IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed Apr 08 2021 04:32 p.m. Elizabeth A. Brown Clerk of Supreme Court

MICHAEL FOLEY,
Appellant(s),

VS.

CLARK COUNTY DISTRICT ATTORNEY,

Respondent(s),

Case No: R-11-162425-R

Docket No: 82569

RECORD ON APPEAL VOLUME 1

ATTORNEY FOR APPELLANT MICHAEL FOLEY, PROPER PERSON P.O. BOX 777972 HENDERSON, NV 89077-7972 ATTORNEY FOR RESPONDENT STEVEN B. WOLFSON, DISTRICT ATTORNEY 1900 E. FLAMINGO RD., SUITE 100 LAS VEGAS, NV 89119-5168

R-11-162425-R PATRICIA FOLEY vs. MICHAEL A. FOLEY

INDEX

VOLUME:	PAGE NUMBER:
1	1 - 235
2	235 - 470
3	471 - 685

<u>vor</u>	DATE	PLEADING	PAGE NUMBER:
3	04/13/2020	AMENDED ORDER FOLLOWING OBJECTION	589 - 591
3	05/11/2020	APPLICATION TO PROCEED INFORMA PAUPERIS (CONFIDENTIAL)	592 - 594
1	07/01/2015	APPLICATION TO PROCEED INFORMA PAUPERIS AND REQUEST TO FILE OBJECTION (CONFIDENTIAL)	122 - 146
1	10/28/2013	BENCH WARRANT	41 - 41
1	08/07/2014	BENCH WARRANT	58 - 58
1	04/10/2015	BENCH WARRANT	110 - 110
1	11/13/2015	BENCH WARRANT	154 - 154
1	03/17/2016	CASE APPEAL STATEMENT	221 - 222
3	04/02/2020	CASE APPEAL STATEMENT	587 - 588
3	03/01/2021	CASE APPEAL STATEMENT	645 - 646
1	02/02/2016	CERTIFICATE OF MAILING	197 - 199
1	11/24/2015	CERTIFICATE OF SERVICE	159 - 159
1	03/25/2016	CERTIFICATE OF SERVICE	223 - 227
3	04/08/2021	CERTIFICATION OF COPY AND TRANSMITTAL OF RECORD	
2	02/07/2017	CERTIFICATION OF TRANSCRIPTS NOTIFICATION OF COMPLETION	376 - 376
1	12/09/2015	CLERK OF THE COURT'S NOTICE OF CHANGE OF HEARING	175 - 175
1	12/08/2015	DA OPPOSITION TO RESPONDENT'S OBJECTION	162 - 174
3	12/10/2019	DA RESPONSE TO OBJECTION AND MOTION	533 - 543
2	01/16/2018	DECLARATION	380 - 384
1	03/01/2012	DECLARATION IN SUPPORT OF ORDER TO SHOW CAUSE WHY RESPONDENT SHOULD NOT BE FOUND IN CONTEMPT	15 - 15

<u>vor</u>	DATE	PLEADING	PAGE NUMBER:
1	03/01/2012	DECLARATION OF SERVICE	16 - 17
1	04/26/2012	DISTRICT ATTORNEY'S NOTICE OF MOTION & MOTION TO MODIFY CHILD SUPPORT	20 - 26
1	08/21/2014	DISTRICT ATTORNEY'S NOTICE OF MOTION & MOTION TO MODIFY CHILD SUPPORT	65 - 71
1	02/01/2016	DISTRICT ATTORNEY'S NOTICE OF MOTION & MOTION TO MODIFY CHILD SUPPORT	192 - 196
3	04/08/2021	DISTRICT COURT MINUTES	647 - 685
2	01/04/2017	ESTIMATED COST OF TRANSCRIPT	265 - 265
2	02/07/2017	FINAL BILLING OF TRANSCRIPTS	378 - 378
3	01/28/2020	LEWIS ROCA ROTHGERBER CHRISTIE LLP'S NOTICE OF NONAPPEARANCE OR WITHDRAWAL AS COUNSEL OF RECORD	549 - 565
1	05/15/2012	MASTER'S RECOMMENDATION	27 - 31
1	09/19/2012	MASTER'S RECOMMENDATION	36 - 39
1	11/21/2013	MASTER'S RECOMMENDATION	45 - 48
1	03/12/2014	MASTER'S RECOMMENDATION	53 - 56
1	09/02/2014	MASTER'S RECOMMENDATION	72 - 75
1	09/02/2014	MASTER'S RECOMMENDATION	76 - 79
1	12/31/2014	MASTER'S RECOMMENDATION	97 - 100
1	02/19/2015	MASTER'S RECOMMENDATION	105 - 108
1	05/07/2015	MASTER'S RECOMMENDATION	114 - 117
1	07/09/2015	MASTER'S RECOMMENDATION	147 - 150
1	02/08/2016	MASTER'S RECOMMENDATION	200 - 203

<u>vor</u>	DATE	PLEADING	PAGE NUMBER:
1	06/08/2016	MASTER'S RECOMMENDATION	231 - 234
3	01/26/2021	MASTER'S RECOMMENDATION	630 - 634
2	12/05/2019	MOTION FOR APPOINTMENT OF COUNSEL	415 - 417
2	12/05/2019	MOTION FOR APPOINTMENT OF COUNSEL (CONTINUED)	422 - 470
3	12/05/2019	MOTION FOR APPOINTMENT OF COUNSEL (CONTINUATION)	471 - 528
2	10/18/2019	NEVADA SUPREME COURT CLERK'S CERTIFICATE/REMITTITUR JUDGMENT - AFFIRMED IN PART, VACATED IN PART AND REMAND; REHEARING DENIED	387 - 403
3	06/09/2020	NEVADA SUPREME COURT CLERK'S CERTIFICATE/REMITTITUR JUDGMENT - DISMISSED	595 - 598
1	01/13/2016	NOTICE	176 - 177
1	05/09/2011	NOTICE AND FINDING OF FINANCIAL RESPONSIBILITY TO ENFORCE, ADJUST AND/OR REGISTER AN EXISTING ORDER, DETERMINE CONTROLLING ORDER, ESTABLISH AN OBLIGATION OR DETERMINE PATERNITY	1 - 11
1	03/17/2016	NOTICE OF APPEAL	220 - 220
3	03/31/2020	NOTICE OF APPEAL	585 - 586
3	02/25/2021	NOTICE OF APPEAL	643 - 644
3	06/09/2020	NOTICE OF ENTRY OF AMENDED ORDER	599 - 604
3	01/05/2021	NOTICE OF ENTRY OF MASTER'S RECOMMENDATION	622 - 629
1	04/25/2012	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS	18 - 19
1	08/29/2012	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS	33 - 35
1	10/31/2013	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS	42 - 44

<u>vol</u>	DATE	PLEADING	PAGE NUMBER:
1	02/19/2014	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS	50 - 52
1	08/11/2014	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS	59 - 61
1	08/13/2014	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS	62 - 64
1	12/09/2014	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS	91 - 93
1	01/29/2015	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS	102 - 104
1	04/16/2015	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS	111 - 113
1	06/17/2015	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS	119 - 121
1	11/17/2015	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS	155 - 157
1	01/15/2016	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS	178 - 180
1	05/17/2016	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS	228 - 230
2	07/14/2016	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS	236 - 238
3	12/06/2019	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS	529 - 531
1	02/01/2016	NOTICE OF ENTRY OF ORDER	187 - 191
2	10/28/2019	NOTICE OF ENTRY OF ORDER	406 - 409
3	03/11/2020	NOTICE OF ENTRY OF ORDER	576 - 581
1	02/24/2016	NOTICE OF ENTRY OF ORDER AMENDED TO INCLUDE EXHIBIT 1	212 - 219
1	05/18/2012	NOTICE OF ENTRY OF ORDER/JUDGMENT	32 - 32
1	09/21/2012	NOTICE OF ENTRY OF ORDER/JUDGMENT	40 - 40
1	11/25/2013	NOTICE OF ENTRY OF ORDER/JUDGMENT	49 - 49
1	03/13/2014	NOTICE OF ENTRY OF ORDER/JUDGMENT	57 - 57
1	09/04/2014	NOTICE OF ENTRY OF ORDER/JUDGMENT	80 - 80

<u>vor</u>	DATE	PLEADING	<u>PAGE</u> NUMBER:
1	09/15/2014	NOTICE OF ENTRY OF ORDER/JUDGMENT	84 - 84
1	12/31/2014	NOTICE OF ENTRY OF ORDER/JUDGMENT	101 - 101
1	02/25/2015	NOTICE OF ENTRY OF ORDER/JUDGMENT	109 - 109
1	05/15/2015	NOTICE OF ENTRY OF ORDER/JUDGMENT	118 - 118
1	08/06/2015	NOTICE OF ENTRY OF ORDER/JUDGMENT	153 - 153
1	02/09/2016	NOTICE OF ENTRY OF ORDER/JUDGMENT	204 - 204
1	06/09/2016	NOTICE OF ENTRY OF ORDER/JUDGMENT	235 - 235
3	02/02/2021	NOTICE OF ENTRY OF ORDER/JUDGMENT	635 - 642
1	12/24/2014	NOTICE OF HEARING	94 - 96
2	12/26/2018	NOTICE OF HEARING	385 - 386
3	12/09/2019	NOTICE OF HEARING	532 - 532
3	12/10/2019	NOTICE OF HEARING	544 - 548
3	02/27/2020	NOTICE OF HEARING	568 - 572
3	03/27/2020	NOTICE OF HEARING	582 - 584
3	07/29/2020	NOTICE OF HEARING	611 - 613
1	01/20/2016	NOTICE OF INTENT/REQUEST TO APPEAR BY COMMUNICATION EQUIPMENT	181 - 182
1	01/20/2016	NOTICE OF INTENT/REQUEST TO APPEAR BY COMMUNICATION EQUIPMENT	183 - 184
3	01/29/2020	NOTICE OF INTENT/REQUEST TO APPEAR BY COMMUNICATION EQUIPMENT	566 - 567
3	07/21/2020	NOTICE OF TELEPHONIC HEARING	605 - 610
3	12/03/2020	NOTICE OF TELEPHONIC HEARING	614 - 621

<u>vor</u>	DATE	PLEADING	PAGE NUMBER:
1	09/09/2014	NOTICE OF WITHDRAWAL OF COUNSEL	81 - 83
2	10/14/2017	NOTICE TO STATISTICALLY CLOSE CASE USJR PHASE II	379 - 379
2	11/23/2019	NOTICE TO STATISTICALLY CLOSE CASE USJR PHASE II	410 - 410
2	12/05/2019	OBJECTION	411 - 414
1	11/26/2015	OBJECTION TO HEARING MASTER'S RECOMMENDATION	160 - 161
2	07/26/2016	OBJECTION TO HEARING MASTER'S RECOMMENDATION	239 - 264
1	11/24/2015	OBJECTION TO MASTER'S RECOMMENDATION	158 - 158
2	10/28/2019	ORDER AFTER REMAND	404 - 405
1	01/28/2016	ORDER FOLLOWING OBJECTION	185 - 186
1	02/22/2016	ORDER FOLLOWING OBJECTION	205 - 211
3	03/09/2020	ORDER FOLLOWING OBJECTION	573 - 575
1	07/14/2015	ORDER TO PROCEED IN FORMA PAUPERIS (CONFIDENTIAL)	151 - 152
1	03/01/2012	ORDER TO SHOW CAUSE WHY RESPONDENT SHOULD NOT BE FOUND IN CONTEMPT AND ORDER APPOINTING CHILD SUPPORT MASTER	12 - 14
2	02/07/2017	RECEIPT OF COPY	377 - 377
2	01/04/2017	REQUEST FOR TRANSCRIPTS	266 - 268
1	12/08/2014	RESPONDENT'S RESPONSE TO THE DISTRICT ATTORNEY'S MOTION TO MODIFY CHILD SUPPORT	85 - 90
2	12/05/2019	SUPPLEMENT TO RESPONDENT'S OBJECTION	418 - 421
2	02/07/2017	TRANSCRIPT OF HEARING HELD ON APRIL 15, 2015	329 - 342
2	02/07/2017	TRANSCRIPT OF HEARING HELD ON APRIL 24, 2012	269 - 279
2	02/07/2017	TRANSCRIPT OF HEARING HELD ON AUGUST 11, 2014	305 - 316

R-11-162425-R Patricia Foley, Petitioner(s).
vs.
Michael A Foley, Respondent(s).

<u>vol</u>	DATE	PLEADING	PAGE NUMBER:
2	02/07/2017	TRANSCRIPT OF HEARING HELD ON AUGUST 28, 2012	280 - 288
2	02/07/2017	TRANSCRIPT OF HEARING HELD ON AUGUST 8, 2014	302 - 304
2	02/07/2017	TRANSCRIPT OF HEARING HELD ON DECEMBER 9, 2014	317 - 323
2	02/07/2017	TRANSCRIPT OF HEARING HELD ON FEBRUARY 19, 2014	297 - 301
2	02/07/2017	TRANSCRIPT OF HEARING HELD ON JANUARY 15, 2016	357 - 360
2	02/07/2017	TRANSCRIPT OF HEARING HELD ON JANUARY 20, 2016	361 - 368
2	02/07/2017	TRANSCRIPT OF HEARING HELD ON JANUARY 28, 2015	324 - 328
2	02/07/2017	TRANSCRIPT OF HEARING HELD ON JULY 13, 2016	373 - 375
2	02/07/2017	TRANSCRIPT OF HEARING HELD ON JUNE 17, 2015	343 - 345
2	02/07/2017	TRANSCRIPT OF HEARING HELD ON MAY 17, 2016	369 - 372
2	02/07/2017	TRANSCRIPT OF HEARING HELD ON NOVEMBER 16, 2015	346 - 356
2	02/07/2017	TRANSCRIPT OF HEARING HELD ON OCTOBER 30, 2013	289 - 296

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2	David Roger, District Attorney Nevada Bar No. 062781	Alm to Chim
3	Family Support Division 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168	CLERK OF THE COURT
4	(702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) Dept D	
5		
6	DISTRICT	
7	CLARK COUNTY	/, NEVADA
8	Patricia Foley,)	
9	Petitioner.	Case no. R- 11- 162425- R
10	vs.	Dept. no. CHILD SUPPORT
11	Michael Foley,	D
12	Respondent.	
13	Kesponden.	
14	NOTICE AND FINDING OF FINANCIAL	
15	ADJUST AND/OR REGISTER AN EX CONTROLLING ORDER, ESTABLISH AN OBL	
16	Pursuant to Chapter 425 of the Nevada Revised	Statutes, Respondent is hereby served notice
.1,7	that:	
18	Petitioner is the custodian of Respondent's deper	ndent child(ren):
19	Name	Date of birth
20	Michael Foley	October 10, 2000
21	Elizabeth Foley Therese Foley	October 11, 2004 November 23, 1997
22	It is alleged that the attached order from Clark C	ounty, Nevada, filed September 25, 2009,
23	numbered D-08-403071-D is the controlling order.	
24	Respondent currently has a legal obligation to po	sy \$700.00 per month for current child support,
25	\$0.00 per month for medical support (payment in lieu o	f health insurance), \$0.00 per
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		NAT#2:
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month for spousal support and \$0.00 per month to reduce the arrearage/debt; therefore, Respondent's total support obligation is \$700.00 per month.

According to the records of the Petitioner and the District Attorney's Office, Family Support Division, the arrearage/debt owed to the Petitioner and/or to a public agency is \$0.00 [] including pregnancy and confinement arrears pursuant to NRS 125B.020 of \$14,560.00 as of April 30, 2011 per the attached affidavit of arrears and/or custodian financial audit.

For cases with a Nevada controlling order, the arrearages will be reduced to judgment and interest will be assessed on all unpaid support balances pursuant to NRS 99.040. A ten percent (10%) penalty will be assessed on each unpaid child support installment (or portion thereof) for cases with a Nevada controlling order pursuant to NRS 125B.095.

Respondent shall provide health insurance coverage for the minor child(ren) per the controlling order, if applicable. Respondent shall provide all reasonable and necessary assistance to enable Petitioner to obtain the medical benefits offered by the policy of insurance, if applicable.

Payments must be made to:

State Collection and Disbursement Unit (SCaDU) PO Box 98950 Las Vegas, NV 89193-8950

Payments may also be made in person at SCaDU, 1900 East Flamingo Road, Las Vegas, Nevada. Additionally, the following information must be included with each payment: name (first, middle, last); social security number of the person responsible for paying support; case number; and name (first and last) of the person receiving support.

A hearing date is included with this service. The hearing will proceed as scheduled. Failure to appear may result in an Order and Judgment being entered. Failure to appear at a contempt hearing will result in a bench warrant being issued.

When an Order is entered by the District Court, all procedures authorized by law to enforce payment of the obligation may be used. These procedures include, but are not limited to, income withholding, income assignment, federal tax refund intercept, judgments, financial institution data match (liens), execution on real and personal property and other actions as deemed necessary.

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Les Veges, Network 2010-15-108.
1909, Network 2010-15-108.
1909, Network 2010-15-108.

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1	Respondent must notify the District Attorney's Office, Family Support Division, of any chan	ges
2	in Respondent's address, employment, and health insurance coverage.	•
3	Attached to this notice are important documents. If there are any questions or concerns	
4	regarding this Notice or the documents attached hereto, Respondent may call or visit the District	
5	Attorney's Office, Family Support Division, and/or consult a licensed attorney.	
6	Dated this May of May , 20//.	
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8	ABDUNAT	
9	Employee, Office of the District Attorney Family Support Division	
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SAFAX

KELLEHER & KELLEHER LLC sot sovin sovern street las vecas, servada son contactor delsas DECR
JOHN T. KELLEHER, ESQ.
Nevada Bar No. 006012
KELLEHER & KELLEHER, LLC
807 South Seventh Street
Las Vegas, Nevada 89101
(702) 384-7494

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Attorney for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

PATRICIA FOLEY..

Plaintiff.

CASE NO. D-08-403071-D DEPT. NO. D

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MICHAEL FOLEY,

Defendant.

DECREE OF DIVORCE

THIS MATTER having come on for trial on the 13th day and the 22th of July, 2009; Plaintiff, Patricia Foley, present and represented by Nikki L. Dupree, Esq., of the law firm Kelleher & Kelleher, LLC, Michael Foley, present in proper person, the court having reviewed the papers and pleadings on file herein, having heard the argument of counsel and the testimony of witnesses, the Court, after considering the papers and pleadings on file in this matter, and the Court being fully advised as to the law and the facts of the case FINDS:

1. That this court has complete jurisdiction in the premises, both as to the subject matter thereof as well as the parties hereto. Patricia Foley, is now and for more than six weeks preceding the commencement of this action has been, an actual, bona fide resident of the County of Clark, State of Nevada, and during all said period of time has been actually, physically and corporeally present, residing and domiciled in Clark County, State of Nevada. Patricia Foley's address is 975 Seven Hills Drive, #123, Henderson, Nevada 89052.

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- 2. The parties were married on January 27, 1997 in Las Vegas, Nevada, and have ever since been, and still are, husband and wife.
 - The parties are incompatible in marriage and there is no possibility of reconciliation. 3.
- There are three minor child born the issue of this marriage, to wit: Therese M. Foley born November 23, 1997, Michael A. Foley, Jr. born October 10, 2000 and Elizabeth A. Foley born October 11, 2004. There are no adopted minor children and the Defendant is not pregnant.

FINDINGS OF FACT

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IT IS HEREBY ORDERED ADJUDGED AND DECREED that the bonds of matrimony now and heretofore existing between the parties are hereby wholly dissolved, set aside and forever held for naught, and an absolute decree of divorce is hereby granted to the parties, and each of them, are hereby restored to the status of a single, unmarried person.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that PLAINTIFF shall have PRIMARY PHYSICAL CUSTODY of the parties' three (3) minor children.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the parties shall have joint legal custody of the parties' minor children, Michael A. Foley, Jr. and Elizabeth A. Foley. Joint legal custody shall be defined as follows:

The parents shall confer with each other on all important matters pertaining to the child's health, welfare, education, religious training and upbringing to arrive at a harmonious policy to promote the child's best interests, and not to promote the personal desires of either party.

The parents shall confer with each other on all matters regarding the child's health care, including but not limited to, medical, dental, orthodontic, surgical, optical, or psychological, and shall immediately inform the other parent of any health condition of the child except in emergency situations when prior consultations are not

The parents shall confer with each other on all matters pertaining to the religious training and upbringing of the child.

The parents shall confer with each other regarding decisions pertaining to the education and school curriculum of the child.

Each parent shall share with the other parent information concerning the well-being of the child, including, but not limited to, copies of report cards; school meeting notices; vacation schedules; class programs; requests for conferences; results of standardized or diagnostic tests; notices of activities involving the child; samples of school work; order forms for school pictures; and all communications from health care providers, childcare providers, and educators.

KELLEHER & KELLEHER LLC by suith byen start LAS VICEL, Kevela bin (120) 182-144 Freder (121) 184-144

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The parents shall confer with each other regarding the extracurricular activities which are available to or contemplated for the child either through the regular school curriculum or outside of the school curriculum, and shall inform the other parent of the times and places of athletic events and extracurricular events of the child so that the other parent shall also have the opportunity to participate in such activities.

Both parents shall be allowed free access to any and all records pertaining to their child. Both parents shall be allowed to confer independently with any and all professionals involved with their child.

Each parent shall keep the other parent informed of his or her respective address, home and work telephone numbers, and shall notify the other parent of any change thereto within twenty-four (24) hours of any change.

Each parent shall be entitled to reasonable telephone communication with the child. Each parent is restrained from unreasonably interfering with the child's right to privacy during such telephone conversations with the other parent.

In the event that either parent shall take the child out of state on vacation, that parent shall specifically notify the other parent of the plans in advance and provide a telephone number and itinerary to the other parent.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that PLAINTIFF shall have sole legal custody of the parties' minor child, Therese M. Foley.

IT IS FURTHER ORDERED ADJUDGED AND DECREED the No Contact Order between the minor child Therese and the Defendant shall remain in place. Therese is free to alter the no contact order and if she desires to see Defendant she should be allowed to do so.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that Therese should be engaged in Counseling, as should the Defendant regarding reunification efforts. The counseling Therese engages in must be with a therspist who has not been previously involved in the interviews or family counseling. Defendant is free to engage in therapy with any therapist of his choosing for the child parenting issues. The new therapist can abide by the wishes identified by Ds Brandon-including anger management, and what the Court has heard through this Trial, control issues.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that Defendant shall have unsupervised visitations with the two younger children every other weekend from Friday until Sunday. On the Thursday preceding and the Tuesday following the weekend visitation, Defendant shall have visitation from 3:00 p.m. until 9:00 p.m.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Court's Holiday/Vacation Schedule shall be adopted, a copy of which is attached hereto as Exhibit "1."

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IT IS FURTHER ORDERED ADJUDGED AND DECREED that upon proof of completing therapy and the anger management class, as recommended in the therapist report, Defendant is free to bring a Motion back to the Court for modification. Defendant is NOT to bring a motion before this court before he completes the requirements.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that Defendant shall pay child support in the amount of \$700,00 per month.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that there shall be no award for spousal support.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that Plaintiff shall be awarded attorney's fees from Defendant in the amount of \$2,500.00. This amount is reduced to Judgment and shall be collectible by all lawful means. The amount shall be payable directly to the law office of Kelleher & Kelleher, LLC.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Court retains jurisdiction to deal with any issues involving asset and debt allocation.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the parties' assets shall be divided as follows:

- 1. Vehicles. Each party shall be awarded the vehicle in their possession and shall be solely liable for the debt associated with that vehicle.
 - 2. Piano. Plaintiff shall be awarded the piano as her sole and separate property.
- 3. Furnishings. The estimated value, at the time of purchase, of the furnishings purchased with community funds is approximately \$3,600.00. The Court Finds the current value to be approximately \$2,000.00. Desendant is currently in possession of the furnishings. Desendant shall pay Plaintiff \$1,000.00, which shall be due and payable within sixty (60) days. If the \$1,000.00 is not paid to Plaintiff, the furniture and furnishings shall be sold and the proceeds shall be split equally.
- 4. Montesol Residence. Defendant shall receive the Montesol Residence as his sole and separate property and shall be solely liable for any encumbrance on the residence.
 - 5. Beaumont Residence. Plaintiff shall receive the Beaumont Residence as her sole and

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separate property and shall be solely liable for any encumbrance on the residence.

- 6. Butterworth Residence. Plaintiff shall receive the Butterworth Residence as her sole and separate property and shall be solely liable for any encumbrance on the residence.
- 7. Timeshares. The parties have three (3) timeshares. Defendant shall receive all three timeshares as his sole and separate property. Defendant shall be solely responsible for the maintenance fees and any debt incurred as a result of the timeshares.
- 8. Tax Refused. After the taxes for the 2006 and 2008 tax years are paid and the cost for preparing the tax returns is deducted, the parties shall equally share the remaining proceeds. Defendant received a refund check in the amount of \$3,024.00. Defendant shall provide Kelleher & Kelleher with proof of deductions and cost of preparation and, after the cost is deducted, the remainder of the check shall be equally split.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the parties' debts shall be divided as follows:

- 1. Credit Card Debt. Any credit card in Plaintiff's name shall be her sole and separate debt and she shall hold Defendant harmless. Any credit card held in Defendant's name shall be his sole and separate debt and he shall hold Plaintiff harmless.
- 2. Montesol Residence. The debt owed on the Montesol Residence shall be Defendant's sole and separate debt. Defendant shall hold Plaintiff harmless therefrom,
- 3. Beaumont Residence. The debt owed on the Beaumont Residence shall be Plaintiff's sole and separate debt. Plaintiff shall hold Defendant harmless therefrom.
- Butterworth Residence. The debt owed on the Butterworth Residence shall be Plaintiff's sole and separate debt. Plaintiff shall hold Defendant harmless therefrom.
 - 5. IRS. Should any debt be owing to the IRS, the parties shall be equally liable.
- 6. Vechicle Loans. Each party shall be liable for the loan on their vehicle and shall hold the other party harmless therefrom.
- Nevsda State Bank. The Complaint from Nevada State Bank in the amounts of \$8,935.85 and \$601.00 shall be allocated to Plaintiff as her sole and separate debt. Plaintiff shall hold Defendant harmless therefrom.

IT IS FURTHER ORDERED ADJUDGED AND DECREED regarding the LLC, that 1 anything in Plaintiff's name shall be dissolved in bankruptcy. 2 IT IS FURTHER ORDERED ADJUDGED AND DECREED that Plaintiff shall keep the 3 name Foley. 4 IT IS FURTHER ORDERED ADJUDGED AND DECREED that both parties shall S confidentially file their Social Security Numbers and Welfare Identification Sheet with the court 6 per NRS 125.230. 7 IT IS FURTHER ORDERED ADJUDGED AND DECREED that both parties will attend 8 the COPE class and will submit their certificates with the court pursuant to E.D.C.R. 5.07. 9 IT IS FURTHER ORDERED ADJUDGED AND DECREED that, pursuant to NRCP 70, 10 the court clerk may sign any and all documents necessary to effectuate the terms of this divorce if 11 either party is unwilling or unable to do so after the decree of divorce is entered. 1.2 IT IS FURTHER ORDERED ADJUDGED AND DECREED that the hearing scheduled 13 for August 4, 2009 is hereby vacated. 14 IT IS SO ORDERED. 15 DATED this 🐍 2009. 16 GERALD W. HARDCAGTLE 17 18 DISTRICT COURT JUDGE 19 Submitted by: 20 KNLLEHER & KELLEHER, LLC 21 22 DOWN THE LEHER, ESQ. MICHAEL FOLEY 23 4600 E. Sunset Rd., #269 807 South Seventh Street Henderson, NV 89014 24 Las Vegas, Nevada 89101 Defendant in Proper Person Attomay for Plaintiff 25 26 27

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EXHIBIT 661 ??

HOLIDAY SCHEDULE

Monday Holidays: Monday holidays shall be defined as beginning Friday before the holiday at 6:00 p.m. and concluding on the holiday at 6:00 p.m. Monday holidays shall alternate yearly. During odd-numbered years, the child shall reside with the father on Martin Luther King, Jr.'s Birthday and Memorial Day. During the even-numbered years, the child shall reside with the mother on Martin Luther King Jr.'s Birthday and Memorial Day. During even-numbered years, the child shall reside with the father for President's Day and Labor Day. During odd-numbered years, the child shall reside with the mother for President's Day and Labor Day.

Spring Break: Spring Break shall be defined as beginning the day school recesses at 6:00 p.m. and concluding the day before school resumes at 6:00 p.m. The school Spring Break shall be alternated on a yearly basis, with the child residing with the mother in odd-numbered years and with the father in even-numbered years.

Fourth of July: The Fourth of July shall be defined as beginning July 4 at 12:00 noon and concluding July 5 at 9:00 a.m. Fourth of July shall be alternated on a yearly basis, with the child residing with the mother in odd-numbered years and with the father in even-numbered years.

Halloween: Halloween shall be defined as beginning October 31 at 4:00 p.m. and concluding the same day at 8:00 p.m. Halloween shall be alternated on a yearly basis, with the child residing with the mother in odd-numbered years and with the father in even-numbered years.

Veteran's Day: Veteran's Day shall be defined as beginning November 11 at 9:00 a.m. and concluding the same day at 6:00 p.m. Veteran's Day shall be alternated on a yearly basis, with the child residing with the father in odd-numbered years and with the mother in even-numbered years.

Thanksgiving: Thanksgiving shall be divided into two (2) periods. The first period shall begin on the holiday at 9:00 a.m. and end the following Saturday at 9:00 a.m. The second period shall begin Saturday at 9:00 a.m. and end the next day at 6:00 p.m. These periods shall be alternated yearly between the parents beginning in 2005, with the first period being with the mother and the second period being with the father.

Christmas: Christmas shall be divided into two (2) periods. The first period shall begin December 24 at 12:00 noon and end December 25 at 12:00 noon. The second period shall begin December 25 at 12:00 noon and end December 26 at 12:00 noon. These periods shall be alternated yearly between the parents beginning in 2005, with the first period being with the father and the second period being with the mother.

Mother's/Father's Day: Mother's/Father's Day shall begin on the holiday at 9:00 a.m. and end the same day at 6:00 p.m. The mother shall have the child each year on Mother's Day and the father shall have the child each year on Father's Day.

Transportation: All exchanges for holidays shall take place at the residence of the parent with whom the child is then residing.

Notice: In the event any scheduled time cannot be kept due to an emergency involving the child and/or the parent, the parent unable to comply with the schedule shall notify the other parent as soon as possible.

Electronically Filed 03/01/2012 03:51:18 PM OSC David Roger, District Attorney Nevada Bar No. 002781 2 Family Support Division 1906 East Flamingo Boad, Suite 100 Las Vogas, Nevada 89119-5168 **CLERK OF THE COURT** (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 4 Dopt. D 5 DISTRICT COURT 6 CLARK COUNTY, NEVADA 7 Patricia Foley, 8 R-11-162425-R Case no. 9 Petitioner. Dept. no. CHILD SUPPORT 10 VŚ. Michael Foley, 11 12 Respondent. 13 ORDER TO SHOW CAUSE WHY RESPONDENT SHOULD NOT BE FOUND IN CONTEMPT AND ORDER APPOINTING CHILD SUPPORT MASTER 14 To: Michael Foley, Respondent above named: 15 You are hereby ordered to appear before the above-entitled court, (UIFSA Child Support 16 Courtroom in the Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, 17 Nevada) on the 24 day of April 20/2 at 3:25 P m.; then and there to 18 show cause, if any, why you should not be found in contempt for willfully disobeying a Court Order. 19 filed and registered, if applicable; the alleged disobedience is more fully described in the Declaration in 20 Support of Order to Show Cause Re: Contempt filed herein, a copy of which is being concurrently 21 served upon you with a copy of this order. 22 The court hereby finds that the nature of the matter set forth herein is such that it should be 23 referred to a Child Support Master, and good cause appearing therefore: 24 It is further ordered that all of the issues, both factual and legal, are referred to a Child Support 25 Master who will hear the evidence and report the findings of fact, conclusions of law, and 26 recommendations to the District Court in the manner provided in Eighth Judicial District Court Rule 27 1.40. 28

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, in the second	The focus of the hearing will be your ability to pay. If you are looking for work, bring a list
2	of places where you have applied for work within the last 30 days. If you are unable to work due
3	to a physical or mental disability, bring a doctor's letter that describes your condition and its
4	impact on your ability to work.
5	Pursuant to Chapter 22 of the Nevada Revised Statutes, a finding of contempt may result in
6	a jail sentence being stayed or imposed (25 days) to be served by you in the Clark County
7	Detention Center. Your failure to appear at the time, date, and place set forth herein may result
8	in the issuance of a Bench Warrant for your arrest and for such other and further relief as the
9	District Court deems justified in the premises.
10	Dated this day of
11	The Just
12	District Court Judge, Family Division
13	Disalct could budge, I dirity Division
14	Submitted by:
15	David Roger Clark County District Attorney
16	Nevada Bar #002781
17	A-WM-
18	Deputy District Attorney
19	Pamily Support Division
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32	
23	*All payments made by mail MUST be made in the form of cashier's check, money order or business check ONLY, made payable to State Collection and Disbursement Unit (SCaDU) and mailed to State
24	Collection and Disbursement Unit (SCaDU), P.O. Box 98950, Las Vegas, Nevada 89193-8950. Payments also may be made in person at State Collection and Disbursement Unit, 1900 East Flamingo
25	Road, Las Vegas. Nevada, in the exact amount of cash, cashier's check, money order or business check ONLY. Additionally, the following information must be included with each payment: name (first.
26	middle, last) of person responsible for paying child support, social security number of person responsible for paying child support, child support case number, and name of custodian (first and last
27	name of person receiving child support). NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.
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	CERT Case no. R-11-162425-R
2	CERTIFICATE OF MAILING
3	The foregoing Order to Show Cause Why Respondent Should Not Be Found in Contempt and
4	Order Appointing Child Support Master was served upon Patricia Foley by mailing a copy thereof, first
5	class mail, postage prepaid to:
6	
7	Patricia Foley 975 Seven Hills Dr 3313 Henderson, NV 89052
8	on the day of Mark 20 2
10	on the day or
11	Employee, Office of the District Attorney
12	Family Support Division
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	Page 3 of 3

	DSSC David Roger, District Attorney Nevada Bar No. 002781 Family Support Division 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 383-7486 (for the hearing impaired)		Electronically Filed 03/01/2012 03:51:44 PM All Laboratorically Filed CLERK OF THE COURT
5	DISTRICT	COURT	
6	CLARK COUNT	Y, NEVADA	
7	Patricia Foley,		
8	į	Case no.	R-11-162425-R
9	Petitioner,	Dept. no.	CHILD SUPPORT
10	vs.		
1-1	Michael Foley,		
12	Respondent.		
13	DECLARATION IN SUPPORT O	FORDER TO SHO	OW CAUSE
14	WHY RESPONDENT SHOULD NO	<u>DT BE FOUND IN</u>	CONTEMPT
15	1. That I, R. B. Dumas, am an employee of the	District Attorney's	Office, Family Support
16	Division in Clark County, Nevada.		
17	2. That, on May 9, 2011, an Order was filed in	the County of Clar	k, State of Nevada, Case
1.8	Number R-11-162425-R.		
19	3. That, the Respondent has not complied with	said Order as follo	WS:
20	□ has not paid child support as ordere	id.	
2,1	☐ has not provided medical insurance	as ordered.	
22	4. That, the last Child Support payment receiv	ed:	
23	☐ Last payment received:		
24	No payment ever received.		•
25	5. The undersigned declares under penalty of	perjury under the la	rw of the State of Nevada that
26	the foregoing is true and correct.		
27	DATED this 27th day of May, 2011.		
28	Ĩ	/s/R.B.Dumas Employee, Office o Family Support Div	f the District Attorney ision
			APPOS

217-17-18

1 2 3 4 5	Electronically Filed 03/01/2012 03:52:05 PM 03/01/2012 03:52:05 PM Mary-Anne Miller, Interim District Attorney Nevada Ber No. 001419 Family Support Division 1960 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) DISTRICT COURT Electronically Filed 03/01/2012 03:52:05 PM CLERK OF THE COURT
6	CLARK COUNTY, NEVADA
7 8 9	Patricia Foley Case no. R-11-162425-R Petitioner, Dept. no. CHILD SUPPORT
11 12 13	Michael Foley Respondent.
14	DECLARATION OF SERVICE
15	I, MARK Montaga, declare:
16	1. That I am a resident of the State of Nevada, a citizen of the United States over the age of
17	eighteen (18) years and not a party to nor interested in the above-entitled action.
18	2. That on Q · Q ? · /2 , I served a copy of:
19	Order to Show Cause Why Respondent Should Not Be Punished for Contempt.
20	Order to Show Cause Why Employer Should Not Be Punished for Contempt by:
21	Serving an Employer, Cox Communication, by personally delivering and leaving a copy
22	with, at (state address)
23	,
24	Order to Show Cause to Compel Genetic Testing.
25	☐ Notice of Hearing.
26	Other:
27	Notice and Finding of Financial Responsibility to Enforce or Adjust an Existing Order,
28	Establish an Obligation or Determine Paternity by:
	AFDSF ²

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1	Delivering and leaving a copy with the Respondent, Michael Foley, at		
2	(state address) 1900 E FLAMINGO LAS VEGAT NV 49/19		
3	Serving the Respondent, Michael Foley, by personally delivering and leaving a copy with		
4	, a person of suitable age and discretion residing at the		
5	Respondent's usual place of abode located at:		
6	(state address)		
7	Delivering and leaving a copy with the Petitioner, Patricia Foley, at		
8	(state address)		
9.	Serving the Petitioner, Patricia Foley, by personally delivering and leaving a copy with		
10	, a person of suitable age and discretion residing at the		
11	Petitioner's usual place of abode located at:		
12	(state address)		
13	I declare under penalty of perjury under the law of the State of Nevada that the foregoing is tru		
14	and correct.		
15	Dated this <u>QQ</u> day of <u>February</u> , 20 <u>/Q</u> .		
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17	Declarant O		
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28	Mapy Anne Additor, theory Thinks Announg Private Day Fig. 2016/19 Petitive Support Herizon Law Sugar, North Strift-Unit.		
	Code) 67 (200) - TOD (COde) 683-7448 (the die herring improved) Page 2 of 2		

Page 2 of 2

Electronically Filed 04/25/2012 08:11:17 AM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** Las Vegas, Nevada 89119-5168 3 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 5 **DISTRICT COURT** 6 7 **CLARK COUNTY, NEVADA** 8 9 Patricia Foley, R-11-162425-R 10 Case no. Petitioner, Dept. no. **CHILD SUPPORT** 11 VS. Michael Foley, 12 13 Respondent. 14 15 NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS Michael Foley, Respondent or Respondent's Attorney 16 To: 17 To: Patricia Foley, Petitioner or Petitioner's Attorney Please take notice that the enclosed Master's Recommendations were entered in the above-entitled 18 19 matter on April 24, 2012. 20 21 22 23 24 25 26 27 28

NEMREC

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$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	CERT Case no. R-11-162425-R
3	CERTIFICATE OF MAILING
4	The foregoing Notice of Entry of Master's Recommendations for the Master's
5	Recommendation entered on April 24, 2012, was served upon Patricia Foley by mailing a copy thereof,
6	first class mail, postage prepaid to:
7	Patricia Foley
8	2120 Crestline Falls Pl Las Vegas NV 89134
9	
10	on April 25, 2012.
11	
12	/s/Rita Margolian
13	/s/Rita Margolian_ Employee, District Attorney's Office Family Support Division
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Electronically Filed 04/26/2012 09:40:14 AM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 3 **CLERK OF THE COURT** Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 4 294910200A 5 DISTRICT COURT CLARK COUNTY, NEVADA 6 7 8 PATRICIA FOLEY 9 R-11-162425-R Case no. Petitioner, 10 Dept. no. **CHILD SUPPORT** VS. 11 MICHAEL FOLEY, 12 Respondent. 13 DISTRICT ATTORNEY'S NOTICE OF MOTION & 14 **MOTION TO MODIFY CHILD SUPPORT** 15 Date of Hearing: AUGUST 28, 2012 Time of Hearing: 09.00 AM 16 Court Room: 1 17 The District Attorney, by and through the undersigned Deputy District Attorney, moves the 18 above entitled Court for review and adjustment of the child support order previously entered between 19 20 the above-entitled parties, including provision for medical insurance or contribution toward Petitioner's cost of providing medical insurance, if any. 21 This Motion is made and based upon the pleadings and papers on file herein and the attached 22 Points and Authorities, exhibit(s), if any, oral argument, if any, at the time of the hearing and 23 Proof of Respondent's income indicating the Respondent's gross monthly income to be 24 determined. Updated income information to be provided at the time of the hearing, if any. 25 Other: 26 27 28

1	Further, the District Attorney requests this Honorable Court conduct a review of the order	
2	because it is alleged that changed circumstances can be demonstrated pursuant to NRS 125B.145(1)	
3	and/or (4). Respondent is currently unemployed. A 20% decrease in income is alleged.	
4	NEVADA'S MODIFICATION OF ANOTHER STATE'S ORDER IS PROPER BECAUSE:	
5	An individual party,, has requested modification; this tribunal has personal	
6	jurisdiction over the non-movant and the issuing state (the state whose order controlled prior to this	
7	modification) is no longer the residence of any individual party/contestant or child(ren). NRS	
8	130.611(1)(a).	
9	An individual party,, has requested modification; all individual parties and children	
10	now reside in Nevada. NRS 130.613(1).	
11	All parties/contestants have filed written consent with the tribunal whose order controlled	
12	prior to this modification for this tribunal to modify the support obligation and assume continuing,	
13	exclusive jurisdiction. NRS 130.611(1)(b).	
14	Dated this 26 th day of April, 2012.	
15	Respectfully Submitted,	
16	Steven B. Wolfson District Attorney	
17	Nevada Bar No. 001565	
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20	ED EWERT Deputy District Attorney	
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	Steven B. Wolfson, District Automey, Nevada Bar No. 001565	

1	NOTICE OF HEARING	
2	TO: Michael Anthony Foley, Respondent,	
3	TO: Patricia Foley, Petitioner:	
4	You will please take notice that the District Attorney's Office, Family Support Division, will	
5	bring the above and foregoing motion on for hearing in Child Support Court at Child Support Center of	
6	Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, in Court Room 1 on the	
7	AUGUST 28, 2012 at 09.00 AM, or as soon thereafter as the case may be heard.	
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	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Planningo Road, Suite 100 Level of the Manage 2010 of the Stevensor Stev	
	Las Vegas, Nevada 89119-5168 (702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired) MOTMOD	
	Page 3 of 7	

POINTS AND AUTHORITIES IN SUPPORT OF THE MOTION

A review of a support order can be requested by either party or, in a welfare case, by the District Attorney's Office, at least every three years pursuant to NRS 125B.145 (1). "Support" includes not only financial maintenance, but also support for a child's health care and educational needs. NRS 125B.020. The Court has authority to adjust an order if the moving party has demonstrated changed circumstances since the order was last entered. Rivero v. Rivero, 125 Nev. Adv. Op. No. 43, 216 P.3d 213 (2009). A modification may also be made on an order less than three years old. Likewise, the moving party must show changed circumstances. NRS 125B.145(4).

NRS 125B.145(4) declares that "[a]n order for the support of a child may be reviewed at any time on the basis of changed circumstances" and adds that a change of 20% or more in a child support obligor's gross monthly income "shall be deemed to constitute changed circumstances requiring a review for modification of the order for the support of a child." Fernandez v. Fernandez, 126 Nev. Adv. Op. No. 3, 222 P.3d 1031 (2010). Changed circumstances may also include other events in the lives of the parties such as emancipation or the addition of a new child to the family.

The statutory formula for child support is stated in NRS 125B.070 and NRS 125B.080. Specifically, NRS 125B.070 (1)(b) requires the Court to set support using the non-custodial parent's gross monthly income and applying 18% for one child, 25% for two children, 29% for three children, and 2% more for each child thereafter. The Court may further increase or decrease support by considering certain factors or deviations listed in NRS 125B.080(9).

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Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 (702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired)

MOTMOD

It is respectfully requested that this Honorable Court determine the Respondent's gross monthly income or, in the alternative, impute earning capacity. The support order should be adjusted as appropriate, and address health insurance, if available at a reasonable cost. If the Petitioner carries health insurance for the child, the order should require the Respondent to contribute to the cost of the health insurance for the child upon a showing of proof. Dated this 26th day of April, 2012. Respectfully Submitted, Steven B. Wolfson District Attorney Nevada Bar No. 001565 Deputy District Attorney

Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100 Lax Vegas, Nevada 89119-5168 (702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired)

MOTMOD

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing DISTRICT ATTORNEY'S NOTICE OF MOTION & MOTION TO MODIFY CHILD SUPPORT was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: MICHAEL ANTHONY FOLEY 3430 Frontier St Las Vegas NV 89102 on the 26th day of April, 2012. Employee, District Attorney's Office Family Support Division Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100 Lax Vegas, Nevada 89119-5168 (702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired)

MOTMOD

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing DISTRICT ATTORNEY'S NOTICE OF MOTION & MOTION TO MODIFY CHILD SUPPORT was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 2120 Crestline Falls Pl Las Vegas, NV 89134 on the 26th day of April, 2012. Employee, District Attorney's Office Family Support Division Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100 Lax Vegas, Nevada 89119-5168 (702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired) MOTMOD

Page 7 of 7

Electronically Filed 05/15/2012 09:50:39 AM MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY 1 Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 2 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** Las Vegas, Nevada 89119-5168 (702) 671-9200 3 TDD (702) 385-7486 (for the hearing impaired) istrict Court 294910200A 4 5 Patricia Foley, 6 Petitioner. Case No. R11-162425R 7 VS. Department No. CHILD SUPPORT 8 Michael Foley, 9 Respondent. 10 MASTER'S RECOMMENDATION 11 This matter having been heard on APRIL 24, 2012 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations: 12 Parties present: Respondent Respondent's attorney Petitioner Petitioner's attorney 13 ☐ PATERNITY ☒ PATERNITY PREVIOUSLY DECIDED 14 ☑ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS). Respondent's gross monthly income (GMI) : ; formula amount % of GMI= 15 Basis for deviation from state formula: Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley. 16 CHILD SUPPORT 17 Respondent is to pay monthly: \$700.00 Temp child support 18 medical support (in lieu of health insurance) spousal support 19 arrears payment 🔯 ARREARAGES 🗆 ARREARAGES NOT ADDRESSED AT THIS HEARING 20 Arrears/Obligation period is 10/01/09 through 03/31/12. Arrears, interest and penalty calculated through 03/31/12 by audit. For accounting purposes the next payment 21 falls due 04/01/12. penalty of \$1,923.80 penalty of child support arrearage of \$13,711.22 plus interest of \$1,104.96 22 medical support arrearage of plus interest of spousal support arrearage of plus interest of 23 medical expense arrearage of genetic test costs of 24 total arrearages of \$13,711.22 total interest \$1,104.96 total penalty \$1,923.80 25 GRAND TOTAL (arrearages + interest + penalty) = \$16,739.98 26 27 28 FINDNG 1.2

	CASE NO. R11162425R
1 2 3 4 5 6	☐ The total arrears are hereby confirmed. ☐ The total arrears, interest and penalties are reduced to judgment. This supersedes prior Nevada judgments, if any, awarded under this case number. Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant to NRS 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay support for a child, pursuant to NRS 125B.095. ☐ Arrears of \$ subject to modification until, and arrears of \$ reduced to judgment. ☐ Arrears listed above are reduced to judgment. This supersedes prior Nevada judgments, if any, awarded under this case number. ☐
7 8	\$ 700.00 TOTAL monthly payment is due on the 1 st day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.
9 10	Respondent's INCOME SHALL BE WITHHELD for the payment of support. Good cause to stay income withholding is based on: Becomes delinquent in an amount equal to 30 days support. ENFORCEMENT OF CONTROLLING ORDER: The registered order from Clark County, NV dated
11 12 13 14	
15 16	 if available through employer. □ shall provide per court order. □ Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support Division within 90 days of today's date. □ □ □ □ □ □ □ □ □ □ □ □ □ □ □
17 18 19	 ☑ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING ☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT. ☑ ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE. ☑ Respondent is hereby found in Contempt of Court and sentenced to 25 days in the Clark County Detention Center; this sentence shall be stayed until the next court date. ☐ The following sentence(s) shall be stayed/continued to the next court date unless imposed or vacated today:
20 21 22 23 24 25	Sentence ofdays in the Clark County Detention Center issued isimposedvacatedstayed Sentence ofdays in the Clark County Detention Center issued isimposedvacatedstayed Sentence ofdays in the Clark County Detention Center issued isimposedvacatedstayed Sentence ofdays in the Clark County Detention Center issued isimposedvacatedstayed Sentence ofdays in the Clark County Detention Center issued isimposedvacatedstayed Sentence ofdays in the Clark County Detention Center issued isimposedvacatedstayed Sentence ofdays in the Clark County Detention Center issued isimposedvacatedstayed Sentence ofdays in the Clark County Detention Center issued isimposedvacatedstayed Sentence ofdays in the Clark County Detention Center issued isimposedvacatedstayed Sentence ofdays in the Clark County Detention Center issued isimposedvacatedstayed Sentence ofdays in the Clark County Detention Center issued isimposedvacatedstayed Sentence ofdays in the Clark County Detention Center issued isimposedvacatedstayed Sentence ofdays in the Clark County Detention Center issued isdays
26 27 28	SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or recall the bench warrant. BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY QUASHED. CONTINUED. MODIFICATION OF PRIOR ORDER:
20	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565

☐ SUSPENSION OF LICENSES: 1 **PAYMENTS** 2 All mailed payments MUST be made in the form of a cashier's check, money order or business check ONLY, made payable to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit card are 3 also accepted. 4 Payments can be mailed to: State Collection and Disbursement Unit (SCaDU) 5 P.O. Box 98950 6 Las Vegas, Nevada 89193-8950 7 Payments can be made in person at: **State Collection and Disbursement Unit (SCaDU)** 8 1900 East Flamingo Road Las Vegas, Nevada 89119-5168 9 Additionally, the following information must be included with each payment: name (first, middle, last) of person 10 responsible for paying child support, social security number of person responsible for paying child support, child support case number, and name of petitioner (first and last name of person receiving child support). 11 NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER. 12 NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT. 13 NOTICE: Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant to NRS 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay 14 support for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between 15 the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these 16 additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced. 17 NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and 18 Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this 19 purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168. 20 NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final 21 Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge. 22 NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment. 23 NOTICE: Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address, 24 change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change. 25 Respondent to bring new financial statement and proof of income next date. This order does not stay collection of support arrears by execution or any other means allowed by law. 27 28

Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5168

Page 3 of 5 (702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired)

1	1 MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDA	TIONS:			
2	Last payment was wage withholding received 10/11/11. Respondent was unemployed and started a new job that \$9 per hour at 20 hours per week. He is working through a TEMP agency. Respondent was given a MOD page.				
_	today. He can pay a minimum of \$325 per month to avoid contempt beginning 5/1/12. Respondent to bring a page 1.0 per month to avoid contempt beginning 5/1/12.				
3	Petitioner to bring health insurance information she provides for children next date, and any other employment				
4	4 information she has about Respondent.				
5	5 NEXT HEARING DATE IS <u>August 28, 2012 at 9:00 AM</u> in Courtroom <u>1</u> in Child Sup Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vega				
6	.	.59			
7	7				
8	8 DATED: APRIL 24, 2012				
9	MASTER				
10					
10					
11 12	Receipt of this document is				
13	ORDER/JUDGMENT				
14	The Clerk of the Court having reviewed the District Court's file and having determined that no objection has				
15	within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation				
16	that the ten-day objection period has expired without an objection having been filed and that the District Court de Master's Recommendation to be approved as an ORDER/JUDGMENT of the District Court, effective with the				
17	date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with Order/Judgment.	this			
18	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and				
19	considered the objection thereto, as well as any other papers, testimony and argument related thereto and good car appearing,	ıse			
20					
21					
22	IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this, 20 and this matter is remanded to Child Support Court on, 20	day of at			
23	23 M.				
24	District Court Judge Femily Division				
	STEVEN R WOLFSON Clark County District Attorney				
25	Nevada Bar No. 001565				
26					
27	27 By: DEPUTY DISTRICT ATTORNEY				
28	FAMILY SUPPORT DIVISION				
	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division				
	1900 East Flanningo Road #100 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 388-7486 (for the hearing impaired) Page 4 of 5	FINDING 1.2			

CASE NO. R11162425R 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5168 Page 5 of 5

 $(702)\ 671\text{-}9200-TDD\ (702)\ 385\text{-}7486\ (for\ the\ hearing\ impaired)$

FINDNG 1.2

Electronically Filed 05/18/2012 02:36:38 PM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** 3 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 5 **DISTRICT COURT** 6 7 **CLARK COUNTY, NEVADA** 8 9 Patricia Foley, 10 Case no. R-11-162425-R Petitioner, 11 VS. Dept. no. **CHILD SUPPORT** 12 Michael Foley, 13 Respondent. 14 15 NOTICE OF ENTRY OF ORDER/JUDGMENT 16 To: MICHAEL FOLEY, Respondent 17 18 Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was 19 entered in the above-entitled matter on April 24, 2012. 20 **CERTIFICATE OF MAILING** 21 The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing 22 a copy thereof, first class mail, postage prepaid to 8853 Haviland Rd, Las Vegas, NV 89123 on the 23 24 18th day of May, 2012. 25 26 /s/Rita Margolian Employee, District Attorney's Office Family Support Division 27

NCPORD

Electronically Filed 08/29/2012 09:59:22 AM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** Las Vegas, Nevada 89119-5168 3 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 5 **DISTRICT COURT** 6 7 **CLARK COUNTY, NEVADA** 8 9 Patricia Foley, 10 Case no. R-11-162425-R Petitioner, **CHILD SUPPORT** 11 VS. Dept. no. Michael Foley, 12 13 Respondent. 14 15 NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS Michael Foley, Respondent or Respondent's Attorney 16 To: 17 To: Patricia Foley, Petitioner or Petitioner's Attorney 18 Please take notice that the enclosed Master's Recommendations were entered in the above-entitled 19 matter on August 28, 2012. 20 21 22 23 24 25 26 27

NEMREC

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on August 28, 2012, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 3300 S Decatur Blvd 10 Las Vegas NV 89102-8153 on August 29, 2012. /s/Rita Margolian_ Employee, District Attorney's Office Family Support Division

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on August 28, 2012, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 2120 Crestline Falls Pl Las Vegas NV 89134 on August 29, 2012. /s/Rita Margolian_ Employee, District Attorney's Office Family Support Division NEMREC

Electronically Filed 09/19/2012 11:18:29 AM MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY 1 Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 2 1900 East Flamingo Road, Suite 100 CLERK OF THE COURT Las Vegas, Nevada 89119-5168 (702) 671-9200 3 TDD (702) 385-7486 (for the hearing impaired) istrict Court 294910200A 4 5 Patricia Foley, 6 Petitioner. Case No. R11-162425R 7 VS. Department No. CHILD SUPPORT 8 Michael Foley, 9 Respondent. 10 MASTER'S RECOMMENDATION 11 This matter having been heard on AUGUST 28, 2012 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations: 12 Parties present: Respondent Respondent's attorney Petitioner Petitioner's attorney 13 ☐ PATERNITY ☑ PATERNITY PREVIOUSLY DECIDED 14 ☑ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS). Respondent's gross monthly income (GMI) : ; formula amount % of GMI= 15 Basis for deviation from state formula: Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley. 16 CHILD SUPPORT 17 Respondent is to pay monthly: \$700.00 Temp child support 18 \$79.00 medical support (in lieu of health insurance) spousal support 19 \$25.00 arrears payment □ ARREARAGES ☑ ARREARAGES NOT ADDRESSED AT THIS HEARING 20 TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) \$804.00 reach majority, become emancipated or further order of the Court. 21 22 Respondent's **INCOME SHALL BE WITHHELD** for the payment of support. Good cause to stay income withholding is based on: _____. Said withholding shall be postponed until Respondent becomes delinquent in an amount equal to 30 days support. 23 ENFORCEMENT OF CONTROLLING ORDER: The registered order from ______, dated ______, #_____, is hereby confirmed and is the controlling order for the following reasons:

only order ____ 24 ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian. 25 Respondent is referred to Employment Services for an appointment on _____ at ____ AM. 26 ➤ Health insurance coverage for the minor child(ren) herein: 🛮 Respondent to provide: 🗆 Petitioner to provide, excluding Medicaid: 🔲 Both Parties to provide: 27 if available through employer. shall provide per court order. 28

FINDING 1.2

1	Þ		Ordered Party(ies) to provide proof of said insurance within 90 days of today's date.	to the District Attorney's	Office, Family Suppor	t Division
2			_			
3			EMPT OF COURT		Γ.	
4			ORDER TO SHOW CAUSE CONTINUED TO NEX Respondent is hereby found in Contempt of Court and		Clark County Datanti	on Contor
		t.	his sentence shall be stayed until the next court date.	•		
5			The following sentence(s) shall be stayed/continued to the following sentence of 25 days in the Clark County Detention Center is:		nposed or vacated today imposed vacated	
6		S	Sentence of days in the Clark County Detention Center is Sentence of days in the Clark County Detention Center if Sentence of days in the Clark County Detention Center if the Clark County Detention Center is the Clark	ssued is	imposedvacated	stayed
7		S	Sentence of days in the Clark County Detention Center in Sentence of days in the Clark County Detention Center in	ssued is ssued is	imposed vacated _ imposed vacated	stayed stayed
8			Respondent is recommended for the day arrest program			
0	_		Respondent to be released from custody on			
9			Respondent may be released from the above sentence Petitioner as child support.	: immediately upon paym	ent of <u>\$</u> to be r	eleased to
10			BAIL BENCH WARRANT HEREBY ISSUED FO BE RELEASED UPON PAYMENT OF <u>\$500</u>			
11	S	UPI	PORT. Where circumstances justify a sufficient ball the bench warrant.			
12	_ ,	EN	OH WADDANT DDEVIOUSLY ISSUED IS HEDE	DV D OHASHED D	CONTINUED	
13			CH WARRANT PREVIOUSLY ISSUED IS HERE IFICATION OF PRIOR ORDER:	SY U QUASHED. L	CONTINUED.	
14	□ SU	JSP	ENSION OF LICENSES:			
15	1		ENTS			
			d payments MUST be made in the form of a cashier o State Collection and Disbursement Unit (SCaDU).			
16	also a			• •		
17	Payr	nen	ts can be mailed to:			
18			State Collection and Disbursement U P.O. Box 98950	nit (SCaDU)		
19			Las Vegas, Nevada 89193-8950			
	Payr	man	its can be made in person at:			
20	layı	псп	State Collection and Disbursement U	nit (SCaDU)		
21			1900 East Flamingo Road			
22			Las Vegas, Nevada 89119-5168			
23			ally, the following information must be included wit ble for paying child support, social security number			
24			ease number, and name of petitioner (first and last n			
25	NOT	ICE	: NO CREDIT WILL BE GIVEN FOR PAYMENT	S PAID DIRECTLY TO	THE PETITIONER.	
	NOT	ICE	: PRIOR ORDERS NOT SPECIFICALLY MODIFIE) HEREIN REMAIN IN F	ULL FORCE AND EF	FECT.
26			: Interest will be assessed on all unpaid child support b 0.040. A 10% penalty will be assessed on each unpaid			
27 28	suppo	rt fo	or a child, pursuant to NRS 125B.095. If the Responder a is not met by the amount withheld by the employer, the	t pays support through inco	ome withholding and th	e full
-0	Family Sup	port Di	, District Attorney, Nevada Bar No. 001565 ivision 50 Road #100			
	Las Vegas,	Nevada	19 (8 0 a) # 10 0 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			FINDING 1.2

FINDNG 1.2

1 2	the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced.						
3 4	NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the						
5	support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168.						
6 7	NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge.						
8	NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment.						
9 10	NOTICE: Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address, change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change.						
11	Respondent to bring new financial statement and proof of income next date.						
12	This order does not stay collection of support arrears by execution or any other means allowed by law.						
13	***********						
14	MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS:						
14 15	Respondent failed to appear. His request to modify is hereby DENIED, for failure to provide proof of income and hours worked. He can re-new his request at a later date. Petitioner provides health insurance for children, she provided a paystub. Cost is \$157 p/m and 1/2 = \$78.54. Respondent is to contribute to Petitioner's cost, at \$79 per month,						
16	beginning 4/1/12. Respondent has failed to pay minimum amount requested to avoid contempt of court of \$325 per month.						
17	NEXT HEARING DATE IS <u>B/W</u> in Courtroom _ in Child Support Court at Child Support						
18	Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.						
19							
20	DATED. ALICHET 28 2012						
21	DATED: AUGUST 28, 2012 MASTER						
22							
23	Respondent/Respondent's Attorney Receipt of this document is						
24	acknowledged by my signature.						
25	ORDER/JUDGMENT						
26	☐ The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court						
27	pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies that the ten-day objection period has expired without an objection having been filed and that the District Court deems the						
28	Master's Recommendation to be approved as an ORDER/JUDGMENT of the District Court, effective with the file stamp						
	Sieven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division						

38

Page 3 of 4

 $(702)\ 671\text{-}9200-TDD\ (702)\ 385\text{-}7486\ (for\ the\ hearing\ impaired)}$

1	date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this Order/Judgment.
3	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause appearing,
4	
5	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an ORDER/JUDGMENT of the District Court this day of, 20
	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of
6	, 20 and this matter is remanded to Child Support Court on atM.
7	
8	District Court Judge, Family Division
9	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565
10	
11	By: Alt to
12	DEPUTY DISTRICT ATTORNEY FAMILY SUPPORT DIVISION
	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168
13	Zuo regius, rieriau ozi iz eroo
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28	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5168
	Las vegas, iversua est 19-3100

(702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)

Electronically Filed 09/21/2012 12:14:42 PM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** 3 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 5 DISTRICT COURT 6 **CLARK COUNTY, NEVADA** 8 9 Patricia Foley, 10 Case no. R-11-162425-R Petitioner, 11 VS. Dept. no. **CHILD SUPPORT** 12 Michael Foley, 13 Respondent. 14 15 NOTICE OF ENTRY OF ORDER/JUDGMENT 16 To: MICHAEL FOLEY, Respondent 17 18 Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was 19 entered in the above-entitled matter on August 28, 2012. 20 **CERTIFICATE OF MAILING** 21 22 The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to 3300 S Decatur Blvd 10, Las Vegas, NV 89102 8153 23 24 on the 21st day of September, 2012. 25 /s/Rita Margolian 26 Employee, District Attorney's Office Family Support Division 27 28

NCPORD

BNCH	DISTRICT COURT	ţ
•	DISTRICT COURT CLARK COUNTY, NEVADA	: Electronically Filed 10/28/2013 03:22:57}PM
Patricia Foley,		Alun L. Chum
vs.) Case no. Petitioner,) Dept. no.	R-11-162425-R CLERK OF THE COURT CHILD SUPPORT
MICHAEL FOLEY,)))	
	Respondent.	
	BENCH WARRANT	
To: ANY SHERIFF, CONSTABLE, MAR	SHAL, POLICEMAN or PEACE OFF	ICER IN THIS STATE
YOU ARE COMMANDED to arrest the abo adjourned, deliver him into custody of the She County Sheriff is hereby set in the amount of Support Division to be released to Petitioner a	ve-named Respondent and bring him beforiff of Clark County; bail for Respondent NO BAIL. Respondent may be released to schild support.	r at said time, now therefore, ore the Court or, if the Court has
This Warrant may be served at any As recommended by Special Master GIVEN under my hand this d	CVI VIA C TELITON	
	District of the state of the st	
Steven B. Wolfson Clark County District Attorney Nevada Bar No. 001565	District Locurt Judge, F	amily Division
Deputy District Attorney		
Court appearances may be schedul Support Office, (702) 671-9200, by	ed by contacting the court team in the value of 11:30 a.m. each day. Court is held I	District Attorney's Family Monday through Friday.
Date	Respondent	
	RETURN OF SERVICE	
I hereby certify that I received the a the same by arresting the above-named Res	above and foregoing BENCH WARR, pondent, the arrest being made on	ANT on MICHAELFO and served
Dated this 27th day of	CTOBER . 20 (3
	PEACE OF VICER	INUM PNIBURS WMPD

^ BWRCSS

Electronically Filed 10/31/2013 08:21:21 AM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** Las Vegas, Nevada 89119-5168 3 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 5 **DISTRICT COURT** 6 7 **CLARK COUNTY, NEVADA** 8 9 Patricia Foley, 10 Case no. R-11-162425-R Petitioner, Dept. no. CHILD SUPPORT 11 VS. Michael Foley, 12 13 Respondent. 14 15 NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS To: Michael Foley, Respondent or Respondent's Attorney 16 17 To: Patricia Foley, Petitioner or Petitioner's Attorney 18 Please take notice that the enclosed Master's Recommendations were entered in the above-entitled 19 matter on October 30, 2013. 20 21 22 23 24 25 26 27

NEMREC

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on October 30, 2013, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 209 S Stephanie St B-191 Henderson NV 89012 on October 30, 2013. /S/GINNY RICHTER Employee, District Attorney's Office Family Support Division NEMREC

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on October 30, 2013, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8838 Tomnitz Ave 103 Las Vegas NV 89178 on October 30, 2013. /S/GINNY RICHTER Employee, District Attorney's Office Family Support Division

Electronically Filed 11/21/2013 08:40:21 AM MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY 1 Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 2 1900 East Flamingo Road, Suite 100 CLERK OF THE COURT Las Vegas, Nevada 89119-5168 (702) 671-9200 3 TDD (702) 385-7486 (for the hearing impaired) istrict Court 294910200A 4 ARK COUNTY, NEVADA 5 Patricia Foley, 6 Petitioner, Case No. R-11-162425-R 7 VS. Department No. CHILD SUPPORT 8 Michael Foley, 9 Respondent. 10 MASTER'S RECOMMENDATION 11 This matter having been heard on OCTOBER 30, 2013 (In Custody) before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and 12 Recommendations: Parties present: Respondent Respondent's attorney Petitioner Petitioner's attorney 13 ☐ PATERNITY ☐ PATERNITY PREVIOUSLY DECIDED 14 ☑ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS). 15 ; formula amount Respondent's gross monthly income (GMI) % of GMI= Basis for deviation from state formula: 16 Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley. 17 CHILD SUPPORT Respondent is to pay monthly: 18 \$700.00 Temp child support medical support (in lieu of health insurance) 19 spousal support \$25.00 arrears payment 20 □ ARREARAGES ☒ ARREARAGES NOT ADDRESSED AT THIS HEARING TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) 21 \$ 804.00 reach majority, become emancipated or further order of the Court. 22 Respondent's **INCOME SHALL BE WITHHELD** for the payment of support. ☐ Good cause to stay income withholding is based on:_____. Said withholding shall be postponed until Respondent 23 becomes delinquent in an amount equal to 30 days support. ENFORCEMENT OF CONTROLLING ORDER: The registered order from ___ 24 ____, dated _____, <u>#_____</u>, is hereby ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this 25 noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian. 26 Respondent is referred to Employment Services for an appointment on _____ at ____ AM. Health insurance coverage for the minor child(ren) herein:

FINDNG 1.2

🛮 Respondent to provide: 🗌 Petitioner to provide, excluding Medicaid: 🔲 Both Parties to provide:

shall provide per court order.

27

28

if available through employer.

	CASE NO. R-11-102-25-1
1	☑ Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support Division within 90 days of today's date.
2	within 70 days of today's date.
3	☑ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING
3	 □ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT. □ ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE.
4	Respondent is hereby found in Contempt of Court and sentenced to <u>25</u> days in the Clark County Detention Center this sentence shall be stayed until the next court date.
5	☐ The following sentence(s) shall be stayed/continued to the next court date unless imposed or vacated today:
6	Sentence of 25 days in the Clark County Detention Center issued 05/15/2012 is 5 imposed vacated stayed
	Sentence of 5 days in the Clark County Detention Center issued 09/19/2012 is imposed vacated stayed
7	Sentence ofdays in the Clark County Detention Center issued isimposed vacated stayed Sentence ofdays in the Clark County Detention Center issued isimposed vacated stayed
8	Respondent is recommended for the day arrest program on
	Respondent to be released from custody on $\frac{11/4/2013}{2}$.
9	Respondent may be released from the above sentence immediately upon payment of \$300.00 to be released to Petitioner as child support.
10	NO BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPONDEN
11	MAY BE RELEASED UPON PAYMENT OF \$ TO BE RELEASED TO PETITIONER AS CHILI
	SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash o recall the bench warrant.
12	
13	☐ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY ☐ QUASHED. ☐ CONTINUED. ☐ MODIFICATION OF PRIOR ORDER:
14	□ SUSPENSION OF LICENSES:
15	PAYMENTS
17	All mailed payments MUST be made in the form of a cashier's check, money order or business check ONLY, made
16	payable to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit card are also accepted.
17	
18	Payments can be mailed to: State Collection and Disbursement Unit (SCaDU)
	P.O. Box 98950
19	Las Vegas, Nevada 89193-8950
20	Payments can be made in person at:
21	State Collection and Disbursement Unit (SCaDU) 1900 East Flamingo Road
22	Las Vegas, Nevada 89119-5168
23	Additionally, the following information must be included with each payment: name (first, middle, last) of person
24	responsible for paying child support, social security number of person responsible for paying child support, child support case number, and name of petitioner (first and last name of person receiving child support).
25	NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.
26	NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.
27 28	NOTICE: Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant to NRS 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay support for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full
	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamings Road #100 Las Veas Nevada 89119-5168
	Las vegas, Neward 89119-108 Page 2 of 4 FINING 1:

1 2 3	obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced.				
4 5	NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168.				
6 7	NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge.				
8	NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment.				
10 11	NOTICE: Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change.				
12	Respondent to bring new financial statement and proof of income next date.				
13	This order does not stay collection of support arrears by execution or any other means allowed by law.				
14	**************************************				
15	Pay/Stay \$500.00				
16 17	NEXT HEARING DATE IS <u>2/19/2014 at 9:00 AM</u> in Courtroom <u>1</u> in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.				
18					
19	DATED: OCTOBER 30, 2013				
20	MASTER				
21					
22	In Custody				
23	Respondent/Respondent's Attorney Receipt of this document is acknowledged by my signature.				
24					
25	ORDER/JUDGMENT				
26	The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court				
27	pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies				
	that the ten-day objection period has expired without an objection having been filed and that the District Court deems the Master's Recommendation to be approved as an ORDER/JUDGMENT of the District Court, effective with the file stamp				
28					

Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5168

(702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired) Page 3 of 4 FINDNG 1.2

			01202110111111	
1	date, without need of a District Court Judge's signature order/Judgment.	ffixed hereto. The parties a	re ordered to comply with th	is
3	The District Court, having reviewed the above and considered the objection thereto, as well as any other page.			
	appearing,			
4	☐ IT IS HEREBY ORDERED that the Master's ORDER/JUDGMENT of the District Court this			
5	☐ IT IS HEREBY ORDERED that the Master's	Recommendation IS NOT af	firmed and adopted this	_ day of
6	, <u>20</u> and this matter is remanded to C	nild Support Court on	, 20	at
7				
8		District Cour	t Judge, Family Division	
9	STEVEN B. WOLFSON, Clark County District Atto Nevada Bar No. 001565	rney		
10	-0-0-			
11	By: DEPUTY DISTRICT ATTORNEY			
12	FAMILY SUPPORT DIVISION			
13	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168			
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	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100			
	Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) Pa	ge 4 of 4		FINDNG 1.2

Electronically Filed 11/25/2013 07:51:09 AM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** 3 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 5 **DISTRICT COURT** 6 7 **CLARK COUNTY, NEVADA** 8 9 Patricia Foley, 10 Case no. R-11-162425-R Petitioner, 11 vs. Dept. no. **CHILD SUPPORT** 12 Michael Foley, 13 Respondent. 14 15 NOTICE OF ENTRY OF ORDER/JUDGMENT 16 To: MICHAEL FOLEY, Respondent 17 Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was 18 19 entered in the above-entitled matter on October 30, 2013. 20 **CERTIFICATE OF MAILING** 21 The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing 22 a copy thereof, first class mail, postage prepaid to 209 S Stephanie St B-191, Henderson, NV 89012 on 23 24 the 22nd day of November, 2013. 25 26 /s/ Katherine Yonashiro Employee, District Attorney's Office

NCPORD

Family Support Division

27

Electronically Filed 02/19/2014 02:21:22 PM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** 3 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 5 **DISTRICT COURT** 6 7 **CLARK COUNTY, NEVADA** 8 9 Patricia Foley, 10 Case no. R-11-162425-R Petitioner, CHILD SUPPORT Dept. no. 11 VS. Michael Foley, 12 13 Respondent. 14 15 NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS To: Michael Foley, Respondent or Respondent's Attorney 16 17 To: Patricia Foley, Petitioner or Petitioner's Attorney 18 Please take notice that the enclosed Master's Recommendations were entered in the above-entitled 19 matter on February 19, 2014. 20 21 22 23 24 25 26

NEMREC

27

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on February 19, 2014, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 209 S Stephanie St B-191 Henderson NV 89012 on February 19, 2014. /s/Francine Burt Employee, District Attorney's Office Family Support Division

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on February 19, 2014, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8838 Tomnitz Ave 103 Las Vegas NV 89178 on February 19, 2014. /s/Francine Burt Employee, District Attorney's Office Family Support Division NEMREC

Electronically Filed 03/12/2014 10:50:03 AM MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY 1 Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 2 1900 East Flamingo Road, Suite 100 CLERK OF THE COURT Las Vegas, Nevada 89119-5168 (702) 671-9200 3 TDD (702) 385-7486 (for the hearing impaired) istrict Court 294910200A 4 ARK COUNTY, NEVADA 5 Patricia Foley, 6 Petitioner, Case No. R-11-162425-R 7 VS. Department No. CHILD SUPPORT 8 Michael Foley, 9 Respondent. 10 MASTER'S RECOMMENDATION 11 This matter having been heard on FEBRUARY 19, 2014 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations: 12 Parties present: Respondent Respondent's attorney Petitioner Petitioner's attorney 13 ☐ PATERNITY ☐ PATERNITY PREVIOUSLY DECIDED 14 ☑ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS). Respondent's gross monthly income (GMI) ; ; formula amount % of GMI= 15 Basis for deviation from state formula: Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley. 16 CHILD SUPPORT 17 Respondent is to pay monthly: \$700.00 Temp child support 18 \$79.00 medical support (in lieu of health insurance) spousal support 19 \$25.00 arrears payment □ ARREARAGES ☑ ARREARAGES NOT ADDRESSED AT THIS HEARING 20 TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) \$ 804.00 reach majority, become emancipated or further order of the Court. 21 22 Respondent's **INCOME SHALL BE WITHHELD** for the payment of support. Good cause to stay income withholding is based on:_____. Said withholding shall be postponed until Respondent becomes delinquent in an amount equal to 30 days support. 23 ☐ ENFORCEMENT OF CONTROLLING ORDER: The registered order from ______, dated ______, #_____, is hereby confirmed and is the controlling order for the following reasons:

only order ____ 24 ☐ ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian. 25 Respondent is referred to Employment Services for an appointment on _____ at ____ AM. 26 ☐ Health insurance coverage for the minor child(ren) herein: 🛮 Respondent to provide: 🗌 Petitioner to provide, excluding Medicaid: 🔲 Both Parties to provide: 27 if available through employer. shall provide per court order. 28 FINDNG 1.2

	Chol no. R-11-102425-P
1	Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support Division within 90 days of today's date.
2	within 20 days of today's date.
3	☐ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING ☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.
4	 ☑ ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE. ☑ Respondent is hereby found in Contempt of Court and sentenced to 25 days in the Clark County Detention Center this sentence shall be stayed until the next court date.
5	☐ The following sentence(s) shall be stayed/continued to the next court date unless imposed or vacated today:
6	Sentence of 20 days in the Clark County Detention Center issued 05/15/12 is imposed vacated stayed
	Sentence of <u>05</u> days in the Clark County Detention Center issued <u>09/19/12</u> is imposed vacated stayed Sentence of <u>25</u> days in the Clark County Detention Center issued <u>11/21/13</u> is imposed vacated stayed
7	Sentence of days in the Clark County Detention Center issued is imposed vacated stayed
8	☐ Respondent is recommended for the day arrest program on
	Respondent to be released from custody on
9	Respondent may be released from the above sentence immediately upon payment of \(\) to be released to
10	Petitioner as child support.
	NO BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPONDENT
11	MAY BE RELEASED UPON PAYMENT OF \$804 TO BE RELEASED TO PETITIONER AS CHILI SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or
12	recall the bench warrant.
13	□ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY □ QUASHED. □ CONTINUED. □ MODIFICATION OF PRIOR ORDER:
14	□ SUSPENSION OF LICENSES:
15	DAVMENTS
	PAYMENTS All mailed payments MUST be made in the form of a cashier's check, money order or business check ONLY, made
16	payable to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit card are also accepted.
17	Demonstrate and he made days
18	Payments can be mailed to: State Collection and Disbursement Unit (SCaDU)
	P.O. Box 98950
19	Las Vegas, Nevada 89193-8950
20	
	Payments can be made in person at: State Collection and Disbursement Unit (SCaDU)
21	1900 East Flamingo Road
22	Las Vegas, Nevada 89119-5168
23 24	Additionally, the following information must be included with each payment: name (first, middle, last) of person responsible for paying child support, social security number of person responsible for paying child support, child support case number, and name of petitioner (first and last name of person receiving child support).
25	NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.
26	NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.
27 28	NOTICE: Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant to NRS 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay support for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full
	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flaming Road #100 Lax Vegas, Nevada 89119-5168
	(70) (51.0200 - TD) (70.0) 385-7886 (for the hearing impaired) Page 2 of 4

1 2 3	obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced.							
4 5	NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168.							
6 7 8	NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge.							
9	NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment.							
10 11	NOTICE: Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address, change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change.							
12	Respondent to bring new financial statement and proof of income next date.							
13	This order does not stay collection of support arrears by execution or any other means allowed by law.							
14	**************************************							
15	Last payment 7/2013 by wage withholding. R failed to appear.							
16	NEXT HEARING DATE IS <u>BW</u> in Courtroom in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further							
17	proceedings.							
18	DATED. FEDDUADY 10 2014							
19 20	DATED: FEBRUARY 19, 2014 MASTER							
21								
22	Respondent/Respondent's Attorney Receipt of this document is acknowledged by my signature.							
23	demonreaged by my signature.							
24	ORDER/JUDGMENT							
25	The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court							
26	pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies that the ten-day objection period has expired without an objection having been filed and that the District Court deems the							
27	Master's Recommendation to be approved as an ORDER/JUDGMENT of the District Court, effective with the file stamp date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this Order/Judgment.							
28								
	Stavan B. Walfeen, District Attornay, Navada Bor No. 001565							

Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5168 (20) 5(3) 006 - EDN 2703 385 7486 (for the hearing imposes

(702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) Page 3 of 4 FINDNG 1.2

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	4	 .	~	. K.		111/	4/3-	•

	CASE NO. R-11-162425-R					
4						
1 2	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause appearing,					
3 4	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an ORDER/JUDGMENT of the District Court this day of, 20					
5	IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of, 20 and this matter is remanded to Child Support Court on, 20 at					
6	M					
7	District Court Judge, Family Division					
8	Nevada Bar No. 001565					
9						
10	By: Wonet Shods DEPUTY DISTRICT ATTORNEY					
11	FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100					
12	Las Vegas, Nevada 89119-5168					
13						
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	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5168					

Electronically Filed 03/13/2014 08:50:00 AM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** 3 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 5 **DISTRICT COURT** 6 7 **CLARK COUNTY, NEVADA** 8 9 Patricia Foley, 10 Case no. R-11-162425-R Petitioner, 11 vs. Dept. no. **CHILD SUPPORT** 12 Michael Foley, 13 Respondent. 14 15 NOTICE OF ENTRY OF ORDER/JUDGMENT 16 To: MICHAEL FOLEY, Respondent 17 18 Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was 19 entered in the above-entitled matter on February 19, 2014. 20 **CERTIFICATE OF MAILING** 21 The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing 22 23

a copy thereof, first class mail, postage prepaid to 209 S Stephanie St B-191, Henderson, NV 89012 on the 13th day of March, 2014.

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/s/Francine Burt Employee, District Attorney's Office Family Support Division

NCPORD

BNCH 294910200A

DISTRICT COURT CLARK COUNTY, NEVADA

Electronically Filed 08/07/2014 12:34:56 PM

			00/07/2014 12:04:00 1
Patricia Foley,)		Na & Bluis
	}	Case no.	R-11-162425-R Alum & Llum
vs.	Petitioner,)	Dept. no.	CLERK OF THE COURT CHILD SUPPORT
MICHAEL FOLEY,)	•	ų
Mem ab Tobbi,	<u> </u>		
· · · · · · · · · · · · · · · · · · ·	Respondent.		
	BENCH WAI	RRANT	
To: ANY SHERIFF, CONSTABLE, MAR	RSHAL, POLICEMAN	or PEACE OF	FICER IN THIS STATE
The Respondent, MICHAEL FOLE FEBRUARY 19, 2014, for hearing on a Com YOU ARE COMMANDED to arrest the about adjourned, deliver him into custody of the Sh County Sheriff is hereby set in the amount of Support Division to be released to Petitioner: This Warrant may be served at an As recommended by Special Master GIVEN under my hand this Steven B. Wolfson Clark County District Attorney Nevada Bar No. 001565	plaint for Support and I ove-named Respondent eriff of Clark County; by NO BAIL. Responder as child support. The support of t	naving failed to a and bring him be at for Responde at may be release	appear at said time, now therefore, efore the Court or, if the Court has ent's release from custody of the Clark
An Barringer_			
Deputy District Attorney			
Court appearances may be schede Support Office, (702) 671-9200,			
Date	Resp	ondent	
	RETURN OF S	ERVICE	MICHAEL POLEY
I hereby certify that I received the the same by arresting the above-named R	e above and foregoing espondent, the arrest	g BENCH WAI being made on	RRANT on 08-06-14 and served
Dated this <u>O6</u> day of <u>Au</u>	16457	, 20 تربر	<u>14</u>
	PEAG	CE OFFICER	San 1765

BWRCS\$

Electronically Filed

			08/11/2014 04:13:06 PM				
1	NEMR Steven B. Wolfson, District Attorney		Alm & Luim				
2	Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100						
3	Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)		CLERK OF THE COURT				
4	294910200A						
5							
6	DISTRICT COURT						
7	CLARK COUNTY, NEVADA						
8							
9	Patricia Foley,						
10	Petitioner,)	Case no.	R-11-162425-R				
11	vs.	Dept. no.	CHILD SUPPORT				
12	Michael Foley,						
13	Respondent.						
14							
15	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS						
16	To: Michael Foley, Respondent or Respondent's Attorney						
17	To: Patricia Foley, Petitioner or Petitioner's Attorney						
18	Please take notice that the enclosed Master's Recommendations were entered in the above-entitled						
19	matter on August 08, 2014.						
20							
21							
22							
23							
24							
25							
26							
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28							

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on August 08, 2014, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 209 S Stephanie St B191 Henderson NV 89012 on August 11, 2014. /s/ Lori Robinson Employee, District Attorney's Office Family Support Division

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on August 08, 2014, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8838 Tomnitz Ave 103 Las Vegas NV 89178 on August 11, 2014. /s/ Lori Robinson Employee, District Attorney's Office Family Support Division

Electronically Filed 08/13/2014 07:01:15 AM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** 3 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 5 **DISTRICT COURT** 6 7 **CLARK COUNTY, NEVADA** 8 9 Patricia Foley, 10 Case no. R-11-162425-R Petitioner, Dept. no. CHILD SUPPORT 11 VS. Michael Foley, 12 13 Respondent. 14 15 NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS To: Michael Foley, Respondent or Respondent's Attorney 16 17 To: Patricia Foley, Petitioner or Petitioner's Attorney 18 Please take notice that the enclosed Master's Recommendations were entered in the above-entitled 19 matter on August 11, 2014. 20 21 22 23 24 25 26

NEMREC

27

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on August 11, 2014, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 209 S Stephanie St B191 Henderson NV 89012 on August 12, 2014. /s/ Katherine Yonashiro Employee, District Attorney's Office Family Support Division

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on August 11, 2014, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8838 Tomnitz Ave 103 Las Vegas NV 89178 on August 12, 2014. /s/ Katherine Yonashiro Employee, District Attorney's Office Family Support Division

			Electronically Filed 08/21/2014 09:18:00 AM	
1	NOTM Steven B. Wolfson, District Attorney			
2	Nevada Bar No. 001565 Family Support Division		Alun & Elinin	
3	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168		CLERK OF THE COURT	
4	(702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A			
5	DISTRICT C	OURT		
6	CLARK COUNTY,	NEVADA		
7				
8	PATRICIA FOLEY			
9) b	Case no.	R-11-162425-R	
10	Petitioner,) vs.	Dept. no.	CHILD SUPPORT	
11	MICHAEL FOLEY,			
12	Respondent.)			
13				
14	DISTRICT ATTORNEY'S NOTICE OF MOTION &			
15	MOTION TO MODIFY CHILD SUPPORT			
16	Date of Hearing: DECEMBER 09, 2014 Time of Hearing: 09.15 AM Court Room: 1			
17 18	The District Attorney, by and through the undersigned Deputy District Attorney, moves the			
19				
20				
21				
	Petitioner's cost of providing medical insurance, if any. This Motion is made and based upon the pleadings and papers on file herein and the attached			
22	Points and Authorities, exhibit(s), if any, oral argument,			
23 24	Proof of Respondent's income indicating the	•	_	
	determined. Updated income information to be provided		·	
25	Other:	i at the time of the	ne nearing, it any.	
26	/// Other.			
27				
28				
I	I			

1	Further, the District Attorney requests this Honorable Court conduct a review of the orde	er
2	because it is alleged that changed circumstances can be demonstrated pursuant to NRS 125B.145(1)	
3	and/or (4). It is alleged that Respondent's income has changed by 20% or more.	
4	NEVADA'S MODIFICATION OF ANOTHER STATE'S ORDER IS PROPER BECAUSE:	
5	An individual party,, has requested modification; this tribunal has personal	
6	jurisdiction over the non-movant and the issuing state (the state whose order controlled prior to this	
7	modification) is no longer the residence of any individual party/contestant or child(ren). NRS	
8	130.611(1)(a).	
9	An individual party,, has requested modification; all individual parties and children	en
10	now reside in Nevada. NRS 130.613(1).	
11	All parties/contestants have filed written consent with the tribunal whose order controlled	d
12	prior to this modification for this tribunal to modify the support obligation and assume continuing,	
13	exclusive jurisdiction. NRS 130.611(1)(b).	
14	Dated this day of _Aug-20-2014, 20	
15	Respectfully Submitted,	
16	Steven B. Wolfson District Attorney	
17	Nevada Bar No. 001565	
18	Robert J. Danhan for JWM	
19	Jeffrey Messmore	
20	Deputy District Attorney	
21		
22		
23		
24		
25		
26		
27		
28	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division	
	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168	TMOD
	Page 2 of 5	

NOTICE OF HEARING TO: Michael Anthony Foley, Respondent: You will please take notice that the District Attorney's Office, Family Support Division, will bring the above and foregoing motion on for hearing in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, in Court Room 1 on the DECEMBER 09, 2014 at 09.15 AM, or as soon thereafter as the case may be heard. /// /// /// /// /// /// /// /// Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100 Laz Vegas, Nevada 89119-5168 (702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired) MOTMOD Page 3 of 5

POINTS AND AUTHORITIES IN SUPPORT OF THE MOTION

A review of a support order can be requested by either party or, in a welfare case, by the District Attorney's Office, at least every three years pursuant to NRS 125B.145 (1). "Support" includes not only financial maintenance, but also support for a child's health care and educational needs. NRS 125B.020. The Court has authority to adjust an order if the moving party has demonstrated changed circumstances since the order was last entered. Rivero v. Rivero, 125 Nev. Adv. Op. No. 43, 216 P.3d 213 (2009). A modification may also be made on an order less than three years old. Likewise, the moving party must show changed circumstances. NRS 125B.145(4).

NRS 125B.145(4) declares that "[a]n order for the support of a child may be reviewed at any time on the basis of changed circumstances" and adds that a change of 20% or more in a child support obligor's gross monthly income "shall be deemed to constitute changed circumstances requiring a review for modification of the order for the support of a child." Fernandez v. Fernandez, 126 Nev. Adv. Op. No. 3, 222 P.3d 1031 (2010). Changed circumstances may also include other events in the lives of the parties such as emancipation or the addition of a new child to the family.

The statutory formula for child support is stated in NRS 125B.070 and NRS 125B.080. Specifically, NRS 125B.070 (1)(b) requires the Court to set support using the non-custodial parent's gross monthly income and applying 18% for one child, 25% for two children, 29% for three children, and 2% more for each child thereafter. The Court may further increase or decrease support by considering certain factors or deviations listed in NRS 125B.080(9).

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Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 'amily Support Division 900 East Flamingo Road, Suite 100 as Vegas, Nevada 89119-5168 702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired)

MOTMOD

1	It is respectfully requested that this Honorable Court determine the Respondent's gross monthly
2	income or, in the alternative, impute earning capacity. The support order should be adjusted as
3	appropriate, and address health insurance, if available at a reasonable cost. If the Petitioner carries
4	health insurance for the child, the order should require the Respondent to contribute to the cost of the
5	health insurance for the child upon a showing of proof.
6	Dated this day of Aug-20-2014, 20
7	Respectfully Submitted,
8	Steven B. Wolfson
9	District Attorney Nevada Bar No. 001565
10	nevada Bai no. 001303
	Robot & Dardin
11	Deputy District Attorney
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	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565
	Page 5 of 5

1	CERT Case no. R-11-162425-R
2	CERTIFICATE OF MAILING
3	The foregoing DISTRICT ATTORNEY'S NOTICE OF MOTION & MOTION TO MODIFY
4	CHILD SUPPORT was served upon Michael Anthony Foley by mailing a copy thereof, first class mail,
5	postage prepaid to:
6	postage prepare to.
7	MICHAEL ANTHONY FOLEY
8	209 S Stephanie St B191 Henderson NV 89012
9	
10	on the 21st day of August , 2014.
11	
12	_ Epintholimone
13	Employeé, District Attorney's Office Family Support Division
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20	Steven B. Wolfson, District Attorney Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100
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1	CERT Case no. R-11-162425-R
2	CERTIFICATE OF MAILING
3	The foregoing DISTRICT ATTORNEY'S NOTICE OF MOTION & MOTION TO
4	MODIFY CHILD SUPPORT was served upon Patricia Foley by mailing a copy thereof, first class
5	mail, postage prepaid to:
6	
7	Patricia Foley 8838 Tomnitz Ave 103
8	Las Vegas, NV 89178
9	on the 21st day of August , 2014.
10	
11	Employee, District Attorney's Office
12	Family Support Division
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28	Steven B. Wolfson, District Attorney Nevada Bar No. 001565
	Family Support Division 1900 East Planningo Road #100 Las Vagas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) Page 2 of 2

	Electronically Filed 09/02/2014 08:22:27 AM		
	MRAO STEVEN B. WOLFSON		
1	STEVEN B. WOLFSON DISTRICT ATTORNEY Nevada Bar No. 001565 FAMILY SUPPORT DIVISION		
2	FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 CLERK OF THE COURT		
3	(702) 671-9200		
4	294910200A District Court		
	CLARK COUNTY, NEVADA		
5			
6	Patricia Foley,)		
7	Petitioner,) Case No. R-11-162425-R		
8	Department No. CHILD SUPPORT		
	Michael Foley,)		
9	Respondent.		
10	MASTER'S RECOMMENDATION		
11	This matter having been heard on AUGUST 11, 2014 (Attorney Maskal, #6410, UNBUNDLED) before the undersigned		
12	Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations:		
13	Parties present: ☐ Respondent ☐ Respondent's attorney ☐ Petitioner ☐ Petitioner's attorney		
14	□ PATERNITY ☑ PATERNITY PREVIOUSLY DECIDED		
15	☐ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS). Respondent's gross monthly income (GMI) : \$900.00; formula amount 29% of GMI= \$261.00		
16	Basis for deviation from state formula: <u>Temporary setting based on Respondent's income.</u> Respondent is to pay current support for the child(ren), <u>Michael Foley, AND Elizabeth Foley, AND Therese Foley.</u>		
17	CHILD SUPPORT		
18	Respondent is to pay monthly: \$300.00 Temp child support		
19	\$79.00 Temp medical support (in lieu of health insurance)		
	\$25.00 Temp spousal support arrears payment		
20	☐ ARREARAGES ☒ ARREARAGES NOT ADDRESSED AT THIS HEARING		
21	\$ 404.00 TOTAL monthly payment is due on the 1 st day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.		
22	Respondent's INCOME SHALL BE WITHHELD for the payment of support.		
23	Good cause to stay income withholding is based on: Said withholding shall be postponed until Respondent becomes delinquent in an amount equal to 30 days support.		
24	ENFORCEMENT OF CONTROLLING ORDER: The registered order from, dated, #, is hereby		
25	confirmed and is the controlling order for the following reasons: only order ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian.		
26	Respondent is referred to Employment Services for an appointment on at AM.		
27	Health insurance coverage for the minor child(ren) herein:		
	 ☐ Respondent to provide: ☐ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide: ☐ if available through employer. ☐ shall provide per court order. 		
28			
	FINDING 1.2		

1		\boxtimes	Ordered Party(ies) to provide proof within 90 days of today's date.	of said insurance to the District At	torney's Office, Family Support Division
2			_		
3			NTEMPT OF COURT	OW CAUSE CONCERNING CON	
4			Respondent is hereby found in Cont Center; this sentence shall be stayed u	tempt of Court and sentenced to until the next court date.	days in the Clark County Detention
5		\boxtimes	ě , ,	•	•
6			Sentence of 20 days in the Clark County Sentence of 05 days in the Clark County	Detention Center issued <u>09/19/12</u> is	imposed vacated X stayed X imposed vacated stayed
7			Sentence of <u>25</u> days in the Clark County Sentence of <u>25</u> days in the Clark County		imposed vacated X stayed mposed vacated X stayed
8			Respondent is recommended for the commended for		
9			Respondent to be released from custo	•	
10			Petitioner as child support.		on payment of \$200.00 to be released to
					OF RESPONDENT. RESPONDENT ASED TO PETITIONER AS CHILE
11 12		SU			attorney may administratively quash or
13		BE	ENCH WARRANT PREVIOUSLY IS	SSUED IS HEREBY QUASI	HED. □ CONTINUED.
	⊠ ⊠		ODIFICATION OF PRIOR ORDER: odification effective: 8/1/14.		
14	፟	Thi	is order modifies a previously existing,		
15			sumes or retains continuing, exclusive justified in this order. Modification is pre-		ition for the child(ren) and parties
16			The previously controlling order is from	om, dated, #	
17			An individual party,, has requ	nested modification of the previously	controlling Nevada support order.
18 19				order controlled prior to this modific	personal jurisdiction over the non-movant ation) is no longer the residence of any
20			An individual party,, has requ	nested modification; all individual par	ties and children now reside in Nevada.
21			All parties have filed written consent tribunal to modify the support obligat		
22		SUS	SPENSION OF LICENSES:		
23	 PA	YN	MENTS		
24	All pay	mai ⁄ablo	iled payments MUST be made in the e to State Collection and Disburseme		rder or business check ONLY, made made in person, cash or debit card are
25	also	o acc	cepted.		
	Pa	ym	ents can be mailed to:		
26			State Collection and D P.O. Box 98950	visbursement Unit (SCaDU)	
27			Las Vegas, Nevada 89	193-8950	
28					
	Family 1900 F	y Suppo East Flar	Ifson, District Attorney, Nevada Bar No. 001565 ort Division mingo Road #100 wada 80119-5168		
	1	-	0 – TDD (702) 385-7486 (for the hearing impaired)	Page 2 of 4	FINDNG 1.2

FINDNG 1.2

1 Payments can be made in person at: **State Collection and Disbursement Unit (SCaDU)** 2 1900 East Flamingo Road Las Vegas, Nevada 89119-5168 3 Additionally, the following information must be included with each payment: name (first, middle, last) of person 4 responsible for paying child support, social security number of person responsible for paying child support, child support case number, and name of petitioner (first and last name of person receiving child support). 5 NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER. 6 NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT. 7 **NOTICE:** Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant to NRS 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay support for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these 10 additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced. 11 NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and 12 Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this 13 purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168. NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's 14 Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless 15 signed and filed by a Judge. 16 NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment. NOTICE: Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address, 18 change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change. 19 Respondent to bring new financial statement and proof of income next date. 20 This order does not stay collection of support arrears by execution or any other means allowed by law. 21 MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS: 22 Last payment 6/2014 as an involuntary payment. Respondent is self-employed. He testified he earns \$800 to \$1000 per month. Respondent to bring 2012 and 2013 IRS tax returns, and profit and loss statement. DAFS to request updated 23 health insurance information and to be addressed next court date. 24 NEXT HEARING DATE IS December 9, 2014 at 9:15 AM in Courtroom 1 in Child Support 25 Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings. 26 27 defend Terre **DATED:** <u>AUGUST 11, 2014</u> Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5168

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Page 3 of 4

(702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)

	CASE NO. R-11-162425-R
1	MASTER
2	
3	Respondent/Respondent's Attorney
4	Receipt of this document is acknowledged by my signature.
5	ORDER/JUDGMENT
6	
7	The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court
8	pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies that the ten-day objection period has expired without an objection having been filed and that the District Court deems the
9	Master's Recommendation to be approved as an ORDER/JUDGMENT of the District Court, effective with the file stamp date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this
10	Order/Judgment.
11	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause
12	appearing,
13	IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an ORDER/JUDGMENT of the District Court this day of
14	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of
15	, <u>20</u> and this matter is remanded to Child Support Court on, 20 atM.
16	District Court Index Foreity Division
	District Court Judge, Family Division
17	Nevada Bar No. 001565
18	
19	By: Wonet Shorts DEPUTY DISTRICT ATTORNEY
20	FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100
21	Las Vegas, Nevada 89119-5168
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40	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565
	Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5168
	[702] 671-9200 - TDD (702) 385-7486 (for the hearing impaired) Page 4 of 4 FINDNG 1.2

Electronically Filed 09/02/2014 08:32:13 AM MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY 1 Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 2 1900 East Flamingo Road, Suite 100 CLERK OF THE COURT Las Vegas, Nevada 89119-5168 (702) 671-9200 3 TDD (702) 385-7486 (for the hearing impaired) istrict Court 294910200A 4 5 Patricia Foley, 6 Petitioner, Case No. R-11-162425-R 7 VS. Department No. CHILD SUPPORT 8 Michael Foley, 9 Respondent. 10 **MASTER'S RECOMMENDATION** 11 This matter having been heard on AUGUST 08, 2014 (Respondent incustody and not produced) before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the 12 following Findings and Recommendations: 13 Parties present: Respondent Respondent's attorney Petitioner Petitioner's attorney ☐ PATERNITY ☐ PATERNITY PREVIOUSLY DECIDED 14 ☑ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS). 15 ; formula amount Respondent's gross monthly income (GMI) % of GMI= Basis for deviation from state formula: 16 Respondent is to pay current support for the child(ren), Michael Foley & Elizabeth Foley & Therese Foley. 17 CHILD SUPPORT Respondent is to pay monthly: 18 \$700.00 Temp child support medical support (in lieu of health insurance) 19 spousal support \$25.00 arrears payment 20 TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) 21 \$ 804.00 reach majority, become emancipated or further order of the Court. 22 Respondent's **INCOME SHALL BE WITHHELD** for the payment of support. ☐ Good cause to stay income withholding is based on:_____. Said withholding shall be postponed until Respondent 23 becomes delinquent in an amount equal to 30 days support. ENFORCEMENT OF CONTROLLING ORDER: The registered order from ___ 24 ____, dated _____, <u>#_____</u>, is hereby ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this 25 noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian. 26 Respondent is referred to Employment Services for an appointment on _____ at ____ AM. Health insurance coverage for the minor child(ren) herein: 27 🛮 Respondent to provide: 🗌 Petitioner to provide, excluding Medicaid: 🔲 Both Parties to provide: if available through employer. shall provide per court order. 28

1	Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support Divisio within 90 days of today's date.
2	within 50 days of today's date.
3	☐ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING ☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT. ☐ ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE.
4	 ☑ ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE. ☐ Respondent is hereby found in Contempt of Court and sentenced to days in the Clark County Detention
5	Center; this sentence shall be stayed until the next court date. In the following sentence(s) shall be stayed/continued to the next court date unless imposed or vacated today:
اً	Sentence of 20 days in the Clark County Detention Center issued 05/15/12 is imposed vacated x_ stayed
6	Sentence of 5 days in the Clark County Detention Center issued 09/19/12 is imposed vacated x_stayed
7	Sentence of <u>25</u> days in the Clark County Detention Center issued <u>11/21/13</u> is imposed vacated <u>x</u> stayed Sentence of <u>25</u> days in the Clark County Detention Center issued <u>03/12/14</u> is imposed vacated <u>x</u> stayed
8	Respondent is recommended for the day arrest program on
9	Respondent to be released from custody on
	Respondent may be released from the above sentence immediately upon payment of \$ to be released to Petitioner as child support.
10	\square NO BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPONDEN
11	MAY BE RELEASED UPON PAYMENT OF \$ TO BE RELEASED TO PETITIONER AS CHILD SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash of the circumstances.
12	recall the bench warrant.
13	□ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY □ QUASHED. □ CONTINUED. □ MODIFICATION OF PRIOR ORDER:
14	☐ SUSPENSION OF LICENSES:
15	PAYMENTS
16	All mailed payments MUST be made in the form of a cashier's check, money order or business check ONLY, made payable to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit card are also accepted.
17	
18	Payments can be mailed to: State Collection and Disbursement Unit (SCaDU)
19	P.O. Box 98950
20	Las Vegas, Nevada 89193-8950
	Payments can be made in person at:
21	State Collection and Disbursement Unit (SCaDU) 1900 East Flamingo Road
22	Las Vegas, Nevada 89119-5168
23	Additionally, the following information must be included with each payment: name (first, middle, last) of person
24	responsible for paying child support, social security number of person responsible for paying child support, child support case number, and name of petitioner (first and last name of person receiving child support).
25	NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.
26	NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.
27 28	NOTICE: Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant to NRS 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay support for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full
	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5168
	(702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired) Page 2 of 4 FINDNG 1.

- 1					
1 2	obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order,				
3	Nevada interest and penalties will only be calculated to the date of the new order and will be enforced.				
4	NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and				
5	Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168.				
6	NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's				
7	Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge.				
8 9	NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment.				
10	NOTICE: Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change.				
11					
12	Respondent to bring new financial statement and proof of income next date.				
13	This order does not stay collection of support arrears by execution or any other means allowed by law.				
14	**************************************				
	MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS: Respondent was arrested on 8/6/14. Last payment received 6/6/14 (only payment this year).				
15					
16	NEXT HEARING DATE IS <u>August 11, 2014 at 1:15 PM</u> in Courtroom <u>1</u> in Child Support				
17	Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.				
18	rvevada, for further proceedings.				
19	DATED. AUGUST 00 2014				
20	DATED: AUGUST 08, 2014 MASTER				
21					
22					
23	Respondent/Respondent's Attorney Receipt of this document is				
24	acknowledged by my signature.				
	ORDER/JUDGMENT				
25	☐ The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed				
26	within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies				
27	that the ten-day objection period has expired without an objection having been filed and that the District Court deems the Master's Recommendation to be approved as an ORDER/JUDGMENT of the District Court, effective with the file stamp				
28	That is recommendation to be approved as an Oribing Obdition of the District Court, effective with the file stamp				

Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5168

(702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired) Page 3 of 4 FINDNG 1.2

	Choi no. R-11-102425-P
1	date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this Order/Judgment.
3	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause
4	appearing,
	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an ORDER/JUDGMENT of the District Court this day of, 20
5	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of
6 7	TI IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of, 20 and this matter is remanded to Child Support Court on, 20 atM.
8	District Court Judge, Family Division
9	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565
10	INEVALIA BAI NO. 001505
11	By:
12	DEPUTY DISTRICT ATTORNEY FAMILY SUPPORT DIVISION
13	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168
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	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamings Road #100 Las Vegax, Nevada 89119-5168
	L (702) 671-9200 - TDD (702) 385-7486 (for the hearing immaired) Page 4 of 4

Electronically Filed 09/04/2014 04:33:09 PM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** Las Vegas, Nevada 89119-5168 3 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 5 **DISTRICT COURT** 6 7 **CLARK COUNTY, NEVADA** 8 Patricia Foley, 9 10 Case no. R-11-162425-R Petitioner, 11 Dept. no. **CHILD SUPPORT** vs. 12 Michael Foley, 13 Respondent. 14 15 NOTICE OF ENTRY OF ORDER/JUDGMENT 16 To: MICHAEL FOLEY, Respondent, and 17 To: Aurora M Maskall Esq., Attorney of Record 18 Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was 19 entered in the above-entitled matter on August 08, 2014. 20 **CERTIFICATE OF MAILING** 21 The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing 22 a copy thereof, first class mail, postage prepaid to Aurora M Maskall Esq., Attorney of Record, at 7575 23 24 Vegas Dr #150 Las Vegas, NV 89128 on the 3rd day of September, 2014.

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/s/ Lori Robinson Employee, District Attorney's Office Family Support Division

NCPORD

Electronically Filed 09/09/2014 03:47:12 PM

			09/09/2014 03:47:12 PM		
	1 2 3 4 5 6	NOW A. MARIA MASKALL, ESQ. Nevada Bar No.: 6410 LEE, HERNANDEZ, LANDRUM, & GAROFALO, APC 7575 Vegas Drive, Suite 150 Las Vegas, Nevada 89128 (702) 880-9750 Fax: (702) 314-1210 amaskali@lee-lawfirm.com Attorneys for MICHAEL FOLEY	Alun to Lenum CLERK OF THE COURT		
	8	DISTRIC	T COURT		
	9	CLARK COUNTY, NEVADA			
UN.,	10 11 12	PATRICIA FOLEY, Petitioner,	CASE NO.: R-11-162425-R DEPT. NO.: CHILD SUPPORT		
LEE, HERNANDEZ, LANDRUM GAROFALO & BLAKE 7575 VEGAS DRIVE, SUITE 150 LAS VEGAS, IVV 89128 (702) 880-9750	13 14 15	vs. MICHAEL FOLEY, Respondent.	Date of Hearing: N/A Time of Hearing: N/A		
E, HER CAR 75 VEG LAS 1	16	NOTICE OF WITHDRAWAL OF COUNSEL			
11 K	17	TO: PATRICIA FOLEY, Petitioner;			
	18	TO: STATE OF NEVADA, Petitioner's couns	sel of record; and		
	19	TO: MICHAEL FOLEY, Respondent in Prope	er Person.		
	20		ANDRUM & GAROFALO, hereby gives notice		
	21	of its withdrawal as counsel of record for Resp			
	22 23	Judicial District Court Rule 5.28, as the firm had	been hired to perform a limited service, and that		
	24	service has been completed.			
	25	*** * 2 *			
	26	***			
	27	, , ,			
	28	*2.5			
		The state of the s			
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Until further notice, the client will be representing himself in proper person unless another attorney agrees to represent Respondent. The following is Respondent's last known address:

MICHAEL FOLEY 209 S. Stephanie St., Ste. B-191 Henderson, Nevada 89012 (702) 771-9725

DATED this day of September, 2014.

LEE, HERNANDEZ, LANDRUM, & GAROFALO, APC

By: /s/ @Maria @Maskall.

A. MARIA MASKALL, ESQ.
Nevada Bar No.: 6410
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
(702) 880-9750
Fax: (702) 314-1210

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the day of September, 2014, I served a copy of the above and foregoing NOTICE OF WITHDRAWAL OF COUNSEL, via U.S. Mail, place in postage paid envelope to the following counsel/person(s):

> MICHAEL FOLEY 209 S. Stephanie St., Ste. B-191 Henderson, Nevada 89012 (702) 771-9725

> > By:

Lorraine Baxter, an employee of LEE, HERNANDEZ, LANDRUM

& GAROFALO, APC

Electronically Filed

			09/15/2014 08:41:23 AM
1	NEJ Steven B. Wolfson, District Attorney		Alm & Chim
2	Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)		
3			CLERK OF THE COURT
4	294910200A		
5			
6	DISTRICT (COURT	
7	CLARK COUNTY	, NEVADA	
8			
9	Patricia Foley,		
10	Petitioner,	Case no.	R-11-162425-R
11	vs.	Dept. no.	CHILD SUPPORT
12	Michael Foley,		
13	Respondent.)		
14	-		
15	NOTICE OF ENTRY OF O	RDER/JUDGM	<u>ENT</u>
16	To: MICHAEL FOLEY, Respondent, and		
17	To: Aurora M Maskall Esq., Attorney of Record		
18	Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was		
19	entered in the above-entitled matter on August 11, 2014.		
20			
21	<u>CERTIFICATE OF</u>	MAILING	
22	The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing		hael Anthony Foley by mailing
23	a copy thereof, first class mail, postage prepaid to Aurora M Maskall Esq., Attorney of Record, at 757		
24	Vegas Dr #150 Las Vegas, NV 89128 on the 15th day of	of September, 20	014.
25			
26		Katherine Yonas ployee, District	hiro Attorney's Office
27		nily Support Div	
28			

NCPORD

Electronically Filed 12/08/2014 05:21:05 AM

1 **RSPN** MICHAEL FOLEY **CLERK OF THE COURT** 2 209 S. Stephanie St. Ste B-191 Henderson, NV 89012 Telephone: (702) 771-9725 Defendant in Proper Person 3 4 **DISTRICT COURT** 5 FAMILY DIVISION 6 **CLARK COUNTY, NEVADA** 7 8 9 PATRICIA FOLEY 10 Petitioner, Case No. R-11-162425 "C" / Child Support Dept. No. 11 VS. 12 Date of Hearing: December 9, 2014 MICHAEL FOLEY, Time of Hearing: 9:00 a.m. 13 14 Respondent. 15 16 RESPONDENT'S RESPONSE TO THE DISTRICT ATTORNEY'S MOTION TO 17 MODIFY CHILD SUPPORT 18 19 COMES NOW, Respondent Michael Foley, in Proper Person, and hereby files this 20 21 RESPONSE to the pending MOTION. Due to circumstances beyond the his control, 22 Respondent respectfully requests a waiver of personal attendance due to his required presence in the U.S. District Court. 23 24

FACTS

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The Respondent's monthly income and necessary expenses, as reflected within Exhibit "A," show that his current net income is at or near the Federal poverty measure. He

has been granted in forma pauperis status in not just the 8th District Court, but also the U.S. District Court, as evidenced by Exhibit "B."

The Respondent is required to be present at a hearing scheduled by a U.S. Magistrate Judge, at practically the same time as this hearing, concerning an action he has filed to obtain injunctive and other relief arising from a claim he has brought against certain Clark County agents who have substantially hindered his ability to have fair employment opportunities by unjustly entering his name into the Nevada Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child established by NRS 432.100. In the year 2012, the Respondent's name was entered into the registry in retaliation for having sued the Clark County DFS agent who maliciously and falsely prosecuted the Respondent so that the Petitioner, Patricia Foley, would win the underlying divorce and child custody litigation. Said action is now before the 9th Circuit Court of Appeals, and the action for retaliation is just beginning in the U.S. District Court. The Respondent is hopeful that Clark County and its officials will soon remove his name from the registry so that he may become eligible for any and all employment opportunities for which he is qualified. In the mean time, the Respondent works very hard serving various private and individual employers who retain him for technical support and tutoring services. Because the District Attorney has suspended the Respondent's driver's license, he is extremely burdened and bears higher than normal transportation expenses, and is still unable to utilize any professional license having been denied equal custody, and a fair and favorable child support award.

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ARGUMENT

The Court should not impose a child support burden greater than the statutory minimum.

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Although the Plaintiff's gross income is currently in excess of \$1200 per month, this amount is only slightly above what he has been earning throughout the year. As the number

of individuals who are willing to hire him has increased, so has his cost of transportation, and other expenses related to his self-employment. This year, 2014, will be the first year that the Respondent will be required to file a Federal Tax return as his earned income since 2007 has been well below the minimum required by the IRS and statutory reporting requirements. The Respondent is currently using borrowed money to meet his monthly expenses, but hopes to find a way to reduce costs. Moreover, there has been a change in circumstances that warrants a change in custody, and the Respondent expects to have no less than equal custody, once a motion or other action can be entertained by the new judge elected to Department "C."

Because the Respondent is a pauper, the Court should either maintain or lower the Respondent's child support burden to the minimal amount that is just.

DATED this 8th day of December, 2014.

27 28

/ Michael Foley

Michael Foley, Respondent in Pro Per

CERTIFICATE OF MAILING

The foregoing RESPONSE TO THE DISTRICT ATTORNEY'S MOTION TO MODIFY CHILD SUPPORT was served upon Respondent Patricia Foley by and through her attorney, Steven B. Wolfson and/or his deputy, via first class mail, postage prepaid to:

Patricia Foley, c/o Steven B. Wolfson and deputies

1900 East Flamingo Rd. Ste. 100

Las Vegas, Nevada 89119

Income/Expense by Category 10/1/2014 through 12/8/2014 (Cash Basis)

10/1/2014-	12/8/2014
	Category

Category 9	102/0/21
INCOME	
Service Calls	2,512.95
TOTAL INCOME	2,512.95
EXPENSES	
Entertainment	26.00
Fees & Charges	32.00
Food & Dining	341.83
Gifts & Donations	13.00
Housing	1,403.69
Interest Exp	70.27
Kids	124.86
Litigation	13.79
Misc.	77.01
Misc. Expense (Work)	96.80
Personal Care	20.00
Postage and Delivery (Legal)	10.22
Prof and Legal Fees	53.65
Shopping	100.24
Supplies (Work)	12.96
Transportation	1,009.56
Utilities	349.37
Utilities (Work)	214.00
TOTAL EVDENCES	30 030 6

-1,456.30

OVERALL TOTAL

	Case 2:14-cv-00094-RFB-NJK Document 18	Filed 11/24/14 Page 1 of 1	
1			
2			
3			
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6	UNITED STATES DIS	TRICT COURT	
7	DISTRICT OF NEVADA		
8	MICHAEL FOLEY,)	
9	Plaintiff(s),)) Case No. 2:14-cv-00094-RFB-NJK	
10	VS.) ORDER SETTING HEARING	
11	LOREA AROSTEGUI, et al.,) (Docket No. 6)	
12	Defendant(s).))	
13		ý	
14	Plaintiff Michael Foley is proceeding in this	action pro se. On March 10, 2014, the Court	
15	granted Plaintiff's request pursuant to 28 U.S.C. § 19	115 to proceed in forma pauperis. Docket No.	
16	4. The Court further screened the complaint pursuant to 28 U.S.C. § 1915(a) and dismissed al		
17			
18	for redress of grievances claim. <i>Id.</i> , at 5. The Court		
19	complaint, and that amended complaint has now beer	·	
20	a hearing on Plaintiff's amended complaint for December 9, 2014, at 10:00 a.m. in Courtroom 3B		
21	Plaintiff shall attend the hearing. THERE WILL BE NO EXCEPTIONS TO THIS APPEARANCE		
22	REQUIREMENT.		
23	IT IS SO ORDERED.		
24	DATED: November 24, 2014		
25			
2627	4		
28	NANC United	Y J. KOPPE States Magistrate Judge	
20	Onnica	States inagistate state	

			12/09/2014 11:30:48 AM
1	NEMR Steven B. Wolfson, District Attorney		Alm & Lamin
2	Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100		
3	Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)		CLERK OF THE COURT
4	294910200A		
5			
6	DISTRICT C	COURT	
7	CLARK COUNTY	, NEVADA	
8			
9	Patricia Foley,		
10	Petitioner,)	Case no.	R-11-162425-R
11	vs.	Dept. no.	CHILD SUPPORT
12	Michael Foley,		
13	Respondent.		
14			
15	NOTICE OF ENTRY OF MASTER	'S RECOMME	<u>NDATIONS</u>
16	To: Michael Foley, Respondent, and		
17	To: Aurora M Maskall Esq., Attorney of Record		
18	To: Patricia Foley, Petitioner or Petitioner's Attorney	y	
19	Please take notice that the enclosed Master's Recommen	ndations were er	ntered in the above-entitled
20	matter on December 9, 2014.		
21			
22			
23			
24			
25			
26			
27			
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NEMREC

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on December 9, 2014, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley Aurora M Maskall Esq., Attorney of Record 7575 Vegas Dr #150 Las Vegas NV 89128 on December 9, 2014. /s/ Thomas Boyd______ Employee, District Attorney's Office Family Support Division NEMREC

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on December 9, 2014, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8838 Tomnitz Ave 103 Las Vegas NV 89178 on December 9, 2014. /s/ Thomas Boyd_ Employee, District Attorney's Office Family Support Division

NEMREC

Electronically Filed 12/24/2014 08:12:11 AM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** 3 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 **DISTRICT COURT** 5 **CLARK COUNTY, NEVADA** 6 7 8 Patricia Foley, 9 Case no. R-11-162425-R Petitioner, 10 vs. Dept. no. CHILD SUPPORT 11 Michael Anthony Foley, 12 Respondent. 13 14 **NOTICE OF HEARING** 15 To: Michael Anthony Foley, Respondent, 16 To: Patricia Foley, Petitioner: 17 Notice is hereby given that on the 18th day of February, 2015 at the hour of 02.15 PM in 18 Court Room 1 of the Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, 19 Nevada, a hearing will be held on a continued Order to Show Cause Re Contempt. 20 If you do not appear, the hearing will proceed in your absence and the Court may order a 21 judgment against you. Dated this 23rd day of December, 2014. 22 23 Steven B. Wolfson Clark County District Attorney 24 Nevada Bar No. 001565 25 26 **Deputy District Attorney** 27 28

NOTNOH

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Hearing was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: MICHAEL ANTHONY FOLEY 209 Stephanie St B-191 Henderson NV 89012 on the 24th day of December, 2014. Employee, District Attorney's Office Family Support Division

NOTNOH

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Hearing was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: **Patricia Foley 8838 Tomnitz Ave 103** Las Vegas, NV 89178 on the 24^{th} day of December, 2014. Employee, District Attorney's Office Family Support Division NOTNOH

Electronically Filed 12/31/2014 09:24:16 AM MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY 1 Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 2 1900 East Flamingo Road, Suite 100 CLERK OF THE COURT Las Vegas, Nevada 89119-5168 (702) 671-9200 3 TDD (702) 385-7486 (for the hearing impaired) istrict Court 294910200A 4 ARK COUNTY, NEVADA 5 Patricia Foley, 6 Petitioner, Case No. R-11-162425-R 7 VS. Department No. CHILD SUPPORT 8 Michael Foley, 9 Respondent. 10 **MASTER'S RECOMMENDATION** 11 This matter having been heard on DECEMBER 09, 2014 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations: 12 Parties present: Respondent Respondent's attorney Petitioner Petitioner's attorney 13 ☐ PATERNITY ☐ PATERNITY PREVIOUSLY DECIDED 14 ☐ FINANCIALS: ☑ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS). 15 Respondent's **INCOME SHALL BE WITHHELD** for the payment of support. Good cause to stay income withholding is based on:_____. Said withholding shall be postponed until Respondent 16 becomes delinquent in an amount equal to 30 days support. ENFORCEMENT OF CONTROLLING ORDER: The registered order from _____, dated _____, #____, is hereby 17 confirmed and is the controlling order for the following reasons: \Box only order $\underline{}$ ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this 18 noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian. Respondent is referred to Employment Services for an appointment on _____ at ____ AM. 19 Health insurance coverage for the minor child(ren) herein: 20 Respondent to provide: Petitioner to provide, excluding Medicaid: Both Parties to provide: if available through employer. 21 🛛 Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support Division within 90 days of today's date. 22 ☑ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING 23 ☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT. ☑ ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE. 24 Respondent is hereby found in Contempt of Court and sentenced to _____ days in the Clark County Detention Center; this sentence shall be stayed until the next court date. 25 The following sentence(s) shall be stayed/continued to the next court date unless imposed or vacated today: 26 ____ imposed ____ vacated x stayed Sentence of 20 days in the Clark County Detention Center issued 05/15/12 is Sentence of ____ days in the Clark County Detention Center issued _____ is ____ imposed ____ vacated x stayed 27 Sentence of 25 days in the Clark County Detention Center issued 11/21/13 is ____ imposed ____ vacated x stayed Sentence of 25 days in the Clark County Detention Center issued 03/12/14 is ____ imposed ____ vacated x stayed 28

FINDNG 1.2

CASE NO. R-11-162425-F

	CASE NO. R-11-162425-R
1	☐ Respondent is recommended for the day arrest program on☐ Respondent to be released from custody on
2	Respondent to be released from the above sentence immediately upon payment of \$ to be released to
3	Petitioner as child support.
	NO BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPONDENT MAY BE RELEASED UPON PAYMENT OF \$ TO BE RELEASED TO PETITIONER AS CHILD
4	SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or
5	recall the bench warrant.
6	□ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY □ QUASHED. □ CONTINUED. □ MODIFICATION OF PRIOR ORDER:
7	☐ SUSPENSION OF LICENSES:
8	PAYMENTS
9	All mailed payments MUST be made in the form of a cashier's check, money order or business check ONLY, made payable to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit card are
10	also accepted.
11	Payments can be mailed to:
	State Collection and Disbursement Unit (SCaDU) P.O. Box 98950
12	Las Vegas, Nevada 89193-8950
13	Payments can be made in person at:
14	State Collection and Disbursement Unit (SCaDU)
	1900 East Flamingo Road
15	Las Vegas, Nevada 89119-5168
16	Additionally, the following information must be included with each payment: name (first, middle, last) of person responsible for paying child support, social security number of person responsible for paying child support, child
17	support case number, and name of petitioner (first and last name of person receiving child support).
18	NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.
19	NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.
20	NOTICE: Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant to NRS 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay
21	support for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between
22	the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these
23	additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced.
24	NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and
	Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the
25	support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168.
26	NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's
27	Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final
28	Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge.
	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565
	Steven B. Wonson, District Autoring, Newada Dar No. 001565 Family Support Division 1900 East Flaming Road #100 Last Vegas, Newada 89119-5168
	(702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired) Page 2 of 4 FINDING 1.2

	CROB 110. R-11-102-425-1		
1			
2	NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment.		
3	NOTICE: Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of addres change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10)		
4	days of such change.		
5	Respondent to bring new financial statement and proof of income next date.		
6	This order does not stay collection of support arrears by execution or any other means allowed by law.		

7	MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS: No payments have been received for September, October, or November. Respondent is admonished to pay montly or		
8	face imposition of contempt. Continued as he has a documented appearance if US District court on another matter scheduled for today at 10:00 AM. Respondent is self-employed. He is to bring copies of filed tax returns next court date		
9	for years 2012 and 2013 per NRS 125B.080.		
10	NEVE HEADING DATE IS Lawrence 30 2015 -4 1.45 DM to Countries of 1 to Child Countries		
11	NEXT HEARING DATE IS <u>January 28, 2015 at 1:45 PM</u> in Courtroom <u>1</u> in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas,		
12	Nevada, for further proceedings.		
13			
14	DATED: _DECEMBER 09, 2014		
	MASTER		
15			
16	Respondent/Respondent's Attorney		
17	Receipt of this document is acknowledged by my signature.		
18	ORDER/JUDGMENT		
19			
20	The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies that the ten-day objection period has expired without an objection having been filed and that the District Court deems the Master's Recommendation to be approved as an ORDER/JUDGMENT of the District Court, effective with the file stamp		
21			
22	date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this Order/Judgment.		
23	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and		
24	considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause appearing,		
25	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an		
26	ORDER/JUDGMENT of the District Court this day of, 20		
	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of		
27	, <u>20</u> and this matter is remanded to Child Support Court on, 20 atM.		
28			
	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road 4100 Las Vegas, Nevada 89119-5168		
	[702] 671,9200 - TDD (702) 385,7486 (for the hearing impaired)		

District Court Judge, Family Division

STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565

 $\|_{\mathbf{Bv}}$

DEPUTY DISTRICT ATTORNEY FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168

> Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5168 (702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired)

Page 4 of 4

FINDNG 1.2

Electronically Filed 12/31/2014 02:49:09 PM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** 3 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 5 **DISTRICT COURT** 6 7 **CLARK COUNTY, NEVADA** 8 9 Patricia Foley, 10 Case no. R-11-162425-R Petitioner, 11 Dept. no. **CHILD SUPPORT** vs. 12 Michael Foley, 13 Respondent. 14 15 NOTICE OF ENTRY OF ORDER/JUDGMENT 16 To: MICHAEL FOLEY, Respondent 17 Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was 18 19 entered in the above-entitled matter on December 09, 2014. 20 **CERTIFICATE OF MAILING** 21 The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing 22 a copy thereof, first class mail, postage prepaid to 209 Stephanie St B-191, Henderson, NV 89012 on 23 24 the 31st day of December, 2014. 25 26 /s/ Kathrine Belneev Employee, District Attorney's Office 27 Family Support Division 28

NCPORD

Electronically Filed 01/29/2015 03:41:33 PM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** 3 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 5 **DISTRICT COURT** 6 7 **CLARK COUNTY, NEVADA** 8 9 Patricia Foley, 10 Case no. R-11-162425-R Petitioner, CHILD SUPPORT 11 VS. Dept. no. Michael Foley, 12 13 Respondent. 14 15 NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS To: 16 Michael Foley, Respondent or Respondent's Attorney 17 To: Patricia Foley, Petitioner or Petitioner's Attorney 18 Please take notice that the enclosed Master's Recommendations were entered in the above-entitled 19 matter on January 28, 2015. 20 21 22 23 24 25 26 27

NEMREC

28

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on January 28, 2015, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 209 Stephanie St B-191 Henderson NV 89012 on January 29, 2015. /s/ Tonya Peters Employee, District Attorney's Office Family Support Division

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on January 28, 2015, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8838 Tomnitz Ave 103 Las Vegas NV 89178 on January 29, 2015. /s/ Tonya Peters Employee, District Attorney's Office Family Support Division

Electronically Filed 02/19/2015 03:32:06 PM MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY 1 Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 2 1900 East Flamingo Road, Suite 100 CLERK OF THE COURT Las Vegas, Nevada 89119-5168 (702) 671-9200 3 TDD (702) 385-7486 (for the hearing impaired) istrict Court 294910200A 4 ARK COUNTY, NEVADA 5 Patricia Foley, 6 Petitioner, Case No. R-11-162425-R 7 VS. Department No. CHILD SUPPORT 8 Michael Foley, 9 Respondent. 10 **MASTER'S RECOMMENDATION** 11 This matter having been heard on JANUARY 28, 2015 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations: 12 Parties present: Respondent Respondent's attorney Petitioner Petitioner's attorney 13 ☐ PATERNITY ☐ PATERNITY PREVIOUSLY DECIDED 14 ☑ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS). Respondent's gross monthly income (GMI) : \$2,512.95; formula amount 29% of GMI= \$ 728.76 15 Basis for deviation from state formula: Respondent's self-reported GMI on his motion response filed 12/8/14. Respondent is to pay current support for the child(ren), Michael Foley & Elizabeth Foley & Therese Foley. 16 CHILD SUPPORT 17 Respondent is to pay monthly: \$729.00 Temp child support 18 \$79.00 medical support (in lieu of health insurance) spousal support 19 \$25.00 arrears payment □ ARREARAGES ☑ ARREARAGES NOT ADDRESSED AT THIS HEARING 20 TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) \$ 833.00 reach majority, become emancipated or further order of the Court. 21 Respondent's INCOME SHALL BE WITHHELD for the payment of support. 22 Good cause to stay income withholding is based on: _____. Said withholding shall be postponed until Respondent becomes delinquent in an amount equal to 30 days support. 23 ☐ ENFORCEMENT OF CONTROLLING ORDER: The registered order from ______, dated ______, #_____, is hereby confirmed and is the controlling order for the following reasons:

only order ____ 24 ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian. 25 Respondent is referred to Employment Services for an appointment on _____ at ____ AM. 26 ☐ Health insurance coverage for the minor child(ren) herein: ☐ Respondent to provide: ☐ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide: 27 if available through employer. shall provide per court order. 28

FINDNG 1.2

1	⊠	Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support Division within 90 days of today's date.
2		NTEMPT OF COURT NOT A SHOW CAUSE HEARING
3		RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT. ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE.
4		Respondent is hereby found in Contempt of Court and sentenced to <u>25</u> days in the Clark County Detention Center this sentence shall be stayed until the next court date.
5		The following sentence(s) shall be stayed/continued to the next court date unless imposed or vacated today: Sentence of 20 days in the Clark County Detention Center issued 05/15/12 is imposed vacated <u>x</u> stayed
6		Sentence of 25 days in the Clark County Detention Center issued (33/13/12 is imposed vacated x stayed Sentence of 25 days in the Clark County Detention Center issued (11/21/13 is imposed vacated x stayed Sentence of 25 days in the Clark County Detention Center issued (03/12/14 is imposed vacated x stayed x stayed vacated x stayed vacated x stayed vacated x stayed x
7		Sentence of days in the Clark County Detention Center issued is imposed vacated stayed
8		Respondent is recommended for the day arrest program on
		Respondent to be released from custody on
9		Respondent may be released from the above sentence immediately upon payment of \$ to be released to Petitioner as child support.
10) BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPONDENT AY BE RELEASED UPON PAYMENT OF $\underline{\$1000.00}$ TO BE RELEASED TO PETITIONER AS CHILI
11	SU	PPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash of call the bench warrant.
12		
13	⊠ MO	ENCH WARRANT PREVIOUSLY ISSUED IS HEREBY QUASHED. CONTINUED. DIFFICATION OF PRIOR ORDER: odiffication effective: 8/1/14.
14	☐ Th	is order modifies a previously existing, previously controlling support order. By this modification, this tribunal
15		sumes or retains continuing, exclusive jurisdiction of the child support obligation for the child(ren) and parties entified in this order. Modification is proper for the following reason(s):
16		The previously controlling order is from <u>Clark County</u> , NV, dated <u>September 25, 2009</u> , <u>#D-08-403071-D</u> .
17		An individual party, <u>Court Initiated</u> , has requested modification of the previously controlling Nevada support order
18 19		An individual party,, has requested modification; this tribunal has personal jurisdiction over the non-movant and the issuing state (the state whose order controlled prior to this modification) is no longer the residence of any individual party/contestant or child(ren).
20		An individual party,, has requested modification; all individual parties and children now reside in Nevada.
21		All parties have filed written consent with the tribunal whose order controlled prior to this modification for this tribunal to modify the support obligation and assume continuing, exclusive jurisdiction.
22	□ SUS	SPENSION OF LICENSES:
23	PAYN	MENTS
24	All mai	iled payments MUST be made in the form of a cashier's check, money order or business check ONLY, made e to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit card are
25	also ac	сертеа.
	Paym	ents can be mailed to:
26		State Collection and Disbursement Unit (SCaDU)
27		P.O. Box 98950 Las Vegas, Nevada 89193-8950
20		Las regas, merada 0/1/3-0/30
28		
	Family Suppo 1900 East Fla	mingo Road #100
		evada 89119-5168 0 – TDD (702) 385-7486 (for the hearing impaired) Page 2 of 4 FINDNG 1.2

FINDNG 1.2

1 Payments can be made in person at: **State Collection and Disbursement Unit (SCaDU)** 2 1900 East Flamingo Road Las Vegas, Nevada 89119-5168 3 Additionally, the following information must be included with each payment: name (first, middle, last) of person 4 responsible for paying child support, social security number of person responsible for paying child support, child support case number, and name of petitioner (first and last name of person receiving child support). 5 NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER. 6 NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT. 7 **NOTICE:** Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant to NRS 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay support for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these 10 additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced. 11 NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and 12 Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this 13 purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168. NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's 14 Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless 15 signed and filed by a Judge. 16 NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment. NOTICE: Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address, 18 change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change. 19 Respondent to bring new financial statement and proof of income next date. 20 This order does not stay collection of support arrears by execution or any other means allowed by law. 21 MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS: 22 Last payment was received on 8/13/14. R has self reported income of \$2,521.95 - child support set at 29% or \$729.00. Medical Insurrance and Arrears remain the same. Respondent did not appear - B/W issued, Next review hearing is 23 VACATED. 24 NEXT HEARING DATE IS <u>B/W</u> in Courtroom <u>1</u> in Child Support Court at Child Support 25 Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further 26 proceedings. 27

Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flaminge Road #100 Las Vegas, Nevada 89119-5168 (702) 671-990 - TTD) (702) 385-7486 (for the hearing impair

28

(702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) Page 3 of 4

		CASE NO. R-11-162425-R
1		
2	DATED: JANUARY 28, 2015	MASTER
3		
4		Respondent/Respondent's Attorney
5		Receipt of this document is acknowledged by my signature.
6	ORDER/JUDGME	NT
7		
8	within the ten day objection period the Master's Recommendation is	hereby deemed approved by the District Court
9	industrial of the commence and the comme	Γ of the District Court, effective with the file stamp
10	date, without need of a District Court Judge's signature affixed hereto. Order/Judgment.	The parties are ordered to comply with this
11	The District Court, having reviewed the above and foregoing Maste considered the objection thereto, as well as any other papers, testimony	
12	II	and argument retated thereto and good cause
13	☐ IT IS HEREBY ORDERED that the Master's Recommendation ORDER/JUDGMENT of the District Court this day of	ion IS affirmed and adopted as an
14	IT IS HEREBY ORDERED that the Master's Recommendati	ion IS NOT affirmed and adopted this day of
15	, <u>20</u> and this matter is remanded to Child Support Co	ourt on, 20 at
16		Division of the Publish
17		District Court Judge, Family Division
18	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565	
19		
20	II	
21	FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168	
22		
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	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100	
	Las Vegas, Nevada 89119-5168	THE STATE OF THE S

Electronically Filed 02/25/2015 09:56:39 AM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** 3 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 5 **DISTRICT COURT** 6 7 **CLARK COUNTY, NEVADA** 8 9 Patricia Foley, 10 Case no. R-11-162425-R Petitioner, 11 Dept. no. **CHILD SUPPORT** vs. 12 Michael Foley, 13 Respondent. 14 15 NOTICE OF ENTRY OF ORDER/JUDGMENT 16 To: MICHAEL FOLEY, Respondent 17 Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was 18 19 entered in the above-entitled matter on January 28, 2015. 20 **CERTIFICATE OF MAILING** 21 The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing 22 a copy thereof, first class mail, postage prepaid to 209 Stephanie St B-191, Henderson, NV 89012 on 23 24 the 25th day of February, 2015. 25

> /s/ Kathrine Belneev Employee, District Attorney's Office Family Support Division

> > NCPORD

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27

28

Electronically Filed 04/10/2015 10:03:25 AM

BNCH
294910200A

Patricis Foley,

V8.

MICHAEL FOLEY,

The Responsion JANUARY 28, 2015,
YOU ARE COMMA

DISTRICT COURT CLARK COUNTY, NEVADA CLERK OF THE COURT

is Foley,

Case no. R-11-162425-R

Petitioner,

Vs.

Dept. no. CHILD SUPPORT

| ARL FOLEY,

BENCH WARRANT

To: ANY SHERIFF, CONSTABLE, MARSHAL, POLICEMAN OF PEACE OFFICER IN THIS STATE

The Respondent, MICHAEL FOLEY, having been ordered to appear before the above-emitted Court on JANUARY 28, 2015, for issuing on a Complaint for Support and having failed to appear a said time, now finerefore, YOU ARE COMMANDED to arrest the above-maned Respondent and bring him before the Court or, if the Court has adjourned, deliver him into outstody of the Sheriff of Clark County; ball for Respondent's release from custody of the Clark County Sheriff is hereby sat in the amount of NO BAIL. Respondent may be released upon payment of \$1000.00 to D.A. Family Support Division to be released to Petitioner as shill support.

Support Division to be released to Petiti	nst of NO BAIL. Respondent may be released upon payment of \$1000,00 to D.A. Famoner as abild support.
This Warrunt may be served As recommended by Special M GIVEN under my hand this	day of Mark Davis 20/15
	District Court Indeed Facility Division
Steven B. Wolfson Clark County District Attorney	
Nevada Bar No. 001565	
SAMM -	_
Day District Attractor	
Deputy District Attorney	,
Court appearances may be a Support Office, (782) 671-9	cheduled by contacting the court team in the District Attorney's Family 200, by 11:30 a.m. each day. Court is held Monday through Friday.
Date	Respondent.
Date	· •
Dav	RETURN OF SERVICE
	RETURN OF SERVICE
I haveled contributed I receive	RETURN OF SERVICE
I haveled contributed I receive	RETURN OF SERVICE
I haveled contributed I receive	RETURN OF SERVICE
I hereby certify that I receive the same by arresting the above-name	RETURN OF SERVICE and the above and foregoing BENCH WARRANT on 4-9-15 and serve and Respondent, the arrest being made on 4-9+15
I hereby certify that I receive the same by arresting the above-name	return of Service ed the above and foregoing BENCH WARRANT on 4-9-15 and serve ed Respondent, the arrest being made on 4-9+15 2015
I hereby certify that I receive the same by arresting the above-name	RETURN OF SERVICE and the above and foregoing BENCH WARRANT on 4-9-15 and serve and Respondent, the arrest being made on 4-9+15

D/WAC31

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1	NEMR Steven B. Wolfson, District Attorney		1 . 00
2	Nevada Bar No. 001565 Family Support Division		Alun & Lemm
3	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)		CLERK OF THE COURT
4	294910200A		
5			
6	DISTRICT CO	OURT	
7	CLARK COUNTY,	NEVADA	
8			
9	Patricia Foley,		
10		Case no.	R-11-162425-R
11	vs. Petitioner,)	Dept. no.	CHILD SUPPORT
12	Michael Foley,		
13			
14	Respondent.		
15	NOTICE OF ENTRY OF MASTER'S	S RECOMME	<u>NDATIONS</u>
16	To: Michael Foley, Respondent or Respondent's Attor	ney	
17	To: Patricia Foley, Petitioner or Petitioner's Attorney		
18	Please take notice that the enclosed Master's Recommend	dations were er	ntered in the above-entitled
19	matter on April 15, 2015.		
20			
21			
22			
23			
24			
25			
26			
27			

NEMREC

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on April 15, 2015, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 712 E Naples Dr 20 Las Vegas NV 89119 on April 16, 2015. /s/ Rikki Scheib Employee, District Attorney's Office Family Support Division

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on April 15, 2015, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8838 Tomnitz Ave 103 Las Vegas NV 89178 on April 16, 2015. /s/ Rikki Scheib Employee, District Attorney's Office Family Support Division

Electronically Filed 05/07/2015 07:49:30 AM MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY 1 Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 2 1900 East Flamingo Road, Suite 100 CLERK OF THE COURT Las Vegas, Nevada 89119-5168 (702) 671-9200 3 TDD (702) 385-7486 (for the hearing impaired) istrict Court 294910200A 4 ARK COUNTY, NEVADA 5 Patricia Foley, 6 Petitioner, Case No. R-11-162425-R 7 VS. Department No. CHILD SUPPORT 8 Michael Foley, 9 Respondent. 10 **MASTER'S RECOMMENDATION** 11 This matter having been heard on APRIL 15, 2015 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations: 12 Parties present: Respondent Respondent's attorney Petitioner Petitioner's attorney 13 ☐ PATERNITY ☑ PATERNITY PREVIOUSLY DECIDED 14 ☑ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS). Respondent's gross monthly income (GMI) ; ; formula amount % of GMI= 15 Basis for deviation from state formula: Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley. 16 CHILD SUPPORT 17 Respondent is to pay monthly: \$729.00 Temp child support 18 \$79.00 medical support (in lieu of health insurance) spousal support 19 \$25.00 arrears payment □ ARREARAGES ☑ ARREARAGES NOT ADDRESSED AT THIS HEARING 20 TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) \$ 833.00 reach majority, become emancipated or further order of the Court. 21 22 Respondent's **INCOME SHALL BE WITHHELD** for the payment of support. Good cause to stay income withholding is based on: _____. Said withholding shall be postponed until Respondent becomes delinquent in an amount equal to 30 days support. 23 ☐ ENFORCEMENT OF CONTROLLING ORDER: The registered order from ______, dated ______, #_____, is hereby confirmed and is the controlling order for the following reasons:

only order ____ 24 ☐ ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian. 25 Respondent is referred to Employment Services for an appointment on _____ at ____ AM. 26 ☐ Health insurance coverage for the minor child(ren) herein: ☐ Respondent to provide: ☐ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide: 27 if available through employer. shall provide per court order. 28

FINDNG 1.2

1			Party(ies) to provide place of days of today's date.	proof of said ins	surance to the D	istrict Attorn	ey's Office, Fa	amily Support l	Division
2									
3		RESPO	OF COURT □ NOT A NDENT ORDERED T TO SHOW CAUSE (O SHOW CAUS	SE CONCERNI		МРТ.		
4			lent is hereby found in				days in the C	Clark County D	etention
5			this sentence shall be sta owing sentence(s) shall			ourt date unle	es imposed or	vacated today:	
			of 20 days in the Clark (•			•	vacated <u>1</u> st	aved
6			of 25 days in the Clark C					vacated X	
7			of 25 days in the Clark C					vacated X	
	_		of <u>25</u> days in the Clark C	· ·			imposed _	vacated X	stayed
8			lent is recommended for lent to be released from			<u> </u>			
9		Respond	lent may be released f	•		ately upon p	ayment of \$90	00.00 to be rele	eased to
10			er as child support. BENCH WARRANT I	HEREBY ISSUI	ED FOR THE .	ARREST OF	F RESPONDE	ENT. RESPO	NDENT
11	M.	AY BE F	RELEASED UPON P Where circumstance	PAYMENT OF	\$ TO BI	E RELEASE	D TO PETI	TIONER AS	CHILD
12			ench warrant.						
13			ARRANT PREVIOUS TON OF PRIOR ORDE		HEREBY	QUASHED	. CONTI	NUED.	
14	□ SU	SPENSIO:	N OF LICENSES:						
15	PAYN	MENTS							
16	payabl	e to State	nents MUST be made i Collection and Disbur						
17	also ac	cepted.							
18	Paym	ents can	n be mailed to: State Collection a	nd Dichurcon	ont Unit (SC	oDU)			
			P.O. Box 98950	iiu Disbui seii	ieni Omi (SC	aDU)			
19			Las Vegas, Nevad	la 89193-8950					
20	Paym	ents can	n be made in person	n at:					
21			State Collection at 1900 East Flaming		nent Unit (SC	aDU)			
22			Las Vegas, Nevad	la 89119-5168					
23			e following information						
24			paying child support, s mber, and name of pet						ild
25	NOTIO	CE: NO C	CREDIT WILL BE GI	IVEN FOR PAY	MENTS PAID	DIRECTLY	то тне рет	CITIONER.	
26	NOTIO	CE: PRIO	OR ORDERS NOT SPE	CIFICALLY MC	DIFIED HEREI	N REMAIN I	N FULL FOR	CE AND EFFE	CT.
27 28	to NRS	99.040. 4	est will be assessed on a A 10% penalty will be a d, pursuant to NRS 125	assessed on each	unpaid installme	nt, or portion	thereof, of an o	bligation to pay	y
	Family Suppo 1900 East Fla		rney, Nevada Bar No. 001565						
			-7486 (for the hearing impaired)	Pag	ge 2 of 4				FINDNG 1.2

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- 1	
1 2	obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these
3	additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced.
4	NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and
5	Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168.
6	NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final
7	Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge.
8	NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written
9	Notice of Entry of Judgment.
10 11	NOTICE: Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change.
12	Respondent to bring new financial statement and proof of income next date.
13	This order does not stay collection of support arrears by execution or any other means allowed by law.
14	**************************************
	MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS: Respondent must bring or have paid \$1666
15	
16	NEXT HEARING DATE IS <u>June 17, 2015 at 9:00 AM</u> in Courtroom <u>1</u> in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for
17	further proceedings.
18	
19	DATED: APRIL 15, 2015
20	MASTER
21	
22	In Custody Respondent/Respondent's Attorney
23	Receipt of this document is acknowledged by my signature.
24	
	ORDER/JUDGMENT
25	The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court
26	pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies
27	that the ten-day objection period has expired without an objection having been filed and that the District Court deems the Master's Recommendation to be approved as an ORDER/JUDGMENT of the District Court, effective with the file stamp
28	

Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5168

(702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired) Page 3 of 4 FINDNG 1.2

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1	date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this Order/Judgment.
2	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause
3	appearing,
4	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an ORDER/JUDGMENT of the District Court this day of, 20
5	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of
6	, <u>20</u> and this matter is remanded to Child Support Court on, <u>20</u> atM.
7 8	District Court Judge, Family Division
9	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565
10	
11	By: DEPUTY DISTRICT ATTORNEY
12	FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100
13	Las Vegas, Nevada 89119-5168
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	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5168

 $(702)\ 671\text{-}9200-TDD\ (702)\ 385\text{-}7486\ (for\ the\ hearing\ impaired$

			Electronically Filed 05/15/2015 04:50:35	
1	NEJ Steven B. Wolfson, District Attorney		Alun to bluin	
2	Nevada Bar No. 001565 Family Support Division			
3	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)		CLERK OF THE COUR	RT
4	294910200A			
5				
6	DISTRICT CO	URT		
7	CLARK COUNTY, N	EVADA		
8				
9	Patricia Foley,			
10	Petitioner,)	Case no.	R-11-162425-R	
11	vs.	Dept. no.	CHILD SUPPORT	
12	Michael Foley,			
13	Respondent.)			
14	Respondent.			
15	NOTICE OF ENTRY OF ORD	ER/JUDGME	<u>ENT</u>	
16	To: MICHAEL FOLEY, Respondent			
17				
18	Please take notice that the enclosed order/judgment against	the responde	nt MICHAEL FOLEY v	vas
19	entered in the above-entitled matter on April 15, 2015.			
20				
21	CERTIFICATE OF M.	<u>AILING</u>		
22	The foregoing Notice of Entry of Order/Judgment was serv	ed upon Mich	nael Anthony Foley by n	nailing
23	a copy thereof, first class mail, postage prepaid to 712 E Na	aples Dr 20, L	as Vegas, NV 89119 on	the
24	15th day of May, 2015.			
25				
26		ki Scheib	Attorney's Office	_
27		Support Div		
28				

NCPORD

Electronically Filed 06/17/2015 02:05:31 PM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** Las Vegas, Nevada 89119-5168 3 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 5 **DISTRICT COURT** 6 7 **CLARK COUNTY, NEVADA** 8 9 Patricia Foley, 10 Case no. R-11-162425-R Petitioner, **CHILD SUPPORT** 11 VS. Dept. no. Michael Foley, 12 13 Respondent. 14 15 NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS To: 16 Michael Foley, Respondent or Respondent's Attorney 17 To: Patricia Foley, Petitioner or Petitioner's Attorney 18 Please take notice that the enclosed Master's Recommendations were entered in the above-entitled 19 matter on June 17, 2015. 20 21 22 23 24 25 26

NEMREC

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CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on June 17, 2015, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 712 E Naples Dr 20 Las Vegas NV 89119 on June 17, 2015. /s/ Rikki Scheib Employee, District Attorney's Office Family Support Division

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on June 17, 2015, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8937 Austin Ridge Ave Las Vegas NV 89178 on June 17, 2015. /s/ Rikki Scheib Employee, District Attorney's Office Family Support Division NEMREC

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07/09/2015 03:38:13 PM MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY 1 Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 2 1900 East Flamingo Road, Suite 100 CLERK OF THE COURT Las Vegas, Nevada 89119-5168 (702) 671-9200 3 TDD (702) 385-7486 (for the hearing impaired) istrict Court 294910200A 4 ARK COUNTY, NEVADA 5 Patricia Foley, 6 Petitioner, Case No. R-11-162425-R 7 VS. Department No. CHILD SUPPORT 8 Michael Foley, 9 Respondent. 10 **MASTER'S RECOMMENDATION** 11 This matter having been heard on JUNE 17, 2015 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations: 12 Parties present: Respondent Respondent's attorney Petitioner Petitioner's attorney 13 ☐ PATERNITY ☑ PATERNITY PREVIOUSLY DECIDED 14 ☑ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS). ; ; formula amount Respondent's gross monthly income (GMI) % of GMI= 15 Basis for deviation from state formula: Respondent is to pay current support for the child(ren), Michael Foley AND Elizabeth Foley AND Therese Foley. 16 CHILD SUPPORT 17 Respondent is to pay monthly: child support \$729.00 18 \$79.00 medical support (in lieu of health insurance) spousal support 19 \$25.00 arrears payment □ ARREARAGES ☑ ARREARAGES NOT ADDRESSED AT THIS HEARING 20 TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) \$ 833.00 reach majority, become emancipated or further order of the Court. 21 22 Respondent's **INCOME SHALL BE WITHHELD** for the payment of support. Good cause to stay income withholding is based on: _____. Said withholding shall be postponed until Respondent becomes delinquent in an amount equal to 30 days support. 23 ☐ ENFORCEMENT OF CONTROLLING ORDER: The registered order from ______, dated ______, #_____, is hereby confirmed and is the controlling order for the following reasons:

only order ____ 24 ☐ ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian. 25 Respondent is referred to Employment Services for an appointment on _____ at ____ AM. 26 ☐ Health insurance coverage for the minor child(ren) herein: ☐ Respondent to provide: ☐ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide: 27 if available through employer. shall provide per court order. 28

FINDNG 1.2

1	⊠		Party(ies) to provide 0 days of today's date		insurance to the	he District At	torney's C	office, Fam	nily Support	Division
3	_		OF COURT □ NOT NDENT ORDERED				NTEMPT.			
4		Respond	TO SHOW CAUSE dent is hereby found in tence shall be stayed u	n Contempt of C	Court and sente			Clark Cou	nty Detention	n Center;
5			owing sentence(s) sha			ext court date	unless imp	osed or va	cated today:	
6			of 1 days in the Clark	•					vacated	
١,			of <u>25</u> days in the Clark							
7			of <u>25</u> days in the Clark of <u>25</u> days in the Clark							
8			dent is recommended i				~~			_ = = = = = = = = = = = = = = = = = = =
		_	dent to be released from	-						
9			dent may be released er as child support.	from the above	re sentence im	mediately upo	on payme	nt of <u>\$</u>	to be re	leased to
10			BENCH WARRANT							
11	SU	PPORT.	RELEASED UPON Where circumstandench warrant.							
12		cun the be	men warrant.							
13			ARRANT PREVIOU TION OF PRIOR ORE		IS HEREBY	□ QUASI	HED. 🗆	CONTIN	UED.	
14	□ SU	SPENSIO	N OF LICENSES:							
15	PAY	MENTS								
16	payabl	e to State	nents MUST be made Collection and Disb							
17	also ac	cepted.								
18	Paym	ents car	n be mailed to: State Collection	and Disburs	ement Unit	(SCaDU)				
19			P.O. Box 98950							
20			Las Vegas, Neva		50					
	Paym 	ents car	n be made in personants State Collection		omont IInit	(SC _o DID				
21			1900 East Flami	ngo Road		(SCaDU)				
22			Las Vegas, Neva	ua 07117-51	υσ					
23			e following informati							
24			paying child support, mber, and name of p							ıild
25	NOTIO	CE: NO	CREDIT WILL BE (GIVEN FOR PA	AYMENTS P	AID DIRECT	LY TO T	HE PETI	TIONER.	
26	NOTIO	CE: PRIC	OR ORDERS NOT SP	ECIFICALLY I	MODIFIED HI	EREIN REMA	IN IN FU	LL FORCI	E AND EFFI	ECT.
27 28	to NRS	99.040.	est will be assessed on A 10% penalty will be ld, pursuant to NRS 12	e assessed on eac	ch unpaid insta	llment, or port	tion therec	f, of an ob	ligation to pa	ay
	Family Suppo 1900 East Fla	ilfson, District Atto ort Division uningo Road #100 evada 89119-5168	orney, Nevada Bar No. 001565							
			-7486 (for the hearing impaired)	I	Page 2 of 4					FINDNG 1.2

1 2 3	obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced.
4 5	NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168.
6 7	NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge.
8 9	NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment.
10 11	NOTICE: Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address, change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change.
12	Respondent to bring new financial statement and proof of income next date.
13	This order does not stay collection of support arrears by execution or any other means allowed by law.

14	MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS:
15	
16 17	NEXT HEARING DATE IS <u>B/W</u> in Courtroom <u>1</u> in Child Support Court at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.
18	
19	DATED: _JUNE 17, 2015
20	MASTER
21	D 1 (D 1 (2 1)
22	Respondent/Respondent's Attorney Receipt of this document is acknowledged by my signature.
23	
24	ORDER/JUDGMENT
25	The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court
26	pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies that the ten-day objection period has expired without an objection having been filed and that the District Court deems the
27	Master's Recommendation to be approved as an ORDER/JUDGMENT of the District Court, effective with the file stamp date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this Order/Judgment.
28	
	In the property of the propert

Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5168 $(702)\ 671\text{-}9200-TDD\ (702)\ 385\text{-}7486\ (for\ the\ hearing\ impaired)$

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Page 3 of 4

CASE	NO	$P_{-}11$	162	125-1	Q
A.3 D.		K = 1 1	- I II //	4.7.7	75

	CASE NO. R-11-162425-R							
1								
2	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause appearing,							
3	IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an							
4	ORDER/JUDGMENT of the District Court this day of, 20 IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of, 20 and this matter is remanded to Child Support Court on, 20 at							
5								
6	M.							
7	District Court Judge, Family Division							
8	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565							
9								
10	By:							
11	DEPUTY DISTRICT ATTORNEY FAMILY SUPPORT DIVISION							
12	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168							
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	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5168							
	(702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired) Page 4 of 4 FINDNG 1.2							
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1	NEJ Steven B. Wolfson, District Attorney		Alun D. Chum				
2	Nevada Bar No. 001565 Family Support Division						
3	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)		CLERK OF THE COURT				
4	294910200A						
5							
6	DISTRICT COURT						
7	CLARK COUNTY, NEVADA						
8							
9	Patricia Foley,						
10		ise no.	R-11-162425-R				
11	Petitioner,) vs. De	ept. no.	CHILD SUPPORT				
12	Michael Foley,						
13))						
14	Respondent.						
15	NOTICE OF ENTRY OF ORDER/JUDGMENT						
16	To: MICHAEL FOLEY, Respondent						
17							
18	Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was						
19	entered in the above-entitled matter on June 17, 2015.						
20							
21	CERTIFICATE OF MAILING						
22	The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing						
23	a copy thereof, first class mail, postage prepaid to 712 E Naples Dr 20, Las Vegas, NV 89119 on the						
24	4th day of August, 2015.						
25							
26	/s/ Thoma		Attornovia Office				
27		e, District A ipport Divi	Attorney's Office sion				
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CLERK OF THE COURT

BNCH 294910200A

DISTRICT COURT CLARK COUNTY, NEVADA

Patricia Foley,	{	Case no.	R-11-162425-R					
	Petitioner,)		,					
v s,	}	Dept. no.	CHILD SUPPORT					
MICHAEL FOLEY,	<u> </u>							
	.		·					
	Respondent.							
	BENCH WAI							
To: ANY SHERIFF, CONSTABLE, N	Marshal, Policeman	or PEACE OF	PFICER IN THIS STATE					
The Respondent, MICHAEL FOLEY, having been ordered to appear at said time, now therefore, JUNE 17, 2015, for hearing on a Complaint for Support and having failed to appear at said time, now therefore, YOU ARE COMMANDED to arrest the above-named Respondent and bring him before the Court or, if the Court has adjourned, deliver him into custody of the Sheriff of Clark County; ball for Respondent's release from custody of the Clark County Sheriff is hereby set in the amount of NO BAIL. Respondent may be released upon payment of \$2000.00 to D.A. Family Support Division to be released to Petitioner as child support.								
This Warrant may be served at any hour of day or night. As recommended by Special Master LYNN CONANT GIVEN under my hand this day of								
Steven B. Wolfson Clark County District Attorney Nevada Bar No. 001565								
your	<u> </u>							
Deputy District Attorney								
Court appearances may be s Support Office, (702) 671-9	cheduled by contacting the 200, by 11:30 a.m. each of	ne court team in day. Court is h	n the District Attorney's Family eld Monday through Friday.					
Date	Res	pondent						
	RETURN OF	SERVICE						
I hereby certify that I received the above and foregoing BENCH WARRANT on the same by arresting the above-named Respondent, the arrest being made on								
Dated this 12 day of NOU sunder 2015. Kert Graham DA 133								
		CE OFFICER	(aham DA 133					

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			11/17/2015 02:32:00 PM				
1	NEMR Steven B. Wolfson, District Attorney		Alm & Lanin				
2	Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100						
3	Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)		CLERK OF THE COURT				
4	294910200A						
5							
6	DISTRICT COURT						
7	CLARK COUNTY, NEVADA						
8							
9	Patricia Foley,						
10	Petitioner,)	Case no.	R-11-162425-R				
11	vs.	Dept. no.	CHILD SUPPORT				
12	Michael Foley,						
13	Respondent.						
14							
15	NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS						
16	To: Michael Foley, Respondent or Respondent's Attorney						
17	To: Patricia Foley, Petitioner or Petitioner's Attorney						
18	Please take notice that the enclosed Master's Recommen	dations were en	ntered in the above-entitled				
19	matter on November 16, 2015.						
20							
21							
22							
23							
24							
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28							

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on November 16, 2015, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 1020 Miradero Ln Las Vegas NV 89134 on November 17, 2015. /s/ Katherine Yonashiro Employee, District Attorney's Office Family Support Division

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on November 16, 2015, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8937 Austin Ridge Ave Las Vegas NV 89178 on November 17, 2015. /s/ Katherine Yonashiro Employee, District Attorney's Office Family Support Division

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11/24/2015

CLERK OF THE COURT

Michael Folay 209 S. Stephanic St Ste B-191 Honderson, NV89012

Patricia Foley, Petitioner

Michael Foley Respondent Case No. R-11-162425 Dept. "Child Support"

2/17/10 @ 3:00 PM Dept "C"

OBJECTION TO MASTER'S RECOMMENDATION

Comes now, Respondent Michael Foley, and hereby files this OBJECTION to the Master's Recommendation presumably filed on 11-16-2015. This objection is filed on the following grands:

The Respondent has been found to be indigent, and unable to pay expenses and costs in this action be cause he is too poor. Because the Court has not found that the respondent has an ability to pay the alloyed child support morey domanded, it is UNCONSTITUTIONAL to deprive him of liberty, or to panish him with confinement. See Turner v. Regers (2011) PATED THIS ITH day of November, 2015 RECEIVED

NOV 23 2015

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Electronically Filed
11/24/2015

CLERK OF THE COURT

Michael Foley 2095. Stephenie St. Ste B-191 Hendrich, NV 8902

Patricia Foley Patitioner

Michael Foley, Respondent Case No. R-11-162425 Dept. "Child Support"

CERTIFICATE OF SERVICE

The Undersigned hereby contifies that the OBJECTION TO MASTER'S RECOMMENDATION was Aled and served via U.S. Postal Service, acopy of which was mailed to:

Patricia Folly No Douty District Attorney 1900 E. Flamingo Rd. Las Vogas, NV 89121

SIGNED,

Michael Foles.

Electronically Filed 11/26/2015 11:03:15 PM

CLERK OF THE COURT

1 **OBJ** MICHAEL FOLEY 2 209 S. Stephanie St. Ste B-191 Henderson, NV 89012 Telephone: (702) 771-9725 Defendant in Proper Person 3 4

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

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PATRICIA FOLEY

10 Petitioner,

11 VS.

MICHAEL FOLEY, 13

Respondent.

Case No. R-11-162425 Dept. No.

"Child Support"

Date of Hearing: November 16, 2015

2/17/16 @ 3:00PM DEPT C

OBJECTION TO HEARING MASTER'S RECOMMENDATION

18

19

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21

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COMES NOW, Respondent Michael Foley, in Proper Person, and hereby files this OBJECTION to the Hearing Master's RECOMMENDATION, presumably filed on November 16, 2015. Because the clerk has not served via email, as requested, a copy of the OBJECTION the Respondent filed by mail from confinement at Clark County Detention Center on or about November 17, 2015, and out of an abundance of caution, the Respondent hereby files this OBJECTION electronically.

This objection is filed on the following grounds:

The Petitioner FAILED to appear, and has repeatedly expressed to the Respondent denial of want, need or entitlement of child support;

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1

The Respondent was NOT furnished the MASTER'S RECOMMENDATION at the conclusion of the hearing, as required by E.D.C.R. 1.40; The Respondent was deprived of the required procedural safeguards as required by the 14th Amendment, as defined by the U.S. Supreme Court in <u>Turner v. Rogers</u>, 564 U.S. (2011), namely: The Respondent was NOT given that his "ability to pay" is a critical issue in the contempt proceeding; The hearing master did NOT make an express finding that the respondent has the ability to pay; The Respondent was deprived of personal liberty and confined in a prison in violation of NRS 22.140, and therefore not afforded the opportunity to call witnesses or present relevant evidence; The Respondent was NOT appointed counsel as required by the 6th and 14th Amendments to the U.S. Constitution. DATED this 26th day of November, 2015. // Michael Foley Michael Foley, Respondent in Pro Per

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		12/08/2015 10:35:41 AM	
1	OPPS		
2	STEVEN B. WOLFSON DISTRICT ATTORNEY Nevada Bar No. 001565	Alun S. Chuim	
3	FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100	CLERK OF THE COURT	
4	Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 326953200A		
5	DISTRICT COURT		
6	CLARK COUNTY, NEVADA		
7			
8	Patricia Foley,		
9		Case no. R-11-162425-R	
10	Petitioner,) vs.	Dept. no. CHILD SUPPORT	
11	Michael Foley,		
12) Respondent.)		
13			
14	DA OPPOSITION TO RESPON	NDENT'S OBJECTION	
15	Date of Hearing:	February 17, 2016	
16	Time of Hearing: 3:00 PM Department: C		
17	COMES NOW, the STATE OF NEVADA, through STEVEN B. WOLFSON, District		
18	Attorney, by and through Edward W. Ewert, Deputy District Attorney, and files this D.A.		
19	Opposition. This Response is made and based upon the pleadings and papers on file herein, the		
20	attached Points and Authorities, exhibit(s), if any, and oral argument, if any, at the time of the		
21	hearing.		
22	DATED this 8 th day of December, 2015.		
23		spectfully Submitted,	
24	DIS	EVEN B. WOLFSON STRICT ATTORNEY	
25	Ne	vada Bar # 001565	
26	=	5051	
27	BY: $\frac{\alpha}{\text{ED}}$	EWERT	
28		puty District Attorney vada Bar #3405	
		, man 2011 11 100	

TERMS USED HEREIN

For ease of reference Respondent will be referred to as, "Father." The Petitioner shall be referred to as "Mother." The Family Court case, D08-403071, shall be referred to as "the D case" unless the context requires a more specific reference. The DA-enforced case, R11-164245, shall be referred to as "the R case" unless the context requires otherwise.

ARGUMENT IN BRIEF

The two objections filed by Father reveal that he <u>believes</u> that he is indigent for purposes of child support enforcement and that, as a result of his belief, the hearing master, by incarcerating him and recommending a \$2,000 release amount, somehow violated his constitutional rights. Father is in error on both counts.

That Father was granted in forma pauperis status for purposes of filing documents with the Court does not equate to a finding that Father is indigent for purposes of child support enforcement.¹ In the former instance the Court merely assumes, for purposes of the in forma pauperis application, that the applicant is telling the truth. By granting that status the Court is merely waiving filing fees so that the applicant is not prevented from bringing his argument before a court.

That assumed indigence for document-filing purposes does not carry over into child support enforcement, especially where there exists a very real possibility that an obligor is intentionally unemployed or underemployed to avoid paying appropriate child support. Where that possibility exists the Court does not, and, indeed, should not, accept as true, merely on the say-so of the obligor, a claim that the obligor is indigent.

An obligor asserting indigence, whose behavior over the years suggests that he is underemployed to avoid paying child support must provide convincing proof that his asserted indigence is due to circumstances other than avoidance of child support. Remaining self-employed for years, while steadfastly insisting that the self-employment yields income less than someone working full time at minimum wage does not provide such proof. Indeed, if it proves anything it proves that the obligor is intentionally under-employed to avoid paying child support. A review of father's history

¹ This Court granted Father's application to proceed in forma pauper is by its order filed on 07/14/15.

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in the D case and in the R case reveals that Father here is most likely underemployed for purposes of child support.

Yet, this Court need not reach that "underemployed" conclusion to deny the two objections now before this Court. The undeniable fact at this time is that the most recent finding by the hearing master of Father's gross monthly income and his resulting child support obligation comes from the never-modified and never objected-to Master's Recommendation and Order/Judgment filed on 02/19/15. In that order the Court found that Father's gross monthly income was \$2,512.95.² Twenty-nine percent (29%) yields a child support obligation of \$729 per month, as rounded off to the nearest dollar. That is the presently accruing monthly child support obligation.

That income of \$2,512.95, although not a sum that would enable Father to live a life of luxury, does not make him indigent.³ Not having shown through proof that he is indigent, and not having been found by a Court to be indigent (other than for purposes of avoiding filing fees), Father has no right to an appointed attorney and cannot meritoriously argue that the master was required to make an express finding that Father had the ability to pay his release amount. This is not a <u>Turner v. Rogers</u>, 131 S.Ct. 2507 (2011) situation.

POINTS & AUTHORITIES

This case came before the master on 11/16/15 as an in-custody hearing.⁴ On that date the case involved current monthly child support for three children, all still under age eighteen (18).⁵

² That income finding was taken straight from on Father's own claim of income at page 4 of "Respondent's Response to the District Attorney's Motion to Modify Child Support" filed in the R case on 12/08/14.

³ Father's credibility on the issue of his income – and whether he is indigent – has been and continues to be suspect. Father kept his credibility on this issue suspect at the 11/16/15 hearing. Father claimed at the hearing that he earned about \$275 per week (which equals a GMI of \$1,191.67) from his self-employment and that he had no other income. When asked how he survived on \$275 per week he responded that he doesn't gamble and that he lives within his means on a budget. (See video of hearing at 13:44:04). Yet, when asked why, if he couldn't pay the full, court-ordered amount, he didn't at least pay something, he responded that he is always behind in his rent and other bills. See video of hearing at 13:44:44. Either he lives within his means or he does not. One or the other of his statements is a falsehood. If he is truly behind in his bills then he should have filed for modification of his support. In fact, he has requested modification through his R case. However, modification was denied when he failed to appear at the modification hearing. Later, when the master tried to give him the benefit of the doubt and lowered his support to \$300 per month temporarily – See R case order filed 08/11/14 – he then files a motion where he claims an income of \$2,521.95, that supports a 29% order of \$729 per month. To that \$729 per month order, filed on 02/19/15, Father files no objection, not even a motion for reconsideration.

⁴ A bench warrant had issued for Respondent's arrest when he failed to appear at the Child Support Court hearing of 06/17/15. Respondent was on notice for that 06/17/15 hearing as he was given that date when he was in custody at the prior hearing of 04/15/15.
⁵ Since 11/16/15 on of the three children has turned 18; Therese Foley was born 11/23/97 and turned 18 just a few days ago. The DAFS case manager just learned from Mother that Therese is still in high school but is expected to graduate in June, 2016.

Child support was, and is, accruing at \$729 per month pursuant to the Master's Recommendation and Order filed on 02/19/15.6 The master noted that Father's last payment was \$200 paid on 08/13/14 as jail release.

Hearing nothing from Father that would justify paying absolutely nothing for more than a year the hearing master found Father in contempt and imposed ten days of previously stayed jailtime. The master recommended that Father be released from incarceration immediately upon payment of two thousand dollars, (\$2,000), as child support. A true and correct copy of the master's recommendations from that 11/6/15 hearing is attached hereto as **Exhibit 1**.

Father then filed two objections, one, a hand-written objection filed on 11/24/15 and a second, typed Objection on 11/26/15. This Opposition responds to both objections.

In Father's first objection he points out that he has been found to be indigent. Starting from that premise he then argues that his incarceration is unconstitutional because the master did not find "that [Father] has an ability to pay the alleged child support money demanded."

In Father's second objection, filed on 11/26/15, Father states that Mother "FAILED to appear, and has repeatedly expressed to [Father] denial of want, need or entitlement of child support." Father then indicates that he was not furnished with the copy of the master's recommendations from that hearing. Then he argues that his incarceration violated his constitutional rights, citing Turner v. Rogers, 131 S.Ct. 2507 (2011). Apparently, Father believes that the master erred because Father (asserts that he) is indigent and that, therefore, the master could not properly incarcerate him unless the master first made an express finding that Father has the ability to pay his court-ordered child support.

Father' arguments lack legal and factual merit.

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⁶ Child support had originally been ordered at \$700 per month in the Clark County divorce decree filed on 09/25/09 in Family Court case, D08-403071. An earlier D case order, filed 03/09/09, had ordered \$500 per month. The hearing master modified child support to \$729 per month in the order of 02/19/15 on Respondent's claim that he earned \$2,512.95 per month. The master also added a \$79 per month medical cash obligation as contribution of one-half of Mother's cost to provide medical insurance for the children. Finally, a monthly payment of \$25 was added as payment against arrears, resulting in a total monthly obligation of \$833.00.

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MOTHER'S FAILURE TO APPEAR AT THE HEARING HAS NO BEARING ON FATHER'S FAILURE TO OBEY HIS ORDER

That Mother did not appear at Father's in-custody hearing on 11/15/16 has no bearing on Father's failure to obey his court orders. If Mother wants to decline DA child support services she need only to notify DAFS to cease enforcement of her order. Recent communication from her to DAFS indicates that she seeks continued DA services. Consequently, until DAFS is asked by Mother to close its case DAFS intends to enforce Father's child support obligation. This point of Father's has no bearing on the master's incarceration decision. As to Father's claim that he did not receive a copy of the master's recommendations from the 11/16/15 hearing, DAFS must assume that the Detention Center personnel did their job and provided Father with a copy. In any event a copy was mailed to Father by DAFS, as shown by the Notice of Entry of Master's Recommendation filed on 11/17/15.

FATHER IS NOT INDIGENT FOR PURPOSES OF CHILD SUPPORT ENFORCEMENT

NRS 12.015 enables an applicant who claims to be indigent to file documents with the court without having to first pay otherwise required filing fees. The applicant can be granted this fee waiver merely by providing to the Court an affidavit that tells the Court that the applicant lacks the financial means to prosecute or defend an action. There is no requirement that an evidentiary hearing be held to determine whether the applicant truly is indigent. It is an exparte process in which the Court gives the benefit of the doubt to the applicant due to our great respect for the right to be heard in our courts of law.

Father's apparent belief that being granted leave to proceed in forma pauperis translates into an evidence-based, legal court conclusion that he is indigent for all child support-related purposes, is in error. DAFS is not aware of any statute or caselaw that even hints that the granting of an application to proceed in forma pauperis carries with it a conclusion that the applicant is indigent for all other purposes. That assumed indigency for filing purposes, carried out in an ex parte process, could not possibly bind the Court, DAFS or the other party. To do so would violate the right to confront and cross-examine.

/// ...

THIS IS NOT A CASE OF INDIGENCE. IT IS, RATHER, ABOUT WILFULL AND STUBBORN UNEMPLOYMENT OR UNDEREMPLOYMENT TO AVOID PAYING CHILD SUPPORT

This case is not about an indigent person's rights and a violation of those rights by the courts. Rather, it is about a willfully underemployed father who, his court records suggest, is a vexatious litigant,⁷ an amateur lawyer who would rather spend his time fighting the legal system than finding employment to enable him to provide reasonable financial support for his three children.

Since his Family Court case – D08-403071 – began in 2008 Father has steadfastly chosen to remain self-employed while insisting that his income from such self-employment is meager, at best.⁸ As the record reveals in both the D case and the R case, Father's claims of indigence from being (purposely) self-employed have been rejected by this Court and by the masters involved in the R case. This is apparent from the fact that this Court and the master(s) in the R case have, with rare exception, either kept Father's child support at \$700 per month or raised it to \$729 per month.⁹

STANDARD OF REVIEW

The Nevada Rules of Civil Procedure, Rule 53(e)(2), governing Master's reports, directs that the "...court shall accept the master's findings of fact unless clearly erroneous."

⁷ See D case minutes from hearing of 03/17/14, where the Court expressed its concern about "chronic litigation."

In his 12/22/08 Financial Disclosure Form filed in his D case Father stated that his total average net monthly income was only \$576.29 while his monthly expenses were \$5,283. This wasn't believed by the Court when it set Father's child support at \$700 per month in the 09/25/09 divorce decree. In his 02/24/11 Financial Disclosure Form filed in the D case Father indicated that he was self-employed – as a real estate agent -- but had no income. At an in-custody hearing in his R case on 10/30/13 Father said that he does side jobs through a private party and earns between \$100 and \$150 per week. Back in his D case, Father filed a motion on 02/14/14 seeking to modify custody and support. At page 4 of his motion he stated that his financial condition "has not changed much" and that his income from self-employment was \$600 per month. At the 08/11/14 hearing in the R case Father indicated to the master that he was self-employed and earned about \$800 to \$1,000 per month.

The court in the R case was considering a reduction of Father's child support at the hearing of 08/28/12 but declined to lower it at that time because Father chose not to appear at the hearing and had failed to provide proof of his income and the hours he worked. A master gave Father a second chance at lowering child support at the R case hearing of 08/11/14, where the master actually set a temporary lower amount of \$300 per month as child support. However, that obligation was raised by the master at the subsequent

temporary lower amount of \$300 per month as child support. However, that obligation was raised by the master at the subsequent hearing of 01/28/15 in the resulting order filed on 02/19/15 in the R case. In that order the master found Father's gross monthly income to be \$2,512.95 based upon Father's own income representation in his "Respondent's Response to the District Attorney's Motion to Modify Child Support" filed in the R case on 12/08/14. That same Response still said that Father's expenses exceeded his income. Despite this statement by Father in December, 2014, that his monthly income from self-employment was over \$2,500, only four months later Father was telling the master that his monthly income was less than \$1,000 per month. In Father's R case financial statement, dated 04/15/15, he states that his self-employment business grosses \$18,000 per year and nets, after deducting legitimate business expenses, \$11,000 per year. This is less than \$1,000 per month income for Father from his self-employment. A person working a 40-hour week at a minimum wage of \$8.25 per hour earns \$1,430 per month gross. To insist on remaining self-employed while arguing poverty as a result has not sit well with the Courts. It is worth noting in this regard that since Father's child support. Absent such a motion it must be presumed today that his income is sufficient to comply with his present order of child support.

Russell v. Thompson, 96 Nev. 830, 834, 619 P.2d 537, 539 (1980) holds that "clearly erroneous" is defined as: (1) material errors in the proceedings or mistake in law; (2) unsupported by any substantial evidence; or (3) are against the clear weight of evidence. See 9 Wright and Miller, Federal Practice and Procedures; Civil Sec. 2605, and cases cited therein. In addition, United States v. United States Gypsum Co., 333 U.S. 364, 395, 68 S.Ct. 525, 542 (1948) states: "A finding is 'clearly erroneous' when although there is evidence to support it, the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been committed."

Here, the master noted Father's failure to pay any child support for longer than a year. She listened patiently to Respondent's excuse for not paying and his (conflicting) answers about his income – see above, where Father states on the one hand that he lives within his means but then later says that he is behind in his bills – and the master drew the only reasonable conclusion she could given the facts and record before her. Father was in contempt of the court's support order and, with no substantial evidence before her that Father was, indeed, indigent, the master came to the only conclusion she could reasonably make; Father merited imposition of some jail-time and a release amount that was far less than what Father was supposed to have paid during the preceding year.

WHEREFORE, DAFS prays that this Court deny Father's two objections and approve and adopt the master's recommendations from the hearing of 11/16/15 as submitted.

DATED this 8th day of December, 2015.

Respectfully Submitted, STEVEN B. WOLFSON DISTRICT ATTORNEY Nevada Bar # 001565

BY:

ED EWERT Deputy District Attorney Nevada Bar #3405

CERT

Michael Foley

Henderson Nevada 89012

Case no. R-11-162425-R

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CERTIFICATE OF MAILING

mailing a copy thereof, first class mail, postage prepaid to:

209 South Stephanie Street, Suite B-191

on the 8th day of December, 2015.

The foregoing DA Opposition to Respondent's Objection was served upon Michael Foley by

Employee, District Attorney's Office Family Support Division

Case no. R-11-162425-R

CERTIFICATE OF MAILING

The foregoing DA Opposition to Respondent's Objection was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to:

Patricia Foley 8937 Austin Ridge Avenue Las Vegas Nevada 89178

on the 8th day of December, 2015.

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Employee, District Attorney's Office Family Support Division

4	MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY		
1	Nevada Bar No. 001565. FAMILY SUPPORT DIVISION		
2	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168		
3	(702) 671-9200 TDD (702) 385-7486 (for the hearing impaired) 294910200A District Court		
4	CLARK COUNTY, NEVADA		
5			
6	Patricia Foley,)		
7	Petitioner,) Case No. R-11-162425-R		
8) Department No. CHILD SUPPORT		
9	Michael Foley,		
	Respondent.)		
10	MASTER'S RECOMMENDATION		
11	This matter having been heard on NOVEMBER 16, 2015 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations:		
12	Parties present: ⊠ Respondent ☐ Respondent's attorney ☐ Petitioner ☐ Petitioner's attorney		
13	☐ PATERNITY ☑ PATERNITY PREVIOUSLY DECIDED.		
14	☐ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS).		
15	Respondent's gross monthly income (GMI) : ; formula amount % of GMI= Basis for deviation from state formula:		
16	Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley.		
17	CHILD SUPPORT Respondent is to pay monthly:		
18	\$779.00 child support		
19	around ammont		
20	☐ ARREARAGES ☐ ARREARAGES NOT ADDRESSED AT THIS HEARING		
21	S 833.00 TOTAL monthly payment is due on the I st day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.		
22	Respondent's INCOME SHALL BE WITHHELD for the payment of support.		
23	Good cause to stay income withholding is based on: Said withholding shall be postponed until Responden		
24	ENFORCEMENT OF CONTROLLING ORDER: The registered order from, dated, #, is hereby confirmed and is the controlling order for the following reasons: only order		
25	 ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian. Respondent is referred to Employment Services for an appointment on at AM. 		
26			
	Respondent to provide: A Patitioner to provide excluding Medicaid: C. Both Parties to provide:		
27	☐ if available through employer. ☐ shall provide per court order.		
28	Exhibit 1		
	FINDING 1.2		
	I.		

1	Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support Division within 90 days of today's date.		
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3	☐ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING ☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.		
4	 ☑ ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE. ☐ Respondent is hereby found in Contempt of Court and sentenced to days in the Clark County Detention 		
5	Center; this sentence shall be stayed until the next court date.		
,	The following sentence(s) shall be stayed/continued to the next court date unless imposed or vacated today: Sentence of 26 days in the Clark County Detention Center issued 11/21/13 is 10 imposed vacated stayed		
6	Sentence of 25 days in the Clark County Detention Center issued 11/21/15 is 10 imposed vacated stayed stayed		
7	Sentence of 25 days in the Clark County Detention Center issued 02/19/15 is imposed vacated stayed		
*.	Sentence of 25 days in the Clark County Detention Center issued 07/09/15 isimposedvacatedstayed		
8	Respondent is recommended for the day arrest program on		
9	Respondent to be released from custody on 11/22/15		
	Respondent may be released from the above sentence immediately upon payment of \$2,000.00 to be released to Petitioner as child support.		
10	NO BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPONDENT		
11	MAY BE RELEASED UPON PAYMENT OF S TO BE RELEASED TO PETITIONER AS CHILD SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or		
12	recall the bench warrant.		
13	☐ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY ☐ QUASHED. ☐ CONTINUED. ☐ MODIFICATION OF PRIOR ORDER:		
14	SUSPENSION OF LICENSES:		
15	PAYMENTS		
16	All mailed payments MUST be made in the form of a cashier's check, money order or business check ONLY, made		
17	payable to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit card are also accepted.		
B. 7	Payments can be mailed to:		
18	State Collection and Disbursement Unit (SCaDU) P.O. Box 98950		
19	Las Vegas, Nevada 89193-8950		
20	Beautiful and the market and the mar		
	Payments can be made in person at: State Collection and Disbursement Unit (SCaDU)		
21	1900 East Flamingo Road		
22	Las Vegas, Nevada 89119-5168		
23	Additionally, the following information must be included with each payment: name (first, middle, last) of person		
24	responsible for paying child support, social security number of person responsible for paying child support, child support case number, and name of petitioner (first and last name of person receiving child support).		
25	NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.		
26	NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.		
27	NOTICE: Interest will be assessed on all unnoid child support balances for cases with a Nevada controlling order pursuant		
28	support for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full		
	Steven B. Wolfism, District Athrony, Nexada Bar No. 601568 Panelly Support Wisislan 1900 East Flamings Raul #100 Law Volum, Revisal 80110-5168		
	(707) 073-9700 - 1700 (702) 305-7486 (for the hearing impaired). Page 2 of 4 81800% 1.2		

(707) 671-9200 - THO (702) 385-7486 (for the hearing impaired).

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1 2 3	obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced.		
4 5	NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168.		
6 7 8	NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge.		
9	NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment.		
10 11	NOTICE: Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change.		
12	Respondent to bring new financial statement and proof of income next date.		
13	This order does not stay collection of support arrears by execution or any other means allowed by law.		
14 15	**************************************		
16	DA to verify whether Therese is still in high school.		
17	Pay/stay: R is to pay \$833 for the December pmt next date to avoid contempt.		
18 19	fundbon maggadings		
20 21	DATED: NOVEMBER 16, 2015 MASTER		
22			
23.	In Custody		
24	Respondent/Respondent's Attorney Receipt of this document is		
25	acknowledged by my signature.		
26	ORDER/JUDGMENT		
27 28	The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies		
	Steen B. Walfoon, District Athrency, Nevada Bar No. 681765 Fasetly Support District 1986 East Finnings Road 8789 Lee Vegus, Nevada 8719-5168 [1935 671-9786 - 1932 1385-7486 (for the hearing impaired) Page 3 of 4 FINDING 5.		

1 2	that the ten-day objection period has expired without an objection having been filed and that the District Court deems the Master's Recommendation to be approved as an ORDER/JUDGMENT of the District Court, effective with the file stamp date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this Order/Judgment.		
3	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause appearing,		
5	IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an ORDER/JUDGMENT of the District Court this day of, 20		
6	TT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of		
7			
8			
9	District Court Judge, Family Division		
10	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565		
11	=0		
12	By: DEPUTY DISTRICT ATTORNEY		
13	FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100		
14	Las Vegas, Nevada 89119-5168		
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	Siceron B. Wolfson, District Actorsay, Newada Bar No. 401568 Emnils Support Birkson 1909 Enal Flooringu Recod 6100 Law Vegan, Newada 807 19-0 168		
	(161) 671-7200 - YDD (107) 388-7400 (for the hearing impaired) Page 4 of 4		

Electronically Filed 12/09/2015

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Patricia Foley,

Michael Foley,

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vs.

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DISTRICT COURT

CLARK COUNTY, NEVADA

Petitioner,) Case No.: R-11-162425-R)
Department: CHILD SUPPORT)

CLERK OF THE COURT'S NOTICE OF CHANGE OF HEARING

The OBJECTION hearing, presently set on February 17th 2016 at 3:00PM, has been moved to the 20th day of January, 2016 at 10:00AM for an OBJECTION Hearing. This Matter will be heard in Department C at the Family Court building located at 601 N Peccs Rd, Las Vegas NV, 89101.

CERTIFICATE OF MAILING

I hereby certify that on the 9th day of December:

Respondent

I mailed, via first-class mail, postage fully prepaid the foregoing Notice of Changed Hearing to: Michael Foley, 209 S Stephanie St, STE B191, Henderson NV 89012.

I placed a copy of the foregoing Notice of Changed Hearing in the appropriate folder located in the UIFSA Clerk of the Court's Office:

Patricia Foley, Petitioner, In Care of District Attorney Family Support Division.

Deputy Clerk of the Court Brittney Valandingham

[Pleading Title] - 1

Electronically Filed 01/13/2016 02:32:03 AM

CLERK OF THE COURT

NOTC
MICHAEL FOLEY
209 S. Stephanie St. Ste B-191
Henderson, NV 89012
Telephone: (702) 771-9725
Defendant in Proper Person

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

PATRICIA FOLEY

Petitioner,

Case No. R-11-162425

VS.

Dept. No.

No. "Child Support"

MICHAEL FOLEY,

Respondent.

To: The Court

PLEASE TAKE NOTICE that the pending hearing scheduled by the District Court Clerk in the above-referenced action was placed on the calendar without a request for a hearing by any party to this action. In the absence of a summons or order to appear, signed by a judge, and in the absence of a motion, notice of motion, and memorandum of points and authorities, pursuant to Eighth District Court Rule 2.20, and proof of service thereof, the Respondent Michael Foley will *not* personally, voluntarily or willingly appear before the Court to argue in this action, as such a voluntary appearance would violate the one-action rule, NRS 40.430, as well as the 6th and 14th Amendments to the U.S. Constitution, as interpreted by the U.S. Supreme Court in <u>Turner v. Rogers</u>, 131 S.Ct. 2507 (2011),

NOTICE

which require the appointment of counsel to an indigent litigant when the State acts to take the life or liberty of such a citizen, or represents a party who seeks to incarcerate the adverse indigent party in a civil contempt proceeding. The individual attorney Edward Ewert, who represents the State (which is NOT a party to this or the original dissolution action), is being *sued* by the Respondent in Federal Court, because he clearly does not understand or intend to observe fundamental constitutional doctrine, namely those supported by the 4th, 6th, 9th, and 14th Amendments to the Constitution for the United States, and aforementioned case law, and therefore should be barred from appearing in this action, as he acts to represent the subject children without the consent of the Respondent, who is the children's natural parent, and who necessarily decides what is in the best interest of his children. See IN RE: PARENTAL RIGHTS as to A.G. Washoe County Department of Social Services, Appellant, v. Kory L.G., Respondent, 129 Nev. Adv. Op. 13 (parents have a fundamental liberty interest in the care, custody, and control of their children; the fundamental constitutional right to make decisions concerning the rearing of [their] own [children]." See Troxel v. Granville, 530 U.S. 57, 65, 120 S.Ct. 2054, 147 L.Ed.2d 49 (2000); Stanley v. Illinois, 405 U.S. 645, 651, 92 S.Ct. 1208, 31 L.Ed.2d 551 (1972)). The State's and the County's interest in collecting \$19 million in annual "child support" incentives from the U.S. taxpayers' Social Security fund, under Title IV-D of the Social Security Act, should not prevail over the Respondent's reasonable, rightful, and proper will to protect his children's need to be supervised, and not left alone or in the custody of an illegal alien, which is what happens when the State incarcerates the indigent Respondent, and seizes his very limited assets, and transfers such funds to the Petitioner, who is hopelessly addicted to gambling.

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DATED this 13th day of January, 2016.

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// Michael Foley /
Michael Foley, Respondent in Pro Per

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Electronically Filed 01/15/2016 02:54:32 PM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** Las Vegas, Nevada 89119-5168 3 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 5 **DISTRICT COURT** 6 7 **CLARK COUNTY, NEVADA** 8 9 Patricia Foley, 10 Case no. R-11-162425-R Petitioner, Dept. no. CHILD SUPPORT 11 VS. Michael Foley, 12 13 Respondent. 14 15 NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS To: Michael Foley, Respondent or Respondent's Attorney 16 17 To: Patricia Foley, Petitioner or Petitioner's Attorney 18 Please take notice that the enclosed Master's Recommendations were entered in the above-entitled 19 matter on January 20, 2016. 20 21 22 23 24 25 26

NEMREC

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CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on January 20, 2016, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 1112 Milpas Ln Las Vegas NV 89135 on January 15, 2016. /s/ Kathrine Belneev Employee, District Attorney's Office Family Support Division

NEMREC

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on January 20, 2016, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8937 Austin Ridge Ave Las Vegas NV 89178 on January 15, 2016. /s/ Kathrine Belneev Employee, District Attorney's Office Family Support Division

Electronically Filed 01/20/2016 08:30:08 AM 1 NOTC STEVEN B. WOLFSON DISTRICT ATTORNEY 2 Nevada Bar No. 001565 FAMILY SUPPORT DIVISION **CLERK OF THE COURT** 3 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 4 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 5 DISTRICT COURT **CLARK COUNTY, NEVADA** 6 7 Patricia Foley, 8 Case no. R-11-162425-R 9 Petitioner, Dept. no. C/CHILD SUPPORT vs. 10 Michael Foley, 11 Respondent 12 13 NOTICE OF INTENT/REQUEST TO APPEAR BY COMMUNICATION EQUIPMENT 14 COMES NOW, STEVEN B. WOLFSON, CLARK COUNTY DISTRICT ATTORNEY, by 15 and through Robert J Gardner, Deputy District Attorney, pursuant to the Order Adopting Part IX Of 16 17 The Supreme Court Rules filed December 18, 2008, and hereby submits a Notice Of Intent To 18 Appear By Communication Equipment for the: 19 (check one) 20 Case Management Conference 21 Motion Hearing 22 Trial Setting Conference 23 Other: Respondent's Objection filed 11-20-2015, 24 currently scheduled for the 20th day of January, 2016 at 10:00 a.m. Pacific Time. 25 For the purposes of this appearance I can be reached at the following telephone numbers 26

For the purposes of this appearance I can be reached at the following telephone numbers (702) 671- 9482 (my direct line) or (702) 671-9476 legal department line. This Deputy believes it will be more beneficial and expedient to have access to the D.A. Child Support computer systems at the time of the hearing due to the paperless nature of our records. Also, this Deputy is covering this

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hearing for another Attorney who was called to Jury duty today. I understand that it is my responsibility to ensure that I can be reached at this telephone number on the date and time of the hearing. I also understand that due to the unpredictable nature of court proceedings, my hearing may be called at a time other than the scheduled time. Further, I understand that my failure to be available at the above stated telephone number will constitute a nonappearance.

Dated this 20th day of January, 2016.

Respectfully Submitted, Steven B. Wolfson District Attorney Nevada Bar No. 001565

Robert J. Dardon

ROBERT J GARDNER, Deputy District Attorney Nevada Bar No.: 00006983 FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100 Las Vegas, NV 89119 (702) 671-9476

Electronically Filed 01/20/2016 08:47:44 AM 1 NOTC STEVEN B. WOLFSON DISTRICT ATTORNEY 2 Nevada Bar No. 001565 FAMILY SUPPORT DIVISION **CLERK OF THE COURT** 3 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 4 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 5 DISTRICT COURT **CLARK COUNTY, NEVADA** 6 7 Patricia Foley, 8 Case no. R-11-162425-R 9 Petitioner, Dept. no. C/CHILD SUPPORT vs. 10 Michael Foley, 11 Respondent 12 13 NOTICE OF INTENT/REQUEST TO APPEAR BY COMMUNICATION EQUIPMENT 14 COMES NOW, STEVEN B. WOLFSON, CLARK COUNTY DISTRICT ATTORNEY, by 15 and through Robert J Gardner, Deputy District Attorney, pursuant to the Order Adopting Part IX Of 16 17 The Supreme Court Rules filed December 18, 2008, and hereby submits a Notice Of Intent To 18 Appear By Communication Equipment for the: 19 (check one) 20 ☐ Case Management Conference 21 Motion Hearing 22 Trial Setting Conference 23 Other: Respondent's Objection filed 11-20-2015, 24 currently scheduled for the 20th day of January, 2016 at 10:00 a.m. Pacific Time. 25 For the purposes of this appearance I can be reached at the following telephone numbers 26 (702) 671- 9482 (my direct line) or (702) 671-9476 legal department line. This Deputy believes it 27 will be more beneficial and expedient to have access to the D.A. Child Support computer systems at

OPPS

the time of the hearing due to the paperless nature of our records. Also, this Deputy is covering this

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hearing for another Attorney who was called to Jury duty today. I understand that it is my responsibility to ensure that I can be reached at this telephone number on the date and time of the hearing. I also understand that due to the unpredictable nature of court proceedings, my hearing may be called at a time other than the scheduled time. Further, I understand that my failure to be available at the above stated telephone number will constitute a nonappearance.

Dated this 20th day of January, 2016.

Respectfully Submitted, Steven B. Wolfson District Attorney Nevada Bar No. 001565

Robert J. Dardon

ROBERT J GARDNER, Deputy District Attorney Nevada Bar No.: 00006983 FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100 Las Vegas, NV 89119 (702) 671-9476

Electronically Filed 01/28/2016 03:31:56 PM 1 OFO STEVEN B. WOLFSON DISTRICT ATTORNEY 2 Nevada Bar No. 001565 **FAMILY SUPPORT DIVISION CLERK OF THE COURT** 3 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168. 4 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 5 DISTRICT COURT * 6 CLARK COUNTY, NEVADA 7 Patricia Foley, 8 9 Case no. R-11-162425-R Petitioner. VS. Dept. no. C/CHILD SUPPORT 10 Michael Foley. 11 12 Respondent. 13 ORDER FOLLOWING OBJECTION 14 This matter having come on for a hearing this 20th day of January, 2016, on the Objection of 15 Respondent Petitioner District Attorney's Office, Family Support Division, 16 (hereinafter, "DAFS"), to the Master's Recommendations from the Child Support Court hearing 17 18 held on the 16th day of November, 2015, 19 Respondent being not present present in proper person 20 Petitioner being present not present and 21 Steven B. Wolfson, District Attorney, being present by and through Deputy District 22 Attorney, ROBERT J. GARDNER, Esq., whom appeared telephonically, 23 The Court having reviewed the pleadings and papers herein and having heard argument 24 AND GOOD CAUSE THEREFORE APPEARING, this Court hereby enters the following findings, 25 conclusions and orders: 26 This Court concludes and orders that Respondent's objections filed on 11/24/2015 and 11-26-27 2015 are DENIED, there was no clear error, and the Points and Authorities set forth in the District 28 Attorney's Opposition to Respondent's Objection filed on December 8, 2015 shall be ADOPTED;

additionally the Court noted that the NRS Respondent relied on his notice of non-appearance was misplaced and not related to child support proceedings, the Respondent has the ability to pay and there is an indication of possible willful underemployment. Finally, the Court finds in this case there is no right to an appointed attorney for civil contempt proceedings. A RETURN HEARING IS already SET for JULY 13, 2016 AT 2:15PM IN DEPT 1. The Masters Recommendation and Order is attached as Exhibit 1, and is hereby affirmed. DATED this Aday of My, 20/ REBECCA BURTON, DISTRICT COURT JUDGE Submitted By: Robert J. Dardone ROBERT J. GARDNER, ESQ. 1/25/2016 DEPUTY DISTRICT ATTORNEY Nevada Bar No. 0006983 FAMILY SUPPORT DIVISION 1900 East Flamingo Rd., Suite 100 Las Vegas, Nevada 89119 (702) 671-9200

	02/01/2016 12:53:23 PM	
1	NEOJ STEVEN B. WOLFSON	
2	STEVEN B. WOLFSON DISTRICT ATTORNEY Nevada Bar No. 001565	
3	FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100	
4	Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A	
5	DISTRICT COURT	
6	CLARK COUNTY, NEVADA	
7		
8	Patricia Foley,	
9) Case no. R-11-162425-R Petitioner,)	
10	vs. Dept. no. C/CHILD SUPPORT	
11	Michael Foley,	
12	Respondent.	
13		
14	NOTICE OF ENTRY OF ORDER	
15	TO: PATRICIA FOLEY, Plaintiff	
16	TO: MICHAEL FOLEY, Defendant	
17	YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE that on the 28 th day of	
18	January, 2016 an Order Following Objection was entered in the above-entitled matter, a copy of	
19	which is attached to this Notice.	
20	Dated 1 st day of February, 2016.	
21	Steven B. Wolfson Clark County District Attorney	
22	Clark County District Attorney Nevada Bar No. 001565	
23	Robert J. Dardon	
24	Chief Deputy District Attorney	
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CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Order was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: MICHAEL ANTHONY FOLEY 209 S STEPHANIE SUITE B-191 ST **HENDERSON NV 89012** on the 1^{st} day of February, 2016. Employee, District Attorney's Office Family Support Division OPPS

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Order was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8937 Austin Ridge Ave Las Vegas, NV 89178 on the 1^{st} day of February, 2016. Employee, District Attorney's Office Family Support Division OPPS

Electronically Filed 01/28/2016 03:31:56 PM 1 OFO STEVEN B. WOLFSON DISTRICT ATTORNEY 2 Nevada Bar No. 001565 **PAMILY SUPPORT DIVISION** CLERK OF THE COURT 3 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 4 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 5 DISTRICT COURT * 6 CLARK COUNTY, NEVADA 7 Patricia Foley, 8 9 Case no. R-11-162425-R Petitioner. VS. Dept. no. C/CHILD SUPPORT 10 Michael Foley, 11 12 Respondent. 13 ORDER FOLLOWING OBJECTION 14 This matter having come on for a hearing this 20th day of January, 2016, on the Objection of 15 Respondent Petitioner District Attorney's Office, Family Support Division, 16 (hereinafter, "DAFS"), to the Master's Recommendations from the Child Support Court hearing 17 18 held on the 16th day of November, 2015, 19 Respondent being not present present in proper person 20 Petitioner being present not present and 21 Steven B. Wolfson, District Attorney, being present by and through Deputy District 22 Attorney, ROBERT J. GARDNER, Esq., whom appeared telephonically, 23 The Court having reviewed the pleadings and papers herein and having heard argument 24 AND GOOD CAUSE THEREFORE APPEARING, this Court hereby enters the following findings. 25 conclusions and orders: 26 This Court concludes and orders that Respondent's objections filed on 11/24/2015 and 11-26-27 2015 are DENIED, there was no clear error, and the Points and Authorities set forth in the District 28 Attorney's Opposition to Respondent's Objection filed on December 8, 2015 shall be ADOPTED;

additionally the Court noted that the NRS Respondent relied on his notice of non-appearance was misplaced and not related to child support proceedings, the Respondent has the ability to pay and there is an indication of possible willful underemployment. Finally, the Court finds in this case there is no right to an appointed attorney for civil contempt proceedings. A RETURN HEARING IS already SET for JULY 13, 2016 AT 2:15PM IN DEPT 1. The Masters Recommendation and Order is attached as Exhibit 1, and is hereby affirmed. DATED this Aday of My, 20/ REBECCA BURTON, DISTRICT COURT JUDGE Submitted By: Robert J. Dardon ROBERT J. GARDNER, ESQ. 1/25/2016 DEPUTY DISTRICT ATTORNEY Nevada Bar No. 0006983 FAMILY SUPPORT DIVISION 1900 East Flamingo Rd., Suite 100 Las Vegas, Nevada 89119 (702) 671-9200

1 2 3 4 5 6	NOTM Steven B. Wolfson, District Attorney Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A DISTRICT COU CLARK COUNTY, NEV		Electronically Filed 02/01/2016 02:18:44 PM	
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8	PATRICIA FOLEY)	7	D 11 1(0105 D	
9	Petitioner,)		R-11-162425-R	
10		Dept. no.	CHILD SUPPORT	
11	MICHAEL FOLEY,			
12	Respondent.			
13 14		DISTRICT A THORNEY OF MOTION A		
15	DISTRICT ATTORNEY'S NOTICE OF MOTION & <u>MOTION TO MODIFY CHILD SUPPORT</u>			
16 17	Date of Hearing: 5/17/2016 Time of Hearing: 9:00 AM Court Room: #1			
18	The District Attorney, by and through the undersigned	d Deputy Dist	rict Attorney, moves the	
19	above entitled Court for review and adjustment of the child su	upport order p	previously entered between	
20	the above-entitled parties, including provision for medical ins	surance or cor	ntribution toward	
21	Petitioner's cost of providing medical insurance, if any.			
22	This Motion is made and based upon the pleadings and papers on file herein and the attached			
23	Points and Authorities, exhibit(s), if any, oral argument, if any	y, at the time	of the hearing and	
24	Proof of Respondent's income indicating the Resp	pondent's gro	ss monthly income to be at	
25	least \$800.00. Updated income information to be provided at	t the time of the	he hearing, if any.	
26	Other:			
27	///			
28	///			

1	Further, the District Attorney requests this Honorable Court conduct a review of the order	
2	because it is alleged that changed circumstances can be demonstrated pursuant to NRS 125B.145(1)	
3	and/or (4). Respondent's estimated income based on self employment tech support work, no other	
4	known income or assests.	
5	NEVADA'S MODIFICATION OF ANOTHER STATE'S ORDER IS PROPER BECAUSE:	
6	An individual party,, has requested modification; this tribunal has personal	
7	jurisdiction over the non-movant and the issuing state (the state whose order controlled prior to this	
8	modification) is no longer the residence of any individual party/contestant or child(ren). NRS	
9	130.611(1)(a).	
10	An individual party,, has requested modification; all individual parties and children	
11	now reside in Nevada. NRS 130.613(1).	
12	All parties/contestants have filed written consent with the tribunal whose order controlled	
13	prior to this modification for this tribunal to modify the support obligation and assume continuing,	
14	exclusive jurisdiction. NRS 130.611(1)(b).	
15	Dated on this 1 st day of February, 2016.	
16	Respectfully Submitted,	
17	Steven B. Wolfson District Attorney	
18	Nevada Bar No. 001565	
19	Robert J. Dardon	
20	ROBERT J GARDNER	
21	Deputy District Attorney	
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28	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565	
	Steven B. Wollson, District Michinery, Newson Bair Not. 001303 Family Support Division 1900 East Planningo Road, Suite 100 Las Vegas, Nevada 89119-5168 To2) 671-920 - TDD (702) 385-7486 (for the hearing impaired) MOTMO	

Page 2 of 5

MOTMOD

1	NOTICE OF HEARING
2	TO: Michael Anthony Foley, Respondent,
3	TO: Patricia Foley, Petitioner:
4	You will please take notice that the District Attorney's Office, Family Support Division, will
5	bring the above and foregoing motion on for hearing in the Child Support Court at Child Support
6	Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, on 5/17/2016
7	at 9 AM in Court Room 1, or as soon thereafter as the case may be heard.
8	<i>///</i>
9	<i>///</i>
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	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168
	(702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired) Page 3 of 5

POINTS AND AUTHORITIES IN SUPPORT OF THE MOTION

A review of a support order can be requested by either party or, in a welfare case, by the District Attorney's Office, at least every three years pursuant to NRS 125B.145 (1). "Support" includes not only financial maintenance, but also support for a child's health care and educational needs. NRS 125B.020. The Court has authority to adjust an order if the moving party has demonstrated changed circumstances since the order was last entered. **Rivero v. Rivero**, 125 Nev. Adv. Op. No. 43, 216 P.3d 213 (2009). A modification may also be made on an order less than three years old. Likewise, the moving party must show changed circumstances. NRS 125B.145(4).

NRS 125B.145(4) declares that "[a]n order for the support of a child may be reviewed at any time on the basis of changed circumstances" and adds that a change of 20% or more in a child support obligor's gross monthly income "shall be deemed to constitute changed circumstances requiring a review for modification of the order for the support of a child." **Fernandez v. Fernandez**, 126 Nev. Adv. Op. No. 3, 222 P.3d 1031 (2010). Changed circumstances may also include other events in the lives of the parties such as emancipation or the addition of a new child to the family.

The statutory formula for child support is stated in NRS 125B.070 and NRS 125B.080. Specifically, NRS 125B.070 (1)(b) requires the Court to set support using the non-custodial parent's gross monthly income and applying 18% for one child, 25% for two children, 29% for three children, and 2% more for each child thereafter. The Court may further increase or decrease support by considering certain factors or deviations listed in NRS 125B.080(9).

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Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100 Lax Vegas, Nevada 89119-5168 (702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired)

MOTMOD

It is respectfully requested that this Honorable Court determine the Respondent's gross monthly income or, in the alternative, impute earning capacity. The support order should be adjusted as appropriate, and address health insurance, if available at a reasonable cost. If the Petitioner carries health insurance for the child, the order should require the Respondent to contribute to the cost of the health insurance for the child upon a showing of proof. Dated on this 1st day of February, 2016. Respectfully Submitted, Steven B. Wolfson District Attorney Nevada Bar No. 001565 Robert J. Dardon Deputy District Attorney

Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road, Suite 100 Lax Vegas, Nevada 89119-5168 (702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired)

MOTMOD

Electronically Filed 02/02/2016 09:13:45 AM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 **CLERK OF THE COURT** (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 **DISTRICT COURT** 5 **CLARK COUNTY, NEVADA** 6 7 Patricia Foley, 8 9 Case no. R-11-162425-R Petitioner, 10 Dept. no. CHILD SUPPORT vs. 11 Michael Foley, 12 Respondent.) 13 **CERTIFICATE OF MAILING** 14 DISTRICT ATTORNEY'S NOTICE OF MOTION & MOTION TO MODIFY CHILD SUPPORT 15 16 17 18 19 20 21 22 23 24 25 26 27 28

CTMAIL

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The DISTRICT ATTORNEY'S NOTICE OF MOTION & MOTION TO MODIFY CHILD SUPPORT was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: MICHAEL ANTHONY FOLEY **209 S STEPHANIE ST SUITE B-191 HENDERSON NV 89012** on this 2^{nd} day of February, 2016. Employee, District Attorney's Office Family Support Division Steven B. Wolfson, District Attorney, Nevada Bar #001565 Family Support Division 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 (702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired)

Page 2 of 3

CTMAIL

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The DISTRICT ATTORNEY'S NOTICE OF MOTION & MOTION TO MODIFY CHILD SUPPORT was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8937 Austin Ridge Ave Las Vegas, NV 89178 on this 2nd day of February, 2016. Employee, District Attorney's Office Family Support Division Steven B. Wolfson, District Attorney, Nevada Bar #001565 Family Support Division 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 (702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired) CTMAIL

Page 3 of 3

Electronically Filed 02/08/2016 11:00:07 AM MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY 1 Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 2 1900 East Flamingo Road, Suite 100 CLERK OF THE COURT Las Vegas, Nevada 89119-5168 (702) 671-9200 3 TDD (702) 385-7486 (for the hearing impaired) istrict Court 294910200A 4 ARK COUNTY, NEVADA 5 Patricia Foley, 6 Petitioner, Case No. R-11-162425-R 7 VS. Department No. CHILD SUPPORT 8 Michael Foley, 9 Respondent. 10 MASTER'S RECOMMENDATION 11 This matter having been heard on JANUARY 15, 2016 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations: 12 Parties present: Respondent Respondent's attorney Petitioner Petitioner's attorney 13 ☐ PATERNITY ☐ PATERNITY PREVIOUSLY DECIDED 14 ☐ FINANCIALS: ☑ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS). 15 Respondent's **INCOME SHALL BE WITHHELD** for the payment of support. Good cause to stay income withholding is based on:_____. Said withholding shall be postponed until Respondent 16 becomes delinquent in an amount equal to 30 days support. ENFORCEMENT OF CONTROLLING ORDER: The registered order from _____, dated _____, #____, is hereby 17 confirmed and is the controlling order for the following reasons: \Box only order $\underline{}$ ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this 18 noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian. Respondent is referred to Employment Services for an appointment on ______ at _____ AM. 19 Health insurance coverage for the minor child(ren) herein: 20 Respondent to provide: Petitioner to provide, excluding Medicaid: Both Parties to provide: if available through employer. shall provide per court order. 21 🛛 Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support Division within 90 days of today's date. 22 ☑ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING 23 ☐ RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT. 24 **☒** ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE. Respondent is hereby found in Contempt of Court and sentenced to _____ days in the Clark County Detention Center; this sentence shall be stayed until the next court date. 25 The following sentence(s) shall be stayed/continued to the next court date unless imposed or vacated today: 26 Sentence of 16 days in the Clark County Detention Center issued 11/21/13 is _imposed vacated stayed ____ imposed ____ vacated ____stayed Sentence of 25 days in the Clark County Detention Center issued 03/12/14 is 27 Sentence of <u>25</u> days in the Clark County Detention Center issued <u>02/19/15</u> is ____ imposed ____ vacated ____ stayed Sentence of 25 days in the Clark County Detention Center issued 07/09/15 is ____ imposed ____ vacated ____ stayed 28

FINDNG 1.2

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	CASE NO. R-11-162425-R					
1	Respondent is recommended for the day arrest program on					
	Respondent to be released from custody on					
$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$	Respondent may be released from the above sentence immediately upon payment of <u>\$</u> to be released to Petitioner as child support.					
3 4	NO BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPONDENT MAY BE RELEASED UPON PAYMENT OF \$\(\frac{1}{2}\) TO BE RELEASED TO PETITIONER AS CHILD SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or					
5	recall the bench warrant.					
6	□ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY □ QUASHED. □ CONTINUED. □ MODIFICATION OF PRIOR ORDER:					
7	☐ SUSPENSION OF LICENSES:					
8	PAYMENTS					
9	All mailed payments MUST be made in the form of a cashier's check, money order or business check ONLY, made payable to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit card are					
10	also accepted.					
11	Payments can be mailed to: State Collection and Disbursement Unit (SCaDU)					
12	P.O. Box 98950 Las Vegas, Nevada 89193-8950					
13	Payments can be made in person at:					
14	State Collection and Disbursement Unit (SCaDU)					
15	1900 East Flamingo Road Las Vegas, Nevada 89119-5168					
16 17	Additionally, the following information must be included with each payment: name (first, middle, last) of person responsible for paying child support, social security number of person responsible for paying child support, child support case number, and name of petitioner (first and last name of person receiving child support).					
18	NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.					
19	NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT.					
20	NOTICE: Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant to NRS 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay					
21	support for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between the court ordered obligation and the amount withhold by the amployer directly to the state dishursement unit. If the					
22	the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order,					
23	Nevada interest and penalties will only be calculated to the date of the new order and will be enforced.					
24	NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the					
25	support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168.					
26	NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's Paccompandation to serve and file written objections to it. A failure to file and serve written objections will result in a final					
27 28	Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge.					
	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565					

Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flaminga Road #100 Las Vegas, Nevada 89119-5168

(702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired)

FINDNG 1.2

Page 2 of 4

	CASE NO. R-11-102425-R				
1 2	NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment.				
3	NOTICE: Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10)				
4	days of such change.				
5	Respondent to bring new financial statement and proof of income next date.				
6	This order does not stay collection of support arrears by execution or any other means allowed by law.				
7	*************				
8	MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS: No hearing on the merits today as Respondent has filed an objection to prior master's recommendations from the hearing of 11/16/15. That objection is scheduled to be heard by Judge Burton on 01/20/16 at 10 a.m.				
9	NEXT HEARING DATE IS July 13, 2016 at 2:15 PM in Courtroom 1 in Child Support Court				
10	at Child Support Center of Southern Nevada, 1900 East Flamingo Road, Las Vegas, Nevada, for further proceedings.				
11					
12	DATED: _JANUARY 15, 2016				
13	MASTER				
14					
15	Respondent/Respondent's Attorney Receipt of this document is				
16	acknowledged by my signature.				
17	ORDER/JUDGMENT				
18	The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed				
19	within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to this Master's Recommendation signifies				
20	that the ten-day objection period has expired without an objection having been filed and that the District Court deems the Master's Recommendation to be approved as an ORDER/JUDGMENT of the District Court, effective with the file stamp date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this				
21	Order/Judgment.				
22	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause				
23	appearing,				
24	TI IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an ORDER/JUDGMENT of the District Court this day of, 20				
25	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of				
26	, <u>20</u> and this matter is remanded to Child Support Court on, 20 atM.				
27	District Court Judge, Family Division				
28	and the state of t				
	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamings Road #100 Las Vegas, Nevada 89119-5168				
	(702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired) Page 3 of 4 FINDING 1.2				

STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565

By: DEPUT

DEPUTY DISTRICT ATTORNEY FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168

Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100

Las Vegas, Nevada 89119-5168 (702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired)

Page 4 of 4

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Electronically Filed 02/09/2016 09:12:51 AM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** 3 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 5 **DISTRICT COURT** 6 7 **CLARK COUNTY, NEVADA** 8 9 Patricia Foley, 10 Case no. R-11-162425-R Petitioner, 11 Dept. no. **CHILD SUPPORT** vs. 12 Michael Foley, 13 Respondent. 14 15 NOTICE OF ENTRY OF ORDER/JUDGMENT 16 To: MICHAEL FOLEY, Respondent 17 Please take notice that the enclosed order/judgment against the respondent MICHAEL FOLEY was 18 19 entered in the above-entitled matter on January 15, 2016. 20 **CERTIFICATE OF MAILING** 21 The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing 22 a copy thereof, first class mail, postage prepaid to 209 S Stephanie, Ste B-191, Henderson, NV 89012, 23 24 on the 8th day of February, 2016. 25 26 /s/ Kathrine Belneev Employee, District Attorney's Office 27 Family Support Division

NCPORD

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Electronically Filed 02/22/2016 02:37:52 PM 1 OFO STEVEN B. WOLFSON DISTRICT ATTORNEY 2 Nevada Bar No. 001565 **FAMILY SUPPORT DIVISION CLERK OF THE COURT** 3 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168. 4 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 5 DISTRICT COURT * 6 CLARK COUNTY, NEVADA 7 Patricia Foley, 8 9 Case no. R-11-162425-R Petitioner. VS. Dept. no. C/CHILD SUPPORT 10 Michael Foley. 11 12 Respondent. 13 ORDER FOLLOWING OBJECTION 14 This matter having come on for a hearing this 20th day of January, 2016, on the Objection of 15 Respondent Petitioner District Attorney's Office, Family Support Division, 16 (hereinafter, "DAFS"), to the Master's Recommendations from the Child Support Court hearing 17 18 held on the 16th day of November, 2015, 19 Respondent being not present present in proper person 20 Petitioner being present not present and 21 Steven B. Wolfson, District Attorney, being present by and through Deputy District 22 Attorney, ROBERT J. GARDNER, Esq., whom appeared telephonically, 23 The Court having reviewed the pleadings and papers herein and having heard argument 24 AND GOOD CAUSE THEREFORE APPEARING, this Court hereby enters the following findings, 25 conclusions and orders: 26 This Court concludes and orders that Respondent's objections filed on 11/24/2015 and 11-26-27 2015 are DENIED, there was no clear error, and the Points and Authorities set forth in the District 28 Attorney's Opposition to Respondent's Objection filed on December 8, 2015 shall be ADOPTED;

OPPS

additionally the Court noted that the NRS Respondent relied on his notice of non-appearance was misplaced and not related to child support proceedings, the Respondent has the ability to pay and there is an indication of possible willful underemployment. Finally, the Court finds in this case there is no right to an appointed attorney for civil contempt proceedings. A RETURN HEARING IS already SET for JULY 13, 2016 AT 2:15PM IN DEPT 1. The Masters Recommendation and Order is attached as Exhibit 1, and is hereby affirmed. DATED this Aday of My, 20/ REBECCA BURTON, DISTRICT COURT JUDGE Submitted By: Robert J. Dardone ROBERT J. GARDNER, ESQ. 1/25/2016 DEPUTY DISTRICT ATTORNEY Nevada Bar No. 0006983 FAMILY SUPPORT DIVISION 1900 East Flamingo Rd., Suite 100 Las Vegas, Nevada 89119 (702) 671-9200

OPPS

EXHIBIT 1

1 2 3 4 5	MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 (702) 671-9200 TDD (702) 385-7486 (for the hearing impaired) 294910200A District Court CLARK COUNTY, NEVADA
6	Patricia Foley,) Petitioner,) Case No. R-11-162425-R
7	vs.)
8) Department No. CHILD SUPPORT)
9	Respondent.)
10	MASTER'S RECOMMENDATION
11	This matter having been heard on NOVEMBER 16, 2015 before the undersigned Hearing Master, having considered all the
12	evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations:
13	Parties present: ☐ Respondent ☐ Respondent's attorney ☐ Petitioner ☐ Petitioner's attorney
14	□ PATERNITY ☑ PATERNITY PREVIOUSLY DECIDED □ □
15	
16	Basis for deviation from state formula: Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley.
17	CHILD SUPPORT
18	Respondent is to pay monthly: \$729.00 child support
	\$79.00 medical support (in lieu of health insurance) spousal support
19	\$25.00 arrears payment ARREARAGES \(\times \) ARREARAGES NOT ADDRESSED AT THIS HEARING
20	TOTAL monthly payment is due on the 1 st day of each month, and continues thereafter until said child(ren)
21	\$ 833.00 reach majority, become emancipated or further order of the Court.
22	Respondent's INCOME SHALL BE WITHHELD for the payment of support. Good cause to stay income withholding is based on: Said withholding shall be postponed until Respondent
23	becomes delinquent in an amount equal to 30 days support.
24	ENFORCEMENT OF CONTROLLING ORDER: The registered order from, dated, #, is hereby confirmed and is the controlling order for the following reasons: Only order
25	ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian.
26	Respondent is referred to Employment Services for an appointment on at AM.
	Health insurance coverage for the minor child(ren) herein: ☐ Respondent to provide: ☐ Petitioner to provide, excluding Medicaid: ☐ Both Parties to provide:
27	☐ if available through employer. ☐ shall provide per court order.
28	
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1			1 Party(ies) to provide p 00 days of today's date.	proof of said i	nsurance to the	District Attor	ney's Office, F	Family Suppor	t Division
2									
3		RESPO	OF COURT □ NOT A NDENT ORDERED T R TO SHOW CAUSE O	O SHOW CA	USE CONCER		ЕМРТ.		
4		Respond	dent is hereby found in	Contempt of	Court and sente		_ days in the	Clark County	Detention
5			this sentence shall be sta lowing sentence(s) shall	•		t court date unl	less imposed or	· vacated today	
_			e of 26 days in the Clark C	•			-	vacated	
6			e of <u>25</u> days in the Clark C					vacated _	
7			e of <u>25</u> days in the Clark C					vacated _	
8	l		e of <u>25</u> days in the Clark C dent is recommended for	-			imposed	vacated _	stayed
0			dent to be released from			·			
9		Respond	dent may be released fr er as child support.	•		diately upon p	ayment of \$2,	000.00 to be r	eleased to
10		O BAIL I	BENCH WARRANT I						
11	SU	JPPORT.	RELEASED UPON P Where circumstances ench warrant.						
12	16	can the be	ench warrant.						
13			ARRANT PREVIOUS FION OF PRIOR ORDE		S HEREBY	☐ QUASHE	D. 🗆 CONT	INUED.	
14	□ SU	SPENSIO	ON OF LICENSES:						
15	PAY	MENTS							
16	payabl	le to State	nents MUST be made i Collection and Disbur						
17	aiso ac	cepted.							
18	Paym	ents car	n be mailed to: State Collection a	nd Disburse	ement Unit (S	SCaDU)			
19			P.O. Box 98950						
			Las Vegas, Nevad	a 89193-895	50				
20	Paym	ents car	n be made in persoi	n at:					
21			State Collection at 1900 East Flaming		ement Unit (S	SCaDU)			
22			Las Vegas, Nevad	a 89119-516	8				
23			e following information						
24			paying child support, s mber, and name of pet						mia
25	NOTIO	CE: NO	CREDIT WILL BE GI	VEN FOR PA	YMENTS PAI	D DIRECTLY	Y TO THE PE	TITIONER.	
26	NOTIO	CE: PRIC	OR ORDERS NOT SPE	CIFICALLY M	ODIFIED HER	EIN REMAIN	I IN FULL FOI	RCE AND EFF	ECT.
27 28	to NRS	99.040.	est will be assessed on a A 10% penalty will be a ld, pursuant to NRS 125	ssessed on each	h unpaid installr	nent, or portion	n thereof, of an	obligation to p	oay
	Family Supp 1900 East Fl:		orney, Nevada Bar No. 001565						
			5-7486 (for the hearing impaired)	P	age 2 of 4				FINDNG 1.2

	Π				
1	obligation is not met by the amount withheld by the employer, the the court ordered obligation and the amount withheld by the employer.				
2 3	Respondent fails to do so, he/she may be subject to assessment of additional costs by making current support payments each month. Nevada interest and penalties will only be calculated to the date o	penalties and interest. The Respondent may avoid these If another state takes jurisdiction and obtains a new order,			
4 5	NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER Supportive Services, where there is an assignment of support righ support provision of this order at least every three (3) years to determine the support provision of this order at least every three (3) years to determine the support provision of this order at least every three (3) years to determine the support provision of this order at least every three (3) years to determine the support provision of this order at least every three (3) years to determine the support provision of this order at least every three (3) years to determine the support provision of this order at least every three (3) years to determine the support provision of this order at least every three (3) years to determine the support provision of this order at least every three (3) years to determine the support provision of this order at least every three (3) years to determine the support provision of this order at least every three (3) years to determine the support provision of this order at least every three (4) years to determine the support provision of this order at least every three (4) years to determine the support provision of this order at least every three (4) years to determine the support provision of the sup	ts to the State, has the right to request a review of the ermine if modification is appropriate; an application for this			
6	purpose may be obtained from D.A. Family Support at 1900 E. Fl NOTICE: Objections/Appeals are governed by EDCR1.40(e) an Recommendation to serve and file written objections to it. A failu	d (f). You have ten (10) days from receipt of this Master's			
7	Order/Judgment being ordered by District Court. However, the Manager and filed by a Judge.				
9	NOTICE: Appeal from a Final Judgment by the Court is governed Notice of Entry of Judgment.	ed by NRAP 4 and must be filed within 30 days of written			
10	NOTICE: Respondent is responsible for notifying the District A change of employment, health insurance coverage, change of cust days of such change.				
11	Respondent to bring new financial statement and proof of income	next date.			
12	This order does not stay collection of support arrears by execution				
13	******	*****			
14 15	MISCELLANEOUS FINDINGS OF FACT, CONCLUS DUE – June through October = 5 mo = \$4,165.00. PAY – Last				
16	DA to verify whether Therese is still in high school.				
17	Pay/stay: R is to pay \$833 for the December pmt next date to avo	oid contempt.			
18	NEXT HEARING DATE IS <u>1/15/2016</u> at 8:30 AM Child Support Center of Southern Nevada, 1900 Eafurther proceedings.				
19	further proceedings.				
20 21	DATED: NOVEMBER 16, 2015	amen -			
22		MASTER			
23					
24		Respondent/Respondent's Attorney Receipt of this document is			
25		acknowledged by my signature.			
26	ORDER/JUDGMENT				
27	The Clerk of the Court having reviewed the District Court's f within the ten day objection period, the Master's Recommendat	ion is hereby deemed approved by the District Court			
28					
	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5168				
	(702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired) Page 3 of 4	FINDNG 1.2			

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C	A CE	NO.	D.	11_	162	125	D.

1 2	that the ten-day objection period has expired without an objection having been filed and that the District Court deems the Master's Recommendation to be approved as an ORDER/JUDGMENT of the District Court, effective with the file stamp date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this Order/Judgment.			
3 4	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause appearing,			
5	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an ORDER/JUDGMENT of the District Court this day of, 20			
6				
7	TT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of, 20 and this matter is remanded to Child Support Court on, 20 atM.			
8				
9	District Court Judge, Family Division			
10	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565			
11				
12	By:			
13	DEPUTY DISTRICT ATTORNEY FAMILY SUPPORT DIVISION			
14	1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168			
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	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565			

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	02/24/2016 11:46:17 AM
1	NEOJ STEVEN B. WOLFSON
2	NEOJ STEVEN B. WOLFSON DISTRICT ATTORNEY Nevada Bar No. 001565 FAMILY SUPPORT DIVISION
3	1900 East Flamingo Road, Suite 100
4	Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A
5	DISTRICT COURT
6	CLARK COUNTY, NEVADA
7	
8	Patricia Foley,
9) Case no. R-11-162425-R Petitioner,)
10	vs.) Dept. no. C/CHILD SUPPORT) AMENDED to include Exhibit 1
11	Michael Foley,
12	Respondent.
13	
14	NOTICE OF ENTRY OF ORDER
15	TO: PATRICIA FOLEY, Plaintiff
16	TO: MICHAEL FOLEY, Defendant
17	YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE that on the 22 nd day of
18	February, 2016 an Order Following Objection was entered in the above-entitled matter, a copy of
19	which is attached to this Notice.
20	Dated 24 th day of February, 2016.
21	Steven B. Wolfson Clark County District Attorney
22	Nevada Bar No. 001565
23	Robert J. Dardone
24	Chief Deputy District Attorney
25	Cinol Deputy District Automey
26	
27	
28	
	OPP

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Order was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: MICHAEL ANTHONY FOLEY 209 S STEPHANIE SUITE B-191 ST **HENDERSON NV 89012** on the 24th day of February, 2016. Employee, District Attorney's Office Family Support Division OPPS

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Order was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8937 Austin Ridge Ave Las Vegas, NV 89178 on the 24th day of February, 2016. Employee, District Attorney's Office Family Support Division OPPS

EXHIBIT 1

1 2 3 4	MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168 (702) 671-9200 TDD (702) 385-7486 (for the hearing impaired) 294910200A District Court CLARK COUNTY, NEVADA
5 6 7 8 9	Patricia Foley, Petitioner, Vs. One of the properties of the pr
10 11	Respondent. MASTER'S RECOMMENDATION This matter having been heard on NOVEMBER 16, 2015 before the undersigned Hearing Master, having considered all the
12 13 14 15	evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations: Parties present: Respondent Respondent's attorney Petitioner Petitioner's attorney PATERNITY PREVIOUSLY DECIDED FINANCIALS: CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS). Respondent's gross monthly income (GMI) ; formula amount % of GMI= Basis for deviation from state formula:
16 17 18 19 20	Respondent is to pay current support for the child(ren), Michael Foley, Elizabeth Foley, Therese Foley. CHILD SUPPORT Respondent is to pay monthly: \$729.00 child support \$79.00 medical support (in lieu of health insurance) \$ spousal support \$25.00 arrears payment ARREARAGES \(\times \) ARREARAGES NOT ADDRESSED AT THIS HEARING TOTAL monthly payment is due on the 1st day of each month, and continues thereafter until said child(ren) \$ 833.00 reach moiority, become apprecipated or further order of the Court
21 22 23 24 25 26 27 28	Respondent's INCOME SHALL BE WITHHELD for the payment of support. Good cause to stay income withholding is based on: Said withholding shall be postponed until Respondent becomes delinquent in an amount equal to 30 days support. ENFORCEMENT OF CONTROLLING ORDER: The registered order from, dated, #, is hereby confirmed and is the controlling order for the following reasons: only order ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian. Respondent is referred to Employment Services for an appointment on at AM. Health insurance coverage for the minor child(ren) herein: Respondent to provide: Petitioner to provide, excluding Medicaid: Both Parties to provide: if available through employer shall provide per court order.
	FINDNG 1.2

1		\boxtimes	Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support Divwithin 90 days of today's date.	ision
3	⊠ ·		NTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING RESPONDENT ORDERED TO SHOW CAUSE CONCERNING CONTEMPT.	
		\boxtimes	ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE.	
5			Respondent is hereby found in Contempt of Court and sentenced to days in the Clark County Dete Center; this sentence shall be stayed until the next court date. The following sentence(s) shall be stayed/continued to the next court date unless imposed or vacated today:	ntion
6			Sentence of <u>26</u> days in the Clark County Detention Center issued <u>11/21/13</u> is <u>10</u> imposed <u>vacated</u> sta Sentence of <u>25</u> days in the Clark County Detention Center issued <u>03/12/14</u> is <u>imposed</u> vacated <u>sta</u>	tayed
7			Sentence of <u>25</u> days in the Clark County Detention Center issued <u>02/19/15</u> is imposed vacated st Sentence of <u>25</u> days in the Clark County Detention Center issued <u>07/09/15</u> is imposed vacated st	
8				ay ca
9			Respondent to be released from custody on $\underline{11/22/15}$.	
		\boxtimes	Respondent may be released from the above sentence immediately upon payment of \$2,000.00 to be releas Petitioner as child support.	ed to
10			D BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPOND AY BE RELEASED UPON PAYMENT OF \$ TO BE RELEASED TO PETITIONER AS CH	
11		SU	PPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quasuall the bench warrant.	
12		100	an the bench warrant.	
13			CNCH WARRANT PREVIOUSLY ISSUED IS HEREBY QUASHED. CONTINUED.	
14		SUS	SPENSION OF LICENSES:	
15			MENTS	
16	pay	able	iled payments MUST be made in the form of a cashier's check, money order or business check ONLY, made to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit card cepted.	
17	Do	vm	ents can be mailed to:	
18	ra	y 1110	State Collection and Disbursement Unit (SCaDU) P.O. Box 98950	
19			Las Vegas, Nevada 89193-8950	
20 21	Pa	yme	ents can be made in person at: State Collection and Disbursement Unit (SCaDU)	
22			1900 East Flamingo Road Las Vegas, Nevada 89119-5168	
23	res	pons	onally, the following information must be included with each payment: name (first, middle, last) of person sible for paying child support, social security number of person responsible for paying child support, child	
24	sup	port	t case number, and name of petitioner (first and last name of person receiving child support).	
25	NO	TIC	CE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER.	
26	NO	TIC	CE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT	
27			CE: Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursu 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay	ant
28			for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full	
	Family 1900 E Las Vo	y Suppor East Flan egas, Nev	fson, District Attorney, Nevada Bar No. 001565 nt Division mingo Road #100 vada 89119-5168	
	(702) 6	571-9200) – TDD (702) 385-7486 (for the hearing impaired) Page 2 of 4	ONG 1.2

	11						
1	obligation is not met by the amount withheld by the employer, the I the court ordered obligation and the amount withheld by the employer.						
2 3	Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order. Nevada interest and penalties will only be calculated to the date of the new order and will be enforced.						
4	NOTICE: Pursuant to NRS 125B 145 and federal law EITHER parent, the legal quardian, and the Division of Welfare a						
5	support provision of this order at least every three (3) years to deter purpose may be obtained from D.A. Family Support at 1900 E. Flan	mine if modification is appropriate; an application for this					
6	NOTICE: Objections/Appeals are governed by EDCR1.40(e) and Recommendation to serve and file written objections to it. A failur						
7	Order/Judgment being ordered by District Court. However, the Ma signed and filed by a Judge.						
8 9	NOTICE: Appeal from a Final Judgment by the Court is governed Notice of Entry of Judgment.	d by NRAP 4 and must be filed within 30 days of written					
10	NOTICE: Respondent is responsible for notifying the District Attochange of employment, health insurance coverage, change of customers and the second statement of the second s						
11	days of such change.						
12	Respondent to bring new financial statement and proof of income n						
13	This order does not stay collection of support arrears by execution of	·					
14	************* MISCELLANEOUS FINDINGS OF FACT, CONCLUSION						
15	DUE – June through October = $5 \text{ mo} = \$4,165.00$. PAY – Last p	payment was \$200 jail release paid 8/13/14.					
16	DA to verify whether Therese is still in high school.						
17	Pay/stay: R is to pay \$833 for the December pmt next date to avoi	d contempt.					
18	NEXT HEARING DATE IS 1/15/2016 at 8:30 AM						
19	Child Support Center of Southern Nevada, 1900 Eas further proceedings.	t Flamingo Road, Las Vegas, Nevada, for					
20							
21	DATED: NOVEMBER 16, 2015	MASTER					
22							
23		In Custody					
24		Respondent/Respondent's Attorney Receipt of this document is					
25		acknowledged by my signature.					
26	ORDER/JUDGMENT						
27	within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court						
28							
	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100 Las Vegas, Nevada 89119-5168						
	(702) 671-9200 – TDD (702) 385-7486 (for the hearing impaired) Page 3 of 4	FINDNG 1.2					

1 2	that the ten-day objection period has expired without an objection having been filed and that the District Court deems the Master's Recommendation to be approved as an ORDER/JUDGMENT of the District Court, effective with the file stamp date, without need of a District Court Judge's signature affixed hereto. The parties are ordered to comply with this Order/Judgment.
3 4	The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause appearing,
5	☐ IT IS HEREBY ORDERED that the Master's Recommendation IS affirmed and adopted as an ORDER/JUDGMENT of the District Court this day of, 20
7	IT IS HEREBY ORDERED that the Master's Recommendation IS NOT affirmed and adopted this day of, 20 and this matter is remanded to Child Support Court on, 20 at
8	
9	District Court Judge, Family Division
10	STEVEN B. WOLFSON, Clark County District Attorney Nevada Bar No. 001565
11	505 d
12	By: DEPUTY DISTRICT ATTORNEY
13	FAMILY SUPPORT DIVISION 1900 East Flamingo Road, Suite 100 Las Vegas, Nevada 89119-5168
14	Das vegas, Novada 02112 2100
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	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flaminge Road #100 Las Vegas, Nevada 89119-5168

4 of 4

Electronically Filed 03/17/2016 09:09:44 AM

1 2 3	NOAS MICHAEL FOLEY 209 S. Stephanie St. Ste B-191 Henderson, NV 89012 Telephone: (702) 771-9725 Defendant in Proper Person	CLERK OF THE COURT		
4	Defendant in Proper Person			
5	DISTRICT COURT			
6	FAMILY DIVISION			
7	CLARK COUNTY, NEVADA			
8				
9	PATRICIA FOLEY			
10	Petitioner,	Case No. R-11-162425		
11	vs.	Dept. No. "Child Support"		
12				
13	MICHAEL FOLEY,			
14	Respondent.			
15				
16				
17	<u>NOTICE</u>	OF APPEAL		
18				
19	•	5 the orders and/or judgments entered in the		
20	above-referenced action on or about Februa	ry 8, 2016 and February 22, 2016.		
21	The state of the s			
22	DATED this 9 th day of March, 2016.			
23		avor top		
24		SIGNED,		
25		Michael Fel		
26		/Michael Foley /		
27		Michael Foley, Respondent in Pro Per		
28				
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Electronically Filed 03/17/2016

CLERK OF THE COURT

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8937 Austin Ridge Ave. Las Vegas, NV 89178

R-11-162425-R

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

Case No: R-11-162425-R

Dept No: C

CASE APPEAL STATEMENT

1. Appellant(s): Michael Foley

Adverse Party(ies),

2. Judge: Rebecca L. Burton

Petitioner(s)

3. Appellant(s): Michael Foley

Counsel:

Counsel:

PATRICIA FOLEY,

VS.

MICHAEL A. FOLEY,

Michael Foley 209 S. Stephanie St., Ste. B-191 Henderson, NV 89012

4. Respondent (s): Patricia Foley

Patricia Foley

-1-

1				
2	5. Appellant(s)'s Attorney Licensed in Nevada: N/A Permission Granted: N/A			
3 4	Respondent(s)'s Attorney Licensed in Nevada: N/A Permission Granted: N/A			
5	6. Appellant Represented by Appointed Counsel In District Court: No			
6	7. Appellant Represented by Appointed Counsel On Appeal: N/A			
7	8. Appellant Granted Leave to Proceed in Forma Pauperis: Yes, July 14, 2015			
8	Appellant Filed Application to Proceed in Forma Pauperis: N/A Date Application(s) filed: N/A			
10	9. Date Commenced in District Court: May 9, 2011			
11	10. Brief Description of the Nature of the Action: DOMESTIC - Miscellaneous			
12	Type of Judgment or Order Being Appealed: Misc. Order			
13	11. Previous Appeal: No			
14	Supreme Court Docket Number(s): N/A			
15	12. Child Custody or Visitation: N/A			
16	13. Possibility of Settlement: Unknown			
17	Dated This 17 day of March 2016.			
18	Steven D. Grierson, Clerk of the Court			
20	Heather Ungerra			
21				
22	Heather Ungermann, Deputy Clerk 200 Lewis Ave			
23	PO Box 551601			
24	Las Vegas, Nevada 89155-1601 (702) 671-0512			
25				
26				
27	cc: Michael Foley			
28				

-2-

R-11-162425-R

Electronically Filed 03/25/2016 03:16:35 PM

			03/23/2010 03:10:33 1 101	
	CSERV		Alun D. Chum	
2	MICHAEL FOLEY 209 S. Stephanie St. Ste B-191		CLERK OF THE COURT	
3	209 S. Stephanie St. Ste B-191 Henderson, NV 89012 Telephone: (702) 771-9725 Defendant in Proper Person		222	
4	Defendant in Proper Person			
5	DISTRIC	CT COURT		
6	FAMILY DIVISION			
7	CLARK COUNTY, NEVADA			
8				
9	PATRICIA FOLEY			
10	Petitioner,	Case No.	R-11-162425	
11	VS.	Dept. No.	"Child Support"	
12			• •	
13	MICHAEL FOLEY,			
14	Respondent.			
15				
16	onente green en	TE OF SERV	CF	
17	CERTIFICA	(TEOF SERV)	N	
18	The undersigned hereby certifies the	not the Petition	er Patricia Foley was served via	
19				
20	first class mail the Respondent's NOTICE OF APPEAL. The filing of said appeal was denied three times, as reflected by the District Court records attached hereto. Service of this			
21 22	CERTIFICATE was mailed on March 25, 2016 to the following address:			
23				
24	Patricia Foley			
25	8937 Austin Ridge Avenue			
26	Las Vegas, Nevada 89178			
27				
28				
		The state of the s		
	-			

DATED this 25th day of March, 2016.

Michael Foley, Respondent in Pro Per

3/25/2016 E-Filing Details

Details of filing: Notice of Appeal Filed in Case Number: R-11-162425-R

E-File ID: 7961140

Lead File Size: 434785 bytes

Date Filed: 2016-03-14 00:23:04.0

Case Title: R-11-162425-R

Case Name: Patricia Foley, Petitioner(s). vs. Michael A Foley, Respondent(s).

Filing Title: Notice of Appeal

Filing Type: EFO

Filer's Name: Michael Foley

Filer's Email: paraleagle@hotmail.com

Account Name: Walmart

Filing Code: NOAS

Amount: \$3.50

Court Fee: \$ 24.00

Card Fee: \$ 0.72

Payment: No payment was made because there was a billing error.

Comments: Please note that there is no filing fee due in this case. See Order granting in forma pauperis status and NRAP 24(a)(3)

Courtesy Copies: foley403071@live.com

Firm Name: Michael Foley

Your File Number:

Status: Error - (X)

Date Accepted:

Review Comments:

Reviewer:

File Stamped Copy:

Cover Document:

Documents: Lead Document: Notice of Appeal.pdf 434785 bytes

Attachment # 1: E-Filing Details.pdf 103262 bytes

Data Reference ID:

Credit Card System Response: APOCCFCFF0C2

Response: Reference:

3/25/2016 E-Filing Details

Details of filing: Notice of Appeal Filed in Case Number: R-11-162425-R

> E-File ID: 7951509 Lead File Size: 71373 bytes

> > Date Filed: 2016-03-09 23:18:22.0

Case Title: R-11-162425-R

Case Name: Patricia Foley, Petitioner(s). vs. Michael A Foley, Respondent(s).

Filing Title: Notice of Appeal

Filing Type: EFO

Filer's Name: Michael Foley

Filer's Email: paraleagle@hotmail.com

Account Name: Walmart

Filing Code: NOAS

Amount: \$3.50

Court Fee: \$ 24.00

Card Fee: \$ 0.72

Payment: Payment has not been captured for this transaction.

Comments: Please note that there is no filing fee due in this case. See Order granting in forma pauperis status and NRAP 24(a)(3)

Courtesy Copies: foley403071@live.com

Firm Name: Michael Foley

Your File Number: 162425

Status: Rejected - (R)

Date Accepted: 2016-03-10 09:41:51.0

Rejection Reason: Not proper esignature format (i.e. /s/)

Reviewer: Barba Alicia

File Stamped Copy:

Cover Document:

Documents:

Lead Document: NOTICE OF APPEAL.pdf 71373 bytes

Data Reference ID:

Credit Card System Response: AR0CD18023CA

Response: Reference:

3/25/2016 E-Filing Details

Details of filing: Notice of Appeal Filed in Case Number: R-11-162425-R

E-File ID: 7964111

Lead File Size: 434785 bytes

Date Filed: 2016-03-14 14:29:56.0

Case Title: R-11-162425-R

Case Name: Patricia Foley, Petitioner(s). vs. Michael A Foley, Respondent(s).

Filing Title: Notice of Appeal

Filing Type: EFO

Filer's Name: Michael Foley

Filer's Email: paraleagle@hotmail.com

Account Name: Walmart

Filing Code: NOAS

Amount: \$3.50

Court Fee: \$ 24.00

Card Fee: \$ 0.72

Payment: No payment was made because there was a billing error.

Comments: Please note that there is no filing fee due in this case. See Order granting in forma pauperis status and NRAP 24(a)(3)

Courtesy Copies: foley403071@live.com

Firm Name: Michael Foley

Your File Number:

Status: Error - (X)

Date Accepted:

Review Comments:

Reviewer:

File Stamped Copy:

Cover Document:

Lead Document: Notice of Appeal.pdf 434785 bytes Documents:

Attachment # 1: E-Filing Details-3-14-16.pdf 103357 bytes

Attachment # 2: E-Filing Details.pdf 103262 bytes

Data Reference ID:

Credit Card System Response: AROCD1BA3585

Response: Reference:

Electronically Filed 05/17/2016 02:50:39 PM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** Las Vegas, Nevada 89119-5168 3 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 5 **DISTRICT COURT** 6 7 **CLARK COUNTY, NEVADA** 8 9 Patricia Foley, 10 Case no. R-11-162425-R Petitioner, **CHILD SUPPORT** 11 VS. Dept. no. Michael Foley, 12 13 Respondent. 14 15 NOTICE OF ENTRY OF MASTER'S RECOMMENDATIONS To: 16 Michael Foley, Respondent or Respondent's Attorney 17 To: Patricia Foley, Petitioner or Petitioner's Attorney 18 Please take notice that the enclosed Master's Recommendations were entered in the above-entitled 19 matter on May 17, 2016. 20 21 22 23 24 25 26

NEMREC

27

28

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on May 17, 2016, was served upon Michael Anthony Foley by mailing a copy thereof, first class mail, postage prepaid to: Michael Anthony Foley 1801 N Green Valley Pkwy Henderson, NV 89074 on May 17, 2016. /s/ Carol Kunis Employee, District Attorney's Office Family Support Division

NEMREC

CERT Case no. R-11-162425-R **CERTIFICATE OF MAILING** The foregoing Notice of Entry of Master's Recommendations for the Master's Recommendation entered on May 17, 2016, was served upon Patricia Foley by mailing a copy thereof, first class mail, postage prepaid to: Patricia Foley 8937 Austin Ridge Ave Las Vegas NV 89178 on May 17, 2016. /s/ Carol Kunis Employee, District Attorney's Office Family Support Division

NEMREC

Electronically Filed 06/08/2016 09:50:37 AM MRAO STEVEN B. WOLFSON DISTRICT ATTORNEY 1 Nevada Bar No. 001565 FAMILY SUPPORT DIVISION 2 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** Las Vegas, Nevada 89119-5168 (702) 671-9200 3 TDD (702) 385-7486 (for the hearing impaired) istrict Court 294910200A 4 ARK COUNTY, <u>NEVADA</u> 5 Patricia Foley, 6 Petitioner, Case No. R-11-162425-R 7 VS. Department No. CHILD SUPPORT 8 Michael Foley, 9 Respondent. 10 MASTER'S RECOMMENDATION 11 This matter having been heard on MAY 17, 2016 before the undersigned Hearing Master, having considered all the evidence and having been fully advised in the premises, hereby makes the following Findings and Recommendations: 12 Parties present: Respondent Respondent's attorney Petitioner Petitioner's attorney 13 ☐ PATERNITY ☑ PATERNITY PREVIOUSLY DECIDED 14 ☑ FINANCIALS: ☐ CONTINUE PRIOR ORDERS (NO CHANGE TO PRIOR FINANCIAL ORDERS). ; ; formula amount Respondent's gross monthly income (GMI) % of GMI= 15 Basis for deviation from state formula: Respondent is to pay current support for the child(ren), Michael Foley, AND Elizabeth Foley, AND Therese Foley. 16 CHILD SUPPORT 17 Respondent is to pay monthly: \$729.00 Temp child support 18 \$79.00 medical support (in lieu of health insurance) spousal support 19 \$25.00 arrears payment ☑ ARREARAGES ☐ ARREARAGES NOT ADDRESSED AT THIS HEARING 20 Arrears/Obligation period is _____ through _01/31/2016 . Arrears, Interest & Penalties calculated through 01/31/2016 by audit. For accounting purposes next payment 21 falls due 02/01/2016. child support arrearage of \$41,430.21 plus interest of \$6,620.31 penalty of \$4,847.82 22 medical support arrearage of \$3,555.00 plus interest of spousal support arrearage of plus interest of plus interest of spousal support arrearage of samples interest of plus interest of spousal support arrearage of samples interest of samples inte penalty of \$347.60 23 medical expense arrearage of genetic test costs of 24 total interest \$6,987.76 total penalty \$5,195.42 total arrearages of \$44,985.21 25 GRAND TOTAL (arrearages + interest + penalty) = \$57,168.39 26 27 28

FINDNG 1.2

	Ch5E 110, R-11-102-25-R							
1	☐ The total arrears are hereby confirmed.							
2	The total arrears, interest and penalties are reduced to judgment. This supersedes prior Nevada judgments, it any, awarded under this case number. Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant to NRS 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay support for a child, pursuant to NRS 125B.095. ☐ Arrears of \$ subject to modification until, and arrears of \$ reduced to							
3								
4	judgment.							
5	Arrears listed above are reduced to judgment. This supersedes prior Nevada judgments, if any, awarded under this case number.							
6								
7								
8	\$ 833.00 TOTAL monthly payment is due on the 1 st day of each month, and continues thereafter until said child(ren) reach majority, become emancipated or further order of the Court.							
9	Respondent's INCOME SHALL BE WITHHELD for the payment of support.							
10	Good cause to stay income withholding is based on: Said withholding shall be postponed until Respondent becomes delinquent in an amount equal to 30 days support.							
11	☐ ENFORCEMENT OF CONTROLLING ORDER: The registered order from, dated, #, is hereby confirmed and is the controlling order for the following reasons: ☐ only order							
11	ESTABLISHMENT OF CONTROLLING ORDER: This is the first order establishing a child support obligation for this							
12	noncustodial parent for the child(ren) listed in this order who reside(s) with this custodian.							
13	Respondent is referred to Employment Services for an appointment on at AM. Health insurance coverage for the minor child(ren) herein:							
	Respondent to provide: Petitioner to provide, excluding Medicaid: Both Parties to provide:							
14	☐ if available through employer. ☐ shall provide per court order.							
15	Ordered Party(ies) to provide proof of said insurance to the District Attorney's Office, Family Support Division							
16	within 90 days of today's date.							
	☑ CONTEMPT OF COURT ☐ NOT A SHOW CAUSE HEARING							
17	RESIGNOENT ORDERED TO SHOW CAUSE CONCERNING CONTEMIT:							
18	 ☑ ORDER TO SHOW CAUSE CONTINUED TO NEXT COURT DATE. ☐ Respondent is hereby found in Contempt of Court and sentenced to days in the Clark County Detention 							
19	Center; this sentence shall be stayed until the next court date. The following sentence(s) shall be stayed/continued to the next court date unless imposed or vacated today:							
20	Sentence of 16 days in the Clark County Detention Center issued 11/21/13 is imposed vacated X stayed							
	Sentence of <u>25</u> days in the Clark County Detention Center issued <u>03/12/14</u> is <u>imposed</u> vacated <u>X</u> stayed							
21	Sentence of 25 days in the Clark County Detention Center issued 02/19/15 is imposed vacated X stayed Sentence of 25 days in the Clark County Detention Center issued 07/09/15 is imposed vacated X stayed							
22	☐ Respondent is recommended for the day arrest program on							
22	Respondent to be released from custody on							
23	☐ Respondent may be released from the above sentence immediately upon payment of \$ to be released to							
24	Petitioner as child support. NO BAIL BENCH WARRANT HEREBY ISSUED FOR THE ARREST OF RESPONDENT. RESPONDENT							
25	MAY BE RELEASED UPON PAYMENT OF <u>\$</u> TO BE RELEASED TO PETITIONER AS CHILD							
26	SUPPORT. Where circumstances justify a sufficient basis, the District Attorney may administratively quash or recall the bench warrant.							
27	□ BENCH WARRANT PREVIOUSLY ISSUED IS HEREBY □ QUASHED. □ CONTINUED.							
	MODIFICATION OF PRIOR ORDER:							
28								
	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division 1900 East Flamingo Road #100							
	1900 East Fraiming o Road = 100 Last Vegas Revaid a 8011 9-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) Page 2 of 4 FINDNG 1							

☐ SUSPENSION OF LICENSES: 1 **PAYMENTS** 2 All mailed payments MUST be made in the form of a cashier's check, money order or business check ONLY, made payable to State Collection and Disbursement Unit (SCaDU). If payments are made in person, cash or debit card are 3 also accepted. 4 Payments can be mailed to: **State Collection and Disbursement Unit (SCaDU)** 5 P.O. Box 98950 6 Las Vegas, Nevada 89193-8950 7 Payments can be made in person at: **State Collection and Disbursement Unit (SCaDU)** 8 1900 East Flamingo Road Las Vegas, Nevada 89119-5168 9 Additionally, the following information must be included with each payment; name (first, middle, last) of person 10 responsible for paying child support, social security number of person responsible for paying child support, child support case number, and name of petitioner (first and last name of person receiving child support). 11 NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY TO THE PETITIONER. 12 NOTICE: PRIOR ORDERS NOT SPECIFICALLY MODIFIED HEREIN REMAIN IN FULL FORCE AND EFFECT. 13 NOTICE: Interest will be assessed on all unpaid child support balances for cases with a Nevada controlling order pursuant to NRS 99.040. A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an obligation to pay 14 support for a child, pursuant to NRS 125B.095. If the Respondent pays support through income withholding and the full obligation is not met by the amount withheld by the employer, the Respondent is responsible to pay the difference between 15 the court ordered obligation and the amount withheld by the employer directly to the state disbursement unit. If the Respondent fails to do so, he/she may be subject to assessment of penalties and interest. The Respondent may avoid these 16 additional costs by making current support payments each month. If another state takes jurisdiction and obtains a new order, Nevada interest and penalties will only be calculated to the date of the new order and will be enforced. 17 NOTICE: Pursuant to NRS 125B.145 and federal law, EITHER parent, the legal guardian, and the Division of Welfare and 18 Supportive Services, where there is an assignment of support rights to the State, has the right to request a review of the support provision of this order at least every three (3) years to determine if modification is appropriate; an application for this 19 purpose may be obtained from D.A. Family Support at 1900 E. Flamingo Rd., Suite 100, Las Vegas, Nevada 89119-5168. 20 NOTICE: Objections/Appeals are governed by EDCR1.40(e) and (f). You have ten (10) days from receipt of this Master's Recommendation to serve and file written objections to it. A failure to file and serve written objections will result in a final 21 Order/Judgment being ordered by District Court. However, the Master's Recommendation is not an Order/Judgment unless signed and filed by a Judge. 22 NOTICE: Appeal from a Final Judgment by the Court is governed by NRAP 4 and must be filed within 30 days of written Notice of Entry of Judgment. 23 NOTICE: Respondent is responsible for notifying the District Attorney, Family Support Division, of any change of address, change of employment, health insurance coverage, change of custody, or any order relative to child support within ten (10) days of such change. 25 Respondent to bring new financial statement and proof of income next date. 26 This order does not stay collection of support arrears by execution or any other means allowed by law. 27 28 FINDNG 1.2

Page 3 of 4 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)

1	MISCELLANEOUS FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS: Last payment-8/2014. Respondent's request to modify is hereby DENIED for his failure to appear today and provide						
2	proof of income and 2015 tax returns as previously ordered.						
3	<u> </u>						
4	4 at Child Support Center of Southern Nevada, 1900 East further proceedings.	Flamingo Road, Las Vegas, Nevada, fo)r				
5	5						
6	6 DATED: MAY 17, 2016	Sylves Tento					
7	7	MASTER					
8	8						
9	9	Respondent/Respondent's Attorney Receipt of this document is					
10	0	acknowledged by my signature.					
11	1 ORDER/JUDGME	NT					
12		The Clerk of the Court having reviewed the District Court's file and having determined that no objection has been filed within the ten day objection period, the Master's Recommendation is hereby deemed approved by the District Court					
13	14 NIDG 407 2044 TEL CC : Cd Cl 1 Cd Cl 2 C	le stamp to this Master's Recommendation signif-	ies				
14	Mastar's Decommendation to be approved as an ODDED/ILIDCMEN'	Γ of the District Court, effective with the file stan					
15	Order/Judgment	The parties are ordered to compa, with the					
16		The District Court, having reviewed the above and foregoing Master's Recommendation, and having received and considered the objection thereto, as well as any other papers, testimony and argument related thereto and good cause					
17							
18	8 IT IS HEREBY ORDERED that the Master's Recommendat ORDER/JUDGMENT of the District Court this day of						
19	9 IT IS HEREBY ORDERED that the Master's Recommendat, 20 and this matter is remanded to Child Support Co	ton IS NOT affirmed and adopted this day	y of				
20		ourt on, 20	aı				
21	1	District Court Judge, Family Division					
22	2 STEVEN B. WOLFSON, Clark County District Attorney						
23	Nevada Bar No. 001565						
24	4 By: Karen Cliffe						
25	DEDITY DISTRICT ATTORNEY						
26	1900 East Flamingo Road, Suite 100						
27							
28							
	Steven B. Wolfson, District Attorney, Nevada Bar No. 001565 Family Support Division						
	1906 East Flamingo Road #100 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) Page 4 of 4	FIN	ONG 1.2				

Electronically Filed 06/09/2016 10:36:16 AM 1 Steven B. Wolfson, District Attorney Nevada Bar No. 001565 2 Family Support Division 1900 East Flamingo Road, Suite 100 **CLERK OF THE COURT** 3 Las Vegas, Nevada 89119-5168 (702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired) 294910200A 4 5 **DISTRICT COURT** 6 7 **CLARK COUNTY, NEVADA** 8 9 Patricia Foley, 10 Case no. R-11-162425-R Petitioner, 11 Dept. no. **CHILD SUPPORT** vs. 12 Michael Foley, 13 Respondent. 14 15 NOTICE OF ENTRY OF ORDER/JUDGMENT 16 To: Michael Foley, Respondent 17 Please take notice that the enclosed order/judgment against the respondent Michael Foley was entered 18 19 in the above-entitled matter on May 17, 2016. 20 **CERTIFICATE OF MAILING** 21 The foregoing Notice of Entry of Order/Judgment was served upon Michael Anthony Foley by mailing 22 a copy thereof, first class mail, postage prepaid to 1801 N Green Valley Pky, 312, Henderson, NV 89014, 23 on the 9th day of June, 2016. 24 /s/ Carol Kunis Employee, District Attorney's Office 25 Family Support Division 26 27 28

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