kelly. CPS came to the Greens' home to
14 perform a wellness check and so did the Police. Finally, The Greens sought legal help and filed a
15 petition for guardianship. After several hearings, and a CPS investigative report, it was determined
16 that the Greens appointment as guardians was in the best interest of the girls, and the girls remain
17 with the Greens to this day. Twins Malan and Mariah started school; they went to the dentist; they
18 receive healthcare. The girls are thriving; they are happy and healthy – physically and mentally.
19
20

21 **Mom's Minimal Efforts**

22 Since the Greens were appointed Guardians and prior to this round of filing, they had heard
23 from Mom on exactly one occasion. Ms. Coaxum Green has the same number as she has had for
24 over two years, as does Mr. Green. Up until after the hearing on November 20, 2020, Mom had
25 only once reached out to see the girls, or even speak with them throughout this guardianship.
26 Throughout the course of this guardianship, Mom has not really attempted to see the girls. Mom,
27
28

1 through counsel, made a weak attempt to schedule visitation. Her offer was daily telephone calls
2 with the girls and weekend visitation Friday through Sunday until the guardianship was terminated.
3 The Greens declined and asked for a real offer. Additionally, at the time, Mom did not even have
4 a home in Las Vegas. Mom did not reach back out with any further offers until *after* the November
5 20 hearing.
6

7 Since the November 20, 2020 hearing Mom's counsel reached out to ask counsel for Guardians
8 for visitation. The Guardians offered telephone visitation to start. However, on the very first
9 scheduled telephone call, Mom was 39 minutes late for the call. At the next scheduled telephone
10 call, Mom was again late; she then asked for in-person Thanksgiving weekend visitation, which
11 was denied. Mom further reached out to speak with the girls and the Guardians requested that
12 Mom *call* to talk through how it could be scheduled. Mom was supposed to call on Thanksgiving
13 Day, but never called. Additionally, Mr. Green informed natural mother she could call on
14 Thanksgiving weekend. Natural Mother never called that weekend. Mom has also asked for
15 Christmas visitation and is negative and disrespectful when she calls or texts the guardians.
16
17

18 Further, Mom again attempted to just stop by the Guardian's home and drop off presents for
19 the girls. The Guardians have moved, so Mom delivered the gift to the wrong location. She did
20 not call and ask if she could drop anything by, she *again* just showed up. Counsel for Guardians
21 has since filed a change of address with the Court. Guardians no longer share a home with Jermia's
22 parents; they have their own home, where the girls still share a room. Mr. Green, Mrs. Coaxum-
23 Green and Mrs. Coaxum-Green's Godmother and her ward, the twins, and Mr. Green's young sons
24 from previous relationships have a room that they share in the home as well. They live in a five
25 (5) bedroom home in the same area where Jermia's parents live. The girls remain enrolled in the
26 same school.
27
28

1 Mom refiled, or *amended*, her petition to terminate guardianship on November 24, just *four*
2 days after the previous hearing. Neither Mom, nor her counsel, reached out to this office to discuss
3 the filing of the petition to terminate, or the amended petition. No efforts were made by Mom or
4 her attorney to work at any visitation between March 2020, through after the November 20 hearing.
5

6 **Guardianship Update**

7 Shortly after the Guardianship was granted, COVID-19 struck. The Greens had some difficulty
8 getting the girls into a school, in addition to getting copies of their social security numbers/cards
9 because Maternal Grandfather refused to turn them over. In fact, The Greens *still* await the social
10 security card copies. In August, Malan and Mariah began school at Thomas O'Rourke
11 Elementary School. They are thriving in their environment. The girls share a room; their house
12 is within walking of two parks, and they play in their gated backyard, which the girls were unable
13 to do when they lived with Kelly. They live in a safe part of the northwest valley.
14

15 The girls have received awards in reading at school; Mariah just passed her first set of sight
16 words and enjoys reading and Malan has a shining star award, and an Alexa Superstar Award in
17 rhyming and letter matching, considering they were barely verbal a year ago, the girls are really
18 thriving. They are enrolled in (online) speech therapy through the school Mondays, Wednesdays
19 and Fridays. The girls are scheduled for their IEP meetings and have been working with a teacher
20 to get a head start in the areas they are lacking. The girls have exercised behavior comparable to
21 those with Fetal Alcohol Syndrome and the school has recommended speech outside of school and
22 testing. The Guardians are working on setting the girls up in therapy and additional speech therapy.
23
24

25 This Court awarded Guardianship over the person of Malan and Mariah McCallister to Mr.
26 and Mrs. Green on or about February 2020. Since then, there have been positive changes in the
27 girls' lives. They attend school, go to the doctor and dentist, have someone who understands their
28

1 needs and cares for them and teaches them daily. This is not a lay-a-way. The girls need care,
2 Mom needs to show more than a passing whim that she wants to care for the girls. Her lease, if
3 real, was signed a little more than two months ago; the company she works for is believed to be a
4 front for prostitution. The Greens are the proper guardians according to this court and the children
5 are still in need of a guardian, as Mom has not proven herself responsible or invested enough to
6 care for these protected persons. The Greens vehemently object to the Petition to Terminate
7 Guardians. Further, here has not been a substantial change in circumstances, nor has Mom shown
8 she is able to *in the four days* since the Court's previous ruling, care for the twins. Natural
9 Mother's amended petition should be denied.
10
11

12 Further, since the previous hearing, it has been determined that both girls are far-sighted and
13 will require glasses, for which Mrs. Coaxum-Green has already scheduled new appointments.
14 Additionally, since the previous hearing, the girls have collectively received three more awards in
15 their classes (Malan 2 more and Mariah 1). The Greens applied for guardianship because in
16 addition to Dad's incarceration, Mom has been unable to provide regular care to her children
17 because of her illicit and transient lifestyle. Since Malan and Mariah's birth, Mom has engaged in
18 prostitution and fraudulent activity involving credit cards. Additionally, it is believed that Mom
19 was and may still be addicted to prescription medication such as oxycodone and other opioids.
20

21 II. LEGAL ARGUMENT

22 A. MOM MUST PROVE BY CLEAR AND CONVINCING EVIDENCE THAT 23 THERE HAS BEEN A MATERIAL CHANGE IN CIRCUMSTANCE SINCE THE 24 GUARDIANSHIP WAS CREATED.

25 NRS 159A.1905(3) states that in order to terminate a guardianship, the "petitioner has the
26 burden of proof to show by *clear and convincing evidence* that the termination or modification of
27 the guardianship of the person, of the estate, or of the person and estate is in the best interests of
28

1 the protected minor.” (Emphasis added). In her amended petition to terminate filed November 24,
2 2020, *only four days* after receiving a *denial* of her Petition to Terminate, natural mother fails to
3 meet this burden. Additionally, the petitioner must show that the termination would be in the best
4 interest of the minor children and she fails to meet that burden.
5

6 Judge Marquis, on November 20, 2020, found that petitioner failed to show that the welfare of
7 the minor child would be substantially enhanced by terminating the guardianship, she indicated in
8 her findings that even if she took the exhibits previously provided by the petitioner as truthful, she
9 STILL could not find that the minor children’s’ welfare would be substantially enhanced. Judge
10 Marquis found that the Petitioner was not able to show by clear and convincing evidence that the
11 children’s welfare would be substantially enhanced by terminating the guardianship. In fact, Judge
12 Marquis found to the contrary, that the children were now in school; had been with the guardians
13 a substantial amount of time; and they were receiving services.
14

15 NRS 159A.061(3) (b) states that when a person seeks appointment as guardian, “the court shall
16 consider ... the ability of the parents, parent or other person to provide for the basic needs of the
17 proposed protected minor, including, without limitation, food, shelter, clothing and medical care,
18 taking into consideration any **special needs of the proposed** protected minor”
19

20 Judge Marquis indicated that Petitioner failed to meet the burden, but that she would reconsider
21 a petition to terminate as circumstances changed. It is unfathomable to believe that circumstances
22 have changed in *the four short days* since the date of the hearing and the filing of the amended
23 petition to terminate. Guardians request sanctions against petitioner and attorney’s fees.
24 Guardians believe the amended petition was filed in bad faith. NRS 159A.1853(4) states that if
25 the court finds that the petitioner did not file a petition for removal in good faith or in furtherance
26 of the best interests of the protected minor, the court may impose sanctions on the petitioner in an
27
28

1 amount sufficient to reimburse the estate of the protected minor for all or part of the expenses
2 incurred by the estate of the protected minor in responding to the petition and for any other
3 pecuniary losses which are associated with the petition. Here, petitioner filed a new petition to
4 terminate just four days after the hearing where Judge Marquis declined to terminate the
5 guardianship. The Judge did not state that she wanted extra time to review, or ask for supplemental
6 exhibits, the judge indicated that she would reconsider "as circumstances change." Natural
7 Mother's circumstances did not change in those four (4) days. Further, attorney for natural mother
8 did not reach out to counsel regarding filing the amended petition.
9

10
11 The Greens have acted in the best interest of the children since taking custody of them in 2019,
12 and again when the children were returned to them after the hearing in late February 2020. Natural
13 Mother *still* does not offer any proof of how it is in the best interest of the children that the
14 guardianship be terminated. Further Mom has made little to no efforts to see or speak with the
15 children for more than six months.
16

17 At this time, the Greens are the best persons to continue to care for and protect Malan and
18 Mariah. The Greens offer a nurturing, stable environment in which Malan and Mariah can thrive.
19 The Greens continue to have the capability to fulfill all of the responsibilities as Guardians for the
20 two girls in the way that their grandparents and parents no longer can. In addition to showing how
21 it is in the children's best interests that the guardianship NOT be terminated, Guardians request
22 that prior to Natural Mother having any physical custody of minor girls, that:
23

- 24 A. Natural Mother must show the ability to provide for the children's' basic needs,
25 including photos of her home, including the children's rooms with beds, clothing, and
26 food. Mom must provide proof that she is on the lease of her current apartment or
27 home. The leasing information provided by Mom does not match the apartment's
28

1 leasing company or forms. There must be proof that Mom actually lives in this
2 apartment.

3 B. Natural Mother show an ability to care for the children full-time, including a plan for
4 childcare and homeschool care, education plans and speech therapy when the children
5 are distance learning.
6

7 C. Natural Mother must provide a plan for distance-learning schooling for the minor
8 children, and the ability to maintain contact with the school and the girls' teacher(s).
9

10 D. Natural Mother provide a schedule of visits with medical professionals and mental
11 health professionals/therapists, and reunification therapy if the children are removed
12 from the care of their guardians.

13 E. Natural Mother must pass a drug and alcohol assessment/drug test to show that she is
14 off drugs and alcohol and be required to take random drug and alcohol tests.

15 F. Natural Mother must show that all of her criminal violations, warrants, and outstanding
16 charges in Nevada and elsewhere are cleared up (Los Angeles, New Jersey, Detroit,
17 West Virginia, Colorado, and Washington D.C. and anywhere else Mom has been
18 advertising as an escort).
19

20 G. Natural Mother must prove that the documentation she has provided for her job is
21 correct, as the documentation lists that Mom makes approximately \$52,000 per year
22 for a trucking company which only has one working truck and is located at an executive
23 suite. Guardians believe this entity to be a false entity, or an illegal entity which
24 provides transportation of escorts to various cities and is involved with human
25 trafficking. Further, the company shows that of their four vehicles, three are out of
26 service.
27
28

1 Until Natural Mother is able to provide this information and to care for the children, The
2 Greens Guardians humbly request that they continue as guardians for the twin girls Malan and
3 Mariah, indefinitely because it is NOT in the best interest of the girls that the guardianship be
4 terminated.
5

6 Mom, after only approximately 6 months, then again 4 days later, petitions this Court to
7 terminate guardianship. Her petition should be denied, and sanctions issued against Natural
8 Mother for her pattern of harassment against the guardians.

9 **WHEREFORE**, Guardians pray that this Honorable Court DENY petitioner's request to
10 terminate guardianship and for an Order of this court which:
11

12 1. Reaffirms the Guardians' guardianship over the Protected Minors, Malan and
13 Mariah McCallister;

14 2. Denies the termination of the Guardianship;

15 3. Awards Attorney's fees and costs and or Sanctions Natural Mother for having to
16 respond to this Petition, four days after the hearing where her initial Petition was denied;
17

18 4. For such other and further relief as the court may deem proper and just in the
19 premises.

20 **DATED** this 17th day of December 2020.

21 Submitted by:

22 /S/ PATRICA H. WARNOCK
23 PATRICIA H. WARNOCK, ESQ.
24 Nevada Bar # 14432
25 patricia@buchmillerlaw.com
26 JOHN BUCHMILLER & ASSOCIATES
27 516 S. Fourth Street
28 Las Vegas, NV 89101
P (702)849-0616 F(702)583-7373

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Jennifer Isso, Esq.
ji@issohugheslaw.com

/S/Patricia Warnock
An Employee of John Buchmiller & Associates

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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28
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
26
27
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
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WARNING - LEGAL CONFIDENTIALITY NOTICE. This electronic mail message contains confidential information intended only for the use of the individual or entity named above and may be protected by the attorney-client and/or attorney work product privilege. If the reader of this message is not the intended recipient, you are hereby informed that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately at (702) 434-4424 or by reply email and delete the original message and any copies from your system. Thank you.

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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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
14 EIGHTH JUDICIAL DISTRICT COURT
15 FAMILY DIVISION
16 COUNTY OF CLARK, STATE OF NEVADA
17

18 In the Matter of the Guardianship of the
19 Persons:

20 MALAN FAITH MCCALLISTER and
21 MARIAH GRACE MCCALLISTER,

22 Protected Minors.

CASE NO: G-19-052440-M

DEPT NO: B

HEARING DATE: 12/28/2020

23
24 **FINDING OF FACT CONCLUSIONS OF LAW, AND ORDER**
25 **DENYING PETITION TO TERMINATE GUARDIANSHIP**
26 **OF THE PROTECTED PERSONS**
27

28 An Amended Petition to Terminate Guardianship ("Petition") was 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. ("Petition") This matter having come on for hearing on December
28, 2020.

1 In accordance with Administrative Order 20-01, out of an abundance of caution, and in
2 order to prevent the spread of COVID-19 infection in the community, this Hearing was held via
3 video conference through Blue Jeans. The Honorable Linda Marquis and all parties having
4 appeared via Blue Jeans.
5

6 The Court reviewed the pleadings on file.

7 Ms. Isso stated reasons for filing an amended petition just a few days after the
8 termination of guardianship was denied, and made statements in support of Natural Mother's
9 request to terminate the guardianship. Arguments were made by counsel as to whether or not
10 Natural Mother originally consented to the guardianship. Arguments made by counsel as to
11 whether or not Natural Mother originally consented to the guardianship.
12

13 Ms. Warnock made statements regarding Natural Mother's inconsistency to be in the
14 minor children's lives, a telephone visitation schedule, Natural Mother's inability to make
15 telephone calls in a timely manner. Ms. Warnock stated Protected Minors' medical and
16 educational needs and the additional assistance the children receive through their IEPs.
17

18 Additional arguments by counsel. Ms. Isso requested an evidentiary hearing in the event
19 Court was unwilling to terminate the guardianship. The Court noted, that due to the filing of
20 Amended Petition within four days of Court's previous denial, Court considered the Amended
21 Petition as a Motion to Reconsider and a New Petition to Terminate Guardianship.
22

23 Ms. Isso indicated that Mom provided certain documentation regarding the Nevada
24 housing, bedroom and employment and that Mom was physically in California at the time of the
25 previous hearings.
26
27
28

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

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

9
10 **I. FINDINGS OF FACT**

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

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

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

17
18 THE COURT FURTHER FINDS THAT the Petition to Terminate Guardianship filed on
19 October 21, 2020, was denied at the November 20, 2020 hearing.

20 THE COURT FURTHER FINDS THAT Natural Mother filed an Amended Petition to
21 Terminate Guardianship on November 24, 2020.

22 THE COURT FURTHER FINDS THAT Natural Mother did sign a temporary six-month
23 guardianship to give her father (the protected persons' grandfather) temporary guardianship.

24 THE COURT FURTHER FINDS THAT the six-month temporary guardianship is
25 different than the instant action for permanent guardianship as it does not involve the Courts.
26
27
28

1 THE COURT FURTHER FINDS THAT the instant action concerns a Petition for
2 permanent guardianship.

3 THE COURT FURTHER FINDS THAT Ms. Isso objected to service: who needed
4 service and lack of service.
5

6 THE COURT FURTHER FINDS THAT consent to a guardianship needs to be filed with
7 the Court in a certain format and that no such consent was filed with the Court in any format.

8 THE COURT FURTHER FINDS THAT Natural Mother never petitioned for consent
9 and the six-month temporary guardianship was not a consent to the instant permanent
10 Guardianship.
11

12 THE COURT FURTHER FINDS that Paternal Grandfather could not serve as Guardian
13 because of his criminal history.

14 THE COURT FURTHER FINDS THAT it appointed an investigator who made findings
15 that the children lacked medical care and had significant speech issues.
16

17 THE COURT FURTHER FOUND THAT the minor children should have been in
18 kindergarten at that time and were not.

19 THE COURT FURTHER FINDS THAT THE it applied the correct standard at the
20 November 20, 2020 hearing.

21 THE COURT FURTHER FINDS THAT Natural Mother failed to meet the burden of
22 proof required to terminate the guardianship and denied Natural Mother's Petition to Terminate.
23

24 II. CONCLUSIONS OF LAW 25

26 1. Pursuant to NRS 159A.1915, a parent has the burden of proof to show by clear and
27 convincing evidence that there has been a material change of circumstances since the time the
28

1 guardianship was created. The parent must show that, as part of the change of circumstances, the
2 parent has been restored to suitability; and if a parent consents to the guardianship when it is
3 created, the parent must also show by clear and convincing evidence that the welfare of the
4 protected minor would be substantially enhanced by the termination of the guardianship and the
5 placement of the protected minor with the parent.
6

7
8 2. Pursuant to NRS 159A.1919, if the parent consented to the guardianship when it
9 was created, the parent is required to make only that showing set forth in paragraph (a) of
10 subsection 1: that, as part of the change of circumstances, the parent has been restored to
11 suitability.
12

13 3. Natural Mother has not met her burden of proving by clear and convincing
14 evidence that the welfare of the protected minors would be substantially enhanced by the
15 termination of the guardianship and the placement of the protected minors with the parent.
16

17 **III. ORDER**

18

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

20 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that the Amended
21 Petition to terminate is DENIED;
22

23 **IT IS FURTHER ORDERED THAT** the Guardians shall provide a copy of the Protected
24 Minors' IEPs, any progress reports related to their IEPs, a copy of their updated immunizations,
25 and a copy of Protected Minors' report cards each SEMESTER, to Natural Mother via the e-mail
26 listed in court records, or through counsel.
27

1 IT IS FURTHER ORDERED THAT Natural Mother shall have FaceTime or telephone
2 visits every Wednesday at 5:00 PM, and every Saturday at 12:00 PM (noon). Natural Mother's
3 calls shall be timely. The FaceTime/telephone visits shall be child-centered, and
4 developmentally appropriate for the age of Protected Minors. Natural Mother may assist
5 Protected Minors with speech therapy homework during telephone calls. Guardians shall e-mail
6 a copy of the homework and sight words to Natural Mother.
7

8
9 THE COURT FURTHER ORDERED THAT Counsel shall communicate after 60 days
10 to determine additional telephone visitation and whether in-person visitation is appropriate. If
11 counsel is unable to come to an agreement, matter may be set on Court's calendar.
12

13 Dated this ____ day of _____, 2021.

Dated this 26th day of January, 2021

Linda Marquis

4E9 AD9 F238 6C23
Linda Marquis
District Court Judge

18
19 HONORABLE JUDGE LINDA MARQUIS
20

21 Submitted By:

Approved as to Form and Content

22 /s/Patricia Warnock, Esq.

PATRICIA WARNOCK, ESQ.

23 Nevada Bar No. 14432

JOHN BUCHMILLER & ASSOCIATES, LLC.

24 516 S. Fourth Street,

25 Las Vegas, Nevada 89101

Attorney for Co-Guardians

/s/ Jennifer Isso

JENNIFER ISSO, ESQ.

26 Nevada Bar No. 13157

27 THE ISSO & HUGHES LAW FIRM

Attorney for Natural Mother

(see email)



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
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702.712.7811 (cell)
ji@issohugheslaw.com (email)
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Sent: Saturday, January 23, 2021 9:34 AM

To: Jennifer Isso <ji@issohugheslaw.com>

Subject: Re: McCallister/Newport

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1 **CSERV**

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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)

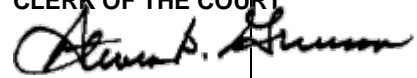
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11 **AUTOMATED CERTIFICATE OF SERVICE**

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

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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 26th day of January 2021, in the above-entitled matter, and is attached hereto and incorporated herewith as fully set forth.

DATED this 27th 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

Eric Tucker: erict@issohugheslaw.com

LaChasity Carroll: lcarroll@nvcourts.nv.gov

Kate McCloskey: 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

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.

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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
27
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 Marguis

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)
www.issoandhugheslawfirm.com (website)

WARNING - LEGAL CONFIDENTIALITY NOTICE. This electronic mail message contains confidential information intended only for the use of the individual or entity named above and may be protected by the attorney-client and/or attorney work product privilege. If the reader of this message is not the intended recipient, you are hereby informed that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately at (702) 434-4424 or by reply email and delete the original message and any copies from your system. Thank you.

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)

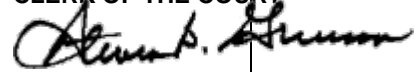
10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

24
25
26
27
28



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 26th day of January 2021, in the above-entitled matter, and is attached hereto and incorporated herewith as fully set forth.

DATED this 27th 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

Eric Tucker: erict@issohugheslaw.com

LaChasity Carroll: lcarroll@nvcourts.nv.gov

Kate McCloskey: NVGCO@nvcourts.nv.gov

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

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

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

12 In the Matter of the Guardianship of the
13 Persons:

14 MALAN FAITH MCCALLISTER and
15 MARIAH GRACE MCCALLISTER,

16 Protected Minors.

CASE NO: G-19-052440-M

DEPT NO: B

HEARING DATE: 12/28/2020

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

20 An Amended Petition to Terminate Guardianship ("Petition") was filed in this matter on
21 October 21, 2020, by Natural Mother, Erin Newport, through her Counsel, JENNIFER ISSO,
22 ESQ., and objected to by the Co-Guardians, Montrail Green, and Jermia Coaxum-Green, by and
23 through their counsel PATRICIA WARNOCK, ESQ., of the law firm JOHN BUCHMILLER
24 AND ASSOCIATES, LLC. ("Petition") This matter having come on for hearing on December
25 28, 2020.
26
27
28

1 In accordance with Administrative Order 20-01, out of an abundance of caution, and in
2 order to prevent the spread of COVID-19 infection in the community, this Hearing was held via
3 video conference through Blue Jeans. The Honorable Linda Marquis and all parties having
4 appeared via Blue Jeans.
5

6 The Court reviewed the pleadings on file.

7 Ms. Isso stated reasons for filing an amended petition just a few days after the
8 termination of guardianship was denied, and made statements in support of Natural Mother's
9 request to terminate the guardianship. Arguments were made by counsel as to whether or not
10 Natural Mother originally consented to the guardianship. Arguments made by counsel as to
11 whether or not Natural Mother originally consented to the guardianship.
12

13 Ms. Warnock made statements regarding Natural Mother's inconsistency to be in the
14 minor children's lives, a telephone visitation schedule, Natural Mother's inability to make
15 telephone calls in a timely manner. Ms. Warnock stated Protected Minors' medical and
16 educational needs and the additional assistance the children receive through their IEPs.
17

18 Additional arguments by counsel. Ms. Isso requested an evidentiary hearing in the event
19 Court was unwilling to terminate the guardianship. The Court noted, that due to the filing of
20 Amended Petition within four days of Court's previous denial, Court considered the Amended
21 Petition as a Motion to Reconsider and a New Petition to Terminate Guardianship.
22

23 Ms. Isso indicated that Mom provided certain documentation regarding the Nevada
24 housing, bedroom and employment and that Mom was physically in California at the time of the
25 previous hearings.
26
27
28

1 The Court noted although Natural Mother had entered into a temporary six-month
2 guardianship, no consent to a court-appointed permanent guardianship was filed at the time
3 Court granted guardianship.
4

5 The Court having reviewed the Petition, Exhibits and the pleadings and papers on file
6 herein, having heard oral arguments of counsel, and Objections by Co-Guardians, and being fully
7 advised of the premises, and good cause appearing therefore makes the following findings of fact
8 and conclusions of law.
9

10 **I. FINDINGS OF FACT**

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

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

15 THE COURT FURTHER FINDS THAT Natural Mother filed a Petition to terminate
16 Guardianship on October 21, 2020.
17

18 THE COURT FURTHER FINDS THAT the Petition to Terminate Guardianship filed on
19 October 21, 2020, was denied at the November 20, 2020 hearing.

20 THE COURT FURTHER FINDS THAT Natural Mother filed an Amended Petition to
21 Terminate Guardianship on November 24, 2020.
22

23 THE COURT FURTHER FINDS THAT Natural Mother did sign a temporary six-month
24 guardianship to give her father (the protected persons' grandfather) temporary guardianship.

25 THE COURT FURTHER FINDS THAT the six-month temporary guardianship is
26 different than the instant action for permanent guardianship as it does not involve the Courts.
27
28

1 THE COURT FURTHER FINDS THAT the instant action concerns a Petition for
2 permanent guardianship.

3 THE COURT FURTHER FINDS THAT Ms. Isso objected to service: who needed
4 service and lack of service.
5

6 THE COURT FURTHER FINDS THAT consent to a guardianship needs to be filed with
7 the Court in a certain format and that no such consent was filed with the Court in any format.

8 THE COURT FURTHER FINDS THAT Natural Mother never petitioned for consent
9 and the six-month temporary guardianship was not a consent to the instant permanent
10 Guardianship.
11

12 THE COURT FURTHER FINDS that Paternal Grandfather could not serve as Guardian
13 because of his criminal history.

14 THE COURT FURTHER FINDS THAT it appointed an investigator who made findings
15 that the children lacked medical care and had significant speech issues.
16

17 THE COURT FURTHER FOUND THAT the minor children should have been in
18 kindergarten at that time and were not.

19 THE COURT FURTHER FINDS THAT THE it applied the correct standard at the
20 November 20, 2020 hearing.

21 THE COURT FURTHER FINDS THAT Natural Mother failed to meet the burden of
22 proof required to terminate the guardianship and denied Natural Mother's Petition to Terminate.
23

24 II. CONCLUSIONS OF LAW

25
26 1. Pursuant to NRS 159A.1915, a parent has the burden of proof to show by clear and
27 convincing evidence that there has been a material change of circumstances since the time the
28

1 guardianship was created. The parent must show that, as part of the change of circumstances, the
2 parent has been restored to suitability; and if a parent consents to the guardianship when it is
3 created, the parent must also show by clear and convincing evidence that the welfare of the
4 protected minor would be substantially enhanced by the termination of the guardianship and the
5 placement of the protected minor with the parent.
6

7
8 2. Pursuant to NRS 159A.1919, if the parent consented to the guardianship when it
9 was created, the parent is required to make only that showing set forth in paragraph (a) of
10 subsection 1: that, as part of the change of circumstances, the parent has been restored to
11 suitability.
12

13 3. Natural Mother has not met her burden of proving by clear and convincing
14 evidence that the welfare of the protected minors would be substantially enhanced by the
15 termination of the guardianship and the placement of the protected minors with the parent.
16

17 **III. ORDER**

18

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

20 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that the Amended
21 Petition to terminate is DENIED;
22

23 **IT IS FURTHER ORDERED THAT** the Guardians shall provide a copy of the Protected
24 Minors' IEPs, any progress reports related to their IEPs, a copy of their updated immunizations,
25 and a copy of Protected Minors' report cards each SEMESTER, to Natural Mother via the e-mail
26 listed in court records, or through counsel.
27

1 IT IS FURTHER ORDERED THAT Natural Mother shall have FaceTime or telephone
2 visits every Wednesday at 5:00 PM, and every Saturday at 12:00 PM (noon). Natural Mother's
3 calls shall be timely. The FaceTime/telephone visits shall be child-centered, and
4 developmentally appropriate for the age of Protected Minors. Natural Mother may assist
5 Protected Minors with speech therapy homework during telephone calls. Guardians shall e-mail
6 a copy of the homework and sight words to Natural Mother.
7

8
9 THE COURT FURTHER ORDERED THAT Counsel shall communicate after 60 days
10 to determine additional telephone visitation and whether in-person visitation is appropriate. If
11 counsel is unable to come to an agreement, matter may be set on Court's calendar.

12
13 Dated this ____ day of _____, 2021.

Dated this 26th day of January, 2021

Linda Marquis

14
15
16 4E9 AD9 F238 6C23
17 Linda Marquis
18 District Court Judge

19 HONORABLE JUDGE LINDA MARQUIS
20

21 Submitted By:

22 /s/Patricia Warnock, Esq.

PATRICIA WARNOCK, ESQ.

23 Nevada Bar No. 14432

JOHN BUCHMILLER & ASSOCIATES, LLC.

24 516 S. Fourth Street,

25 Las Vegas, Nevada 89101

26 Attorney for Co-Guardians

Approved as to Form and Content

/s/ Jennifer Issso

JENNIFER ISSO, ESQ.

27 Nevada Bar No. 13157

28 THE ISSO & HUGHES LAW FIRM

Attorney for Natural Mother

(see email)



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
CLARK COUNTY, NEVADA

4
5
6 In the Matter of the Guardianship CASE NO: G-19-052440-M
of:
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

24
25
26
27
28

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

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 8th day of Feb., 2021.

22 *Erin Newport*
23 ERIN NEWPORT
24 Plaintiff In Proper Person

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 8th day of Feb., 2021.

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

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

7
8 DISTRICT COURT
9 CLARK COUNTY, NEVADA
10

11 In the Matter of the Guardianship
12 of the Minors,

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

13 Malan Faith McCallister and
14 Mariah Grace McCallister,

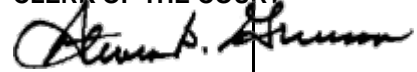
15 Protected Minors.
16
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CERTIFICATE OF MAILING

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

PATRICIA WARNOCK, ESQ.
JOHN SCHALLER, ESQ.
JOHN BUCHMILLER & ASSOCIATES
516 S. Fourth Street
Las Vegas, NV 89101

[Signature]
PERSON MAILING



ASTA

**IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR
THE COUNTY OF CLARK**

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

CASE APPEAL STATEMENT

1. Appellant(s): Erin Newport

2. Judge: Linda Marquis

3. Appellant(s): Erin Newport

Counsel:

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

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

Counsel:

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

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

FILED

JUL 01 2021

Am. & L. L. L.
CLERK OF COURT

1 TRANS

2
3 COPY

4
5 EIGHTH JUDICIAL DISTRICT COURT

6 FAMILY DIVISION

7 CLARK COUNTY, NEVADA

8
9 In the Matter of) CASE NO. G-19-052440-M
10 the Guardianship of:) DEPT. B
11)
11 MARIAH GRACE MCCALLISTER,)
and)
12 MALAN FAITH MCCALLISTER,)
13 Protected Minor(s).)
14

APPEAL NO. 82469

15
16 BEFORE THE HONORABLE LINDA MARQUIS

17 TRANSCRIPT RE: CITATION TO APPEAR

18 MONDAY, DECEMBER 28, 2020

1 APPEARANCES:

2 Petitioner(s) /
3 Guardian(s) of Person(s): JERMIA COAXUM
4 MONTRAIL GREEN
5 For Petitioner(s) /
6 Guardian(s) of Person(s): PATRICIA W. WARNOCK, ESQ.
7 5550 Painted Mirage
8 Suite 320
9 Las Vegas, Nevada 89149
10
11 Protected Person(s): MARIAH GRACE MCCALLISTER
12 (Not present)
13 MALAN FAITH MCCALLISTER
14 (Not present)
15 For Protected Person(s):
16
17 Other: ERIN NEWPORT
18 For Other: JENNIFER ISSO, ESQ.
19
20
21
22
23
24
25

1 LAS VEGAS, NEVADA

MONDAY, DECEMBER 28, 2020

2 P R O C E E D I N G S

3 (THE PROCEEDING BEGAN AT 10:23:38.)

4 THE CLERK: We're on the record.

5 THE COURT: This is the Matter of the Guardianship of
6 Mariah Grace McCallister, Malan Faith McCallister, G-19-
7 052440-M. I'm Judge Linda Marquis. Also joining us is Ms.
8 Warnock.

9 Ms. Warnock, your appearance for the record.

10 MS. WARNOCK: Good morning, Your Honor, Patricia
11 Warnock, bar number 14432, on behalf of Jermia and Montrail
12 Green. I've got Jermia present in my office. Montrail is
13 present via -- also via BlueJeans separately.

14 THE COURT: All right. Also appearing is Ms. Isso.

15 Ms. Isso, your appearance for the record.

16 MS. ISSO: Jennifer Isso, bar number 13157, on behalf of
17 Erin Newport, the natural mother, who's also present here in
18 my office.

19 THE COURT: Good morning. Counsel, this was amended
20 petition to terminate that was filed November 24. The first
21 petition to terminate was on October twenty -- filed on
22 October 21st. This was filed just one month after. I also
23 have a (indiscernible) investigator's report that was filed
24 February 2020. So that was just filed a year ago now.

25 Counsel, why is this amended petition different

1 from the initial petition?

2 MS. ISSO: At the last hearing, Your Honor, you had made
3 a finding that mom had not consented to the guardianship.
4 And then you said the petition on its face wasn't sufficient
5 because of that. You wanted to show that the welfare of the
6 children would be substantially enhanced.

7 However, I took about four days reviewing the
8 entire docket and all the videos. And in fact, mom did
9 consent to the guardianship. At the time during these
10 hearings, the issue wasn't whether to enter a guardianship,
11 it was who will serve as the guardian.

12 Before the initial hearing, mom had executed
13 guardianship papers, which indicate that she did consent to
14 it. Maternal grandpa shows up; and he says, I want the
15 children. Ms. -- Mr. Green and Ms. Coaxum show up; and they
16 say, no, I want the children. So it was kind of going back
17 and forth.

18 You ordered an -- an -- an investigation, which
19 investigated both of the potential guardianships' home and
20 their circumstances. At that point, you had stated, since
21 they had filed the petition, you're gonna apply the
22 presumption that the children had been with them six months.
23 And you granted the guardianship to Mr. -- or you entered an
24 order for guardianship for Mr. Green and Ms. Coaxum to be
25 guardianship over the children.

1 At that point, mom had indicated at some point she
2 plans a returning back from California because she was in
3 California during this entire time. She wasn't even
4 physically here to take the kids. So she was in California
5 the entire time. She said, I -- I plan on coming back. And
6 you said, okay. At that point we'll address the termination.

7 Mom returns. You make this finding. After I
8 reviewed the record to indicate that she -- she did consent.
9 And therefore, she's only required to show a material change.
10 And that is sufficient if she's able to show that she's been
11 restored to suitability as defined by NRS 159A.061.

12 She's able to provide food, shelter, clothing,
13 medical care, education. We attached all these exhibits
14 showing the rooms and all the kids' toys. Part of that
15 change is the suitability aspect. She's gainfully employed.
16 She has a two-bedroom apartment in Nevada. She -- there's a
17 pediatrician down the street. The kids will continue to go
18 to the same school. One more thing. And she's -- she's
19 capable of taking care of her children.

20 In fact, since the guardianship was entered in
21 February, the guardians have refused to allow mom to have
22 phone contact. I quickly e-mailed the opposing counsel on
23 February 29th, which is attached as an exhibit, and said,
24 hey, mom wants to request some phone time. They refused. It
25 wasn't until November that they allowed some phone contact.

1 During one -- one or two times, Ms. Coaxum, who's the one
2 that's actually taking care of the children because Mr. Green
3 is on the road. He's a truck driver. So he's not even
4 really there. It's Ms. Coaxum, who has no relationship to
5 the children whatsoever. She also can't have children of her
6 own.

7 But anyways, I e-mailed opposing counsel saying,
8 listen, mom wants some phone time. They refused. And then I
9 e-mailed in November again saying -- actually it was in
10 November. I e-mailed again saying, hey, mom wants some
11 visitation. They wouldn't allow any visitation.

12 They wouldn't allow mom to bring Christmas gifts to
13 -- to the children on Christmas. They wouldn't even allow
14 phone contact with mom and the children on Christmas day.
15 Ms. Coaxum hung up on the phone on mom's face. She said,
16 hey, can I talk to the kids on Christmas? She hung up the
17 phone on -- on her face. So this is also another change, the
18 fact that they're not willing to foster a relationship
19 between the mom and her children.

20 We show all these pictures, Your Honor. And I -- I
21 -- I put -- I put videos there, as well, where the children's
22 hair is -- is well -- well-groomed. They're wearing nice
23 clothes. They were saying, oh they're hair was all knotted.
24 There was lice.

25 We have all these pictures showing that mom was

1 with the children from birth until -- until the guardianship
2 was entered and all the videos where the girls are talking.
3 Oh they were saying the children are speech impaired. It
4 looks like they're part of fetal alcohol syndrome. But in
5 fact, we have videos of them talking. So I'm not really sure
6 what they're talking about.

7 In any event, mom is just seeking to terminate this
8 guardianship. She wants her girls back. She wants to -- she
9 wants to be in their lives. There's no reason why Ms. Coaxum
10 is taking care of them while she has absolutely no
11 relationship to these girls. Mr. Green is on the road.

12 In fact, mom called Mr. Green recently about
13 dropping off the kids on -- Christmas gifts on Christmas.
14 Mr. Green tells her, I have nothing to do with this. You
15 have to go through Ms. Coaxum basically to resolve any of
16 these issues.

17 If you're not inclined to -- to -- to dissolve the
18 guardianship today, we want to request an evidentiary
19 hearing. We need some type of visitation, weekly visitation,
20 daily phone contact, joint legal custody because I want mom
21 to be able to obtain all the phone -- the ph- the school
22 records and the -- and the medical records.

23 But hopefully mom is just hoping that this can
24 terminate today, and she can have her girls back. She's here
25 with me. She's very heartbroken over this entire thing. And

1 she just can't believe the -- the extent that the guardians
2 are going to keep these children away from mom.

3 If you look at all of their pleadings, Your Honor,
4 from the get go, they weren't concerned about mom's
5 relationship with the children. They never said anything
6 like mom abuses them, yells at them, hits them -- hits them,
7 nothing. They were concerned because they said the paternal
8 gran- maternal grandpa has health issues. He couldn't take
9 care of them. That's -- that's what the whole thing was
10 about. It wasn't about mom.

11 Now they -- now they're saying, oh mom's a
12 prostitute. Mom's an escort. But if -- what -- if they were
13 concerned about mom, why didn't they say something from the
14 beginning in their pleadings. And what's the purpose of them
15 now limiting the phone contact or refusing phone contact or
16 refusing visitation?

17 That's all we have to say. Thank you. Let me mute
18 my phone.

19 THE COURT: Thank you.

20 Ms. Warnock, I'd like you to start with Ms. Isso's
21 first statement about consent. So as I look back at the
22 records, we had several hearings at which Ms. Isso was
23 present and objected. She indicates, for various reasons,
24 she indicates that her client executed a temporary
25 guardianship to grandfather, who was barred by statute

1 because of his criminal conviction but acting as guardian
2 here. Is that consent under the statute?

3 MS. WARNOCK: Your Honor, we disagree with that. It's
4 our understanding that that was not executed. First of all,
5 we don't believe that it was executed properly. Second of
6 all, it was not executed until after my clients had filed for
7 guardianship. And there's been arguments about whether or
8 not -- whether a guardianship was necessary.

9 It's my understanding that the temporary
10 guardianship that natural mother gave to her father happened
11 just a few days before the -- the hearing; and that, I
12 believe at the time, Ms. -- Ms. Newport was in Pennsylvania
13 and -- and New Jersey. And natural father -- or I'm sorry,
14 grandfather was here, paternal grandfather was here. I
15 understand that it was notarized. But there are places all
16 over that will -- that will do inaccurate notaries.

17 So we'll start with that. We believe that it --
18 that there was no consent by -- by natural mother to the
19 guardianship at all and that some -- some parts of it may
20 have started after she may have agreed to a temporary
21 guardianship with Mr. Kelly, with the paternal grandfather --
22 maternal grandfather, after we had filed but certainly not
23 before that, Your Honor.

24 THE COURT: All right. Continue, Ms. Warnock. What
25 else did you wanna...

1 MS. WARNOCK: Yeah, so I -- I -- first, I'd like to
2 address the -- allegations that my clients have not allowed
3 contact and that -- that there were issues. There were no
4 issues. They claim that there were no issues with mom. Mom
5 wasn't involved. So they didn't bring up mom at all. Mom
6 was not involved with the children. It was between the --
7 her -- mom's father, so the grandfather of the girls, and the
8 Greens.

9 Montrail started doing truck driving just within
10 the last year in order to bring in more income to the family.
11 And he's back every couple of weeks for a week or two at a
12 time. He's also married now to Ms. -- Ms. Coaxum, who is Ms.
13 Coaxum Green. So she is the girls' aunt by marriage and
14 takes care of them. She's a stay-at-home mom. She takes
15 care of Mr. Green's children from other relationships when
16 they're for -- they're there for the weekends or whatever
17 times, as well.

18 And with regards to visitation or phone contact, we
19 -- since the last hearing, we have allowed -- we worked out a
20 schedule for mom to call. We wanted to start with once a
21 week phone conversations and see how that went. But it
22 didn't.

23 So the -- the problem of course was that mom the
24 first time was 39 minutes late on the -- the time. The next
25 week, she was -- she didn't call at the -- the correct time.

1 And then when she did call, she expected that she could talk
2 to the girls indefinitely.

3 And then when she wanted to see the girls, then she
4 started making -- through her attorney, making demands on
5 visitation. And that just wasn't where the guardians were
6 going to go until we could see the type of behavior and how
7 it was affecting the girls and that it was on a consistent
8 basis, as mom has not been involved consistently in the
9 girls' lives.

10 If you look at the videos and photos that are
11 attached to their petitions, three of the photos from
12 Christmas that are dispersed throughout, they are all from
13 the same Christmas. And then the other ones where the girls'
14 hairs put together is from 2017. So that doesn't show
15 anything current or consistent. And she could've been
16 visiting with the girls. It doesn't show them in a day-to-
17 day basis or -- or relationship with the girls. It shows
18 them at a park or in front of a fountain at Caesars Palace.

19 THE COURT: Ms. Warnock, what is the phone contact
20 schedule that your clients designed or...

21 MS. WARNOCK: That...

22 THE COURT: ...drafted?

23 MS. WARNOCK: That was supposed to be once a week,
24 Wednesdays at 4:00.

25 THE COURT: Okay. And when did that start?

1 MS. WARNOCK: That started the Wednesday after we had
2 court last. So it was the Wednesday before Thanksgiving.
3 And it might have been even the weekend before, that
4 following weekend.

5 Do you recall the exact?

6 MS. COAXUM GREEN: It would be at that week.

7 MS. WARNOCK: That -- that week, Your Honor.

8 THE COURT: All right. And how many -- how many times
9 or what is the rate at which mom has called and visited
10 during those times?

11 MS. WARNOCK: Okay. So -- so we didn't allow any in-
12 person visitation.

13 THE COURT: Well, I mean visited over the phone. I'm
14 sorry. I'm sorry.

15 MS. WARNOCK: No, okay. That's okay. I just wanted to
16 be clear. So the first day she called 39 minutes late.

17 THE COURT: Uh-huh.

18 MS. WARNOCK: The next was 13 minutes late. Then she
19 was -- the following two weeks, she was on time. Then she
20 was supposed to call the 23rd of -- which was just this past
21 week right before Christmas and didn't call at all. And then
22 she called Christmas morning at 10:00, demanding to see the
23 girls that day.

24 And then she didn't call Thanksgiving, even though
25 they'd given her permission to call that day, she never

1 called. So we didn't feel like she was being cons- or my
2 clients didn't feel like she was being consistent with her
3 relationship with the girls, Your Honor.

4 THE COURT: Ms. Warnock, I note from the February report
5 from the investigator that the girls had lacked medical care
6 and had some communication issues. Had they had extra
7 contact to -- with medical staff to address those issues in
8 the last year?

9 MS. WARNOCK: They have. And even since the last
10 hearing, Your Honor, Ms. Green took them to an eye doctor.
11 They were diagnosed with being farsighted. And since then,
12 she's also got glasses. They just picked them up this past
13 week. So they've had medical there -- care there.

14 They have an IEP now in place where they have...

15 THE COURT: Can you tell me -- yeah, that's what I was
16 looking for. So tell me...

17 MS. WARNOCK: Okay.

18 THE COURT: ...about that.

19 MS. WARNOCK: Yeah, and they have to do 240 minutes a
20 month for the IEP for speech. And then weekly, Ms. Green
21 goes to the school; picks up documentation and information
22 for the girls to work on, in addition to their school work.
23 They also then provide her with the awards that the girls
24 have gotten. They -- they provide them with -- with kind
25 of...

1 THE COURT: Ms. Warnock.
2 MS. WARNOCK: Yes?
3 THE COURT: And, Ms. -- and maybe your client can answer
4 this better...
5 MS. WARNOCK: Okay.
6 THE COURT: ...for me.
7 The IEP allows for them to be pulled out of the
8 classroom and have speech. Are there any other
9 accommodations in the IEP? Or what's the diagnosis?
10 MS. COAXUM GREEN: They just have for 30 minutes, they
11 go Tuesdays and Thursdays, well, to their speech teacher.
12 And they're in there with another child because...
13 THE COURT: Okay.
14 MS. COAXUM GREEN: ...she believes that can help them...
15 THE COURT: Mm-hm.
16 MS. COAXUM GREEN: ...get caught up because...
17 THE COURT: All right.
18 MS. COAXUM GREEN: ...she said their speech is so
19 severe.
20 THE COURT: Are there any -- any other issues other than
21 the speech?
22 MS. COAXUM GREEN: Just their eyes and...
23 THE COURT: Okay.
24 MS. COAXUM GREEN: ...their glasses.
25 THE COURT: All right. Thank you.

1 Ms. Isso, anything else? Ms. Isso?

2 MS. ISSO: Yeah, sorry.

3 THE COURT: That's okay.

4 MS. ISSO: Your Honor, the fact that she executed
5 guardianship papers indicates that she consented to the
6 guardianship. The whole thing was about who was going to
7 serve guardianship. She did file...

8 THE COURT: Ms. Isso, did...

9 MS. ISSO: ...an objection. She was -- oh sorry.

10 THE COURT: Ms. Isso, you appeared at every hearing and
11 had objections. Did you not?

12 MS. ISSO: No, Your Honor. When I -- I appeared, it was
13 about who was going to serve as the guardian. The maternal
14 grandpa wanted to serve as the guardian. That's what that
15 was about. Mom was in California. She was not physically
16 capable. She was not here to come and take the kids. The
17 questions was, who was going to be the guardian? That's why
18 mom executed guardianship papers.

19 And also, with respect the IEPT, if -- if -- if the
20 children have these 30-minute sessions in school, mom can
21 still take care of that. Mom can still handle that. She can
22 drive to the school, which is right down the street from her
23 and pick up the papers and ensure that the children are still
24 going to their -- their speech class because supposedly
25 there's some type of sp- you're saying there's some type of

1 speech issue.

2 But other than that, there's no other major things
3 that require a guardianship here. There's not extraordinary
4 circumstances. Mom is fit. She's the parent. She's been
5 involved in their lives from the beginning.

6 Did you have any other questions for me?

7 THE COURT: No.

8 But let me make the following findings. So, Ms.
9 Isso, indicate that...

10 MS. ISSO: Oh one last thing. I'm sorry, Your Honor.
11 If your not inclined to terminate it, we want an evidentiary
12 hearing; joint legal custody, so she can get all their
13 records; daily phone contact; visitation Friday, you know,
14 every -- every week visitation. Sorry, go ahead, to
15 interrupt you. I apologize.

16 THE COURT: As I noted, the petition to terminate was
17 filed -- initial petition, in October. And then I
18 (indiscernible) and now we have the amended petition. The
19 amended petition is almost like ask to reconsider indicating
20 that I -- the wrong standard. However, it also attaches and
21 makes additional allegations. So I'm gonna treat it both as
22 a motion to reconsider due to my failure -- well, the
23 allegation is my failure to apply the correct standard; and
24 also a renewed petition, in that it makes new factual
25 allegations.

1 First, I note that natural mother did sign a
2 temporary six-month guardianship giving guardianship to
3 grandfather. However, that is not a consent to the instant
4 guardianship.

5 A six-month temporary guardianship is different
6 than a permanent guardianship. The six-month guardianship
7 can be done between parties separate and apart from the
8 Court, not filed with the Court. It d- is not processed by
9 me. It is something that is done by parties without Court
10 involvement.

11 This was a petition for appointment of a permanent
12 guardian. Ms. Isso appeared at hearings on -- I mean, it's
13 several hearings from November of 2019 through February.
14 During that time, Ms. Isso made objections relative to
15 service, who was in need of service and -- and those types of
16 things. Never was a consent filed by natural mother.

17 The consent is a document that is required to be
18 submitted to the Court in a certain format. The Nevada
19 Supreme Court has a format that they require. That was not
20 submitted. During none of the hearings did mom consent to
21 these petitioners being the guardians, despite me reminding
22 counsel and all of the parties that grandfather could not
23 serve because of his criminal history. And that was on
24 February 25th, 2020.

25 I indicated that natural father could not serve.

1 Ms. Isso was still making statements about lack of service
2 through family members. At that time, when I reviewed the
3 investigator's report, the investigator made a cop- findings
4 that the children lacked medical attention; that they had
5 significant speech issues; that they would be starting
6 kindergarten soon. It was important -- and also I reviewed
7 all of the CPS records at that time.

8 I'll note that the children should have been in
9 kindergarten and were not. So there were -- there were
10 several issues, significant issues, regarding that
11 guardianship.

12 So first, let me say that the correct standard was
13 applied. Here, I appreciate that mom has provided certain
14 documentation and has returned -- or alleges that she has
15 returned to Las Vegas and is able to take care of the
16 children.

17 I don't believe that I have the power to give
18 parties joint legal custody, Ms. Isso, despite your request.
19 But I think what your -- what your request is, is that mom
20 have access to information. And so today I'm going to deny
21 your request to terminate.

22 However, I am going to ask as a part of sharing
23 that information that, Ms. Warnock, your clients' photocopy
24 or scan and or, Ms. Warnock, you can deliver to Ms. Isso a
25 copy of the children's IEP; any progress notes related to

1 their IEP; a copy of their updated immunizations, so that mom
2 is aware of that information. And then each semester, so not
3 quarter, but semester, those progress notes from the IEP
4 along with the children's report card to be delivered to mom
5 via e-mail or regular mail at the address she has listed with
6 the Court so that she can have that information about the
7 kids.

8 In addition, Ms. Isso, at this time, I'm not
9 inclined to allow in-person visits. I'd like for us to
10 continue with FaceTime or phone visits for at least 60 days.
11 I -- they indicated Wednesday at 4 p.m. was the time set.
12 Ms. Isso, for your client and her work schedule, does that
13 time work? I don't want to set her up for failure. I want
14 to make sure that she's available and that's a good time.

15 MS. ISSO: Yeah, I appreciate that. It's not -- Yeah, I
16 appreciate that.

17 What -- what time?

18 She's saying later is better for her work schedule.

19 Like, 5:00 -- 5:00, 5:30?

20 MS. NEWPORT: Yeah.

21 MS. ISSO: Which -- which one, though?

22 MS. NEWPORT: 5:00.

23 MS. ISSO: She's saying 5:00.

24 THE COURT: Okay. So and does she work, Ms. Isso? Is
25 that Monday through Friday that she works?

1 MS. ISSO: Yes.

2 THE COURT: Or is it a big difference? Yes. Okay. So
3 would she like to do a different day of the week, like,
4 Saturday or Sunday? Is that better for her?

5 MS. ISSO: Yeah, she's saying Saturday or Sunday would
6 be better. Maybe we can do both.

7 THE COURT: All right. Let's do this. I'm gonna give
8 her Wednesdays at 5 p.m. and Saturdays at 5 p.m. I need her
9 to be on time. Okay. And, Ms. Isso, you'll talk to her
10 about that. I don't want to have these girls waitin' for mom
11 to call and waiting and waiting 39 minutes, 13 minutes. She
12 needs to be on time when she calls.

13 MS. ISSO: Like -- like when she doesn't want to be cut
14 off or have...

15 THE COURT: Okay. So...

16 MS. ISSO: ...the phone (indiscernible)...

17 THE COURT: ...but here's...

18 MS. ISSO: ...in her face.

19 THE COURT: So the next thing I was going to say is that
20 I want everybody to have developmentally appropriate
21 expectations for that phone time.

22 Now I bet Mariah and Malan are fabulous six-year-
23 olds. But if I was talking to my six-year-old on FaceTime or
24 on the telephone, my six-year-old would throw down the phone;
25 go watch, you know, Hops on Disney Junior; would not have,

1 you know -- go in the other room. My kid throws the phone in
2 the toilet, I mean, like, and gets distracted easily.

3 So this isn't going to be a 30-minute long
4 conversation. Sometimes it's gonna be shorter. Sometimes
5 it's gonna be longer. It's gonna be a child-centered
6 visitation. So we have to understand that it could be
7 longer, it could be shorter. If it's -- if we're goin' on an
8 hour, then maybe it's time to be done. I doubt that any of
9 those conversations are gonna last an hour. But, you know...

10 MS. ISSO: She's saying they do, Your Honor. She's
11 saying the conversations last for an hour.

12 THE COURT: Okay. Then that would be a great time to --
13 to stop them at an hour, right? So because what is important
14 is that we have constant and consistent contact that's
15 quality. Okay? So even if it's five to ten minutes, which I
16 think is developmentally appropriate for a six-year-old, I
17 think that's fine. All right? But we want to see that mom
18 is on time, that she's consistent, that she's able to speak
19 with them regarding things that are appropriate. So we'll do
20 those two days.

21 Then, Ms. Warnock, if they're able to work through
22 that for 60 days and being successful, you and Ms. Isso can
23 start discussing perhaps some in-person visitation. Ms.
24 Warnock?

25 MS. WARNOCK: Your Honor, can we change the time on

1 Saturdays to noon?

2 THE COURT: Noon on Saturday?

3 MS. WARNOCK: Yes.

4 THE COURT: Ms. Isso, your client isn't working on

5 Saturdays. Does noon work?

6 MS. ISSO: Yeah, noon works for her...

7 THE COURT: Okay.

8 MS. ISSO: ...on Saturday.

9 THE COURT: So then it'll be Wednesday at 5 p.m. and

10 Saturday at noon.

11 MS. ISSO: Okay. What is -- why don't we just do a

12 status check. And why -- why 60 days? She's saying that's a

13 long time for not -- her not to see her kids.

14 THE COURT: I know but it's the -- it's -- I want to

15 make sure...

16 MS. ISSO: She's in here crying.

17 THE COURT: ...she's constant...

18 MS. ISSO: She (indiscernible) in my office.

19 THE COURT: ...and consistent. (Indiscernible)...

20 MS. ISSO: And she's crying.

21 THE COURT: I -- I get it. All right. Constant

22 (indiscernible)...

23 MS. ISSO: And so are we gonna do a status check? Are

24 we gonna do a status check in 30...

25 THE COURT: No.

1 MS. ISSO: ...days?

2 THE COURT: Constant and consistent contact for 60 days.
3 And then Ms. Isso and Ms. Warnock are going to talk about
4 what visitation might be appropriate. If you are unable to
5 reach a resolution, then you can file a petition.

6 MS. Warnock, I know that those girls have
7 significant homework relative to speech therapy and things
8 that they are supposed to be practicing at home. And so it
9 may be appropriate for your client to sent to mom the
10 paperwork that comes home regarding their homework so that on
11 those phone calls, mom can work with them on their speech.

12 MS. ISSO: Okay. So she's gonna e-mail those to me or
13 e-mail those to mom? I'm sorry.

14 THE COURT: Ms. Warnock, you'll get those to Ms. Isso or
15 to mo- or your client will get them directly to mom?

16 MS. WARNOCK: Yes, Your Honor.

17 THE COURT: Thank you. Anything else, Ms. Warnock, that
18 they may be working on, like, sight word flash cards or
19 letter sounds or anything else, that might give mom and the
20 girls a good thing they can work on together and keep mom in
21 the loop with the speech therapy, which is really
22 significant.

23 I want everybody to understand for right now it's
24 so important for learning how to read letter sounds. They're
25 delayed already getting to school. They're delayed in their

1 speech. They're going to be delayed significantly in
2 reading. And so this is really important that this gets
3 taken care of quickly. So the more people that can help, the
4 better.

5 MS. ISSO: And what -- what is -- what is the reason why
6 you're not allowing in-person contact if there's been no
7 abuse; no, you know, drugs; no alcohol. It's been already a
8 while since she's seen them because...

9 THE COURT: So...

10 MS. ISSO: ...the guardians...

11 THE COURT: Ms. Isso...

12 MS. ISSO: ...refuse to allow any contact.

13 THE COURT: Ms. -- Ms. Isso, it appears and why asked
14 was that there was a plan made by the parties. First, under
15 the guardianship rules, you have to say that it's
16 unreasonable restriction. At this point, the parties made a
17 -- a time. Wednesday at 4:00. She was late twice. One she
18 didn't do.

19 So I'm giving her another opportunity to be
20 constant and consistent. Okay? And once she's constant and
21 consistent and the girls aren't going to be waiting and
22 waiting, then we can move forward. All right?

23 And I'll let Ms. Isso and Ms. Warnock move forward
24 with scheduling. Okay?

25 Anything else?

1 MS. ISSO: How -- are you considering the time from
2 February until November where they allowed absolutely no
3 contact? Wouldn't you not consider that a material change
4 under the best interest factors, willing to foster a
5 relationship?

6 THE COURT: No.

7 MS. ISSO: Would you consider...

8 THE COURT: No, Ms....

9 MS. ISSO: ...that time frame, out of curiosity?

10 THE COURT: No, Ms. Isso, I would've expected was a
11 petition for visitation or contact during that time.

12 Ms. Warnock.

13 MS. WARNOCK: I'm sorry, Your Honor. That's what I was
14 going to say. There's -- there's been -- we were blocked
15 from her phone. So that -- that allegation can't go against
16 my clients.

17 MS. ISSO: Objection, she was -- she was not blocked.
18 Mom hasn't blocked anybody. In fact, mom was calling the
19 guardians and they weren't answering the phone, so.

20 THE COURT: So thank you.

21 MS. ISSO: Mom did not block off the guardians.

22 THE COURT: Thank you so much. That's my ruling.

23 Ms. Warnock, you'll prepare the order.

24 Ms. Isso, you'll sign off.

25 MS. WARNOCK: Thank you.

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THE COURT: (Indiscernible).
(THE PROCEEDING ENDED AT 10:56:13.)

* * * * *

ATTEST: I do hereby certify that I have truly and
correctly transcribed the video proceedings in the above-
entitled case to the best of my ability.


SHERRY JUSTICE,
Transcriber II