SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed 07/29/2021

Aimee Morrison,

Petitioner-Appellant,

Electronically Filed Aug 03 2021 02:20 p.m. Elizabeth A. Brown Clerk of Supreme Court

v.

Case: A -21-832761-C

Charlene O'Neil,

Respondent-Appellee,

NOTICE OF APPEAL

1. The Petitioner Aimee L. Morrison, appeals this decision of motion to Dismiss on June 23 20 to The Nevada Supreme Court.

Sworn to before me this / day

Notary Public

SATVIPI S. DECL Motary Public - State of Newada County of Clark AFPT, NO. 17-3622-1 My Arp. Expires Sept. 21, 2021

CERTIFICATE OF SERVICE

I do hereby certify that on this _____ of July 2021, I served a Notice Of Appeal upon Kevin Beck, 3137 E. Warm Springs Rd, Suite 100, Las Vegas, Nevada 89120 by First Class united States mail

Linee Morrison

Electronically Filed 7/30/2021 11:42 AM Steven D. Grierson **CLERK OF THE COURT**

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

Dept No: XV

Case No: A-21-832761-C

CASE APPEAL STATEMENT

1. Appellant(s): Aimee Morrison

Plaintiff(s),

Defendant(s),

2. Judge: Joe Hardy

3. Appellant(s): Aimee Morrison

Counsel:

AIMEE MORRISON,

vs.

CHARLENE O'NEIL,

Aimee Morrison 6456 Butterfly Sky St. North Las Vegas, NV 89084

4. Respondent (s): Charlene O'Neil

Counsel:

Kevin E. Beck 3137 E. Warm Springs Rd., Ste. 100 Las Vegas, NV 89120

1			
2	5. Appellant(s)'s Attorney Licensed in Nevada: N/A Permission Granted: N/A		
3 4	Respondent(s)'s Attorney Licensed in Nevada: Yes Permission Granted: N/A		
5	6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No		
6	7. Appellant Represented by Appointed Counsel On Appeal: N/A		
7 8 9	8. Appellant Granted Leave to Proceed in Forma Pauperis**: N/A **Expires 1 year from date filed Appellant Filed Application to Proceed in Forma Pauperis: No Date Application(s) filed: N/A		
10	9. Date Commenced in District Court: April 12, 2021		
11	10. Brief Description of the Nature of the Action: TORT - Other		
12	Type of Judgment or Order Being Appealed: Judgment		
13	11. Previous Appeal: No		
14	Supreme Court Docket Number(s): N/A		
15	12. Child Custody or Visitation: N/A		
16	13. Possibility of Settlement: Unknown		
17	Dated This 30 day of July 2021.		
18	Steven D. Grierson, Clerk of the Court		
19			
20	/s/ Heather Ungermann		
21	Heather Ungermann, Deputy Clerk 200 Lewis Ave		
22	PO Box 551601		
23	Las Vegas, Nevada 89155-1601 (702) 671-0512		
24			
25 26			
27			
28	cc: Aimee Morrison		
_~	1		

A-21-832761-C -2-

CASE SUMMARY CASE No. A-21-832761-C

Aimee Morrison, Plaintiff(s) Charlene O'Neil, Defendant(s)

Location: Department 15 Judicial Officer: Hardy, Joe Filed on: 04/12/2021 Cross-Reference Case A832761 Number:

CASE INFORMATION

Case Type: Other Tort

Case 04/12/2021 Open Status:

DATE CASE ASSIGNMENT

Current Case Assignment

Case Number A-21-832761-C Court Department 15 Date Assigned 04/12/2021 Judicial Officer Hardy, Joe

PARTY INFORMATION

Lead Attorneys **Plaintiff** Morrison, Aimee Pro Se

702-302-0481(H)

Beck, Kevin E. Defendant O'Neil, Charlene Retained

702-641-9900(W)

DATE **EVENTS & ORDERS OF THE COURT INDEX**

EVENTS 04/12/2021 Complaint

> Filed By: Plaintiff Morrison, Aimee [1] Complaint

04/12/2021 Summons Electronically Issued - Service Pending

04/16/2021

[2]

🔽 Affidavit Filed By: Plaintiff Morrison, Aimee

[3] Affidavit/Declaration of Service Under Penalty of Perjury

05/06/2021 Proof of Service Filed by: Plaintiff Morrison, Aimee Party Served: Defendant O'Neil, Charlene

[4] Proof of Service

05/10/2021 Notice of Motion Filed By: Plaintiff Morrison, Aimee

[5] Notice of Motion

05/20/2021 Motion To Dismiss - Alternative Motion For Summary Judgment

Filed By: Defendant O'Neil, Charlene

CASE SUMMARY CASE NO. A-21-832761-C

	CASE NO. A-21-832/01-C
	[6] Motion to Dismiss or, in the Alternative, for Summary Judgment, to have Plaintiff Deemed a Vexatious Litigant, and for Attorney's Fees Under NRS 18.010
05/20/2021	Initial Appearance Fee Disclosure Filed By: Defendant O'Neil, Charlene [7] Initial Appearance Fee Disclosure
05/20/2021	Clerk's Notice of Hearing [8] Notice of Hearing
05/20/2021	Notice of Hearing Filed By: Defendant O'Neil, Charlene [9] Notice of Hearing
05/28/2021	Notice of Motion Filed By: Defendant O'Neil, Charlene [10] Notice of Motion
06/18/2021	Opposition Filed By: Defendant O'Neil, Charlene [11] Opposition to "Notice of Motion" filed May 10, 2021
06/30/2021	Notice of Motion Filed By: Plaintiff Morrison, Aimee [12] Notice of Motion
07/12/2021	Notice of Motion Filed By: Plaintiff Morrison, Aimee [13]
07/12/2021	Notice of Motion Filed By: Plaintiff Morrison, Aimee [14]
07/12/2021	Notice of Motion Filed By: Plaintiff Morrison, Aimee [15]
07/19/2021	Notice of Motion Filed By: Plaintiff Morrison, Aimee [16] Notice of Motion
07/29/2021	Notice of Appeal Filed By: Plaintiff Morrison, Aimee [17]
07/30/2021	Case Appeal Statement Filed By: Plaintiff Morrison, Aimee Case Appeal Statement
06/14/2021	HEARINGS Motion (3:00 AM) (Judicial Officer: Hardy, Joe) 06/14/2021, 06/23/2021 Plaintiff's Notice of Motion

CASE SUMMARY CASE NO. A-21-832761-C

Minute Order - No Hearing Held;

Denied With Prejudice;

Minute Order - No Hearing Held;

Denied With Prejudice;

Journal Entry Details:

COURT ORDERED, Plaintiff s Notice of Motion filed May 10, 2021 is hereby CONTINUED to June 23, 2021 at 9:00 a.m. for oral arguments. CLERK'S NOTE: Minute order electronically served by Courtroom Clerk, Kristin Duncan, to all parties registered for Odyssey File & Serve. (KD 6/15/2021);

06/23/2021

Motion to Dismiss (9:00 AM) (Judicial Officer: Hardy, Joe)

Motion to Dismiss or, in the Alternative, for Summary Judgment, to have Plaintiff Deemed a Vexatious Litigant, and for Attorney's Fees Under NRS 18.010 Granted With Prejudice;

06/23/2021

Hearing (9:00 AM) (Judicial Officer: Hardy, Joe)

Events: 05/28/2021 Notice of Motion

Plaintiff's Notice of Motion Denied With Prejudice;

06/23/2021



Matter Heard;

Journal Entry Details:

PLAINTIFF'S NOTICE OF MOTION...5/28/2021 NOTICE OF MOTION...MOTION TO DISMISS OR. IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT, TO HAVE PLAINTIFF DEEMED A VEXATIOUS LITIGANT. AND FOR ATTORNEY'S FEES UNDER NRS 18.010 Kevin E. Beck, Esq. present via Blue Jeans. The Court noted that it reviewed the Plaintiff's Notice of Motion filed on May 10, 2021, Plaintiff's Notice of Motion filed on May 28, 2021, and Defendant's Motion to Dismiss, or in the Alternative, Motion for Summary Judgment, filed on May 20, 2021. Additionally, the Court noted that all parties received notice of the instant hearing, and the Plaintiff was not present via Blue Jeans, nor were they present in the courtroom, at 9:05 AM; therefore, the Motions shall go forward without the Plaintiff being present. The Court provided its initial thoughts and inclinations regarding the Defendant's Motion to Dismiss. Mr. Beck indicated that he did not have anything to add, and inquired into the process for having a party deemed a vexatious litigant. The Court advised that the instant case would be referred to Chief Judge Bell, with a recommendation that an Order to Show Cause issue, requiring the Plaintiff to show cause as to why they should not be deemed a vexatious litigant. COURT ORDERED Defendant's Motion to Dismiss or, in the Alternative, for Summary Judgment, to Have Plaintiff Deemed a Vexatious Litigant, and for Attorney's Fees Under NRS 18.010, was hereby GRANTED WITH PREJUDICE for all of the reasons set forth in the Motion, FINDING and ORDERING the following: (1) the Court considered the instant Motion as a Motion to Dismiss first; (2) even under the Motion to Dismiss standard, it was appropriate to take JUDICIAL NOTICE of the various other actions, and the result of those actions; (3) the instant Motion was granted on claim preclusion; (4) alternatively, Defendant's Motion was GRANTED as a Motion for Summary Judgment, based upon the Court taking judicial notice of the other actions, and their results; (5) the Court incorporated the Defendant's Declaration, containing the claim that the Plaintiff was a vexatious litigant, into its ruling; (6) the instant case was hereby REFERRED to Chief Judge Bell, with a recommendation that an Order to Show Cause be issued as to why the Plaintiff should not be deemed a vexatious litigant; (7) the request for attorney's fees and costs, was hereby GRANTED under NRS 18.010(2)(b); (8) the instant case was brought without reasonable grounds, for the purpose of harassing the Defendant; (9) if the Defendant wished to have a judgment in place as to the attorney's fees and costs, they would be required to file the appropriate written Motion; and (10) the Court incorporated the findings already made, including the findings in the other action before Judge Sturman, into its ruling. Regarding Plaintiff's Notice of Motion, as well as the 5/28/21 Notice of Motion (ADVANCED from its setting on June 28, 2021), COURT ORDERED Plaintiff's Notices of Motion were hereby DENIED WITH PREJUDICE, FINDING the following: (1) the Court construed the Notices as Motions for Summary Judgment; (2) at the end of one of the Notices, the Plaintiff requested final judgment as a matter of law; however, with that construction, the Court DENIED both of the Notices WITH PREJUDICE; (3) no evidence was submitted to support the Notices; (4) Plaintiff did not submit an Affidavit or Declaration in support of the Notices; (5) the Court has dismissed the instant action WITH PREJUDICE, pursuant to Defendant's Motion to Dismiss; and (6) there was no legal support or basis that would allow the Court to grant the Plaintiff's Notices. COURT ORDERED the instant ruling would be a FINAL JUDGMENT. Mr. Beck to

CASE SUMMARY CASE NO. A-21-832761-C

	prepare one Order, and submit it directly to the Court. COURT FURTHER ORDERED that, once the Order was signed, the Order and instant minute order would be provided to Chief Judge Bell, with a recommendation that an Order to Show Cause issue as to why the Plaintiff should not be deemed a vexatious litigant.;
07/28/2021	CANCELED Hearing (9:00 AM) (Judicial Officer: Hardy, Joe) Vacated

	Plaintiff's Notice of Motion			
DATE	FINANCIAL INFORMATION			
	Defendant O'Neil, Charlene Total Charges Total Payments and Credits Balance Due as of 7/30/2021		423.00 223.00 200.00	
	Plaintiff Morrison, Aimee Total Charges Total Payments and Credits Balance Due as of 7/30/2021		294.00 270.00 24.00	

DISTRICT COURT CIVIL COVER SHEET County, Nevada Case No. A - 21 - 832701 - C (Assigned by Clarks Office)

P- 122 11	(Assigned by Clerk's	Office)
I. Party Information (provide both ho	me and mailing addresses if different)	
Plaintiff(s) (name/address/phone):	,	Defendant(s) (name/address/phone):
Limes Morr	\sqrt{S}	Charleno (OINeil
(0456 BUT	1. LU. SKUST	1217 Whitehvidaely
NIASILOGE	NV 6 900U	10100 1000 200
11 103 VEOLOS	100 1000	Palm Harbor, 34684
102-502	-0401	
Attorney (name/address/phone):		Attorney (name/address/phone):
		Kevin Deck
		3137 E. Warm Spring
		Las Vegas NV 89121
		9
II. Nature of Controversy (please so	elect the one most applicable filing two	halow
Civil Case Filing Types	etect the one most appacable juing type	DEIOW)
Real Property		Torts
Landlord/Tenant	Negligence	Other Torts
Unlawful Detainer	Auto	Product Liability
Other Landlord/Tenant	Premises Liability	Intentional Misconduct
Title to Property	Other Negligence	Employment Tort
Judicial Foreclosure	Malpractice	Insurance Tort
Other Title to Property	Medical/Dental	Other Tort
Other Real Property	Legal	Momer roll
Condemnation/Eminent Domain	 	
	Accounting	
Other Real Property	Other Malpractice	
Probate	Construction Defect & Contr	P
Probate (select case type and estate value)	Construction Defect	Judicial Review
Summary Administration	Chapter 40	Foreclosure Mediation Case
General Administration	Other Construction Defect	Petition to Seal Records
Special Administration	Contract Case	Mental Competency
Set Aside	Uniform Commercial Code	Nevada State Agency Appeal
Trust/Conservatorship	Building and Construction	Department of Motor Vehicle
Other Probate	Insurance Carrier	Worker's Compensation
Estate Value	Commercial Instrument	Other Nevada State Agency
Over \$200,000	Collection of Accounts	Appeal Other
Between \$100,000 and \$200,000	Employment Contract	Appeal from Lower Court
Under \$100,000 or Unknown	Other Contract	Other Judicial Review/Appeal
Under \$2,500		
Civil	Writ	Other Civil Filing
Civil Writ		Other Civil Filing
Writ of Habeas Corpus	Writ of Prohibition	Compromise of Minor's Claim
Writ of Mandamus	Other Civil Writ	Foreign Judgment
Writ of Quo Warrant		Other Civil Matters
	ourt filings should be filed using the	
April 10, 2021	jgo onoone oe jiicu using iiic	Since Morrison
Date V		Signature of initiating party or representative

See other side for family-related case filings.

DISTRICT COURT CLARK COUNTY, NEVADA

Other Tort	COURT MINUTES	June 14, 2021
A-21-832761-C	Aimee Morrison, Plaintiff(s)	

VS.

Charlene O'Neil, Defendant(s)

June 14, 2021 3:00 AM Motion

HEARD BY: Hardy, Joe COURTROOM: Chambers

COURT CLERK: Kristin Duncan

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- COURT ORDERED, Plaintiff's Notice of Motion filed May 10, 2021 is hereby CONTINUED to June 23, 2021 at 9:00 a.m. for oral arguments.

CLERK'S NOTE: Minute order electronically served by Courtroom Clerk, Kristin Duncan, to all parties registered for Odyssey File & Serve. (KD 6/15/2021)

DISTRICT COURT CLARK COUNTY, NEVADA

Other Tort COURT MINUTES June 23, 2021

A-21-832761-C Aimee Morrison, Plaintiff(s)

vs.

Charlene O'Neil, Defendant(s)

June 23, 2021 9:00 AM All Pending Motions

HEARD BY: Hardy, Joe COURTROOM: RJC Courtroom 11D

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES

PRESENT: Beck, Kevin E. Attorney

JOURNAL ENTRIES

- PLAINTIFF'S NOTICE OF MOTION...5/28/2021 NOTICE OF MOTION...MOTION TO DISMISS OR, IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT, TO HAVE PLAINTIFF DEEMED A VEXATIOUS LITIGANT, AND FOR ATTORNEY'S FEES UNDER NRS 18.010

Kevin E. Beck, Esq. present via Blue Jeans.

The Court noted that it reviewed the Plaintiff's Notice of Motion filed on May 10, 2021, Plaintiff's Notice of Motion filed on May 28, 2021, and Defendant's Motion to Dismiss, or in the Alternative, Motion for Summary Judgment, filed on May 20, 2021. Additionally, the Court noted that all parties received notice of the instant hearing, and the Plaintiff was not present via Blue Jeans, nor were they present in the courtroom, at 9:05 AM; therefore, the Motions shall go forward without the Plaintiff being present. The Court provided its initial thoughts and inclinations regarding the Defendant's Motion to Dismiss. Mr. Beck indicated that he did not have anything to add, and inquired into the process for having a party deemed a vexatious litigant. The Court advised that the instant case would be referred to Chief Judge Bell, with a recommendation that an Order to Show Cause issue, requiring the Plaintiff to show cause as to why they should not be deemed a vexatious litigant.

PRINT DATE: 07/30/2021 Page 2 of 3 Minutes Date: June 14, 2021

COURT ORDERED Defendant's Motion to Dismiss or, in the Alternative, for Summary Judgment, to Have Plaintiff Deemed a Vexatious Litigant, and for Attorney's Fees Under NRS 18.010, was hereby GRANTED WITH PREJUDICE for all of the reasons set forth in the Motion, FINDING and ORDERING the following: (1) the Court considered the instant Motion as a Motion to Dismiss first; (2) even under the Motion to Dismiss standard, it was appropriate to take JUDICIAL NOTICE of the various other actions, and the result of those actions; (3) the instant Motion was granted on claim preclusion; (4) alternatively, Defendant's Motion was GRANTED as a Motion for Summary Judgment, based upon the Court taking judicial notice of the other actions, and their results; (5) the Court incorporated the Defendant's Declaration, containing the claim that the Plaintiff was a vexatious litigant, into its ruling; (6) the instant case was hereby REFERRED to Chief Judge Bell, with a recommendation that an Order to Show Cause be issued as to why the Plaintiff should not be deemed a vexatious litigant; (7) the request for attorney's fees and costs, was hereby GRANTED under NRS 18.010(2)(b); (8) the instant case was brought without reasonable grounds, for the purpose of harassing the Defendant; (9) if the Defendant wished to have a judgment in place as to the attorney's fees and costs, they would be required to file the appropriate written Motion; and (10) the Court incorporated the findings already made, including the findings in the other action before Judge Sturman, into its ruling.

Regarding Plaintiff's Notice of Motion, as well as the 5/28/21 Notice of Motion (ADVANCED from its setting on June 28, 2021), COURT ORDERED Plaintiff's Notices of Motion were hereby DENIED WITH PREJUDICE, FINDING the following: (1) the Court construed the Notices as Motions for Summary Judgment; (2) at the end of one of the Notices, the Plaintiff requested final judgment as a matter of law; however, with that construction, the Court DENIED both of the Notices WITH PREJUDICE; (3) no evidence was submitted to support the Notices; (4) Plaintiff did not submit an Affidavit or Declaration in support of the Notices; (5) the Court has dismissed the instant action WITH PREJUDICE, pursuant to Defendant's Motion to Dismiss; and (6) there was no legal support or basis that would allow the Court to grant the Plaintiff's Notices.

COURT ORDERED the instant ruling would be a FINAL JUDGMENT. Mr. Beck to prepare one Order, and submit it directly to the Court. COURT FURTHER ORDERED that, once the Order was signed, the Order and instant minute order would be provided to Chief Judge Bell, with a recommendation that an Order to Show Cause issue as to why the Plaintiff should not be deemed a vexatious litigant.

PRINT DATE: 07/30/2021 Page 3 of 3 Minutes Date: June 14, 2021



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

AIMEE MORRISON 6456 BUTTERFLY SKY ST. NORTH LAS VEGAS, NV 89084

> DATE: July 30, 2021 CASE: A-21-832761-C

RE CASE: AIMEE MORRISON vs. CHARLENE O'NEIL

NOTICE OF APPEAL FILED: July 29, 2021

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

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

- \$250 Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- \$24 District Court Filing Fee (Make Check Payable to the District Court)**
- S500 − Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
 - Previously paid Bonds are not transferable between appeals without an order of the District Court.
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2

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

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

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

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

Certification of Copy

State of Nevada
County of Clark

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

AIMEE MORRISON,

Plaintiff(s),

VS.

CHARLENE O'NEIL,

Defendant(s),

now on file and of record in this office.

Case No: A-21-832761-C

Dept No: XV

IN WITNESS THEREOF, I have hereunto Set my hand and Affixed the seal of the Court at my office, Las Vegas, Nevada This 30 day of July 2021.

Steven D. Grierson, Clerk of the Court

Heather Ungermann, Deputy Clerk