### IN THE SUPREME COURT OF THE STATE OF NEVADA

Justin Maurice,

Supreme Court No. 83009

Appellant,

Electronically Filed District Court Case Sep 10712020689:43 p.m.

penant, District Court Cas

Elizabeth A. Brown Clerk of Supreme Court

VS.

Sarah Maurice,

Respondent.

### **APPEAL**

APPEAL FROM DECISION AND ORDER FROM 10/27/20 HEARING AND DECISION AND ORDER FROM 01/13/21 MOTION FOR CONSIDERATION HEARING

### **APPENDIX**

VOL. 1

Bradley J. Hofland, Esq. HOFLAND & TOMSHECK 228 S. 4<sup>th</sup> Street, First Floor Las Vegas, Nevada 89101 702-895-6760 Attorney for Appellant

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**COMP** 1 RACHEL M. JACOBSON, ESQ. 2 Nevada Bar No. 007827 JACOBSON LAW OFFICE, LTD. 3 64 North Pecos Road, Suite 200 Henderson, Nevada 89074 4 Phone (702) 601-0770 5 Facsimile (702) 990-6445 Attorney for Plaintiff 6 7 8 9

CLERK OF THE COURT

### DISTRICT COURT CLARK COUNTY, NEVADA

SARAH MAURICE,

PLAINTIFF,

vs.

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JUSTIN MAURICE,

DEFENDANT.

Case No.D - 1 4 - 5 0 6 8 8 3 - D Dept. No.

### COMPLAINT FOR DIVORCE

COMES NOW Plaintiff SARAH MAURICE, (hereinafter "Sarah" and/or "Plaintiff") by and through her attorney RACHEL M. JACOBSON, ESQ., of JACOBSON LAW OFFICE, LTD, and, for her cause of action against Defendant JUSTIN MAURICE (hereinafter "Justin" and/or "Defendant") alleges as follows:

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That Plaintiff now is, and for more than six (6) weeks immediately preceding the commencement of this action has been, an actual bona fide resident of the County of Clark, State of Nevada, actually and physically present and residing therein during all of said period of time.

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II

That Plaintiff and Defendant were duly and legally married on or about May 5, 2012 in Las Vegas, Nevada, and have since been and now are husband and wife.

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That, as the issue of this marriage, there are two (2) minor children, to wit: SAVANNAH MAURICE, date of birth April 27, 2007, and EMMA MAURICE, date of birth February 12, 2014, and Plaintiff is not currently pregnant.

### IV

The children are now, and for more than six months prior to the commencement of this action have been, bona fide residents of Nevada, having actually and physically resided and been domiciled therein during all relevant periods of time preceding the commencement of this action.

### $\mathbf{V}$

The parties are fit and proper persons to have joint legal custody of the minor children.

### VI

Plaintiff is a fit and proper person to be awarded the primary care, custody and control of the parties' minor children subject to reasonable visitation rights of the Defendant.

### VII

Child support should be set pursuant to Nevada law.

#### VIII

The Parties should follow the 30/30 rule with regard to any unreimbursed medical, dental, optical, psychological, and orthodontic expenses not covered by insurance.

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IX

There is community property belonging to the parties to be adjudicated by the Court, the exact amounts and descriptions of same are unknown to Plaintiff at this time. Plaintiff prays for leave of this Court to amend this Complaint to insert the same when they become known to Plaintiff or at the time of trial.

 $\mathbf{X}$ 

There is separate property of the Plaintiff the full extent of which needs to be identified and confirmed by this Court to Plaintiff party as her sole and separate property prior to any community property distribution.

ΧI

There may be separate debts and/or financial obligations the full extent of which needs to be identified and confirmed by this Court to each party as his/her sole and separate debt.

XII

There are community debts and/or financial obligations to be adjudicated by this Court, the exact amounts and descriptions of same are unknown to Plaintiff at this time. Plaintiff prays for leave of Court to amend this Complaint to insert the same when they become known to Plaintiff or at the time of trial.

XIII

That during the course of the parties' marriage, Defendant has engaged in actions or a course of conduct that has resulted in financial loss to the community and/or waste of community resources. Plaintiff should be compensated for this financial loss and/or waste by the Defendant.

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### XVIII

The parties have resided separately since September 2014.

### WHEREFORE, Plaintiff prays as judgment:

- 1. That the bonds of matrimony now and heretofore existing between PLAINTIFF and DEFENDANT be dissolved and that PLAINTIFF be granted an absolute Decree of Divorce and that each of the parties hereto be restored to the status of a single, unmarried person;
- 2. That the Court grant the relief requested in this Complaint for Divorce; and
- 3. That Plaintiff be awarded such other and further relief as the Court deems just and equitable in the premises.

DATED this 1 day of December, 2014.

Respectfully Submitted by:

Rachel M. Jacobson, Esq. Nevada Bar No.: 7827 JACOBSON LAW OFFICE, LTD 64 North Pecos Road, Suite 200 Henderson, Nevada 89074 (702) 601-0770 Attorney for Plaintiff

### **VERIFICATION BY DECLARATION**

SARAH MAURICE, being first duly sworn, deposes and says:

That she is the Plaintiff in the above and foregoing action; that she has read the foregoing Complaint for Divorce and knows the contents thereof; that the same is true of her own knowledge except for those matters therein stated on information and belief, and, as to those matters, she believes the same to be true.

That she declares under the penalty of perjury under the laws of the State of Nevada (NRS 53.045) that the foregoing is true and correct

DATED this With day of December, 2014.

Sarah Maurice

then to She 1 MOT RACHEL M. JACOBSON, LTD. 2 CLERK OF THE COURT Nevada Bar No. 007827 JACOBSON LAW OFFICE, LTD. 3 64 North Pecos Road, Suite 200 4 Henderson, Nevada 89074 Phone (702) 601-0770 5 Facsimile (702) 990-6445 Attorney for Plaintiff 6 DISTRICT COURT 7 CLARK COUNTY, NEVADA 8 SARAH MAURICE, Case No. D-14-506883-D 9 Plaintiff. Dept. No. O 10 V. Date of Hearing: 2 / 1 0 / 2 0 1 5 11 JUSTIN MAURICE. Time of Hearing: 9:00 AM 12 Defendant. Oral Argument Requested 13 14 NOTICE: YOU ARE REQUIRED TO FILE A WRITTEN RESPONSE TO THIS MOTION WITH THE CLERK OF THE COURT AND TO PROVIDE THE UNDER-SIGNED WITH A COPY OF 15 YOUR RESPONSE WITHIN TEN (10) DAYS OF YOUR RECEIPT OF THIS MOTION. FAILURE TO FILE A WRITTEN RESPONSE WITH THE CLERK OF THE COURT WITHIN 16 TEN (10) DAYS OF YOUR RECEIPT OF THIS MOTION MAY RESULT IN THE REQUESTED RELIEF BEING GRANTED BY THE COURT WITHOUT HEARING PRIOR TO THE 17 SCHEDULED HEARING DATE. 18 MOTION FOR PRELIMINARY RELIEF 19 20 COMES NOW, Plaintiff, SARAH MAURICE, by and through her attorney, RACHEL M. 21 JACOBSON, Esq., of JACOBSON LAW OFFICE, LTD, and respectfully requests that this Court enter 22 Orders granting her the following relief: 23 1. Awarding the parties joint legal and Plaintiff primary physical custody of the 24 minor children of the marriage: Savannah Maurice, born April 27, 2007; and Emma Maurice, born February 12, 2014; 25 26 2. Awarding Plaintiff child support; 27 3. Awarding Plaintiff spousal support;

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- 4. Ordering Defendant to provide an accounting of funds and listing of items purchased, sold and/or transferred;
- 5. Awarding Plaintiff attorney's fees and costs; and
- Awarding such other and further relief as this Court deems just and proper in the premises.

This motion is made and based on all the papers and pleadings on file herein, the Points and Authorities submitted herewith, the Declaration attached hereto, and any further evidence and argument as may be adduced at the hearing of this matter.

DATED this \_\_\_\_\_\_ day of December, 2014.

JACOBSON LAW OFFICE, LTD

Rachel M Jacobson, Esq. Nevada Bar No. 007827 64 North Pecos Road, Suite 200 Henderson, Nevada 891074 (702) 601-0770 Attorney for Plaintiff

# NOTICE OF MOTION

TO: JUSTIN MAURICE, Defendant:

PLEASE TAKE NOTICE that the undersigned will bring the foregoing Motion for hearing before the Eighth Judicial District Court, Family Division, located at the 601 North Pecos Road, Las Vegas, Nevada, in Department Q of said court at the following date and time:

2 / 1 0 / 2 0 1 5 9:00 AM

, or as soon thereafter as counsel may be heard.

DATED this <u>and any of December, 2014.</u>

JACOBSON LAW OFFICE, LTD

Rache M. Jacobson, Esq. Nevada Bar No. 007827 64 North Pecos Road, Suite 200 Henderson, Nevada 891074 (702) 601-0770 Attorney for Plaintiff

# POINTS AND AUTHORITIES

### I. FACTS

The Parties, Plaintiff SARAH MAURICE ("Sarah") and Defendant JUSTIN MAURICE ("Justin") married on May 5, 2012 in Las Vegas, Nevada. Together, they have two daughters: Savannah Maurice, born April 27, 2007; and Emma Maurice, born February 12, 2014. Since each daughter's birth, Sarah has provided her primary care. This arrangement has remained the status quo following the parties' separation only that now the parties actually reside in separate homes with the girls residing solely with Sarah since September 9, 2014 when Sarah moved out of the marital residence

As for employment, Sarah and Justin both work for Yesco, LLC. Sarah has been there the last 9 and a half years and Justin has been working there the last 8. Both parties work on

Monday through Friday. Sarah works from 8:00 a.m. to 5:00 p.m. and Justin usually works from 5:00 a.m. to 1:10 p.m. though he frequently picks up extra hours. Sarah earns a salary of \$50,500 and Justin earns \$31.32 per hour also working overtime and operating a side business whereby he "flips" items (as he calls it) and sells jeep doors online.

As mentioned above, Sarah moved out of the marital residence on September 9, 2014. On this day, Justin texted Sarah and asked her to place Savannah in the after-school program (Safe Key) as he was not going to be able to pick her up. Sarah got home at around 6:00 p.m. at which time Justin and the girls were still not back from school. A few minutes later, Justin came in with both of the parties' daughters. Justin was obviously very drunk and, nevertheless, picked up the girls from Safe key and day care while intoxicated. An argument ensued and Justin struck Sarah in the face while she was holding Savannah, the parties' 7 year old. Savannah then said, "What kind of daddy are you?" In response, Justin became angrier and told all three to get out of the house. He then started to throw things around and threatened Sarah that he would destroy her belongings. Thereafter, Justin flattened the tires of Sarah's van. Thereafter, Sarah and the girls left the home and stayed at a friend's house until Sarah rented a two bed-room townhouse for them.

Since September 9, 2014, Sarah has remained the children's primary care provider. For example, but for 4 overnight visits with Savannah and two with Emma, Justin has not exercised additional overnight visitation with the parties' children. Both girls, on the other hand, have spent every day and night in Sarah's care and Sarah continues to provide their day to day care with Justin assisting at times when he picks up the girls from school when Sarah is at work.

Savannah is in second grade and Emma attends daycare. Sarah takes Emma to Day Care and is usually the one to pick her after work. Sarah also takes Savannah to school in the

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mornings and picks her up from Safe Key on the days that Justin does not pick her up. While Justin has been helpful he relies on Sarah as the parent ultimately responsible for the girls whether it is to pick them up from school, care for them and provide for their needs. While Justin has had Sarah handle all matters related to the girls, he has unilaterally assumed total control over the parties' finances and assets since the parties' separation.

The parties have accumulated much property during the marriage including, but not limited to, their home and numerous vehicles including a trailer, boat, truck, a "side by side" vehicle, and a 1968 Mustang (the latter two Justin purchased following the parties' September 9 separation). Sarah is concerned as Justin has been liquidating and transferring community assets and making major purchases without her consent or even knowledge. For example, Sarah has learned that Justin sold the parties' trailer. Though Justin told Sarah that he sold it for \$15,500, he refuses to share the proceeds with Sarah and has instead offered to give her only \$3,500 (which he has yet to do). Sarah also recently learned that Justin has purchased a 1968 Mustang as well as another trailer (despite the claim that he cannot afford to pay for the girls' needs including diapers, food and additional furniture). Upon inquiry, Justin now presents that he has already sold the Mustang (for a nominal fee) to his father. As such, it appears that Justin is transferring title of community property to keep it out of the community estate. Justin has also told Sarah that he will be renting a room to a tenant in the marital home though Sarah does not believe he has done so to date. Upon inquiry, Justin expressed that it is none of Sarah's business "as she and the girls moved out of the home." It appears Justin is under the impression that Sarah is not entitled to any of the community value (or information) because she and the girls moved out. Justin had also made it unnecessarily difficult for Sarah to finally retrieve some of her items from the marital home. Meanwhile, he is liquidating assets as he chooses.

### II. ARGUMENT

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A. THE PARTIES SHOULD BE AWARDED JOINT LEGAL CUSTODY OF SAVANNAH & EMMA AND SARAH SHOULD BE AWARDED PRIMARY PHYSICAL CUSTODY.

NRS 125.510 states:

1. In determining the custody of a minor child in an action brought pursuant to this chapter, the court may, except as otherwise provided in this section, <u>NRS</u> 125C.100 to 125C.185, inclusive, and <u>chapter 130</u> of NRS:

(a) During the pendency of the action, at the final hearing or at any time thereafter during the minority of any of the children of the marriage, make such an order for the custody, care, education, maintenance and support of the minor children as appears in their best interest; and

(b) At any time modify or vacate its order, even if the divorce was obtained by default without an appearance in the action by one of the parties.

The party seeking such an order shall submit to the jurisdiction of the court for the purposes of this subsection. The court may make such an order upon the application of one of the parties or the legal guardian of the minor.

2. Any order for joint custody may be modified or terminated by the court upon the petition of one or both parents or on the court's own motion if it is shown that the best interest of the child requires the modification or termination. The court shall state in its decision the reasons for the order of modification or termination if either parent opposes it.

3. Any order for custody of a minor child or children of a marriage entered by a court of another state may, subject to the provisions of NRS 125C,100 to 125C,185, inclusive, and to the jurisdictional requirements in chapter 125A of NRS, be modified at any time to an order of joint custody.

4. A party may proceed pursuant to this section without counsel.

5. Any order awarding a party a limited right of custody to a child must define that right with sufficient particularity to ensure that the rights of the parties can be properly enforced and that the best interest of the child is achieved. The order must include all specific times and other terms of the limited right of custody. As used in this subsection, "sufficient particularity" means a statement of the rights in absolute terms and not by the use of the term "reasonable" or other similar term which is susceptible to different interpretations by the parties.

6. All orders authorized by this section must be made in accordance with the provisions of chapter 125A of NRS and NRS 125C.100 to 125C.185, inclusive, and must contain the following language:

PENALTY FOR VIOLATION OF ORDER: THE ABDUCTION, CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF THIS ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED IN NRS 193.130. NRS 200.359 provides that every person having a limited right of custody to a child or any parent having no right of custody to the child who willfully detains, conceals or removes the child from a parent, guardian or other

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person having lawful custody or a right of visitation of the child in violation of an order of this court, or removes the child from the jurisdiction of the court without the consent of either the court or all persons who have the right to custody or visitation is subject to being punished for a category D felony as provided in NRS 193,130.

- 7. In addition to the language required pursuant to subsection 6, all orders authorized by this section must specify that the terms of the Hague Convention of October 25, 1980, adopted by the 14th Session of the Hague Conference on Private International Law, apply if a parent abducts or wrongfully retains a child in a foreign country.
- 8. If a parent of the child lives in a foreign country or has significant commitments in a foreign country:
- (a) The parties may agree, and the court shall include in the order for custody of the child, that the United States is the country of habitual residence of the child for the purposes of applying the terms of the Hague Convention as set forth in subsection 7.
- (b) Upon motion of one of the parties, the court may order the parent to post a bond if the court determines that the parent poses an imminent risk of wrongfully removing or concealing the child outside the country of habitual residence. The bond must be in an amount determined by the court and may be used only to pay for the cost of locating the child and returning the child to his or her habitual residence if the child is wrongfully removed from or concealed outside the country of habitual residence. The fact that a parent has significant commitments in a foreign country does not create a presumption that the parent poses an imminent risk of wrongfully removing or concealing the child.
- 9. Except where a contract providing otherwise has been executed pursuant to NRS 123,080, the obligation for care, education, maintenance and support of any minor child created by any order entered pursuant to this section ceases:
  - (a) Upon the death of the person to whom the order was directed; or
- (b) When the child reaches 18 years of age if the child is no longer enrolled in high school, otherwise, when the child reaches 19 years of age.
- 10. As used in this section, a parent has "significant commitments in a foreign country" if the parent:
  - (a) Is a citizen of a foreign country;
  - (b) Possesses a passport in his or her name from a foreign country;
- (c) Became a citizen of the United States after marrying the other parent of the child: or
  - (d) Frequently travels to a foreign country.

### NRS 125.230 states:

1. The court in such actions may make such preliminary and final orders as it may deem proper for the custody, control and support of any minor child or children of the parties.

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2. A court that enters an order pursuant to subsection 1 for the support of any minor child or children shall ensure that the social security numbers of the parties are provided to the Division of Welfare and Supportive Services of the Department of Health and Human Services.

### NRS 125.480 provides:

Best interests of child; preferences; presumptions when court determines parent or person seeking custody is perpetrator of domestic violence or has committed act of abduction against child or any other child.

- 1. In determining custody of a minor child in an action brought under this chapter, the sole consideration of the court is the best interest of the child. If it appears to the court that joint custody would be in the best interest of the child, the court may grant custody to the parties jointly.
- 2. Preference must not be given to either parent for the sole reason that the parent is the mother or the father of the child.
- 3. The court shall award custody in the following order of preference unless in a particular case the best interest of the child requires otherwise:
- (a) To both parents jointly pursuant to <u>NRS 125.490</u> or to either parent. If the court does not enter an order awarding joint custody of a child after either parent has applied for joint custody, the court shall state in its decision the reason for its denial of the parent's application.
- (b) To a person or persons in whose home the child has been living and where the child has had a wholesome and stable environment.
- (c) To any person related within the fifth degree of consanguinity to the child whom the court finds suitable and able to provide proper care and guidance for the child, regardless of whether the relative resides within this State.
- (d) To any other person or persons whom the court finds suitable and able to provide proper care and guidance for the child.
- 4. In determining the best interest of the child, the court shall consider and set forth its specific findings concerning, among other things:
- (a) The wishes of the child if the child is of sufficient age and capacity to form an intelligent preference as to his or her custody.
  - (b) Any nomination by a parent or a guardian for the child.
- (c) Which parent is more likely to allow the child to have frequent associations and a continuing relationship with the noncustodial parent.
  - (d) The level of conflict between the parents.
  - (e) The ability of the parents to cooperate to meet the needs of the child.
  - (f) The mental and physical health of the parents.
  - (g) The physical, developmental and emotional needs of the child.
  - (h) The nature of the relationship of the child with each parent.
  - (i) The ability of the child to maintain a relationship with any sibling.
- (j) Any history of parental abuse or neglect of the child or a sibling of the child.

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- (k) Whether either parent or any other person seeking custody has engaged in an act of domestic violence against the child, a parent of the child or any other person residing with the child.
- Whether either parent or any other person seeking custody has committed any act of abduction against the child or any other child.
- 5. Except as otherwise provided in subsection 6 or NRS 125C.210, a determination by the court after an evidentiary hearing and finding by clear and convincing evidence that either parent or any other person seeking custody has engaged in one or more acts of domestic violence against the child, a parent of the child or any other person residing with the child creates a rebuttable presumption that sole or joint custody of the child by the perpetrator of the domestic violence is not in the best interest of the child. Upon making such a determination, the court shall set forth:
- (a) Findings of fact that support the determination that one or more acts of domestic violence occurred; and
- (b) Findings that the custody or visitation arrangement ordered by the court adequately protects the child and the parent or other victim of domestic violence who resided with the child.
- 6. If after an evidentiary hearing held pursuant to subsection 5 the court determines that each party has engaged in acts of domestic violence, it shall, if possible, then determine which person was the primary physical aggressor. In determining which party was the primary physical aggressor for the purposes of this section, the court shall consider:
  - (a) All prior acts of domestic violence involving either party;
- (b) The relative severity of the injuries, if any, inflicted upon the persons involved in those prior acts of domestic violence:
  - (c) The likelihood of future injury;
- (d) Whether, during the prior acts, one of the parties acted in self-defense; and
- (e) Any other factors which the court deems relevant to the determination. ☐ In such a case, if it is not possible for the court to determine which party is the primary physical aggressor, the presumption created pursuant to subsection 5 applies to both parties. If it is possible for the court to determine which party is the primary physical aggressor, the presumption created pursuant to subsection 5 applies only to the party determined by the court to be the primary physical aggressor.
- 7. A determination by the court after an evidentiary hearing and finding by clear and convincing evidence that either parent or any other person seeking custody has committed any act of abduction against the child or any other child creates a rebuttable presumption that sole or joint custody or unsupervised visitation of the child by the perpetrator of the abduction is not in the best interest of the child. If the parent or other person seeking custody does not rebut the presumption, the court shall not enter an order for sole or joint custody or unsupervised visitation of the child by the perpetrator and the court shall set forth:
- (a) Findings of fact that support the determination that one or more acts of abduction occurred; and

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- (b) Findings that the custody or visitation arrangement ordered by the court adequately protects the child and the parent or other person from whom the child was abducted.
- 8. For purposes of subsection 7, any of the following acts constitute conclusive evidence that an act of abduction occurred:
- (a) A conviction of the defendant of any violation of  $\underline{NRS}$   $\underline{200.310}$  to  $\underline{200.340}$ , inclusive, or  $\underline{200.359}$  or a law of any other jurisdiction that prohibits the same or similar conduct;
- (b) A plea of guilty or nolo contendere by the defendant to any violation of <u>NRS 200.310</u> to <u>200.340</u>, inclusive, or <u>200.359</u> or a law of any other jurisdiction that prohibits the same or similar conduct; or
- (c) An admission by the defendant to the court of the facts contained in the charging document alleging a violation of <u>NRS 200.310</u> to <u>200.340</u>, inclusive, or <u>200.359</u> or a law of any other jurisdiction that prohibits the same or similar conduct.
- 9. If, after a court enters a final order concerning custody of the child, a magistrate determines there is probable cause to believe that an act of abduction has been committed against the child or any other child and that a person who has been awarded sole or joint custody or unsupervised visitation of the child has committed the act, the court shall, upon a motion to modify the order concerning custody, reconsider the previous order concerning custody pursuant to subsections 7 and 8.
  - 10. As used in this section:
- (a) "Abduction" means the commission of an act described in <u>NRS</u> 200.310 to 200.340, inclusive, or 200.359 or a law of any other jurisdiction that prohibits the same or similar conduct.
- (b) "Domestic violence" means the commission of any act described in <u>NRS</u> 33.018.

As stated above, since the birth of each of the parties' children, Sarah has been each girl's primary care provider. On September 9, 2014, Sarah and the girls moved out of the marital residence and have been residing on their own since that time. But for minimal overnight visitation with their father, the girls have never been away from the Plaintiff. It is believed that Justin will not contest custody as he has been supportive of the fact that the girls remain in Sarah's primary care. Though, since being served with Sarah's underlying Complaint, Justin has begun to request more visitation. Thus, Sarah has concern that, in light of litigation, Justin will attempt to modify their status quo arrangement.

In that event, Sarah respectfully request that the parties be ordered to attend mediation and that a custodial evaluation take place as she believes modifying the girls' current schedule will cause irreversible harm at this juncture. Specifically, it is presented that modifying status quo will necessarily sever the parental bond and reliability the girls share with their mother. It will damage the progress the girls have made since moving out of the marital home but changing the stability they had established. Moreover, there is genuine concern regarding Justin's parental judgment given that Justin has picked up the girls from school and drove them home while he was intoxicated.

Thus, it is presented that Sarah should remain the girls' primary care provider and, to that end, it is respectfully requested that the Court enter an order awarding Plaintiff primary physical custody with specified visitation to the Defendant and a behavior order restricting alcohol consumption.

# B. THE COURT SHOULD SET CHILD SUPPORT AT THE STATUTORY AMOUNT.

Along with an order regarding physical custody, the Court should enter an award of child support pursuant to NRS 125B.070 and NRS 125B.080. Thus, should the Court grant Sarah's request for primary physical custody, it is respectfully requested that the Court also enter an award of child support consisting of 25% of Justin's gross monthly income as well as payment of half of the children's health insurance and expenses.

# C. SARAH SHOULD BE AWARDED SPOUSAL SUPPORT, ASSISTANCE WITH PAYMENT OF EXPENSES PENDING TRIAL, AND PRELIMINARY ATTORNEY'S FEES AND COSTS.

Sarah respectfully requests that, to the extent possible, Justin assist her in current and prior bills relative to the community pursuant to NRS 125.040; that he provide an accounting of funds he has spent and assets he has sold or transferred, and that this Court further order Justin to

either freeze the community accounts and/or formally reduce the Joint Preliminary Injunction, previously issued in this case, to order.

Additionally, Sarah respectfully requests that the Court order the Defendant to pay her preliminary attorney's fees and costs.

# NRS 125.040 provides as follows:

- 1. In any suit for divorce the court may, in its discretion, upon application by either party and notice to the other party, require either party to pay moneys necessary to assist the other party in accomplishing one or more of the following:
  - (a) To provide temporary maintenance for the other party;
  - (b) To provide temporary support for children of the parties; or
  - (c) To enable the other party to carry on or defend such suit.
- 2. The court may make any order affecting property of the parties, or either of them, which it may deem necessary or desirable to accomplish the purposes of this section. Such orders shall be made by the court only after taking into consideration the financial situation of each of the parties.
- 3. The court may make orders pursuant to this section concurrently with orders pursuant to NRS 125.470.

Additionally, under Sargeant v. Sargeant, 88 Nev. 223, 495 P.2d 618 (1972), allows the Court can award preliminary attorney's fees as "the wife must be afforded her day in court without destroying her financial position." It has been implied that the court in Sargeant wanted to ensure that the lesser earning spouse would be able to meet his/her adversary on an equal basis in the courtroom. And, as mentioned above, Sarah's income is barely sufficient to meet her basic needs. Thus, without this Court's assistance, Sarah will not be able to afford representation necessary to place her on "equal footing" with Justin whose income and access to funds is significantly greater than hers. Further, in the case at hand, it is Justin's conduct that has necessitated the filing of this Motion and increasing attorney's fees and costs.

Thus, not only does Sarah necessitate preliminary attorney's fees given the income discrepancy between the parties under *Sargeant*, Sarah will also have additional discovery expenses as a result of Justin's conduct. Specifically, as mentioned above, Justin has assumed control over the family's finances and belongings and has not been forthcoming regarding same. For example, he has unilaterally sold community assets and has also maintained the sale proceeds to himself. To Sarah's belief, Justin has also purchased new vehicles including but not limited to a \$30,000 "side by side," a 1968 Mustang, and a Weekend Warrior trailer. Additional discovery will have to be conducted in this matter on Sarah's behalf. Justin, on the other hand, will not have much discovery expenses, if any, as all community accounts and assets remain under his control.

Justin has also avoided additional moving expenses as he has remained in the marital residence. As mentioned above, given Justin's violent outburst and driving the girls while intoxicated, Sarah moved out of the marital residence and, in doing so, had to incur moving fees and expenses associated with establishing a new home for herself and the parties' daughters. Sarah has successfully established such a place and the girls are happy and comfortable but the expense has set Sarah back financially.

Given the foregoing, Sarah respectfully asks this Court to grant her an award of preliminary attorney's fees and costs in the amount of \$5,000 to place her on equal footing with the Defendant and allow her to conduct meaningful discovery in preparation for trial.

# D. <u>Behavioral Order</u>.

As presented above, it is respectfully requested that Justin be specifically ordered to refrain from use of alcohol while the girls are under his care. Further, given Justin's violent outburst, destructive behavior, and inappropriate language in front of the parties' minor children and

1	toward Sarah, Sarah respectfully requests that this Court enter a behavioral order specifically
2	prohibiting this conduct.
3	II. <u>CONCLUSION</u>
4.	WHEREFORE, based upon the foregoing, Sarah respectfully request this Court enter
.5 6	orders granting her the following relief:
77.	1. Awarding the parties joint legal and Plaintiff primary physical custody of the
8	minor children of the marriage: Savannah Maurice, born April 27, 2007; and Emma Maurice, born February 12, 2014;
9	Awarding Plaintiff child support;
10	Awarding Plaintiff spousal support;
12	4. Ordering Defendant to provide an accounting of funds and listing of items
13	purchased, sold and/or transferred;
14	5. Awarding Plaintiff attorney's fees and costs; and
15	<ol><li>Awarding such other and further relief as this Court deems just and proper in the premises.</li></ol>
16	DATED this 30 day of December, 2014.
17 18	JACOBSON LAW OFFICE, LTD
19	
20	
21	Rachel M. Jacobson, Esq. Nevada Bar No. 007827
22	64 North Pecos Road, Suite 200 Henderson, Nevada 891074
23	(702) 601-0770 Attorney for Plaintiff
24	
26	
27	

## DECLARATION OF SARAH MAURICE

SARAH MAURICE, being first duly sworn upon oath deposes and says as follows:

- 1. That I am one of the Plaintiff in the above-captioned case, am competent to state the following facts, and make this Declaration based upon my own personal knowledge except as to those matters stated upon information and belief, and as to those matters I believe them to be true.
- 2. That I have carefully read the foregoing Motion and the factual averments contained therein are true and correct to the best of my knowledge, except as to those matters based upon information and belief and, as to those matters, I believe them to be true.
- That I declare under the penalty of perjury under the laws of the State of Nevada.
   (NRS 53.045) that the foregoing is true and correct.

DATED this 30 day of December, 2014.

SARAH MAURICE

# DISTRICT COURT

	CLARK COUNTY, NEVADA		
	3		
	SARAH MAURICE,	CASE NO.: D-14-506883-D	
	Plaintiff,	DEPT NO.: Q	
? 8	HISTIN MALIDICE	FAMILY COURT MOTION/OPPOSITION FEE INFORMATION SHEET	
9	Determant,	(NRS 19.0312)	
.10	Party Filing Motion/Opposition:	Plaintiff/Petitioner Defendant/Respondent	
11	Motion to Resolve Parent Child Issues	and Related Relief	
13 14 15 16 17 18 19 20 21 21 22	Motions and Oppositions to Motions filed after entry of a final order pursuant to NRSS 125, 125Bor 125C are subject to the Re-open filing fee of \$25.00, unless specifically excluded (NRS 19.0312)  NOTICE:  If it is determined that a motion or opposition is filed without payment of the appropriate fee, the matter may be taken off the Court's calendar or may remain undecided until payment is made.	<ul> <li>Mark correct answer with an "X"</li> <li>1. No final Decree or Custody Order has been entered.</li></ul>	
23	Motion/Opposition IS IS N	OT subject to \$25 filing fee	
24	Dated this 30% of December, 2014		
25 26	Rachel M. Jacobson Printed Name of Preparer	Signature of Preparer	
27			
28			

1	STATE OF NEVADA ) DISTRICT COURT
2	CLARK COUNTY, NEVADA
3 .	\$8:)
	COUNTY OF CLARK ) AFFIDAVIT OF SERVICE
4	(Name of person who served the documents, the "Affiant")
5	Carl Theodore Aceto #R-060618 being duly sworn, states that at all times herein Affiant
,6.	was and is over 18 years of age, not a party to nor interested in the proceeding in which this affidavit is made. Affiant is a licensed process server whose license number is stated below. That Affiant received a
7,	copy of the (list the documents) Complaint For Divorce, Joint Preliminary Injunction
8	Summons , ,
	on the 19th day of December , 2014 That Affiant personally served  Justin Maurice with a copy of the above stated documents on the 21st day
9	of December .2014 at (time) 08:30 a.m.
10	(Check and complete option A ,B or C)
11.	A. Delivering and leaving the documents with said party at (street address)
12	108 Westin Lane
13	(city) Henderson (state) Nevada (zip)
14	B. Delivering and leaving a copy with (first and last name of person that the documents were
	given to) who is a person of suitable age and discretion that lives
15	with the above stated party at (street address)
16	(city) (state) Nevada (zip)
17	
18	C. Delivering and leaving a copy with
19	who is _ Defendant registered agent , _ officer, _ general partner, _ member, _
20	manager, trustee, director. Or other (specify), at (street address)
	(city)(state) Nevada (zip)
21	
2.2	I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and
23	correct
24	Dated this 23rd day of December 2, 2014
25	all Inv (let
	Signature of Affiant
26	Corporate Intelligence International 720 E. Charleston Blvd. Suite 135
27	Las Vegas, Nevada 89104
28	State License #595/595-A

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RACHEL M. JACOBSON, ESQ. JACOBSON LAW OFFICE, LTD. Nevada State Bar No. 007827 64 North Pecos Road, Suite 200 Henderson, Nevada 89074

Phone: 702-601-0770

Email: reli@jacobsonlawltd.com

Attorney for

**CLERK OF THE COURT** 

ROA000024

# EIGHTH JUDICIAL DISTRICT COURT CLARK COUNTY, NEVADA

	V8.	Satah E. Maur Plaintiff, Justin P. Mauri Defendant.		Case No. <u>D - 14 - 500</u> Dept. <u>C</u>	0883-D
		GENERAL	FINANCIAL D	ISCLOSURE FORM	
A.	Personal Inform	nation:			
	<ol> <li>What is you</li> <li>How old are</li> <li>What is you</li> </ol>	r full name? <i>(first, middle</i> you? <u>33</u> r highest level of education	e, last) Sarah 3. on? Bachelo	Elizabeth Mauric What is your date of birth? r's Degree-Psych	e 3/23/1981 10logy
В.	Employment In	formation:			
	1. Are you cur	rently employed/ self-employed/ self-employed/ No		k one) e below. Attached an additi	ional page if needed.
	Date of Hire	Employer Name	Job Title	Work Schedule (days)	Work Schedule (shift times)
	10/3/2005	YESCO LLC	Assistant H Director	Monday - Friday	8am - 5pm
	2. Are you disa	,	What agency cert	ur level of disability?  ified you disabled?  e of your disability?	A
C.		ent: If you are unemployed lowing information.	d or have been w	orking at your current job f	for less than 2 years,
	Prior Employer: Reason for Leav		Date of Hire:	NA Date of Term	nination: NA
Rev.	5_7_2014		Page 1 of 8		

# Monthly Personal Income Schedule

## A. Year-to-date Income.

As of the pay period ending 12/5/2014 my gross year to date pay is 47,031.51.

## B. Determine your Gross Monthly Income.

## Hourly Wage

## Annual Salary

50,500 ÷ Annual Income	12 onths	4,208.33 Gross Monthly Income
------------------------	----------	-------------------------------------

### C. Other Sources of Income.

Source of Income	Frequency	Amount	12 Month Average
Annuity or Trust Income			
Bonuses	-		
Car, Housing, or Other allowance:			
Commissions or Tips:			
Net Rental Income:			
Overtime Pay	-		
Pension/Retirement:			
Social Security Income (SSI):			
Social Security Disability (SSD):			
Spousal Support	-		
Child Support	_		
Workman's Compensation	-		
Other:	-		
Total Average Other Income Received			

Total Average Gross Monthly Income \$ 4,208.33

# D. Monthly Deductions

	Ty	pe of Deduction	Amount
1.	Court Ordered Child Supp	port	
2.	Federal Health Savings Pl	an	\$ 104.17
3.	Federal Income Tax		\$ 546.98
4.	Health Insurance		
5,	Life, Disability, or Other	insurance Premiums	#21.82
6.	Medicare		\$ 59.24
7.	Other: (Type of Deduction	u)	
8.	Retirement, Pension, IRA	or 401(k)	\$ 86.66
9.	Savings		\$541.66
10.	Social Security		¥ 253.33
11.	Union Dues		
	1	otal Monthly Deductions (Lines 1-11)	\$1,613.86

# Business/Self-Employment Income & Expense Schedule

## A. Business Income:

What is your average gross monthly income/revenue from self-employment or businesses? \$	0

# B. Business Expenses: Attach an additional page if needed.

Type of Business Expense	Frequency	Amount	12 Month Average
Advertising			
Car and truck used for business	<b>-</b>		
Commissions, wages or fees			
Business Entertainment/Travel			
Insurance			
Legal and professional			
Mortgage or Rent			
Other: (type of expense)	_		
Pension and profit-sharing plans			
Repairs and maintenance			
Supplies			
Taxes and licenses (include est. tax payments)	4,		
Utilities			
	Total Average B	usiness Expenses	0

Page 3 of 8

# Personal Expense Schedule (Monthly)

A. Fill in the table with the amount of money you spend each month on the following expenses and check whether you pay the expense for you, for the other party, or for both of you.

Expense	Monthly Amount I Pay	For Me	Other Party	For Both
Alimony Spousal Support	-	<u> </u>		<u> </u>
Auto Insurance	\$ 140°00	~		
Car Loan/Lease Payment	# 360.00	V		
Cell Phone	\$ 88.00	V	-	· · · · · · · · · · · · · · · · · · ·
Child Support	. ***			
Clothing, Shoes, Etc	\$ 175.00	~		
Credit Card Payments	\$ 80.00	~		
Dry Cleaning	<del>-</del>			
Electric	\$ 80.00	V		
Food (groceries & restaurants)	\$250°°	V		
Fuel	\$ 250.00	<b>V</b>		
Gas	\$ 35.00	V		
Health Insurance				
HOA				
Home Insurance	w <sub>p</sub> ant			
Home Phone				
Internet/Cable	\$ 55.00	V		
Lawn Care				
Membership Fees	· Princete			
Mortgage/Rent/Lease	\$895.00	V		
Other:	***************************************	****		
Pest Control				
Pets	-			
Pool Service				
Property Taxes	-			
Security	Austrialia			
Sewer				
Student Loans				
Unreimbursed Medical Expense				
Water	-			
Total Monthly Expenses	# 2,408			

### Personal Expense Schedule Household Information

A. Fill in the table below with the name and date of birth of each child, the person the child is living with, and whether the child is from this relationship. Attached a separate sheet if needed.

	Child's Name	Child's DOB	Whom is this child living with?	Is this child from this relationship?	Has this child been certified as special needs/disabled?
l <sup>st</sup>	Savannah Maurice	4/27/07	ME (Mom)	Yes	NO
2 <sup>nd</sup>	Emma Maurice	2/12/14	ME (Mom)	Yes	No
3 <sup>rd</sup>					
4 <sup>th</sup>					

B. Fill in the table below with the amount of money you spend each month on the following expenses for each child.

Type of Expense	1st Child	2 <sup>nd</sup> Child	3 <sup>rd</sup> Child	4th Child
Child Care	#65.00	#340.00		
Clothing, diapers, formula	\$100.00	\$ 160.00		
Education			1	
Entertainment	# 100.00	\$50.00		
Summer Camp/Programs	\$ 200 ·00			
Transportation Costs for Visitation	_			
Unreimbursed Medical Expenses	-	\$70.00		
Vehicle				
Total Monthly Expenses	465.00	620.00		

C. Fill in the table below with the names, ages, and the amount of money contributed by all persons living in the home over the age of eighteen. If more than 4 adult household members attached a separate sheet.

Name	Age	Person's Relationship to You (i.e. sister, friend, cousin, etc)	Monthly Contribution
NIA			

### Personal Asset and Debt Chart

A. Complete this chart by listing all of your assets, the value of each, the amount owed on each, and whose name the asset or debt is under. If more than 15 assets, attach a separate sheet.

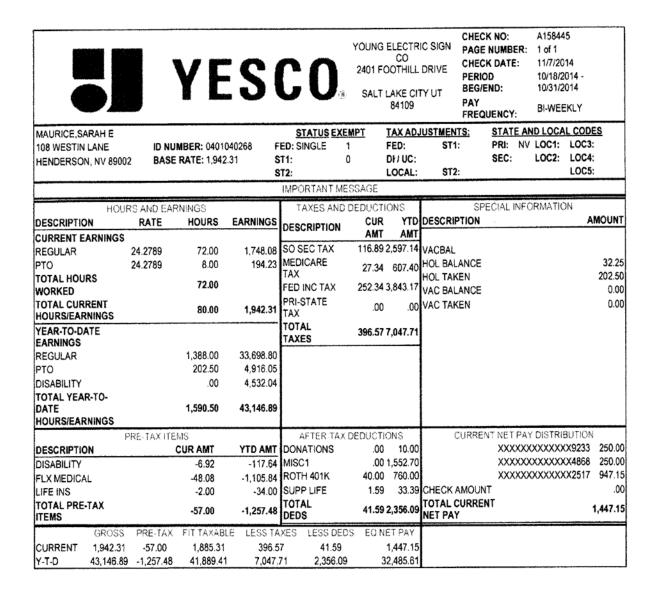
Line#	Description of Asset and Debt Thereon	Gross Value		Total Amount Owed		Net Value	Whose Name is on the Account? You, Your Spouse/Domestic Partner or Both
1.	Wells Fargo Mortgage	\$210,000.00	-	\$167,000.00	=	\$ 43,000.00	Spouse
2.	2008 Weekend Warrier		-	\$ 0	=		Both
3.	Liberator Boat	\$10,000.00?	-	\$ O	=	\$ 10,000 00	Spouse
4.	2006 Dulge 3500	\$29,000000	1	\$ <i>O</i>	=	\$ 27,000	Spouse
5.	DREW Pension	\$110,000.00	-	\$24,625.30	=	\$85,374.70	Spouse
6.	Wells Fargo 401K	\$9.909.21	-	\$ 0	=	\$9,909-21	Myname
7.	2010 Honda Odyssey	\$ 20,000 00	_	\$21,400.86	=	\$-1,400.86	Myname
8.	Wells Famo Checking	\$ 110.00	-	\$ 0	=	\$ 110.00	Both
9.	Wells Fargo Checking	\$ 342.00	-	\$ O	==	\$ 342.00	My name
10.	Wells Fargo Checking	\$ ?	-	\$ O	142	\$ ?	Spouse
11.	Wells Fargo Savings	\$ 520.00	-	\$ O	==	\$ 520.00	My name
12.	Wells Fargo Savings	\$ ?	-	\$ O	==	s ?	Spouse
13.	Bank of America	\$ 700.00	-	\$ O	74	\$ 700.00	My name
14.	IBEW Checking	\$ ?	-	\$ O	=	\$ ?	Spouse
15.	KiA Sephia Car	\$ ?	-	\$ 0	=	\$ ?	Spouse
Total Va	lue of Assets'	\$412,581.21	_	\$213,026.16	=	\$199,555.05	

B. Complete this chart by listing all of your unsecured debt, the amount owed on each account, and whose name the debt is under. If more than 5 unsecured debts, attach a separate sheet.

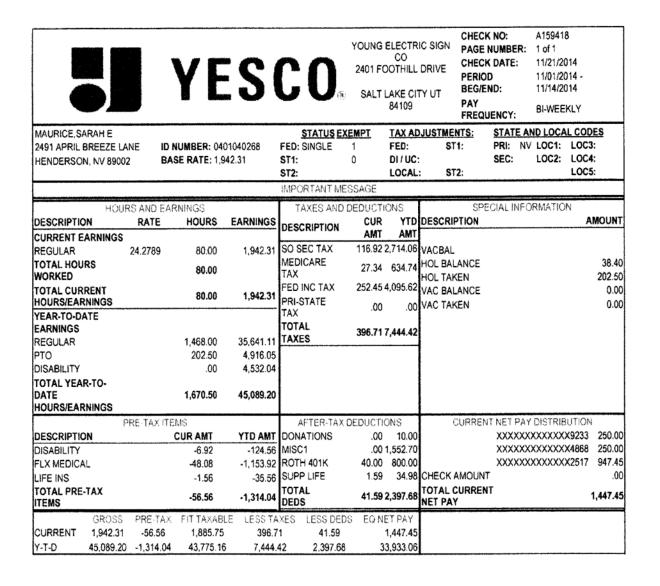
Line #	Description of Credit Card or Other Unsecured Debt	Total Amount owed	Whose Name is on the Account? You, Your Spouse/Domestic Partner or Both
1.	Citibank Mastercard	\$1981.19	My name
2.	Capital One	\$ 4,700.00	Spouse
3.	Johnney	\$ 1,700.00	Spouse spouse
4, 5,	Discount Tire Sunrise Hospital Bill	\$350.00	spouse My name
Total	Unsecured Debt (add lines 1-5)	\$9,747,39	

# CERTIFICATION

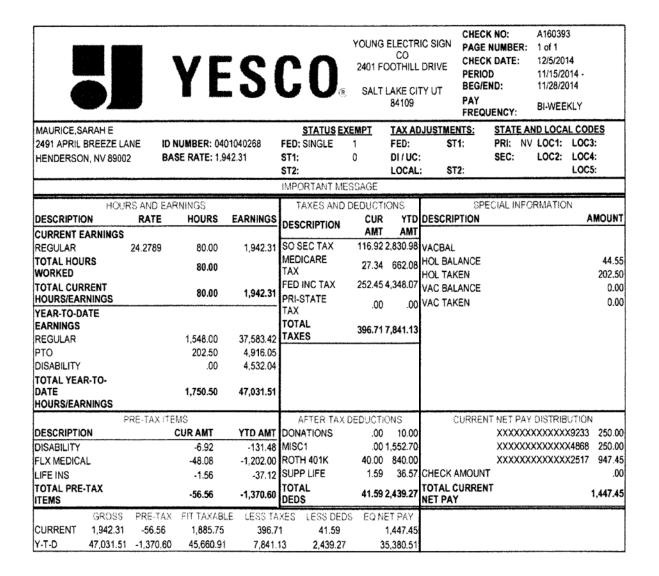
Attorne	y Inior	mation: Complete t	ne jollowing sentence	۶:	
	1.	I (have/have not)	have	retained an attor	ney for this case.
	2.	As of the date of to	oday, the attorney has	been paid a total of \$	on my behalf.
	3.	I have a credit with	h my attorney in the a	mount of \$	*
	4.	I currently owe my	attorney a total of \$_		<b>*</b>
	5.	I owe my prior atte	orney a total of \$		
	instru I gua know court.	ctions in completing rantee the truthfuln- ingly make false sta	this Financial Disclo	perjury that I have read sure Form. I understand that on on this Form. I also unabject to punishment, inclusive recent pay stubs to this for	, by my signature, derstand that if I ding contempt of
	$\sum_{i=1}^{N}$	auch Mai	win	12/8/14	4
	Signat	ure		Date	



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# CERTIFICATE OF SERVICE

I hereby declare under the penalty of perjury of the State of Nevada that the following is true and
correct:
That on (date), service of the General Financial Disclosure Form was made to the following interested parties in the following manner:
Uia 1st Class U.S. Mail, postage fully prepaid addressed as follows:
Mr. Justin Maurice, 108 Westin Lane, Henderson, NV 89002
Via Facsimile and/or Email Pursuant to the Consent of Service by Electronic Means on file
herein to:
Executed on the 315th day of Decomber, 2014.  Signature

CLERK OF THE COURT

4 ACC

2

Justin Maurice 108 Westin Lane

Henderson, Nevada 89002 Telephone: (702) 498-1862 Defendant/Counterclaimant in

Proper Person

EIGHTH JUDICIAL DISTRICT COURT FAMILY DIVISION CLARK COUNTY, NEVADA

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Plaintiff/Counterdefendant.

VS.

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JUSTIN MAURICE, 11

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SARAH MAURICE.

ANSWER TO COMPLAINT and COUNTERCLAIM FOR DIVORCE

Case No.: D-14-506883-D

Dept. No.: Q

Defendant/Counterclaimant.

COMES NOW the Defendant, JUSTIN MAURICE, (hereinafter, "Dad") in Proper Person, and for his Answer and Counterclaim for Divorce, Defendant admits, denies, and alleges as follows:

- Answering paragraph I of Plaintiff's Complaint for Divorce, Defendant is ADMITS 3. the allegations contained therein.
- Answering paragraph II of Plaintiff's Complaint for Divorce, Defendant ADMITS the allegations contained therein.
- 3. Answering paragraph III of Plaintiff's Complaint for Divorce, Defendant ADMITS the allegations contained therein.
- Answering paragraph IV of Plaintiff's Complaint for Divorce, Defendant ADMITS 4. the allegations contained therein.
- Answering paragraph V of Plaintiff's Complaint for Divorce, Defendant ADMITS the allegations contained therein.
- 6. Answering paragraph VI of Plaintiff's Complaint for Divorce, Defendant DENIES the allegations contained therein.

### S

#### COUNTERCLAIM FOR DIVORCE

COMES NOW the Defendant/Counterclaimant, JUSTIN MAURICEE, In Proper Person, and complains and alleges as follows:

#### JURISDICTION |

- That for a period longer than six weeks prior to the date of verification of this
  Complaint, Defendant/Counterclaimant has been, and now is, a bona fide and actual resident of the
  State of Nevada, and has been actually present in said State for more than six weeks prior to the
  commencement of this action.
- 2. That for a period longer than six months prior to the date of verification of this Complaint, the Parties' child has been, and now is, a bona fide and actual resident of the State of Nevada, and has been actually present in said State for more than six months prior to the commencement of this action.

#### <u>FACTS</u>

- That Plaintiff/Counterdefendant and Defendant/Counterclaimant were married on May 5, 2012, in Las Vegas, Nevada, and have ever since been husband and wife.
- That there are two minor children born of this marriage: SAVANNAH MAURICE,
   born April 27, 2007, and EMMA MAURICE, born February 12, 2014.
  - 5. That the Parties have no adopted children.
- That to the best of Defendant/Counterclaimant's knowledge,
   Plaintiff/Counterdefendant is not pregnant at this time.

#### CHILD CUSTODY

The Plaintiff/Counterdefendant, and Defendant/Counterclaimant are fit to be awarded
 Joint Legal and Joint Physical Custody of the Parties' minor children.

#### CHILD SUPPORT

That due to the incomes of Plaintiff/Counterdefendant and
 Defendant/Counterclaimant, as well as a Joint Physical Custodial arrangement, there should be no award of Child Support.

#### COMMUNITY PROPERTY

 That there is Community Property belonging to the Parties to be equitably divided by this Court.

#### COMMUNITY DEBTS AND OBLIGATIONS

That there are community debts to be equitably divided by this Court.

#### SEPARATE PROPERTY

 That there is separate property belonging to the Defendant/Counterclaimant to be confirmed to Defendant/Counterclaimant in this action.

#### SPOUSAL SUPPORT

15. That due to the short length of the marriage as well as the Parties respective incomes, there should be no award of Alimony in this case.

#### ATTORNEYS' FEES

16. That it will become necessary for Defendant/Counterclaimant to engage the services of an attorney should Plaintiff/Counterdefendant continue to litigate this case. That due to the unnecessary litigation, Plaintiff/Counterdefendant should be compelled to pay for Defendant/Counterclaimants attorney's fees.

#### MEDICAL INSURANCE

17. That the Defendant/Counterclaimant be required to maintain medical insurance for the minor children, SAVANNAH MAURICE, and EMMA MAURICE, until such time as the children (I) become emancipated or (2) attain the ages of eighteen (18) years, the age of majority, unless they

are attending secondary education when they reach eighteen (18) years of age, in which event said medical insurance shall continue until the children graduate from high school or attain the ages of nineteen (19) years, whichever event occurs first; and that Plaintiff/Counterdefendant and Defendant/Counterclaimant should be equally responsible for any out-of pocket medical, dental, and optical expenses, including insurance deductibles, paid for the minor children pursuant to the 30/30 Rule.

#### DAYCARE EXPENSES

18. That both Defendant/Counterclaimant and Plaintiff/Counterdefendant be required to equally divide the costs for daycare associated with the minor children.

#### NAME CHANGE

That Defendant/Counterclaimant should return to her maiden name if she so desires.

#### INCOMPATIBILITY

20. That since said marriage, Plaintiff/Counterdefendant and Defendant/Counterclaimant have become, and are, incompatible and there is no chance of reconciliation between the Parties hereto.

WHEREFORE, Justin Maurice prays for judgment as follows:

- 1. That the bonds of matrimony now and heretofore existing between Plaintiff/Counterdefendant and Defendant/Counterclaimant be dissolved, and that Plaintiff/Counterdefendant and Defendant/Counterclaimant be granted an absolute and final Decree of Divorce and that the Parties hereto and each of them, be restored to the status of a single, unmarried person;
  - That the community property of the Parties be equitably divided by this Court;
  - That the community debts of the Parties be equitably divided by this Court;
- That the separate property of Defendant//Counterclaimant be confirmed to the Defendant/Counterclaimant in this action;

***	
4	thereof and that they are true, except as to those matters therein stated on information and belief, and
2	as to those matters, I believe them to be true.
3	
4	JUSTIN MAURICE SÜBSCRIRED and SWORN to before
5	me this 1 day of January 2015.
6	TO DESCRIPTION OF THE OFFICE AND A CONTROL SAME AND
7	NOTARY PUBLIC
8	
9	CERTIFICATE OF MAILING
10	I hereby state that on thisday of January 2015, that a true and correct copy of the
11	ANSWER TO COMPLAINT FOR DIVORCE and COUNTERCLAIM FOR DIVORCE was sent by
12	U.S. Mail, postage prepaid, addressed to:
13	
14	Rachel M. Jacobson, Esq. 64 North Pecos Road, Suite 200
15	Henderson, Nevada 89074
16	(702) 601-0770 Attorney for Plaintiff/Counterdefendant
17	
18 19	
20	Justin Maurice, Defendant/Counterclaimant In Proper Person
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Nevada State Bar Law Firm	3	o Penu	01 = 517 0	F THE COURT	•
Swakha	EIGHTH JUDICIAL D CLARK COUNT Plaintiff,			>-14-50	(√883-D
Joseph M	outer	, , , , , , , , , , , , , , , , , , ,	Dept. No.	À	
	Defendant.	)			
The judge uses this Defendant. You m  A. Personal Inform	GENERAL FINANCIAL D s form to understand the financi sust fill this form out completely	cial position o	f the Plaintiff	and the	
<ol> <li>What is your fi</li> <li>How old are yo</li> <li>What is your d</li> <li>What is your o</li> </ol>	ull name? (first, middle, last) ou? ate of birth? ccupation?	33 233 294	1-4-01 1-4-01	L Mpyce,	Ē
	ighest level of education? ormation: (⊠ check one) itly employed? If yes, what is the name of yo What date were you hired or	` '	~~~~	esco U Vanch-S	na 1000
2. Are you disable ☑No ☐Yes	ed? (区 check one)  If yes, what is the level of you  What agency certified you dis  What is the nature of your di	sabled?			
<ol> <li>An Attorney (h</li> <li>As of today, the</li> <li>I have a credit v</li> <li>I currently owe</li> </ol>	ation: Complete the following seas/has not) bee as/has not) bee attorney has been paid a total with my attorney in the amount my attorney a total of \$	entences : in retained or of \$ : of \$	on i		

Name JUSTIA PROVINCE

#### Section 1: Personal Income

Before you can complete the next section you need to figure out your pay frequency. Your pay frequency is determined by the number of time you are paid each month.

Pay Frequency Table

1.00 = Paid one time per month

2.00 = Paid two times per month

2.17 = Paid every two weeks

4.00 = Paid every week

A. Fill in the line that applies to you. Only complete line 1 OR line 2

3	The Wig Fligt and	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	~~~~~~	i complete	· 18336	LUK iine Z.		
Line #	Income Question	Amount Earned	***************************************	Number of Hours Worked per Week	***************************************	Pay Frequency (1.00, 2.00, 2.17, or 4.00		Monthly Income
Çe3	I am paid a hourly wage in the amount of	31,34	×	40	X	2.17	+	0 5,40l
2	I am paid a base salary in the amount of			N/A	X		•	0

B. Fill in the amount of money you receive each month for the following types of income:

Line #		Amount
4.174		Received
	Income Question	Monthly
3	I regularly work overtime and each month earn an average of	
4	I receive bonuses, commissions, or tips in the amount of	
5	I receive a car, gas, housing, or other allowance in the amount of	- 27
6	I receive spousal support in the amount of	
7	receive social security in the amount of	
8	receive social security disability in the amount of	1/23/2
9	I receive workman's compensation benefits in the amount of	nigetili ji
10	I receive unemployment benefits in the amount of	
11	I receive pension or retirement income in the amount of	54
12	I receive net rental income in the amount of	
13	I receive income from other sources in the amount of	
14	Total Income Received (add lines 3-13)	0

C. Total monthly income from all sources:

	Line#			-
	15	Total from Line 1 OR 2		
	16	Total from Line 14	. 0	
		Total Gross Monthly Income (Add lines 15-16)	8KU211	C
1			E. Alexander	ſ

#### Section 2: Personal Deductions

A. Fill in the amount of money that is taken out of <u>every paycheck</u> for each of the following deductions:

***************************************		
Line#	Name of Deduction	Amount Deducted Monthly
18	Court Ordered Child Support is deducted from every paycheck in the amount of	
19	Federal Income Tax is deducted from every paycheck in the amount of	4/86.54
20	Social Security Tax is deducted from every paycheck in the amount of	1/29.93
2.1	Medicare is deducted from every paycheck in the amount of	132.72
22	Union Dues are deducted from every paycheck in the amount of	
23	Health Insurance Cost is deducted from every paycheck in the amount of Life, Disability, or Other Insurance Premiums are deducted from every	176.24
24	paycheck in the amount of	TX 58
25	Federal Health Savings Plan contribution is deducted from every paycheck in the amount of	(3)
26	Retirement, Pension, IRA, or 401(k) contributions are deducted from every paycheck in the amount of	***************************************
27	Savings are deducted from every paycheck in the amount of	33
28	Other: Flox Modecal	1/27/07
29	Other: Suplemental like	7E/39
30	Total Monthly Deductions (add lines 18-29)	478 VX

Section 3: Income Summary

	Line#		
		Total from Line 17	ogene
	32	Total from Line 30	
*******		Net Monthly Income (subtract line 32 from line 31)	No.

#### Section 4: Child Information

A. Fill in the table below with the name and date of birth of each of your children, parent the child is living with, and whether the child is from this marriage or relationship:

	, and a second	***************************************		
	Child's Name:	Child's Date of Birth	Whom is child living with? (Mom, Dad, or Both)	is this child from this marriage / relationship? (Yes or No)
1st	Suimal	9-27-07	Rosh	Var
2nd	Lancia.	B-12-14	1/3143	
Brd				
4th			***************************************	
5th		***************************************		***************************************
		······	······································	

B. Fill in the table below with the amount of money you spend <u>each month</u> on the following expenses for the children:

	2 (O) ()(C)()(()()()()()()()()()()()()()()()					
	Children's Expenses	1st Child	2nd Child	3rd Child	4th Child	5th Child
1	Clothes, Shoes and Accessories	2010	2000		<u> </u>	-
2	Unreimbursed Medical Expenses	THE STATE OF THE S	1000		***************************************	
3	Telephone and Internet					<b></b>
4	Entertainment	#200°	\$00°	***************************************		·
5	Food	3000	300			
6	insurance (other than health)		or of somewhat were		***************************************	
7	Education Related Expenses				•	<u></u>
8	Summer Camp/Programs					
9	Vehicle			***************************************		
10	Transportation Cost for Visitation	10000	10000	***************************************		
11	Total Monthly Expenses for Children (add lines 1-11)	3709	3) O S	0	0	0

Section 5: No	usenoia ir	morr	namon
---------------	------------	------	-------

A. I live with (number) other adults, including children over the age of contribute to or pay the household expenses in the amount of \$	eighteen,	who
contribute to or pay the household expenses in the amount of \$	,	

#### Section 6: Personal Expenses

Fill in the table with the amount of money you spend each month on the following expenses and check whether you pay the expense for you, for the other party, or for both of you.

	Monthly Amount		For the	
Expense	// gf Expense	For Me	1	For Both
Home	+#7373777	***************************************	Other Party	***************************************
Mortgage/Rent/Lease				***************************************
Property Taxes	\$ 7/0/0 703	***************************************	·	***************************************
НОА	1/66.67		·	***************************************
Home Owner's Insurance				
Lawn Care		***************************************	<u> </u>	
Pest Control	1140,00	***************************************	·	
Pool Service		······································	<del></del>	***************************************
Security		***************************************	·	***************************************
Other		***************************************		***************************************
Utilities		***************************************	·	~~~~~
Water	<b>M</b> (00,000)	***************************************	·	
Electric	1250,00	***************************************	<u> </u>	***************************************
Gas	1 7/65,00	***************************************	·	***************************************
Sewer		***************************************		***************************************
Home Phone	1 1/70,00	***************************************	<u> </u>	
Internet/Cable	450,00	***************************************	·	***************************************
Other taeak	13000	***************************************	·	***************************************
Medical	- Annual Conference of the Con		······	***************************************
Health Insurance	1176.84	***************************************	<u> </u>	~~~~
Unreimbursed Medical Expenses 🗗	12-74802	***************************************	<u> </u>	***************************************
Other	The state of the s	***************************************	<u> </u>	***************************************
Transportation		***************************************	<u> </u>	
Car Loan/Lease Payment	7 463,34	***************************************	<u> </u>	***************************************
Fuel	#250°		<u> </u>	***************************************
Auto Insurance	19290.00	***************************************		***************************************
Other - Sido 194 Sida	1446.76	***************************************	·	***************************************
Personal		***************************************		
Food (groceries and restaurants)		****************		***************************************
Pets	7/50,00	***************************************	***************************************	***************************************
Cell phone		***************************************		***************************************
Membership Fees	j i	***************************************	***************************************	***************************************
Clothing, Shoes, etc.	1860.00	***************************************		***************************************
Dry Cleaning		***************************************		
Other				
Debts			***************************************	
Credit Card Payments	11,240,00		***************************************	***************************************
Child Support				***************************************
Alimony/Spousal Support				
Student Loans (				***************************************
Other Ohill Care	#700,00 \$526930			***************************************
Total Monthly Expenses	7526910			

#### Section 7: Asset and debt Chart

Complete the chart below by listed all assets and debts, the value of each, the amount owed on each, and whose name the asset or debt is under (You, the Other Party, or Both)

0.55.00.0	n cach, and whose hame the asset t	r dept is unde	31 ()	You, the Othe	r Pa	rty, or Both).	
Line #	Description of Asset or Debt	Gross Value	***************************************	Amount Owed	***************************************	Net Value	Whose Name is on the Account? (Me, the Other Party or Both)
11	3006 Ode for	17,762,000	ļ	124,000	<b>}</b> ==	0	120/1
2	1990 Fore Clims boo	L.6000.a				0	7/77/
3	2010 Hords DAH-5822"	1/2/2.00		121.000		0	72
4	2003 Weller Yorker	11/2000		6	-	0	They to
5	1200 Kia Szákia	2500.00				ű.	7/20-50
5	BOS Polaxis Rig	122.00		123000		0	me
7	•				-	8	
8	***					0	
9						0	***************************************
10						Ű	
11	***************************************					0	
12		***************************************				0	
13				****		8	
14		***************************************				0	***************************************
15	***************************************			•••••		0	
1.6						0	***************************************
17		***************************************				9	
18						0	
19	***************************************			~~~~		Q	
20		***************************************				8	
Total Val	ue of Assets (add lines 1-20)	0		0		8	

IMPORTANT: Read the following paragraph carefully.

I am the ( check one ) Q Plaintiff / Defendant in the above action. I swear or affirm under penalty of perjury that I have read and followed all instructions in completing this Financial Disclosure Form. I understand that, by my signature, I guarantee the truthfulness of the information on this Form. I also understand that if I knowingly make false statements I may be subject to punishment, including contempt of court.

ur Signaturi



# YESGO

YOUNG ELECTRIC SIGN CO 2401 FOOTHILL DRIVE

SALT LAKE GITY UT 84109 CHECK NO: A151486
PAGE NUMBER: 1 of 1
CHECK DATE: 12/19/2014
PERIOD 11/29/2014
BEG/END: 12/12/2014

PAY FREQUENCY: SI-WEEKLY

MAURICE, JUSTIN PAUL 108 WESTIN LANE HENDERSON, NV 89002

ID NUMBER: 0402040310 BASE RATE: 31.3200 <u>STATUS EXEMPT</u> FED: MARRIED 3 ST1: 0 ST2: TAX ADJUSTMENTS: FED: ST1: DI/UC: LOCAL: ST2:

STATE AND LOCAL CODES
PRI: NV LOC1: LOC3:
SEC: LOC2: LOC4:
LOC5:

*****	000000000000000000000000000000000000000	******************************	***************************************	***************************************	IMPORTANT MES	SAGE		***************************************	******************************	***************************************
		RS AND EA	RMINOS	***************************************	TAXES AND I	EDUCTK	ONS	325	CIAL INFORMATION	
DESCRIPTI	******************	RATE	HOURS	EARNINGS	DESCRIPTION	CUR	YTD	DESCRIPTION		AMOUNT
CURRENT	EARNINGS					AMT	AMT		***************************************	
REGULAR		31.3200	79.50	2,489,94	SO SECITAX	139.93 3	3,267.67	LV VACATION		99,60
TOTAL HOI WORKED	JRS		79.50		MEDICARE TAX	32.72	754.21	VACBAL HOLBALANOE		548.54
TOTAL CUI HOURS/EA			79.50	2,489.94	FED INC TAX PRI-STATE			HOL TAKEN		0.00 0.00
YEAR-TO-D	***************************************			***************************************	TAX	.00	~ ~	VAC BALANCE		0.00
EARNINGS					TOTAL	200 40 2		VAC TAKEN		0.00
REGULAR			1,694.00	53,056.08	TAXES	359,197	,199.11			
UNION VAC			.00	1,830.65						
OVERTIME			40.00	1,879.20						
HOLIDAY			64.00	2,004.48						
TOTAL YEA	R-TO-									
DATE			1,798.00	58,770.41						
HOURS/EA	RNINGS	*******************************	**********************							
		RE-TAX ITS	848		AFTER-TAX D	SOUCTIO	643	CURRENT	NET PAY DISTRIBUTION	
DESCRIPTION	***************************************	****	CUR AMT		EMP ACCT	.00	89.16		XXXXXXXXXXXXX1917	40.00
DENTIVISIO	N		-23.74	-617.24	RECV				XXXXXXXXXXXXXX4868	350.00
DISABILITY			-6.92	-179 92	EMP PURCH	.00 1	,300.00		XXXXXXXXXXXXXX5025	1,601.46
FLX MEDICA	AL.		-48.08	-1,250.08	POSTAGE	.00	25.77	CHECK AMOUNT		00
LIFE INS			-1.66	-63 74	SUPP LIFE	6.39	153.36	TOTAL CURRENT		
MEDICAL			-152,50	-3,965.00	TOTAL			NET PAY		1,891.46
TOTAL PRE ITEMS	TAX		-232.90	-8,085.98	DEDS					
	GROSS	PRE-TAX	FITTA AABLE	LESS TÁ	XES LESS DEDS	EQ NE	TPAY	***************************************	***************************************	***************************************
CURRENT	2,489.94	-232.90	2.257.04	359.19	6.39	5	891.48			
Y-T-0	58,770.41	-6,065.98	52,764.43	7,744.7	7 1,588.29	43.	391.37			

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# YESCO

YOUNG ELECTRIC SIGN GO 2401 FOOTHILL DRIVE

SALT LAKE CITY UT 84109 CHECK NO: A160510
PAGE NUMBER: 1 of 1
CHECK DATE: 12/5/2014
PERIOD 11/15/2014
BEG/END: 11/28/2014

PAY FREQUENCY: BI-WEEKLY

MAURICE, JUSTIN PAUL 108 WESTIN LANE HENDERSON, NV 89002

ID NUMBER: 0402040310 BASE RATE: 31.3200 
 STATUS
 EXEMPT

 FED: MARRIED
 3

 ST1:
 0

 ST2:
 0

TAX ADJUSTMENTS:
FED: ST1:
DI/UC:
LOCAL: STZ:

STATE AND LOCAL CODES
PRI: NV LOC1: LOC3:
SEC: LOC2: LOC4:

LOC5:

	***************************************	***************************************	******************		IMPORTANT ME	SSAGE	************	***************************************	***************************************	***************************************
		RS AND BÁ	RININGS	************************	TAXES AND I	DEOUGT	IONS	SPE	DIAL INFORMATION	***************************************
DESCRIPTI	***************************************	RATE	HOURS	EARNINGS	DESCRIPTION	CUR		DESCRIPTION		AMOUNT
}	EARNINGS					TMA	AMT		***************************************	~~~~~~~
REGULAR		31.3200	60.50		SO SEC TAX	137.03	3,127.74	LV VACATION		97,72
OVERTIME		46.9800	1.90	46.98	MEDICARE	32.05	731.49	VACBAL		448.94
HOLIDAY		31.3200	16.00	801.12	rak	/mn //		BOURS MEDICAL		0.00
TOTAL HO	URS		77,50		FED ING TAX	179,49	3,526.35	HOL TAKEN		0.00
WORKED	~~~~		(1,22		PRI-STATE TAX	.00	.00	VAC BALANCE		9.00
TOTAL CUI HOURS/EA			77,50	2,442.96	TOTAL			VAC TAKEN		0.00
YEAR-TO-D	~~~~~~~~~~	***************************************			TAXES	348.57	7,385.58			
EARNINGS					174120	***************************************	***************************************			
REGULAR			1,614,50	50,588,14						
UNION VAC			.00	,						
OVERTIME	•		.00 48.00	1,830.65 1,879.20						
HOLIDAY			90.00 84.00	2,004,48						
TOTAL YEA	10.70.		94.50	Z,004.40						
DATE	1)(-) ()-		1,718.50	56,280,47						
HOURS/EA	RNINGS		1,: 10.00	30,200.97						
*******************************	P	RE-TAX ITE	143	****************	AFTER-TAY (	DEDUCTION OF THE PROPERTY OF T	oms.	CURRENT	NET PAY DISTRIBUTION	······································
DESCRIPTI	ON		CUR AMT	YTO AMT	EMP ACCT				XXXXXXXXXXXXXX1917	
DENTAISIC	)N	***************************************	-23 74	-593.50	RECV	00	89.16		XXXXXXXXXXXXXXX4868	
DISABILITY			-6.92	-173.00	EMP PURCH	.00	1,300.00		XXXXXXXXXXXXXXX5025	
FLX MEDIC.	AL		-48.08	-1,202.00	POSTAGE	66	25.77	CHECK AMOUNT		.00
LIFE INS			-1 66	-52.08	SUPP LIFE	5.39	146.97	TOTAL CURRENT		
MEDICAL			-152.50	-3,812.50	TOTAL	6.30		NET PAY		1,855.10
TOTAL PRE	E-TAX		-232.90	-5,833.08	DEDS		7,00 (.00			
***************************************	GROSS	PRE-TAX	PIT TAXABLE	LESS TA	YES LESS DEDE		ET PAY	***************************************	***************************************	*************
CURRENT	2.442.98	-232.90	2,210.06	348.5			1,865 10			
Y-T-D		-5,833.08	50.447.39	7.385.5	-100		,			
, - , - , 5		-0,000,00	30,997.38	1.000.1	1,001,30	4	1,499 91		******************************	

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# YESGO

YOUNG ELECTRIC SIGN CO 2401 FOOTHILL DRIVE

SALT LAKE CITY UT 84109 CHECK NO: A159538

PAGE NUMBER: 1 of 1

CHECK DATE: 11/21/2014

PERIOD 11/01/2014

BEG/END: 15/14/2014

PAY FREQUENCY: BI-WEEKLY

MAURICE JUSTIN PAUL 108 WESTIN LANE HENDERSON, NV 89002

ID NUMBER: 0402040310 BASE RATE: 31.3200 \$TATUS EXEMPT FED: MARRIED 3 \$T1: 0 \$T2: TAX ADJUSTMENTS: FED: ST1: DI/UC: LOCAL: ST2: STATE AND LOCAL CODES
PRI: NV LOC1: LOC3:
SEC: LOC2: LOC4:
LOC5:

IMPORTANT MESSAGE HOURS AND EARNINGS TAXES AND DEDUCTIONS SPECIAL INFORMATION DESCRIPTION RATE HOURS EARNINGS CUR YTD DESCRIPTION AMOUNT DESCRIPTION CURRENT EARNINGS AMT AMT 2,004 48 SO SEC TAX REGULAR 31.3200 138.48 2,990.71 64.00 LV VACATION 98.66 OVERTIME 211,41 MEDICARE 46.9800 4.50 32.39 899 44 VACBAL 351.22 HOLIDAY TAX 31.3200 8.00 250.56 HOL BALANCE 0.00 183.01 3,346.86 HOL TAKEN FED INCITAX TOTAL HOURS 0.00 76.50 WORKED PRI-STATE .00 VAC BALANCE 0.50 TAX TOTAL CURRENT VAC TAKEN 75.58 2,466,45 0.00 TOTAL HOURS/EARNINGS 353,887,037.81 TAXES YEAR-TO-DATE EARNINGS REGULAR 1.554.00 48,671,28 UNION VAC 1,830,65 .00 OVERTIME .39.00 1,632,22 HOLIDAY 1,503.36 48.00 TOTAL YEAR-TO-DATE 1,641,00 53,837.51 HOURS/EARNINGS PRE-TAX ITEMS AFTERITAX DEDUCTIONS **CURRENT NET PAY DISTRIBUTION** DESCRIPTION **CUR AMT** YTD AMT EMP ACCT XXXXXXXXXXXXX1917 40.00 .00 89.16 RECV DENTIVISION -23.74-669 76 XXXXXXXXXXXXX4868 350,60 EMP PURCH .00 1.300.00 DISABILITY -6.92 -168.08 XXXXXXXXXXXXXX5025 1,483.28 FLX MEDICAL POSTAGE .00 25.77 CHECK AMOUNT -48.08 -1,153.92 00 SUPP LIFE LIFE INS 6.39 140.58 TOTAL CURRENT -1.66 -50.42 1,873.28 MEDICAL TOTAL NET PAY -162.50 -3,660.00 6.39 1,555.5 DED3 TOTAL PRE-TAX -232,90 -5,600.18 ITEMS GROSE PRE-TAX FIT TAXABLE LESS TAYES LESS DEDS EQ NET PAY CURRENT 2,466.45 -232.90 2,233.55 353.88 6.39 1,873.28 Y-T-D 63,837.51 -5,600.18 48,237.33 7,037.01 1,555.51 39,644.81

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# YESCO

YOUNG ELECTRIC SIGN CO 2401 FOOTHILL DRIVE

SALT LAKE CITY UT 84109 CHECK NO: A162465
PAGE NUMBER: 1 of 1
CHECK DATE: 1/2/2016
PERIOD 12/13/2014 -

BEG/END: PAY FREQUENCY: 12/26/2014 BI-WEEKLY

MAURICE, JUSTIN PAUL 108 WESTIN LANE HENDERSON, NV 89002

ID NUMBER: 0402040310 BASE RATE: 31,3200 STATUS EXEMPT FED: MARRIED 3 ST1: 0 ST2: TAX ADJUSTMENTS:
FED: ST1:
DI/UC:
LOCAL: ST2:

STATE AND LOCAL CODES
PRI: NV LOC1: LOC3:
SEC: LOC2: LOC4:

LOC5: IMPORTANT MESSAGE HOURS AND EARNINGS TAXES AND DEDUCTIONS SPECIAL INFORMATION DESCRIPTION RATE HOURS EARNINGS CUR YTD DESCRIPTION AMOUNT DESCRIPTION AMT AMI **CURRENT EARNINGS** SO SEC TAX 124.88 124.86 LV VACATION REGULAR 31.3200 62.00 1,941,84 638.12 OVERTIME MEDICARE 46.9800 1.00 46.98 VACBAL 636.12 29.20 29.20 XAT HOLIDAY 31.3200 3.00 250.56 HOL BALANCE 0.00 FED INCITAX 150.06 150.05 TOTAL HOURS HOL TAKEN 0.00 71,00 PRI-STATE WORKED VAC BALANCE 66 0.00 XAT TOTAL CURRENT VAC TAKEN 0.00 71.00 2,239.38 TOTAL HOURSIEARNINGS 304.11 304.11 TAXES YEAR-TO-DATE EARNINGS REGULAR 62.00 1,941.84 OVERTIME 1.00 46.98 HOLIDAY 3.00 250.56 TOTAL YEAR-TO-DATE 71.00 2,239.38 HOURS/EARNINGS PRE-TAX ITEMS AFTER-TAX DEDUCTIONS **CURRENT NET PAY DISTRIBUTION** DESCRIPTION **CUR AMT** TMA CTY SUPP LIFE 6.39 6.39 XXXXXXXXXXXXX1917 40.00 DENTAISION -23.66 -23.66 TOTAL XXXXXXXXXXXXX4868 350,00 6.39 6,39 DEDS DISABILITY -5.67-6.67 XXXXXXXXXXXXX5026 1,313.32 FLX MEDICAL CHECK AMOUNT -31.49 -31.49 .00 LIFE INS TOTAL CURRENT -1.81 -1.81 1,703.32 NET PAY MEDICAL -161.93 -161.93 TOTAL PRE-TAX -225,56 -225.56 ITEMS **GROSS** PRE-TAX FIT YAXASUS **EBSATE3 LESS DEDS** EO NET PAY CURRENT 2,239 38 -225.58 304.11 2,013.82 6.39 1,703.32 Y-T-0 2,239.38 -225,56 2,013.82 304.11 6.39 1,703.32

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Electronically Filed 01/23/2015 09:13:11 AM

Alun S. Lamm

OPPC
Justin Maurice

CLERK OF THE COURT

108 Westin Lane

Henderson, Nevada 89002

Tel: 702-498-1862

Defendant/Counterclaimant,

In Proper Person

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DISTRICT COURT FAMILY DIVISION CLARK COUNTY, NEVADA

SARAH MAURICE,

Plaintiff/Counterdefendant,

vs.

Date of Hearing: 02/10/2015

Time of Hearing 9:00 a.m.

Defendant/Counterclaimant.

# DEFENDANT/COUNTERCLAIMANT'S OPPOSITION TO PLAINTIFF/COUNTERDEFENDANT'S MOTION FOR PRELIMINARY RELIEF AND COUNTERMOTION FOR JOINT LEGAL AND PHYSICAL CUSTODY, AND RELATED RELIEF

COMES NOW, Defendant/Counterclaimant, Justin Maurice, in Proper Person hereby opposes Plaintiff/Counterdefendant's above-named Motion and hereby Countermotions for the following relief:

Wherefore, Defendant/Counterclaimant prays for:

- An Order Awarding Plaintiff/Counterdefendant Joint Legal and Physical Custody Pursuant to NRS 125.480;
- 2. An Order sending the Parties to Mediation to formulate a Joint Physical Timeshare;

1	3. An Order pursuant to Wight v. Osbourn, regarding Child Support on behalf of the Minor
2	Children;
3	4. An Order Denying an award of Alimony Pursuant to the Length of the Marriage;
4	5. An Order compelling Plaintiff/Counterdefendant and Defendant/Counterclaimant to share
5	in the cost of health insurance for the Children as well as Unreimbursed Medical
6	Expenses;
7	An awarding community property and debts;
8 9	7. An Order awarding Defendant/Counterclaimant attorney's fees and costs for having to hire
10	an Attorney to appear and represent him at the upcoming hearing; and
11	8. An Order awarding Defendant/Counterclaimant with any other related relief which the
12	Court deems just and proper.
13	This Opposition and Countermotion is based on the papers and pleadings on file with the
14	Court and argument of counsel, entertained at the time of hearing.
15	DATED this day of January, 2015.
16	
17	Justin Maurige// 108 Westin Lane
18	Henderson, Nevada 89002 Tel: 702-498-1862
20	Defendant/Counterclaimant, In Proper Person
21	
22	<u>MEMORANDUM OF</u>
23	<u>POINTS AND AUTHORITHES</u>
24	X.
25	Facts
26	The Plaintiff/Counterdefendant, SARAH MAURICE ("Mom") and the
27	Defendant/Counterclaimant, JUSTIN MAURICE ("Dad") were on or about May 5, 2012. There are

1	two Minor Children as a result of their relationship, SAVANNAH MAURICE, born April 27, 2007;
2	and EMMA MAURICE, born February 12, 2014. The facts contained in Mom's Motion are skewed
3	and Mom is attempting to mislead this Court with many gross inaccuracies and misrepresentations
4	intended to solely posture for this Court.
5	<b>**</b>
6	A TACUTY AT TO A COM
7	OPPOSITION: ARGUMENT
8	A. Mom's Request for Joint Legal and Primary Physical Custody is Absolutely
9	Unwarranted.
10	NRS 125.480 Best interests of child; preferences; presumptions when court determines parent or person seeking custody is perpetrator of domestic violence or has committed
11	act of abduction against child or any other child.
12	<ol> <li>In determining custody of a minor child in an action brought under this chapter, the sole consideration of the court is the best interest of the child. If it appears</li> </ol>
13	to the court that joint custody would be in the best interest of the child, the court
14	may grant custody to the parties jointly.  2. Preference must not be given to either parent for the sole reason that the parent
15	is the mother or the father of the child.  3. The court shall award custody in the following order of preference unless in a
16	particular case the best interest of the child requires otherwise:
17	(a) To both parents jointly pursuant to NRS 125.490 or to either parent. If the court does not enter an order awarding joint custody of a child after
18	either parent has applied for joint custody, the court shall state in its decision the reason for its denial of the parent's application.
19	(b) To a person or persons in whose home the child has been living and where the child has had a wholesome and stable environment.
20	(c) To any person related within the fifth degree of consanguinity to the
21	child whom the court finds suitable and able to provide proper care and guidance for the child, regardless of whether the relative resides within this State.
22	(d) To any other person or persons whom the court finds suitable and able
23	to provide proper care and guidance for the child.  4. In determining the best interest of the child, the court shall consider and set
24	<ol> <li>In determining the best interest of the child, the court shall consider and set forth its specific findings concerning, among other things:</li> <li>(a) The wishes of the child if the child is of sufficient age and capacity to</li> </ol>
25	form an intelligent preference as to his or her custody.
26	<ul><li>(b) Any nomination by a parent or a guardian for the child.</li><li>(c) Which parent is more likely to allow the child to have frequent</li></ul>
27	associations and a continuing relationship with the noncustodial parent.  (d) The level of conflict between the parents.

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- (e) The ability of the parents to cooperate to meet the needs of the child.
- (f) The mental and physical health of the parents.
- (g) The physical, developmental and emotional needs of the child.
- (h) The nature of the relationship of the child with each parent.
- (i) The ability of the child to maintain a relationship with any sibling.
- (j) Any history of parental abuse or neglect of the child or a sibling of the child.
- (k) Whether either parent or any other person seeking custody has engaged in an act of domestic violence against the child, a parent of the child or any other person residing with the child.
- (I) Whether either parent or any other person seeking custody has committed any act of abduction against the child or any other child.

Savannah was born prior to the marriage, and Emma was born post marriage. Dad has been very involved in Savannah's life since her birth. Dad has been just as involved in Emma's life since her birth. The reality is is that both Mom and Dad have had equal roles in the Children's lives. Because of Dad's schedule, Dad's hours allowed him to pick-up the Children each day after 1:00 p.m. and care for them until he returned them to Mom each night. There is simply no reason that Mom and Dad cannot exercise Joint Legal and Joint Physical Custody. Mom even admits in her Motion that Dad has always been involved and confirms that he was equally involved. Mom further admits that Dad has only not been involved as much as he was since September 2014, when Mom left the residence. The reason, however, is not because Dad is a bad father in any way. Mom is not only simply trying to control the situation but took much of the furniture from the house, including the Children's bedroom furniture so that it would make it more difficult for Dad to have the children overnight at his home.

There was one argument that ensued between the Parties just prior to Mom vacating the home, however, there was never any domestic violence or any evidence establishing domestic violence. It is believed that Mom was in fact trying to provoke Dad for posturing purposes only, as she had already been planning her exit from the marriage. Moreover, once the argument ensued, Dad left the home so that the situation would not escalate. Dad takes extreme offense at Mom trying to portray him as a drinker when the same could not be further from the truth. Mom is going to great lengths to posture

for this Court in putting Dad in a bad light. Mom has even contacted Dad's friends trying to tell them that Dad is a drinker attempting to portray him unfit as an father. Mom is angry and she knows that she will destroy any potential Dad has at obtaining a government position by trying to depict him as a drinker.

It is accurate that Mom and Dad work for the same company, however, both Parties work different hours. Dad's hours allow him the opportunity to both drop the Children off at Safekey and babysitter prior to work as well as pick-up the Children after school and daycare, affording Dad the ability to do homework and feed the Children prior to returning them to Mom after she gets off work.

#### B. Mom's Request for Child Support should be Denied.

As Mom confirms, Mom and Dad both work for the same company. Mom and Dad's incomes are very similar. In fact, Mom may earn a little bit more than Dad. As a result, there should be no award of Child Support from either Parent. Dad does not have any type of side "flipping" job. Dad does admit to buying and selling items during the marriage, which afforded the Parties to take family vacations as well as enjoy various activities with some extracurricular vehicles. Dad in no way draws any type of income as a result of purchasing anything. Moreover, Dad contributes the majority of the costs associated with daycare provided for their youngest Child. Regardless of whether the Child goes to daycare or not the daycare must still be paid the same amount which Dad has ultimately covered.

### C. The Property that Mom claims has been Obtained through the Marriage.

#### The Marital Home.

In Morn's Motion, Morn claims that the Parties accumulated much property throughout the course of the marriage. Morn's statements are simply not accurate. First of all, the home that Morn moved into was Dad's sole and separate property and remains Dad's sole and separate property. Dad purchased the home well before Morn ever moved in or they got married.

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#### The Trailer/RV

While Mom advises that Dad purchased a new Trailer/RV, Mom does not advise the Court that the purchase of their RV's initiated from the first RV that Dad owned prior to the marriage. Dad had taken a loan from his 401k to pay for the initial RV. Dad used the proceeds from the sale of that initial RV to buy another one. Dad then sold that RV and used those proceeds to purchase another one. When Dad sold the last RV, because the mortgage on the home fell behind. He was forced to replace many items that Mom had taken from the home such as living room furniture and their oldest Child's bedroom furniture. Dad further paid down some community credit card debts. Dad further offered to give Mom a share of the proceeds totaling \$5,500.00, but Mom refused. Dad understands that he must provide Mom with her share of the value of the RV, just as much she must be responsible for her share of the community debts that were paid down. However, Dad believes there needs to be a fair value on the RV, to determine Mom's share. Discovery shall determine the true value and Mom's share.

#### The Boat to which Mom refers in her Motion.

Again, Mom is not being forthcoming with regard to the boat. Dad had purchased an initial boat prior to the marriage. The money used to purchase the boat was a loan from Paternal Grandfather. Dad ultimately sold the initial boat to purchase nicer one. Dad understands that he must provide Mom with one-half of the value of the boat, however, Dad believes that value must be a fair one and not inflated. Discovery will determine the true valuation of the boat and Mom's share.

#### The 1968 Mustang,

Dad never purchased a 1968 Mustang and has never owned a 1968 Mustang. Paternal Grandfather purchased a dilapidated 1968 Mustang that was in need of extensive restoration. Because the Mustang needed to be towed and Dad's home was closer, Paternal Grandfather had the vehicle towed to Dad's home. It is because Mom saw the Mustang at Dad's home that she accuses Dad of having purchased the Mustang for himself.

#### Dad Obtaining a Roommate.

Mom mentions in her Motion that Dad advised her was getting a roommate to move into his home. This is simply not the case. Dad has two extra rooms in his home and they each belong to the Children. Dad would in no way jeopardize each Child from having their own rooms.

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#### Dad Never Made it Difficult for Mom to Obtain Items from the Home.

Contrary to Mom's assertions, Dad never made it difficult for Mom to obtain any items from the home. In fact, once Mom signed her new Lease, Dad not only personally delivered various items to her new home, he facilitated Mom's own family members who came into town from California in obtaining her remaining items. Mom is again, without any merit simply being vexatious and accusatory when the same is simply not necessary.

#### E. Mom is Not Entitled to An Award of Alimony or Attorney's Fees.

#### EDCR 5.11(a) reads:

(a) Before any family division motion is heard by the court, the movant must attempt to contact and communicate with the other party's counsel, or that party if unrepresented, in an attempt to resolve the issue or issues in dispute without the necessity of court intervention. Failure to comply with this provision may result in sanctions being imposed against the movant and an award of attorney's fees and costs to the non-movant if the issues would have, in the opinion of the court, been resolved if the movant had attempted to resolve the issues prior to the hearing.

As stated above, this is a two year marriage. Mom and Dad both work full-time. Mom and Dad's respective incomes are very similar. There is nothing in this case that warrants an award of alimony pursuant to statute or case law. In fact, during the marriage, Mom consistently contributed approximately \$1,000.00 per month for community bills such as utilities, and other expenses associated with the community. For Mom to stand before this Court and claim she is somehow entitled to Alimony is ludicrous. Mom has much more of a disposable income than Dad does. In fact Mom could have tried resolving these issues with Dad outside of the Courtroom, however, Mom

clearly had the money and chose to retain an attorney to litigate this matter. Mom's counsel never attempted to contact Dad to offer any type of resolution, she just simply filed a Motion. Mom's counsel never even contacted Dad to suggest that the Parties go ahead and attend Mediation in order to cut down on the cost of multiple Hearings, she just filed a Motion, knowing that this court will automatically send the Parties to Mediation. Dad does not have the luxury of retaining an attorney for thousands of dollars. Dad has no choice but find an attorney who can appear on his behalf, ubundled, at the upcoming Hearing.

### COUNTERMOTION FOR JOINT LEGAL AND JOINT PHYSICAL CUSTODY OF THE MINOR CHILDREN AND RELATED RELIEF

#### FACTS:

As stated above, Dad does not want to cause acrimony by mudslinging, however, based on what Mom has brought before this Court, Dad has no choice but to share his side. Throughout the two year marriage, Mom has always been excessively controlling and verbally abusive towards Dad. Mom has consistently not only displayed this behavior in the presence of the Children, but in the presence of both Maternal and Paternal Families. In fact, Mom's aggressive behavior brought Mom to counseling. During mom's counseling session, it was determined that due to whatever issues Mom had in her past she should be placed on medication to assist her in managing her outbursts and degrading nature towards men. It was then that Mom refused to go back to any future sessions. Mom has a history of waking Dad from a dead sleep by turning on all of the lights and striking him. Mom would throw various items at Dad to simply get a rise out of him. Mom would constantly scream at their oldest child causing the Child to run away crying to get away from Mom.

Dad has done nothing more than create the best life he could for Mom but nothing he ever tried to do was ever good enough for Mom. During the last year, Mom has become even more degrading to Dad in the presence of the Children.

Dad is not looking to gain any type of advantage by bringing these issues before the Court,

Dad is simply advising the Court that there are two sides to every story and Mom is not perfect. Dad

firmly believes that the Children should remain in their Joint Physical Custody so that they can

prosper. Dad is extremely involved with the Children and always has been. In fact, it is Dad who

stays on top of their oldest Child's schooling and assists her the majority of the time with her

homework. Aside from the hostility and anger that comes with divorce, Dad believes that once the

hostility subsides, the Parties will not have a problem co-parenting as long as Mom remains

reasonable and thinks about the best interest of the Children. Just because Mom and Dad can no

longer remain married, does not mean they cannot jointly raise their Children.

A. The Parties' Should Be Awarded Joint Legal Custody and Joint Physical Custody of the Minor Children.

NRS 125.480: Best interests of child; preferences; presumptions when court determines parent or person seeking custody is perpetrator of domestic violence or has committed act of abduction against child or any other child.

- In determining custody of a minor child in an action brought under this
  chapter, the sole consideration of the court is the best interest of the child. If
  it appears to the court that joint custody would be in the best interest of the
  child, the court may grant custody to the parties jointly.
- 2. Preference must not be given to either parent for the sole reason that the parent is the mother or the father of the child.
- 3. The court shall award custody in the following order of preference unless in a particular case the best interest of the child requires otherwise:
  - (a) To both parents jointly pursuant to NRS 125.490 or to either parent. If the court does not enter an order awarding joint custody of a child after either parent has applied for joint custody, the court shall state in its decision the reason for its denial of the parent's application.
  - (b) To a person or persons in whose home the child has been living and where the child has had a wholesome and stable environment.

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- (c) To any person related within the fifth degree of consanguinity to the child whom the court finds suitable and able to provide proper care and guidance for the child, regardless of whether the relative resides within this State.
- (d) To any other person or persons whom the court finds suitable and able to provide proper care and guidance for the child.
- 4. In determining the best interest of the child, the court shall consider and set forth its specific findings concerning, among other things:
  - (a) The wishes of the child if the child is of sufficient age and capacity to form an intelligent preference as to his or her custody.
  - (b) Any nomination by a parent or a guardian for the child.
  - (c) Which parent is more likely to allow the child to have frequent associations and a continuing relationship with the noncustodial parent.
  - (d) The level of conflict between the parents.
  - (e) The ability of the parents to cooperate to meet the needs of the child.
  - (f) The mental and physical health of the parents.
  - (g) The physical, developmental and emotional needs of the child.
  - (h) The nature of the relationship of the child with each parent.
  - (i) The ability of the child to maintain a relationship with any sibling.
  - (j) Any history of parental abuse or neglect of the child or a sibling of the child.
  - (k) Whether either parent or any other person seeking custody has engaged in an act of domestic violence against the child, a parent of the child or any other person residing with the child.
  - (I) Whether either parent or any other person seeking custody has committed any act of abduction against the child or any other child.
- 5. Except as otherwise provided in subsection 6 or NRS 125C.210, a determination by the court after an evidentiary hearing and finding by clear and convincing evidence that either parent or any other person seeking custody has engaged in one or more acts of domestic violence against the child, a parent of the child or any other person residing with the child creates a rebuttable presumption that sole or joint custody of the child by the perpetrator of the domestic violence is not in the best interest of the child. Upon making such a determination, the court shall set forth:
  - (a) Findings of fact that support the determination that one or more acts of domestic violence occurred; and
  - (b) Findings that the custody or visitation arrangement ordered by the court adequately protects the child and the parent or other victim of domestic violence who resided with the child.
- 6. If after an evidentiary hearing held pursuant to subsection 5 the court determines that each party has engaged in acts of domestic violence, it shall, if possible, then determine which person was the primary physical aggressor. In determining which party was the primary physical aggressor for the purposes of this section, the court shall consider:
  - (a) All prior acts of domestic violence involving either party;

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- (b) The relative severity of the injuries, if any, inflicted upon the persons involved in those prior acts of domestic violence;
- (c) The likelihood of future injury;
- (d) Whether, during the prior acts, one of the parties acted in selfdefense; and
- (e) Any other factors which the court deems relevant to the determination.

In such a case, if it is not possible for the court to determine which party is the primary physical aggressor, the presumption created pursuant to subsection 5 applies to both parties. If it is possible for the court to determine which party is the primary physical aggressor, the presumption created pursuant to subsection 5 applies only to the party determined by the court to be the primary physical aggressor.

- 7. A determination by the court after an evidentiary hearing and finding by clear and convincing evidence that either parent or any other person seeking custody has committed any act of abduction against the child or any other child creates a rebuttable presumption that sole or joint custody or unsupervised visitation of the child by the perpetrator of the abduction is not in the best interest of the child. If the parent or other person seeking custody does not rebut the presumption, the court shall not enter an order for sole or joint custody or unsupervised visitation of the child by the perpetrator and the court shall set forth:
  - (a) Findings of fact that support the determination that one or more acts of abduction occurred; and
  - (b) Findings that the custody or visitation arrangement ordered by the court adequately protects the child and the parent or other person from whom the child was abducted.
- 8. For purposes of subsection 7, any of the following acts constitute conclusive evidence that an act of abduction occurred:
  - (a) A conviction of the defendant of any violation of NRS 200.310 to 200.340, inclusive, or 200.359 or a law of any other jurisdiction that prohibits the same or similar conduct;
  - (b) A plea of guilty or nolo contendere by the defendant to any violation of NRS 200.310 to 200.340, inclusive, or 200.359 or a law of any other jurisdiction that prohibits the same or similar conduct; or
  - (c) An admission by the defendant to the court of the facts contained in the charging document alleging a violation of NRS 200.310 to 200.340, inclusive, or 200.359 or a law of any other jurisdiction that prohibits the same or similar conduct.
- 9. If, after a court enters a final order concerning custody of the child, a magistrate determines there is probable cause to believe that an act of abduction has been committed against the child or any other child and that a person who has been awarded sole or joint custody or unsupervised visitation of the child has committed the act, the court shall, upon a motion to modify the order concerning custody, reconsider the previous order concerning custody pursuant to subsections 7 and 8.
- 10. As used in this section:

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- (a) "Abduction" means the commission of an act described in NRS 200.310 to 200.340, inclusive, or 200.359 or a law of any other jurisdiction that prohibits the same or similar conduct.
- (b) "Domestic violence" means the commission of any act described in NRS 33.018.

(Added to NRS by 1981, 283; A 1991, 980, 1175; 1995, 330; 2005, 1678; 2009, 218, 222)

#### NRS 125.490 Joint custody.

- There is a presumption, affecting the burden of proof, that joint custody
  would be in the best interest of a minor child if the parents have agreed to
  an award of joint custody or so agree in open court at a hearing for the
  purpose of determining the custody of the minor child or children of the
  marriage.
- The court may award joint legal custody without awarding joint physical custody in a case where the parents have agreed to joint legal custody.
- For assistance in making a determination whether an award of joint custody is appropriate, the court may direct that an investigation be conducted. (Added to NRS by 1981, 284)—(Substituted in revision for NRS 125.136)

#### Additionally, NRS 125.510 states in pertinent part:

- In determining the custody of a minor child in an action brought pursuant to this chapter, the court may, except as otherwise provided in this section and chapter 130 of NRS;
  - (a) During the penance of the action, at the final hearing or at any time thereafter during the minority of any of the children of the marriage, make such an order for the custody, care, education, maintenance and support of the minor children as appears in their best interest;...

In entering orders with regard to custody and support of minor children, this Court's primary consideration is the best interest of the children. See, <u>Culbertson v. Culbertson</u>, 91 Nev. 230, 533 P.2d 768 (1975).

At the present time and consistent with Nevada Law, because Mom and Dad are married, they are presumed to be Joint Legal and Joint Physical Custodial Parents of the Children. Now that the action has been instituted, as outlined above, and for the forgoing reasons, both Parents should without a doubt remain the Joint Legal and Joint Physical Custodial Parents.

In the case at bar, pursuant to the above-listed statutes, it is in the best interests of the Child and consistent with the status quo that both parents have always shared in be awarded Joint Physical Custody based on the following provisions of NRS 125.480.4:

#### 1. The Age and Capacity of the Children.

The Children in this case is are 7 and 1 years old and of insufficient age and capacity to form an intelligent preference as to their custody. The Children are accustomed and used to both parents being in their respective lives. Dad has established a close bond with both Children and the same should be kept for the sake of the Children. That notwithstanding, Dad would request that the Court confirm the Parties' de facto Custody Arrangement and award them with Joint Legal and Physical Custody of the Children.

#### 2. Dad Nominates Himself as the Children's Joint Physical Custodian.

Due to the facts of this case, as well as Dad's relationship and interactions with the Children he believes it only in the best interest of the Children for them to have both Parents in their lives. Dad believes this would be the best wholesome environment for the Children. Accordingly, Dad hereby nominates himself as the children's joint Physical Custodial Parent.

### Mom and Dad have the ability to Allow the Children to have Frequent Associations and a Continuing Relationship with each Parent.

Mom is doing nothing more than exercising complete control over Dad by all of a sudden demanding when Dad can or cannot have the Children. This is only hurting the Children. Dad firmly believes that once Mom begins to lose some of her anger and hostility, the Parties will be able to coparent. Accordingly, Dad urges the Court to grant the Parties Joint Legal and Physical Custody of the Parties' minor Children.

Notwithstanding the above, Dad would be strictly vigilant about following the Court's Order regarding any timeshare that the Court feels is in the Children's best interest.

#### The Level of Conflict between the Parties.

The only conflict between the Parties is what conflict Mom is going out of her way to create.

Dad has done nothing to create any type of hostility or conflict. All Dad wants to do is set a regular

schedule with the Children, work out the remaining issues of this divorce and move on with life so that
the Children are not subject to conflicts and animosity.

### 5. <u>Dad has Demonstrated the Ability to Cooperate with Mom to Meet the Needs of the Children.</u>

As stated *supra*, Dad has been involved in every aspects of the Children's lives since their respective births. Mom even admits that it was not until recently that she began withholding the Children from Dad. Dad has always been the parent that has picked up the Children each day after school and from daycare. It has been Dad that helps their oldest Child with homework and keeps up on her schooling. Both parents have had equal roles in caring for the Children and the same should be maintained for the health and welfare of the Children.

### Dad has no Mental or Physical Infirmities which would Preclude Him from Exercising Joint Physical Custody of the Parties' Children.

Dad is more than capable of caring for the Children equally with Mom as he has always done. If anyone in this matter would have mental infirmities it would be Mom, as she is prone to have serious anger issues. Dad is not interested in slinging any type of mud but if this Court is inclined to entertain any part of Mom's ridiculous accusations, then this Court must look into Mom's history and aggression.

# 7. The Physical, Developmental, and Emotional Needs of the Children would be Better Met with Both Parties as the Children's Joint Physical Custodians.

The Children have always relied on both parents for their respective roles in their lives. It is important for the development and emotional needs of the Children for both parents to equally participate in their rearing.

#### Dad has No History of Abuse with the Parties' Children.

Dad has never, and would never, harm the Parties' Children. Dad has never been abusive to the Children either. While Dad does not believe that Mom would ever be abusive to their Children, Mom does consistently yell and scream at their oldest Child. Dad believes that this is simply related to Mom's anger issues that she has refused to deal with over the years. Accordingly, Dad requests that

the Court award both Parties with Joint Physical Custody of the Parties' Children to ensure that the Children are in the best, most caring situation possible.

#### Dad has no History of Abuse against Mom.

Dad has never abused Morn in the relationship, in fact it was the opposite. Morn has always been the controlling partner in this marriage. Morn has consistently been derogatory and demeaning to Dad throughout the marriage. Morn has always been verbally abusive towards Dad through the marriage. There may have been arguments but never any physical altercations that have or would ever lead to domestic violence charges. Dad therefore requests that the Court grant him Joint Physical Custody of the Parties' Children.

In <u>Arnold v. Arnold</u>, the Nevada Supreme Court found that in determining custody "the foundation ... is the particular facts and circumstances of each case." 95 Nev. 951, 952, 604 P.2d 109, 110 (1979). The Children are best suited to be in both Mom and Dad's Joint Physical Custody. Accordingly, Dad requests that the Court maintain their Joint Physical Custody of the Children pending a trial on these issues.

In the instant case, based on the sole fact that both parties have equally and consistently provided substantial personal and economic support, both Mom and Dad should be confirmed as the Primary Physical Custodial Parents.

#### B. CHILD SUPPORT.

### After Being Ordered to be the Children's Joint Physical Custodian, there will be no need for Child Support.

"The parents of a Child . . . have a duty to provide the Child with necessary maintenance, health care, education, and support." NRS 125B.020. Generally, the court should determine the amount of Child support using the statutory formulas and presumptive maximums listed in NRS 125B.070 and NRS 125B.080. In this case, based on what should be the custodial arrangement for these parents, and due to their respective incomes, there should be no award of Child Support. Dad provides the brunt of daycare costs whether their youngest Child attends or not because she is not of school age. Even if the Court was inclined to award Child Support, Dad respectfully requests that the formula be based on Wright v. Osbourn due to the similarity in incomes.

### C. DAD'S SOLE AND SEPARATE PROPERTY RESIDENCE.

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of the home and Mom has never been listed on the Title of the home. D. COMMUNITY PROPERTY. Dad does not dispute that Mom should receive a community portion of the items which were

matter was purchased prior to the marriage by Dad as his sole and separate property. The home was

purchased two years prior to the Parties ever getting married. Mom never contributed to the purchased

Dad should maintain exclusive possession of the residence. The marital residence in this

purchased throughout the marriage, however, Dad only requests that appropriate valuations and deviations are made in doing so. Moreover, due to the fact that Mom always had a significant disposable income. Dad believes it only fair that Mom should provide bank statements for all entities within the last two years to demonstrate that she has not been squandering what would be community income to afford this litigation.

#### E. ATTORNEY'S FEES AND COSTS

#### Dad Is Entitled to An Award of Fees Associated With Opposing This Motion.

EDCR 5.11(a) reads:

(a) Before any family division motion is heard by the court, the movant must attempt to contact and communicate with the other party's counsel, or that party if unrepresented, in an attempt to resolve the issue or issues in dispute without the necessity of court intervention. Failure to comply with this provision may result in sanctions being imposed against the movant and an award of attorney's fees and costs to the non-movant if the issues would have, in the opinion of the court, been resolved if the movant had attempted to resolve the issues prior to the hearing.

In the instant action, based on the fact that Mom did not follow the protocol that have been put into place to try and avoid litigation, Dad should be awarded his attorney's fees and costs associated with having to hire an attorney even on an unbundled capacity.

#### Dad is Entitled to Attorney's Fees pursuant to NRS 18.010.

NRS 18,010 Award of Attorney's Fees.

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- 1	2.	addition to the cases where an allowance is authorized by specific statute
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į	the cov	may make an allowance of attorney's fees to a prevailing party:

(b) Without regard to the recovery sought, when the court finds that the claim, counterclaim, cross-claim or third-party complaint or defense of the opposing party was brought or maintained without reasonable ground or to harass the prevailing party. The court shall liberally construe the provisions of this paragraph in favor of awarding attorney's fees in all appropriate situations. It is the intent of the Legislature that the court award attorney's fees pursuant to this paragraph and impose sanctions to punish for and deter frivolous or vexatious claims and defenses because such claims and defenses overburden limited judicial resources, under the timely resolution of meritorious claims and increase the costs of engaging in business and providing professional services to the public.

[Emphasis added.]

While Dad is fully cognizant that the Court is sometimes remiss to award attorney's fees in cases where a Party brings an issue to the Court in good faith, this is not one of those cases. In this case, Mom has come before this Court with unclean hands for sole purpose of trying to gain some sort of advantage over Dad. Mom has filed the instant Motion for no other reason than to harass Dad.

#### XXX.

#### CONCLUSION

Based on the forgoing, Dad respectfully asks that this Honorable Court enter an Order:

- An Order Awarding Plaintiff/Counterdefendant Joint Legal and Physical Custody Pursuant to NRS 125.480;
- 2. An Order sending the Parties to Mediation to formulate a Joint Physical Timeshare;
- An Order pursuant to <u>Wight v. Osbourn</u>, regarding Child Support on behalf of the Minor Children:
- 4. An Order Denying an award of Alimony Pursuant to the Length of the Marriage;
- An Order compelling Plaintiff/Counterdefendant and Defendant/Counterclaimant to share in the cost of health insurance for the Children as well as Unreimbursed Medical Expenses;

	An awarding community property and debts;
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2	7. An Order awarding Defendant/Counterclaimant attorney's fees and costs for having to
3	hire an Attorney to appear and represent him at the upcoming hearing; and
4	8. An Order awarding Defendant/Counterclaimant with any other related relief which the
5	Court deems just and proper.
6	DATED this day of January, 2015.
7	DATED this Gay of January, 2013.
8	Justin Maurice //
9	108 Westin Lane Henderson, Nevada 89002
10	Tel: (702) 498-1862 Defendant/Counterclaimant, in Proper Person
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12	AFFIDAVIT OF JUSTIN MAURICE
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14	STATE OF NEVADA ) ss:
15	COUNTY OF CLARK )
16	JUSTIN MAURICE, being first duly swom, deposes and says:
17	I am the Defendant/Counterclaimant in the above-captioned matter.
18	2. I have read the above and foregoing Opposition and Countermotion, and know the
19	contents thereof; that the same is true of my own knowledge, except for any matters therein stated
20	upon information and belief, and as to those matters therein stated, I believe them to be true.
21	3. The Plaintiff/Counterdefendant, SARAH MAURICE ("Mom") and the
22	Defendant/Counterclaimant, JUSTIN MAURICE ("Affiant") were on or about May 5, 2012. There
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24	are two Minor Children as a result of their relationship, SAVANNAH MAURICE, born April 27,
25	2007; and EMMA MAURICE, born February 12, 2014. The facts contained in Mom's Motion are
26	skewed and Mom is attempting to mislead this Court with many gross inaccuracies and
27	misrepresentations intended to solely posture for this Court.
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ROA000069

4. Savannah was born prior to the marriage, and Emma was born post marriage. Affiant has been very involved in Savannah's life since her birth. Affiant has been just as involved in Emma's life since her birth. The reality is is that both Mom and Affiant have had equal roles in the Children's lives. Because of Affiant's schedule, Affiant's hours allowed him to pick-up the Children each day after 1:00 p.m. and care for them until he returned them to Mom each night. There is simply no reason that Mom and Affiant cannot exercise Joint Legal and Joint Physical Custody. Mom even admits in her Motion that Affiant has always been involved and confirms that he was equally involved. Mom further admits that Affiant has only not been involved as much as he was since September 2014, when Mom left the residence. The reason, however, is not because Affiant is a bad father in any way. Mom is not only simply trying to control the situation but took much of the furniture from the house, including the Children's bedroom furniture so that it would make it more difficult for Affiant to have the children overnight at his home.

- 5. There was one argument that ensued between the Parties just prior to Mom vacating the home, however, there was never any domestic violence or any evidence establishing domestic violence. It is believed that Mom was in fact trying to provoke Affiant for posturing purposes only, as she had already been planning her exit from the marriage. Moreover, once the argument ensued, Affiant left the home so that the situation would not escalate. Affiant takes extreme offense at Mom trying to portray Affiant as a drinker when the same could not be further from the truth. Mom is going to great lengths to posture for this Court in putting Affiant in a bad light. Mom has even contacted Affiant's friends trying to tell them that Affiant is a drinker attempting to portray Affiant unfit as an father. Mom is angry and she knows that she will destroy any potential Affiant has at obtaining a government position by trying to depict Affiant as a drinker.
- 6. It is accurate that Mom and Affiant work for the same company, however, both Parties work different hours. Affiant's hours allow him the opportunity to both drop the Children off at

Safekey and babysitter prior to work as well as pick-up the Children after school and daycare, affording Affiant the ability to do homework and feed the Children prior to returning them to Mom after she gets off work.

#### Mom's Request for Child Support should be Denied.

7. As Mom confirms, Mom and Affiant both work for the same company. Mom and Affiant's incomes are very similar. In fact, Mom may earn a little bit more than Affiant. As a result, there should be no award of Child Support from either Parent. Affiant does not have any type of side "flipping" job. Affiant does admit to buying and selling items during the marriage, which afforded the Parties to take family vacations as well as enjoy various activities with some extracurricular vehicles. Affiant in no way draws any type of income as a result of purchasing anything. Moreover, Affiant contributes the majority of the costs associated with daycare provided for their youngest Child. Regardless of whether the Child goes to daycare or not the daycare must still be paid the same amount which Affiant has ultimately covered.

### The Property that Mom claims has been Obtained through the Marriage.

#### The Marital Home.

9. In Mom's Motion, Mom claims that the Parties accumulated much property throughout the course of the marriage. Mom's statements are simply not accurate. First of all, the home that Mom moved into was Affiant's sole and separate property and remains Affiant's sole and separate property. Affiant purchased the home well before Mom ever moved in or they got married.

#### The Trailer/RV

10. While Mom advises that Affiant purchased a new Trailer/RV, Mom does not advise the Court that the purchase of their RV's initiated from the first RV that Affiant owned prior to the marriage. Affiant had taken a loan from his 401k to pay for the initial RV. Affiant used the proceeds from the sale of that initial RV to buy another one. Affiant then sold that RV and used those proceeds to purchase another

one. When Affiant sold the last RV, because the mortgage on the home fell behind. He was forced to replace many items that Mom had taken from the home such as living room furniture and their oldest Child's bedroom furniture. Affiant further paid down some community credit card debts. Affiant further offered to give Mom a share of the proceeds totaling \$5,500.00, but Mom refused. Affiant understands that he must provide Mom with her share of the value of the RV, just as much she must be responsible for her share of the community debts that were paid down. However, Affiant believes there needs to be a fair value on the RV, to determine Mom's share. Discovery shall determine the true value and Mom's share.

#### The Boat to which Mom refers in her Motion.

11. Again, Mom is not being forthcoming with regard to the boat. Affiant had purchased an initial boat prior to the marriage. The money used to purchase the boat was a loan from Paternal Grandfather. Affiant ultimately sold the initial boat to purchase nicer one. Affiant understands that he must provide Mom with one-half of the value of the boat, however, Affiant believes that value must be a fair one and not inflated. Discovery will determine the true valuation of the boat and Mom's share.

#### The 1968 Mustang.

12. Affiant never purchased a 1968 Mustang and has never owned a 1968 Mustang. Paternal Grandfather purchased a dilapidated 1968 Mustang that was in need of extensive restoration. Because the Mustang needed to be towed and Affiant's home was closer, Paternal Grandfather had the vehicle towed to Affiant's home. It is because Mom saw the Mustang at Affiant's home that she accuses Affiant of having purchased the Mustang for himself. (See Exhibit A, Affidavit of Paternal Grandfather.)

#### Affiant Obtaining a Roommate.

13. Mom mentions in her Motion that Affiant advised her was getting a roommate to move into his home. This is simply not the case. Affiant has two extra rooms in his home and they each belong to the Children. Affiant would in no way jeopardize each Child from having their own rooms.

### Affiant Never Made it Difficult for Mom to Obtain Items from the Horne.

#### Affiant Never Made it Difficult for Mom to Obtain Items from the Home.

- 14. Contrary to Mom's assertions, Affiant never made it difficult for Mom to obtain any items from the home. In fact, once Mom signed her new Lease, Affiant not only personally delivered various items to her new home, he facilitated Mom's own family members who came into town from California in obtaining her remaining items. Mom is again, without any merit simply being vexatious and accusatory when the same is simply not necessary.
- based on what Mom has brought before this Court, Affiant has no choice but to share his side.

  Throughout the two year marriage. Mom has always been excessively controlling and verbally abusive towards Affiant. Mom has consistently not only displayed this behavior in the presence of the Children, but in the presence of both Maternal and Paternal Families. In fact, Mom's aggressive behavior brought Mom to counseling. During mom's counseling session, it was determined that due to whatever issues Mom had in her past she should be placed on medication to assist her in managing her outbursts and degrading nature towards men. It was then that Mom refused to go back to any future sessions. Mom has a history of waking Affiam from a dead sleep by turning on all of the lights and striking him. Mom would throw various items at Affiant to simply get a rise out of him. Mom would constantly scream at their oldest child causing the Child to run away crying to get away from Mom.
- 16. Affiant has done nothing more than create the best life he could for Mom but nothing he ever tried to do was ever good enough for Mom. During the last year, Mom has become even more degrading to Affiant in the presence of the Children.
- 17. Affiant is not looking to gain any type of advantage by bringing these issues before the Court, Affiant is simply advising the Court that there are two sides to every story and Mom is not perfect. Affiant firmly believes that the Children should remain in their Joint Physical Custody so

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that they can prosper. Affiant is extremely involved with the Children and has always been. In fact, it is Affiant who stays on top of their oldest Child's schooling and assists her the majority of the time with her homework. Aside from the hostility and anger that comes with divorce. Affiant believes that once the hostility subsides, the Parties will not have a problem co-parenting as long as Mom remains reasonable and thinks about the best interest of the Children. Just because Morn and Affiant can no longer remain married, does not mean they cannot jointly raise their Children.

Further, your affiant sayeth naught.

DATED this 🚜 day of January, 2015.

JUSTIN MAY

SUBSCRIBED and SWORN to before me day of January, 2015.

NOTARY PUBLIC in and for said County and State

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the Ale of January, 2015, service of the foregoing DEFENDANT/COUNTERCLAIMANT'S OPPOSITION TO PLAINTIFF/COUNTERDEFENDANT'S MOTION FOR PRELIMINARY RELIEF AND COUNTERMOTION FOR JOINT LEGAL AND PHYSICAL CUSTODY, AND RELATED RELIEF was made by depositing a true and correct copy of the same in the United States mail, postage prepaid, addressed as follows:

Rachel M. Jacobsen, Esq. JACOBSEN LAW OFFICE, LTD 64 N. Pecos Road, Suite 200 Henderson, Nevada 89074 Attorney for Plaintiff/Counterdefendant

Justin Maurice

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

	CLARK COUNTY, NEVADA
Plaintiff/Petitioner  -vs-  SUSHIGHT PROPERTY  Defendant/Respondent	CASE NO. D-19-50088-1  DEPT.  FAMILY COURT MOTION/OPPOSITION FEE INFORMATION SHEET (NRS 19.0312)
Party Filing Motion/Opposition	n: DPlaintiff/Petitioner Defendant/Respondent
MOTION FOR/OPPOSITION	(se promotocton miles portocon or
Notice  Motions and Oppositions to Motions filed after entry of final Decree or Judgment (pursuant to NRS 125, 125B & 125C) are subject to the Re-open Filing Fee of \$25.00, unless specifically excluded.  (See NRS 19.0312)	Excluded Motions/Oppositions  Motions filed before final Divorce/Custody Decree entered (Divorce/Custody Decree NOT final)  Child Support Modification ONLY  Motion/Opposition For Reconsideration (Within 10 days of Decree) Date of Last Order  Request for New Trial (Within 10 days of Decree) Date of Last Order
	Other Excluded Motion (Must be prepared to defend exclusion to Indge)  NOTE: If no boxes are checked, filing fee MUST be paid.
☐ Motion/Opp IS subject to \$2	5.00 filing fee Motion/Opp IS NOT subject to filing fee
Date: 1/00	20_J_S

Printed Name of Preparer

Signature of Preparer

Electronically Filed 02/03/2015 06:30:44 PM

1 **RPLY** Rachel M. Jacobson, Esq. 2 Nevada Bar No. 007827 Jacobson Law Office, Ltd. 3 64 North Pecos Road, Suite 200 Henderson, Nevada 89074 4 (702) 601-0770 5 Attorney for Plaintiff

**CLERK OF THE COURT** 

#### DISTRICT COURT CLARK COUNTY, NEVADA

SARAH MAURICE, PLAINTIFF,

VS.

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JUSTIN MAURICE.

DEFENDANT.

Case No. D-14-506883-D Dept. No. O

Date of Hearing: February 10, 2015 Time of Hearing: 9:00 a.m.

REPLY TO OPPOSITION AND COUNTERMOTION

COMES NOW, Plaintiff, SARAH MAURICE, by and through her attorney, RACHEL M. JACOBSON, ESQ., of JACOBSON LAW OFFICE, LTD, and respectfully submits her Reply to Defendant's Opposition and Countermotion.

Prior to separation, the parties did not share equal parenting as Justin now wants the To that end, Justin's Opposition and Countermotion is replete with Court to believe. misrepresentations that are so blatant they should cause additional concerns regarding Justin's state of mind and ability to co-parent. To show that Justin is outright lying to this Court, Sarah submits this Reply and supporting exhibits as follows.

Before and after separation, contrary to Justin's representations, Sarah was and remained the parent providing primary care. Justin not only supported this arrangement but also only exercised 4 nights of visitation with Savanah and only 2 with Emma since September 9, 2015. Ironically, in his Opposition, Justin points out that his schedule allows him to get the girls at 1:00

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p.m. Yet, despite same, he did not pick up the girls after work. See example logs attached hereto as **Exhibit 1**. Moreover, despite Justin's purported availability, he declined to pick up the girls and simply had Sarah take care of the care arrangements. See texts attached hereto as **Exhibit 2**. Justin's timeshare with the parties' minor children is not the only misrepresentations Justin brings before this Court.

Justin now also alleges that "mom took much of the furniture from the house, including the children's bedroom furniture so that it would make it more difficult for Dad to have the children overnight at his home." See Opposition page 4, lines 17-20. Justin's representations here too are misleading and Justin is attempting to paint himself the victim which could not be further from the truth. See texts attached hereto as Exhibit 3. It should also be highlighted that Sarah did not take any furniture from Emma's room and, as such, was forced to purchase a crib and a dresser-changing table. See receipts attached hereto as Exhibit 4. All Sarah took by way of children's furniture from the marital home is Savanah's twin size bed and toy organizer. Contrary to his current representations to the Court, Justin still had completely furnished master bed room as well as a queen sized bed in the room utilized as office in addition to Emma's crib and furniture. Thus, Justin did not lack sleeping accommodations as he now presents to this Court. As with the furniture in the marital home, Justin has also attempted to paint Sarah's emotional wellbeing in a negative light.

Ironically, to add insult to injury, Justin now alleges Sarah had "anger issues" when Justin is actually the person who was violent. As presented in Sarah's underlying Motion, it was Justin's behavior that caused Sarah to leave the marital home on September 9, 2014. On that day, when Sarah refused to let Justin leave with Savanah, because Justin was intoxicated, Justin struck Sarah on the left side of her face where she was also holding Savanah. And, contrary to

his current representation that he left the home to diffuse the situation, Justin left only when Sarah called the police so he would not leave with their child under the influence. That same night, Justin also texted Sarah "Take care of our kids. See ya." See text messages attached hereto as Exhibit 5. Two days later, Justin texted Sarah again as follows: "Really don't know where to start. First is I'm sorry. Hope you and Savannah can forgive me. Let me know what you need or want from the house. I don't know what happened to the spare key from the garage. Someone took it either cops or Anthony took it. I am changing the locks on the house." And later, "Do I need to worry about any charges or warrants?" and "I know what I did. I know I hurt you. I could never tell you how worry I am." See texts attached hereto as Exhibit 6.

On page 5, lines 1-3 of his Opposition, Justin also alleges "Mom has even contacted Dad's friends trying to tell them that Dad is a drinker...." In reality, however, it was Justin's friend who kindly reached out to Sarah and inquired about Justin's wellbeing and drug and alcohol use. Sarah had no intention of ever damaging Justin's reputation and had been very careful not to defame him as she truly cared for him.

On page 5, lines 6-9, Justin alleges that his "hours allow him the opportunity to both drop the children off at Safekey and babysitter prior to work as well as pick up the children after school and daycare, ..." Yet, in reality, Justin begins work at 5:00 a.m. and neither Safekey or daycare is available at that hour. Moreover, as provided above, Justin had exercised only 4 nights of visitation with Savanah and 2 with Emma since September 9, 2015. And on days he did pick up the girls, he did not do so until hours well after 1:00 p.m. See logs attached hereto as **Exhibit 1**. And despite Dad's purported availability, he still has mom pick up the girls and place them in after care such. See texts attached hereto as **Exhibit 2**.

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On page 5, lines 12, Justin also erroneously claims that Sarah's income is greater than his. In reality Justin earns \$7.80 more per hour than does Sarah. Further, unlike Sarah, as presented in the underlying Motion, Justin is also able to earn overtime income which he frequently does. And, despite earning additional income through on-line sales, Justin tells this Court that he does not sell items online. *See*, for example, Craig's List ads attached hereto as **Exhibit 7**.

Of additional concern are Justin's misrepresentations regarding the marital residence. The parties purchased the home together and Sarah put down more of the down payment than did Justin. Additionally, the parties moved into that home together, so Justin's misrepresentations in this regard are confusing and worrisome. Sarah also regularly contributed to the mortgage upon the home before and after the parties' marriage. Likewise, Justin misleads the Court about additional community assets including the boat, RVs, and other vehicle. As for moneys he claims to have offered to Sarah from the sale of some property, Sarah was absolutely willing to accept the funds (as she necessitated assistance) but Justin never paid them – resulting, in part, in the necessity of the filing of the underlying Motion. See, for example, text messages attached hereto as Exhibit 8. As for the Mustang Justin now denies ever owning, Justin himself told Sarah that he purchased it on or about November 11, 2014, and was planning on fixing it up for her as a surprise. Justin later claimed that he sold the vehicle to his father for \$1,200 though to Sarah's knowledge and belief he paid in excess of \$3,000 for it. Thus, Sarah was also concerned about Justin not only encumbering and liquidating the community estate but also transferring assets without her knowledge or consent. See Craig's List ads and text messages attached hereto as Exhibit 9. Likewise, contrary to Justin's current representations, Sarah does not recall there ever being a loan from Justin's father for the parties' boat.

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In another misrepresentation to this Court, Justin denies ever advising Sarah that he was considering a roommate. This too is confusing to Sarah as she has clear text messages from Justin regarding this topic from November of 2014. See text messages attached hereto as **Exhibit 10.** Not only did Justin deceive the Court about not considering a roommate, but the roommate Justin pretended to coincidentally stumble upon (as he represented in his text messages) is actually a woman with whom he was having an affair. Justin's outrageous misrepresentations to this Court, especially in the face of text messages clearly contradicting his allegations, not only call into question his credibility but should also raise concerns about his state of mind.

As for items Sarah tried to get out of the marital residence, Justin now claims that he did not make that difficult for her. A review of text messages between the parties, however, shows otherwise. See text messages attached hereto as Exhibit 11.

Justin also distorts the truth regarding counseling on page 8, lines 15-25 wherein he states that "Mom's aggressive behavior brought Mom to counseling. ..." The only counseling Sarah had ever attended was that which she AND Justin both attended as a couple before marriage. Further, contrary to Justin's current fabrication, Sarah was not prescribed medication. Here too, Justin's dishonesty to this Court should raise concern. This, alongside the undisputed fact that Justin had only exercised 4 over-night visitations with Savanah and only 2 with Emma since September 2014, should support Sarah's request that the Court should confirm de facto primary custody upon her. In doing so, the Court should take into account that this schedule was structured by Justin as Sarah has always been reasonable and willing to co-parent. See, for example, text messages attached hereto as Exhibit 12. And, despite his representations that he

1	Emma's diaper bag with supplies, food, bottled, snacks, and wipes for Justin as he does not do so
2	on his own.
3	As provided in the Motion, Sarah respectfully requests the following relief:
4	Awarding the parties joint legal and confirming upon the Plaintiff de facto
5	primary physical custody of the minor children of the marriage: Savannah Maurice, born April 27, 2007; and Emma Maurice, born February 12, 2014;
7	2. Setting child support;
8	Awarding Plaintiff temporary spousal support;
9	4. Ordering Defendant to provide an accounting of funds and listing of items
10	purchased, sold and/or transferred;
11	5. Awarding Plaintiff preliminary attorney's fees and costs; and
12	6. Awarding such other and further relief as this Court deems just and proper in the
13	premises.
14	DATED this 24 day of February, 2015.
15	
16	JACOBSON LAW OFFICE, LTD
17	$\sim 10$
18	Rachel M. Jagobson, Esq.
19	Nevada Bar No. 007827
20	64 North Pecos Road, Suite 200 Henderson, Nevada 891074
21	(702) 601-0770 Attorney for Plaintiff
22	Attorney for 1 turniff
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1	CERTIFICATE OF SERVICE
2	I hereby certify that I am an employee of JACOBSON LAW OFFICE, LTD. ("the Firm"). I
3	am over the age of 18 and not a party to the within action. I am readily familiar with the Firm's
4	practice of collection and processing correspondence for mailing. Under the Firm's practice, mail
5 6	is to be deposited with the U.S. Postal Service on the same day as stated below, with postage
7	thereon fully prepaid.
8	I served the foregoing document described as "PLAINTIFF'S REPLY TO OPPOSITION
9	AND COUNTERMOTION" on this day of February, 2015, to all interested parties as
10	follows:
11	BY MAIL: Pursuant To NRCP 5(b), I placed a true copy thereof enclosed in a sealed
12	
13	envelope addressed as follows:
14   15	Mr. Justin Maurice 108 Westin Lane
- 1	Henderson, Nevada 89002
16   17	BY ELECTRONIC MAIL: Pursuant to EDCR 7.26, I transmitted a copy of the foregoing document this date via electronic mail to the electronic mail address shown below;
18	
19	BY CERTIFIED MAIL: I placed a true copy thereof enclosed in a sealed envelope, return receipt requested, addressed as follows:
20	return receipt requested, addressed as follows.
21	$\sim$
22	R
23	An employee of Jacobson Law Office, Ltd.
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# **EXHIBIT 1**

### Student Attendance Detail by Student



	Maurice, Emma F		<del></del>	Student ID:11
Event Type	Event Timestamp	Location in Center	Notes	Entered By
n	7/17/2014 7:43:53AM	Location: Creepers & Crawlers		Sarah Maurice
Out	7/17/2014 6:00:20PM	Location: Creepers & Crawlers		Sarah Maurice
1	7/18/2014 6:46:08AM	Location: Creepers & Crawlers		Sarah Maurice
Out	7/18/2014 3:33:08PM	Location: Creepers & Crawlers		Sarah Maurice
n	7/21/2014 7:42:12AM	Location: Creepers & Crawlers		Sarah Maurice
Out	7/21/2014 5:41:19PM	Location: Creepers & Crawlers		Sarah Maurice
n	7/22/2014 7:42:03AM	Location: Creepers & Crawlers		Sarah Maurice
Dut	7/22/2014 10:16:57AM	Location: Creepers & Crawlers	<del></del>	<schoolleader< td=""></schoolleader<>
1	7/22/2014 10:17:50AM	Location: Creepers & Crawlers		ADMIN
Out	7/22/2014 3:40:04PM	Location: Creepers & Crawlers		Justin Maurice
1	7/23/2014 8:23:19AM	Location: Creepers & Crawlers		Sarah Maurice
ut	7/23/2014 5:31:32PM	Location: Creepers & Crawlers	<del></del>	Sarah Maurice
1	7/24/2014 7:41:25AM	Location: Creepers & Crawlers	<del></del>	Sarah Maurice
out	7/24/2014 5:29:09PM	Location: Creepers & Crawlers		Sarah Maurice
	7/25/2014 6:54:33AM	Location: Creepers & Crawlers	<del></del>	Sarah Maurice
ut	7/25/2014 4:30:42PM	Location: Creepers & Crawlers		Sarah Maurice
	7/28/2014 8:32:44AM	Location: Creepers & Crawlers		Sarah Maurice
ut	7/28/2014 3:33:42PM	Location: Creepers & Crawlers	<del></del>	Justin Maurice
1	7/29/2014 8:48:21AM	Location: Creepers & Crawlers		Sarah Maurice
ut	7/29/2014 4:25:39PM	Location: Creepers & Crawlers	<del></del>	Justin Maurice
		Location: Creepers & Crawlers	<del>                                     </del>	Sarah Maurice
ut		Location: Creepers & Crawlers	<del></del>	Sarah Maurice
	7/31/2014 7:50:21AM	Location: Creepers & Crawlers	<del></del>	Sarah Maurice
ut		Location: Creepers & Crawlers	<del>-  </del>	Justin Maurice
		Location: Creepers & Crawlers		Sarah Maurice
ut		Location: Creepers & Crawlers	<del></del>	
		Location: Creepers & Crawlers		Sarah Maurice
ut		Location: Creepers & Crawlers		Sarah Maurice
		Location: Creepers & Crawlers	<u> </u>	Justin Maurice
		Location: Creepers & Crawlers	<del> </del>	Sarah Maurice
		Location: Creepers & Crawlers		Justin Maurice
		Location: Creepers & Crawlers		Sarah Maurice
		Location: Creepers & Crawlers		Justin Maurice
		Location: Creepers & Crawlers		Sarah Maurice
		Location: Creepers & Crawlers	<del></del>	ADMIN
		Location: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers	<del></del>	Sarah Maurice
		ocation: Creepers & Crawlers		ADMIN
		ocation: Creepers & Crawlers	<del></del>	Justin Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
				Justin Maurice
		ocation: Creepers & Crawlers ocation: Creepers & Crawlers		ADMIN

### Student Attendance Detail by Student



Event Timestamp			
	Location in Center	Notes	Entered By
8/14/2014 7:29:41AM	Location: Creepers & Crawlers		Sarah Maurice
8/14/2014 3:01:53PM	Location: Creepers & Crawlers		Justin Maurice
			Sarah Maurice
	Location: Creepers & Crawlers		Justin Maurice
8/19/2014 7:34:08AM	Location: Creepers & Crawlers		Sarah Maurice
8/19/2014 2:00:34PM	Location: Creepers & Crawlers		Justin Maurice
<u> </u>	Location: Creepers & Crawlers		Sarah Maurice
	Location: Creepers & Crawlers		Justin Maurice
	Location: Creepers & Crawlers		Sarah Maurice
8/21/2014 5:23:31PM	Location: Creepers & Crawlers		Justin Maurice
8/22/2014 6:44:23AM	Location: Creepers & Crawlers		Sarah Maurice
8/22/2014 2:24:08PM	Location: Creepers & Crawlers		Sarah Maurice
8/25/2014 8:39:19AM	Location: Creepers & Crawlers		Sarah Maurice
8/25/2014 4:28:44PM	Location: Creepers & Crawlers	<del></del>	Justin Maurice
8/26/2014 7:34:42AM	Location: Creepers & Crawlers	<del></del> -	Sarah Maurice
8/26/2014 4:48:43PM	Location: Creepers & Crawlers		Justin Maurice
8/27/2014 7:25:43AM	Location: Creepers & Crawlers		Sarah Maurice
8/27/2014 5:39:54PM	Location: Creepers & Crawlers	<del> </del>	Justin Maurice
8/28/2014 7:27:33AM	Location: Creepers & Crawlers		Sarah Maurice
8/28/2014 5:28:57PM	Location: Creepers & Crawlers		Justin Maurice
8/29/2014 7:43:49AM		<del>                                     </del>	Sarah Maurice
8/29/2014 2:08:23PM		<u> </u>	Sarah Maurice
9/2/2014 8:26:52AM			Sarah Maurice
9/2/2014 4:25:42PM			Justin Maurice
9/3/2014 7:30:03AM		<del></del>	Sarah Maurice
9/3/2014 5:40:16PM			Justin Maurice
9/4/2014 7:33:18AM			Sarah Maurice
9/4/2014 5:24:44PM	-		
9/5/2014 8:04:52AM			Justin Maurice
9/5/2014 5:01:56PM		<del></del>	Sarah Maurice
			Sarah Maurice
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		<del> </del>	Justin Maurice
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			Sarah Maurice
	8/18/2014 8:21:13AM 8/18/2014 5:18:00PM 8/19/2014 7:34:08AM 8/19/2014 7:42:01AM 8/20/2014 7:42:01AM 8/20/2014 7:42:01AM 8/21/2014 5:29:42PM 8/21/2014 5:23:31PM 8/22/2014 6:44:23AM 8/22/2014 6:44:23AM 8/22/2014 2:24:08PM 8/25/2014 4:28:44PM 8/26/2014 7:34:42AM 8/26/2014 7:25:43AM 8/27/2014 5:39:54PM 8/27/2014 5:28:57PM 8/28/2014 7:27:33AM 8/28/2014 7:27:33AM 8/28/2014 7:33:18AM 9/2/2014 7:33:18AM 9/3/2014 5:40:16PM 9/3/2014 5:24:44PM 9/3/2014 5:24:44PM 9/5/2014 5:24:44PM 9/5/2014 5:26:51PM 9/8/2014 5:26:51PM 9/8/2014 5:26:51PM 9/9/2014 5:26:51PM 9/9/2014 5:26:12AM 9/9/2014 5:26:13PM 9/10/2014 7:25:30AM 9/11/2014 7:25:30AM 9/11/2014 7:25:30AM 9/11/2014 7:36:41AM 9/12/2014 7:36:46PM 9/12/2014 7:36:46PM	8/18/2014 8:21:13AM	8/19/2014 8:21:13AM

### Student Attendance Detail by Student



Student: Maurice, Emma R Student ID:11				
Event Type	Event Timestamp	Location in Center	Notes	Entered By
n	9/16/2014 7:31:37AM	Location: Creepers & Crawlers		Sarah Maurice
Out	9/16/2014 5:47:07PM	Location: Creepers & Crawlers		Sarah Maurice
n	9/17/2014 7:28:50AM	Location: Creepers & Crawlers	<del></del>	Sarah Maurice
Out	9/17/2014 5:37:45PM	Location: Creepers & Crawlers		Sarah Maurice
n	9/18/2014 7:35:11AM	Location: Creepers & Crawlers		Sarah Maurice
Out	9/18/2014 3:34:45PM	Location: Creepers & Crawlers	<del></del>	Justin Maurice
n	9/19/2014 7:23:45AM	Location: Creepers & Crawlers		Sarah Maurice
Out	9/19/2014 3:32:14PM	Location: Creepers & Crawlers		ADMIN
n	9/22/2014 7:38:10AM	Location: Creepers & Crawlers		Sarah Maurice
Out	9/22/2014 3:41:55PM	Location: Creepers & Crawlers		ADMIN
n	9/23/2014 7:41:11AM	Location: Creepers & Crawlers		Sarah Maurice
Out	9/23/2014 3:53:13PM	Location: Creepers & Crawlers		Justin Maurice
n	9/24/2014 7:37:39AM	Location: Creepers & Crawlers		Sarah Maurice
Out	9/24/2014 5:47:37PM	Location: Creepers & Crawlers		Sarah Maurice
1	9/25/2014 8:18:32AM	Location: Creepers & Crawlers		Sarah Maurice
ut	9/25/2014 5:12:54PM	Location: Creepers & Crawlers		Sarah Maurice
1	9/26/2014 7:30:00AM	Location: Creepers & Crawlers		Sarah Maurice
ut	9/26/2014 3:07:11PM	Location: Creepers & Crawlers		Sarah Maurice
1	9/29/2014 8:48:51AM	Location: Creepers & Crawlers	<del></del>	Sarah Maurice
Out	9/29/2014 4:28:18PM	Location: Creepers & Crawlers		Justin Maurice
<u> </u>	9/30/2014 8:33:57AM	Location: Creepers & Crawlers		Sarah Maurice
out	9/30/2014 5:32:46PM	Location: Creepers & Crawlers	-	Justin Maurice
1	10/1/2014 7:52:32AM	Location: Creepers & Crawlers		Sarah Maurice
ut	10/1/2014 5:24:51PM	Location: Creepers & Crawlers		Justin Maurice
1	10/2/2014 7:46:42AM	Location: Creepers & Crawlers		Sarah Maurice
ut	10/2/2014 4:30:10PM	Location: Creepers & Crawlers		Justin Maurice
	10/3/2014 7:39:21AM	Location: Creepers & Crawlers		Sarah Maurice
ut	10/3/2014 4:56:59PM	Location: Creepers & Crawlers		Sarah Maurice
1	10/6/2014 7:39:04AM	Location: Creepers & Crawlers		Sarah Maurice
ut	10/6/2014 5:40:01PM	Location: Creepers & Crawlers		Sarah Maurice
	10/7/2014 7:35:50AM	Location: Creepers & Crawlers	<del> </del>	Sarah Maurice
ut	10/7/2014 4:43:09PM	Location: Creepers & Crawlers		Justin Maurice
	10/8/2014 7:36:00AM	Location: Creepers & Crawlers		Sarah Maurice
ut	10/8/2014 4:35:33PM	Location: Creepers & Crawlers		Justin Maurice
	10/9/2014 7:34:03AM	Location: Creepers & Crawlers		Sarah Maurice
ut	10/9/2014 4:51:40PM	Location: Creepers & Crawlers		Justin Maurice
	10/10/2014 7:55:34AM	Location: Creepers & Crawlers		Sarah Maurice
ut	10/10/2014 5:04:22PM	Location: Creepers & Crawlers		Justin Maurice
	10/13/2014 7:39:09AM	Location: Creepers & Crawlers		Sarah Maurice
ut		Location: Creepers & Crawlers		Justin Maurice
		Location: Creepers & Crawlers		Sarah Maurice
		Location: Creepers & Crawlers	<del> </del>	Justin Maurice

## Student Attendance Detail by Student



Student: Maurice, Emma R Student				
Event Type	Event Timestamp	Location in Center	Notes	Entered By
In	10/15/2014 8:30:21AM	Location: Creepers & Crawlers		Sarah Maurice
Out	10/15/2014 5:47:20PM	Location: Creepers & Crawlers		Justin Maurice
În	10/16/2014 8:55:51AM	Location: Creepers & Crawlers		Sarah Maurice
Out		Location: Creepers & Crawlers		ADMIN
ln		Location: Creepers & Crawlers		Sarah Maurice
Out	10/17/2014 3:31:17PM	Location: Creepers & Crawlers		Sarah Maurice
'n	10/20/2014 8:37:58AM	Location: Creepers & Crawlers	· · · · · · · · · · · · · · · · · · ·	Sarah Maurice
Out		Location: Creepers & Crawlers		Sarah Maurice
n				Sarah Maurice
Out		Location: Creepers & Crawlers		Sarah Maurice
n		Location: Creepers & Crawlers		Sarah Maurice
Dut		Location: Creepers & Crawlers		Sarah Maurice
n	10/23/2014 8:19:10AM	Location: Creepers & Crawlers		Sarah Maurice
Out		Location: Creepers & Crawlers		Justin Maurice
n		Location: Creepers & Crawlers		Sarah Maurice
Out		Location: Creepers & Crawlers		Justin Maurice
1	10/27/2014 8:42:28AM	Location: Creepers & Crawlers		Sarah Maurice
Out	10/27/2014 5:36:46PM	Location: Creepers & Crawlers		Sarah Maurice
1		Location: Creepers & Crawlers		Sarah Maurice
Out	10/28/2014 5:39:54PM	Location: Creepers & Crawlers		Sarah Maurice
1	10/29/2014 8:23:25AM	Location: Creepers & Crawlers		ADMIN
Out	10/29/2014 5:09:43PM	Location: Creepers & Crawlers		Justin Maurice
1	10/30/2014 8:16:51AM	Location: Creepers & Crawlers		ADMIN
Out		Location: Creepers & Crawlers		Sarah Maurice
1	11/3/2014 8:08:45AM	Location: Creepers & Crawlers		Sarah Maurice
ut	11/3/2014 4:00:02PM	Location: Creepers & Crawlers		Justin Maurice
1	11/4/2014 7:38:00AM	Location: Creepers & Crawlers		Sarah Maurice
ut	11/4/2014 5:06:28PM	Location: Creepers & Crawlers		Justin Maurice
	11/5/2014 7:36:52AM	Location: Creepers & Crawlers	·	Sarah Maurice
ut	11/5/2014 4:42:19PM	Location: Creepers & Crawlers	-	Justin Maurice
	11/6/2014 8:21:38AM	Location: Creepers & Crawlers		Sarah Maurice
ut	11/6/2014 5:39:32PM	Location: Creepers & Crawlers		Sarah Maurice
	11/7/2014 6:44:49AM	Location: Creepers & Crawlers		Sarah Maurice
ut	11/7/2014 4:28:02PM	Location: Creepers & Crawlers		Sarah Maurice
_	11/12/2014 7:25:55AM I	Location: Creepers & Crawlers		Sarah Maurice
	11/12/2014 5:37:55PM I	Location: Creepers & Crawlers	<u> </u>	Justin Maurice
	11/13/2014 7:25:48AM	ocation: Creepers & Crawlers		Sarah Maurice
. 1	11/13/2014 4:33:50PM I	Location: Creepers & Crawlers	<del> </del>	Justin Maurice
	11/14/2014 7:02:25AM I	ocation: Creepers & Crawlers	<del></del>	Sarah Maurice
ut		ocation: Creepers & Crawlers	<del>                                     </del>	Justin Maurice
		ocation: Creepers & Crawlers	<del> </del>	Sarah Maurice
ut		ocation: Creepers & Crawlers	<del> </del>	Justin Maurice

### Student Attendance Detail by Student



Student: Maurice, Emma R				
Event Type	Event Timestamp		Notes	Entered By
ln	11/18/2014 7:13:49AM	Location: Creepers & Crawlers		ADMIN
Out	11/18/2014 4:33:18PM	Location: Creepers & Crawlers		Sarah Maurice
n	11/19/2014 7:37:52AM	Location: Creepers & Crawlers	<del>                                     </del>	Sarah Maurice
Out	11/19/2014 4:37:27PM	Location: Creepers & Crawlers	<del>-</del>	Justin Maurice
n	11/20/2014 7:32:13AM	Location: Creepers & Crawlers		Sarah Maurice
Out	11/20/2014 5:12:33PM	Location: Creepers & Crawlers	<del> </del>	Sarah Maurice
n	11/21/2014 7:13:23AM	Location: Creepers & Crawlers		Sarah Maurice
Out	11/21/2014 5:12:38PM	Location: Creepers & Crawlers	<del>-</del>	Sarah Maurice
n	11/24/2014 7:55:01AM	Location: Creepers & Crawlers		Sarah Maurice
Out	11/24/2014 5:41:56PM	Location: Creepers & Crawlers	<del>                                       </del>	
1		Location: Creepers & Crawlers	<del> </del>	Sarah Maurice
Out		Location: Creepers & Crawlers	<del></del>	Sarah Maurice
1		Location: Creepers & Crawlers	<del> </del>	Sarah Maurice
out		Location: Creepers & Crawlers		Sarah Maurice
1		Location: Creepers & Crawlers	<del> </del>	Sarah Maurice
ut		Location: Creepers & Crawlers		Sarah Maurice
		Location: Creepers & Crawlers		Sarah Maurice
ut		Location: Creepers & Crawlers	<del> </del>	ADMIN
		Location: Creepers & Crawlers		Sarah Maurice
ut		Location: Creepers & Crawlers	<u> </u>	Sarah Maurice
		Location: Creepers & Crawlers		Sarah Maurice
ut		Location: Creepers & Crawlers	<del> </del>	Sarah Maurice
		Location: Creepers & Crawlers		Sarah Maurice
ut		Location: Creepers & Crawlers	<u> </u>	Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
ıt		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
ıt .				Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Justin Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
t l		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Justin Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
1	2/30/2014 5:37:35PM Lo	ocation: Creepers & Crawlers		Sarah Maurice

### **Student Attendance Detail** by Student



Student: Maurice, Emma R					Student ID:1	
Event Type	Event Timestamp					Entered By
In	1/5/2015 7:35:43AM	Location: Creepers 8				Sarah Maurice
Out	1/5/2015 6:04:59PM	Location: Creepers &				Sarah Maurice
n	1/6/2015 7:30:49AM	Location: Creepers &				Sarah Maurice
Out	1/6/2015 3:47:37PM	Location: Creepers 8				Justin Maurice
n	1/7/2015 7:31:35AM	Location: Creepers 8		<del> </del>		Sarah Maurice
Dut	1/7/2015 5:47:51PM	Location: Creepers 8		<del>                                     </del>		Sarah Maurice
n	1/8/2015 7:39:57AM	Location: Creepers 8				Sarah Maurice
Out	1/8/2015 5:28:57PM	Location: Creepers &				Sarah Maurice
1	1/9/2015 7:21:20AM	Location: Creepers &	Crawlers			Sarah Maurice
Out	1/9/2015 5:30:31PM	Location: Creepers &		<del> </del>		Sarah Maurice
1	1/12/2015 7:30:14AM	Location: Creepers &				Sarah Maurice
Out	1/12/2015 5:43:34PM	Location: Creepers &	Crawlers			Sarah Maurice
	1/13/2015 7:28:39AM	Location: Creepers &	Crawlers			Sarah Maurice
ut	1/13/2015 4:23:34PM	Location: Creepers &				Justin Maurice
	1/14/2015 7:39:30AM	Location: Creepers &				Sarah Maurice
ut	1/14/2015 5:38:19PM	Location: Creepers &	Crawlers			Sarah Maurice
	1/15/2015 7:40:14AM	Location: Creepers &				Sarah Maurice
ut	1/15/2015 3:26:59PM	Location: Creepers &				Justin Maurice
	1/16/2015 7:25:51AM	Location: Creepers &				ADMIN
ut	1/16/2015 5:07:33PM	Location: Creepers &				Sarah Maurice
	1/20/2015 7:34:50AM	Location: Creepers &	Crawlers		· ·-	Sarah Maurice
ut	1/20/2015 5:15:41PM	Location: Creepers &	Crawlers			Justin Maurice
	1/21/2015 7:30:24AM	Location: Creepers &	Crawlers			ADMIN
ıt	1/21/2015 5:28:48PM	Location: Creepers &	Crawlers			Justin Maurice
	1/22/2015 7:37:56AM	Location: Creepers &	Crawlers			Sarah Maurice
	1/22/2015 2:47:47PM	Location: Creepers &	Crawlers			Justin Maurice
	1/23/2015 7:25:32AM	Location: Creepers &				Sarah Maurice
	1/23/2015 5:45:04PM	Location: Creepers & (	Crawlers			Sarah Maurice
	1/26/2015 7:38:02AM	Location: Creepers & 0	Crawlers			Sarah Maurice
	1/26/2015 5:41:46PM	Location: Creepers & 0	Crawlers		<u></u>	Sarah Maurice
		Location: Creepers & C	Crawlers			Sarah Maurice
		Location: Creepers & 0	Crawlers	· · · · · · · · · · · · · · · · · · ·		Justin Maurice
		Location: Creepers & (	Crawlers			Sarah Maurice
		Location: Creepers & C	Crawlers			Sarah Maurice
		Location: Creepers & C	Crawlers	· · · · · · · · · · · · · · · · · · ·		Sarah Maurice
t	1/29/2015 5:05:36PM	Location: Creepers & C	rawlers	<del></del>		Justin Maurice
1		Location: Creepers & C		<del></del>		Sarah Maurice
			Attended	Sick	Vacation	Total
tudent Tota	als :		1,107.92	0.00	0.00	· otal

## Student Attendance Detail by Student

Date Range: 12/9/2014 -to - 1/26/2015



	The state of the state of the state of	and the second s	A Commence of the Commence of	Student ID:11
Event Type			Notes	
Out	12/9/2014 7:30:46AM	Location: Creepers & Crawlers		Sarah Maurice
n -	12/9/2014 5:38:57PM	Location: Creepers & Crawlers		Sarah Maurice
Out	12/10/2014 7:37:30AM	Location: Creepers & Crawlers		Sarah Maurice
	12/10/2014 4:23:36PM	The state of the s		Sarah Maurice
n	12/11/2014 7:34:43AM	Location: Creepers & Crawlers		Sarah Maurice
Out	12/11/2014 5:39:43PM	Location: Creepers & Crawlers		Sarah Maurice
n	12/12/2014 7:13:24AM	Location: Creepers & Crawlers		Sarah Maurice
Out	12/12/2014 5:05:28PM	Location: Creepers & Crawlers		
1	12/15/2014 7:31:15AM	Location: Creepers & Crawlers		Sarah Maurice
Out	12/15/2014 2:44:59PM	Location: Creepers & Crawlers	·	Sarah Maurice
	12/19/2014 7:43:44AM	Location: Creepers & Crawlers		Justin Maurice
ut	12/19/2014 4:33:37PM	Location: Creepers & Crawlers		Sarah Maurice
	12/22/2014 7:35:45AM	Location: Creepers & Crawlers		Sarah Maurice
ut	12/22/2014 3:49:57PM	Location: Creepers & Crawlers	<del> </del>	Sarah Maurice
	12/23/2014 7:35:46AM	Location: Creepers & Crawlers		Justin Maurice
ut	12/23/2014 5:46:00PM	Location: Creepers & Crawlers		Sarah Maurice
		Location: Creepers & Crawlers		Sarah Maurice
ıt		Location: Creepers & Crawlers	<del> </del>	Sarah Maurice
		Location: Creepers & Crawlers		Sarah Maurice
ıt		Location: Creepers & Crawlers	<u> </u>	Sarah Maurice
		Location: Creepers & Crawlers		Sarah Maurice
ıt		Location: Creepers & Crawlers		Sarah Maurice
		Location: Creepers & Crawlers		Sarah Maurice
t	<del> </del>	Location: Creepers & Crawlers		Sarah Maurice
		Location: Creepers & Crawlers		Justin Maurice
t		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
1		ocation: Creepers & Crawlers		Sarah Maurice
				Sarah Maurice
<del></del>		ocation: Creepers & Crawlers		Sarah Maurice
· · · ·		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
	444-4-4-4	ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Justin Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Justin Maurice
		ocation: Creepers & Crawlers		ADMIN
		ocation: Creepers & Crawlers		Sarah Maurice
		cation: Creepers & Crawlers		
1	/20/2015 5:15:41PM Lo	cation: Creepers & Crawlers		Sarah Maurice Justin Maurice

### Student Attendance Detail by Student

Date Range: 12/9/2014 -to - 1/26/2015



Student: Maurice, Emma R					Student ID:1188
Event Type	Event Timestamp		Notes		
ln	1/21/2015 7:30:24AM	Location: Creepers & Crawlers	110103	<u></u>	Entered By
Out	1/21/2015 5:28:48PM	Location: Creepers & Crawlers			ADMIN
n	1/22/2015 7:37:56AM	Location: Creepers & Crawlers			Justin Maurice
Out	1/22/2015 2:47:47PM	Location: Creepers & Crawlers			Sarah Maurice
n	1/23/2015 7:25:32AM				Justin Maurice
Out	1/23/2015 5:45:04PM	Location: Creepers & Crawlers			Sarah Maurice
	1/26/2015 7:38:02AM	Location: Creepers & Crawlers			Sarah Maurice
		Location: Creepers & Crawlers			Sarah Maurice
	· ·	Attended	Sick	Vacation	Total
Student To	tais:	218.37	0.00	0.00	

### Student Attendance Detail

by Student



Event Type	Event Timestamp	Location in Center	Notes	Entered By
n	9/2/2014 8:26:52AM	Location: Creepers & Crawlers		Sarah Maurice
Out	9/2/2014 4:25:42PM	Location: Creepers & Crawlers		Justin Maurice
n	9/3/2014 7:30:03AM	Location: Creepers & Crawlers		Sarah Maurice
Out	9/3/2014 5:40:16PM	Location: Creepers & Crawlers		Justin Maurice
n	9/4/2014 7:33:18AM	Location: Creepers & Crawlers		Sarah Maurice
Out	9/4/2014 5:24:44PM	Location: Creepers & Crawlers		Justin Maurice
n	9/5/2014 8:04:52AM	Location: Creepers & Crawlers		Sarah Maurice
Out	9/5/2014 5:01:56PM	Location: Creepers & Crawlers		Sarah Maurice
n	9/8/2014 7:27:46AM	Location: Creepers & Crawlers		Sarah Maurice
Out	9/8/2014 5:26:51PM	Location: Creepers & Crawlers		Justin Maurice
n	9/9/2014 7:30;39AM	Location: Creepers & Crawlers		Sarah Maurice
Out	9/9/2014 5:26:13PM	Location: Creepers & Crawlers		Justin Maurice
n	9/10/2014 7:26:12AM	Location: Creepers & Crawlers		Sarah Maurice
Out	9/10/2014 5:42:56PM	Location: Creepers & Crawlers		Sarah Maurice
n	9/11/2014 7:25:30AM	Location: Creepers & Crawlers		Sarah Maurice
Out	9/11/2014 5:36:50PM	Location: Creepers & Crawlers		Sarah Maurice
n	9/12/2014 7:15:41AM	Location: Creepers & Crawlers		Sarah Maurice
Out	9/12/2014 5:08:46PM	Location: Creepers & Crawlers		Sarah Maurice
n	9/15/2014 7:34:26AM	Location: Creepers & Crawlers		Sarah Maurice
Out	9/15/2014 5:47:41PM	Location: Creepers & Crawlers		Sarah Maurice
n	9/16/2014 7:31:37AM	Location: Creepers & Crawlers		Sarah Maurice
Out	9/16/2014 5:47:07PM	Location: Creepers & Crawlers		Sarah Maurice
ì	9/17/2014 7:28:50AM	Location: Creepers & Crawlers		Sarah Maurice
out	9/17/2014 5:37:45PM	Location: Creepers & Crawlers		Sarah Maurice
1	9/18/2014 7:35:11AM	Location: Creepers & Crawlers		Sarah Maurice
out	9/18/2014 3:34:45PM	Location: Creepers & Crawlers		Justin Maurice
1	9/19/2014 7:23:45AM	Location: Creepers & Crawlers		Sarah Maurice
out	9/19/2014 3:32:14PM	Location: Creepers & Crawlers		ADMIN
)	9/22/2014 7:38:10AM	Location: Creepers & Crawlers		Sarah Maurice
ut	9/22/2014 3:41:55PM	Location: Creepers & Crawlers		ADMIN
i	9/23/2014 7:41:11AM	Location: Creepers & Crawlers		Sarah Maurice
ut	9/23/2014 3:53:13PM	Location: Creepers & Crawlers		Justin Maurice
1	9/24/2014 7:37:39AM	Location: Creepers & Crawlers		Sarah Maurice
ut	9/24/2014 5:47:37PM	Location: Creepers & Crawlers		Sarah Maurice
ı	9/25/2014 8:18:32AM	Location: Creepers & Crawlers		Sarah Maurice
ut	9/25/2014 5:12:54PM	Location: Creepers & Crawlers		Sarah Maurice
	9/26/2014 7:30:00AM	Location: Creepers & Crawlers		Sarah Maurice
ut		Location: Creepers & Crawlers		Sarah Maurice
		Location: Creepers & Crawlers		Sarah Maurice
ut		Location: Creepers & Crawlers		Justin Maurice
		Location: Creepers & Crawlers		Sarah Maurice
		Location: Creepers & Crawlers		Justin Maurice

### Student Attendance Detail by Student



- w				Student ID:11	
Event Type	Event Timestamp	Location in Center	Notes	Entered By	
n	10/1/2014 7:52:32AM	Location: Creepers & Crawlers		Sarah Maurice	
Out	10/1/2014 5:24:51PM	Location: Creepers & Crawlers		Justin Maurice	
· · · · · · · · · · · · · · · · · · ·	10/2/2014 7:46:42AM	Location: Creepers & Crawlers		Sarah Maurice	
ut	10/2/2014 4:30:10PM	Location: Creepers & Crawlers		Justin Maurice	
	10/3/2014 7:39:21AM	Location: Creepers & Crawlers		Sarah Maurice	
ut	10/3/2014 4:56:59PM	Location: Creepers & Crawlers		Sarah Maurice	
1	10/6/2014 7:39:04AM	Location: Creepers & Crawlers		Sarah Maurice	
ut	10/6/2014 5:40:01PM	Location: Creepers & Crawlers		Sarah Maurice	
	10/7/2014 7:35:50AM	Location: Creepers & Crawlers		Sarah Maurice	
ut	10/7/2014 4:43:09PM	Location: Creepers & Crawlers		Justin Maurice	
	10/8/2014 7:36:00AM	Location: Creepers & Crawlers		Sarah Maurice	
ut	10/8/2014 4:35:33PM	Location: Creepers & Crawlers		Justin Maurice	
	10/9/2014 7:34:03AM	Location: Creepers & Crawlers		Sarah Maurice	
ut	10/9/2014 4:51:40PM	Location: Creepers & Crawlers		Justin Maurice	
		Location: Creepers & Crawlers		Sarah Maurice	
ut		Location: Creepers & Crawlers		Justin Maurice	
		Location: Creepers & Crawlers		Sarah Maurice	
ut		Location: Creepers & Crawlers		Justin Maurice	
		Location: Creepers & Crawlers		Sarah Maurice	
ut		Location: Creepers & Crawlers		Justin Maurice	
		Location: Creepers & Crawlers		Sarah Maurice	
ut		Location: Creepers & Crawlers		Justin Maurice	
		Location: Creepers & Crawlers		Sarah Maurice	
ıt		Location: Creepers & Crawlers		ADMIN	
		Location: Creepers & Crawlers		Sarah Maurice	
ıt		Location: Creepers & Crawlers		Sarah Maurice	
		Location: Creepers & Crawlers		Sarah Maurice	
rt		Location: Creepers & Crawlers		Sarah Maurice	
		ocation: Creepers & Crawlers		Sarah Maurice	
ıt	10/21/2014 5:36:47PM L	ocation: Creepers & Crawlers		Sarah Maurice	
		ocation: Creepers & Crawlers		Sarah Maurice	
		ocation: Creepers & Crawlers		Sarah Maurice	
		ocation: Creepers & Crawlers		Sarah Maurice	
		ocation: Creepers & Crawlers		Justin Maurice	
		ocation: Creepers & Crawlers		Sarah Maurice	
		ocation: Creepers & Crawlers		Justin Maurice	
		ocation: Creepers & Crawlers		Sarah Maurice	
t T	10/27/2014 5:36:46PM L	ocation: Creepers & Crawlers		Sarah Maurice	
	10/28/2014 8:16:44AM L	ocation: Creepers & Crawlers		Sarah Maurice	
t	10/28/2014 5:39:54PM L	ocation: Creepers & Crawlers		Sarah Maurice	
	10/29/2014 8:23:25AM L	ocation: Creepers & Crawlers		ADMIN	
		ocation: Creepers & Crawlers		Justin Maurice	

### Student Attendance Detail by Student



Event Type	Event Timestamp	Location in Center	Notes	
ln	10/30/2014 8:16:51AM	Location: Creepers & Crawlers	Notes · · · · · · · · · · · · · · · · · · ·	Entered By
Out	10/30/2014 5:53:22PM	Location: Creepers & Crawlers	<u> </u>	ADMIN
n	11/3/2014 8:08:45AM	Location: Creepers & Crawlers		Sarah Maurice
Out	11/3/2014 4:00:02PM	Location: Creepers & Crawlers		Sarah Maurice
n	11/4/2014 7:38:00AM	Location: Creepers & Crawlers		Justin Maurice
Out	11/4/2014 5:06:28PM	Location: Creepers & Crawlers		Sarah Maurice
n	11/5/2014 7:36:52AM	Location: Creepers & Crawlers	<u> </u>	Justin Maurice
Out	11/5/2014 4:42:19PM	Location: Creepers & Crawlers		Sarah Maurice
n	11/6/2014 8:21:38AM	Location: Creepers & Crawlers		Justin Maurice
out	11/6/2014 5:39:32PM	Location: Creepers & Crawlers		Sarah Maurice
1	11/7/2014 6:44:49AM	Location: Creepers & Crawlers		Sarah Maurice
Out	11/7/2014 4:28:02PM	Location: Creepers & Crawlers		Sarah Maurice
1		Location: Creepers & Crawlers  Location: Creepers & Crawlers		Sarah Maurice
Out		Location: Creepers & Crawlers  Location: Creepers & Crawlers		Sarah Maurice
1				Justin Maurice
ut		Location: Creepers & Crawlers		Sarah Maurice
<u> </u>		Location: Creepers & Crawlers		Justin Maurice
ut		Location: Creepers & Crawlers		Sarah Maurice
		Location: Creepers & Crawlers		Justin Maurice
ut		Location: Creepers & Crawlers		Sarah Maurice
<u> </u>		Location: Creepers & Crawlers		Justin Maurice
ut		Location: Creepers & Crawlers		ADMIN
<u></u>		Location: Creepers & Crawlers		Sarah Maurice
		Location: Creepers & Crawlers		Sarah Maurice
ut		Location: Creepers & Crawlers		Justin Maurice
		Location: Creepers & Crawlers		Sarah Maurice
ut		Location: Creepers & Crawlers		Sarah Maurice
		Location: Creepers & Crawlers		Sarah Maurice
ıt		Location: Creepers & Crawlers		Sarah Maurice
		Location: Creepers & Crawlers		Sarah Maurice
		Location: Creepers & Crawlers	-	Sarah Maurice
		Location: Creepers & Crawlers		Sarah Maurice
,		Location: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
	12/3/2014 7:33:39AM L	ocation: Creepers & Crawlers		Sarah Maurice
t	12/3/2014 5:45:06PM L	ocation: Creepers & Crawlers		Sarah Maurice
	12/4/2014 7:00:16AM L	ocation: Creepers & Crawlers		ADMIN
t	12/4/2014 5:41:56PM L	ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
t		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		Attended	Sick Vacation	

### Student Attendance Detail by Student



Student Totals: 560.51 0.00 0.00	560.51
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## Student Attendance Detail by Student

Date Range: 12/9/2014 -to - 1/26/2015



	Maurice, Emma R		Student ID:118	
Event Type	Event Timestamp		Notes	Entered By
in	12/9/2014 7:30:46AM	Location: Creepers & Crawlers		Sarah Maurice
Out	12/9/2014 5:38:57PM	Location: Creepers & Crawlers		Sarah Maurice
ln .	12/10/2014 7:37:30AM	Location: Creepers & Crawlers		Sarah Maurice
Out	12/10/2014 4:23:36PM	Location: Creepers & Crawlers	<del></del>	Sarah Maurice
n	12/11/2014 7:34:43AM	Location: Creepers & Crawlers		
Out	12/11/2014 5:39:43PM	Location: Creepers & Crawlers		Sarah Maurice
n	12/12/2014 7:13:24AM	Location: Creepers & Crawlers	<del> </del>	Sarah Maurice
Out	12/12/2014 5:05:28PM	Location: Creepers & Crawlers	<del>- </del>	Sarah Maurice
n	12/15/2014 7:31:15AM	Location: Creepers & Crawlers	<del> </del>	Sarah Maurice
Out	12/15/2014 2:44:59PM	Location: Creepers & Crawlers		Sarah Maurice
n	12/19/2014 7:43:44AM	Location: Creepers & Crawlers	<del></del>	Justin Maurice
Out	12/19/2014 4:33:37PM	Location: Creepers & Crawlers		Sarah Maurice
1	12/22/2014 7:35:45AM	Location: Creepers & Crawlers	<del></del>	Sarah Maurice
ut	12/22/2014 3:49:57PM	Location: Creepers & Crawlers		Sarah Maurice
1		Location: Creepers & Crawlers		Justin Maurice
et		Location: Creepers & Crawlers		Sarah Maurice
		Location: Creepers & Crawlers		Sarah Maurice
ut		Location: Creepers & Crawlers		Sarah Maurice
		Location: Creepers & Crawlers		Sarah Maurice
ut		Location: Creepers & Crawlers		Sarah Maurice
	4 15 15 4 1	Location: Creepers & Crawlers		Sarah Maurice
ut		Location: Creepers & Crawlers		Sarah Maurice
		Location: Creepers & Crawlers		Sarah Maurice
ut		Location: Creepers & Crawlers		Sarah Maurice
		Location: Creepers & Crawlers		Justin Maurice
		Location: Creepers & Crawlers		Sarah Maurice
				Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Justin Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Sarah Maurice
	** = ** = **	ocation: Creepers & Crawlers		Sarah Maurice
		ocation: Creepers & Crawlers		Justin Maurice
		ocation: Creepers & Crawlers		ADMIN
	/16/2015 5:07:33PM Lo	ocation: Creepers & Crawlers	<del> </del> -	Sarah Maurice
	/20/2015 7:34:50AM Lo	ocation: Creepers & Crawlers	<del></del>	
1		ocation: Creepers & Crawlers		Sarah Maurice

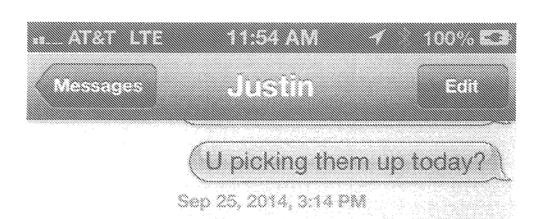
# Student Attendance Detail by Student

Date Range: 12/9/2014 -to - 1/26/2015



otudent.	tudent: Maurice, Emma R						Student ID:1188	
Event Type	Event Timestamp	Location in Cent	ter	Notes			Entrard D	
<u>'n</u>	1/21/2015 7:30:24AM	Location: Creepers & Crawlers				Entered By		
Out	1/21/2015 5:28:48PM	Location: Creepers &					ADMIN	
n	1/22/2015 7:37:56AM	Location: Creepers &					Justin Maurice	
Out	1/22/2015 2:47:47PM	Location: Creepers &					Sarah Maurice	
n	1/23/2015 7:25:32AM	Location: Creepers &					Justin Maurice	
Out	1/23/2015 5:45:04PM	Location: Creepers &					Sarah Maurice	
n	1/26/2015 7:38:02AM	Location: Creepers &					Sarah Maurice	
<del></del>		Location. Creepers &	Crawlers		_		Sarah Maurice	
34			Attended	Sick		Vacation	Total	
Student To	tals:		218.37		0.00	0.00	218.3	

# **EXHIBIT 2**



Sep 25, 2014, 4:21 PM

Sorry I fell asleep .i feel like shit. Think I'm getting sick. Prob caught what's been floating around the shop. Won't be able to pick them up.i don't want to get Emma sick either.

Ok. Is it okay if I stop by and get savannahs little rat? She freaked out about it yesterday

Yes of course

And I want to grab those two Avon bags that are

iMessage



Oct 6, 2014, 4:34 PM

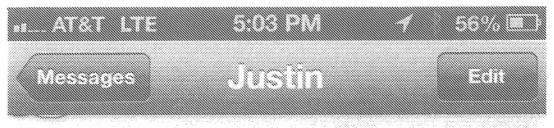
These fuckers just fucked up the trailer. The factory tint that was on the windows is all jacked from the chemicals they used

Can you get Emma . I can't leave these douches





10/22/2014 photo/5,PNG



Oct 20, 2014, 3:32 PM

Are you able to get the girls today if I can't?

Yes. Let me know

K. Thank u

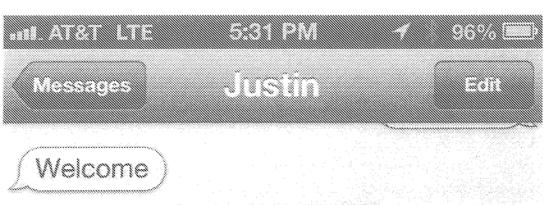
Oct 20, 2014, 5:02 PM

Can u get the girls?





10/22/2014 photo 1.PNG



Oct 21, 2014, 5:01 PM

U pick up the girls?

Oct 21, 2014, 5:16 PM



### Fuuuuuux just woke up

And I have the guy here for the windows on the trailer. He woke me up

So then I need to get them?





Oct 21, 2014, 5:31 PM



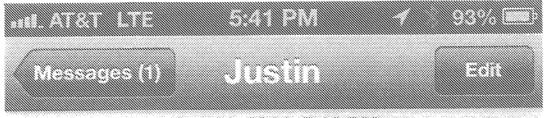
Delivered



iMessage



10/22/2014 photo 2.PNG



Oct 21, 2014, 5:16 PM

77

### Fuuuuuux just woke up

And I have the guy here for the windows on the trailer . He woke me up

So then I need to get them?

Yah

Can u?

Oct 21, 2014, 5:31 PM



Delivered

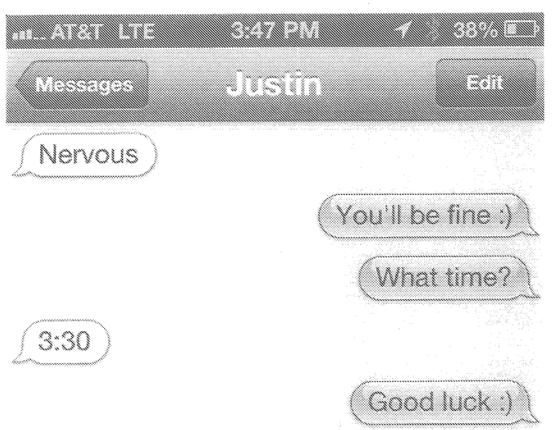
K. Sorry. I've been so exhausted lately I passed out when I got home. Think I'm getting sick



iMessage



11/14/2014 photo.PNG



Oct 22, 2014, 3:45 PM

Not sure what time ill be done. They pushed the test and interview back to 4. You getting the girls

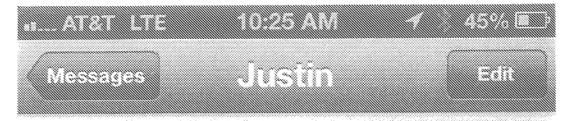
U need me to?

Prob . There are two other guys interviewing before me





11/14/2014 photo-PNG



Isn't she?:)

Oct 24, 2014, 4:08 PM

Emma is pretty fussy. Are you able to get savannah

Ok. Do you want me to get Emma early?

If you can.

I fed her but she's still not comfy

Ok. I'm headed to target to get her formula and diapers for daycare and then I will pick her up

K. Just text when your close

Oct 24, 2014, 4:49 PM

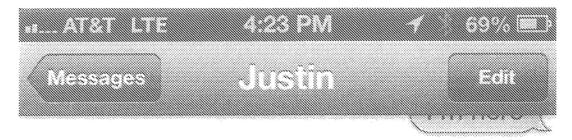
I got a tax bill for that



iMessage



12/8/2014 photo.PNG



Oct 26, 2014, 5:00 PM

What's the plan for next week? Do u want savannah to b parent pickup?

Oct 26, 2014, 8:42 PM



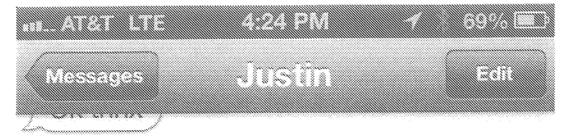
Oct 27, 2014, 6:49 AM

Morning, Prob should have savannah in safekey this week aswell. I won't be able to get the girls thurs or Friday.

Oct 27, 2014, 8:06 AM

I think savannah might have a urinary tract infection. Would u b able to take her to the doc today if I get her an appt after school?

iMessage



Oct 27, 2014, 4:04 PM

Feel like shit today. Runny nose, sore throat and fever.

Layin down for a bit cuz I'm feelin like hell.

Sorry. Ya it's goin around. I had it last week.

Oct 27, 2014, 4:19 PM

Do I need to get the girls?

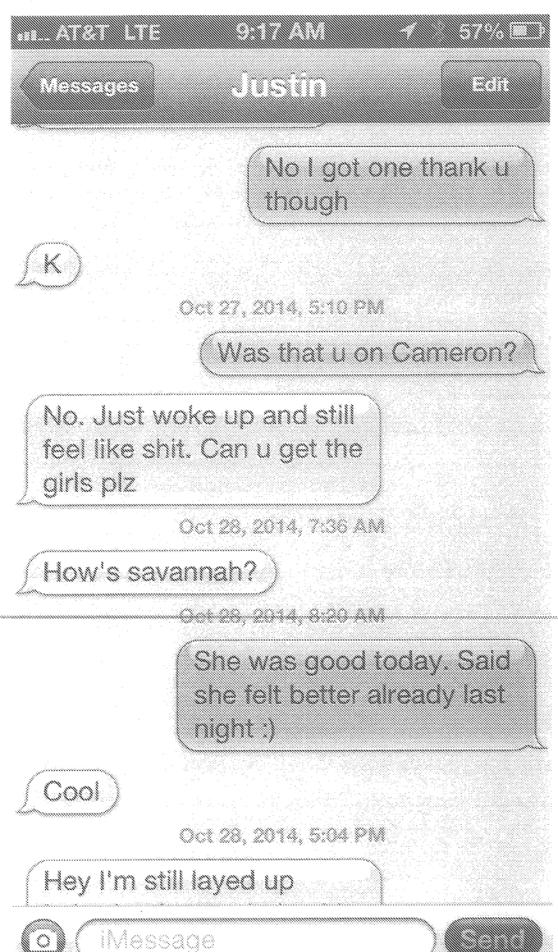
<del>Let me see how Heel in a</del> hr

Oh do you still need a toaster? I got you one

No I got one thank u though



11/10/2014 photo.PNG



11/10/2014



Oct 28, 2014, 5:25 PM



Oct 29, 2014, 3:34 PM

Did you get savannah or somia a pumpkin?





11/18/2014 photo.PNG



I told you that you would eat the words calling me a POS father and worthless. I am done with us. Unless you want to talk about the girls don't call or text. Filed for the divorce yesterday.

You lost me Monica jr

Nov 18, 2014, 8:57 AM

How's that jesus music and prayer workin out for ya?

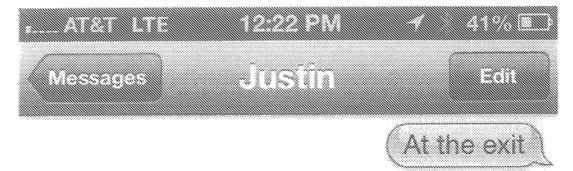
Nov 18, 2014, 1:59 PM

Working late OT tonight.please have savannah put in safekey and you will hafto Pick them up









Nov 20, 2014, 12:54 PM

Can you put savannah in safekey ? I'm working late and have a appointment at 3:00 today.



R u gonna get her from safe hey later or do I have to get the girls?

I should be able to get them. Ill let you know



Nov 20, 2014, 4:27 PM

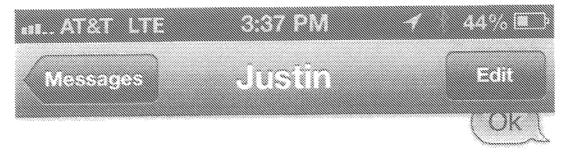
You will hafto get the girls.



Nov 21, 2014, 11:44 AM







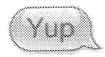
Nov 20, 2014, 4:27 PM

You will hafto get the girls.



Nov 21, 2014, 11:44 AM

I'm coming down with a sore throat and body aches. Might not get the girls if it gets worse



Nov 21, 2014, 2:30 PM

f just got home and have a fever, bad sore throat. I might hafto go to a doc. Can you put savannah in safekey.

Nov 21, 2014, 3:25 PM

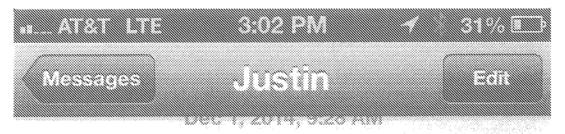
Already did

Delivered





12/12/2014 photo.PNG



Hello??

... yes III get the stuff down today.i need Savannah to be safe key this week.

Is everything ok?

Can I come over and get it today?

Yes .III bring the stuff to you.

Rulok?

Why do u keep ignoring me?

What the heck is going on?

Yes I'm fine. Just having a





12/12/2014 photo.PNG



Thanks Justin

So do I need to get savannah from safe key all week?

Yes please

Dec 1, 2014, 9:45 AM



Dec 1, 2014, 6:53 PM

U bringing that stuff tonight? Or can I stop by?

I'm not home . Ill try tomorrow.



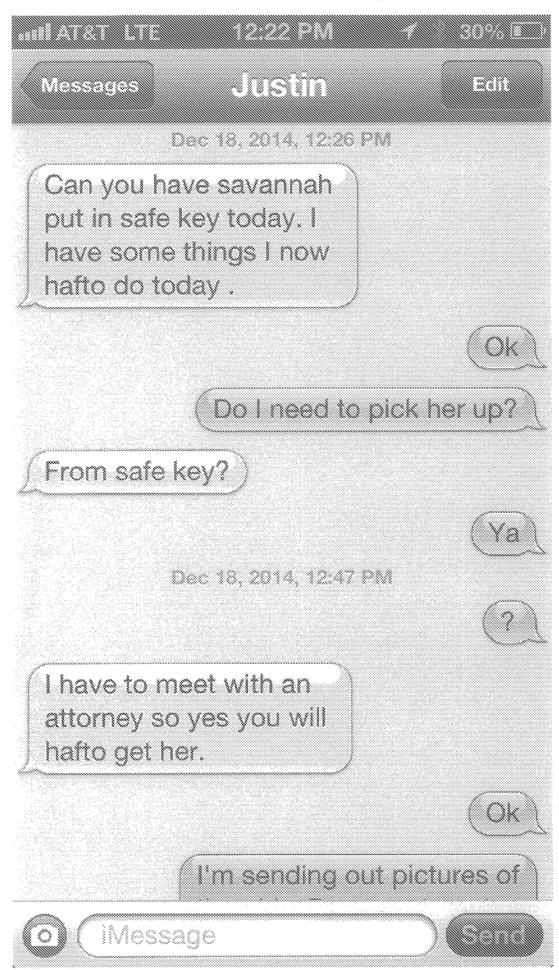
What all do you want?

The Christmas stuff. The old baby clothes and old



iMessage

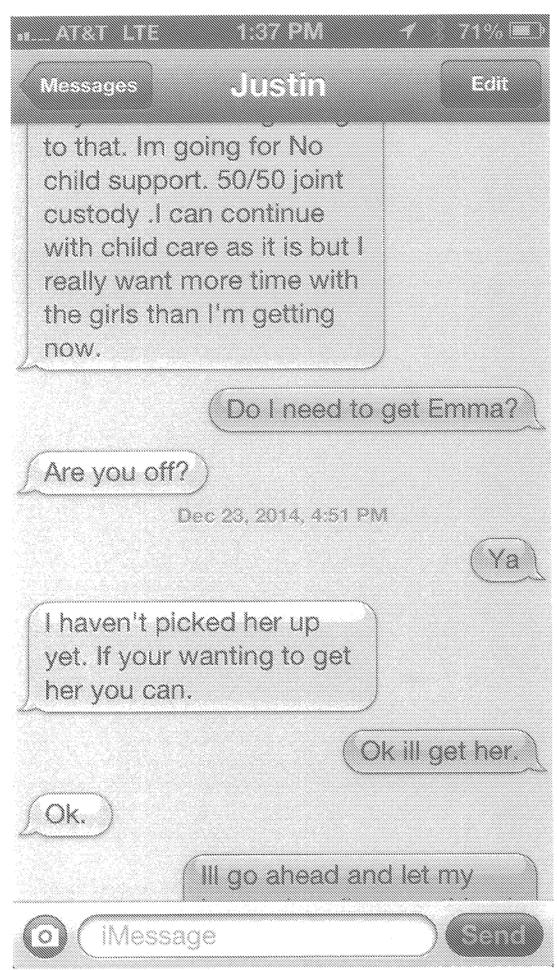
photo.PNG 12/29/2014



12/31/2014 photo:PNG



photo.PNG 12/31/2014



12/31/2014 photo.PNG

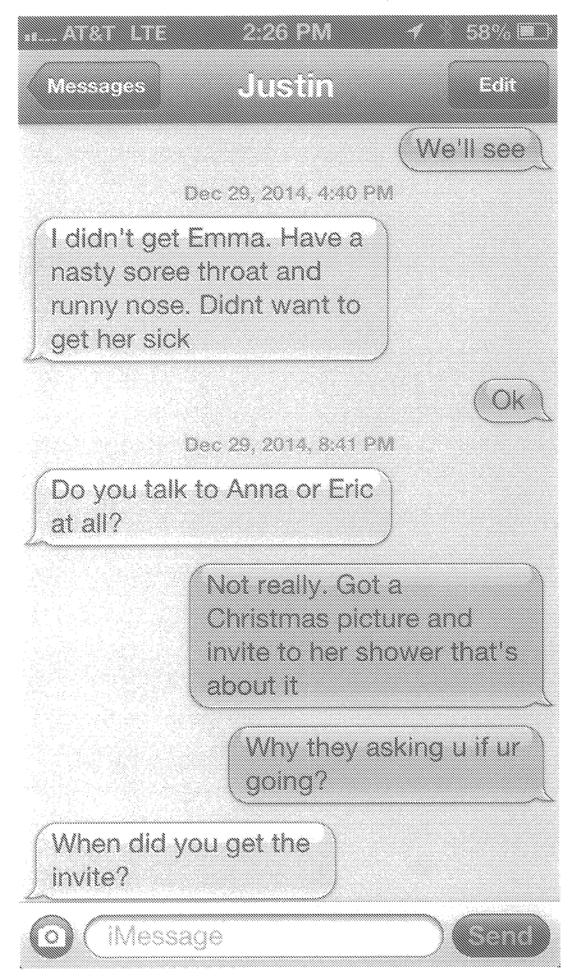
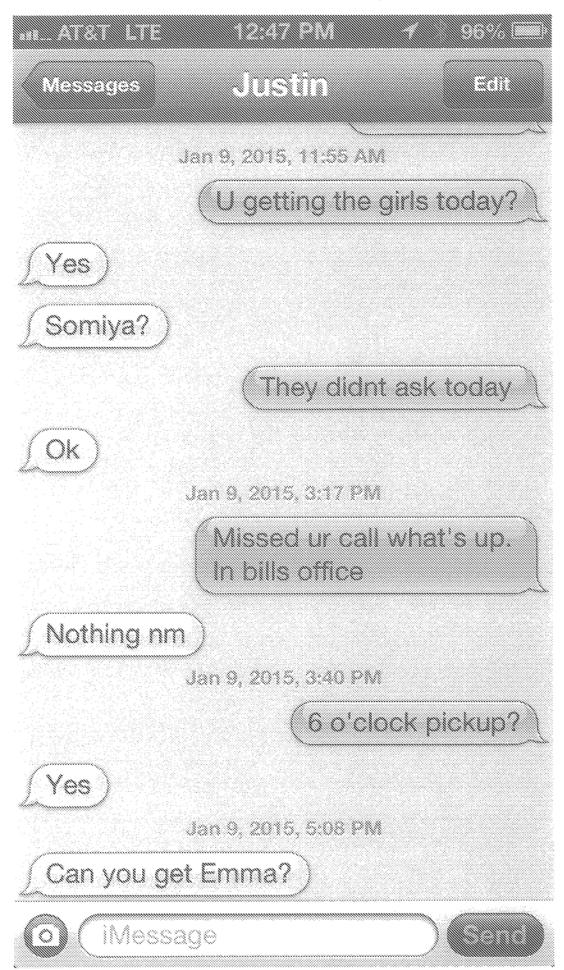


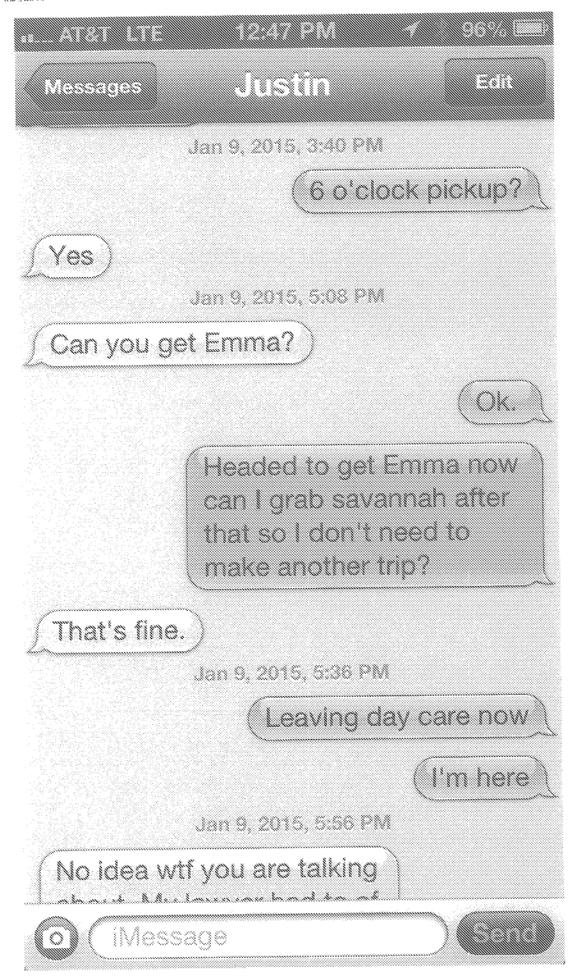
photo.PNG 12/31/2014

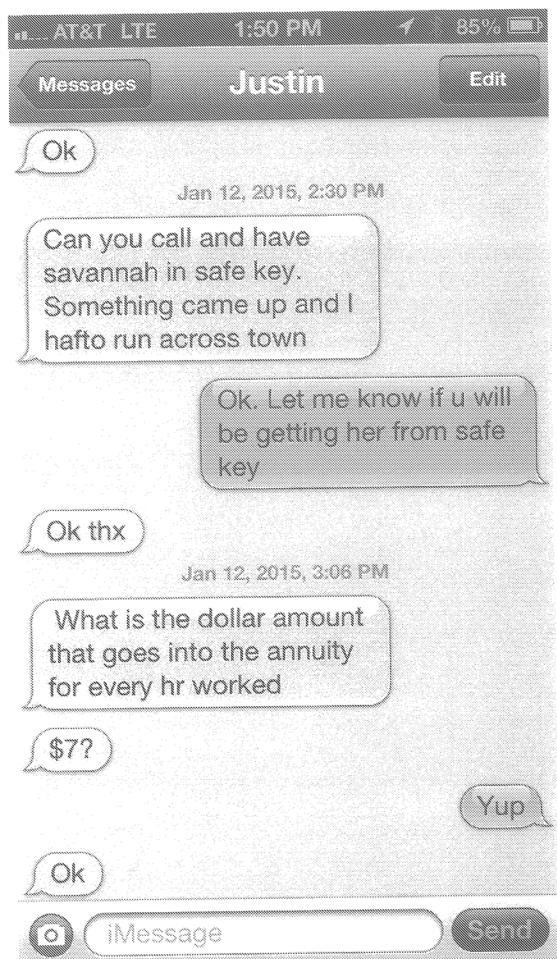


photo.PNG 4/21/2015

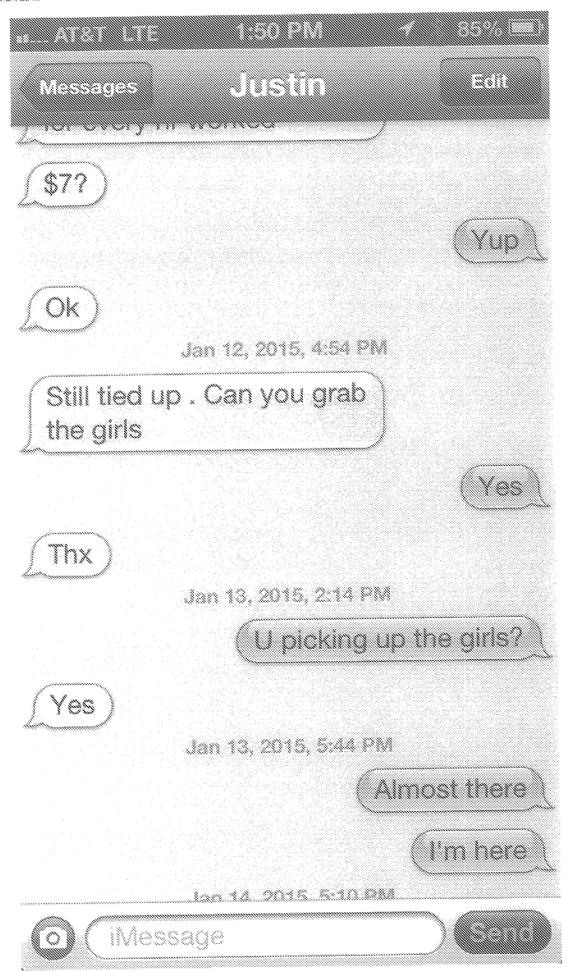


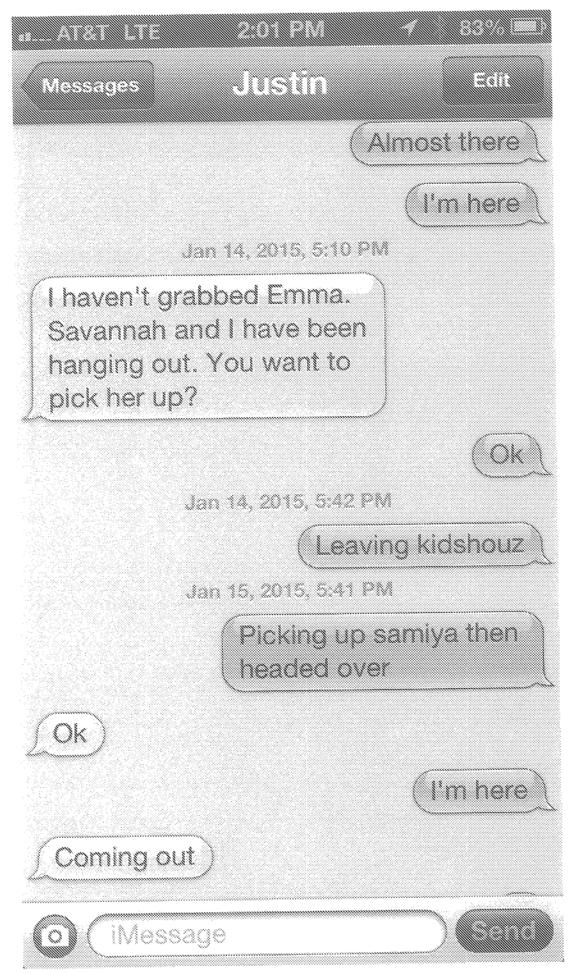
1/21/2015 photo.PNG

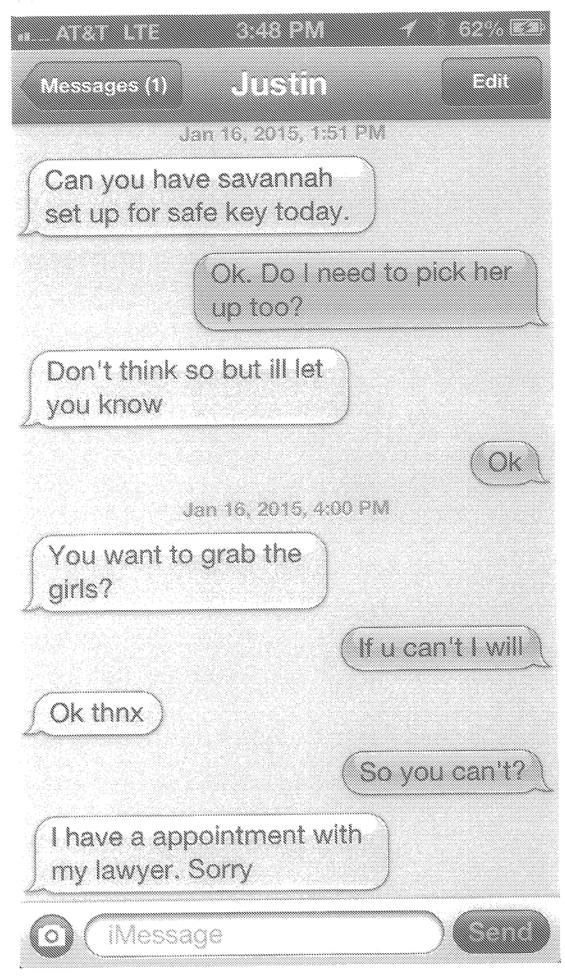




1/21/2015 photo.PNG







1/21/2015 pndo.PNG

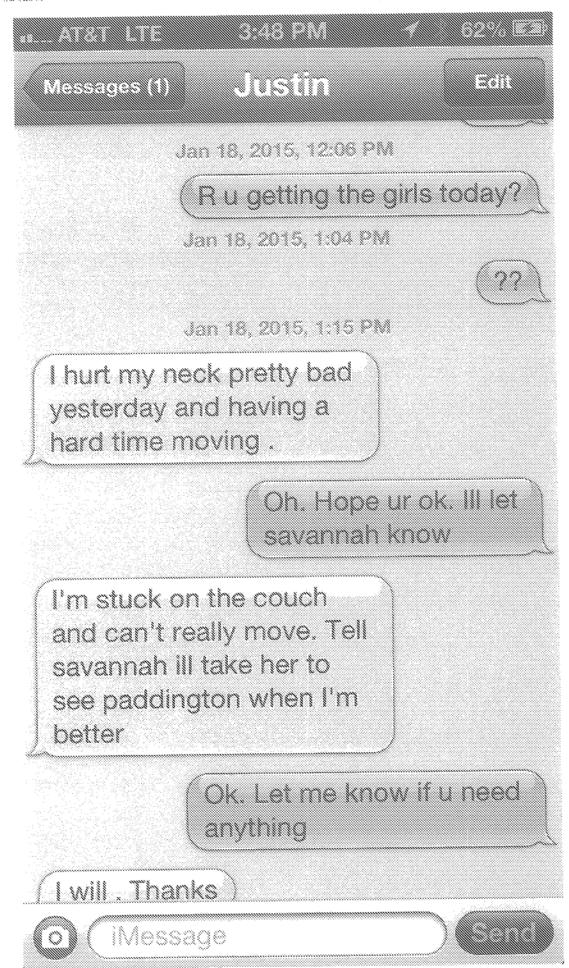


photo ZPNG

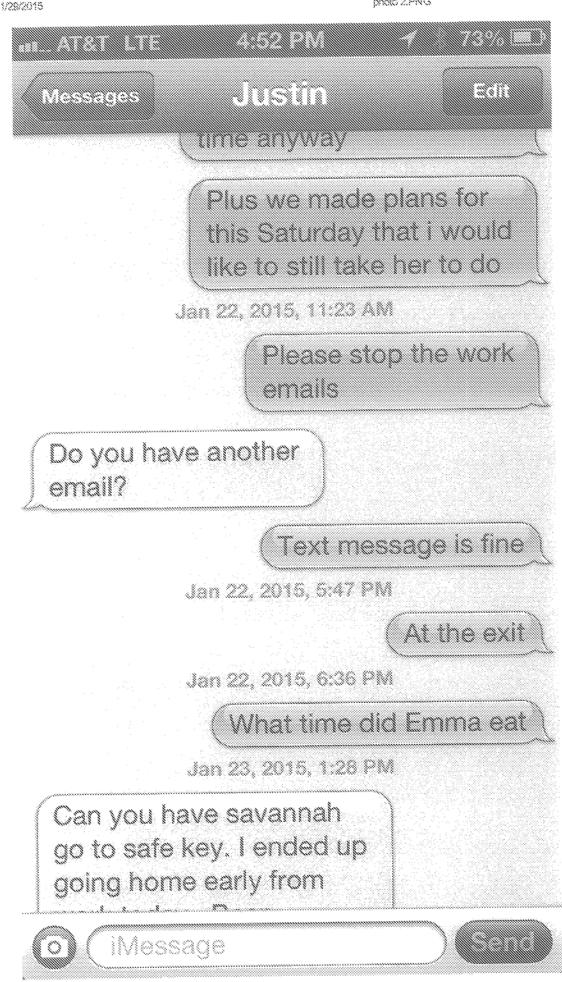


photo 3.PNG 1/29/2015

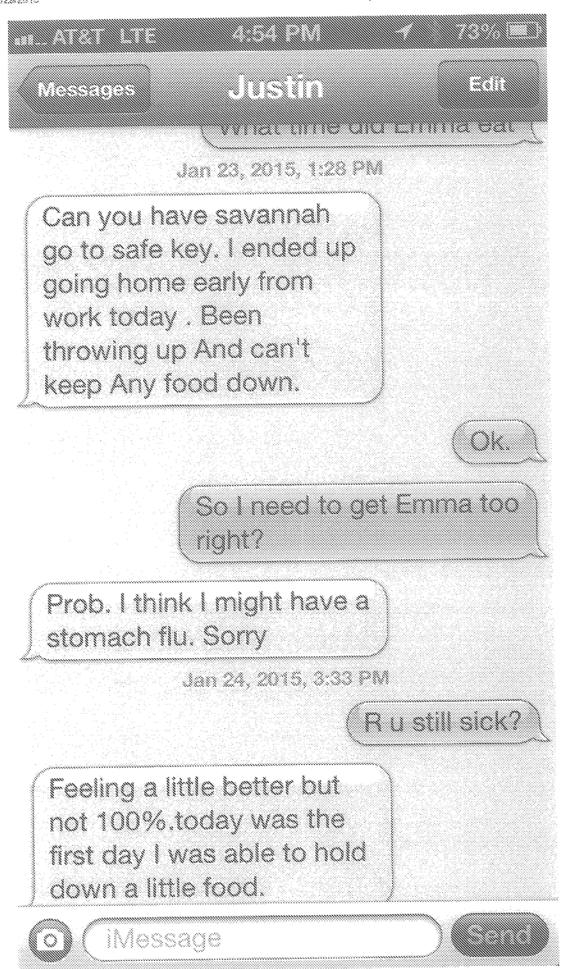
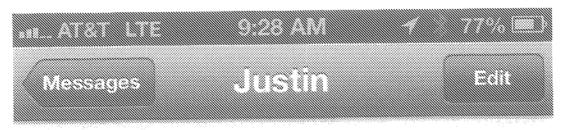


photo 1.PNG 1/30/2015



Just finished movie

Jan 26, 2015, 5:13 **PM** 

Are you able to get emma Emma? The Kia won't start.

Think the fuel Pump went out

What About the truck?

It's hooked to the trailer in the back yard and its raining like crazy

Hmm ok





Jan 26, 2015, 5:33 PM

Be careful at the horizon





## **EXHIBIT 3**

1/29/2015 choto 1.PNG



1/29/2018 photo 2.PNG



You are a great person and deserve better. I know deep down that you love me and I do aswell. I need to seperate myself so I stop hurting myself and you.

Oct 1, 2014, 2:34 PM

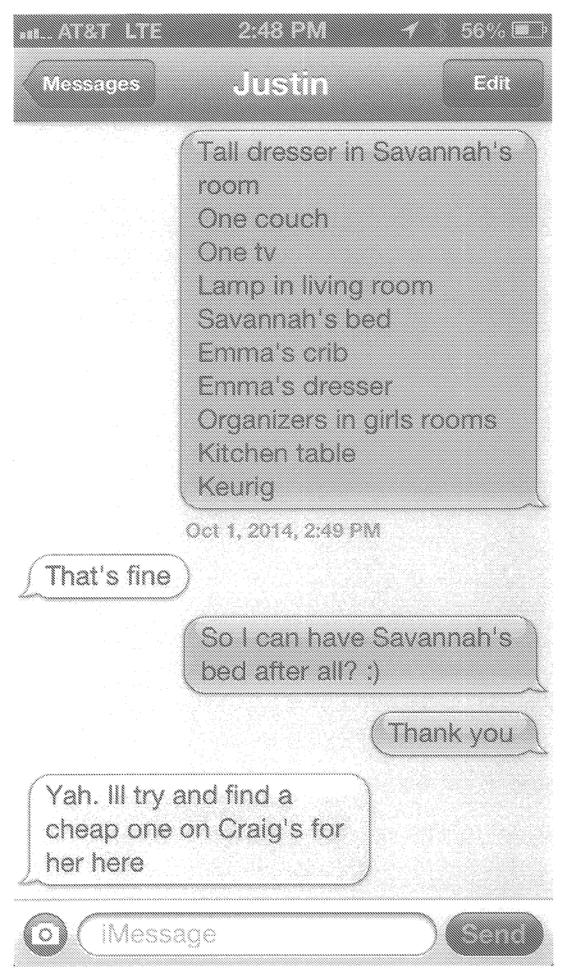
Hey here's my list let me know what u think

Tall dresser in Savannah's room One couch One tv Lamp in living room Savannan's bed Emma's orb Emma's diesser Organizers in girls rooms Kitchan tanla Keurio



iMessage

1/29/2015 photo-3.PNG



1/29/2015 photo 4.PNG



1/31/2015 photo 1.PNG

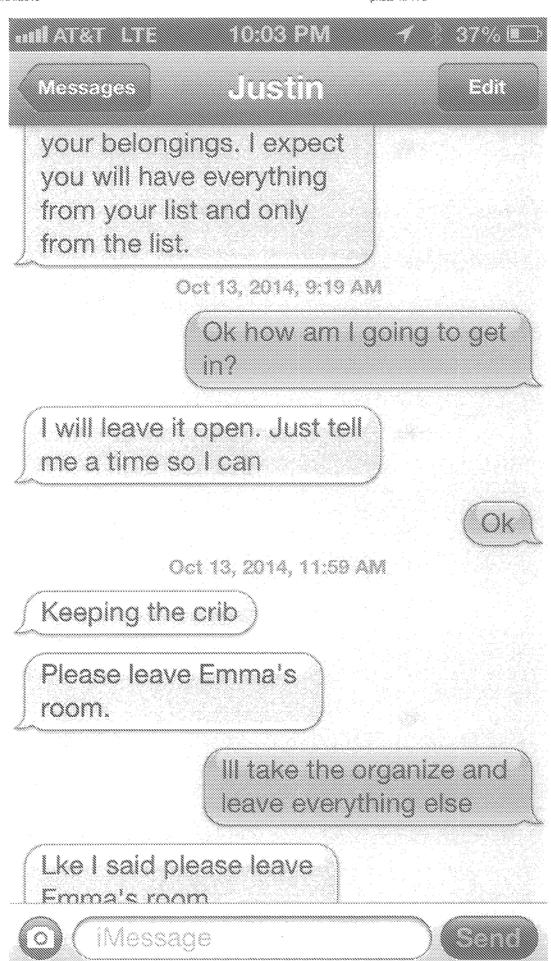
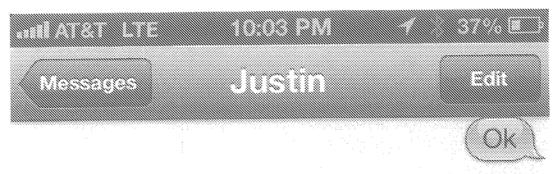


photo 2.PNG 1/31/2015



Oct 13, 2014, 11:59 AM

Keeping the crib

Please leave Emma's room.

> III take the organize and leave everything else

Lke I said please leave Emma's room.

Oct 13, 2014, 5:51 PM

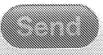
I'm here

Oct 13, 2014, 7:17 PM

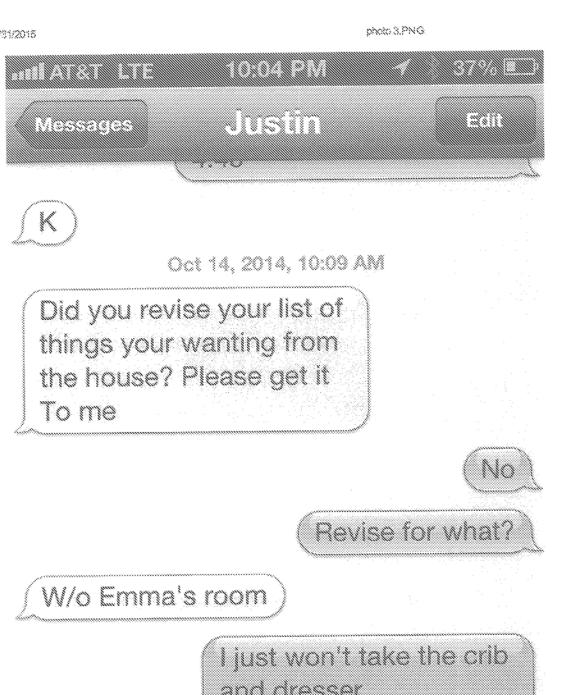
Gonna try to get Emma to the doctor in the morning. III let you know what they say







1/31/2015



and dresser

The entire room is staying if your taking Savannah's k

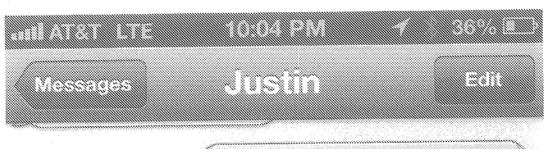
Whatever Justin

I'm willing to agree to





photo 4.PNG 1/31/2016



Liust won't take the crib and dresser

The entire room is staying if your taking Savannah's k

Whatever Justin

I'm willing to agree to everything else

> More games I don't have time for

1/2 mine too

It's not a game

K sounds good

R u still gonna help me get the box spring and mattress tomorrow?



iMessage



More games I don't have time for

1/2 mine too

It's not a game

K sounds good

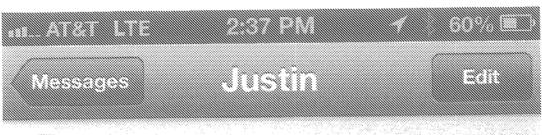
R u still gonna help me get the box spring and mattress tomorrow?

Ok then this should sound good. I've decided to pack up what's on your list myself. I dont want anyone in my home.I will have everything on your list in a u haul ready for you Saturday.whatever else you think of outside of the list we will hafto work out.





photo A.PNG 1/29/2015





Oct 18, 2014, 8:19 AM

Can you push it back till 10am. My parents just showed up on motorcycles on there way to boulder city for breakfast. They will be gone in a bit

> only have the uhaul for a few hours

> > How about 9:30?

Oct 18, 2014, 8:50 AM

K. If you take the tv in the living room can you leave me everything else? DVDs, DVD player etc

> Ya I hadn't planned on taking the DVD plaver



iMessage

photo 5.PNG 1/29/2015

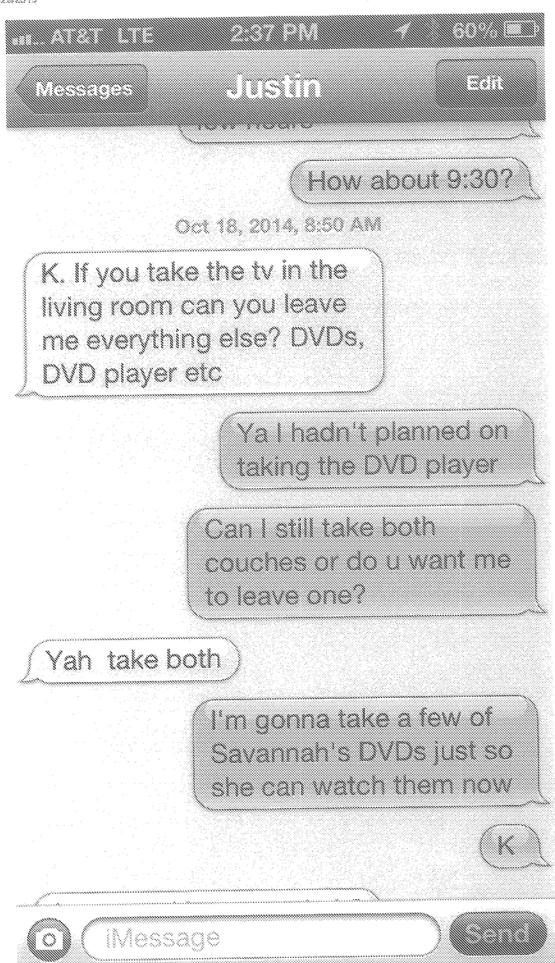
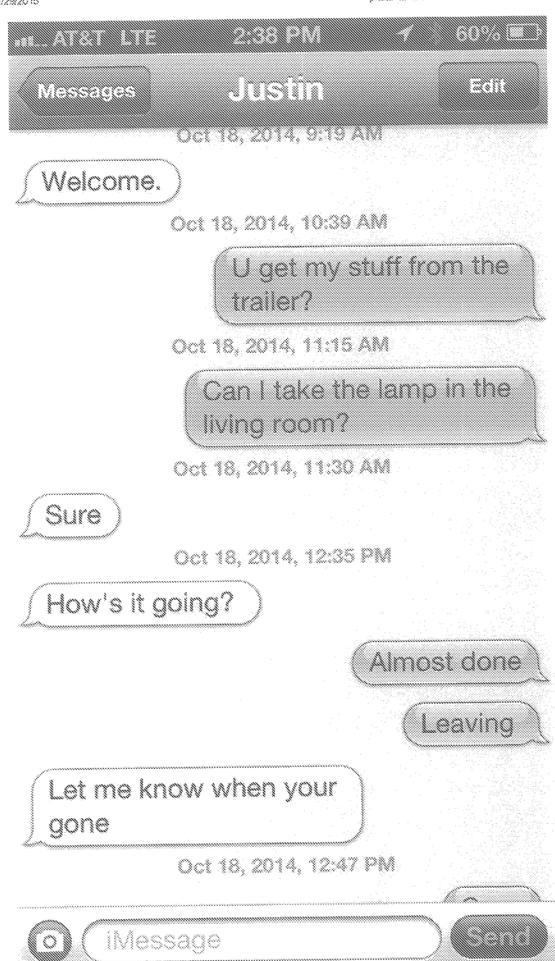


photo 4.PNG 1/29/2015



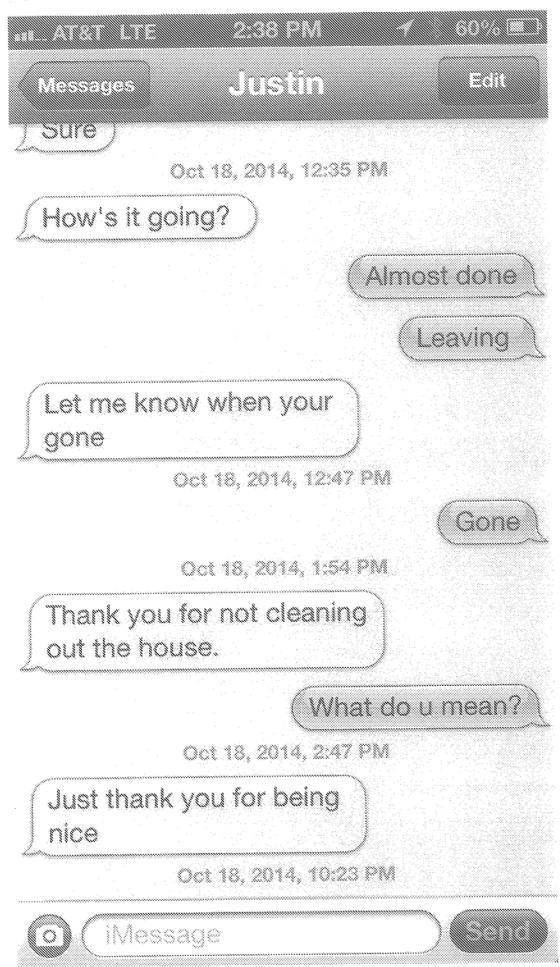
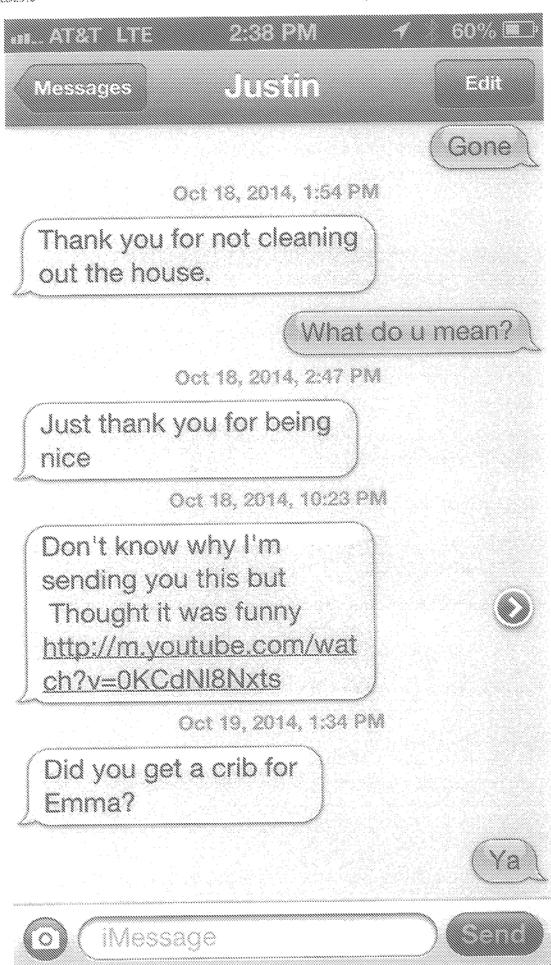


photo 1.PNG 1/29/2016



## EXHIBIT 4

From Eseah Me with mirror	The production of the control of the	te find de ser en el comment de service de s		dresses	HTECO VED
Munice wader	emedianas, interes più mira del mira e matrice del mentre del productione del mentre del			with mirror	From Seeach Ma

My account > Order placed on October 16, 2014

## Contact customer service Order #2677081-712469 Libit by William come. Ste substitutioning Picked up Manderson store pickup Yor 300 Ei Lake Moad Ploxy, Henderson, MY 89015 Start a return Tracking #05629198418271738 Order placed Processing Shipped Ready for Picked up pidans Pickijo person Edit Sarah Sarabia Graco Hartford Fixed-Side Convertible Crib; Picked up Colon Classic White Price: \$356.83 Billing address Order surpmary Sáráb maurice Subtratal \$150.81 108 westin lane Pickup FREE HENDERSON, NV 89002 Tax (i) \$12.22

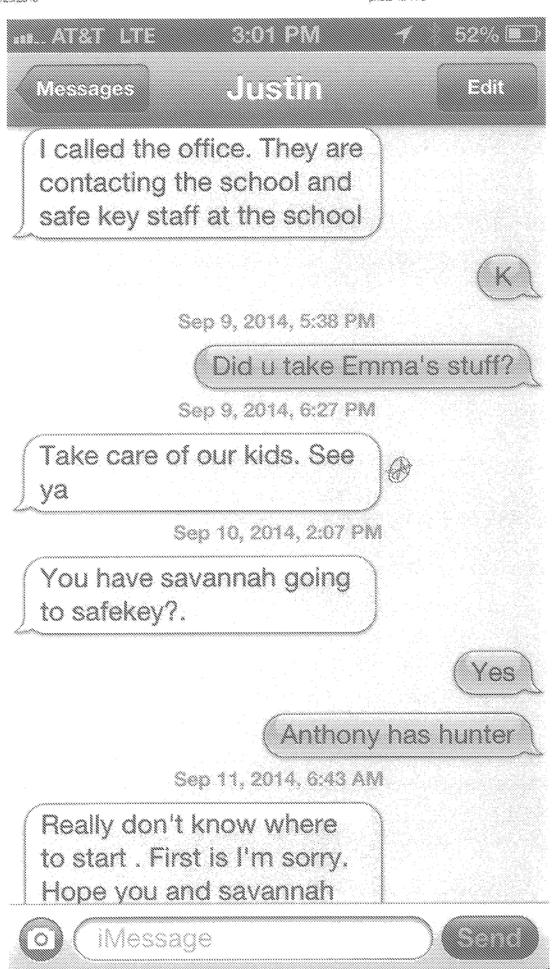
Computer adaptarum e-4983975-1-34161296, DC- prod-cliw 1, FNV- prod-a, Ven-6.0.0, SHA-1468d33996781fd42a7inf4c6290ff23956e6647. Log-Ta3n99n0-ab34-14b3d65bddff00

\$163.03

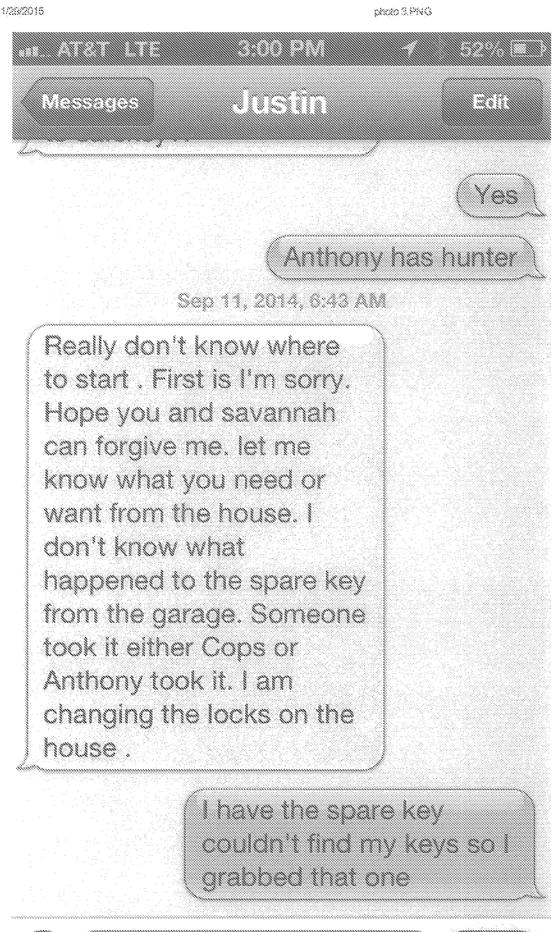
Order total

## **EXHIBIT 5**

1/29/2016 photo 4.PNG

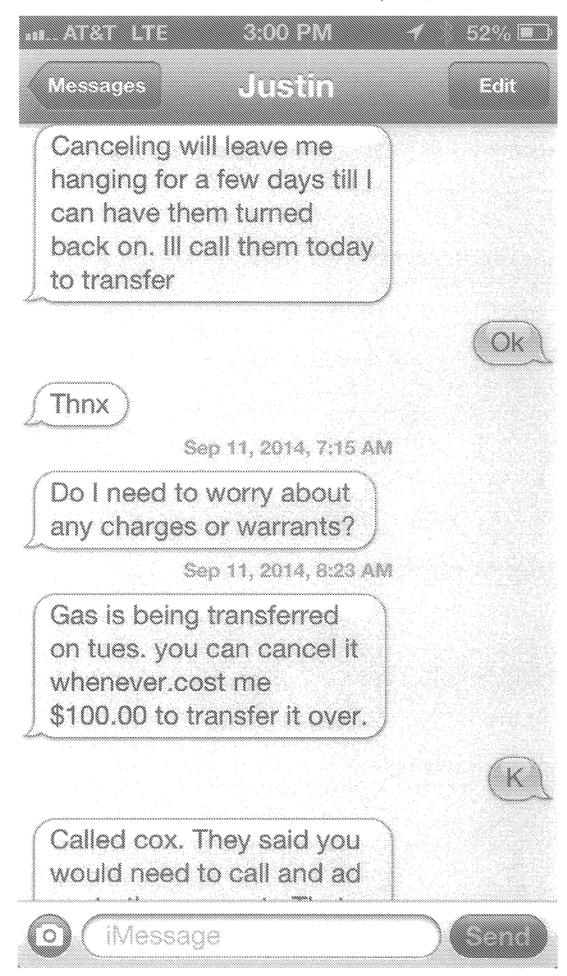


## **EXHIBIT 6**



ROA000151

iMessage



1/30/2015 photo 3.PNG



1/30/2015 photo 4.PNG



Cops, people's livelihoods being risked. Scared the crap out of me

You and the girls mean the world to me. I just can't be that guy ever again



Do u even care that u hit me? Or were u just worried about the cops and it being on ur record?

Scared of the entire situation. I never want to hurt anyone

> Sorry about all the questions I just start thinking and it eats me up inside until I just can't handle it anvincre and



iMessage



11/19/2014 photo-PNG



Nov 17, 2014, 7:15 PM

Heft to work on us

You left Sarah

You left. You have up on us. You you you

YOU HIT ME JUSTIN

Gave

I never gave up and still haven't

Like you havnt hit me

Give me a break

Nope not like that

In my face with our daughter right there



iMessage