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Elizabeth A. Brown  
Clerk of Supreme Court

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

JEFFREY REED,	)	Supreme Court Case No: 82575
	)	District Court Case No.: 05D338668
Appellant,	)	
v.	)	
	)	
ALECIA DRAPER (IND./CONSERV.),)	)	
	)	
Respondent.	)	
	)	
	)	
	)	
	)	

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**APPELLANT'S APPENDIX  
VOLUME XVII OF XVII**

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**ROBERTS STOFFEL FAMILY LAW  
GROUP**

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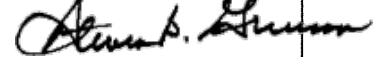
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Transcript from July 23, 2020		IV	ROA0716-ROA0740
Transcript from November 19, 2020		XVI	ROA2785 - ROA2912



1 **BREF**

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11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 ALECIA ANN DRAPER,

14 Plaintiff,

15 v.

16 JEFFREY ALLEN REED,

17 Defendant.

Case No: 05D338668

Dept No: H

**DEFENDANT'S CLOSING BRIEF**

18 COMES NOW the Defendant, Jeffrey Reed, by and through his attorney of  
19 record, Amanda M. Roberts, Esq., of Roberts Stoffel Family Law Group, and  
20 hereby submits Defendant's Closing Brief on his behalf in accordance with the  
21 Court's Order from January 12, 2021.<sup>1</sup>

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25 <sup>1</sup> On January 22, 2019, Alecia filed a "Notice of Joinder" and a "Motion for Child Support for a  
26 Disabled Child Beyond the Age of Majority." Although Alecia and/or Emily never filed a  
27 Complaint, the Court Ordered the matter would move forward. *NRCP* § 24 (c).

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**I.**  
**CLOSING ARGUMENT**

The first issue for the Court to decide in this matter is whether a claim may be brought for support of a child beyond the age of majority after the child emancipates. This case involved the Parties' adult daughter, Emily Reed ("Emily").<sup>2</sup> In this matter, Emily brought her claim against her parents on or about January 22, 2019, when Emily was twenty-two (22) years old. As we know from testimony, Emily graduated from high school in June of 2015, after her eighteenth (18<sup>th</sup>) birthday and before her nineteenth (19<sup>th</sup>) birthday.

Chapter 125B of the Nevada Revised Statutes does not define child, but is a portion of the Title 11 which is "domestic relations." The definition of child under Title 11 is found at *NRS* § 125A.035 which states, "'Child' means a person who has not attained 18 years of age." Moreover, Court Ordered support obligations cease "when the child reaches 18 years of age if he is no longer enrolled in high school, otherwise, when he reaches 19 years of age." *Edgington v. Edgington*, 80 P.3d at 1286 *citing* *NRS* § 125.510(9)(b) (Repealed) *see* *NRS* 125C.0045(9)(b). In fact, the Supreme Court has indicated that "[t]he law presumes that once a child reaches majority, the child is capable of self-support." *Id.* Additionally, *NRS* § 125C.0045 (9)(b) provides that "the obligation for care, education, maintenance and support of any minor child created by any order entered pursuant to this section

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<sup>2</sup> Emily's date of birth is November 16, 1996.

1 ceases: (b) When the child reaches 18 years of age if the child is no longer enrolled  
2 in high school, otherwise, when the child reaches 19 years of age.”

3  
4 Jeff asserts that the Court is required to at look the plain meaning of the  
5 statute. *Pro Max, Corp. v. Feenstra*, 117 Nev. 90, 16 P.3d 1074 (2001) citing  
6 *Erwin v. State of Nevada*, 111 Nev. 1535, 1538-39, 908 P.2d 1367, 1369 (1995). In  
7 this matter, the statute is clear and unambiguous, and the Court must apply the  
8 statute using the plain meaning. In doing so, due to the fact that the claims for  
9 support beyond the age of majority where not brought until Emily was twenty-two  
10 (22) years old, the claim should be denied; Jeff would argue that the Court lost  
11 jurisdiction to grant the relief requested. Jeff would argue that the Court then need  
12 not determine whether Emily is handicapped or whether the benefits she receives  
13 are sufficient for her support. Nonetheless, those arguments are briefed herein to  
14 ensure Jeff’s rights are properly protected in this matter.<sup>3</sup>

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18 The second issue for the Court to decide, if it determines that Emily’s claims  
19 are not precluded based upon when they were brought, is whether Emily was  
20 handicapped before the age of majority. In this matter, Alicia testified regarding  
21 her belief that Emily was disabled before the age of majority, and Dr. Love-Farrell  
22 (“Dr. Love”) testified that she was Emily’s treatment provider on and off from 2016  
23

24  
25  
26 <sup>3</sup> Jeff also argues that if Emily was able in the State of California, to give consent to the  
27 Conservatorship, it means that she has the ability to make her own decisions because it was  
28 accepted by the Court.

1 to present.<sup>4</sup> Pursuant to Alicia's testimony, she believes that Emily was disabled  
2 prior to reaching the age of majority because she had an IEP when she was in  
3 school from fifth (5<sup>th</sup>) grade until she graduated from high school.<sup>5</sup> Additionally,  
4 Alicia alleges that Emily's molestation as a minor contributed to her mental health  
5 illnesses which rendered her disabled.  
6

7 Dr. Love testified that she did not treat Emily before she graduated from high  
8 school. Dr. Love indicated that the information she obtained regarding Emily's  
9 medical treatment prior this time, was obtained directly from Alicia and not  
10 obtained independently. On August 6, 2020, Dr. Love testified regarding Emily's  
11 current diagnosis which is dissociative identity disorder ("DID"), major depressive  
12 disorder and chronic post-traumatic stress disorder ("PTSD"). The main focus was  
13 the DID, and not the alleged other mental health illnesses. According to Dr. Love,  
14 DID is when someone is detached from reality and they lose track of time, and are  
15 not creating memories. The person will not remember people or events, often  
16 described as an out-of-body experience. (02:22:10). Additionally, Dr. Love  
17 indicated that with DID, the individual switches back and forth between  
18 personalities. Dr. Love stated, "When someone goes into various alters, they won't  
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24 <sup>4</sup> Dr. Love's treatment began after Emily was 21½ years old

25 <sup>5</sup> Although Emily maintains a driver's license, has traveled without a family member out of the  
26 country on a least two (2) occasions, maintains debit and/or credit cards which she can access for  
27 her use without supervision (i.e., there are not spending limits placed on the cards per Alicia's  
28 testimony).

1 remember the experiences once they are in different various alters. They only  
2 know who they are in that moment.” (02:23:01).

3  
4 In this matter, Emily was called as a witness by Alicia. At that time, Emily  
5 testified as herself and then alleged alters testified including Heidi, Lily, Dorothy,  
6 Holly and Rose. Alicia’s Counsel was able to ask Emily to switch from herself to  
7 her alters;<sup>6</sup> she was able to ask the alters to switch between themselves; and Emily  
8 testified that she spoke with Alicia’s Counsel the day before her testimony and that  
9 the alters were present during the conversation with Alicia’s Counsel including  
10 “Heidi, Lily, Dorothy, Holly and I.” (11:34:22). Emily testified that Alicia’s  
11 Counsel knew which alters were going to testify at Trial because there was a plan  
12 between Emily and the alters of who would present testimony. (11:36:20)  
13 Moreover, Emily testified that it was her idea to have her alters testify, in case she  
14 got stuck and could not talk; however, Alicia’s Counsel knew in advance which  
15 alters were going to be present at Trial. (11:38:15)

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19 After the conclusion of Emily’s testimony, the Court then asked questions of  
20 Dr. Love, but indicated that her testimony was not being reopened. Dr. Love stated  
21 she has met Heidi, but did not seem to have any prior interactions with Lily,  
22 Dorothy, Holly, or Rose. Dr. Love went on to indicate that any of her interaction  
23 with the alter(s) were contained within her treatment notes, but there is not one  
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26 <sup>6</sup> At 11:16:30, Alicia’s Counsel asked alter Heidi to get Holly really quick to speak with the  
27 Judge.

1 mention of Dr. Love ever interacting with any alter(s) during her treatment of  
2 Emily according to the treatment notes ("Physician Progress Notes" at Exhibit  
3 "19") provided. *Please note, in her report (Exhibit "14") she does list an*  
4 *interaction with any alter during a treatment on June 17, 2019, for which no*  
5 *medical records ("Physician Progress Notes" ) were provided.*<sup>7</sup> (11:41:50) Dr.  
6 Love stated that the alters just "pop up." (11:41:50). Dr. Love also stated that she  
7 understands, not from personal experience it appears, "that there are dozens [of  
8 alters]." (11:44:46)

11 In this matter, Jeff would argue that Emily's testimony is inconsistent with  
12 that of Dr. Love. Specifically, Dr. Love indicated that when someone goes into an  
13 alter, that the person cannot remember the experience. Here, Emily's case would  
14 be an anomaly because Emily clearly testified that she remembered the  
15 conversation between herself and the alters, with Alicia's Counsel on August 5,  
16 2020. Emily even identified the alters that spoke with Alicia's Counsel.  
17 Furthermore, Emily's testimony is inconsistent with Dr. Love's testimony wherein,  
18 it was alleged the alters would just pop up; however, Emily testified she had a plan  
19 for which alters would appear and Alicia's Counsel was aware of which would

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23 <sup>7</sup> It was raised at Trial that the disclosures lacked all medical records as Ordered by the Court.  
24 Exhibit "86" was admitted by agreement which was a list of all disclosures by Plaintiff in this  
25 matter. A review of Exhibit "86" shows that the only "Physical Progress Notes" from Dr. Love  
26 that were provided were from March 26, 2016 through July 21, 2018 (Bates Stamp ER001820-  
27 ER002315). There are no records for Dr. Love's treatment of Emily after July 21, 2018 which  
were provided in this matter although Dr. Love's report (Exhibit "14") was admitted into  
evidence and referenced treatment after July 21, 2018.



1 appear for Trial. Dr. Love's testimony is completely inconsistent with what  
2 actually happened during Emily's Trial testimony.

3  
4 *NRS* § 50.075 states, "The credibility of a witness may be attacked by any  
5 party, including the party calling the witness." Credibility is defined as "[t]he  
6 quality that makes something (as a witness or some evidence) worthy of belief."<sup>8</sup>  
7  
8 *NRS* § 50.085 (1)(a) and (b) provide that a witness testimony may be attacked if  
9 opinions are limited to untruthfulness and after introducing "evidence of  
10 untruthfulness or other evidence impugning the witness's character for  
11 truthfulness." Furthermore, *NRS* § 50.135 permits presentation of "contradictory  
12 statements" of a witness if the witness was given an oath to tell the truth pursuant to  
13 *NRS* § 50.35. Here, the credibility of Dr. Love and Emily's testimony should be  
14 questioned by the Court because the alleged expert testimony completely  
15 contradicts what occurred during Trial when Emily's testimony was presented.  
16  
17 Therefore, Jeff would argue that the testimony of Dr. Love regarding Emily's  
18 alleged illness is inconsistent and should be viewed by the Court as not being  
19 credible. The only other option is that Emily's testimony is not credible.  
20  
21

22 Additionally, a timeline regarding Emily's alleged mental health illnesses is  
23 relevant for the Court's consideration. The Parties' divorced in 2005, and Alicia  
24 remarried in 2013, with Emily moving in with her step-brother around that time.  
25

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27 <sup>8</sup> Black's Law Dictionary, 7<sup>th</sup> Edition, at page 374.

1 Emily's alleged disabilities were not discovered, according to Alicia, until 2014. It  
2 could be a coincidence, but it seems important that recently (December 29, 2019)  
3 Emily disclosed sexual assault by her step-brother and since that hospitalization  
4 regarding this sexual assault, she has not been hospitalized. In fact, when Alicia  
5 began living apart from her husband and/or they separated, it seems as if Emily's  
6 alleged mental health issues stabilized.  
7

8  
9 The third issue the Court must decide is whether the benefits that Emily is  
10 receiving are "sufficient to meet the child's needs."<sup>9</sup> In this matter, a Financial  
11 Disclosure Form ("FDF") was filed on behalf of Emily on August 4, 2020. That  
12 FDF indicates that Emily receives Social Security Income ("SSI") monthly in the  
13 amount of \$686.24 plus CalFresh EBT of \$194.00 per month for a total benefit of  
14 \$880.24 per month. Additionally, Emily receives health insurance through the  
15 State of California, but Alicia has opted not to use medical services which are  
16 covered by Emily's insurance and seek providers who accept no insurance (i.e., Dr.  
17 Love).  
18

19  
20 In this matter, the Court indicated that if awarded, any support for Emily  
21 would be a simple mathematical calculation based upon Nevada child support  
22 guidelines. However, *NRS* § 125B.110 (2) specifically requires the Court to  
23 determine what is sufficient to meet Emily's needs if the Court determines support  
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27 <sup>9</sup> *NRS* § 125B.110 (2).  
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1 is appropriate. Using the guidelines, it appears the following calculations would be  
2 applicable in this matter:  
3

4 **Income Information for Mom**

5	\$4,100.00	\$656.00 <sup>10</sup>
6	\$0.00	\$0.00
7	\$0.00	\$0.00
8	Total	\$656.00

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10 **Income Information for Dad**

11	\$3,166.00	\$506.56
12	\$0.00	\$0.00
13	\$0.00	\$0.00
14	Total	\$506.56

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27 <sup>10</sup> Using the calculation at sixteen percent (16%) of the gross monthly income.

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**II.**  
**CONCLUSION**

Based upon the foregoing, Jeff requests the following relief from the Court:

1. Deny the request for child support for Emily beyond the age of majority, due to the lack of jurisdiction.
2. Each Party bear their own attorney's fees and costs, including expert fees.

DATED this 21st day of January, 2021.

**ROBERTS STOFFEL FAMILY LAW GROUP**

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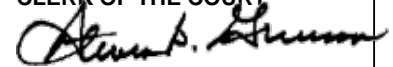
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**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of Roberts Stoffel Family Law Group, and on the 21<sup>st</sup> day of January, 2021, I served by and through Wiz-Net electronic service, pursuant Clark County District Court Administrative Order 14-2 for service of documents identified in Rule 9 of the N.E.F.C.R., the foregoing **DEFENDANT'S CLOSING BRIEF**, as follows:

Elizabeth Brennan Esq.  
Email: Elizabeth@brennanlawfirm.com  
Attorney for Plaintiff, Alecia Draper,  
In her Capacity as Conservator for Emily Reed

By:   
Employee of Roberts Stoffel Family Law Group



Elizabeth Brennan  
Nevada Bar No. 7286  
**BRENNAN LAW FIRM**  
1980 Festival Plaza Drive, Suite 300  
Las Vegas, NV 89135  
Telephone: (702) 834-8888  
Facsimile: (702) 507-1466  
elizabeth@brennanlawfirm.com  
*Attorney for Plaintiff Emily Reed,  
through her Conservator Alecia Draper*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Alecia Ann Draper,

Plaintiff,

v.

Jeffery Allen Reed,

Defendant.

Case No.: 05D338668

Dept. No.: H

**PLAINTIFF'S EVIDENTIARY HEARING CLOSING ARGUMENTS**

Plaintiff Emily Reed, through her Conservator Alecia Draper (the "Conservator"), by and through her attorney, submits the following closing arguments for the evidentiary hearing held in the captioned matter on August 6, 2020; August 7, 2020; November 19, 2020; and January 12, 2021 (collectively the "Evidentiary Hearing").

**1. PERTINENT PROCEDURAL HISTORY**

**a) Motion At Issue Was Filed on July 21, 2017:**

This case involves the request for child support for Emily Reed ("Emily"), born on November 16, 1996. Emily is currently 24 years old. She is the adult daughter of the Conservator, Alecia Draper, and the Defendant, Jeffery Reed. Emily has been handicapped since before the age of majority; has remained handicapped, and has requested child support from both parents in accordance with NRS 125B.110.

1 The request for child support for Emily has been pending since 2017. A good  
2 procedural history of the issue before the Court is set forth in Judge Ochoa's May  
3 22, 2018 Decision and Order (the "Judge Ochoa's Decision"). In Judge Ochoa's  
4 Decision, he ruled that Emily has a statutory cause of action against her parents and  
5 must be joined as a party. See Judge Ochoa's Decision, Page 15, lines 22 – 24. In  
6 addition, Judge Ochoa ruled that this Court has jurisdiction to hear a claim made  
7 pursuant to NRS 125B.110. See Judge Ochoa's Decision, Page 16, Lines 1 – 2.

8 Simply put, the motion that is the subject of the current Evidentiary Hearing  
9 was filed on **July 21, 2017** as *Plaintiff's Opposition to Defendant's Motion to Reset*  
10 *Child Support Based on Emancipation of Child and Countermotion for Child*  
11 *Support for Disabled Child Et Al* (the "July 2017 Motion"). Pursuant to Judge  
12 Ochoa's Decision, Emily, through her Conservator, joined in the July 2017 Motion  
13 as ordered by Judge Ochoa. See *Notice of Joinder and Motion (as Conservator for*  
14 *Emily Reed) for Child Support for a Disabled Child Beyond the Age of Majority*,  
15 both filed on January 22, 2019.

16 **b) Defendant Failed To Identify or Disclose a Rebuttal Expert or**  
17 **Expert Report:**

18 This case involves only one expert, Plaintiff's expert and treating psychiatrist  
19 Dr. Love Farrell. The reason for this is that Defendant NEVER identified or  
20 disclosed a rebuttal expert witness and NEVER produced a rebuttal expert report in  
21 this case. Long after discovery closed, on the eve of the Evidentiary Hearing,  
22 Defendant filed a motion to continue the trial for the purpose of extending discovery  
23 and extending the long past deadline for disclosing rebuttal experts and producing a  
24 rebuttal expert report. See Defendant's Motion filed on July 31, 2020. For all the  
25 reasons set forth in Plaintiff's Opposition filed on August 4, 2020, which arguments  
26 are incorporated herein by reference, this Court correctly denied Plaintiff's request.

27 . . .

28 . .

1                   **2. EMILY IS DISABLED UNDER NEVADA’S HANDICAP CHILD**  
2                   **STATUTE**

3                   NRS 125B.110 provides the statutory requirement for parents to support their  
4 child beyond the age of majority as long as the statutory requirements are met. **The**  
5 **evidence presented at the Evidentiary Hearing overwhelmingly establishes that**  
6 **all of the statutory requirements have been established.** This evidence includes,  
7 but is not limited to the following:

- 8                   a) The testimony of Emily and her multiple alters/personalities;  
9                   b) The testimony of Alecia Draper;  
10                  c) The testimony of Dr. Love Farrell, who is Emily’s treating  
11                  psychiatrist and the only Expert Witness in this case, as well as her  
12                  Expert Report, Supplemental Expert Report, and her treatment  
13                  records. Exhibits 13, 14, 15, 16, 17, 18, 19;  
14                  d) Emily’s school records. Exhibits 1 and 2;  
15                  e) Emily’s social security records. Exhibit 9,  
16                  f) Emily’s Medical Records. Exhibits 5 and 6 (for treatment before  
17                  age 18) as well as Exhibits 11, 25, 26, 27, 28, 33, 35, 36, 37, 38, 39,  
18                  40 as well as Dr. Love’s records set forth above in subsection (c).  
19                  g) The letters of conservatorship for Emily. Exhibit 21.

20                  It is undisputed that Emily was sexually abused as a minor for over 8 years by  
21 Defendant’s roommate from 2005 until February of 2014. As a result of this sexual  
22 abuse, Emily became suicidal and developed over 60 “alters” or “multiple  
23 personalities.” The undisputed evidence reveals that Emily has attempted suicide  
24 multiple times; has been in multiple long-term treatment facilities; and continues to  
25 be disabled.

26                  Dr. Jennifer Love Farrell testified that it is her professional opinion that Emily  
27 became disabled prior to age 18 and remains disabled to this date. Dr. Farrell  
28 explained that Emily suffers from Major Depressive Disorder (recurrent and severe);



1 Chronic Post Traumatic Stress Disorder (which is regularly suicidal); and  
2 Dissociative Identity Disorder (which is characterized by multiple personalities).  
3 Dr. Farrell explained that Emily's behavior has become so erratic and potentially  
4 dangerous that Dr. Farrell had to place her mom, Alecia Draper, on FMLA leave in  
5 order to care for Emily. Dr. Farrell testified that it is her professional opinion that  
6 Emily has been disabled under NRS 125B.110 since before the age of majority; that  
7 Emily is handicapped under the statute; and that Emily is unable to be self-  
8 supporting. Dr. Farrell explained that Emily is unable to engage in any substantial  
9 gainful activity by reason of her significant and chronic mental impairment, which  
10 has lasted for many years and is expected to last for a period of over 12 months.  
11 Defendant failed to provide any rebuttal expert testimony to counter Dr. Farrell's  
12 opinions.

13 The financial evidence related to Emily's income and needs also  
14 overwhelming confirms that Emily is not self-supporting under the statute. This was  
15 established with the testimony of Alecia Draper as well as numerous exhibits,  
16 including but not limited to, Exhibit 9; Exhibits 51 – 82 as well as Exhibit 85 (see  
17 Emily's 2020 Expense Summary attached to Exhibit 85). The SUMMARY of  
18 Emily's expenses are set forth in Exhibits 82 and the attachment to Exhibit 85. The  
19 BACKUP to support the expenses listed on the summary sheets are Exhibits 51 –  
20 78.

21 Simply put, the totality of the evidence overwhelmingly establishes that Emily  
22 meets the requirements of NRS 125B.110 thereby obligating BOTH parents to  
23 support her.

### 24 **3. BOTH PARENTS SHOULD BE ORDERED TO SUPPORT EMILY**

25 Based on the testimony of Alecia Draper and Jeffrey Reed, they both have the  
26 financial ability to support Emily. Alecia Draper has agreed to pay for half of  
27 Emily's support going forward. Jeffrey Reed has refused to provide any support for  
28 Emily, despite his clear financial ability to do so.

1           The evidence established at the Evidentiary Hearing reveals that Defendant  
2 Jeffrey Reed has an earning capacity of \$95,256/year based on his 2016 Tax Return.  
3 In addition, Mr. Reed testified that his 2019 income totaled \$69,299/year. Mr. Reed  
4 is in the funeral business, which unfortunately is quite busy as a result of the current  
5 pandemic. Mr. Reed testified that in November of 2019, he voluntarily changed to  
6 a slower funeral location (with the same company) so he could work less hours  
7 because he went to the hospital one time in October of 2019 for stress related issues.  
8 On cross examination, Mr. Reed admitted that he did NOT have a heart attack;  
9 rather, he just went through a series of tests. It is respectfully submitted that Mr.  
10 Reed is currently voluntarily underemployed and this Court should impute to him  
11 his true earning capacity of \$95,256/year. It is also important to note that Mr. Reed  
12 testified that he lives with his long-term girlfriend who has a gross income of  
13 \$70,000/year and has no minor children to support.

14           To date, Emily's mom, Alecia Draper, has provided 100% of the support for  
15 Emily and agrees to provide for her future support. Emily's Dad, Jeffrey Reed, has  
16 pay ZERO and refuses to provide any future support for Emily. Based on the  
17 evidence presented at the Evidentiary Hearing, it is clear that both parents have the  
18 ability to support Emily and should be ordered to do so, retroactive to the filing of  
19 the Motion back in July of 2017. **Since Alecia Draper has paid 100% of these**  
20 **expenses, the Court should find that Jeffrey Reed is responsible for reimbursing**  
21 **Alecia Draper for ½ of Emily's expenses that she effectively was forced to pay**  
22 **on his behalf from July 2017 to the present due to the long delay in getting this**  
23 **case to trial.**

24           In conclusion, both parents should be ordered to support Emily from July 2017  
25 forward due to her being disabled under NRS 125B.110 in an amount consistent with  
26 Nevada law and the evidence presented at the Evidentiary Hearing.

BRENNAN LAW FIRM, LLC

By: /s/ Elizabeth Brennan  
ELIZABETH BRENNAN

*Attorney for Plaintiff Emily Reed,  
through her Conservator Alecia Draper*

**CERTIFICATE OF SERVICE**

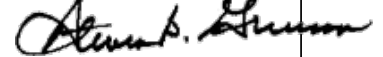
I certify that I am an employee of Brennan Law Firm and that on this 21<sup>st</sup> day of January, 2021 service of the foregoing:

**PLAINTIFF'S EVIDENTIARY HEARING CLOSING ARGUMENTS**

mandatory electronic service through the Eighth Judicial District Court's electronic filing system and/or by depositing a true and correct copy in the U.S. Mail, first class postage prepaid, and addressed to the following at their last known address:

Amanda M. Roberts, Esq.  
*Attorney for Jeffery Allen Reed*

/s/ Elizabeth Brennan  
An Employee of BRENNAN LAW FIRM



1 **OBJ**

2 Amanda M. Roberts, Esq.

3 State of Nevada Bar No. 9294

4 **ROBERTS STOFFEL FAMILY LAW GROUP**

5 4411 S. Pecos Road

6 Las Vegas, Nevada 89121

7 PH: (702) 474-7007

8 FAX: (702) 474-7477

9 EMAIL: efile@lvfamilylaw.com

10 Attorneys for Defendant, Jeffrey Reed

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 ALECIA ANN DRAPER,

14 Plaintiff,

15 v.

16 JEFFREY ALLEN REED,

17 Defendant.

Case No: 05D338668

Dept No: H

**OBJECTION TO PLAINTIFF'S  
CLOSING BRIEF AND REQUEST  
TO STRIKE**

18 COMES NOW the Defendant, Jeffrey Reed, by and through his attorney of  
19 record, Amanda M. Roberts, Esq., of Roberts Stoffel Family Law Group, and  
20 hereby files this Objection to Plaintiff's Closing Brief.

21 Specifically, on January 12, 2021, the Court set forth an Order for the  
22 Closing Briefs (if Counsel chose to file same) to be filed by January 21, 2021, at  
23 12:00 p.m., if the respective Party desired to file same. There was no requirement  
24 that each Party had to file a Closing Brief, but if one was going to be filed, it  
25 needed to be done by said date and time.  
26

1 The Plaintiff's Counsel specifically made a request for the Court to set a  
2 time for filing, and the Court specified the time of 12:00 p.m. for the deadline, to  
3 ensure neither Party would have access to review and add information to their  
4 Closing Brief, in response to the other Party's Brief. Again, this was the request  
5 for Plaintiff's Counsel.  
6

7 If Plaintiff was going to file her Brief, she should have filed same by the  
8 Court Ordered deadline of 12:00 p.m. on January 21, 2021, or not file one at all.  
9 Instead, Plaintiff filed her Closing Brief untimely. Based upon the foregoing, the  
10 Plaintiff's Closing Brief should be stricken from the Court's records and not  
11 reviewed by this Court.  
12

13 Dated this 21<sup>st</sup> day of January, 2021.  
14

15 **ROBERTS STOFFEL FAMILY LAW GROUP**  
16

17 By: Amanda M. Roberts  
18

19 Amanda M. Roberts, Esq.  
20 State Bar of Nevada No. 9294  
21 4411 S. Pecos Road  
22 Las Vegas, Nevada 89121  
23 PH: (702) 474-7007  
24 FAX: (702) 474-7477  
25 Attorneys for Defendant, Jeffrey Reed  
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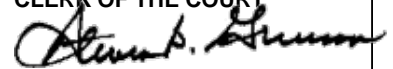
**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of Roberts Stoffel Family Law Group, and on the 21<sup>st</sup> day of January, 2021, I served by and through Wiz-Net electronic service, pursuant Clark County District Court Administrative Order 14-2 for service of documents identified in Rule 9 of the N.E.F.C.R., the foregoing Objection to Plaintiff's Closing Brief and Request to Strike, as follows:

Elizabeth Brennan Esq.  
Email: Elizabeth@brennanlawfirm.com  
Attorney for Plaintiff, Alecia Draper,  
In her Capacity as Conservator for Emily Reed

Benjamin La Luzerne, Esq.  
Email: Ben.laluzerne@laluzernelaw.com  
Attorney for Plaintiff, Alecia Ann Draper, Individually

By: Amanda M. Roberts  
Employee of Roberts Stoffel Family Law Group



1 **RESP**  
2 Elizabeth Brennan  
3 Nevada Bar No. 7286  
4 **BRENNAN LAW FIRM**  
5 1980 Festival Plaza Drive, Suite 300  
6 Las Vegas, NV 89135  
7 Telephone: (702) 834-8888  
8 Facsimile: (702) 507-1466  
9 elizabeth@brennanlawfirm.com  
10 *Attorney for Plaintiff Emily Reed,*  
11 *through her Conservator Alecia Draper*

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

9 Alecia Ann Draper,

10 Plaintiff,

11 v.

12 Jeffery Allen Reed,

13 Defendant.

Case No.: 05D338668

Dept. No.: H

14 **PLAINTIFF'S RESPONSE TO DEFENDANT'S OBJECTION**  
15 **TO PLAINTIFF'S CLOSING BRIEF AND REQUEST TO STRIKE**

16 Plaintiff Emily Reed, through her Conservator Alecia Draper (the  
17 "Conservator"), by and through her attorney, responds to Defendant's objection as  
18 follows.

19 Plaintiff's Closing Brief was filed at approximately 12:17 pm today due to  
20 technical issues that undersigned counsel had when e-filing it. However, this 17-  
21 minute delay did not and could not have prejudiced Defendant in any way inasmuch  
22 as undersigned counsel did NOT access, open or look at Defendant's Closing Brief  
23 until AFTER the filing of Plaintiff's Closing Brief. Given the foregoing,  
24 Defendant's Objection should be DENIED.

25 BRENNAN LAW FIRM, LLC

26 By: /s/ Elizabeth Brennan  
27 ELIZABETH BRENNAN

28 *Attorney for Plaintiff Emily Reed,*  
*through her Conservator Alecia Draper*

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**CERTIFICATE OF SERVICE**

I certify that I am an employee of Brennan Law Firm and that on this 21<sup>st</sup> day of January, 2021 service of the foregoing:

**PLAINTIFF’S RESPONSE TO DEFENDANT’S OBJECTION  
TO PLAINTIFF’S CLOSING BRIEF AND REQUEST TO STRIKE**

mandatory electronic service through the Eighth Judicial District Court’s electronic filing system and/or by depositing a true and correct copy in the U.S. Mail, first class postage prepaid, and addressed to the following at their last known address:

Amanda M. Roberts, Esq.  
*Attorney for Jeffery Allen Reed*

/s/ Elizabeth Brennan  
An Employee of BRENNAN LAW FIRM



1 ORDR  
2  
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4

5 **DISTRICT COURT**  
6 **FAMILY DIVISION**  
7 **CLARK COUNTY, NEVADA**

8 ALECIA A. REED, nka

9 Alecia Ann Draper,

10 Plaintiff,  
11

12 vs.

13 JEFFREY A. REED,

14 Defendant.  
15

CASE NO. 05D338668

DEPT. NO. H  
16

17 **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**  
18

19 This matter came on for evidentiary hearing before Art Ritchie, District  
20 Court Judge, Family Division, Department H, on August 6, 2020, August 7, 2020,  
21 November 19, 2020, and January 12, 2021. Alecia Draper and Emily Reed were  
22 represented by Elizabeth R. Brennan, Esq. Jeffrey Reed was represented by  
23 Amanda M. Roberts, Esq. The court reviewed the papers and pleadings on file,  
24 the evidence admitted at the hearing, and for good cause, makes the following  
25 findings of fact, conclusions of law, decision and order.  
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1 on August 2, 2011. The court granted the motion to move, modified the visitation  
2 order, and modified Jeffrey Reed's child support to \$725.00 per month.  
3

4 Alecia Draper reopened the case on December 9, 2014, with the filing of  
5 her motion to modify legal and physical custody. Jeffrey Reed's opposition and  
6 countermotion was filed on January 2, 2015. The court set an evidentiary  
7 hearing. At the evidentiary hearing the parties made a partial agreement. The  
8 parties' Stipulation and Order from the January 12, 2015 hearing, was filed on  
9 March 18, 2015. It contains the parties' agreement that the court will set an  
10 evidentiary hearing to resolve Alecia Draper's request that child support continue  
11 for Emily Reed after she graduates from high school due to a disability. The  
12 parties agreed to continue the joint legal custody order, and modified Jeffrey  
13 Reed's visitation. The parties agreed that Alecia Draper would provide insurance  
14 for the children, and that Jeffrey Reed would pay \$66.00 per month beginning  
15 January 1, 2015, towards the insurance cost. The parties agreed that Jeffrey  
16 Reed's child support shall be based on an average income of \$60,000.00 per year.  
17 Jeffrey Reed's child support was set at \$1,450.00 per month beginning January 1,  
18 2015, with \$725.00 due on the fifth (5th) and \$725.00 due on the twentieth (20th)  
19 day of each month.  
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25 On January 14, 2015, the court filed an Order setting the evidentiary  
26 hearing to resolve Alecia Draper's request that child support continue for Emily  
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1 Reed after she graduates from high school due to a disability for May 11, 2015.  
2 On March 9, 2015, Alecia Draper, through counsel, filed Plaintiff's Notice of  
3 Withdrawal of request to Continue Child Support for Emily after High School  
4 Graduation Due to Child Disability & Request to Vacate Evidentiary Hearing.  
5 The court vacated the evidentiary hearing, and Department S statistically closed  
6 the case on June 29, 2015, citing the parties' Stipulation and Order filed on March  
7 18, 2015.  
8  
9

10  
11 Jeffrey Reed reopened the case on June 29, 2017, with the filing of his  
12 motion to modify child support based upon emancipation of a child. Alecia  
13 Draper filed her opposition and countermotion for child support for Emily  
14 pursuant to NRS 125B.110 on July 21, 2017. The matter was heard on August  
15 28, 2017. At the hearing, the parties agreed that two of the three children had  
16 emancipated. The parties agreed that Jeffrey Reed would pay the presumed  
17 maximum for one child, \$837.00 per month, plus \$66.00 per month towards  
18 insurance for the remaining minor child. The court continued the matter to  
19 November 8, 2017, to address the claim for post-majority support for Emily. The  
20 order from the hearing was filed on December 15, 2017.  
21  
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24  
25 The court heard the matter on November 8, 2017. The court requested  
26 briefings in anticipation of an evidentiary hearing. On January 2, 2018, Jeffrey  
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28

1 Reed filed a motion for summary judgment. Alecia Draper's opposition was filed  
2 on February 8, 2018. The matter was heard on April 9, 2018. The court took the  
3 matter under advisement for decision. Judge Ochoa denied the motion for  
4 summary judgment in his Decision and Order filed on May 22, 2018. The court  
5 found, in part, that even though Alecia Draper's request to continue child support  
6 for Emily was withdrawn on March 9, 2015, Jeffrey Reed continued to pay child  
7 support for Emily for the next two years until he filed for child support  
8 modification on June 29, 2017. The court found that Emily was receiving Social  
9 Security Disability payments, and that there was a factual dispute about whether  
10 Emily was disabled prior to age 18, and not able to engage in any substantial  
11 gainful activity by reason of her significant and chronic mental impairment. The  
12 court concluded that Emily had the right to bring her own action for support from  
13 her parents. The court concluded that while a separate action for support was  
14 available to Emily because she was an adult, this claim for post-majority child  
15 support against the parents could be brought in the parties' divorce case.  
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21 On July 23, 2018, the case was administratively reassigned to Department  
22 H. Alecia Draper became Emily Reed's legal guardian in California in October,  
23 2018. On January 22, 2019, Alecia Draper filed a Notice of Joinder in her  
24 individual capacity and as Conservator for Emily Reed. On January 22, 2019,  
25 Alecia Draper, as Conservator for Emily Reed, filed a motion for child support  
26  
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1 pursuant to NRS 125B.110. The motion was set for hearing on March 4, 2019.  
2 Prior to the hearing, the parties submitted a stipulation and order to continue the  
3 hearing. On April 9, 2019, Jeffrey Reed filed a motion to disqualify counsel from  
4 bringing the child support claim on behalf of Emily Reed. On April 10, 2019,  
5 Alecia Draper, as Conservator for Emily Reed, filed an amended motion for child  
6 support pursuant to NRS 125B.110, clarifying that Ms. Draper is seeking child  
7 support for Emily solely from Jeffrey Reed. The matter was heard on April 10,  
8 2019. The court granted the motion to join Emily Reed as a party in interest. The  
9 court set a discovery schedule, and set a case management conference for July 24,  
10 2019. The court granted the motion to join Emily Reed as a party in interest. The  
11 court set a discovery schedule, and set a case management conference for July 24,  
12 2019.

13  
14  
15 The matter was heard on July 24, 2019. The court received a report from  
16 counsel concerning the status of discovery, and continued the case management  
17 conference to October 23, 2019. On that date, the court received a report from  
18 counsel concerning the status of discovery, and continued the case management  
19 conference to January 8, 2020. The matter was heard on January 8, 2020, and  
20 this case was set for evidentiary hearing on April 16, 2020, and April 17, 2020.

21  
22  
23 After the entry of Administrative Orders, AO 20-09 and AO 20-11 in  
24 response to the COVID-19 pandemic, the court scheduled a telephone conference  
25 with counsel. On March 31, 2020, the court spoke with counsel, and found good  
26  
27

1 cause to continue the evidentiary hearing. The matter was rescheduled for June  
2 18, 2020, and June 19, 2020. The court filed a Second Amended Order Setting  
3 Evidentiary Hearing on May 12, 2020, resetting the evidentiary hearing for  
4 August 6, 2020, and August 7, 2020.  
5

6  
7 The evidentiary hearing was held over four days between August 6, 2020,  
8 and January 12, 2021. Alecia Draper, Jennifer Love Farrell, Emily Reed, and  
9 Jeffrey Reed testified. The court received closing briefs, and the matter was  
10 submitted for this decision and order. The court concludes that the witness  
11 testimony and the documentary proof admitted at the hearing were sufficient for  
12 the court to decide the child support matter.  
13  
14

### 15 **FINDINGS AND CONCLUSIONS**

16

17 This court has subject matter jurisdiction and personal jurisdiction over the  
18 parties to this case.  
19

#### 20 **A. POST- MAJORITY CHILD SUPPORT**

21

#### 22 **NRS 125B.110 Support of child with handicap beyond age of majority.**

23 1. A parent shall support beyond the age of majority his or her child with a  
24 handicap until the child is no longer handicapped or until the child becomes self-  
25 supporting. The handicap of the child must have occurred before the age of  
26 majority for this duty to apply.  
27  
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1       2. For the purposes of this section, a child is self-supporting if the child  
2 receives public assistance beyond the age of majority and that assistance is  
3 sufficient to meet the child's needs.

4       3. This section does not impair or otherwise affect the eligibility of a person  
5 with a handicap to receive benefits from a source other than his or her parents.

6       4. As used in this section, "handicap" means an inability to engage in any  
7 substantial gainful activity by reason of any medically determinable physical or  
8 mental impairment which can be expected to result in death or which has lasted or  
9 can be expected to last for a continuous period of not less than 12 months.  
(Added to NRS by [1987, 2268](#); A [1991, 1336](#))

10       The court concludes that the duty to support Emily Reed applies to both  
11 parents based on its finding that Emily Reed was handicapped prior to her  
12 reaching the age of majority. The court finds that Emily Reed suffered significant  
13 mental and physical trauma prior to reaching the age of majority, and that Alecia  
14 Draper proved that Emily suffers from severe mental illness. Emily was sexually  
15 abused for more than eight years during her minority. The molestation was not  
16 discovered until 2014. Emily attempted suicide more than once before she  
17 graduated from high school. Records admitted at trial show that Emily suffered  
18 panic attacks, and injured herself while in high school. Emily applied for SSI in  
19 March, 2014, and she was granted Social Security Disability benefits in October,  
20 2015. Jeffrey Reed advanced a defense that Emily was not disabled before she  
21 reached the age of majority, and that Emily is not currently disabled. The court  
22 heard evidence that Emily graduated from high school with a 3.78 GPA, obtained  
23 a California driver's license, and has some independence in Alecia Draper's  
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1 home. The court weighed the evidence as the trier of fact and concludes that  
2 Emily is handicapped and that her mental health issues began prior to the age of  
3 majority. Emily has been diagnosed with Post Traumatic Stress Disorder (PTSD),  
4 Dissociative Identity Disorder, Major Depressive Disorder, and Dependent  
5 Personality Disorder. Exhibit 5 shows that Emily was diagnosed with PTSD,  
6 Major Depressive Disorder, and Anxiety Disorder before she turned age eighteen.  
7  
8

9 Emily is being treated by Dr. Jennifer Love Farrell (Dr. Love). Alecia  
10 Draper selected Dr. Love to manage Emily's medication. Dr. Love testified on  
11 August 6, 2020, that she has seen Emily approximately 46 times since 2016.  
12 Exhibit 14 and Dr. Love's testimony support the finding that Emily continues to  
13 suffer from chronic PTSD, Major Depressive Disorder, and Dissociative Identity  
14 Disorder, and Dr. Love describes Emily as one of her most severely ill patients.  
15 Emily was hospitalized most recently from December 31, 2019, through January  
16 27, 2020.  
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19

20 Dr. Love testified that Emily has many "alters" and that Emily will switch  
21 personalities frequently. Dr. Love testified that Emily suffers auditory  
22 hallucinations, and engages in strange public behavior. The court had the  
23 opportunity to see Emily testify on August 6, 2020. Emily answered questions  
24 from counsel, and testified through several "alters". The court heard from Heidi,  
25  
26  
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28

1 age 7; Lilly, age 16; Holly, age 2; Dorothy, age 9; and Rose. Emily did not  
2 engage as Emily during the testimony. This part of the case was unsettling.  
3  
4 Counsel for Alecia Draper spoke with Emily the day before the testimony, and  
5 coordinated how she would examine Emily and the “alters”. This made Emily’s  
6 testimony look contrived. The court carefully considered all of the evidence and  
7  
8 concludes that Emily’s testimony was not contrived, and was consistent with the  
9 observations of Emily’s treating doctors, and the documentary proof.  
10

11 The court concludes that Emily Reed is not self-supporting, and that her  
12 Social Security Disability benefits are insufficient to meet her needs. A  
13 Conservatorship or Guardianship to manage Emily Reed’s person and estate was  
14 granted in October, 2018, by a California court. Alecia Draper filed a Financial  
15 Disclosure Form for Emily on August 4, 2020. Emily Reed receives monthly  
16 income of \$686.24 SSI, plus \$194.00 from Cal Fresh. Emily’s expenses are  
17 \$48.00 for a cellular phone, \$228.00 for food, \$376.75 for insurance, and \$600.00  
18 for rent paid to Alecia Draper. Additional expenses include ongoing professional  
19 fees for Dr. Love’s treatment that are not covered by insurance.  
20  
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22

23 The court concludes that Emily Reed is unable to engage in any  
24 substantially gainful activity by reason of a medically determinable physical or  
25 mental impairment which has lasted for a continuous period of not less than  
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28

1 twelve months. "Substantial gainful activity" means economic activity that  
2 results in the child being financially self-supporting. *Edgington v. Edgington*, 119  
3 Nev. 577, 585, 80 P.3d 1282, 1288 (2003). The Nevada handicapped child  
4 support statute is designed to ensure that handicapped children have adequate  
5 ongoing financial support from their parents, if needed. *Edgington v. Edgington*,  
6 119 Nev. 577, 585, 80 P.3d 1282, 1288 (2003).  
7  
8

9 NRS 125B.110 was intended to require parents to bear some of the  
10 financial burden for the support of their disabled child. As a general rule, court  
11 ordered support obligations cease "[w]hen the child reaches 18 years of age if he  
12 is no longer enrolled in high school, otherwise, when he reaches 19 years of age."  
13 The law presumes that once a child reaches the age of majority, the child is  
14 capable of self-support. Nevada's Legislature has created a statutory exception to  
15 this general rule; under NRS 125B.110, Nevada's handicapped child support  
16 statute; parents must support a handicapped child beyond the age of majority if  
17 the child cannot support himself or herself because of a qualifying disability.  
18 *Edgington v. Edgington*, 119 Nev. 577, 582, 80 P.3d 1282, 1286 (2003). NRS  
19 125B.110 authorizes a court to obligate either or both parents to support his or her  
20 handicapped child for an indefinite period, even if that child has reached the age  
21 of majority.  
22  
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1           **B.     ALECIA DRAPER’S SUPPORT OBLIGATION**

2  
3     There are financial implications to this custody order.   The obligation to support  
4     one child is 16% of the obligor parent’s gross monthly income pursuant to NAC  
5     425.   Alecia Draper testified on August 6, 2020, that she earned \$49,000.00 per  
6     year or \$4,100.00 per month.   On January 11, 2021, Alecia Draper testified that  
7     she has gross monthly income of \$4,260.00.   Ms. Draper testified that she is a  
8     51% owner of Moonwood Coffee Co., and that she receives \$1,000.00 per month  
9     from that catering business.   This testimony was contrasted by the profit and loss  
10    statement that was attached to Alecia Draper’s Financial Disclosure Form that  
11    was filed on April 9, 2019, that showed Moonwood Coffee Co.’s gross profits of  
12    \$51,374.00 in the first quarter of 2019.   The pandemic has materially affected the  
13    business, but Alecia Draper testified that she received federal government  
14    assistance including a PPP payment of \$17,000.00 and an EIDL loan of  
15    \$117,000.00.   The court concludes that Alecia Draper can receive more income  
16    that \$1,000.00 per month from her ownership interest in Moonwood Coffee Co.

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22           Alecia Draper testified that the bulk of her income comes from her  
23    compensation from the State of California for In-House Social Services.   Alecia  
24    Draper is paid \$14.50 per hour to care for Emily Reed.   Alecia Draper testified  
25    that she often incurs overtime.   The court concludes that Alecia Draper’s true  
26  
27  
28

1 earning capacity for calculating her child support obligation is at least \$60,000.00  
2 per year. On January 11, 2021, Alecia Draper testified that her income of  
3 approximately \$4,200.00 per month was sufficient to pay her current living  
4 expenses.  
5

6  
7 Alecia Draper testified that she is divorcing her husband and that she  
8 receives no other sources of income. Ms. Draper testified that she will not  
9 receive spousal support in her divorce settlement, and that while her two other  
10 adult children live with her, unlike Emily, they do not pay rent or contribute to  
11 household expenses. Alecia Draper testified that Emily pays her \$500.00 per  
12 month, \$400.00 for rent and \$100.00 for a cellular phone.  
13  
14

15 Based on Alecia Draper's employment and earnings history, the court finds  
16 that Ms. Draper's gross monthly income for calculating child support is  
17 \$5,000.00, representing her current true earning capacity. 16% of \$5,000.00 is  
18 \$800.00, which is the base child support calculation. The court exercises  
19 discretion to adjust the child support formula amount by \$300.00, per month,  
20 taking into consideration the collateral source of the other parent's child support  
21 payment and the federal SSI and state benefits Emily receives. With this order,  
22 Emily Reed will receive child support from her parents in the amount of  
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1 \$1,000.00, plus SSI of \$686.24, plus \$250.00 on the arrears judgment, for a total  
2 of \$1,936.24 per month.

3  
4 Beginning on February 1, 2021, Alecia Draper should pay child support for  
5 Emily Reed in the amount of \$500.00 per month. Payment shall be due on the  
6 first day of each month thereafter.

7  
8 The court concludes that Alecia Draper owes no constructive arears for  
9 post majority child support. Emily Reed lives with Alecia Draper. The court  
10 received substantial proof that Alecia Draper provided support for Emily Reed in  
11 excess of an amount that might have been ordered since July, 2017.

12  
13  
14 The court concludes that this child support order complies with Nevada  
15 law.

16  
17 **C. JEFFREY REED'S SUPPORT OBLIGATION**

18  
19 There are financial implications to this custody order. The obligation to  
20 support one child is 16% of the obligor parent's gross monthly income pursuant  
21 to NAC 425. Jeffrey Reed testified on January 11, 2021, that he was employed  
22 by the Neptune Society, part of Palm Mortuary. Mr. Reed testified that he works  
23 in a mortuary and that his income is based on sales commissions. Mr. Reed  
24 testified that his 2020 gross annual income was \$38,000.00. In 2019, Jeffrey  
25 Reed earned \$69,299.00. Exhibits 83, and 84, support the finding that Jeffrey  
26  
27

1 Reed earned \$80,301.00 in 2018 and \$78,564.00 in 2017. Jeffrey Reed testified  
2 that because of a health issue, he changed to a less stressful job in 2019. Mr.  
3 Reed testified that his income expectation in the less stressful job was \$50,000.00  
4 - \$60,000.00 per year. Jeffrey Reed testified that he lives with a significant other,  
5 and that she is employed, and they share monthly living expenses equally.  
6

7  
8 Based on Jeffrey Reed's employment and earnings history, the court finds  
9 that Mr. Reed's gross monthly income for calculating child support is \$5,000.00,  
10 representing his current true earning capacity. 16% of \$5,000.00 is \$800.00,  
11 which is the base child support calculation. The court exercises discretion to  
12 adjust the child support formula amount by \$300.00, per month, taking into  
13 consideration the collateral source of the other parent's child support payment and  
14 the federal SSI and state benefits Emily receives. With this order, Emily Reed  
15 will receive child support from her parents in the amount of \$1,000.00, plus SSI  
16 of \$686.24, plus \$250.00 on the arrears judgment, for a total of \$1,936.24 per  
17 month.  
18

19  
20  
21 Beginning on February 1, 2021, Jeffrey Reed should pay child support for  
22 Emily Reed in the amount of \$500.00 per month. Payment shall be due on the  
23 first day of each month thereafter.  
24

25  
26 The court concludes that Jeffrey Reed owes a judgment for constructive  
27 post-majority child support. Jeffrey Reed voluntarily paid child support to Alecia  
28

1 Draper for Emily for approximately two years after Emily reached age 18 and  
2 graduated from high school. Mr. Reed paid no additional post-majority child  
3 support for Emily after the countermotion was filed on July 21, 2017. The court  
4 exercises its discretion to deviate or adjust the amount of constructive child  
5 support arears after considering that Jeffrey Reed paid child support for Adam  
6 Reed in the amount of \$903.00 per month until 2019. The court reviewed the  
7 formula amount for two children in relationship to the gross income for 2017 –  
8 2019, and reviewed the formula amount for one child for 2019 and 2020. The  
9 court adjusted the formula support amount downward after considering the  
10 collateral source of post-majority child support through SSI and the support from  
11 Alecia Draper. The court concludes that the constructive arrears judgment should  
12 be granted by multiplying an averaged net child support amount of \$500.00 by 43  
13 months (July, 2017 - January, 2021). Judgment should be entered in favor of  
14 Emily Reed against Jeffrey Reed in the amount of \$21,500.00. The court will  
15 order a monthly payment on the arrears judgment in this order.  
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22 The court concludes that this child support order complies with Nevada  
23 law.

24 /////

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1           **D.    ALECIA DRAPER’S REIMBURSEMENT CLAIMS**

2  
3           Alecia Draper seeks a judgment against Jeffrey Reed for monies that she  
4 and her husband spent related to Emily Reed in 2017, 2018, and 2019, well after  
5 Emily reached the age of majority. Alecia Draper summarized the claimed  
6 expenses in Exhibit 82. Alecia Draper claims that she and her husband spent  
7 \$33,752.00 in 2017, for cost of living, a therapy dog, Dr. Love, Dr. Rowanzoin,  
8 and other medical expenses. Alecia Draper claims that she and her husband spent  
9 \$40,623.35 in 2018, for cost of living, for conservatorship, a therapy dog, Dr.  
10 Love, Dr. Rowanzoin, Dr. Boehm, and other medical expenses. Alecia Draper  
11 claims that she and her husband spent \$50,057.00 in 2019, for cost of living, for  
12 conservatorship, a therapy dog, Dr. Love, Dr. Boehm, and other medical  
13 expenses. The court had difficulty reaching a conclusion that these expenses were  
14 paid as alleged. The court had issues with the credibility of Alecia Draper’s  
15 testimony and filings concerning her financial condition. Specifically, Alecia  
16 Draper testified that she earned little or no income, and that her husband  
17 contributed only \$5,000.00 to \$7,200.00 per month toward household expenses.  
18 The allegation of available resources was inconsistent with the amount Alecia  
19 Draper and her husband allege they spent on Emily Reed. Alecia Draper filed a  
20 Financial Disclosure Form on July 21, 2017, alleging that she left employment in  
21 June, 2017 to care for Emily. Alecia Draper filed a Financial Disclosure Form on  
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1 April 9, 2019, alleging that she earned \$1,500.00 per month or \$18,000.00 in  
2 2019. On August 6, 2020, Alecia Draper testified that she earns \$4,100.00 per  
3 month or \$49,000.00 per year.  
4

5 Emily reached the age of majority in 2014. Alecia Draper seeks a judgment  
6 in excess of \$120,000.00 against Jeffrey Reed. There is no contract between the  
7 parties for reimbursement for any of the post-majority living expenses for Emily.  
8 Any responsibility for these expenses would have to come from Nevada statutes  
9 or decisional law. The court concludes that the request for judgment should be  
10 denied because Alecia Draper provided insufficient proof, and because the  
11 amounts requested are disproportional to a parent's post-majority support  
12 obligation pursuant to Nevada child support laws. The amount of post-majority  
13 child support must have some relationship to income, the Nevada child support  
14 formula, and adjustment or deviation considerations. The court concludes that  
15 Alecia Draper's motion for judgment should be denied.  
16  
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20  
21 **ORDER**

22 **WHEREFORE, IT IS HEREBY ORDERED** that the Alecia Draper's  
23 motion, as Conservator for Emily Reed, for child support pursuant to NRS  
24 125B.110 is granted. Alecia Draper and Jeffrey Reed shall pay child support to  
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1 Emily Reed pursuant to this order, and those payments shall be managed and  
2 accounted for by the Conservator pursuant to applicable California law.  
3

4 **IT IS FURTHER ORDERED** that Alecia Draper shall pay child support  
5 to Emily Reed in the amount of \$500.00 per month beginning February 1, 2021.  
6 This child support obligation shall be paid on the first day of each month  
7 thereafter, and may be modified or terminated by the court based on material  
8 changes in circumstances.  
9  
10

11 **IT IS FURTHER ORDERED** that Jeffrey Reed shall pay child support to  
12 Emily Reed in the amount of \$500.00 per month beginning February 1, 2021.  
13 This child support obligation shall be paid on the first day of each month  
14 thereafter, and may be modified or terminated by the court based on material  
15 changes in circumstances.  
16  
17

18 **IT IS FURTHER ORDERED** that a judgment for constructive child  
19 support arrears is granted in favor of Emily Reed against Jeffrey Reed in the  
20 amount of \$21,500.00, representing \$500.00 per month owed from July, 2017  
21 through January, 2021. This judgment shall be paid in the amount of \$250.00  
22 per month beginning February 15, 2021. This arrears payment shall be paid on  
23 the fifteenth day of each month thereafter, and may be modified by the court  
24 based on material changes in circumstances.  
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**IT IS FURTHER ORDERED** that Alecia Draper's request for judgment against Jeffrey Reed for post-majority monies spent by Ms. Draper and her husband for Emily Reed between 2017 and 2020 is denied.

**IT IS FURTHER ORDERED** that both parties shall bear their own costs incurred in this matter.

**IT IS FURTHER ORDERED** that this matter shall be closed upon the entry of this order.

Dated this 28th day of January, 2021

Art Kitchie

948 FB6 70E0 C363  
T. Arthur Ritchie  
District Court Judge

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 Alecia A Reed, Plaintiff

CASE NO: 05D338668

7 vs.

DEPT. NO. Department H

8 Jeffrey A Reed, Defendant.

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 1/28/2021

15 Elizabeth Brennan .

elizabeth@brennanlawfirm.com

16 Elizabeth Brennan

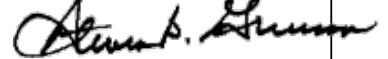
elizabeth@brennanlawfirm.com

17 Amanda Roberts

efile@lvfamilylaw.com

18 Benjamin La Luzerne

ben.laluzerne@laluzernelaw.com



1 NEOJ  
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6 **DISTRICT COURT**  
7 **FAMILY DIVISION**  
8 **CLARK COUNTY, NEVADA**

9 \*\*\*

10 ALECIA A REED,  
11 Plaintiff,

12 vs.

13 JEFFREY A REED,  
14 Defendant.

CASE NO.: 05D338668  
DEPARTMENT H

15  
16 **NOTICE OF ENTRY OF ORDER**

17 TO: ALL PARTIES AND/OR THEIR ATTORNEYS  
18

19 Please take notice that the Findings of Fact, Conclusions of Law and Order  
20 from the Evidentiary hearing that concluded on January 12, 2021, was prepared  
21 and filed by the court. A copy of the Findings of Fact, Conclusions of Law and  
22 Order is attached hereto, and the following is a true and correct copy thereof.  
23

24 I hereby certify that on or about the file stamp date the foregoing Notice of  
25 Entry of Order was:  
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☒ E-Served pursuant to NEFCR 9; or mailed, via first-class mail, postage  
fully prepaid to:

Elizabeth R. Brennan, Esq. for  
PLAINTIFF

Amanda M. Roberts, Esq. for  
DEFENDANT

*Katrina Rausch*

Katrina Rausch  
Judicial Executive Assistant  
Department H

1 ORDR  
2  
3  
4

5 **DISTRICT COURT**  
6 **FAMILY DIVISION**  
7 **CLARK COUNTY, NEVADA**

8 ALECIA A. REED, nka

9 Alecia Ann Draper,

10 Plaintiff,  
11

12 vs.

13 JEFFREY A. REED,

14 Defendant.  
15

CASE NO. 05D338668

DEPT. NO. H

16  
17 **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**  
18

19 This matter came on for evidentiary hearing before Art Ritchie, District  
20 Court Judge, Family Division, Department H, on August 6, 2020, August 7, 2020,  
21 November 19, 2020, and January 12, 2021. Alecia Draper and Emily Reed were  
22 represented by Elizabeth R. Brennan, Esq. Jeffrey Reed was represented by  
23 Amanda M. Roberts, Esq. The court reviewed the papers and pleadings on file,  
24 the evidence admitted at the hearing, and for good cause, makes the following  
25 findings of fact, conclusions of law, decision and order.  
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1 on August 2, 2011. The court granted the motion to move, modified the visitation  
2 order, and modified Jeffrey Reed's child support to \$725.00 per month.  
3

4 Alecia Draper reopened the case on December 9, 2014, with the filing of  
5 her motion to modify legal and physical custody. Jeffrey Reed's opposition and  
6 countermotion was filed on January 2, 2015. The court set an evidentiary  
7 hearing. At the evidentiary hearing the parties made a partial agreement. The  
8 parties' Stipulation and Order from the January 12, 2015 hearing, was filed on  
9 March 18, 2015. It contains the parties' agreement that the court will set an  
10 evidentiary hearing to resolve Alecia Draper's request that child support continue  
11 for Emily Reed after she graduates from high school due to a disability. The  
12 parties agreed to continue the joint legal custody order, and modified Jeffrey  
13 Reed's visitation. The parties agreed that Alecia Draper would provide insurance  
14 for the children, and that Jeffrey Reed would pay \$66.00 per month beginning  
15 January 1, 2015, towards the insurance cost. The parties agreed that Jeffrey  
16 Reed's child support shall be based on an average income of \$60,000.00 per year.  
17 Jeffrey Reed's child support was set at \$1,450.00 per month beginning January 1,  
18 2015, with \$725.00 due on the fifth (5th) and \$725.00 due on the twentieth (20th)  
19 day of each month.  
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25 On January 14, 2015, the court filed an Order setting the evidentiary  
26 hearing to resolve Alecia Draper's request that child support continue for Emily  
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28

1 Reed after she graduates from high school due to a disability for May 11, 2015.  
2 On March 9, 2015, Alecia Draper, through counsel, filed Plaintiff's Notice of  
3 Withdrawal of request to Continue Child Support for Emily after High School  
4 Graduation Due to Child Disability & Request to Vacate Evidentiary Hearing.  
5 The court vacated the evidentiary hearing, and Department S statistically closed  
6 the case on June 29, 2015, citing the parties' Stipulation and Order filed on March  
7 18, 2015.  
8  
9

10  
11 Jeffrey Reed reopened the case on June 29, 2017, with the filing of his  
12 motion to modify child support based upon emancipation of a child. Alecia  
13 Draper filed her opposition and countermotion for child support for Emily  
14 pursuant to NRS 125B.110 on July 21, 2017. The matter was heard on August  
15 28, 2017. At the hearing, the parties agreed that two of the three children had  
16 emancipated. The parties agreed that Jeffrey Reed would pay the presumed  
17 maximum for one child, \$837.00 per month, plus \$66.00 per month towards  
18 insurance for the remaining minor child. The court continued the matter to  
19 November 8, 2017, to address the claim for post-majority support for Emily. The  
20 order from the hearing was filed on December 15, 2017.  
21  
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24  
25 The court heard the matter on November 8, 2017. The court requested  
26 briefings in anticipation of an evidentiary hearing. On January 2, 2018, Jeffrey  
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28

1 Reed filed a motion for summary judgment. Alecia Draper's opposition was filed  
2 on February 8, 2018. The matter was heard on April 9, 2018. The court took the  
3 matter under advisement for decision. Judge Ochoa denied the motion for  
4 summary judgment in his Decision and Order filed on May 22, 2018. The court  
5 found, in part, that even though Alecia Draper's request to continue child support  
6 for Emily was withdrawn on March 9, 2015, Jeffrey Reed continued to pay child  
7 support for Emily for the next two years until he filed for child support  
8 modification on June 29, 2017. The court found that Emily was receiving Social  
9 Security Disability payments, and that there was a factual dispute about whether  
10 Emily was disabled prior to age 18, and not able to engage in any substantial  
11 gainful activity by reason of her significant and chronic mental impairment. The  
12 court concluded that Emily had the right to bring her own action for support from  
13 her parents. The court concluded that while a separate action for support was  
14 available to Emily because she was an adult, this claim for post-majority child  
15 support against the parents could be brought in the parties' divorce case.  
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21 On July 23, 2018, the case was administratively reassigned to Department  
22 H. Alecia Draper became Emily Reed's legal guardian in California in October,  
23 2018. On January 22, 2019, Alecia Draper filed a Notice of Joinder in her  
24 individual capacity and as Conservator for Emily Reed. On January 22, 2019,  
25 Alecia Draper, as Conservator for Emily Reed, filed a motion for child support  
26  
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1 pursuant to NRS 125B.110. The motion was set for hearing on March 4, 2019.  
2 Prior to the hearing, the parties submitted a stipulation and order to continue the  
3 hearing. On April 9, 2019, Jeffrey Reed filed a motion to disqualify counsel from  
4 bringing the child support claim on behalf of Emily Reed. On April 10, 2019,  
5 Alecia Draper, as Conservator for Emily Reed, filed an amended motion for child  
6 support pursuant to NRS 125B.110, clarifying that Ms. Draper is seeking child  
7 support for Emily solely from Jeffrey Reed. The matter was heard on April 10,  
8 2019. The court granted the motion to join Emily Reed as a party in interest. The  
9 court set a discovery schedule, and set a case management conference for July 24,  
10 2019. The court granted the motion to join Emily Reed as a party in interest. The  
11 court set a discovery schedule, and set a case management conference for July 24,  
12 2019.

13  
14  
15 The matter was heard on July 24, 2019. The court received a report from  
16 counsel concerning the status of discovery, and continued the case management  
17 conference to October 23, 2019. On that date, the court received a report from  
18 counsel concerning the status of discovery, and continued the case management  
19 conference to January 8, 2020. The matter was heard on January 8, 2020, and  
20 this case was set for evidentiary hearing on April 16, 2020, and April 17, 2020.

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22  
23 After the entry of Administrative Orders, AO 20-09 and AO 20-11 in  
24 response to the COVID-19 pandemic, the court scheduled a telephone conference  
25 with counsel. On March 31, 2020, the court spoke with counsel, and found good  
26  
27

1 cause to continue the evidentiary hearing. The matter was rescheduled for June  
2 18, 2020, and June 19, 2020. The court filed a Second Amended Order Setting  
3 Evidentiary Hearing on May 12, 2020, resetting the evidentiary hearing for  
4 August 6, 2020, and August 7, 2020.  
5

6  
7 The evidentiary hearing was held over four days between August 6, 2020,  
8 and January 12, 2021. Alecia Draper, Jennifer Love Farrell, Emily Reed, and  
9 Jeffrey Reed testified. The court received closing briefs, and the matter was  
10 submitted for this decision and order. The court concludes that the witness  
11 testimony and the documentary proof admitted at the hearing were sufficient for  
12 the court to decide the child support matter.  
13  
14

### 15 **FINDINGS AND CONCLUSIONS**

16

17 This court has subject matter jurisdiction and personal jurisdiction over the  
18 parties to this case.  
19

#### 20 **A. POST- MAJORITY CHILD SUPPORT**

21

#### 22 **NRS 125B.110 Support of child with handicap beyond age of majority.**

23 1. A parent shall support beyond the age of majority his or her child with a  
24 handicap until the child is no longer handicapped or until the child becomes self-  
25 supporting. The handicap of the child must have occurred before the age of  
26 majority for this duty to apply.  
27  
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1       2. For the purposes of this section, a child is self-supporting if the child  
2 receives public assistance beyond the age of majority and that assistance is  
3 sufficient to meet the child's needs.

4       3. This section does not impair or otherwise affect the eligibility of a person  
5 with a handicap to receive benefits from a source other than his or her parents.

6       4. As used in this section, "handicap" means an inability to engage in any  
7 substantial gainful activity by reason of any medically determinable physical or  
8 mental impairment which can be expected to result in death or which has lasted or  
9 can be expected to last for a continuous period of not less than 12 months.  
(Added to NRS by [1987, 2268](#); A [1991, 1336](#))

10       The court concludes that the duty to support Emily Reed applies to both  
11 parents based on its finding that Emily Reed was handicapped prior to her  
12 reaching the age of majority. The court finds that Emily Reed suffered significant  
13 mental and physical trauma prior to reaching the age of majority, and that Alecia  
14 Draper proved that Emily suffers from severe mental illness. Emily was sexually  
15 abused for more than eight years during her minority. The molestation was not  
16 discovered until 2014. Emily attempted suicide more than once before she  
17 graduated from high school. Records admitted at trial show that Emily suffered  
18 panic attacks, and injured herself while in high school. Emily applied for SSI in  
19 March, 2014, and she was granted Social Security Disability benefits in October,  
20 2015. Jeffrey Reed advanced a defense that Emily was not disabled before she  
21 reached the age of majority, and that Emily is not currently disabled. The court  
22 heard evidence that Emily graduated from high school with a 3.78 GPA, obtained  
23 a California driver's license, and has some independence in Alecia Draper's  
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1 home. The court weighed the evidence as the trier of fact and concludes that  
2 Emily is handicapped and that her mental health issues began prior to the age of  
3 majority. Emily has been diagnosed with Post Traumatic Stress Disorder (PTSD),  
4 Dissociative Identity Disorder, Major Depressive Disorder, and Dependent  
5 Personality Disorder. Exhibit 5 shows that Emily was diagnosed with PTSD,  
6 Major Depressive Disorder, and Anxiety Disorder before she turned age eighteen.  
7  
8

9 Emily is being treated by Dr. Jennifer Love Farrell (Dr. Love). Alecia  
10 Draper selected Dr. Love to manage Emily's medication. Dr. Love testified on  
11 August 6, 2020, that she has seen Emily approximately 46 times since 2016.  
12 Exhibit 14 and Dr. Love's testimony support the finding that Emily continues to  
13 suffer from chronic PTSD, Major Depressive Disorder, and Dissociative Identity  
14 Disorder, and Dr. Love describes Emily as one of her most severely ill patients.  
15 Emily was hospitalized most recently from December 31, 2019, through January  
16 27, 2020.  
17  
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19

20 Dr. Love testified that Emily has many "alters" and that Emily will switch  
21 personalities frequently. Dr. Love testified that Emily suffers auditory  
22 hallucinations, and engages in strange public behavior. The court had the  
23 opportunity to see Emily testify on August 6, 2020. Emily answered questions  
24 from counsel, and testified through several "alters". The court heard from Heidi,  
25  
26  
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28



1 age 7; Lilly, age 16; Holly, age 2; Dorothy, age 9; and Rose. Emily did not  
2 engage as Emily during the testimony. This part of the case was unsettling.  
3  
4 Counsel for Alecia Draper spoke with Emily the day before the testimony, and  
5 coordinated how she would examine Emily and the “alters”. This made Emily’s  
6 testimony look contrived. The court carefully considered all of the evidence and  
7  
8 concludes that Emily’s testimony was not contrived, and was consistent with the  
9 observations of Emily’s treating doctors, and the documentary proof.  
10

11 The court concludes that Emily Reed is not self-supporting, and that her  
12 Social Security Disability benefits are insufficient to meet her needs. A  
13 Conservatorship or Guardianship to manage Emily Reed’s person and estate was  
14 granted in October, 2018, by a California court. Alecia Draper filed a Financial  
15 Disclosure Form for Emily on August 4, 2020. Emily Reed receives monthly  
16 income of \$686.24 SSI, plus \$194.00 from Cal Fresh. Emily’s expenses are  
17  
18 \$48.00 for a cellular phone, \$228.00 for food, \$376.75 for insurance, and \$600.00  
19 for rent paid to Alecia Draper. Additional expenses include ongoing professional  
20 fees for Dr. Love’s treatment that are not covered by insurance.  
21  
22

23 The court concludes that Emily Reed is unable to engage in any  
24 substantially gainful activity by reason of a medically determinable physical or  
25  
26 mental impairment which has lasted for a continuous period of not less than  
27  
28

1 twelve months. "Substantial gainful activity" means economic activity that  
2 results in the child being financially self-supporting. *Edgington v. Edgington*, 119  
3 Nev. 577, 585, 80 P.3d 1282, 1288 (2003). The Nevada handicapped child  
4 support statute is designed to ensure that handicapped children have adequate  
5 ongoing financial support from their parents, if needed. *Edgington v. Edgington*,  
6 119 Nev. 577, 585, 80 P.3d 1282, 1288 (2003).  
7  
8

9 NRS 125B.110 was intended to require parents to bear some of the  
10 financial burden for the support of their disabled child. As a general rule, court  
11 ordered support obligations cease "[w]hen the child reaches 18 years of age if he  
12 is no longer enrolled in high school, otherwise, when he reaches 19 years of age."  
13 The law presumes that once a child reaches the age of majority, the child is  
14 capable of self-support. Nevada's Legislature has created a statutory exception to  
15 this general rule; under NRS 125B.110, Nevada's handicapped child support  
16 statute; parents must support a handicapped child beyond the age of majority if  
17 the child cannot support himself or herself because of a qualifying disability.  
18 *Edgington v. Edgington*, 119 Nev. 577, 582, 80 P.3d 1282, 1286 (2003). NRS  
19 125B.110 authorizes a court to obligate either or both parents to support his or her  
20 handicapped child for an indefinite period, even if that child has reached the age  
21 of majority.  
22  
23  
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27 /////

1           **B.     ALECIA DRAPER’S SUPPORT OBLIGATION**

2  
3     There are financial implications to this custody order.   The obligation to support  
4     one child is 16% of the obligor parent’s gross monthly income pursuant to NAC  
5     425.   Alecia Draper testified on August 6, 2020, that she earned \$49,000.00 per  
6     year or \$4,100.00 per month.   On January 11, 2021, Alecia Draper testified that  
7     she has gross monthly income of \$4,260.00.   Ms. Draper testified that she is a  
8     51% owner of Moonwood Coffee Co., and that she receives \$1,000.00 per month  
9     from that catering business.   This testimony was contrasted by the profit and loss  
10    statement that was attached to Alecia Draper’s Financial Disclosure Form that  
11    was filed on April 9, 2019, that showed Moonwood Coffee Co.’s gross profits of  
12    \$51,374.00 in the first quarter of 2019.   The pandemic has materially affected the  
13    business, but Alecia Draper testified that she received federal government  
14    assistance including a PPP payment of \$17,000.00 and an EIDL loan of  
15    \$117,000.00.   The court concludes that Alecia Draper can receive more income  
16    that \$1,000.00 per month from her ownership interest in Moonwood Coffee Co.

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18  
19  
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21  
22           Alecia Draper testified that the bulk of her income comes from her  
23    compensation from the State of California for In-House Social Services.   Alecia  
24    Draper is paid \$14.50 per hour to care for Emily Reed.   Alecia Draper testified  
25    that she often incurs overtime.   The court concludes that Alecia Draper’s true  
26  
27  
28

1 earning capacity for calculating her child support obligation is at least \$60,000.00  
2 per year. On January 11, 2021, Alecia Draper testified that her income of  
3 approximately \$4,200.00 per month was sufficient to pay her current living  
4 expenses.  
5

6  
7 Alecia Draper testified that she is divorcing her husband and that she  
8 receives no other sources of income. Ms. Draper testified that she will not  
9 receive spousal support in her divorce settlement, and that while her two other  
10 adult children live with her, unlike Emily, they do not pay rent or contribute to  
11 household expenses. Alecia Draper testified that Emily pays her \$500.00 per  
12 month, \$400.00 for rent and \$100.00 for a cellular phone.  
13  
14

15 Based on Alecia Draper's employment and earnings history, the court finds  
16 that Ms. Draper's gross monthly income for calculating child support is  
17 \$5,000.00, representing her current true earning capacity. 16% of \$5,000.00 is  
18 \$800.00, which is the base child support calculation. The court exercises  
19 discretion to adjust the child support formula amount by \$300.00, per month,  
20 taking into consideration the collateral source of the other parent's child support  
21 payment and the federal SSI and state benefits Emily receives. With this order,  
22 Emily Reed will receive child support from her parents in the amount of  
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1 \$1,000.00, plus SSI of \$686.24, plus \$250.00 on the arrears judgment, for a total  
2 of \$1,936.24 per month.

3  
4 Beginning on February 1, 2021, Alecia Draper should pay child support for  
5 Emily Reed in the amount of \$500.00 per month. Payment shall be due on the  
6 first day of each month thereafter.

7  
8 The court concludes that Alecia Draper owes no constructive arears for  
9 post majority child support. Emily Reed lives with Alecia Draper. The court  
10 received substantial proof that Alecia Draper provided support for Emily Reed in  
11 excess of an amount that might have been ordered since July, 2017.

12  
13  
14 The court concludes that this child support order complies with Nevada  
15 law.

16  
17 **C. JEFFREY REED'S SUPPORT OBLIGATION**

18  
19 There are financial implications to this custody order. The obligation to  
20 support one child is 16% of the obligor parent's gross monthly income pursuant  
21 to NAC 425. Jeffrey Reed testified on January 11, 2021, that he was employed  
22 by the Neptune Society, part of Palm Mortuary. Mr. Reed testified that he works  
23 in a mortuary and that his income is based on sales commissions. Mr. Reed  
24 testified that his 2020 gross annual income was \$38,000.00. In 2019, Jeffrey  
25 Reed earned \$69,299.00. Exhibits 83, and 84, support the finding that Jeffrey  
26  
27

1 Reed earned \$80,301.00 in 2018 and \$78,564.00 in 2017. Jeffrey Reed testified  
2 that because of a health issue, he changed to a less stressful job in 2019. Mr.  
3 Reed testified that his income expectation in the less stressful job was \$50,000.00  
4 - \$60,000.00 per year. Jeffrey Reed testified that he lives with a significant other,  
5 and that she is employed, and they share monthly living expenses equally.  
6

7  
8 Based on Jeffrey Reed's employment and earnings history, the court finds  
9 that Mr. Reed's gross monthly income for calculating child support is \$5,000.00,  
10 representing his current true earning capacity. 16% of \$5,000.00 is \$800.00,  
11 which is the base child support calculation. The court exercises discretion to  
12 adjust the child support formula amount by \$300.00, per month, taking into  
13 consideration the collateral source of the other parent's child support payment and  
14 the federal SSI and state benefits Emily receives. With this order, Emily Reed  
15 will receive child support from her parents in the amount of \$1,000.00, plus SSI  
16 of \$686.24, plus \$250.00 on the arrears judgment, for a total of \$1,936.24 per  
17 month.  
18

19  
20  
21 Beginning on February 1, 2021, Jeffrey Reed should pay child support for  
22 Emily Reed in the amount of \$500.00 per month. Payment shall be due on the  
23 first day of each month thereafter.  
24

25  
26 The court concludes that Jeffrey Reed owes a judgment for constructive  
27 post-majority child support. Jeffrey Reed voluntarily paid child support to Alecia  
28

1 Draper for Emily for approximately two years after Emily reached age 18 and  
2 graduated from high school. Mr. Reed paid no additional post-majority child  
3 support for Emily after the countermotion was filed on July 21, 2017. The court  
4 exercises its discretion to deviate or adjust the amount of constructive child  
5 support arears after considering that Jeffrey Reed paid child support for Adam  
6 Reed in the amount of \$903.00 per month until 2019. The court reviewed the  
7 formula amount for two children in relationship to the gross income for 2017 –  
8 2019, and reviewed the formula amount for one child for 2019 and 2020. The  
9 court adjusted the formula support amount downward after considering the  
10 collateral source of post-majority child support through SSI and the support from  
11 Alecia Draper. The court concludes that the constructive arrears judgment should  
12 be granted by multiplying an averaged net child support amount of \$500.00 by 43  
13 months (July, 2017 - January, 2021). Judgment should be entered in favor of  
14 Emily Reed against Jeffrey Reed in the amount of \$21,500.00. The court will  
15 order a monthly payment on the arrears judgment in this order.  
16  
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22 The court concludes that this child support order complies with Nevada  
23 law.

24 /////

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1                   **D.    ALECIA DRAPER’S REIMBURSEMENT CLAIMS**

2

3           Alecia Draper seeks a judgment against Jeffrey Reed for monies that she

4 and her husband spent related to Emily Reed in 2017, 2018, and 2019, well after

5 Emily reached the age of majority. Alecia Draper summarized the claimed

6 expenses in Exhibit 82. Alecia Draper claims that she and her husband spent

7 \$33,752.00 in 2017, for cost of living, a therapy dog, Dr. Love, Dr. Rowanzoin,

8 and other medical expenses. Alecia Draper claims that she and her husband spent

9 \$40,623.35 in 2018, for cost of living, for conservatorship, a therapy dog, Dr.

10 Love, Dr. Rowanzoin, Dr. Boehm, and other medical expenses. Alecia Draper

11 claims that she and her husband spent \$50,057.00 in 2019, for cost of living, for

12 conservatorship, a therapy dog, Dr. Love, Dr. Boehm, and other medical

13 expenses. The court had difficulty reaching a conclusion that these expenses were

14 paid as alleged. The court had issues with the credibility of Alecia Draper’s

15 testimony and filings concerning her financial condition. Specifically, Alecia

16 Draper testified that she earned little or no income, and that her husband

17 contributed only \$5,000.00 to \$7,200.00 per month toward household expenses.

18 The allegation of available resources was inconsistent with the amount Alecia

19 Draper and her husband allege they spent on Emily Reed. Alecia Draper filed a

20 Financial Disclosure Form on July 21, 2017, alleging that she left employment in

21 June, 2017 to care for Emily. Alecia Draper filed a Financial Disclosure Form on

22

23

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1 April 9, 2019, alleging that she earned \$1,500.00 per month or \$18,000.00 in  
2 2019. On August 6, 2020, Alecia Draper testified that she earns \$4,100.00 per  
3 month or \$49,000.00 per year.  
4

5 Emily reached the age of majority in 2014. Alecia Draper seeks a judgment  
6 in excess of \$120,000.00 against Jeffrey Reed. There is no contract between the  
7 parties for reimbursement for any of the post-majority living expenses for Emily.  
8 Any responsibility for these expenses would have to come from Nevada statutes  
9 or decisional law. The court concludes that the request for judgment should be  
10 denied because Alecia Draper provided insufficient proof, and because the  
11 amounts requested are disproportional to a parent's post-majority support  
12 obligation pursuant to Nevada child support laws. The amount of post-majority  
13 child support must have some relationship to income, the Nevada child support  
14 formula, and adjustment or deviation considerations. The court concludes that  
15 Alecia Draper's motion for judgment should be denied.  
16  
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20  
21 **ORDER**

22 **WHEREFORE, IT IS HEREBY ORDERED** that the Alecia Draper's  
23 motion, as Conservator for Emily Reed, for child support pursuant to NRS  
24 125B.110 is granted. Alecia Draper and Jeffrey Reed shall pay child support to  
25  
26  
27  
28

1 Emily Reed pursuant to this order, and those payments shall be managed and  
2 accounted for by the Conservator pursuant to applicable California law.  
3

4 **IT IS FURTHER ORDERED** that Alecia Draper shall pay child support  
5 to Emily Reed in the amount of \$500.00 per month beginning February 1, 2021.  
6 This child support obligation shall be paid on the first day of each month  
7 thereafter, and may be modified or terminated by the court based on material  
8 changes in circumstances.  
9  
10

11 **IT IS FURTHER ORDERED** that Jeffrey Reed shall pay child support to  
12 Emily Reed in the amount of \$500.00 per month beginning February 1, 2021.  
13 This child support obligation shall be paid on the first day of each month  
14 thereafter, and may be modified or terminated by the court based on material  
15 changes in circumstances.  
16  
17

18 **IT IS FURTHER ORDERED** that a judgment for constructive child  
19 support arrears is granted in favor of Emily Reed against Jeffrey Reed in the  
20 amount of \$21,500.00, representing \$500.00 per month owed from July, 2017  
21 through January, 2021. This judgment shall be paid in the amount of \$250.00  
22 per month beginning February 15, 2021. This arrears payment shall be paid on  
23 the fifteenth day of each month thereafter, and may be modified by the court  
24 based on material changes in circumstances.  
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**IT IS FURTHER ORDERED** that Alecia Draper's request for judgment against Jeffrey Reed for post-majority monies spent by Ms. Draper and her husband for Emily Reed between 2017 and 2020 is denied.

**IT IS FURTHER ORDERED** that both parties shall bear their own costs incurred in this matter.

**IT IS FURTHER ORDERED** that this matter shall be closed upon the entry of this order.

Dated this 28th day of January, 2021

Art Kitchie

948 FB6 70E0 C363  
T. Arthur Ritchie  
District Court Judge

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 Alecia A Reed, Plaintiff

CASE NO: 05D338668

7 vs.

DEPT. NO. Department H

8 Jeffrey A Reed, Defendant.

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 1/28/2021

15 Elizabeth Brennan .

elizabeth@brennanlawfirm.com

16 Elizabeth Brennan

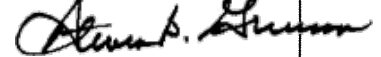
elizabeth@brennanlawfirm.com

17 Amanda Roberts

efile@lvfamilylaw.com

18 Benjamin La Luzerne

ben.laluzerne@laluzernelaw.com



1 **NOAS**

2 Amanda M. Roberts, Esq.  
3 State of Nevada Bar No. 9294

4 **ROBERTS STOFFEL FAMILY LAW GROUP**

5 4411 South Pecos Road  
6 Las Vegas, Nevada 89121

7 PH: (702) 474-7007

8 FAX: (702) 474-7477

9 EMAIL: [efile@lvfamilylaw.com](mailto:efile@lvfamilylaw.com)

10 Attorneys for Defendant, Jeffrey Allen Reed

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 ALECIA ANN DRAPER,

14 Plaintiff,

15 v.

16 JEFFREY ALLEN REED,

17 Defendant.

Case No: 05D338668

Dept No: H

**NOTICE OF APPEAL**

18 v.

19 ALECIA ANN DRAPER as  
20 Conservator of Emily Reed,

21 Intervenor.

22 \\\

23 \\\

24 \\\

25 \\\

26 \\\

1 TO: Defendant, Alecia Draper, *in proper person*; and

2 TO: Intervenor, Emily Reed, by and through her attorney of record, Elizabeth  
3 Brennan, Esq.  
4

5 To: Plaintiff, Alecia Ann Draper, Individually, by and through her attorney of  
6 record, Benjamin La Luzerne, Esq.

7 NOTICE IS HEREBY GIVEN that the Defendant, Jeffrey Reed, hereby  
8  
9 appeals to the Supreme Court of Nevada the Finding of Fact, Conclusions of Law,  
10 and Order filed on January 28, 2021, and the Notice of Entry of same being filed  
11 on January 28, 2021.

12 Respectfully submitted this 26<sup>th</sup> day of February, 2021.  
13

14 **ROBERTS STOFFEL FAMILY LAW GROUP**

15  
16 By: Amanda M. Roberts

17 Amanda M. Roberts, Esq.  
18 State of Nevada Bar No. 9294  
19 4411 South Pecos Road  
20 Las Vegas, Nevada 89121  
21 PH: (702) 474-7007  
22 FAX: (702) 474-7477  
23 EMAIL: efile@lvfamilylaw.com  
24 Attorney for Defendant, Jeffrey Allen Reed  
25  
26  
27  
28

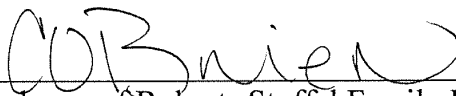
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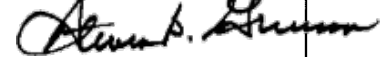
**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of Roberts Stoffel Family Law Group,  
and on the 26 day of February, 2021, I served by and through Wiz-Net  
electronic service, pursuant Clark County District Court Administrative Order 14-2  
for service of documents identified in Rule 9 of the N.E.F.C.R., the foregoing  
Notice of Appeal, as follows:

Elizabeth Brennan Esq.  
Email: elizabeth@brennanlawfirm.com  
Attorney for Plaintiff, Alecia Draper,  
In her Capacity as Conservator for Emily Reed

Benjamin La Luzerne, Esq.  
Email: ben.laluzerne@laluzernelaw.com  
Attorney for Plaintiff, Alecia Ann Draper, Individually

By:   
Employee of Roberts Stoffel Family Law Group



1 **ASTA**  
2 Amanda M. Roberts, Esq.  
3 State of Nevada Bar No. 9294  
4 **ROBERTS STOFFEL FAMILY LAW GROUP**  
5 4411 South Pecos Road  
6 Las Vegas, Nevada 89121  
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8 FAX: (702) 474-7477  
9 EMAIL: efile@lvfamilylaw.com  
10 Attorneys for Defendant, Jeffrey Allen Reed

11 **DISTRICT COURT**  
12 **CLARK COUNTY, NEVADA**

13 ALECIA ANN DRAPER,  
14  
15 Plaintiff,  
16  
17 v.

Case No: 05D338668  
Dept No: H

18 JEFFREY ALLEN REED,  
19  
20 Defendant.

**CASE APPEAL STATEMENT**

21 v.

22 ALECIA ANN DRAPER as  
23 Conservator of Emily Reed,  
24  
25 Intervenor.

**CASE APPEAL STATEMENT**

- 26 1. Name of Appellant filing this Case Appeal Statement: Jeffrey Reed.  
27 2. Identify the Judge issuing the Decision, Judgment, or Order appealed  
28 from: Honorable T. Arthur Ritchie.



1           3.     Identify each Appellant and the name and address of Counsel for each  
2 Appellant: Jeffrey Reed is the Appellant and he is represented by Amanda M.  
3 Roberts, Esq., 4411 S. Pecos Road, Las Vegas, Nevada, 89121.  
4

5           4.     Identify each Respondent and the name and address of Counsel for  
6 each Respondent: Alecia Draper, individually and as conservator of Emily Reed is  
7 the Respondent. At the time of the hearings in this matter, Respondent, Alecia  
8 Draper, individually, was represented by Benjamin La Luzerne, Esq.; and  
9 Respondent, Alecia Draper, as conservator, was represented by Elizabeth Brennan,  
10 Esq.  
11

12           5.     Indicate whether any attorney identified above in response to question  
13 3 or 4 is not licensed to practice law in Nevada and, if so, whether the District  
14 Court granted that attorney permission to appear under Supreme Court Rule § 42:  
15 Counsels listed in questions 3 and 4 are licensed in the State of Nevada.  
16  
17

18           6.     Indicate whether Appellant was represented by appointed or retained  
19 Counsel in the District Court: Appellant was represented by retained Counsel,  
20 Amanda M. Roberts, Esq.  
21

22           7.     Indicate whether Appellant is represented by appointed or retained  
23 Counsel on appeal: Appellant is represented by retained Counsel, Amanda M.  
24 Roberts, Esq.  
25  
26  
27  
28

1           8.     Indicate whether Appellant was granted leave to proceed in forma  
2 pauperis, and the date of entry of the District Court Order granting such leave:

3  
4 Appellant was not granted leave to proceed in forma pauperis.

5           9.     Indicate the date the proceedings commenced in the District Court:  
6 June 14, 2005, and the matter was reopened on January 22, 2019.

7  
8           10.    Provide a brief description of the nature of the action and result in the  
9 District Court, including the type of judgment or Order being appealed and the  
10 relief granted by the District Court: This case is a post-divorce matter involving a  
11 request for child support for an adult daughter after she had emancipated.  
12

13           The Appeal is related to:

14                   (a.)   The Finding of Fact, Conclusions of Law, and Order filed  
15                               on January 28, 2021, and the Notice of Entry of same  
16                               filed on January 28, 2021  
17

18           The relief granted by the District Court was a finding that Emily Reed was  
19 handicapped prior to her reaching the age of majority, which results in an Order of  
20 support from both her Mother and Father; child support arrears are owed by  
21 Appellant of \$21,500.00; and \$500.00 per month in child support from each parent  
22 commencing February 1, 2021.  
23

24           11.    Indicate whether the case has previously been the subject of an appeal  
25 to or original writ proceeding in the Supreme Court and, if so, the caption and  
26  
27

1 Supreme Court docket number of the prior proceedings: Yes, it was the subject of a  
2 Writ under case number 81581 with the caption being as follows,

3 Jeffrey Reed,  
4 Petitioner,

5 vs.  
6 The Eighth Judicial District Court of  
7 the State of Nevada, in and for the County of  
8 Clark, and the Department "H" District Court Judge,  
9 Respondents,

10 and

11 Alecia Reed nka Draper,  
12 Real Party in Interest.

13 12. Indicate whether this appeal involves child custody or visitation: No,  
14 this appeal does not involve child custody or visitation.

15 13. If this is a civil case, indicate whether this appeal involves possibility  
16 of settlement: Yes, this appeal involves possibility of settlement.

17 Respectfully submitted this 26<sup>th</sup> day of February, 2021

18 **ROBERTS STOFFEL FAMILY LAW GROUP**

19 By: Amanda M. Roberts

20 Amanda M. Roberts, Esq.  
21 State of Nevada Bar No. 9294  
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23 Las Vegas, Nevada 89121  
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25 FAX: (702) 474-7477  
26 EMAIL: efile@lvfamilylaw.com  
27 Attorney for Defendant, Jeffrey Allen Reed

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**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of Roberts Stoffel Family Law Group,  
and on the 26 day of February, 2021, I served by and through Wiz-Net  
electronic service, pursuant Clark County District Court Administrative Order 14-2  
for service of documents identified in Rule 9 of the N.E.F.C.R., the foregoing  
Case Appeal Statement, as follows:

Elizabeth Brennan Esq.  
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Attorney for Plaintiff, Alecia Draper,  
In her Capacity as Conservator for Emily Reed

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By: CORNIEN  
Employee of Roberts Stoffel Family Law Group

ORIGINAL

EIGHTH JUDICIAL DISTRICT COURT

FAMILY DIVISION

CLARK COUNTY, NEVADA

FILED

DEC 02 2021

*Alison A. Hoffman*  
CLERK OF COURT

ALECIA A. REED, ) CASE NO. 05D338668  
Plaintiff, ) DEPT. H  
)  
vs. ) NV SUPREME CT. APPEAL NO. 82575  
)  
JEFFREY A. REED, )  
Defendant. )

CERTIFICATION OF TRANSCRIPTS NOTIFICATION OF COMPLETION

The Office of Transcript Video Services received a request for transcript and one copy, for the purposes of appeal from Amanda Roberts Esq., on July 01, 2021 for the following proceedings in the above-captioned case:

July 24, 2019; February 21, 2020; March 27, 2020;  
July 23, 2020; August 06, 2020; August 07, 2020;  
November 19, 2020; January 12, 2021  
(March 04, 2019 - no hearing held)

I do hereby certify that copies of the transcript requested in the above-captioned case were submitted to be filed with the Eighth Judicial District Court on December 02, 2021, and ordering party was notified December 02, 2021.

DATED this 02<sup>nd</sup> day of December, 2021.

*Maria Balagtas*  
Maria Balagtas, Legal Office Assistant II  
Transcription Video Services

EIGHTH JUDICIAL DISTRICT COURT - TRANSCRIPT VIDEO SERVICES  
601 N. Pecos Road, Las Vegas, Nevada 89101 (702) 455-4977

ROA3068